

# NORTH YORKSHIRE COUNTY COUNCIL

## CORPORATE DIRECTOR'S MEETING WITH EXECUTIVE MEMBERS

22 May 2018

### PROPOSAL TO CEASE TO MAINTAIN BURNT YATES CHURCH OF ENGLAND VOLUNTARY AIDED PRIMARY SCHOOL

#### **1 PURPOSE OF REPORT**

- 1.1 To provide Executive Members with information upon which to make a decision on the proposal to cease to maintain Burnt Yates Church of England Voluntary Aided Primary School with effect from 31 August 2018.

#### **2 EXECUTIVE SUMMARY**

- 2.1 On 13 March 2018 the Executive approved the publication of statutory proposals to close Burnt Yates CE VA Primary School with effect from 31 August 2018.
- 2.2 This followed careful consideration of the responses to public consultation carried out by the Children and Young People's Service.
- 2.3 The statutory proposals were published on 22 March 2018, giving 4 weeks until 19 April 2018 for representations to be made.
- 2.4 This report is supported by a number of Appendices as listed below:

##### Annex A: Public Notice and Statutory Proposals

Appendix 1: Public Notice in accordance with section 15(1) of the Education and Inspections Act 2006

Appendix 2: Statutory Proposal for school closure

Appendix 3: Letter sent to MP regarding rural schools

##### Annex B: School Organisation Guidance for Decision-makers

#### **3 BACKGROUND**

- 3.1 The Education and Inspections Act 2006 sets out the procedures for closing a maintained school. These are detailed in School Organisation regulations and guidance<sup>1</sup>. The regulations and guidance apply to Local Authorities and governing bodies proposing to close schools, and to Local Authorities (including the County Council's Executive or Executive Members) acting as decision-makers.

#### **4 PROPOSALS**

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<sup>1</sup> School Organisation (Establishment and Discontinuance of Schools) Regulations 2013 and Department for Education statutory guidance Opening and closing maintained schools and Guidance for decision makers April 2016.

#### 4.1 North Yorkshire County Council proposes:

To cease to maintain Burnt Yates CE VA Primary School with effect from 31 August 2018. It is proposed that the catchment area of Ripley Endowed CE VC Primary School and Bishop Thornton CE VC Primary School shall be expanded with effect from 1 September 2018 to jointly serve the area currently served by Burnt Yates CE VA Primary School.

### **5 CONSULTATION UNDERTAKEN AND RESPONSES**

5.1 The consultation period ran from 9 January 2018 to 27 February 2018. Consultation documents were distributed to a wide range of stakeholders. The consultation document and responses to the consultation are included in Annex A, Appendix 2.

5.2 The Executive met on 13 March 2018, considered the consultation responses, and resolved to proceed with publication of the statutory proposals.

### **6 STATUTORY PROPOSALS AND NOTICES**

6.1 The statutory proposals and public notices were published on 22 March 2018. The public notice, placed on the school gates and in the Harrogate Advertiser newspaper, invited written objections or comments to be submitted by 19 April 2018. A copy of the notice is attached as Annex A, Appendix 1. At the time of the publication of the notice, a copy of the complete proposal, including all the information required in the school organisation regulations and guidance, was published on the County Council's website. A copy of the proposal is attached as Annex A, Appendix 2.

6.2 Following the publication of the Statutory Notices, no responses were received by the end of the notice period of 19 April 2018.

### **7 FINANCIAL IMPLICATIONS**

7.1 As set out in the report to Executive on 13 March, any annual savings to the Dedicated Schools Grant arising from the closure, if approved, would remain within the ring-fenced Dedicated Schools Grant as part of the funding for all schools. Any revenue or capital balances would be made available to the receiving school(s) in line with the Closing School Accounting Policy.

7.2 If the school closed, there could be a potential additional cost to the Local Authority in providing transport to other schools. Free home to school transport would be provided for entitled pupils in accordance with the revised catchment area arrangements in accordance with the County Council's Home to School transport policy. Depending on the individual choices of schools by parents, potentially up to four children currently attending Burnt Yates could be eligible for home to school transport to either Ripley or Bishop Thornton schools. This may require 1 or 2 taxis at a cost of £70 or £140 per day. Other transport costs may arise dependent on individual circumstances of individual pupils.

### **8 LEGAL IMPLICATIONS**

#### REGULATIONS AND GUIDANCE

- 8.1 The consideration and determination of school organisation proposals by the Local Authority is set out in regulations and in guidance produced by the Department for Education.<sup>2</sup> Careful regard has been had to these provisions.

## PRELIMINARY CHECKS

- 8.2 The Decision Maker must consider, on receipt of each proposal:
- whether any information is missing;
  - whether the published notice of the proposal complies with statutory requirements;
  - whether the statutory consultation has been carried out prior to the publication of the notice;
  - and whether the proposal is related to other published proposals.

Having undertaken an audit of these preliminary checks, the Assistant Chief Executive (Legal and Democratic Services) advises that:

- all information required has been supplied;
- the published notice complies with statutory requirements;
- statutory consultation has been carried out prior to publication of the notice;
- and that the preliminary points for consideration have been dealt with sufficiently to permit the Executive or Executive Members to proceed to determine this proposal.

## TYPES OF DECISION THAT CAN BE MADE

- 8.3 In considering proposals for a school closure, the Executive (or the Executive Member for Schools, if there are no objections received during the representation period), as Decision Makers can decide to:
- reject the proposals;
  - approve the proposals;
  - approve the proposals with a modification;
  - approve the proposals subject to them meeting a specific condition.

## **9 PROCEDURE FOR THE MEETING**

- 9.1 The Executive agreed on 25 September 2007 that in making a decision on school organisation proposals:
- (a) The decision maker must have regard to the Decision Makers' Guidance and to the Executive Procedure Rules laid down in the North Yorkshire County Council Constitution.
- (b) All decisions must give reasons for the decision, indicating the main factors/criteria for the decision.

## **10 ISSUES RAISED DURING THE EXECUTIVE MEETING OF 13 MARCH 2018**

- 10.1 The Executive Members for Education and Skills and for Children's Services both emphasised the need to consult with local MP, Julian Smith, and the

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<sup>2</sup> See footnote 1.

Regional Schools Commissioner on the issue of the current process that requires schools with an inadequate Ofsted judgement to convert to academy status and the extra difficulties faced by rural schools when this was implemented. It was suggested that local authorities required more time in these situations to determine a viable future for the schools and currently that was unavailable through the prescribed process.

- 10.2 In response to this, the Corporate Director – Children and Young People’s Service has contacted Julian Smith MP and the Regional Schools Commissioner and a copy of the letter is attached as Annex A, Appendix 3. Julian Smith has noted the concerns raised and has sent a copy of the letter along with a letter of his own to the Secretary of State for Education.

## **11 REASONS FOR THE RECOMMENDATION.**

- 11.1 The report to the Executive on 13 March 2018 set out the key concerns. The latest position on these issues is summarised below.

### **11.2 STANDARDS OF TEACHING AND LEARNING**

In December 2016 the school was judged by Ofsted as Inadequate and became subject to Special Measures. Since then, continued support provided to the school from the Local Authority has impacted positively on practice within both classes. The school evaluation currently judges teaching and learning as requiring improvement; this is supported by evidence from monitoring. All teachers are on fixed-term contracts until the end of the academic year; this means that the capacity for long term improvement in teaching and learning is limited. Leadership is also temporary and the uncertain position of the school means that partnerships which are needed for sustained improvement are difficult to establish and maintain.

### **11.3 PUPIL NUMBERS**

The number of children at Burnt Yates CE VA Primary School has been falling over the past few years. As of April 2018 there are 12 children on roll in the school. The school is designed to accommodate up to 53 pupils if all spaces are in use. Forecasts indicate that these numbers will not recover significantly in the longer term and may reduce still further. There has been 1 application and offer made to start in Reception in September 2018.

### **11.4 FINANCIAL POSITION**

Pupil numbers determine the school budget. The school is projecting deficits in year of £78.5k in 2018/19 and £76.9k in 2019/20, and cumulative deficits of £155.2k in 2018/19 and £232.0k in 2019/20. These are based on pupil number assumptions of 18 in 2018/19 and 19 in 2019/20. As pupil numbers have reduced further there appears to be no reasonable prospect of recovery.

### **11.5 STAFFING**

The staffing at the school is all on a temporary basis with the exception of one member of support staff. Teachers within the school have been put onto fixed- term contracts to provide some job security until the end of the

academic year. The Executive Headteacher is also on a fixed-term contract which has been extended until the end of the academic year.

The current position is that appropriate staffing is being maintained in accordance with our obligation to provide the best possible education while the school remains open.

## **12 HUMAN RIGHTS IMPLICATIONS**

12.1 There are no Human Rights issues in relation to this issue.

## **13 RECOMMENDATIONS**

13.1 (a) That having undertaken the required preliminary checks, the Executive Member resolves that the four key issues listed above in paragraph 8.2 have been satisfied and there can be a determination of the proposals.

(b) That the following proposal be determined:

To cease to maintain Burnt Yates CE VA Primary School with effect from 31 August 2018.

To extend the catchment area of Ripley Endowed CE VC Primary School and Bishop Thornton CE VC Primary School with effect from 1 September 2018 to jointly serve the area currently served by Burnt Yates CE VA Primary School.

Stuart Carlton  
Corporate Director – Children and Young People’s Service

Report prepared by John Lee and Beth Latimer, Strategic Planning Team.

### List of Appendices:

#### Annex A: Public Notice and Statutory Proposal

Appendix 1: Public Notice in accordance with section 15(1) of the Education and Inspections Act 2006

Appendix 2: Statutory Proposal for school closure

Appendix 3: Letter sent to MP regarding rural schools

#### Annex B: School Organisation Guidance for Decision-makers

### Background documents

Report to Executive, 13 March 2018

**NORTH YORKSHIRE COUNTY COUNCIL**  
**Proposal to Cease to Maintain a School**  
**Burnt Yates Church of England Primary School**

Notice is given in accordance with section 15(1) of the Education and Inspections Act 2006 that North Yorkshire County Council, County Hall, Northallerton, DL7 8AE, intends to discontinue Burnt Yates Church of England (Voluntary Aided) Primary School, Burnt Yates, Harrogate, North Yorkshire, HG3 3EJ on 31 August 2018.

Copies of the complete proposal can be obtained from: Corporate Director - Children and Young People's Service, North Yorkshire County Council, County Hall, Northallerton, DL7 8AE and are available on the County Council's website at [www.northyorks.gov.uk](http://www.northyorks.gov.uk).

Within four weeks from the date of publication of this proposal, any person may object to or make comments on the proposal by sending them to Corporate Director - Children and Young People's Service, North Yorkshire County Council, County Hall, Northallerton, DL7 8AE, by 5pm on 19 April 2018.

Signed: B. Khan  
Assistant Chief Executive  
(Legal and Democratic  
Services)  
Publication Date: 22 March 2018

## **Statutory proposals and statutory notice**

### **Statutory proposals for school closures**

As set out in the Establishment and Discontinuance Regulations the information below **must** be included in a proposal to close a school:

#### **Contact details**

The name and contact address of the local authority or governing body publishing the proposals and the name, address and category of the school it is proposed that should be discontinued.

Proposal published by North Yorkshire County Council, County Hall, Northallerton, DL7 8AE, to discontinue Burnt Yates Church of England Voluntary Aided Primary School, Burnt Yates, Harrogate, North Yorkshire, HG3 3EJ from 31 August 2018.

Burnt Yates CE VA Primary School is a 4-11 Church of England Voluntary Aided primary school in the Harrogate area.

#### **Implementation**

The date on which it is proposed to close the school or, where it is proposed that the closure be implemented in stages, the dates of and information about each stage.

It is proposed to close the school from 31 August 2018.

#### **Reason for closure**

A statement explaining the reason why closure of the school is considered necessary.

There are four key concerns: 1) Standards of teaching and learning 2) Low pupil numbers; 3) The school's financial position 4) Staffing

##### **1) Pupil Numbers**

The number of children at Burnt Yates CE VA Primary School has been falling over the past few years. As of February 2018 there are 12 children on roll in the school. The school is designed to accommodate up to 53 pupils if all spaces are in use. Forecasts indicate that these numbers will not recover significantly in the longer term and may reduce still further.

In these circumstances, it is difficult to deliver quality education.

There have been 3 applications for Reception places to start in September 2018.

## **2) Standards of teaching and learning**

In December 2016 the school was judged by Ofsted as Inadequate and became subject to Special Measures. The school have been trying to improve standards following the Ofsted inspections, and has received extensive support from the Local Authority, but the low pupil numbers will lead to a need to further reduce staff which compromises any further attempts the school might need to make to deliver an acceptable quality of education.

Burnt Yates CE VA Primary School have collaborated with Ripley Endowed CE Primary School for over 3 years and shared a Headteacher throughout that time. There is currently a temporary Executive Headteacher in post shared across both schools sites. Given the very low number of pupils entering the school it is considered that an attempt to recruit a substantive Headteacher with the calibre to make the necessary improvements is unlikely to be successful. The current temporary arrangements cannot continue into the future. Without secure leadership the quality of teaching at the school is at further risk.

The school evaluation currently judges teaching and learning as requiring improvement; this is supported by evidence from monitoring and within pupils' work. All teachers in the Early Years/Key Stage 1 and the Key Stage 2 classes are on fixed term contracts until the end of the academic year; this means that the capacity for long term improvement in teaching and learning is limited. Leadership is also temporary and the uncertain position of the school means that partnerships which are needed for sustained improvement are difficult to establish and maintain.

## **3) The Financial Position**

Pupil numbers determine the school budget. The school is projecting deficits in year of £78.5k in 2018/19 and £76.9k in 2019/20, and cumulative deficit of £155.2k in 2018/19 and £232.0k in 2019/20. These are based on pupil number assumptions of 18 in 2018/19 and 19 in 2019/20. As pupil numbers have reduced further there appears to be no reasonable prospect of recovery.

## **4) Staffing**

The staffing at the school is all on a temporary basis with the exception of one member of support staff.

Teachers within the school have been put onto fixed term contracts to provide some job security until the end of the academic year. The executive headteacher is also on a fixed term contract which has been extended until the end of the academic year.

The current position is that appropriate staffing is being maintained in accordance with our obligation to provide the best possible education while the school remains open.

## **Pupil numbers and admissions**



The numbers (distinguishing between compulsory and non-compulsory school age pupils), age range, sex, and special educational needs of pupils (distinguishing between boarding and day pupils) for whom provision is currently made at the school.

There is currently 12 pupils on roll at the school as of February 2018. 6 pupils in Class 1 and 6 pupils in Class 2. 9 of the pupils are male and 3 of the pupils are female.

The school's age range is 4-11 years, and provision is available for boys and girls. There is no boarding provision. Information on special educational needs of pupils is not provided as this would contravene the Data Protection Act. Total pupil numbers are significantly lower than the capacity of the school which is designed to accommodate up to 53 pupils.

## **Displaced pupils**

A statement and supporting evidence about the need for school places in the area including whether there is sufficient capacity to accommodate displaced pupils.

Details of the schools or further education colleges at which pupils at the school to be discontinued will be offered places, including—

- a) any interim arrangements;
- b) the provision that is to be made for those pupils who receive educational provision recognised by the local authority as reserved for children with special educational needs; and
- c) in the case of special schools, the alternative provision made by local authorities other than the local authority which maintain the school.

Details of any other measures proposed to be taken to increase the number of school or further education college places available in consequence of the proposed discontinuance.

- a) No interim arrangements have been necessary.

There are 9 other primary schools within 5 miles of Burnt Yates School. Across the area there are places available for all the pupils currently at Burnt Yates CE VA Primary School.

The nearest school to Burnt Yates village is Birstwith CE which is at its published admission number in most year groups. There is currently capacity though, at Bishop Thornton CE VC and Ripley Endowed CE, which are the next nearest schools, and judged as Outstanding (Bishop Thornton) and Requires Improvement (Ripley) in their last Ofsted inspections. There are also places available at Darley CP, Summerbridge CP, and Killinghall CE VC, Markington CE, and Kettlesing Felliscliffe CP which are all within 5 miles of Burnt Yates School which were rated Good or Outstanding in their last Ofsted inspections.

It is proposed that the catchment areas of Ripley Endowed (Church of England) (VC) Primary School and Bishop Thornton Church of England (VC) Primary School shall be expanded with effect from 1 September 2018 to jointly serve the area currently served by Burnt Yates CE VA Primary School.

For any children currently at Burnt Yates CE VA Primary School, North Yorkshire County Council would work with each family to try to meet their individual preferences for other schools.

Parents have a right to express a preference for any school and, in the case of community and voluntary controlled schools, the relevant Local Authority is the admissions authority and will meet that preference provided there are vacant places or the school is happy to admit above the published admission number. In the case of Voluntary Aided schools, the governing body decide the conditions for admission to their particular school. Where a child attends a school which is not their normal school or nearest school, parents are normally responsible for making transport arrangements.

- b) Not applicable in this case
- c) Not applicable in this case

## **Impact on the community**

A statement and supporting evidence about the impact on the community of the closure of the school and any measures proposed to mitigate any adverse impact.

In some communities the school is the only community space. In this case there is a Cricket Club, Community Centre and there is also a Church opposite the school site. The Bay Horse Community Centre is frequently used by various groups including use as the polling station and adjacent there is a community play area consisting of a park and grassed area.

The School has recently been used for the following community activities: School Sports Partnership, St Andrews Church and Friends of Burnt Yates School. Discussions are underway with Yorkshire Dales Bushcraft to use the school ground and building

Given the small number of community uses of the school premises, and the alternative venues available locally, the potential impact of the loss of the school as a community venue should be minimal.

The school building is not owned by the County Council. Decisions about disposal of the school site and buildings will be taken by the owners of the site after the closure proposal has been determined. The matter needs to be referred to the Secretary of State. Burnt Yates CE VA Primary School Trustees will act in the best interests of the children of the current Burnt Yates CE VA Primary School catchment area in any matters for which they are responsible.

## **Rural primary schools**

Where proposals relate to a rural primary school designated as such by an order made for the purposes of Section 15 (Education and Inspections Act 2006 (EIA), a statement that the local authority or the governing body (as the case may be) considered Section 15(4) EIA.

As Burnt Yates CE VA Primary School is designated as a rural school there are some particular considerations for the proposers of any closure. There is a presumption against the closure of rural schools. This does not mean rural schools should not close. It means that the 'case for closure should be strong and the proposal must be clearly in the best interests of educational provision in the area'.

Proposers must demonstrate that they have considered the following:

- The likely effect of the discontinuance of the school on the local community;
- Educational standards at the school and the likely effect on standards at neighbouring schools
- The availability and likely cost to the LA of transport to other schools;
- Any increase in the use of motor vehicles which is likely to result in the discontinuance of the school and the likely effects of any such increase; and
- Any alternatives to the discontinuance of the school

These are examined in turn below.

### **The likely effect of closure of the school on the community**

Please see the section above 'Impact on the Community'

### **Educational standards at the school and the likely effect on standards at neighbouring schools**

The most recent Ofsted inspection was in December 2016 when there were 24 pupils on roll. In September, there were 18 pupils and as of February 2018 there are 12 pupils on roll at the school. It will become increasingly difficult to meet children's education and social needs even with the existing partnership with another local school.

The impact of falling numbers is a concern. Declining numbers make it difficult to ensure that pupils have the necessary breadth of social experiences, sufficient peer interaction and the opportunity for children to work in groups.

There are 9 other primary schools within 5 miles of Burnt Yates School. All these schools were judged Good or Outstanding in their last Ofsted inspections, apart from Ripley CE which was judged to Require Improvement. It is not considered that the proposed closure of Burnt Yates CE VA Primary School would have any detrimental effect on standards at neighbouring schools.

### **The availability and likely cost to the LA, of transport to other schools and any increase in the use of motor vehicles which is likely to result from the closure of the school, and the likely effects of any such increase**

If the school closed, there would be a potential additional cost to the Local Authority in providing transport to other schools. Free home to school transport would be provided for entitled pupils within the enlarged catchment area in accordance with the County Council's Home to School Transport policy. The County Council's Home to School transport policy sets out that free school transport will be provided to the catchment

school or nearest school to a child's home address if it is over the statutory walking distances set out by law. This is:

- Two miles for children under eight years of age;
- Three miles for children aged over eight; or
- where the route to the catchment or nearest school is not safe to walk accompanied by a responsible adult.

If the nearest catchment or nearest school is full, transport will be provided, in accordance with the authority's transport policy, to the nearest school with places available.

Children from low income families (children entitled to free school meals or whose parent are in receipt of the maximum level of Working Tax Credit) have additional eligibility criteria for additional home to school transport and details are available on the County Council's website at <http://www.northyorks.gov.uk/article/26071/School---travel-support>

There is also additional eligibility criteria for transport to denominational schools (details available on the County Council's website) but this will change in 2018.

Depending on the individual choices of schools by parents, potentially up to four children currently attending Burnt Yates could be eligible for home to school transport to either Ripley or Bishop Thornton schools. This may require 1 or 2 taxis at a cost of £70 or £140 per day. Other transport costs may arise dependent on individual circumstances of individual pupils.

Staff from the County Council's Admissions and Transport team have met with parents at Burnt Yates CE VA Primary School during the consultation period to advise on individual implications to parents. If a parent is informed that they are not entitled to transport they may, if they wish, contact the Transport Team in writing with their particular individual circumstances, which would be reviewed by Senior Officers before an appeal would be offered.

If it is agreed to close Burnt Yates CE VA Primary School then the County Council would work with individual families of children attending Burnt Yates CE VA Primary School to look to accommodate their preferences for alternative schools where possible. Discretion can be exercised where appropriate in providing support for home to school transport outside the criteria set out in the policy.

### **Any alternatives to the closure of the school**

The Governing Body and officers from the County Council and Diocese have explored alternatives to the closure of the school. It is considered that there is no potential for the school to convert to academy status or to join a multi-academy trust because it would not meet tests of due diligence due to its small size and financial position. The fundamental issues of very low numbers, leading to lack of curriculum breadth remain.

Whilst collaboration between schools can enrich children's educational experiences to some extent and lead to sharing of resources or services it cannot guarantee the

security of a school, which has reached a critical level in terms of pupil numbers, without other forms of support or intervention. The Governing Body has examined potential federations and amalgamations with other local schools and considered that this would not secure the future of educational provision at the school in the longer term.

## **Balance of denominational provision**

Where the school has a religious character, a statement about the impact of the proposed closure on the balance of denominational provision in the area and the impact on parental choice.

Burnt Yates is a Church of England Voluntary Aided Primary School. The LA is under an obligation to consider the impact on the proportion of church places before it determines the outcome of school closure proposals. As there are other Church of England primary schools in the local area, the proposed closure will have minimal impact on the balance of denominational provision. The other local schools are: Birstwith C of E Primary School, Bishop Thornton C of E Primary School, Hampsthwaite C of E Primary School, Ripley Endowed C of E Primary School, Killinghall C of E Primary School and Markington C of E Primary School.

## **Maintained nursery schools**

Not applicable

## **Sixth form provision**

Not applicable

## **Special educational needs provision**

The existing provision at Burnt Yates CE VA Primary School is not reserved for pupils with special educational needs.

## **Travel**

Details of length and journeys to alternative provision.

The proposed arrangements for travel of displaced pupils to other schools including how the proposed arrangements will mitigate against increased car use.

Eligibility for home to school transport will be determined in line with the County Council's current home to school transport policy and procedures based on each child's home address and individual circumstances.

Where a child attends a school which is not their normal school or nearest school, parents are normally responsible for making transport arrangements.

Parents were and will be reminded of the County Council's home to school transport policy when considering alternative schools. Pupils up to the age of 8 would normally be eligible for free home to school transport if they live more than 2 miles from their normal area school (or 3 miles for those over the age of 8). Parents can always express a preference for a school other than their normal area school however they

would usually be responsible for making transport arrangements. Eligibility is assessed on an individual basis taking into account the child's home address.

North Yorkshire County Council's Home to School transport policy states that 'Transport will be arranged so that children will not normally spend more than 1 hour 15 minutes travelling to a secondary school or 45 minutes to a primary school. Journey times might need to be longer than this in some more rural areas and where road or weather conditions mean that these times are not practical.' This is in line with statutory guidance from the Department for Education. The journey time for children living within the current Burnt Yates CE VA Primary School catchment area would depend on which other school they attended and their home address. There are 9 other primary schools within 5 miles of Burnt Yates School.

### **Procedure for making representations (objections and comments)**

Within four weeks from the date of publication of this proposal, any person may object to or make comments on the proposal by sending them to Corporate Director- Children and Young People's Service, North Yorkshire County Council, County Hall, Northallerton, DL7 8AE, by 19 April 2018.

### **Consultation**

The decision to consult on closure was taken by the Executive Member for Schools following a request from governors on 12 December 2017. A consultation paper setting out the proposal was sent to parents of pupils on roll, staff at the school as well as other interested parties and individuals. A copy of the consultation paper is attached as Appendix 1. A list of the consultees is attached as Appendix 2. The consultation period ran from 9 January 2018 to 27 February 2018. A public meeting was held at the school on 15 January 2018, a note of that meeting is attached as Appendix 3. There have been 79 consultation responses received (Appendix 4).

Appendix 1: Consultation Paper

Appendix 2: List of the Consultees

Appendix 3: Notes of the Public Meeting

Appendix 4: Consultation Responses



# ***Consultation Document***

**Proposal to close Burnt Yates Church of England**

**Voluntary Aided Primary School**

**from 31 August 2018**

# **Burnt Yates Church of England Voluntary Aided Primary School**

January 2018

This paper sets out details of a proposal to close Burnt Yates CE VA Primary School with effect from 31 August 2018. It gives the background to the proposal. There will be a public meeting on:

**Monday 15 January 2018 at 6.30 pm**

**at Burnt Yates CE VA Primary School, Burnt Yates, Harrogate, HG3 3EJ**

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## **The Current Position**

Following discussion with the Regional School's Commissioner (RSC), and working closely with the Diocese of Leeds, North Yorkshire County Council is consulting on a proposal to close the school.

It is considered that the closure is necessary to secure the interests of current and future pupils from the school because of concerns about standards of teaching and learning and related concerns about low pupil numbers and the school's financial position.

This decision has not been reached lightly, and not before alternatives have been considered, such as collaborating and amalgamating with other schools to make sure that good standards of teaching and learning will be available for all pupils.

## **Background**

In December 2016 the school was judged by Ofsted as Inadequate and became subject to Special Measures.

In January 2017 the RSC issued a directive academy order. The Diocese attempted to find a suitable academy trust that might sponsor the school to become an academy. No multi-academy trust could be found for the school. Following this, the Diocese approached the RSC to propose an amalgamation solution involving the technical closure of the School.

The RSC then considered the financial position of the school combined with the falling pupil numbers (as reported by NYCC officers) and concluded that the school is no longer viable. The RSC therefore revoked the Academy Order for Burnt Yates CE VA Primary School and advised that the expectation is that the Local Authority would take steps to close the school following the statutory process to close a maintained 'rural school'. This would allow the Local Authority to consult on closing the school in order to either amalgamate the school, or close the school outright.



The County Council and the Diocese supported Burnt Yates CE VA Primary School and Ripley Endowed CE Primary School to explore the potential for amalgamation. This would have involved Burnt Yates CE VA Primary School closing but education continuing on the premises as part of a split school site. Having gathered the relevant evidence from both the school and County Council and undertaken a due diligence process the Ripley Governing Body had a number of concerns surrounding the financial sustainability of the amalgamated school on two sites. This resulted in their decision not to proceed to the consultation on amalgamation. It is now thought unlikely that an amalgamation with an alternative school could proceed.

The remaining option therefore is to proceed with this statutory consultation on closure where the NYCC Executive is the decision making body.

Where a school like Burnt Yates is in Special Measures, the Secretary of State can also order that the school is closed. The Regional School's Commissioner has advised that if, following the statutory closure process, the County Council decided to keep the school open then they would need to consult with the Secretary of State to see whether she wanted to use her powers to direct closure for this school.

### **Standards of teaching and learning**

The school has been trying to improve standards following the Ofsted inspections, and has received extensive support from the Local

Authority, but the low pupil numbers will lead to a need to further reduce staff which compromises any further attempts the school might need to make to deliver an acceptable quality of education.

Burnt Yates CE VA Primary School have collaborated with Ripley Endowed CE Primary School for over 3 years and shared a Headteacher throughout that time. There is currently a temporary Executive Headteacher in post shared across both schools sites. Given the very low number of pupils entering the school it is considered that an attempt to recruit a substantive Headteacher with the calibre to make the necessary improvements is unlikely to be successful. The current temporary arrangements cannot continue into the future. Without secure leadership the quality of teaching at the school is at further risk.

### **Pupil Numbers**

The number of children at Burnt Yates CE VA Primary School has been falling over the past few years. In December 2017 there were only 16 children on roll in the school and these are projected to fall to just 14 in September 2018. The school is designed to accommodate up to 53 pupils if all spaces are in use. Forecasts indicate that these numbers will not recover significantly in the longer term and may reduce still further.

In these circumstances, it is difficult to deliver and sustain quality education.

Any change in pupil numbers will be reported at the public meeting on 15 January.

## **The Financial Position**

Pupil numbers determine the school budget. With these low numbers, and a reduced budget, the school will have to reduce staff. The school is projecting deficits in year of £78.5k in 2018/19 and £76.9k in 2019/20, and cumulative deficit of £155.2k in 2018/19 and £232.0k in 2019/20. These are based on pupil number assumptions of 18 in 2018/19 and 19 in 2019/20, and the position will be worse if pupil numbers fall further. There appears to be no reasonable prospect of recovery.

## **The Proposal**

For the reasons above it is proposed that Burnt Yates CE VA Primary School should close with effect from 31 August 2018.

The catchment area of another local school would be extended to include the current school catchment area with effect from September 2018. The County Council would welcome consultees' views on which School should have its catchment area extended.

For children currently at Burnt Yates CE VA Primary School, North Yorkshire County Council will work with each family to try to meet their individual preferences for other schools regardless of the catchment area defined. Staff and governors at Burnt Yates CE VA Primary School are also committed to supporting families in their choice of school and in making a smooth transition.

Other primary schools in the local area are:

Birstwith Church of England (Voluntary Controlled) Primary School, Wreaks Road, Birstwith, Harrogate, HG3 2NJ.

Bishop Thornton Church of England (Voluntary Controlled) Primary School, Colber Lane, Bishop Thornton, Harrogate, HG3 3JR.

Hampsthwaite Church of England Primary School (Academy), Church Lane, Hampsthwaite, Harrogate, HG3 2EZ.

Ripley Endowed Church of England (Voluntary Controlled) Primary School, Main Street, Ripley, Harrogate, HG3 3AY.

Summerbridge Community Primary School, Main Street, Summerbridge Harrogate, HG3 4JN.

Darley Community Primary School, Darley, Harrogate, HG3 2PZ.

Killinghall Church of England (Voluntary Controlled) Primary School, Otley Road, Killinghall, Harrogate, HG3 2DW.

Markington Church of England (Voluntary Controlled) Primary School, High Street, Markington, HG3 3NR.

Kettleasing Felliscliffe Community Primary School, Kettleasing, Harrogate, HG3 2LB.

All these schools were judged Good or Outstanding in their last Ofsted inspections, apart from Ripley CE which was judged to Require Improvement.

Some schools may be able to admit over their published admission numbers for some year groups.

Eligibility for home-to-school transport will be determined in line with the County Council's current home-to-school transport policy and procedures, based on travel distances from each child's home address and individual circumstances.

Parents have a right to express a preference for any school and, in the case of community and voluntary controlled schools, the Local Authority is the admissions authority and will meet that preference, provided there are vacant places or the school is happy to admit above the published admission number. In the case of Voluntary Aided schools, the governing body decides the conditions for admission to their particular school. Where a child attends a school, which is not their normal school or nearest school, parents are normally responsible for making transport arrangements.

North Yorkshire County Council's Admissions Team is always happy to give advice to parents – please contact Jill Wilson on 01609 534825 or Lisa Herdman on 01609 534953.

### **Staff**

A separate consultation process, including a staff meeting, is running in parallel with the consultation on the closure proposal.

### **The Building**

The school building and site is not owned by the County Council.

Decisions about the future use of the school site and buildings will be taken by the owners after the closure proposal has been determined.

### **What Happens Next?**

Your views about this proposal are welcomed. You can either complete and return the attached response sheet, or submit an online response

Paper responses should be returned to North Yorkshire County Council at the address below:

FREEPOST RTKE-RKAY-CUJS  
Burnt Yates  
Strategic Planning  
North Yorkshire County Council  
County Hall  
NORTHALLERTON  
DL7 8AE

Online responses may be submitted by following this link:

<https://consult.northyorks.gov.uk/snap/webhost/s.asp?k=151332878443>

**The closing date for responses is  
27 February 2018**

All responses to the consultation received by this date will be considered by the County Council's Executive on 13 March 2018.

If the County Council's Executive decides to proceed with the closure proposal, then statutory notices would be published in the local press on 22 March 2018. These notices provide a further four weeks for representations to be made. A final decision would then be made by North Yorkshire County Council's Executive in May 2018. If agreed the school would close on 31 August 2018.

### **Anticipated Key Dates**

All dates are subject to approvals at each stage.

Consultation opens	9 January 2018
Public meeting at the school	15 January 2018 at 6.30pm
Consultation closes	27 February 2018
County Council's Executive considers consultation response	13 March 2018
Statutory Notices published (4 weeks for representations to be made)	22 March to 19 April 2018
Final decision by County Council's Executive	22 May 2018
Proposed school closure date	31 August 2018

**Burnt Yates CE VA Primary School**  
**A consultation on whether the school should be closed**

Observations and/or suggestions:

Interest/Status .....

e.g. Parent/Governor/Teacher/Community

Name of School .....

Signed .....

Date: .....

Name (Block Capitals) .....

Address: .....

.....

.....

Postcode: .....

To help us assess whether we have provided clear information, please let us know whether you found this consultation easy to understand? YES/NO

Do you have any suggestions for improvement?

.....

**Under the provisions of the Freedom of Information Act 2000, responses to the consultation may be published on the County Council's website where it may be accessed by members of the public.**

Please send this response sheet to the following "FREEPOST" address. You do not need to use a postage stamp.

FREEPOST RTKE-RKAY-CUJS

Burnt Yates

Strategic Planning

North Yorkshire County Council

County Hall

NORTHALLERTON

DL7 8AE

Or go to:

<https://consult.northyorks.gov.uk/snapwebhost/s.asp?k=151332878443>

and submit your response there

**To be received by no later than 27 February 2018**

## Appendix 2

### Burnt Yates CE VA Primary School – List of Consultees

School distributed to	Parents of pupils
	Staff of school
	Governors of school
Local primary schools within a 5 mile radius of Burnt Yates CE VA Primary School	Birstwith C of E Primary School
	Bishop Thornton C of E Primary School
	Hampsthwaite C of E Primary School
	Ripley Endowed C of E Primary School
	Killinghall C of E Primary School
	Markington C of E Primary School
	Kettlesing Felliscliffe Community Primary School
	Darley Primary School
Summerbridge Community Primary School	
Unions and Professional Associations	

#### Trustees

Admiral Long's Foundation

Diocese of Leeds

Local County Councillors	Cllr Michael Harrison
Harrogate District Councillors	Cllr Nathan Hull
Local Parish Councillors	Clint-cum-Hamlets Parish Council Cllr Janine Jennings Hartwith-cum-Winsley Parish Council Cllr Robert Mundy
MP	Julian Smith

Secretary of State via School Organisation Unit	
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Local Early Years providers within 5 miles	
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Other consultees	
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### Appendix 3

#### **\*Notes of public consultation meeting held at Burnt Yates Church of England Primary School on Monday 15 January 2018**

County Councillor Patrick Mulligan – NYCC Executive Member

Richard Noake – Leeds Anglican Diocese

Fiona Beevers – Leeds Anglican Diocese

Jean Tither – Chair of Governors

Andy Lancashire – NYCC School Improvement

Steven Holmes – NYCC School Improvement

Andrew Dixon – NYCC Strategic Planning

Approximately 65 people attended the meeting

County Councillor Patrick Mulligan (Executive Member for Education and Skills for North Yorkshire County Council) welcomed everyone to the consultation meeting and talked through the format of the meeting that would start with a presentation and then an opportunity to ask questions.

Councillor Mulligan asked members of the panel to introduce themselves.

Commencing a Powerpoint presentation (available on the County Council's website and Burnt Yates school's website), Andrew Dixon talked through the purpose of the meeting. It is proposed by the County Council that Burnt Yates Primary School should cease with effect from 31 August 2018 and that another school(s) would take on Burnt Yates catchment area, views on this would be considered through responses to the consultation.

Andrew Dixon explained the background to the proposals. The school received a Special Measures judgement in December 2016, which resulted in a Directive Academy Order (DAO) being issued. Attempts were then made to find an academy sponsor, no academy sponsor was found. The DAO was then revoked to allow consultation on a closure proposal – either a technical closure to allow the school to amalgamate with another school, or an actual closure..

An amalgamation proposal was explored with Ripley Endowed Church of England School, which was not successful.

Pupil numbers have been falling further since the Ofsted Special Measures Judgement and further still following the proposal to close Burnt Yates School was announced. Andrew Dixon explained that falling pupil number reduces the income at the school.

Richard Noake outlined the attempts to secure a sponsor. As Burnt Yates is a Voluntary Aided Church of England School, any academy sponsor would need to sit within a church majority MAT. Richard Noake explained that the Diocese did have a

conversation with a trust in the locality (the only Trust in the area at that point) but following the due diligence exercise, the size and unlikely position of pupil numbers increasing, meant the school was not viable. Another conversation with a trust in Richmond was subsequently held, but they also came to the same conclusion – the school would not be viable as an academy.

Richard Noake explained he had taken the position up with the Regional Schools Commissioner (RSC) to look at the possibility of rescinding the DAO to look at amalgamating with another school (Ripley). The governing body at Ripley unfortunately decided it was not possible to engage in an amalgamation.

Richard Noake said the issue of the buildings and land is in the hands of the Trustees and the Diocese would discuss with the Trustees the possible options should the school close.

Andrew Dixon talked through the slides relating to pupil numbers. The school currently has capacity for 53 pupils. 32 primary aged pupils live in the Burnt Yates catchment area, 7 of the 32 attended the school in October 2017. Numbers at the school have in general been reducing since 2010. At the time of the Ofsted Inspection 2016 there were 28 pupils and in October 2017 (amalgamation proposal) there were 18. This term 12 pupils returned. Two parents had stated Burnt Yates as their first preference for September 2018. So if all pupils remain at the school, apart from the two (yr6) who will leave at the end of the summer term, and two children enter Reception, the school will have 12 pupils on roll at the start of the autumn term 2018.

A handout had been circulated before the start of the meeting detailing the 9 schools within a 5 mile radius of Burnt Yates. 8 of these schools are rated good or outstanding. 6 of these schools have current surplus capacity. The handout also detailed local housing developments with several villages expected to see some housing growth through approvals and local plan allocations (up to 2035) including Killinghall, Summerbridge and Hampsthwaite. On average, 1 primary- aged pupil is generated from every four houses. Burnt Yates catchment area has 8 properties approved and we would therefore expect to see 2 pupils from these developments.

Andrew Dixon then talked through the financial projections of the school. Based on the projections the school will have in-year deficits of £70K in the next two years.

Steven Holmes detailed the current situation in the school in relation to standards and staffing. Outcomes in 2017 (small cohorts so accuracy not always easy to pin down) were:

KS2 progress scores – average in reading, writing and mathematics.

KS1 attainment in line with national for reading and mathematics.

Early years outcomes were below national average for Good Level of Development (GLD).

The focus on School Improvement has been supporting leaders and teachers and for pupils to build on their prior attainments.

Evidence from school leadership and LA identifies that teaching and learning currently requires improvement.

Steven Holmes wanted to publicly thank the staff and temporary teachers and said that they had been very responsive to the LA support given to the school. Steven highlighted the legacy of temporary appointments and the challenges associated with this.

Andrew Dixon talked through other options for consideration. An academy sponsor had proved not possible through due diligence and amalgamation was unlikely in light of the Ripley School decision, the LA cannot force an amalgamation.

Other options included the school continuing as it is - what would the prospect of increased pupil numbers delivering financial sustainability be? Could educational standards sufficiently improve given staffing situation and small cohorts?

Andrew Dixon stated that the proposal is for closure of Burnt Yates School. The ultimate decision making body is the County Council's Executive and they would consider the prospects of pupil numbers increasing at the school to deliver financial sustainability, the temporary staffing position, small cohorts and the potential for educational standards to continue to improve.

Andrew Dixon highlighted the correspondence with the RSC when revoking the DAO which stated "if following the closure process the LA decided to keep the school open, the RSC has advised that she would need to consult with the Secretary of State (SoS)".

If the school did cease to be maintained, through the LA's Admission team, pupils on roll will be offered places at alternative schools, with places available in line with parental preference wherever possible. Assistance with transport would be provided to children who were eligible (catchment decision pending).

School staff will be supported throughout the process. Fixed term contracts would end if the school did cease to be maintained. The governing body would remain in place through to the implementation of the decision if agreed. The Governing body would be dis-established from the 31 August 2018.

School buildings are not owned by NYCC and this would be a matter for the Trustees and the Diocese. Decisions about the future use would be taken after determination of the closure proposal.

Andrew Dixon outlined the next steps and timeline and encouraged responses to the consultation.

- The consultation will run until 27 February 2018.

- Complete form which is available as a hard copy or online.
- County Council Executive considers responses on 13 March 2018.
- Final decision 22 May 2018
- School would close 31 August 2018

Andrew Dixon stated that a note of the meeting was been made. This would not be a word for word document but will capture responses and points made.

The formal presentation ended and Councillor Mulligan asked for questions and for people to identify themselves when asking a question.

### **Questions and Answer session**

An ex-parent who had moved to Markington asked why an amalgamation with a failing school with no capacity was considered?

Fiona Beevers responded saying the Diocese had to approach the RSC to get agreement for amalgamation. The education reason was that Ripley school had the potential for expansion across the two-sites. She acknowledged there were other schools with places in the area but two sites would not be needed.

A parent asked if a note from the meeting would be produced.

Andrew Dixon said the notes will be made available for everyone to see. These would be available in the report to the County Council's Executive, which will be publicly available on the NYCC website 10 days before the meeting on 13 March of the Executive.

County Councillor Michael Harrison said that the County Council's arms were tied as the RSC said that if they didn't close the school or amalgamate it with another school, then the decision may be referred to the Secretary of State (SOS).

Killinghall and Hampsthwaite will have capacity issues in the next few years and housing is focused in that area. Why can't a split site be considered with one of these two schools?

It was pointed out that Hampsthwaite was closer to Burnt Yates than Ripley and that Hampsthwaite is part of the Yorkshire Causeway MAT.

Fiona Beevers responded saying that DfE would not agree to split site schools operating as two separate schools. There would have to be reasonable travel between the two schools.

Councillor Harrison said that Hampsthwaite School is around capacity now and they know further houses are coming.

Andrew Dixon said in relation to housing development there is a short, medium and long term position in terms of school place planning. Our overall aim is to have

places in the right location and we negotiate developer contributions to be spent in a local area where need arises. People moving into a new housing development expect local school places to be available.

A member of the audience asked if existing pupils going to Hampsthwaite School could move back to Burnt Yates School?

Andrew Dixon responded saying in a scenario where a school like Hampsthwaite was oversubscribed, people living in Hampsthwaite catchment area would usually have priority over those living outside the catchment area.

A member of the audience stated that the Burnt Yates School had had less than 10 pupils before and the school should be looking to build the school up. Children in the past had travelled from Harrogate to get to this school. There is a fantastic wealth of history and geology in the area.

A member of the audience asked if the panel could explain what academisation is?

Councillor Mulligan responded saying we are now in a different age with academisation of schools and reduced influence of the LA. The power has shifted away from LAs. The RSC has the power to make an academy order and is a representative of the Secretary of State. Any new school has to be an academy.

A parent governor explained that she had recently been forced to send her child to Birstwith School. The Government had made a 'U' turn and cannot force all schools to be an academy.

Continuing she said what has not been mentioned is that in 2016 there were 28-30 pupils at the school. The Diocese spent £50k on a new toilet block. On the 26 January 2017 the school was informed that it had gone into 'special measures'.

All parents except one committed their support to the school and in sending younger siblings. But because of a lack of information from the Diocese and perhaps the governing body, parents took their children away.

On the 12 July 2017, the school had been notified that academisation would not go through with a local MAT as units of less than 95 business units would not be supported.

The summer term ended with very low numbers.

Parents were informed the LA would not hold places open where a place had been offered at another school if parents wanted to defer that option until September 2018.

There has been an erosion of confidence – what happened to the viability of the school?

A member of the audience said that at the beginning of the meeting, Andrew Dixon said the Council can adjust catchment areas, what about adjusting them where schools are bursting at the seams?

Andrew Dixon responded saying that changing catchment areas wouldn't necessarily fill the school as parental preference exists.

Andrew Dixon was asked if as a parent he would send his children to the school and he responded saying that parents would need to look at and understand the closure proposal in place.

A former parent asked what is the view from the Trustees? Admiral Long must be turning in his grave. The Trust was left money for the school by Admiral Long and Trustees are guardians of this process.

The Chair of The Trustees John Fawcett said that the Trustees have an obligation to continue to manage the assets and they are governed by the Charity Commission. They cannot finance the school. The Chair said there had been no discussions with the Diocese about what may or may not happen with the buildings and land.

He stated the Trust will continue. The School building will still be there. The Trust could not run it on their own unless there was some temporary arrangement or it was let to some other organisation.

A member of the audience said there had been a criticism of the staff but ultimately trustees are responsible.

A school governor stated that the obligation was education for pupils of Burnt Yates, not the running of the school. The Trustees are effectively just landlords. Governors run the school.

A member of the Trustees said that the LA took over paying the teachers of the school in 1903. The Trustees do not pay the teachers.

Parent of a former pupil asked the question why had pupil numbers decreased and was this due to ineffective teaching? It is a small school, so no reason for a poor education. Children are no more or less able. It was an outstanding school. It is outrageous that a facility like this has "gone to the dogs" given Admiral Long provided a facility for this village.

A parent governor said the school hadn't been given an opportunity to improve and the LA has forced the school to close within a year. Everyone wants the best for the school, it has fantastic facilities. There was now an opportunity to be a good school.

Councillor Nathan Hull, Harrogate Borough Council and parent said a few weeks before Ofsted, the LA Education Department gave the school a clean bill of health. The Ofsted report judgement was then 'Special Measures'. Employees of NYCC and Diocese got this completely wrong. NYCC has tried to keep the school open but not

enough pupils. The message from the LA was if you don't move children now they may not get into a school they want.

Andrew Dixon said that the North Yorkshire Admissions Policy is consulted on annually and does not contain references to school closures but refers to criteria such as Special Educational Needs (SEND) and Siblings. Andrew explained that a recent admissions meeting had been held in December at the school. The officer prepared for a focused discussion with individual parents but to our disappointment the meeting had not played out in that way. The LA were unable to guarantee places of children who have been offered places in other schools in January for September 2018. As a result of this, some parents felt they had no other alternative to move their children to other schools now. The County Council's admission arrangements are consulted on annually and do not contain anything to adjust the policy for a situation such as this, as holding a place could dis-advantage other parents

A member of the audience and ex parent said the number of people here tonight demonstrates that the facility of the school is worth saving.

A parent asked if the LA/Diocese were ashamed of what had happened to the school?

Andy Lancashire responded saying that no one wanted to close a school.

A parent said that the LA had said it was partly to blame for what happened with Ofsted.

Andy Lancashire responded further saying that the LA tried to put in high quality teachers. We are part of a system where policy says that if a school goes into an Ofsted category of concern then it must either become a MAT or close.

Andy Lancashire said he would be very happy to set a time and date to go through the records of the school visits with Councillor Hull or other parents and the work carried out by School Improvement. He was confident that School Improvement Team worked hard in relation to Burnt Yates. The teachers at the time of the Ofsted Inspection are no longer with the school.

A member of the audience said why blame the teachers?

Andy Lancashire responded saying that when you work in a school the Headteacher is responsible for the performance of that school. Unfortunately Ofsted had placed the school in special measures. If we could change the policy we would.

A member of the audience said that they felt a decision regarding the school had already been made in Whitehall and this is window dressing.

It was understood that the meeting tonight was to discuss how the community would respond and now felt they would run out of time.

A member of the audience asked what could be done positively by those people in the room with an educational background? What does the school need to do to improve, is the school failing educationally or has it just failed Ofsted? What specific improvements could be made?

Andy Lancashire responded saying that while improvements had been made, Mathematics, English and reading would need to be improved further. We can improve leadership, teaching and learning but the situation is much broader than that given the finances of the school and the academy sponsorship requirements of the Education Act of 2015.

A member of the audience asked that in terms of the process could the school stay open or is it a foregone conclusion?

A member of the audience said they had taught in Harrogate for 20 years and all the class sizes are over 30 pupils which means less than a minute per student. Numbers are continuing to rise and there is more housing to come. Burnt Yates does not have a big intake and Ripley School is over subscribed.

Andrew Dixon responded saying that there are places available in some schools in the local area. It is not a given that parents would choose Burnt Yates. There is an element of choice for parents.

A member of the audience asked why only one MAT had been approached when there are nine listed on the Diocesan website.

Fiona Beevers said that Yorkshire Causeway Trust had been approached as the only Church MAT in the area at the time. This MAT said the figures did not stack up. At this time there was only one Church MAT in the area. At this point the RSC was approached regarding a proposed amalgamation.

In December 2017 Fiona Beevers undertook to speak to a newly established MAT. New MATs take time to establish themselves. No MAT would take on a school that would impact on the viability of the other schools in the MAT. The other 7 MATs were a very long way away. Schools working together need to be in a reasonable distance of each other for meetings etc.

A member of the audience said that St Aidan's School was mentioned in 'The Tatler' as one of the best secondary schools in the country. Burnt Yates is a feeder to this secondary school, why hasn't this school responded.

Fiona Beevers said that no MAT would take on a school that would impact on the viability of the other schools in the MAT.

A parent at the school said that teachers at the school had just walked out of the meeting as you have continued to slate them.

Jacqui Palmer, Headteacher, clarified that teachers had not left because of this, but



had other commitments.

A member of the Trustees and ex-head said that they had been in contact with Julian Smith MP and had given him a copy of the book about Admiral Long. A comprehensive timeline had been asked for. Parent Michelle Irving's excellent note had also been submitted. Julian Smith MP had taken up representation with the CEO at NYCC and Director of Children's Services. Some of the Trustees are going to the next surgery meeting.

They continued, this does go back to Government. People's hands are tied. Andy Lancashire is right, things have changed so much. When she was Head, the school was helped by wonderful advisers.

Andy Lancashire said we cannot write government policy for small rural schools and the Ofsted framework. A common sense approach should be applied to the policy, there should not be a 'one size fits all'. A swift decision needs to be made around the size of a school and if it is large enough to be an academy. If it is not of a size to be an academy then it should be left to improve with Local Authority and Diocese support. This would be a common sense approach for small schools.

A reasonable representation to Julian Smith MP could ask the question if more manoeuvrability could be given to the Diocese and the LA in these circumstances?

A member of the audience asked if the LA were saying this to the RSC?

Andy Lancashire responded saying yes and the Diocese was also making representations. We have other schools in North Yorkshire issued with DAOs that have not been attractive to MATs because of their size. It was noted that a school in Cumbria that had been issued with a DAO had been re-inspected and was now continuing as an LA maintained school. This emphasises the need for a common sense approach and flexibility.

A member of the audience said there was an opportunity for NYCC to support the school and for the SoS to see sense.

A parent governor at the school commented that the Headteacher who had been in place at the school before the Ofsted report became a school improvement adviser.

In the local area, Bishop Thornton have just lost their Catholic School.

Bishop Thornton CE School pupils now eat their lunches at desks as the hall there is not big enough.

Could we not have had an amalgamation with Birstwith School?

A request was made that next time this happens could it be done properly? Please give a date to all children to walk out rather than it been in dribs and drabs. Offer places to children and keep them until the school closes.

A member of the audience asked what is the breakeven point? £215K is not a large sum to make it viable.

There is a banner outside Markington School encouraging people to attend that school.

A school governor from Burnt Yates said that the break-even figure last year was around 36 pupils.

The Chair of the trustees asked who decided the possible closure date of August 2018? Is there no chance of a reprieve? Is it a foregone conclusion?

Andrew Dixon said that the decision sits with Executive Members. Part of the decision making process will be how recoverable is the position with pupil numbers driving income and the current deficit position. The County Council does not have the ability to support schools with serious financial difficulties. Schools have to set a balanced budget or recovery plan within a reasonable timescale. .

A member of the audience asked what is your plan to help the school stay open?

You have not communicated this meeting.

There are new classrooms at Killinghall creating competition.

You are allowing other schools to be over subscribed? Where is the thick report and the options? Information on finance and catchment areas. You are telling people as little as possible so they cannot ask educated questions. This is not a consultation it is a statement.

Andrew Dixon responded saying that the meeting had been publicised and explained the timeline. We will do our best to answer your questions.

Fiona Beevers said that the details of the proposed Ripley amalgamation had been shared with parents at the last meeting.

Andrew Dixon said there had been a series of meetings with parents and handouts from the last parents' meeting were circulated providing information on other local schools and housing in the area. We notified the Parish Council of this meeting and other local stakeholders including the local MP, all were given a copy of the consultation document.

A report will go to Executive and will deal with all the issues raised.

A member of the audience said that this only looks at options with other academy church schools. Is the Church getting in the way of the school surviving and should the Church back out?

Richard Noake replied that as Burnt Yates is a Church of England VA school the Diocese is involved. The closure consultation is not a situation that the Church wants

to be in. Ofsted delivered a blunt outcome.

A member of the audience said that if the last Ofsted Inspection had been Outstanding we would not be here now. There is a line in the last Ofsted report that school governors were given inaccurate information by the School Improvement Partner and Headteacher. Someone should be held to account and made to go.

A member of the audience asked if anyone considered the cost to get the school out of trouble?

Andy Lancashire responded to the first question saying that he was not going to go into personal detail but the people involved have been held accountable. Small rural schools should be given time to improve. Small schools find it hard to make ends meet and to recruit staff. The LA does not have the reserves it previously had to support schools. Each school has autonomy through governors. Decisions about amalgamation and federation rest with governors, not the Local Authority. We cannot tell other schools what to do. We can make representations to politicians about how this looks on the ground.

Parental choice exists across the area.

A member of the audience said there is an opportunity for North Yorkshire to keep the school open. There is plenty of room for expansion. You are going to need more capacity.

A member of the audience asked how people would know the consultation ends on the 27 February.

Andrew Dixon responded and said the consultation document is on NYCC website and the school's website. It has been sent to the Parish Council along with the timeline and hoped they would distribute it.

Responses can be made on line or by hard copy. Hard copies can be made available, please ask the school.

The turnout at this meeting tonight shows people aware of the meeting.

A member of the audience noted that earlier in the meeting the Diocese said there was no choice for Burnt Yates but noted St John Fisher was under pressure to become an Academy but it had refused.

Richard Noake responded saying that St John Fisher School was not in an Ofsted category of concern and therefore it had a choice of whether to remain as a maintained school.

A member of the audience said that only one school in the county had been reprieved from closure and that was Kettlewell.

Fiona Beavers responded saying that this school was not in a category of concern.

Andy Lancashire added that schools need time to build up their numbers and recover financially. Cost pressures of running small schools affects the quality of education you can provide.

A parent said in support of the staff at the school now it should be recognised by the LA that the children are getting a fantastic education - it is the best it has ever been.

A member of the audience asked what is the Council's view?

Andy Lancashire responded saying that the LA meets with the DfE and the RSC and makes points back to them. The leader of the County Council, Carl Les makes representations to central government.

Government policy is around academisation. Large Shire counties are making representations on issues of rurality such as small schools, bus services, and affordable housing.

Councillor Mulligan said that he would speak to Julian Smith MP.

A member of school staff asked which school is going to be the next one to close?

Richard Noake responded that he could not answer that question.

A school parent governor said if there is a reprieve this would need longevity, schools do not turn around in a year. We need great marketing skills to promote this school. The buildings are not land-locked and the Trust is behind it. Governors are volunteers and make monumental decisions, it should not be this way.

Councillor Mulligan said nobody wants to be in this position, the policy of central government leaves little scope for manoeuvre.

A member of the audience said that parents were passionate and now the community is too.

A member of the audience highlighted that the consultation document stated concerns about teaching and learning but said they had heard tonight that standards had improved.

It said that an attempt to recruit Headteacher is unlikely to be successful, but they have been told they cannot recruit.

It was asked why there is conflicting information in the consultation document to what parents have been told?

Andy Lancashire responded saying that it would be difficult to recruit under a consultation process as they might have to then be made redundant. A trust sponsor would want to make a permanent appointment. There was a school monitoring

inspection visit in July 2017. The LA judgement now is that the school 'requires improvement'.

Steven Holmes said that one of the concerns is the school has temporary staff, you can put a lot of support in and then staff could leave.

A Governor at the school said they couldn't recruit due to the uncertainty.

Steven Holmes said it was difficult to teach across a whole Key Stage in a single class and meet the needs of all pupils.

A member of the audience responded saying that it could be done and was being done elsewhere.

Councillor Mulligan encouraged everyone to respond to the consultation document and that he would speak with Julian Smith MP.

**The meeting closed at 8.20 pm.**

\*Note: These notes are not intended to be a verbatim record of the meeting. They are intended as a record of the information provided, key points raised, questions asked and responses provided to inform decision-makers.

**Proposal to Close Burnt Yates CE VA Primary School**  
**Consultation Responses**

	<b>Observations and/or suggestions</b>	<b>Interest</b>
1	<p>Whilst I am truly saddened by the prospect of Burnt Yates CE VA Primary School closing at the end of the summer term 2018, and having read the document, I can understand the reasons why this proposal is under consultation. The closure of any school is always a sad time and here in Nidderdale the impact of such a closure in the locality will not be without its impact. The strength of the cluster of which Burnt Yates belongs will not be diminished however, as the remaining schools in the dale are more resilient than ever and are, as always, determined to offer the children who live in such rural parts of the county a first rate primary education. It is my hope that the children (and their parents) who currently attend Burnt Yates will be welcomed by the other local schools and are integrated successfully over the coming months. Both the schools of which I am head, have space to take new children and we would welcome any new family with open arms.</p>	<p>Headteacher at neighbouring School</p>
2	<p>I do not support the closure of this school. As a staff member and resident within the local community, I feel the village schools are an integral part of the community and form a basis of building strong relationships for children, parents and residents. The site at Burnt Yates is far greater than most of the other local schools and as it has been running as a school for over 250 years, it is very sad to know that this will not continue with feeble reasons. We have been made aware that Bishop Thornton School now have 25 children on roll and are investigating taking over the Catholic school site where St Joseph's School previously resided. As this has now been closed for some time, it would be costly to re-open as a school. Does it not therefore make sense for Bishop Thornton to re-locate to the Burnt Yates Site and Amalgamate? This would enable the children currently at Burnt Yates School to remain and the children who have been 'FORCED' to leave due to the impending closure can and WILL return making this a very viable and strong option. As Bishop Thornton is a Collaboration School with Birstwith, it would also make location sense as they would be closer making the sharing of Headteacher, Teachers, resources etc. a much better option. Has this been explored? There is set to be lots of building work in Burnt Yates, Birstwith and surrounding areas, which will inevitably bring in new families and children who will require a primary school setting. Birstwith is nearly at capacity, not to mention the dangers of the location of this school, with many families having to travel via car. I myself pass the school every day and have witnessed many cars parked at the side of the road, making the crossing very dangerous. Also, as the cars are parked on one side with no passing places, this causes cars to have to travel on the wrong side of the road and accelerate to ensure they are able to return to the correct side of the road, again making this a more dangerous prospect for families crossing the road. If you visit the school now, you will see that there has recently been a vehicle accident which has caused the railings directly outside the school playground/entrance to be cordoned off. The Proposal Document references that the reason for closure is due to concerns about standards of Teaching &amp; Learning. The staff who were in position at the time of the OFSTED and when the above concerns were raised no longer work for the school therefore the entire Teaching faculty is completely new. The Local Authority were involved in the recruitment process of all new members of staff. Surely, they would not appoint Teaching staff who are not able to reach standards, therefore surely this statement cannot be true. There are also concerns about low pupil numbers. If the student numbers are scrutinised, it shows that pupil numbers were increasing even after the OFSTED judgement. The only reason for reducing pupil numbers is due to the advice that the school is closing and parents having to secure alternative education to ensure they are able to have a place in a school suitable to their needs. Should the</p>	<p>Staff member at Burnt Yates CE VA Primary School</p>

	<p>school have any other option other than closure, the numbers would not have reduced to these levels, so again, another false judgement. The Financial Status of the school is poor, but again, this is something that can be tackled. If the school were to amalgamate with Bishop Thornton to take on their 25 children and the minimum children return to Burnt Yates, initial figures would indicate a school of 40. This could further be enhanced by opening a school nursery, plans of which were all in place for this to occur but were only halted due to the OFSTED judgement. When exploring the Nursery provision, it was agreed that very little would need to be done to the site to accommodate this and there was demand from the local area for such a facility, again making the school a strong and viable option and would inevitably increase pupil numbers. The Trustees were also fully in support and were able to fund this facility. As a site with a large woodland area and the recent £50,000 addition of a self-contained wet room/toilet facility, this would enable further use of the site for instance Forest Schools, Sporting Activities and letting of the grounds during out of school/holiday periods. This would generate much needed finance which would help towards the financial deficits reported. As the site is extensive, educational support facilities could be offered at the site, such as libraries, parent/toddler groups, drop in centres. This would further enhance the provision and would support the community. This would also generate much needed financial support. Facilities at the school are of a high quality and have been improved with extra investment recently. These facilities, combined with the ethos at the school and the support they receive from parents and the wider community are serving the children well and I am very worried that their education will be destabilised by these changes. Finally, we must all think about the impact that the closure of not only this school but others that inevitably will close, will have on the local community. I myself re-located to this area and the first thing I considered was the schooling within the local areas. Had there not been a local community primary school for my children, this would have prevented us from moving into the area. This will inevitably be the case in the future for this local community and will therefore impact on families moving into the area which in turn will have huge impacts on house prices and other businesses. This will therefore affect everybody within the local area.</p>	
3	<p>On the proposed closure of Burnt Yates School: My thoughts are that I feel a good school had been 'torpedoed' by an unfair OFSTED judgement, and the resulting ridiculous command that they join with an academy – something which was never going to be viable in a rural area like our own. The resulting uncertainty led to parents taking pupils to other schools that look more stable (until they are torpedoed in a similar way). Other local schools in the area Burnt Yates serves are all pretty much full, and with massive housing development happening in the area served by the schools the pupils have mostly gone to (Killinghall &amp; Ripley), there is clearly not sufficient capacity for the future – even within the next couple of years. Though currently if you look at the numbers attending Burnt Yates the school doesn't look viable that is only because of the situation created by OFSTED and government policy. There were a lot more pupils and numbers were on the rise before this happened. If Burnt Yates closes another school will need to be created from scratch in the area, probably within 2 to 4 years – at massive expense. In these circumstances I think it is crazy that Burnt Yates should be closing. The weaknesses identified at the OFSTED report, where they are fair, can be easily addressed.</p>	School trustee
4	<p>Village schools are an integral and valuable part of rural communities, essential to those who live and work in the area. As a Nidderdale resident, I feel it would be detrimental to the community to close the school, removing not only the essential educational resource, but also local links and support networks. It is also worth bearing in mind that there is no longer any public transport within Burnt Yates, and so residents with young families will be forced to travel further by road to access primary education.</p>	Community
5	<p>The school is a great site in terms of playground space, the building stands</p>	Previous

	well away from the main road and parents and school trip vehicles have always had safe pick up and set down. Much better than many other primary schools.	contractor to the school
6	Burnt Yates school is an amazing school with outstanding teachers, the grounds and building have so much for the children to explore and learn which most schools do not have. I think it would be absolutely crazy to shut down such an amazing school all because of money when all the other local schools are full and have hardly any room especially outdoor space. Closing the school will not only upset my children but also destroy the community in burnt Yates.	Parent of pupil at Burnt Yates CE VA Primary School
7	I do not believe it would be beneficial to close Burnt Yates Primary School. My daughter attended this school a few years ago and was extremely happy there. (We only moved because of the quality of teaching in Key Stage 2. However, the particular teacher in question has since left.) If the school had not been put through an Ofsted Inspection when Ripley and Burnt Yates were about to interview for a new headteacher I don't believe the school would be in this position. The school lost its way when it collaborated with Ripley (I don't think the headteacher at the time really wanted to look after two schools) and with the subsequent number of temporary head teachers it has had little focus or direction. It is a great little school with fantastic facilities and given all the housing that is going up in and around Hampsthwaite and Killinghall most local schools are at maximum capacity. I am at a lost as to why the school has not been included in the Dales Academy given that this consultation was done with the Leeds Diocese which heads this Academy and which incorporates over 10 small Church of England primary schools within the Dales area. I appreciate Burnt Yates is now very small with regard to pupil numbers but all it requires is some proper support. The consultation says it is being closed "because of concerns about standards of teaching and learning and related concerns about low pupil numbers and the school's financial position" yet the LEA seem to have done nothing to help the school with this. Why have they not given them their own headteacher who could bring the standards up and focus the school. In the past, schools which have been put into special measures were given loads of support and money thrown at them yet Burnt Yates genuinely doesn't seem to have this and consequently people have left leaving it with less and less pupils putting it in a worse position. Burnt Yates Primary wouldn't be so small in number if they had received the proper support needed after a poor Ofsted Inspection. This school has provided education to children in and around Burnt Yates for over 120 years and it would be a travesty to close it. The Local Education Authority should set things right by giving them the right support and encouragement which in turn will allow it to grow again. I appreciate all that is said in the consultation document with regards to finances but given how much building of new houses is going on there is not the space in other schools to accommodate all the families moving to the area. Please do not close this lovely school just please give it the support it needs and deserves.	Former parent of pupil at Burnt Yates CE VA Primary School
8	You should do anything in your power to keep these local schools open. Schools are a big attraction to people looking to move to an area with a young family. Villages need to be kept vibrant & sustainable. Schools are more than just a place of education, they are part of a community. This school doesn't effect my children, but with having 4 children I know how important it is for a local school.	Community
9	It would be a real shame and loss to the community to lose a great little school like Burnt Yates Primary. I have had children go through the school that have only recently left. They have become well educated and well turned out children. The school has recently had some issues with leadership since the depart of ##, all kinds of places can encounter similar issues and overcome them in all parts of cities and towns, being a small school shouldn't be a factor. Considering the surrounding areas as a parent and also as a local business owner, it is clear to see the other small village schools are over populated and yet to be stretched more as new housing developments are	Community



	<p>created. Which is going to push more children into such a school as Burnt Yates, which is highly beneficial. Having come from a tiny local school of 12 children myself, somewhat 30 years ago, I don't see what has changed to warrant a closure. Given the correct staff and management this school could really get back to its former glory. I think it would be a foolish mistake to loose a school so close to the outskirts of a busy town.</p> <p>Suggestion for improvement: Carefully selected permanent staff.</p>	
10	<p>Killinghall CE Primary has recently had an extension of two new classrooms. Although already filling fast there are places currently in most year groups to admit new pupils if necessary. Moving forward Killinghall is expanding further. If felt appropriate, given our distance from Burnt Yates, we would support becoming the catchment school. However there are schools much nearer to Burnt Yates than Killinghall.</p>	Headteacher at neighbouring School
11	<p>I attended the public consultation meeting on the evening of Monday 15th January regarding the proposal to close Burnt Yates School. It seems to me that this situation has arisen mainly from lack of communication on all sides and has lost its ofsted due to technical requirements. I appreciate numbers are dwindling but that is not the fault of parents whom have had the lack of uncertainty of what the position is (mainly future parents) and current parents being told to find other schools. The local government development plan show a substantial increase in housing development and are the council going to spend unnecessary money on building extra schools ?. When a school already exists which has excellent facilities and grounds which are owned by the Admiral Long Foundation Trust. This will destroy the heart of the community and church which has had a long standing involvement over the years nurturing the commitment of the faith of young children in their early growing years. I hope the people in authority will realise what their decisions will entail on a small rural community.</p>	Community
12	<p>As I understand the situation, the consultation to close Burnt Yates School is welcomed by no one who is a party to it, and is an unfortunate consequence of legislation that has tied the hands of those with local responsibility. It has come about because of a legislative requirement that the school academise as a consequence of an inadequate Ofsted judgement. It was patently apparent from the start that academisation was simply not an option for this school, or many rural schools of its size. The rule, formulated in a very different context, has been a blunt instrument in a situation to which it is entirely inappropriate. The purpose of Ofsted is to encourage schools to develop, thrive, and grow - to give to our children the best that they can receive. The outcome of this Ofsted inspection has been quite the opposite - it, because of the legislation that came to move because of it, was a death sentence, with no realistic opportunity for improvement as the end was in sight from the moment it was penned. Despite this the governors, the trustees, the parents, the Local Authority, local schools, and the community have worked tirelessly, and (in my opinion) to the best of their ability, to find a resolution that could maintain education on the site - but have been hobbled at every turn by rules and regulations set from afar. It makes very little sense to be closing a site within an area of predicted growth. Indeed one document we were shown implied a shortfall of over 150 places for primary-aged children within the next decade. I understand that to look at this school now, it is hard to see sustainability or growth potential when considering from the point of view of the dated Ofsted report, and the current pupil numbers. But consider instead what the pupil numbers were before this debacle, and how the school has improved since that report, that's a different picture. The loss of this school would be a hard blow to the local community, and, it appears, to adequate pupil places within the area. In any eventuality I would urge you to rule to keep the school open, if only to raise awareness at higher levels of the inapplicability of the current legislative situation to schools of this size and type. It seems to me that the legislation is either intentional or incompetent, with a view to closing small rural schools, or drawn up without any awareness</p>	Trustee, Community - Vicar

	of them. It is my view, therefore, that the decision to close, and the responsibility for it, should be at the hands, and on the consciences, of those whose decisions lie at its root.	
13	<p>The Consultation Document has unfortunately been superseded by events, the Teaching standards are no longer dire but are actually the best they have been in the last 3 years that i have been involved. The School was fatally wounded when both (all) the teachers were off long term sick and ever since then there has been no consistency of teaching staff which has lead to parents not being confident that their children will be taught by the same teachers from day to day, This is now not a problem. The Ofsted inspection was critical of the Governors for basically being naive and believing the LA and Heads Reports. As an unpaid volunteer with 1 meeting a month you have to believe the paid professional opinions. One of the biggest problems at the time was that the Governors were actually too operational and not strategic enough, but this came from there not being a strong head and the Governors having to fill in the void. This came from Finance as there was not the budget for a full head. Ever since the head teacher was poached there has also been no consistent leadership. The addition of a SEN pupil with very special requirements in to a small struggling school did not help. The Diocese was hugely over confident with its efforts of finding a place under the academy order, and should have been honest from the start that it was likely that the school was too small to be picked up by a commercial Academy. Parent, Staff and Governors expectations were never managed. Timescales have been a problem, LA and diocese think 1(6!) month is acceptable, whereas Parents think it should be in 1 day ! Decision making and being honest has not happened in the LA or Diocese, decisions should have been made much earlier and quicker. The administrative burden on Governors is ridiculous, the time spent going through Policies and procedures is stupid, every school goes through exactly the same, and realistically cannot alter them as they are North Yorkshire LA, I would suspect Academies do not hold separate ones for each school but have one overarching one, which is what the LA should introduce and therefore remove this burden from the Governors. There has been a large amount of battling the decisions back from the LA to Governors with regards to the decision to close. as a Governor it was never clear whose decision it was. For unpaid, Local, volunteers that decision is never going to be made by the Governors, and they will battle on for as long as possible. I am not sure the position with regards to trading whilst being in an insolvent position, A Crime in the private Sector! There is only one body that can make this decision and it has to be the Funder. They should have the more strategic vision and in the position to make these decisions. I do appreciate that most of these problems arise from National Policy, and i would like to express my thanks to the LA and in particular Steven Holmes who has gone the extra mile in improving the school. The finances of the school have not been viable for a number of years but unfortunately it now comes down to either an acceptable budget OR pass Ofsted, I don't think both can be met in a small school.</p> <p>Suggestions for improvements: Having this consultation is a waste of time, the decision has been made, why is everything so protracted and bureaucratic, again this comes down to hard decisions not being made early enough. Very minor comment but this document should allow spelling errors to be highlighted, most forms do.</p>	Governor at Burnt Yates CE VA Primary School
14	<p>After attending the school meeting on 15th jan 2018 I found it was very clear that many members of the community (including myself) are in full support of doing what ever is needed to keep this lovely school open. I think it is an utter shame that this type of meeting was not held when the school was originally noted as struggling so that we might have been given the chance to help before it receiving an "under performing". I don't believe that the student numbers something that should be a serious matter as when I started at burnt Yates school the numbers were around 12 to when I left there were closer to 40, just proving the fluctuation of numbers from 15 years ago, I strongly</p>	Former pupil at Burnt Yates CE VA Primary School

	believe that if the school can have a little more attention and gain a better reputation for its self parents would be more than happy to send there children to this beautiful school. I had fully intended in sending all 3 of my children to Burnt Yates school once they are of school age, as I did myself, and would be deeply saddened if they could not do so and enjoy the fantastic educational and playing areas along with the historical building itself.	
15	All 5 of our granddaughters went to burnt Yates school and enjoyed all of the excellent facilities eg. Playing field, Forrest, beautiful building and We were expencting our great grand children to go to this school. It would be such a pity to waste the area as all it needed was a dedicated head teacher to lead the school in to excellence again.	Grandparent of pupil at Burnt Yates CE VA Primary School
16	It would be such a loss to the community of Burnt Yates and neighbouring villages to lose Burnt Yates School. The facilities, over the years, have provided excellent opportunities for children to learn in a secure and uplifting environment. As an ex-pupil, I recall numerous activities and outings which enabled children and parents alike to contribute to the local and wider community and help raise money for many charitable causes, both at home and at an international level. The school itself has been a hub of the community offering a range of supports and opportunities to children and families.	Former pupil at Burnt Yates CE VA Primary School
17	This school as every pupil to bring out their full parental from the day they start to leaving at 11 years of age They have a wider learning out side Class room which cover from Maths, Science Envierment ,Nature Every pupil is an individual well known by all the teachers With number of new homes built in the area this school is need so children do not have to travel too far as they are local children who family's for generations have attend this school Do not want to be just a number in a big class size as all the local Parish School are full Not all family's can travel too far to other school due to work If they did not have to share a head teacher who only want be their odd few days because the other school as a better states. Suggestion for improvements: Make sure they have their own Head Teacher Not to share ahead teacher	Community
18	As a parent of a child attending the school, I feel that pointless delays caused by approaching an academy trust (unable to help from the start) and a financially unstable collaboration partner has amounted to closure by stealth. Parents have felt that they've had no option but to move their children thus leaving the school unviable financially. This whole process began with an inadequate Ofsted rating caused NOT by poor teaching but by a mistake made by the Head Teacher who failed to complete the regarded Safeguarding procedures. Failure in this area gives the whole school an Inadequate rating when actually, the Head Teacher was at fault and the Governor's didn't follow through the process properly. Teacher's have been blamed for the failure when they were not at fault. This blame has been passed onto the supply teachers who weren't even in post when Ofsted visited! Prior to the Ofsted inspection, the Local Area Schools Advisor judged the teaching at the school to be 'Good'. Someone - either the Advisor or Head Teacher at the time of the Ofsted Inspection should be held accountable for this whole situation - in fact both of them have a lot to answer for. Have either of them actually been held accountable?? It's absolutely appalling that parents, children and the current staff have been left in such dire straits. Local Government has to cut costs - that is one thing that is undoubtedly clear. Closing a village school is one way to do it! It's not long since Bishop Thornton Catholic school closed and I truly believe that Burnt Yates will be the second of many. The saddest part of this whole affair is that the children will undoubtedly suffer from this upheaval. Burnt Yates school has been and continues to be an amazing school for my child. The teachers go above and beyond, working evenings and weekends to ensure that our children receive the best education. We will all be devastated should the school close.	Parent of pupil at Burnt Yates CE VA Primary School
19	I am appalled by what has happened to this school and that it now faces	Governor at

	<p>closure. It means the loss of a valuable educational resource, not only to the village but also the surrounding communities as they face expansion. I also bitterly regret that the local authority is in no position to reverse this situation, having lost the control of local schools it once had. The policies of successive governments on: Ofsted, the management of schools; academisation; the control exercised by RSCs; and new funding formulae have all contributed to the fate of this school. At the same time there has been considerable change in the work and responsibilities of governing bodies which are now expected to take on a role akin to a board of directors (without the pay) and do not always have the skills and, more importantly, the time to perform all its increasing functions. As a governor for the past four years I can attest to the way governing bodies have been stretched to their limits while also having to constantly pursue collaborations or federations to try to keep the school afloat financially. I sincerely hope that lessons might be learnt from this at both local and national level.</p> <p>Suggestions for improvement: The Consultation Document, including the date of the public meeting, should have been made more widely available in the community possibly via the Parish Council. Most of those attending the meeting only knew about it from a leaflet distributed by parents. A more suitable venue for the meeting, as many people complained that they could not hear what was said by the speakers. Repetition of questions by the Chair would have been helpful.</p>	Burnt Yates CE VA Primary School
20	<p>The population of Harrogate is rising as more and more housing estates are being built around the area, yet the NYCC want to close down school after school in the local communities? Large primary schools in the centre of Harrogate are full to bursting, with class sizes of 35+ students, however the NYCC think it is a good idea to close down smaller primary schools that have available places such as Burnt Yates Primary? What is the logic behind this? Burnt Yates Primary school has been educating children, including myself, for 250+ years, but it has only taken the NYCC a few months to decide to close it. Burnt Yates Primary gave me some of my best memories as a child, and all of the ex-students and current students of the school are heart-broken to see our school closing. It is wrong for it to be closing after the NYCC have admitted they made mistakes throughout the process of deciding on the school's closure, and since there are so many new families moving to the area who need schools for their children. Burnt Yates should not be closed for the good of its community and current students.</p> <p>Suggestion for improvements: Reasons why the school is closing should be stated.</p>	Former pupil at Burnt Yates CE VA Primary School
21	<p>I was very sad to see that Burnt Yates School is due to close. All three of my children when to the school and were very happy and well taught. We were expecting that all of my grandchildren would be going there also. The school has excellent facilities and my youngest is still benefiting from the admiral long foundation trust. With it being a small school it really helps the children to learn to interact with others and to get the attention from the teachers that they need.</p>	Former parent of pupil at Burnt Yates CE VA Primary School
22	<p>I attended Burnt Yates School 14 years ago and have only happy memories of my time there, the school fully prepared me for when I moved to high school. I'm sure I benefited from it being a small country school and hoped that my children would be able to have the same experience.</p>	Former pupil at Burnt Yates CE VA Primary School
23	<p>1. The Ofsted report of 23 January 2017, that deemed the school 'inadequate', served to drive parents to take their children away from the school, thereby being 'obstructive' and unfairly facilitated a case for its closure. All previous Ofsted reports were satisfactory and Local Authority monitoring in November 2015, March 2016 and July 2016 were positive with outcomes that compared favourably with National Results. North Yorkshire County Council audit of 30 November 2017 confirmed satisfactory improvements. In view of the 'obstructive' nature and adverse consequences of the January 2017 Ofsted report and Local Authority monitoring the Local</p>	My ancestor / cousin Admiral Robert Long provide the funds for Burnt Yates School foundation.

	<p>Authority should re-evaluate the viability of the school on notional figures, including those of pupils that were subsequently withdrawn following the adverse Ofsted report, with a view to reinstatement based upon a more realistic future prospect. 2. Local Councillor, Nathan Hull, has stated that NYCC have not done enough and we still await a written response to this. NYCC should, in consultation with Councillor Hull, satisfy the public consultation that Councillor Hull's views have been considered in depth with reasoned decisions. 3. The Church of England's policy concerning small schools supports federation with neighbouring primaries under the leadership of one executive head teacher. NYCC should issue a document to confirm expenditure calculations including the Burnt Yates School Trust provision of the building and generates income from its own resources, which should make amalgamations or federalisations more attractive. 4. The Church of England policy is for creative partnerships with imagination to enable small schools to survive and this includes Local Authorities with a statutory 'Duty of Care'. The Church of England makes the point that costs of lessons can be cut by using video links to groups of schools, (thereby saving money on teacher salaries), and using schools for more than one purpose, (for example other community services, community centre, nursery, after-school club, disabled children's centre etcetera to maximise the financial viability of buildings). This aspect has not been properly explored by NYCC and should be reported upon in a written review for public scrutiny. 5. Education Secretary Kirsty Williams has made changes to the 'School Organisation Code', which guides council decisions on the future of schools, including a presumption against the closure of rural schools. A new £2.5m rural and small schools grant has been available from April 2017 to support closer working together, boost the use of technology and increase community use of school buildings. The Education Secretary is supportive of the Church of England's policy of encouraging sharing buildings with other services to ensure school buildings remain viable. NYCC must therefore produce a review document that satisfies community scrutiny that this has been adequately considered. 6. I challenge the NYCC calculations based upon '1 primary-aged pupil from every 4 houses', which I consider a dangerous generalisation, because new builds often attract a predominance of young couples starting a family. 7. Closure is likely to adversely affect house values in the area, thereby punishing parents through no fault of their own. 8. NYCC policy of every school having to provide facilities for disabled children is expensive and some of this expenditure could be alleviated through using Burnt Yates School ideal facilities and environment as an area-wide centre for some of the disabled children.</p> <p>Suggestions for improvement: Please reconsider requesting contributors to sign and online form, as this is not possible.</p>	
24	<p>I believe a big mistake has been made with regards the proposed closure of the school due to "systems" used having caused a wrong decision being made. This proposal should be reversed at the earliest opportunity to put right an obvious wrong and allow the community to continue with its local school for local people.</p> <p>Suggestion for improvement: If someone has worded something incorrectly, then action should be taken. If the school has shown marked improvement, as confirmed in reports, they should be allowed to continue this process and NOT shut down due to archaic procedures being used and common sense should prevail for the benefit of the children and the community</p>	Community
25	<p>Wonderful primary setting for children in local area to start their educational life. We have had 3 boys go through the school and we can support the view that Burnt Yates provides a wonderful opportunity for children to enjoy a good education in a rural setting before embarking on larger schools. With good leadership this school could once again thrive in both numbers and educational results. This small school needs all the support it can be given at</p>	Former parent of pupil at Burnt Yates CE VA Primary School

	this time of crisis to ensure that it continues to provide education for local families.	
26	It would be a terrible blow for the community if the school is closed. Please keep it open.	Community
27	Please don't close our village school!	Community
28	Please keep our school open for future generations of this community.	Community
29	<p>The headteacher and Governing Body of Bishop Thornton CE Primary School would like to respond to the consultation by expressing their wish to be awarded the catchment area presently of Burnt Yates CE Primary School. Bishop Thornton is a thriving and growing school. Our headteacher has held the position at Birstwith School for 18 years and has worked in a collaborative capacity with Bishop Thornton for 7 years, providing stable and effective leadership. We have a good established team of teachers who are used to working in a small school environment and understand the challenges and positive aspects of working in a mixed-age, mixed ability class. The school received an Outstanding Ofsted grade at its last inspection and the satisfied parents hold the school in high esteem, believing their children to be safe, happy and to be making good progress in their learning. The significant proportion of children from outside catchment demonstrates how popular and attractive the school is, and how well it serves its children and families. The village of Bishop Thornton is small and at present there are only 9 children attending school directly from the catchment area from a current roll of 26 (35%). The current housing catchment is disproportionately small, given the capacity and popularity of the school. The school has all the factors for further growth: places available, no need for new buildings or staff, good teaching and a welcoming environment. Our strongly increasing numbers show the confidence that the local area has in the school and its future. There is no question that Bishop Thornton School would serve an enlarged catchment successfully. Bishop Thornton is the only local school with enough capacity to absorb all Burnt Yates catchment children - especially when the huge developments of new housing in other local villages are taken into account. Birstwith, the nearest school geographically is already considerably oversubscribed and Bishop Thornton is the next nearest, being 0.1 mile further away. Bishop Thornton also shares a substantial border already with the Burnt Yates catchment area and the distances involved would negate the need for LA paid transport or use of a bus. The border runs through the village of Shaw Mills, with half the village being in each area - the joining of these catchments would mean Shaw Mills was treated as a whole. Summerbridge and Bishop Thornton are the closest schools with significant spare capacity. Summerbridge has spare capacity for 28, Bishop Thornton for 30. However, when numbers for potential pupils from future housing are taken into account, the extra Summerbridge space is taken up. Bishop Thornton on the other hand has no planned future housing development. All other schools with shared borders are already full. The religious nature of the two schools also aligns. Both are Church of England schools and indeed come under the same Benefice of Churches, with the same Vicar and leadership team. Assigning the catchment to Bishop Thornton would make Birstwith and Bishop Thornton into neighbouring catchments. This would again strengthen our collaborative relationship with Birstwith. A number of Burnt Yates children currently attend Birstwith School - and this will no doubt continue. Allocating the catchment to Bishop Thornton would give a measure of unity to the Burnt Yates village community, given Bishop Thornton's collaboration with Birstwith. Burnt Yates falls into the Harrogate secondary school catchment area and it would therefore be most appropriate for the new catchment area to be likewise. Summerbridge falls into the Pateley Bridge secondary school catchment and this would mean children from the same school going in different directions at age 11, making transition more difficult and friendship groups being severed. There is also the possibility that more children from Summerbridge are drawn into the Harrogate secondary system which may undermine the numbers at Nidderdale High School, which will be of concern</p>	Headteacher at neighbouring School

	to Pateley Bridge. Thank you for this opportunity to share our opinions with the Local Authority and we look forward to your response. If you wish to speak with us further about the points we have raised, please don't hesitate to get in touch.	
30	As a former pupil I am very saddened that we are possibly going to loose our last community asset due to as I have understood none of the teachers fault. My own children went there and I think it is very important that our local villages should provide a school for the children of the villages to attend, where you can walk and interact with other parents/children. I think it also should be acknowledged in rural places the pupil numbers are not necessarily going to be large but that is also a selling point as we don't always want children to be just a number but to be in a smaller community where they can get more one to one help. This is the start of growing up and I feel that a smaller village school offers more help and they learn valuable skills for when they carry on to Secondary School which is a very different environment. I really hope that you can understand that we need to keep the local school for our local children especially now we have all the new housing developments going on in our area & that it would be in a position to take on more pupils as other schools in the area are now getting full. But it is also important that families can keep all there children in one school with the friends that they have made. I think that to expect parents to travel round the countryside dropping off children to different schools is a step too far.	Community
31	In my opinion it would be very short sighted and negligent on the part of N.Y.C.C. to close this school, it is a sad reflection of modern times that after the ups and downs of 250 years a few "boxes not ticked" should force the closure, this school is needed and will be more so in the future in view of all the new houses being built in this area. For our children's sakes can not common sense rule in this case, I can't help feeling this is a poor example to be setting the next generation, where rigid rules and procedures tie everyones hands, and despite everyone knowing it, something fundamentally wrong is done, making all concerned look rather foolish.	Community
32	The large site at Burnt Yates, would make an ideal location to extend or build modern facilities in order to accommodate the expected growth in pupil numbers, following numerous planning applications throughout Nidderdale, or to amalgamate with other schools in the area, allowing Council owned sites to be sold off. Children have been moved from the school (including my Grandchildren) in anticipation of what appears to be the done deal, to close the school, by the Council. Parents choice is limited as some nearby schools are full, or nearing capacity with no space to extend. The Council are being short sighted in closing this school, which has the capacity to expand, unlike others in Nidderdale. At one of the meetings, a Council representative was heard to say that the site would fetch a fine sum when sold. If the closure of this school is all about finance, with no regard to the education of pupils current, and in the future, then look at closing the non-financially viable Council owned sites, instead of trying to land grab sites which do not belong to the Council. Question the policy makers, a one size does not fit all, especially the idea of academy status. Suggestion for improvement: Question the policy makers, a one size does not fit all, especially the idea of academy status. It looks like all the small schools in the Dale will be closed.	Former Grandparent of pupil from Burnt Yates CE VA Primary School
33	I find it deplorable that Burnt Yates school is being threatened with closure. I have lived in the village for over 14 years and have only ever heard good reports on the standards of teaching and pastoral care. I would like to register my strongest objections to the closure proposal, the school is a valuable community asset, too many such rural assets are disappearing and every effort needs to be made to keep it open.	Community
34	Keep it open,it is an institution!!	Former pupil at Burnt Yates CE VA Primary

		School
35	<p>I think that it is very short-sighted to close such a good school which as great facilities and grounds. It has excellent potential for an extension and due to the new estates being built in the area there is a urgent need for more school places. All the other local schools are filled to capacity and have no room to be extended. I realise that pupil numbers are low at present but this is due to parents being uncertain about the future and new families being unhappy about the Ofsted report. But now all the measures in the report have been addressed and remedied. The staff are new to the school and despite not knowing about their own futures are totally committed to the pupils. Because of this the school can only improve and attract more entrants. The school has a very caring atmosphere and pupils who were causing problems at other schools are doing really well at Burnt Yates. Anyone who attended the assembly at the end of the year and heard the presentations that the Year 6 gave would realise that the school has a unique quality. Also I understand that the building was given in trust for education purposes so what will happen to an empty building!!!</p> <p>Suggestion for improvements: More space for comments</p>	Grandparent of pupil from Burnt Yates CE VA Primary School
36	<p>Dear Sirs I am a former pupil of this wonderful school and I am horrified to see how it has been let down by mis management from the NYCC and government policy. How on earth can a NYCC school inspector give the school a clean bill of health and then within two weeks it fails it's ofsted inspection. Within 8 years pupil numbers have dropped significantly, which again is failures in management. There is a shortage of places at the nearest schools already, with yet more houses being built in these villages which will compound the problem. A wonderful, well funded building at the heart of a rural community deserves the chance to thrive again.</p> <p>Suggestion for improvements: Public meetings and minutes should be better publicised within the local area involved</p>	Community
37	<p>Observations: 1. Based on our local Parish Council information sheet the various bodies involved with 'assessing ' the school are not 'joined up'. Therefore decisions seem to be taken almost without cross referencing the important information available. 2. It looks obvious to us that no official body is helping and that 'nobody 'owns' the problem and therefore the feeling 'no one wants us' comes to mind. 3.The NYCC Local Education Authority, The Leeds Diocese, and Ofsted would appear not to be helping the school in any meaningful way. 4. It's all too easy to close this school. Other local schools seem to be at capacity and with new housing being developed in this and surrounding villages, there will be a shortage of pupil spaces. So this looks like 'short termism' and needs to be thought about much more carefully. 5. If the school is closed what will become of the buildings and significant land / woodland area. Our village needs to seriously consider this and come up with a plan to keep the school open. Suggestions: 1. Someone must specify what are the essential requirements for the school to stay open. e.g. running costs for the school, pupil numbers, quality and number of teachers, and the various rules that all the management bodies above require to be met. It is not clear what residents like ourselves can do to influence the situation the school finds itself in without a FOCUS and plan to move forward. 2. As former Chairman of the Burnt Yates residents association(BYRA) perhaps we should consider reforming this group to help in resolving this school situation. 3.Get our local MP to support non-closure of the school. 4. Consult with the Ingleby family at Ripley.</p>	Community
38	<p>One of the reasons we moved to this village because of its good school. Our son attended the school for 4 terms. In the second term we started on the post-Ofsted rollercoaster &amp; it has been a very unpleasant experience; the only positive was that there was no reflection of any it on the children during the past year, the teaching staff have done a fabulous job at keeping the day to day school life focused on a good education &amp; they have gone to extra lengths</p>	Former parent of pupil at Burnt Yates CE VA Primary School



	<p>to ensure this. We feel that the school improved dramatically after the bad Ofsted of Dec 2016. Our son was in reception, and as our first child to enter education we had no previous experience of what should be expected but we had not noticed the quality of the teaching or any of the elements the school was failed on to be sub-standard. However it seems the cruelty of the Ofsted system &amp; the local education authority has now robbed these lovely children &amp; an entire village of it's heart. There is no need to re-hash the timeline, you have been given it in our parental document, however from a parent's point of view we have felt utterly helpless, we have been given hope &amp; had it cruelly dashed on several occasions &amp; it seems ludicrous that the running of a school &amp; major decisions, which have led us to where we are now, are in the hands of under qualified volunteers in our Govenors. We do not consider them to have handled much of this situation well; their lack of communication &amp; slow decisions led to a lot of children leaving. We have been lied to &amp; we have had information spun to us by the LA, the diocese &amp; the Govenors, all of which is clearly represented in the minutes of the parental/LA meetings. I cannot trust anyone left in this situation, I feel so angry the school has been put in this situation &amp; mostly I feel heartbroken for the current staff &amp; pupils who have done nothing to deserve this. To be in this position which the LA have accepted responsibility for but cannot help us mend is unbelievable. Religion also plays a part; how can it be a Christian act to allow a beautiful place, which allowed children to flourish, to close by not being prepared to let us look at a non-faith academy or even a non Church Of England solution. Putting our future in the hands of a disassociated Diocesan representative felt alarmingly wrong last January and here we are sadly proved right. The restriction religion has placed on us is isolating and appears to have led to its end. I can only think that God, whoever &amp; whatever you believe he is, could not be happy that his name brings about such sadness. Yet the institutions involved have done just that. The school has a huge heart, the staff &amp; pupils were one big family &amp; they all did their best, every time the pupils represented the school at a sporting competition or event they were singled out &amp; praised for their behaviour. This school has brought us in touch with many people in the village we would never have met otherwise. There were so many siblings coming through, given a chance the school would have grown and the parental backing was very strong. We have had to leave the school as we managed to secure our son the last place at an alternative school on being told the Ripley amalgamation had fallen through as we were given no indication how long the school would stay open at that point and the ship was sinking. That has now put us in the horrendous position of driving past the school morning and afternoon and seeing friends still going in, not to mention the extra costs associated - new uniforms, bags and a lot of petrol for the commute. Were it to remain open we would consider moving back and we also have a younger son who will be starting school Sept 2020. Ofsted aside, the closure of this educational facility seems totally short-sighted; the location, the grounds, the potential for expansion, the instant access to so many different outdoor settings to inspire the children in their education and the facilities should not be wasted. In the long term, the obvious solution would be to use it as a centre to bring together several of the rural schools (many of which are also in financial difficulties and will follow us in closure no doubt) given the location, facilities and financial assistance from our Trustees. This should be a proactive move for the LA and NYCC. We don't want to pass it every day and explain to our son why this beautiful school, full of wonderful memories, is going to waste.</p>	
39	<p>This local school should remain open! The surrounding catchment area schools are either over subscribed with children coming in from Harrogate and surrounding areas or are in the same position as we were just a year ago having small pupil numbers, leaving the parents with no options really they are either going to loose out on the education they are currently receiving with smaller class numbers or are going to another school with similar number which in my opinion is highly likely to result in similar situation another 6</p>	<p>Parent of pupil at Burnt Yates CE VA Primary School</p>

	<p>month, a year who knows down the line, when are children are being up routed again something I personally are not prepared to stand for as my son who is currently at Burnt Yates is a delicate sort who cannot take these sort of changes and having been at the school for almost two years now and was struggling and falling way behind 'national average' what ever this is at his previous school which had large numbers of children where they cannot possible receive the help they require. When we choose Burnt Yates school for my son we had no information that this school may close and like wise since the school closure procedure has been in place the LA have made no effort to inform me since putting my daughter down to start Burnt Yates in September that the School is facing closure. When the first meeting took place one of the representative of the council, LEA etc stood in front of a filled room of parents and openly admitted that it was the authorities had failed us, now as a business owner and seen as schools are run as a business if I mess up with something I put it right I don't turn round to the person/s I have failed and say ' sorry I messed up but you deal with it!' I put it right and I feel that if this is put right by yourselves then you will save our community, but I know within the next 18 month to 2 years the school would be back up to capacity. The school site its self cannot be used for anything other than education as this is what the Admirals trust set up the school for, it has so much potential on site for additional building and additional educational facilities such as the forest schools projects. The school is now up to date with all its safeguarding which was part of the issue when the school received its special measures status, I do think that the oversight from the LA should be taking into consideration when looking to close the school as im sure this wrong could be easily rectified and thrive from now on, Burnt Yates has dropped in numbers before and they have risen back ups the sole reason that the numbers are so low is due to the scared parents who were worried they would not get their school of choice if they did not 'act now' the parents of the children who remain will stay to the very end should this be and will do everything in their power to stop the closer of the dales school.</p>	
40	<p>Burnt Yates school was a very good school for a long time. Pupil numbers have often varied for a number of reasons all the schools in the surrounding villages including Burnt Yates have always accommodated pupils from the other villages, for a number of reasons including preference, friendships, closeness to relatives for pick up and drop off to style of schooling to name some of the reasons. The poor ofsted report was a blow to the school but one from which it can recover providing the the threat of closure is lifted. The school's potential for student numbers should be seen in the context of the lower Nidderdale area rather than individual village catchments as this is reflective of where pupils will come from and not simply the nearest school. It is clear from the available statistics that pupil numbers will increase in Lower Nidderdale and so short sighted to close it.</p>	Community
41	<p>I am a parent of 2 children who attend Burnt Yates Primary School. Our children are happy and well rounded and love attending their school. As a parent my primary concern is for my childrens' happiness and well-being and I have been extremely pleased with the education and pastoral care that my children have received throughout their time at this school. The blame for the current demise of the school lies firmly at the feet of the Local Education Authority. Indeed, no blame whatsoever for the demise can be apportioned to either the children who attend the school or their families who are collectively good hard-working people who offer their unconditional support to the school and the children it serves. Closing the school will have a devastating impact on the children, their families, the current staff (who are all new staff and are not to blame for previous failings) and the village that has been served by the school for over 260 years. The Local Education Authority has an obligation to turn the school around (which is now happening) and put right the mistakes that it made (it is without doubt the failings of the Local Education Authority and its employees that are behind the bad OFSTED report). Any closure of the school is beyond unfair and unreasonable and effectively means that the</p>	Parent of pupils at Burnt Yates CE VA Primary School

	<p>Local Education Authority does not need to put right its mistakes. The children, their families and the village will all suffer instead and this would be a scandalous injustice.</p> <p>Suggestions for improvement:</p> <p>I have found the whole consultation process hard to understand from start to finish. Information has been difficult to follow and I have not fully understood who is responsible for the whole process. Indeed, I believe that I have been misinformed and misled from start to finish and no one from the Local Education Authority or Diocese seems to have been prepared to take any responsibility for the failings of the Ofsted Report and has no one has provided clear guidance since then.</p>	
42	<p>Burnt Yates School should be kept open because: 1. The current increase in house building in the area will put great pressure on primary school places. 2. Burnt Yates school is a first class educational facility. It has off road parking in car park on same side as school. Excellent classrooms, including outside classroom and toilet. Safe, tarmac area for play to rear and front of school. A playground with garden and space for imaginative play. Excellent playing fields for all year round sport and play, with all weather adventure play equipment. Dedicated teaching staff and ancillary staff. 3. Room for expansion. 4. There has been improper handling of the school's demise; parents and governors did not receive clear and truthful information once the school fell into special measures. 5. Children and parents have been let down by a Government policy which was flawed for small rural schools. 6. Numbers at the school will grow quickly again, as parents always exercise their right to move a child to a different school. I suggest: 1. The Educational Authorities deliver a meaningful report stating that they are happy with the current teaching standards at the school, as the LEA admitted at the last meeting at the school on 15th January 2018. This should be followed by a new Ofsted Inspection. 2. The Educational Authorities should use all the powers within their reach to overturn this closure. 3. Lessons should be learned in the process of dealing with small schools with voluntary governance facing special measures, to support and better guide all parties involved.</p>	Former parent of pupil at Burnt Yate CE VA Primary School
43	<p>I am the local district councillor on Harrogate Borough Council, representing the ward in which this school is located. This school has been the heartbeat of the local community for over 260 years and remains so today. At a time where there is no longer a local shop, pub or anything else of that nature left in the village, the school has become even more so the centre of everything that goes on within the village and the parish area. I am personally distraught at the prospect of the closure of the school and the impact that that would have on everyone that lives here (not just schoolchildren, their families and the staff of the school). I am aware that numbers are presently down at the school but I'm also aware that this is because parents have felt obliged (and have been encouraged by the officers of the Local Education Authority) to move their children to other schools now rather than later for fear of not getting their children into their school of choice should this school close. I believe that this is indicative of the horrendous way that this whole process has been handled and the current low pupil numbers should not be used as an excuse to close the school when low numbers are also the fault of the Local Education Authority. Most parents who have removed children from school over the last 18 months have told me that they would gladly move their children back if the school was given a reprieve. Moreover, I am aware that many parents of preschool age children in the village want to send their children to the school. I also believe that it is important to keep the biggest and the best school site facility in Lower Nidderdale open at a time when there will be numerous new houses built in the area as there will not be sufficient capacity for the increased number of pupils at other schools. Surely it makes financial sense to keep the school open for a few years longer (even if pupil numbers are presently down) so that it can take on the anticipated increase in pupils over the next 5 years, as opposed to closing it then having to build either a new school or extend existing schools which are already oversubscribed and lack the</p>	Local Councillor

	<p>physical space to expand. This is a wonderful school with wonderful children, parents and staff, and everything should be done to keep it open for another 260 years and beyond.</p> <p>Suggestion for improvement:</p> <p>It appears to me that there has been no real guidance or leadership shown by the Local education Authority throughout this process, and I am concerned that the school is being run down on purpose as a cost cutting measure. Indeed, if the Local education authority had done its job properly in the first place, there would be bad Ofsted Report, pupil numbers would not have dropped and there would be no financial justification for closing the school</p>	
44	<p>I am the parent of 2 lovely children who go to the school and absolutely love it. Indeed, there is a unique ambience and sense of community within the school that I have not seen at any other school (I also have 3 other older children who have attended different primary schools that were not a patch on this one). The prospect of this school closing is heartbreaking for me, my children, the children at the school, the wonderful and hard-working staff and the village of Burnt Yates. I find it almost unbelievable that North Yorkshire County Council was so bad at doing its job that the school that received previously excellent OFSTED reports was effectively overlooked/ignored resulting in the terrible OFSTED report that it received. This was no fault of the children or the parents of the village community that has been sending their children here for more than 260 years. The children are happy at school, parents are happy with the school, the newly installed staff are doing a fantastic job and the village community is desperate to keep the school going. It is the heartbeat of our community and without it, there will be nothing left in the village. Whatever has gone on in the past, it should really be for North Yorkshire county council to put right its wrongs and its mistakes and ensure that school keeps improving like it has done over the last 18 months, so that my children, my family, staff and my village do not suffer because of the failings of your employees. I do not know of a single person who wants the school to close. Indeed, everybody in the Village wants it to keep going as it is the absolute heartbeat of everything that goes on around here and we all want it to keep being so for centuries to come.</p> <p>Suggestion for improvement:</p> <p>Nothing in this process has been clear. I have not once fully understood why we have had to go through this process or which individuals have been responsible for the failings. Still today, I do not know who is really leading this process as nobody from the council of the dioceses appears to accept any responsibility for their failings.</p>	Parent of pupils at Burnt Yates CE VA Primary School
45	<p>It is a real shame to hear of the planned closure of Burnt Yates school. With all the proposed new housing in this area and the effect this is having in causing schools like ours to have to expand, it is disappointing to think that no future could be found for Burnt Yates school. It does not seem inconceivable that the re-opening of the school or a new school might be needed in that area in a few years' time if house building significantly increases the number of children in the geographical area as is being predicted. In terms of the catchment area of Burnt Yates school, we do not support the addition of Burnt Yates' catchment to that of Hampsthwaite School. We already have sufficient numbers of pupils in the Hampsthwaite catchment for our school to cater for. However, a problem we frequently face is the local perception that St Thomas-a-Becket and Clint Bank effectively form part of Hampsthwaite village. Children living in homes there are within a few minutes' walk from our school, but because of the catchment boundary being drawn along the line of the River Nidd, they are currently out of the Hampsthwaite catchment and usually end up having to go to appeal to secure a school place here. We would be willing to enter into discussions to agree increasing the Hampsthwaite catchment area to include an area beyond the river, but not as far as Burnt Yates itself. We recognise that this would require the fragmentation of the current Burnt Yates catchment area, and therefore agreement would be needed with other local schools to take on other parts of</p>	Headteacher at neighbouring School

	that catchment.	
46	<p>The proposal to close Burnt Yates School is, in our opinion, illogical. Our opinion is based on three key points. 1. In times of austerity where every government department is under scrutiny to reduce costs, the proposal to close a school which has financial backing from a trust is incomprehensible. The school is well supported by the Admiral Long Foundation and they have shown their commitment to assisting NYCC in the provision of education from Burnt Yates School. Which other school in the Nidderdale area has a comparable trust, if any? 2. Burnt Yates in terms of its building is comparable to a number of Church of England Schools in the area, however what it offers, apart from a structurally sound building, is the room for expansion. It is situated in extensive grounds which could be utilised to make the school more attractive to parents (a woodland class room, out door adventure area) which could bring financial revenue to the school in the long term, through utilisation by other schools and external bodies such as the scouting/guiding movement. Any investment would be well supported by the Trust and there are a group of parents committed to regenerating and promoting the school so that it could become the school of choice in the Nidderdale area. In addition, the school could accommodate a nursery area, providing a 'one stop' school for parents looking for preschool care. Should NYCC formulate a strategic plan for the provision of primary education in the Dales area, then Burnt Yates would have the room to expand should a Dales primary super school be the ultimate aim for NYCC. 3. The school is situated on the B6165, meaning that it would be an attractive option for parents commuting to the Harrogate area. It is also centrally based when looking at the geographical location of the surrounding primary schools, making it easily accessible to those in surrounding villages. Should the school be given the opportunity to improve and revamp then there it would be an attractive option for those in the wider community and could solve any future schooling crisis. As new parents to the education system we are at a loss as to how the school could fail in the first place. In September 2016, when our daughter entered reception, there was no outward indication that things were amiss. How could they be - the school were issuing consultation documents about starting a nursery and £50K had been allocated for the building of an outside toilet block to promote the woodland area. The school had a head in place, who two months later left to become a School Improvement Advisor. What clearly was not visible was that the head had left the school in a compromised position and that School Improvement Advisor had overstated the teaching at the school. We accept that the governors may have been naive in their acceptance of the word of the head, but it is difficult to see from a parent's point of view that the running of the school is left to a group of volunteers, the majority of those, who with any business acumen, will have their own paid job to put first. While governors may lack the understanding of what is really required to run and maintain a school under the current climate, we feel that blame should not be aimed at a group of volunteers, but at those paid to do the job of running our school effectively i.e. NYCC. One of the basic principles in life is to take responsibility for your wrong doings and to put right your wrongs. The fault lies with NYCC and no matter what bureaucracy lies behind the government legislation for academisation, sometimes it is worth making a stand and to challenge decisions when they are not fit for purpose. These decisions have affected the children at Burnt Yates School, their parents and the local community, none of which have had the opportunity to affect the end outcome. Burnt Yates School should not be allowed to close. An opportunity should be given to turn the school around. This is vital for the community and the future of all dales schools</p> <p>Suggestion for improvement: To ensure that the community is aware that a consultation process is taking place by informing them appropriately, rather than issuing a letter to the parish council. To provide accurate information during the community consultation, so that the attendees actually have the full details behind the closure rather</p>	Former parent of pupil at Burnt Yates CE VA Primary School

	than the edited version provided by NYCC.	
47	<p>Dear Sirs Three generations of my family have attended this wonderful school, and due to some very bad management the school faces closure. Due to the placement policy of the council, you have forced the hand of parents to move their children to other schools and then use the argument of falling numbers as reason for closure. New houses are ear marked to be built in the area which is good for the sustainability of a rural community and a local school should be at the heart of it as well.</p> <p>Suggestion for improvement: Not enough consultation with the local community</p>	Community
48	<p>It feels very much like a decision was made about this school a long time ago by higher powers and the situation has been engineered to bring about the inevitable. Sadly there has been a lack of accurate information given to parents and the whole process has been far from transparent or honest. The document provided with this consultation, giving information on which stake holders will base their decision is extremely biased and does not give an accurate reflection of the current situation. The issues which are outlined as being the reasons for the closure have largely been caused by the way the LA has handled the whole situation and the uncertainty which this has caused parents. The initial problems with standards of teaching and learning were also the fault of the LA for not correctly monitoring the school. The blame has been unfairly laid on the previous Headteacher and a huge amount of unnecessary damage done to her career and reputation. The LA needs to stand up and accept that their negligence was partially to blame for the initial cause of these problems and their handling of this whole procedure has made matters significantly worse. They have failed this school, the pupils and staff in their duty of care. This, in turn, has created huge problems for Ripley, their collaborative school. It has also caused much unsettling amongst the parents and there has been a similar fall in numbers and so begins the same pattern. Are the same accusations going to be used against Ripley: falling numbers, financial issues, poor Ofsted rating?? As a parent at Ripley I am beginning to wonder whether there is an agenda going on to get rid of some village schools by creating problems for them. There certainly seems to be a lack of support and no sense of urgency and one temporary solution after another which is not sustainable. But is this deliberate?? One can begin to see a pattern and a conspiracy. There is a total lack of joined up thinking and forward planning. When most of the neighbouring schools are at bursting point, with no room to expand and a huge amount of housing development planned for the future, why is this school being closed?? If it really is the standards of teaching and learning then it is unfair not to give a chance for improvement. This has surely been proven to be possible, as in the space of 6 months, with a temporary Headteacher and temporary, but extremely committed staff there has already been significant improvement. Appoint an outstanding headteacher and teachers and give them 2 years to sort it out and increase the numbers. Re-draw the catchment area to fairly distribute the influx of children from the new housing developments and by doing so boost the intake of children. Start a nursery on the school site which would act as a feeder for the school. If an Ofsted inspection shows at the end of that 2 years that there really is no capacity for improvement and the numbers are still falling then close the school. It is totally wrong and very very short sighted to be closing this school. The decision needs to be reversed and a proper period allowed to rectify this situation and prove that this school can work for another 250 years.</p> <p>Suggestions for improvement: Yes, the process, the dates set out and the time scales are clearly explained.</p>	Staff member at Burnt Yates CE VA Primary School
49	<p>We right as two members of a well qualified and informed Governing Body of Burnt Yates Primary School in 2016, who were misled in placing too much trust in the recent experienced and well qualified headteachers of the school. Our trust was reinforced by the active endorsement of these headteachers by the Local Authority's representative, the school improvement adviser; who</p>	Governing Body members at Burnt Yates CE VA

	<p>was also a current Ofsted inspector. The Local Authority was responsible for the appointment of one of the headteachers to an advisory post with them and their immediate temporary replacement with an agency headteacher. Within a few days of their appointment, the school was inspected by Ofsted. The Local Authority was aware that an inspection of the school was imminent. Following the inspection, the school was informed that because of being placed in special measures, it would have to academise. Governors were misled into thinking that academisation was a viable option when clearly it was not. Governors believe that the Local Authority no longer has the will to both support and protect rural schools. There is clearly a reluctance by the Local Authority to produce a strategic plan that would ensure the provision of primary education in Nidderdale for the foreseeable future. It is likely that other primary schools are in danger of closure.</p>	Primary School
50	<p>As I see it the closure of the school would be a severe detriment to the local community. There are ever increasing houses being built in the locality with no additional schooling provision being considered. All local schools are full or very nearly full. The only reason that the school now has such low numbers is that parents have been rightly worried about their own childrens education &amp; moved to schools where they know there are spaces rather than been left in a school which the education authority is wishing to close &amp; then find other schools in the locality are unable to accommodate them.</p>	Community
51	<p>I went to Burnt Yates School from 2002 to 2008 and had a great time there. I know that the school has been open for many, many years and seems a waste to throw that all away for a few years of hard times. The school is a large part of the community that would be taken away. By closing the school the children would have to be split up in many different school away from their closest friends which seems cruel to do to small children when they are other possibilities you could consider to keep the school open, I am still friends with nearly everyone I went to Burnt Yates with. I treasure the years I spent at the small school close to where I live and i think it would be a real shame for the council to just give up on the school and abandon it. I really hope that the school stays open for many more years as it is a part of Burnt Yates history and community that should be protected.</p>	Former Pupil at Burnt Yates CE VA Primary School
52	<p>Introduction It appears that the closure notice is virtually impossible to overturn so I guess that given the apparent past reluctance to challenge decisions by others the outcome of this 'consultation' will be no change in intention. 1. It is my understanding that in December 2016 an OFSTED inspection recommended placing the school into special measures. The school was judges inadequate on every count. This was despite previous support from NYCC and the Diocese which gave no indication of any potential issues. How could this be? It must bring into question the systems, processes and competence of all of those involved in NYCC. What purpose do these individuals serve if they failed so badly to support the school and look after the interests of the stakeholders? The July 2017 report stated that safeguarding had improved and was effective. However it also criticised the schools response as neither rapid nor robust and the Local Authority was criticised for its slowness in review. The Local Authority was found to be ineffective in its challenge and support of the school. Indeed NYCC put in place a shared leadership with Ripley school that as I understand it failed more or less completely to improve things. It appears that NYCC failed in its duty to follow section 13A of the Education Act 1996 which states that 'A local authority must exercise its education functions with a view to promoting high standards'. Additional the NYCC Young and Yorkshire 2 policy states 'We have made 'The Promise' to children, young people and their parents and carers that they will always be central to decisions we make about them, and that their journeys will be shaped by their voice and experience. We will facilitate conversations to ensure that children and young people are placed at the core of decision making and that we truly listen, and act upon what they tell us. We are committed to working collectively as equal partners with children, young people and families to identify priorities for change and to co-</p>	Former parent of pupil at Burnt Yates CE VA Primary School

produce plans that deliver the change that they want to see'. It's hard top see how the current process supports this. Was the OFSTED inspection appealed against if it was felt unjust and similarly was the decision of the RSC appealed against? 2. Moving onto the school leadership the Local Authority 'should take an active interest in the quality of governance in maintained schools. Local authorities should promote and support high standards of governance, recognising where a school could improve and encouraging the governing bodies to do so. They should be champions for high quality school governance; help ensure that governors have the necessary skills; and have in place appropriate monitoring arrangements to identify signs of failure in relation to governing bodies' oversight of finance, safety or performance standards'. (Schools causing Concern – guidance 2018). It seems to me that the Diocese is allowed an influence in the school that is disproportionate to its contribution to the school. My experience was that foundation governors were very nice people but almost by definition they were very weak and were not comfortable with challenge. NYCC should institute some form of personality profiling before approving the appointment of governors. I saw this problem of lack of challenge at the academy that my children attended also. In my experience as a governor I saw many words in policies etc but ultimately it's people that implement. Coming from a business background I was always struck by the lack of rigour and challenge in the public officials I encountered. The competition to get into St Aidans also adversely affected governance as people wanted to be governors to get 'points. 3. I am not satisfied that the search for a sponsor academy was thorough. No business case was presented at the consultation meeting that I attended. By definition by sharing resources by merger, economies of scale are realised. As no detailed information was provided to parents it was not possible to judge whether any scenarios were realistic and had been built correctly. It appears that the 'word' of the Ripley Governors was taken at face value and any investigation stopped there. Additionally the school having to look for a religious academy was limiting. Was the possibility of reconstitution outside of the church aided community considered to widen the possible Academies that could be approached considered for example? 4. Scenarios were built on the current numbers on the school role but this is historically unrepresentative due to the position the school is in. From records during the period when I was Chair of Governors I saw that in 2009 for example the school ran with a small surplus. With a sharing of services and the resultant savings this suggests that a merged school would easily have been a going concern. The NYCC consultation document states that 'there appears to be no reasonable prospect of recovery' in the number on the role but this is actually only one scenario and is hardly surprising under the current uncertain conditions. It is quite possible that with a rejuvenated teaching staff and good reviews the school could again attract the numbers it once did. In our rural setting catchment areas are not that relevant in determining the school that children attend. 5. The one piece of data that was presented to the public meeting in January showed the pupil number projections of nearby schools. This shows schools within 4.2 miles are likely to have a deficit of space taking into account projected housing development: Birstwith -26, Bishop Thornton +27, Hampsthwaite -84, Ripley -10, Darley +28, Summerbridge -14, Killinghall -142, Markington +28, Kettlesing +2, a total deficit of 139 places so why close capacity and the build elsewhere when in many cases there is no land available anyway. As an aside the meeting was poorly advertised as this was subcontracted to the Parish Council who have neither the resources nor the expertise to undertake this work. The documentation that was produced in no way showed the 'official' nature of the meeting as it was not branded in the manner of NYCC, a learning point for the future. 6. The school is virtually the last bit of the community that now exists in Burnt Yates. Petrol station, Post Office, bus service, pub have all closed and now the second pub and the school are in the process of closure. The only thing left will be the Church, for how much longer? When one considers the NYCC Stronger Communities initiative it all seems a little



	<p>hollow. I quote it's aim 'is to champion and enable the conditions for effective social action within the market towns, villages and communities of North Yorkshire and to invest resources in such a way that ultimately results in reduced inequalities, improved social connectedness and improved well-being'. It's hard to see how closing the local school furthers this objective. One of the priorities is identified as children, young people and families! It also talks about innovation but presumably that for others not NYCC. I don't see any sign of innovation or imagination in this school closure process. One of the council's key values in its plan is 'Customer focus – putting the customer at the heart of everything we do'. I'm not sure having attended the January meeting whether the NYCC customer in Burnt Yates would agree with this. It also claims to have an 'Innovative and can-do attitude – seizing opportunities to do things better and taking responsibility to see things through'. Again I see no evidence to support this. Finally the NYCC Local Transport Plan states: 'We cannot directly influence the majority of travel choices for those in the County, however where appropriate we will promote sustainable travel'. Again the closure threat conflicts with this policy. Additionally children over 8 will have to pay to be transported to all of the alternative schools if parents are unable to transport them. Summary NYCC failed to serve the community it works for in ensuring that Burnt Yates Primary School supplied education of the best quality through support and challenge. NYCC then failed to consolidate and remedy the situation with the required speed and rigour resulting in a loss of confidence and falling numbers. The search for a solution seems to have largely been delegated to the diocese, has been superficial, half-hearted and lacked the can do attitude NYCC claims. There has also been a lack of transparency in the process. The NYCC consultation report in my view falsely assumes that pupil numbers could never rise to their previous numbers as it ignores the impact of the current uncertainty. Also ignored is the impending deficit of primary places due to planned housing. There is a lack of joined up thinking and contradictions in published policies on strengthening communities, improvements to health, increasing customer focus and improving transport sustainability.</p> <p>Suggestion for improvement: would have been better to have more of a survey style which was led. Easier to answer questions and easier for you potentially to analyse and categorise responses.</p>	
53	<p>It is incredibly sad to see Burnt Yates School close. As parents of a child who was at the School until last year, we hoped that the full potential of the School could be realised and as a result it could become viable and that the future could be secured. Unfortunately, the process has been very difficult. NYCC, the Diocese and those tasked with the management and direction of the School have all demonstrated failures in their respective roles which have contributed to the demise of Burnt Yates. The only positive that can come from this now is that other Schools are able to learn from the mistakes made and furthermore that NYCC and Diocese offer their fullest support to protect further children, parents, Schools and their communities against enduring such a negative process.</p>	<p>Parent of pupil at Burnt Yates CE VA Primary School</p>
54	<p>The school is due to close after a farcical sequence of events. The intelligent action after a poor Ofsted would have been to improve the management and levels of education to bring the school back to it's recent former glory. The school has good facilities with space to expand in future if required, is well located on a main road close to the edge of Harrogate and has off-road parking available for parents to use. It is absurd to think that if the school closes, houses will probably be built on the site, bringing more children to the village, who will then need a school to attend. There is at least one currently unused field on the Ripley end of the village that I can foresee being used for housing in the not too distant future alongside the P&amp;R builders yard which although not on current local development plans would also increase the primary age head count . There is no local school which children from Burnt Yates could safely walk to as Birstwith, Hampsthwaite and Bishop Thornton</p>	<p>Community</p>

	<p>are accessed by unlit roads with no footpaths or verges and dangerous corners, Ripley can be accessed by a path that involves crossing the Pateley Bridge Road on a dangerous corner and the path is only permissive and cannot be used when it is dark. In an age where we are meant to be moving to green alternatives we will instead be transporting more children in cars to be educated. The decision to close the school appears to be very short sighted and the long term cost may well outweigh any short term gain.</p> <p>Suggestion for improvement: The work consultation suggests that the public can influence the decision but I do not feel that anything we say can affect this decision.</p>	
55	<p>I feel that it has been a kept a secret from local residents who will have children that they would like to start at this school this year/next. I was really looking forward to my daughter starting at this school and also enjoying her school life with her friends In the village. We need to look after our local schools and community. The way that this has been carried out by the North Yorkshire Council is unprofessional and unfair with their scare tactics! The parents have quickly taken their children out Burnt Yates School into other local schools which are at their full capacity. This school has successfully been educating children for over 250 years and is such a lovely property with excellent school amenities. The council are closing lots of local schools around us! We have a school which is not many miles away with an insufficient amount pupils! Instead of closing we should be merging to keep our children local in the community instead of more traffic travelling. I must say that the minutes didn't corespondent with the public meeting on 15th January the attendance of local residents exceeded over 22 which wasn't documented on the minutes! Also at this meeting and i noted down over 20 questions which have not been documented! If an outsider looked at the minutes you would think we are not bothered as a community.</p>	Community. Future parent of pupil.
56	<p>Both my children attended this school from 1985 when we moved to live in Shaw Mills. It provided not only a good education but being small in size enabled the children to grow in confidence and become more independent. Older children acted as mentors/buddies for the younger ones and there was always a happy family atmosphere. Children from up the dale but also Menwith Hill attended the school and as a result friendships were formed with children from diverse backgrounds and cultures. Teaching was good and the school facilities were superb. Plenty of outdoor space and access to the countryside. Both my children went on to gain degrees and one is now a teacher, possibly because of the positive experience of school she experienced at Burnt Yates. It seems that because of one poor Ofsted report the school is now going to have to close. What a loss for the children in Nidderdale. I believe both Hampsthwaite and Birstwith schools have reached capacity and with planning permission having been granted for many new houses there will be a need for more school places. New teachers seem to have put the school back on track so there seems to be no sensible reason for the school having to close. I don't quite understand the logic of why the school now needs to become an academy however if it does surely joining up with St Aidan's where many of the children used to go to would make sense. Being an endowed school there must be a saving for the council in not having to pay for the buildings etc. Why close a school that still has such a lot to offer because of one small blip in many successful years of teaching. Burnt Yates school is very much part of the local community and enriches the lives of many local people who join in with some of the school activities. People in the countryside often feel isolated and lonely and the school provides the opportunity for people living nearby to participate in local activities.</p>	Community
57	<p>From the information provided here, and no other source, it is clear that Burnt Yates School closure would be as a result of failings of the staff at the school, the local authority and the unsuitability of current legislation in regard to small rural schools. Nowhere do I read of a strategy that would require the closure of the school. Surely, the school should only be closed if there were such a strategy with an appropriate plan to affect continuity of education. This should</p>	Community

	<p>be subject to public consultation. I agree with the sentiment expressed by the parents in the final paragraph that those who lead the Administration and teaching at the school from paid positions are and should be held responsible. In the absence of a policy or strategy to close small rural schools, adequate funding and resources, whatever they may be, should be made available to rescue the school and protect its future. This remains the responsibility of North Yorkshire County Council.</p> <p>Suggestion for improvement: Too short notice, I am narrowly late as a result of returning from holiday to find this. Please accept my submission to the consultation process.</p>	
58	<p>Misinformation given by the Diocese of Leeds and the LEA. Have let, children, parents and all staff past and present, down. More should have been done earlier when numbers were going down. Previous heads from agency and temp heads have no ideas how to manage the schools business side of things. Catchment areas for small school should be open to anyone willing to let their children better education. Ofsted in this situation wasn't at pupil or teachers level it was above them.</p>	<p>Community. Staff member at Burnt Yates CE VA Primary School</p>
59	<p>My grandson moved to Burnt Yates school just over 1 year ago with no talk of closing. He is improving so much, it will be such a shame to have to move him again as he doesn't cope well with change. We have just found out he's got dyslexia. Wouldn't it be better to build on a good school. There is a saying why mend something that's not broken.</p>	<p>Grandparent of pupil at Burnt Yates CE VA Primary School</p>
60	<ol style="list-style-type: none"> <li>1. The school has been educating children for over 250 years. Just because there was poor leadership for at the most 2 years (2 out of 250) then the school has to close. (NYCC was party to the appointment).</li> <li>2. The announcement of the closure was made in December for August the following year – an 8 month notice. This is unfair – the notice period should have been at least 3 years so that things could be allowed to improve.</li> <li>3. The financial situation should be ignored when considering children's education and a community facility.</li> </ol> <p>Suggestion:- Keep the school open for a notice period of 3 years, if things don't improve then closure – after all it has been going for 250 years approx.</p>	<p>Community. Parish Council</p>
61	<p>As it is an old established school it should be kept open for the 50 odd pupils still attending so that their education is marred not by a change of venue especially as the school is running to a respectable standard. Plus the fact with new housing being built at Hampsthwaite and Dacre Banks there would be people with children who need educating. Forward thinking is needed more than counting the cost. Smaller schools are beneficial to the pupils attending. Question – How much will you get if you sell the land – at the expense of a few children's education???</p> <p>Suggestions for improvement: look at provision for education not expenditure.</p>	<p>Community. Parent/Grandparent of pupil at Burnt Yates CE VA Primary School</p>
62	<p>The Trust was formed in 1760 and has been providing education on that site since then – it is an excellent site with a playground, playing fields, woodland area (2 ½ acres approximate which is used by the children (fully insured for use). The buildings are in good condition. The main hall having been re-roofed in the last 5 years, a new classroom built and new toilets in 2011. The whole site including parking space is a ring fence. The village used to have a shop, two pubs and a bus service and if the school is forced to close it will be a major blow to the local community. For the last 3 years the school has been sharing a headteacher with Ripley School and I can see no reason why this could not continue, with or without amalgamation. Amalgamation could be made to work – one school on two sites, and would solve the problem of overcrowding at Ripley. Our facilities are better than theirs. It seems that finance is a major issue but in view of that, it seems perverse to abandon a site with such excellent facilities. The uncertainty over the last 15 months has been extremely damaging to morale (possible academisation, possible</p>	<p>Chairman of the Trustees of Admiral Longs Foundation at Burnt Yates</p>

	amalgamation, possible closure) that one is left with the feeling that this is the LEA's preferred method of forcing small schools that experience difficult times into an unviable position to force closure. We look forward to a positive outcome.	
63	<i>In response to a 'Help Stop the Closure of Burnt Yates C of E Primary School' document composed by parents of the school (See Appendix 1):</i> Good luck with your campaign. As you rightly say "Burnt Yates C. of E. Primary School has been educating our children for 257 years. A great achievement. Burnt Yates C. of E. Primary School is our local heritage. And a valuable place of learning for all children.	Anonymous
64	I find it difficult to accept that the minor amounts of faults found by the Ofsted inspection in December 2016 could not have easily been remedied. This make me very suspicious that the powers of be has already decided to close Burnt Yates School. Because of the Ofsted report some young parents panicked and moved their children to other schools. This and the fact you will not sign on any new starters forces pupil numbers down. In my observations the pupils are happy, well disciplines and learning fast, in fact a neighbour that moved here 18 months ago bringing their little boy from another school have been pleased and surprised how much better he has done at Burnt Yates School. Given the fact more houses are being built in the area it seems very wrong to consider closing a school that has so much room around it and car park adjacent to the school which is something none of the other schools listed have. In fact, other villages are all chock-a-block with on street parking. Common sense and safety would indicate to most people that Burnt Yates should be the most suitable school in the area to remain open. Suggestions for improvement: Very bias towards closing. No account was given to the ammeneties at the school.	Grandparent of pupil at Burnt Yates CE VA Primary School
65	It would be very short-sighted to close Burnt Yates School; there will soon be a shortage of school places in the area as housing increases and the Burnt Yates site is ideal for expansion. The building and land, amounting to about four acres all belong to the Admiral Long Trust. The building is spacious and sound, the facilities are first rate and there is ample room on the school site for additional accommodation. Already plans are well in hand for the development of educational facilities in the woodland owned by the Trust. The Trust is very generous in its help to the children, not only when they are pupils at the school, but also by giving annual grants to former pupils in secondary and tertiary education. The Trust has helped with building works and alterations. [In point of fact, there had been a plan to expand the school to make an Elementary School in the 1930s and it was only the War which put paid to that idea. The plans are still on file at the County Archive.] Burnt Yates has always been a very special school, since it opened in 1764. The school archive, held in the Trustees' Room, contains letters, minute books, cash books, bills and maps from the eighteenth century, which tell the story of the conveyance of land and farms to a special trust so that a school could be established for the education of 60 boys and girls.* Numbers have always fluctuated from well over 100 in the mid nineteenth century, to a mere 13 in 1989. The LEA worked hard with the school and community on the latter occasion and within a few years the numbers were up to a save level again. It just needs some positive forward thinking and I suggest, since Ripley School is itself in a very vulnerable position: § that the rejected amalgamation plan should be re-examined and even enforced, § that the LA (with help from the government?) should underwrite the financial shortfall for at least five years, § that a dynamic and energetic headteacher should be found to oversee what will be a very challenging, exciting and ultimately satisfying time,	Former Headteacher at Burnt Yates CE VA Primary School  Trustee of the Admiral Long Trust since 2013

	<p>§ that the Advisory Team should be proactive in making it a success. Let us be forward thinking, looking at the long term picture; schools are vital to our rural communities and Burnt Yates School is a most important part of the area as it has been for more than 250 years.</p> <p>Save Burnt Yates School!</p> <p>*The fascinating history of this unique school can be read in my book, "Admiral Long's Foundation &amp; Burnt Yates School. 250 years of history" 2014, a copy of which I gave to Andy Lancaster in January.</p>	
66	<p>The playgrounds/buildings etc. are brilliant for a Primary School; the location is v good (from Pateley or other villages = easy access &amp; parking): important to maintain a Burnt Yates Community a good reputation &amp; prospects with good leadership. (<i>Appendix 1 attached with response</i>)</p>	Community
67	<p>I write as Trustee and the current chairman of The Admiral Long's Foundation, the owners of the site of Burnt Yates School. I am also an ex pupil (1948-1954). The trust was founded in 1760 and the school opened for business in 1764, and has been educating local children since that time.</p> <p>It is an excellent site with a playground, school garden area, playing field and a woodland area of approx 2 Vi acres and all the buildings are in good condition. The main hall was re-roofed less than 5 years ago at a cost of approx. £70,000, which included a 10% contribution from the Trustees. A new classroom was built in 2001 (including new toilet facilities) which again involved a substantial financial contribution from the Trustees. Only last year (2017) the Diocese of Ripon and Leeds installed a new shower and toilet block to serve the outdoor classroom and woodland area at a cost of £48,000 again with a 10% contribution from the Trustees.</p> <p>The Trust has supported the school financially over the whole of its life and continues to do so within the constraints of the Charity Commission Scheme that it operates under. The Trust has helped with the cost of transport for school visits for both educational and recreational purposes and helped to provide books and other educational equipment if requested by the teaching staff or governors.</p> <p>The Trust also provides grants annually to pupils who go on to secondary and further education right through to university and for apprenticeships.</p> <p>The closure of the school would be a major blow to the local community, which has lost so much in the way of local amenities over the recent years, including its bus service, shop and post office, 2 public houses and now possibly the school.</p> <p>The Trust feels that government policy to force small rural schools that experience problems, to become academies is completely wrong as most do not have sufficient pupils to be accepted by academy trusts, as in our case. We feel that the proposed amalgamation with nearby Ripley school should have been made to work, as both schools have been sharing a headteacher for the last 3 years. We believe that amalgamation of both schools on two sites would be beneficial as it would alleviate Ripley's overcrowding and allow some of its pupils to experience the excellent facilities that Burnt Yates has to offer.</p> <p>We are told that small schools cannot stand alone and more and more are having to share a headteacher and other facilities. Here we have a good example of this sharing approach and given the right staff and strong leadership could be successful.</p> <p>The last 15 months has been very upsetting for everyone connected with the school, especially the parents, as uncertainty about the future is very damaging for morale, and the Trust is very sympathetic to those parents who felt that they had to remove their children to other schools where there was less uncertainty.</p> <p>In conclusion, I urge the LEA to re-visit the possibility of amalgamation with Ripley(or even another school in the area) as to close Burnt Yates with its excellent site and facilities seems perverse, especially as closure would not provide a dividend for the LEA.</p>	Chair of Trustees

	<p>I would like to remind members of the LEA that planning permission has been approved to build a number of new houses in Burnt Yates itself and also the neighbouring village of Hampsthwaite is facing an explosion of house building, in the region of 200 homes, with a school already oversubscribed and landlocked.</p> <p>I hope that common sense will prevail and that if extra school places are needed in the future, then those places are available now in Burnt Yates, The Trust looks forward to a positive outcome to the consultation.</p>	
68	<p>You are using teaching standards as a reason to close Burnt Yates School. I have Grandchildren at another Primary School and one is in the same year group as on that attends Burnt Yates and they are on par in learning subjects and the spellings at Burnt Yates are a great deal more challenging, Even prior to Ofsted inspection. At the public meeting a representative from NYCC admitted that the wording regarding teaching standards 'have been worded incorrectly' but it has not been changed. Other villages suffer traffic congestion such as Hampsthwaite, Summerbridge, Birstwith and Glasshouses during School start and end time. Leaving young children breathing in toxic fumes. Burnt Yates has use of a car park and room to expand that School easily with out impacting on the childrens play area like it would on the over subscribed Schools of Hampsthwaite and Birtswith given more homes are going to be built in the local area.</p> <p>When talking to a Councillor last year about Burnt Yates closing I was told they are going to close small schools.</p>	Grandparent of pupil at Burnt Yates CE VA Primary School
69	<p>It seems a real shame that a school with such a good record should be closed. It is situated in an area of new housing developments – north of Harrogate where there is a need for school places in rural schools as preferred by many. In Hampsthwaite there are houses being built when there is no space for new pupils, as the school is full. Surely Burnt Yates could take children from the new houses.</p>	Community of neighbouring village
70	<p>This is a report of information collated from the parents meetings, emails and information received from the Diocese of Leeds, Governors of Burnt Yates school, NYCC and the local education authority.</p> <p>The questions raised are in no particular order they are directed collectively as this affects the school and all authorities should be working as one.</p> <p><b>Questions</b></p> <ul style="list-style-type: none"> <li>• “standards of teaching and learning and related concerns” how can this be when Ofsted assessed different teachers entirely, the current teachers are being trained by the LA so they must be failing too.</li> <li>• “this decision has not been taken lightly, and not before alternatives have been considered” as a parent I do so hope that considered it better not have been that there is sufficient evidence to prove that you have researched and done everything in all your authorities power to make sure that has been more than just a blase exercise and that you have explored every option possible. Evidence please.</li> <li>• “the diocese attempted to find a suitable academy trust that might sponsor the school to become an academy.” According to Diocese of Leeds, there was only one academy available to approach, the Yorkshire Causeway. At the final meeting they stated “there was only one in the area”. After speaking with the education department in the diocese there are 9 multi academy trusts all who have schools near us. Abbey, Bradford BOAT, dales and York, Elevate and York, Enhance, Learning Accord, Pride, St. Marys, Trinity High as well as Yks Causeway. Within our area there are 83 other schools the vast majority</li> </ul>	Parent of pupil at Burnt Yates CE VA Primary School

primary schools that the diocese of Leeds oversee, and yet in front of over a hundred parents, residents and community members Fiona Beevers stated that there was none close to us. I have enclosed a list of the schools and also a map showing where they are (See Appendix 2). We live in one of the largest Episcopal areas which stretches up beyond Brough across to Darlington over to Skipton etc. Let me also point out at this stage that I am aware that not all are in an academy but apart from Ripley we were never to consider another vendor for federating with. I am confused that the diocese motto is "loving, Living, learning"

- The SIAM report (Diocese) evaluated, just after the same time as the Ofsted report. Dictated to by the Ofsted report which they can not give a honest evaluation it would appear that yet again the education authority are determining the outcome.

- Steven Holmes LEA stated in the first parents meeting that he would share the reports monthly as to the goals that were outlined by the process required when a school goes into special measure, after constant repeatedly asking we still have not been given this information. Also he now has not been even coming into school or meetings when he is required since the closure consultation. These do not feature in the governors meetings either as I would expect they should especially after the lack of following procedure and the governors taking it by word rather than evidence and paperwork.

- How can we trust the LEA when they have been falsifying reports and did for over twelve months (#) for one person and others since

- The Admiral Long Trust have not been given information and been included in the process knowing as little information as the parents

- Financially the Governors said that three years ago the financial forecast was pessimistic and yet nothing was done to improve this situation. Where is the financial plan as to how they tried to rectify the situation, once again nothing available when asked or even recorded in the minutes.

- On the basis that parents can choose to go to whichever school they wish regardless of catchment areas the number of families moving into the area into the new houses that are being built in the Harrogate area and dales overall can not be predicted by the authorities. As families may live in another area completely and choose to attend Burnt Yates. Hence calculating how many children may attend Burnt Yates in the future can only be estimated by the overall number of houses in the whole district.

- The nursery that was due to be built over five years ago would have helped increase the number of units otherwise known as children into the school, but instead of the governors were overruled by a headteacher's decision, another nail in the coffin was lined up.

- NYCC Andy Dixon stated that there were 32 children in the catchment area of Burnt Yates but the children were encouraged to go to other schools, they have the last say and could have done more.

- Before Christmas, parents were bullied into making a decision to switch to another school or they would lose any potential place, what was not explained

was that the school get a certain amount of money based on the number of children in school in January and the admissions team scared parents to move school.

- These places at a nearby school are clearly false as for over a year there have been no places, another scare tactic from the authorities.

- For a “collaboration” to happen between school there is a very rigorous process. Which parts of the Education Act 2002/2011 part 2 point 9(4) 2012 No\_1035 Education England. The School

Governance (Federation) (England) Regulations 2012 states “*A copy of the proposals must be made available for inspection at all reasonable times at each school*” It has not been made available presented at a meeting or in any of the school records

- In the Designation of Rural Primary Schools (England) Order 2017 published 27th December 2017. We, Burnt Yates are **not** on the list of rural schools, a little premature a presumption to assume that we are no longer a school.

- There is no evidence in the Burnt Yates Governors minutes that a discussion, paperwork or any evidence at all that a collaboration as discussed at all.

- Where are the letters, discussions, evidence of approaching the

Yorkshire Causeway.

- Governors are volunteers but they take that role on with a huge responsibility but they know this, they have not undertaken and taken on the gravity of their responsibility. Why did it take a catastrophe to happen before they then decide to do a skills mix etc.

- Why has the school and this includes all authorities in particular the LEA, governors and diocese, ie other options such as a free church.

- after reading the Vision 2030 and as i sit today (22nd Feb) the government encouraging more faith schools I am ever more disheartened at the verbal lies that authorities state nationally but are actually doing the opposite,

- why did the Ofsted state that the safeguarding was an issue when apparently alot of the issues were historical, ie checking of references for teachers, have the previous inspectors not been doing their job or is this a targeted school and always as stated by many of the authorities involved there is no way out of a safeguarding failure.

- So the school has not been financially viable for at least three years, where is the evidence to support what has been done to change this. Academies are now run as businesses and lead by ceo's as a company why has the diocese with there contacts of 9 academy trusts not used these resources. Never has a Head of Burnt Yates attended a course by the diocese, leadership courses or any others aimed at skills required to help move the school into a position of improvement. A business plan has never been made or any attempt of one is not noted. It takes very little gumption to browse the web and see the available literature which all academies adhere to; Leadership, Development.



Expansion and Efficiency. All these assessments, proformas, guidelines etc are already in place on the Diocesan and Department of Education website.

- Burnt Yates are classed as being at a deficit, apparently every other school in the dale/rural area is? are they to be closed just the same and a “super school” built as discussed?

- We have been left with little options as to where to send our children. I am a church goer and have been all my life, and have encouraged it with my children where do you suggest i send my children you have taken away my choice of a local church school. You are not shutting a school you are closing a community which is fast dying. Take away a school and you are left with everything that bonds a village and all rural areas together. I am born and bred in this dale and i still live next door to families i have grown up next to for over forty years and my family for over hundred years. You have no comprehension of how this affect a community. And yet every year i see the government attempting to put the services to help physical and mental health but they don't see that it is themselves that have ripped the heart out of. We are the only reason these dales have survived as long as they have. Here is a reference from the Government ([www.gov.uk](http://www.gov.uk)) *“The government is supporting people who care about their communities and want to get involved in improving them, it believes that people understand the needs for their area best, which is why it is transferring power so people can make more decisions locally and solve their own problems to create strong, attractive and thriving neighbourhoods.”*

Another blatant lie.

- MR Kirsty Williams quoted *“rural schools were at the heart of community life”*

- How do we attract families into the area and sustain our own families to continue to support the dale and communities if you close the one thing that can attract families or potential families. According to Diocese of Leeds Board of Education, Our Vision for Education, there are some pertinent points that i would like to highlight, *“our priorities:... Living- to offer an example of living the gospel in each learning community, inspired by God's love for us and our love for one another. Learning- To serve our whole community by offering the highest quality learning experience to students of all ages, promoting wisdom, knowledge and skills.”* A misleading and false evidence.

- Financial viability? How lucky have the LEA been with Burnt

Yates that they don't have to pay for maintenance and upkeep of the school due to the Admiral Long Trust. How much extra do they have to pay at other schools, a saving I would say over the last 100 years which must be quite substantial by now.

- In the consultation document it states “Having gathered the relevant evidence from both schools...” what exactly is this as there are no records in the Heads report or the governors minutes to state what or if this actually took place. Written evidence please with whom and when did this take place, no documentation found.

- There has been no annual statement from the governing body and there has

been no notifications of when and where the meetings have been held.

- It has been obvious since this process begun that the aim was to make the school appear as if it was never going to succeed. Several Heads have been brought in, including the current Mrs J Palmer to undermine staff and parents, informing them *‘that if they go now there will be a chance of getting into the school of their choice (Birstwith) where they have been told there are no places’*. A teacher who in her previous position reduced parents and children to tears because of her demeanor and attitude, when informed that she was moving to Burnt Yates parents laughed and stated *“they finally managed to get rid of her”*

- Another point to pretend that there was not the right staff to have a permanent head, another tactic to bring consistency to the school

- Since mid 2017 minutes from the governors minutes have been minimal and often not available even months after the meeting.

According to government guidelines *“it may give at least two years notice of its intention to close the school to the Secretary of State and the LA”* it would appear apparently not for Burnt Yates

- To save the school parents asked that we could lose or change religious character of the school this was denied and we were informed that this was not an option, another lie

- *“Consultations should be at a time when proposals are at a formative stage. Sufficient information has not been given”* I do not believe that the guidance has not been followed according to DFE Circular 23/94, paragraphs 67 to 69.

- We have been told that we will not be offered transport to other schools but i will have to travel further if i wish for my child to attend a faith school.

- From the environmental perspective I am sure that there will be an increase in the amount of traffic on the road, something that Andrew Jones is trying to decrease and a national “walk to school” awareness. More time in cars, sustainability issues, the effect on the environment in an area where we are already reliant on our vehicles.

- At no point have the authorities considered *“the overall and long term impact on local people and the community of the closure of the village school”* EIA 2006

- The authorities have not taken into account *“the scope for an extended school to provide local community services and facilities e.g. child care facilities, family and adult learning, healthcare, community internet access etc;”* EIA 2006

- The authorities have looked no further than closing the school being short minded, not viewing the larger picture of if there is no school this does not bring families into the community, this then has an effect on local businesses and families can not grow and remain in the area. Giving chance for families to remain in the communities they have been in for generations, this then supporting rural services by allowing the to remain open and survive.

• On the 16th November 2017 I wrote an email to school stating my disgust at the school, Mrs Palmer, who felt that it was within her right and decision to choose to tell my child about the closure of the school when we had only just been given that information that day. I pleaded in the email that they would not tell my child age 5, they ignored my request even after speaking to Mrs Palmer further the following morning when said she would be telling him along with the other children. I was left in tears and other parents had to console me. That weekend I had a distraught child who asked questions about why they are closing the school, I was unable to answer his questions as the parents meeting was not until the following Tuesday, 6 days later.

• The consultation meeting was not published and local parish councils did not inform apart from on a low level at a late date.

• Steven Holmes and Fiona Beevers had both been invited to meetings at school and had not attended and not sent representation or apologies. This is unacceptable in the circumstances.

• Why is Mrs Palmer insisting on joint governors meetings with Ripley and then only allowing a ten minute slot at the end for Burnt Yates?

• It would also appear that "Joint Performance Management (with

Ripley) organised through Steven Holmes didn't help or has not shown that anything came of this paperwork exercise.

• Also in the consultation document "a due diligence process" under the government paper of academies act there are considerable stages that have to be gone through and yet a instant decision was made that an amalgamation was not possible. I reference that Academies Act 2010 9c.32) p3. 3 application for Academy order (4) "*The governing body of a foundation or voluntary school that has a foundation may make an application under this section only with the consent of-*

*(a) the trustees of the school, and (b) ...* There was no consent granted from the trust. They were told.

After reading considerable amount of literature about other schools in similar circumstances, government policies and procedures, Diocese guidelines the list goes on. I quote from sudbury.com "You're got to hit them, and hit them hard, and forget about that emotional stuff.

Concentrate on the numbers, challenge them on the numbers. Also challenge them on where else there could be savings besides closing schools" I see every day a large number of children taxied to Foremost school near Menwith Hill, they can't share a taxi so a separate one brings them individually as far and further than Scarborough and yet my son and potentially my daughter can't go to the local school and a school on two sites was too expensive because the transport would cost too much.

• Accountability has been a key issue all along and there have been several names that have been used and alot of "sloping shoulders" but it is very clear that the Diocese of Leeds, NYCC, governors of Burnt Yates and Ripley and

the LEA as a body are accountable and this process needs to be scrutinised and will be. I have sent a copy of this the local government Ombudsman

The one thing that we require as parents and as a community is black and white evidence, if it is not written down it didn't happen. You have also not outlined the appeal process to us.

SHOW US THE PAPERWORK and EVIDENCE THAT YOU HAVE

DONE WHAT YOU SAY YOU HAVE DONE. The authorities involved have proved that this school would close, they set the hypothesis and agenda for this to happen.

This is research from the organisations involved

- The department of education- 'Unlocking Talent, Fulfilling

Potential Dec 2017

- According to the government (www.gov.uk) "no community left behind"
- Teaching Schools and National Leaders of Education (NLEs)
- Free schools (gov.uk) Why has this not been discussed or explored
- Andrew Warren, Chair of Teaching Schools Council, said:

*"The Teaching Schools Council welcomes the expansion of opportunity areas and the positive impact that we believe these programmes can and will have, both in the short and longer term. This initiative is completely in keeping with our vision that every child goes to a great school: every child, whatever their background, whatever their **postcode**. We look forward to working with schools, RSCs, MATs, LAs and other partners to play our part in this exciting opportunity."*

*Justine Greening said: As the Prime Minister has set out, we are facing a moment of great change as a nation. With our departure from the European Union, we will need to define an ambitious new role for ourselves in the world. For Britain to succeed we must be a country where everyone has a fair chance to go as far as their talent and their hard work will allow. Education is at the heart of that ambition, and is central to breaking down the barriers to social mobility that too many face in our country today.*

Opportunity areas will help local children get the best start in life, no matter what their background. Ensuring all children can access high-quality education at every stage is critical. We will focus not just on what we can do to help inside schools, but also create the opportunities outside school that will raise sights and broaden horizons for young people.

The Education Secretary is right to recognise that a young person's chance of getting on in life is affected by where they live.

The Rt Hon Alan Milburn, Chair of the Social Mobility Commission, said: We therefore welcome the Education Secretary's commitment to addressing disadvantage in some of the nation's social mobility coldspots. For opportunity areas to be a success, we need local communities, employers, schools and universities to work together with government to ensure that the chances of a child doing well in life no longer depend on where they have come from. We can no longer tolerate the quiet new assumption in many parts of the country that those from weaker economic areas have to move out to get on.

Sir Kevan Collins, Chief Executive of the Education Endowment

Foundation, said: Our new research schools will use their own expertise and experiences to provide strong leadership and guidance to schools in each opportunity area, supporting their colleagues to use research to improve pupil outcomes. No-one is better placed to support schools in doing this than teachers themselves.

**The Board of Education's vision for Education in the Diocese:**

Under God, education should be at the heart of the Diocese, with children, young people and school communities feeling a valued and fulfilled part of the Diocesan family. Good practice should be disseminated, with a clear understanding of the difference a Church school can make to the spiritual, moral and educational development of its pupils. The Board should strive to be at the forefront nationally and have a care for Christians working in community schools. On 18th September 2017, the Board of Education approved its Vision document.

**The core purpose of the Board of Education is to work alongside schools supporting:**

- The value of all Church schools, regardless of their status
- Effective and skilled school leadership
- The provision of high quality education inspired by Christian values and faith
- As many young people as possible to experience a Christian education
- Parishes to support and promote a Christian presence in all schools
- Christians in education to live a Christian life

We work closely with the nine Local Authorities which exist within the diocesan boundary: Barnsley, Bradford, Calderdale, Durham, Kirklees, Lancashire,

Leeds, North Yorkshire and Wakefield.

- Ainderby Steeple C of E VC Primary School
- Aiskew, Leeming Bar C of E VC Primary School

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| <ul style="list-style-type: none"> <li>• AH Saints C of E VA Primary School, Kirkby Overblow</li> <li>• Arkengarthdale C of E Primary School</li> <li>• Austwick C of E Primary School and Nursery</li> <li>• Bainbridge C of E VC Primary and Nursery School</li> <li>• Barnoldswick C of E Controlled Primary School</li> <li>• Barton C of E VC Primary School</li> <li>• Bedale C of E VC Primary School</li> <li>• Birstwith C of E VC Primary School</li> <li>• Bishop Monkton C of E VC Primary School</li> <li>• Bishop Thornton C of E VC Primary School</li> <li>• Bolton-on-Swale St Mary's C of E (VA) Primary School</li> <li>• Bowes Hutchinson's Endowed C of E (VA) Primary School</li> <li>• Brennands Endowed VA Primary School</li> <li>• Brompton-on-Swale C of E VC Primary School</li> <li>• Burneston C of E VA Primary School</li> <li>• Burnsall VA Primary School</li> <li>• Burnt Yates C of E Primary School</li> <li>• Burton Leonard C of Carleton Endowed C of E VA Primary School</li> <li>• Christ Church C of E VC Primary School</li> <li>• Clapham C of E VC Primary School</li> <li>• Collingham Lady Elizabeth Hastings C of E VA Primary School</li> <li>• Cracoe and Ryistone C of E VC Primary School</li> <li>• Crakehall C of E Primary School</li> <li>• Croft C of E VC Primary School</li> <li>• Dacre Braithwaite C of E VA Primary School</li> <li>• East Cowton C of E VC Primary School</li> <li>• Embsay C of E VC Primary School</li> <li>• Eppleby Forcett C of E VC Primary School</li> <li>• Follifoot C of E VC Primary School</li> <li>• Fountains C of E VC Primary School</li> </ul> |  |
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| <ul style="list-style-type: none"><li>• Fountains Earth Lofthouse C of E Endowed Primary School</li><li>• Gargrave C of E (VC) Primary School</li><li>• Goldsborough C of E VC Primary School</li><li>• Grassington C of E VC Primary School</li><li>• Green Hammerton C of E VC Primary School</li><li>• Grewelthorpe C of E VC Primary School</li><li>• Hackforth and Hornby C of E VC Primary School</li><li>• E VC Primary School</li><li>•</li><li>• Hampsthwaite C of E VC Primary School</li><li>• Harewood C of E VC Primary School</li><li>• Hipswell C of E VC Primary School</li><li>• Holy Trinity C of E VC Infant School and Nursery</li><li>• Holy Trinity C of E VC Junior School</li><li>• Kell Bank C of E VC Primary School</li><li>• Killinghall C of E VC Primary School</li><li>• Kirby Hill C of E VC Primary School</li><li>• Kirk Hammerton C of E VC Primary School</li><li>• Kirkby Fleetham C of E VC Primary School</li><li>• Kirkby Malzeard C of E VC Primary School</li><li>• Knaresborough St John's C of E (VC) Primary School</li><li>• Long Preston Endowed VA Primary School</li><li>• Markington C of E VC Primary School</li><li>• Marton cum Grafton C of E (VA) Primary School and Nursery</li><li>• Masham C of E VA Primary School</li><li>• Middleham C of E Primary School</li><li>• Middleton Tyas C of E VC Primary School</li><li>• North Rigton C of E VC Primary School</li><li>• North Stainley C of E VC Primary School</li><li>• Pickhill C of E VC Primary School</li></ul> |  |
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- Pool-in-Wharfedale C of E VC Primary School
- Ravensworth C of E VC Primary School
- Richard Taylor C of E Primary School
- Richmond C of E Primary School
- Ripley Endowed C of E VC Primary School
- Ripon Cathedral C of E VA Primary School
- Roecliffe C of E VC Primary School
- Settle C of E VC Primary School
- Sharow C of E VC Primary School
- Skelton Newby Hall C of E VC Primary School
- Skipton Parish Church C of E Primary School
- Spennithorne C of E VC Primary School
- Spofforth C of E VC Primary School
- St Aidans CE High School
- St Cuthberts C of E VC Primary School
- St Francis Xavier RC/CE Voluntary Aided School
- St Nicholas C of E VC Primary School, West Tanfield
- St Peter's C of E (VC) Primary School Harrogate
- The Michael Syddall C of E VA Primary School
- Thornton Watlass C of E VC Primary School
- West Burton C of E VC Primary School
- Wetherby St James C E Primary School

• *“There is no such thing as neutral education. As soon as we begin to teach something to someone else, we are inevitably making value judgements about what we are teaching, how we are teaching it and why we are teaching it. Any decision we make about what or how to teach contains within it an implicit understanding of the human condition, of what is important in life, of the relationships we want to foster, and of what is worth learning, knowing or questioning.”* [The Fruits of the Spirit’, 2015]

• In Church of England schools and academies the ultimate purpose of education is seen as the promotion of ‘life in all its fullness’ (based on John 10:10) - developing people who can flourish in all areas of their lives. This requires that Church schools focus on the whole child addressing the



	<p>intellectual, spiritual, moral, and physical attributes at the same time as inculcating the essential tools for learning.</p> <ul style="list-style-type: none"> <li>• The Church School of the Future Review (2012) expressed it in this way, <i>“putting faith and spiritual development at the heart of the curriculum and ensuring that a Christian ethos permeates the whole educational experience.”</i></li> <li>• This will require a rich, broad and meaningful curriculum which makes explicit the outworking of the school’s Christian character and enables all its pupils to know they are of immense worth and that they can make a valuable contribution to their local communities and the wider world.</li> <li>• Character Education is embedded both in explicit formal teaching and in also experienced through being part of a community. It will involve specific pedagogies, which enable deeper exploration of spiritual, ethical and cultural questions and will be based on a distinctively Christian interpretation of shared human values and virtues and an understanding of what it means to be human and to live well. It will include learning to value difference and to disagree respectfully as well as developing a sense of self and contributing to the common good.</li> </ul> <p>I could continue but I will stop there and leave it for the Ombudsman and see what the National Association of Small Schools believe is required from now on.</p>	
71	<p>We have followed the “fiasco” at Burnt Yates School and have been appalled and horrified at events. How could there be such blatant disregard of due process, let alone the brutal treatment of both parents and pupils throughout. It would appear the agenda for closure was set long ago with little if any regard for the “units” events have seriously affected. These units are not statistics they are our children – they deserve so much better. They are the future. Everyone involved – NYCC, diocese and especially Governors should be ashamed of what is happening. We have been involved in education and with young people over many years and are speechless with indignation. It is a happy school with engaged parents and children. There could be a good future on such a wonderful site with proper support and help – except it has already been decided. To sit children down and tell them the school is closing with no real explanation and time scale before the process is gone through is disgraceful. Shame on all of you involved.</p>	Grandparent of pupil at Burnt Yates CE VA Primary School
72	<p>I am saddened and disappointed by the decision of the Local Authority to setup a consultation process to consider the closure of Burnt Yates School. I have been a governor of the school for many years and was chairman during the ofsted inspection in 2006 and 2011 which rated the school outstanding and good respectively.</p> <p>I do not need to rehearse the recent history of the school which you know well. There are many occasions when things might have worked out very different. There have been many factors; financial constraints, illness amongst the teaching staff but mainly lack of continuity of sound and sympathetic leadership. I understand that you are bound by the regulations imposed by Government but feel frustrated that there are no “ways through” to a more satisfactory outcome for pupils, parents, staff and the village community which will be sorely depleted by the loss of the school.</p> <p>257 years go the villagers’ requests for a school were answered by the generosity and farsightedness of benefactors.</p> <p>Surely the time has come to look for a return of that generosity and farsightedness when the County Councillors meet the make their decision. I wish you well in your meeting.</p>	Community
73	<p>I believe the school should remain open and that the overfull schools within the district should forward potential pupils to Burnt Yates. I’m sure you are</p>	Parent of pupil at Burnt Yates

	<p>aware that with all the development in the area is only going to cause more oversize classes. Burnt Yates School is not only ready for the new pupils from the surrounding catchment but has so much to offer moving forward in years to come. The building is owned by a trust so is of no financial gain to the council but also has masses of space to expand should (and I'm sure it will get to the point of) it get to this. Furthermore not only are you closing a perfectly sound praimry school but closing a community.</p>	CE VA Primary School.
74	<p>My observation from the information I have read, is this has been a plan from the beginning. I feel that is it very short sighted. With the huge amount of building surely out area will need all the schools that we have and extras. Burnt Yates is NOT A FAILING school at all, very shortly they have the numbers needed. Councils need to think long and hard before making such huge decision that will regret in the very near future.</p>	Community
75	<p>1 - Heads oversight &amp; misguidance  1 - NYCC School Improvement Advisors over positive assessment for more than 1 year  1 - Ofsted Inspectors opinion  1 - NYCC department acknowledging they had FAILED the school  1 - C of E Multi Academy Trusts approached. Dioceses state there are no others available</p> <p>CLOSURE - not the pupils, teachers, parents or communities fault, but they are the ones that suffer.  There are a number of errors in the consultation document as follows: -  1. The schools' pupil capacity is 56 not 53 as stated and NYCC have been previously told. Burnt Yates pupil capacity is 8 pupils per year group x no. of year groups 7 = 56. (8x7=56)  2. In Sept 2018 there will have be 16 pupils not 14 as stated. Total no. pupils =16 – 2 yr 6'sleaving + 2 siblings starting Sept 2018 = 16 pupils.  3. Steven Holmes, NYCC stated at the Public Meeting that teaching was good and improvements have been made and thanked the teachers present. Yet the document states closure is due to teaching standards. When asked about this Andy Lancashire, NYCC said 'it had been worded incorrectly'. This still has not been corrected.  These 'professionals' are unable to calculate simply maths and word sentences correctly regarding current teaching standards. We dread to think what other financial and incorrectly worded errors have been made.  SAT results for 2017 were also discussed at the Public Meeting. Steven Holmes, NYCC stated 'only average' had been achieved due to the teaching standards. Yet 3 of the 9 schools listed in the document achieved 'Well Below Average' and the other 6 achieved Average. Information obtained from the Governments 'Compare Schools' attached as evidence proves that Burnt Yates School does not have poor teaching standards as the Local Education Authority are saying (See Appendix 3).  Hampsthwaite Campaign Group are predicting a shortfall of 74 primary school places by 2022. Where are these children going to be educated as Hampsthwaite and Birstwith schools are full and landlocked? Burnt Yates school is structurally sound has the capacity for more classrooms within the building. It has land to build additional classrooms with little impact on the children's playgrounds, field and woodland area. There is also a large car park parents can use, without children having to cross a road, ensuring children's safety and not causing traffic congestion. This makes Burnt Yates school one of the best school sites in the area and it would be cheaper to keep it open than build a new one in a couple of years' time.  Pupil numbers have declined since June 2017 due to parents losing their trust and faith and feeling undermined by the LEA and Dioceses. Plus, the fact that the NYCC Admission Team do not have a policy to assist parents securing a school place when NYCC announces a closure date, it's either take it now or lose it. That is why 4 pupils left in December 2017.  Burnt Yates School is facing closure due to the incompetence of the Local</p>	Parent of pupil at Burnt Yates CE VA Primary School

	<p>Education</p> <p>Authority failing to conduct their jobs correctly. When Schools Improvement Advisors, employed by the Government informs Heads and volunteer Governors that all is good at the quarterly assessments why would they question it?</p> <p>We certainly hope the Department for Education conduct an inspection of the LEA to ensure their incompetence isn't continuing or is this the LEA's plan to continue giving false quarterly assessments to ensure schools fail Ofsted Inspections, so they can close more?</p> <p>Attached timeline and Government Compare Schools.</p> <p>Suggestions for improvement:</p> <p>When giving notice of a Public Meeting don't just place the information on your website and notify the local parish council, send posters to the school for local distribution. But doing it your way ensures not many people find out about the meeting. <i>(Appendix 1 and 3 attached with response)</i></p>	
76	<p>Burnt Yates School should not be closing. It has been educating children for the last 250 years. The LEA and Diocese have not made sufficient effort to help the school which can only mean that this is a political decision and the LEA has allowed this school to fail so the LEA can implement its policy of closing smaller rural schools. The whole process seems to have been rushed. The diminishing numbers are directly related to the failings of the LEA and Diocese.</p> <p>Prior to the inspection the School Improvement Advisor (SIA) for the school had judged the school to be good. The governors accepted this judgement when it perhaps should have been challenged. However governors are all volunteers. Surely they should have been able to trust that those in paid positions were doing their job and been monitored to ensure judgements were accurate and correct. Were the LEA lead advisors monitoring her? The school was Ofsted inspected in December 2016 and placed into Special Measures. Parents were very happy with the school so this 'damning' report came as a complete shock and has had catastrophic consequences. The school had previous Ofsted ratings of Outstanding (2006) and Good with outstanding features in 2011. At this time the school had 42 pupils. Ms Popplewell retired in December 2014 so from January 2015 the school collaborated with Ripley School sharing a head-Mrs Cath Wilson. These arrangements appeared to work well and as a parent I was very happy with the school and my children's learning and progress.</p> <p>Burnt Yates was and still is a happy school where children thrive in an idyllic environment. In the consultation document the first point regarding closure states it is necessary to secure the interests of current and future pupils from the school because of concerns about standards of teaching and learning. If this is the case why are the LEA not being challenged for not maintaining these standards?? What must the teachers who are presently teaching at the school feel like reading this?? The teachers presently teaching at the school are doing a sterling job in what must be a very uncertain time for them. The LEA reported at the meeting on January 15th 2018 that teaching was good and thanked staff for their hard work. Is there any wonder that there is a shortage of teachers when they get treated like this??</p> <p>In September 2016 parents received a letter informing us Mrs Wilson was leaving and had been appointed as a School Improvement Advisor (SIA) by the LEA. She left at half term leaving Ripley School 'Requiring Improvement' (June 2015) and little did we know at the time Burnt Yates in 'Special Measures'. I cannot see how the LEA would appoint someone to be a SIA having left 2 schools obviously failing. Or is this all part of the political agenda??</p> <p>In late October 2016 an executive head Mrs Wass was appointed through an agency. Her track record did not make particularly promising reading-she had already been a head of a school 'Requiring Improvement' that did in fact close. Surely the LEA could have appointed a headteacher from within North Yorkshire to do the job. Again this makes me suspect that she was all part of</p>	Parent of pupil at Burnt Yates CE VA Primary School

	<p>the plan to close the school. Ofsted visited early December 2016-30 days after her appointment. As a parent we didn't receive the report until 23rd January 2017. There were no outward indications that the school had been underperforming so why had this been allowed to happen? If the LEA were doing their job this should never be allowed to happen in any school. The LEA have failed Burnt Yates School.</p> <p>At a meeting on 26th January 2017, the parents were informed that the school had been made the subject of an academy order. The Diocese stated there was only one C of E Multi Academy Trust (MAT) to approach and the process began. Parents' hopes were high however in July 2017 we were told our application to the trust had been turned down as Burnt Yates School did not have the required 95 units. The Diocese knew this in January '17 -6 months wasted pursuing something that was never going to be viable-what an absolute waste of time and money. So the Diocese have also failed Burnt Yates School. Government Policy needs to be addressed as it would appear that any failing rural school that needs to be academised is destined to close. Which school is going to be next??</p> <p>Mrs Wass left with no warning in May 2017-no explanation was ever given to parents. A temporary head from Holy Trinity School, Ripon was brought in by the LEA for the last half of the Summer 2017 term. Miss Appleton showed us how good the school could be with great leadership and issues that needed sorting were sorted-unfortunately all too late for Burnt Yates School.</p> <p>In September 2017 amalgamation with Ripley School was explored but due to financial concerns this did not happen. The view that the amalgamation is not financially viable is surely short sighted. Ripley School is handicapped by its small site which cannot expand. Ripley School are now struggling to collaborate with another school from September 2018-staff and pupils are leaving. Ripley parents are sending their children to other local schools as they are uncertain about the future of the school and their trust in the LEA and Diocese has been eroded because of what has happened at Burnt Yates School. We now have only 12 pupils-it would have had more had parents trusted the LEA and Diocese. Parents also wanted to secure futures for their children from September 2018 should Burnt Yates School close. Admissions made it quite clear that places at preferred schools could not be allocated for September 2018. 4 children left over the Christmas holidays for this very reason. Local schools are full in most year groups. Where are all the children from the future housing plans going to be educated?? Closing Burnt Yates School will only put added pressure on local school places. Or is the plan to close all rural schools in the Dale and build a large school somewhere?? Other primary schools in the lower Nidderdale area are small with little or no room for expansion. It would seem short sighted to lose the school and its site at Burnt Yates at a time when the local school population is increasing. The school and its grounds represent a valuable resource which should not be lost. The school is owned by The Admiral Long Foundation and is structurally sound with room for expansion in the future. The Admiral Long Foundation also gives the school significant financial support to improve our children's learning experiences-many schools do not have this.</p> <p>The feeling amongst parents, the community and the school's many supporters is that the Ofsted report put the school on a one way road to closure. We need NYCC to reverse this closure decision for the good of our children, the village and the local community. The LEA and Diocese need to 'Right their Wrong'.</p> <p>I just hope that what has happened at Burnt Yates School is a warning to other small schools in North Yorkshire. I also hope that what has happened at the school since the Ofsted inspection does not have a detrimental effect on our children and their parents and their future experience of education.</p> <p><i>(Appendix 4 attached with response)</i></p>	
77	<p>Isn't it a little late to be asking for our views on the closure of Burnt Yates C of E Primary School? We have six months left to put forward our case, and with only 12 pupils remaining the prospect is a daunting one. However, all is not</p>	Community

	<p>lost. Burnt Yates is planning a further five houses shortly. Hampsthwaite is building new houses, and with the average of 2.8 children per household their school does not have enough places. Likewise with Birstwith and Killinghall. Would it not be practical to wait until these houses are completed? What are the plans for the school if it does close? With a Listed Building status, the only way is through education, and that implies adult education. Has the Clint cum Hamlets considered U3A for the whole of North Yorkshire rural countryside? One way or another the various groups need to get together to make a coherent argument which has the support of the WHOLE community, rather than everyone taking on the fight separately. This would include The Governors of the School, the County Council, the Parish Council the Trustees and the local community.</p>	
78	<p>I have lived in the village of Burnt Yates for 33 yrs. Although now retired, I was in teaching all of my professional career. As we all know the government is pushing all areas of the country to increase the number of houses being built. Unfortunately, we are not seeing new schools being built to accommodate the children from these new houses. Therefore I view any attempt to close the village school at this point in time as a very retrograde step and one which will be regretted in a short period of time. Added to this, the school is of historic importance with the Admiral Long foundation. There are many other areas of the country that would be proud to keep open and encourage and support a village school of historic importance. Once it is closed then part of our local history is gone forever.</p>	Community
79	<p>I have spoken to my governing body and they have asked me to give our view that as we have been working closely together over 3 years, it would be appropriate for the Ripley School catchment area to be extended to cover Burnt Yates catchment.</p>	Chair of Governing Body at Ripley CE School

## Help Stop the Closure of Burnt Yates C of E Primary School

Burnt Yates C of E Primary School was Ofsted inspected on the 1<sup>st</sup> & 2<sup>nd</sup> December 2016 and was placed into 'Special Measures'. Due to Government Policy an Academy Order was issued to enable the school to join a Multi Academy Trust.

In February 2017 an application was submitted to the Yorkshire Causeway Schools Trust as this is the only Church of England Multi Academy Trust in our area.

In July 2017 the Yorkshire Causeway Schools Trust turned down Burnt Yates as we did not have the required 95 units. Burnt Yates maximum pupil number is 56. The Leeds Diocese knew this information when the application was submitted.

In September 2017 an amalgamation with Ripley C of E Primary was explored. NYCC conducted a financial due diligence, but due to financial sustainability Ripley decided not to continue.

Now they are proposing closure of the school effective 31<sup>st</sup> August 2018, even though Ofsted conducted a Safeguarding Audit in July and found it 'Effective' only 7 months after the initial inspection and teaching standards have improved. Ofsted will not conduct another inspection on a school placed in Special Measures for at least 2 years, even if improvements have been made.

At the Public Meeting on Mon, 15<sup>th</sup> January 2018, NYCC Local Education Authority said that teaching was good and thanked the teachers present for their hard work and commitment. But in the consultation document produced by NYCC it states on page 1 under The Current Position, that closure is necessary 'because of concerns about standards of teaching and learning'. When challenged they said 'it had been worded incorrectly'.

Current teaching staff have been newly appointed since the Ofsted inspection in December 2016.

Closure is due to financial viability and pupil numbers which has declined in the last 6 months because parents have lost their trust in the Local Education Authority and Leeds Diocese and more recently due to NYCC Admissions Team not guaranteeing a place now for September 2018, if a place is granted it's, either take it or lose it. NYCC Admissions do not have a policy to assist parents in securing a place of their choice in readiness for the NYCC forced closure date.

Burnt Yates has been educating children for 257 years, it's taken the Government body only 11 months to decide closure.

Our children need your support in keeping their school open. We need NYCC to reverse this decision for the good of our children and for the good of the village and local community. Please submit your comments before 27<sup>th</sup> February 2018 to demand that NYCC keeps our school open to enable another 257 years of educating children.

Thank you from the pupils and parents of the school.

### Timeline

A NYCC Local Education Authority, Schools Improvement Advisor monitors a school 4 times a year. This is to provide guidance and to monitor work throughout a school.

Minutes of meetings and Ofsted reports are available on the school's website.

November 2006	Ofsted Inspection 'Outstanding', Head Mr Langley
July 2010	Ofsted Interim Inspection 'Performance has been sustained', Head Ms. Popplewell
November 2011	Ofsted Inspection 'Good', Head Ms Popplewell
December 2014	Head, Ms. J. Popplewell retired
January 2015	Mrs C Wilson was appointed Head of Burnt Yates C of E Primary to form a collaboration with Ripley C of E Primary. Informed most small primary schools share a Head due to finances.
July 2016	Survey sent to parents for views on a School Nursery
29 <sup>th</sup> September 2016	Parents informed by letter that Mrs Wilson was offered and accepted the role of School Improvement Advisor for Craven area, for NYCC. Mrs Wilson must have been managing both schools to a very high standard to be 'headhunted'.
17 <sup>th</sup> October 2016	Leeds Diocese invest £49,000 in the school. A shower and toilet were installed to promote the woodland area and field.
October 2016	School Improvement Advisor 'monitored' the school. Results not disclosed.
20 <sup>th</sup> October 2016	Mrs C Wilson's last day as Head. Due to NYCC requiring Mrs Wilson to start immediately, she left mid-term instead of end of term. Leaving both schools with no permanent Head.
30 <sup>th</sup> October 2016	Mrs S Wass was appointed Temporary Head for both schools. While Head at St Thomas More RC School, Hull, Ofsted inspected and rated the school as 'Requires Improvement'.
1 <sup>st</sup> & 2 <sup>nd</sup> Dec 2016	Ofsted Inspection, placed Burnt Yates in 'Special Measures' due to failings in Safeguarding and improvements in teaching.
26th January 2017 Parent meeting	Meeting to inform parents of the process following Special Measures. An Academy Order would be issued by the Department for Education, should the school fail to secure a sponsor then it would close. Mr A Lancashire, Principal Adviser for Primary Education in NYCC was quoted as stating that the LA were partly to blame. 'Had expressed his dissatisfaction with judgments made by the County's School Improvement Officer. He accepted that the County Inspection Service had <b>FAILED</b> the school in this respect.'
February 2017 Parent meeting	Academy Order had been received, the application had been submitted to the Yorkshire Causeway Schools Trust and they had also visited the school and it looked positive.
2 <sup>nd</sup> March 2017 Parent meeting	Academy update – no news and if any other Academy Trust could be approached. Fiona Beevers, Deputy Diocesan Director of Education, Leeds said there are 2 possibilities, 1 is some way from being operational and 1 doesn't have the capacity to work with us and there is <b>no deadline</b> to join an Academy.
5 <sup>th</sup> June 2017	Mrs Wass had been removed from post – no explanation. Teachers at both schools went off on long term sick during her Headship. Ms. H Appleton, Deputy Head at Holy Trinity Primary School, Ripon was appointed Temporary Head until the end of summer term for Burnt Yates only. Ms Appleton turned the school around within a matter of weeks. Leading to a good Ofsted Safeguarding Audit.

12 <sup>th</sup> July 2017 Parent meeting	Richard Noake, Director for Education, Leeds Diocese also on the trust board for Yorkshire Causeway School Trust said that Burnt Yates would never be considered by the Yorkshire Causeway Schools Trust as Burnt Yates does not have '95 units' and that there is no other Academy Trust to approach and a deadline. The option was put forward to amalgamate Ripley and Burnt Yates following a financial due diligence conducted by NYCC.
18 <sup>th</sup> July 2017	Ofsted conducted a Safeguarding Audit - 'Safeguarding is <b>EFFECTIVE</b> '. This was due to Ms Appleton's professionalism and great leadership skills.
September 2017	Mrs J Palmer, appointed temporary Head for both schools.
27 <sup>th</sup> September 2017	Letter to parents from Fiona Beevers, Deputy Diocesan Director of Education, Leeds of the commitment regarding amalgamation with Ripley school and the processes.
16 <sup>th</sup> November 2017	Letter to parents informing the due diligence conducted by NYCC had financial shortfalls and that Ripley School did not want to proceed and a meeting will take place with Fiona Beevers and NYCC representatives incl. John Lee, Strategic Planner, on 21 <sup>st</sup> November, informing parents of the timescale for closure.
21 <sup>st</sup> November 2017	Only Fiona Beevers, Diocese & John Lee, Strategic Planner NYCC attended, no other NYCC representatives were present. Mr Lee's job was to inform parents of the process and was unable to answer any questions. Parents demanded a meeting on the 6 <sup>th</sup> December.
30 <sup>th</sup> November 2017	NYCC conducted a safeguarding audit. They were satisfied that the standard of 'Effective' had been maintained.
6 <sup>th</sup> December 2017 Parents meeting	4 NYCC representatives attended to answer questions parents had regarding the closure of the school due to the appalling meeting on the 21 <sup>st</sup> November.

A Public Consultation Meeting was held at the School on Monday, 15<sup>th</sup> January 2018 at 6.30pm. NYCC informed the 'public' of this meeting by posting a notification on their website and mailing documentation to the Local Parish Council. If parents had not done a leaflet drop no one would have known.

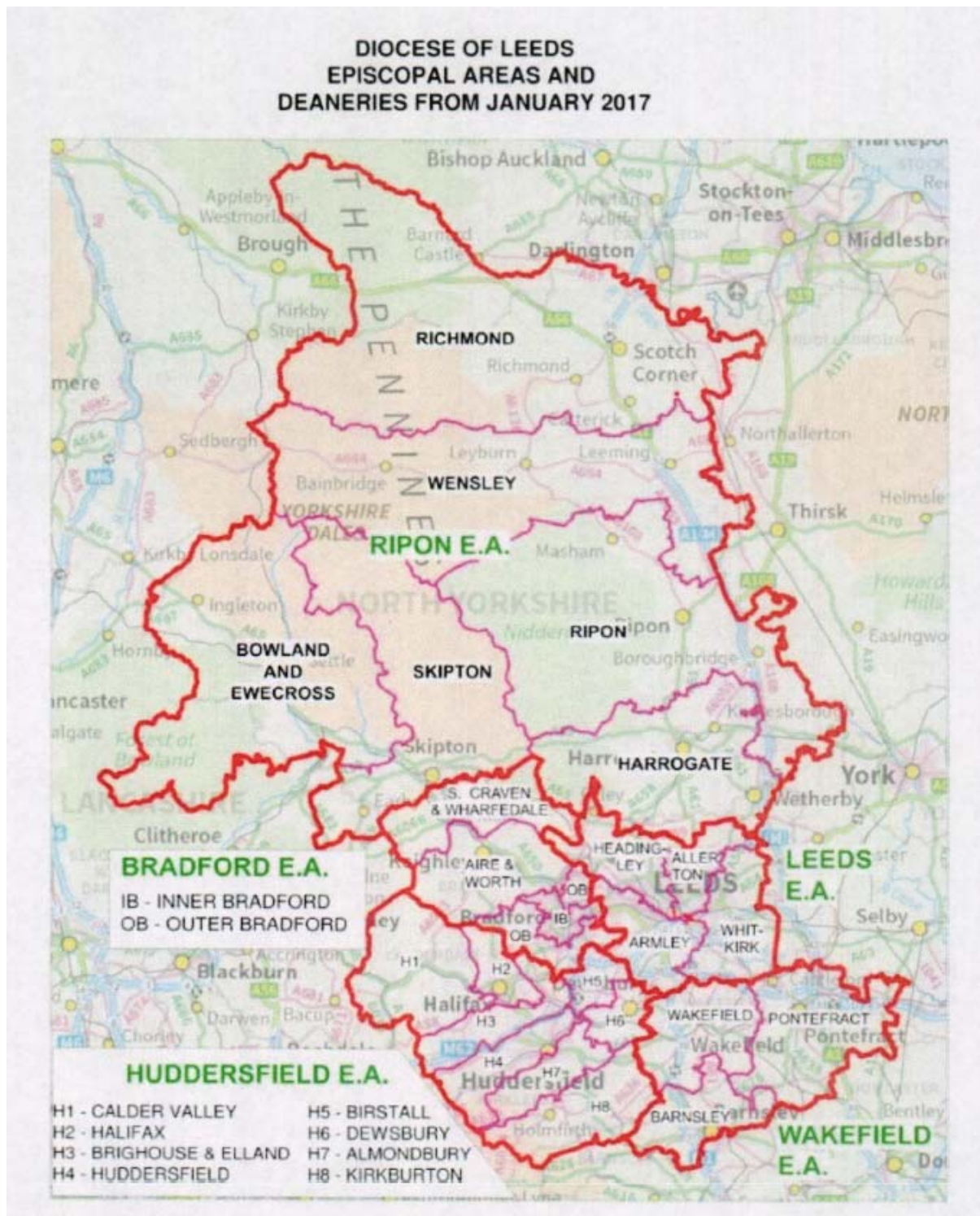
We the parents at Burnt Yates School, remain committed to securing a positive outcome for the school. If the outcome was a *fait accompli*, then our aim must be to ensure that this does not happen at any other village school particularly within North Yorkshire and the dales area.

We have put together a time line to try and comprehend where things went so very wrong, to understand who was accountable for the demise of our school and to see if anyone will accept responsibility for the failings. It appears that the survival of a small school relies very much on the leadership team; but as parents we fail to understand how a governing body of volunteers can have such responsibilities – we pay our taxes, with money going to the Department for Education, surely the leadership of the school should lie with those in paid positions and therefore with advisors and head teachers in ensuring that standards are met.

Whilst the Local Education Authority admitted that it was a combination of the inadequacies of the Head, School Improvements Office and the subsequent Head, that led firstly to the inadequate Ofsted rating and then the failure of the school following the rating – they state that their hands are tied due to government legislation – they in effect will not 'Right their Wrong'.



Appendix 2 – Map of surrounding area



Appendix 3 – Information obtained from the Governments ‘Compare Schools’ website

1/18/2018 13:50:37 1

Compare selected primary schools - GOV.UK - Find and compare schools in England



Find and compare schools in England

**BETA** This is a new service – your [feedback \(http://www.smartsurvey.co.uk/s/OZXTZ/\)](http://www.smartsurvey.co.uk/s/OZXTZ/) will help us to improve it.

Published: 2017 primary results and related data (pupil population, workforce and finance). Coming in January: 2017 secondary (revised) and 16-18 results (except retention measures) and related data, plus multi-academy trust results. See our [publication timetable \(/publication-timetable/\)](/publication-timetable/) for full details. Please note [we no longer grant 24 hour pre-release access to media organisations \(https://www.gov.uk/government/organisations/department-for-education/about/statistics#announcements\)](https://www.gov.uk/government/organisations/department-for-education/about/statistics#announcements). [Hide message](#)

## Compare selected primary schools

[View on map](#)

For

Primary performance (9 schools) ▼

Looking at

Overall performance ▼

Show

All pupils ▼

### Overall performance at end of key stage 2 in 2017 - all pupils

School name	Type of school	% of pupils meeting expected standard	Progress score & description			% of pupils achieving at a higher standard	Average score in reading	Average score in maths
			Reading	Writing	Maths			
Darley Community Primary School (/school/121410)	Maintained School	83%	Average 1.6	Average -2.8	Average -1.6	0%	108	104
Killinghall Church of England Primary School (/school/121569)	Maintained School	67%	Average 0.7	Average -1.1	Average -2.0	20%	106	103

1/18/2018

## Compare selected primary schools - GOV.UK - Find and compare schools in England

School name	Type of school	% of pupils meeting expected standard	Progress score & description			% of pupils achieving at a higher standard	Average score in reading	Average score in maths	
			Reading	Writing	Maths				
Kettlesing Felliscliffe Community Primary School (/school/121391)	Maintained School	50%	Average -0.7	Average -2.6	Average -3.0	0%	106	103	
Markington Church of England Primary & Nursery School (/school/121576)	Maintained School	63%	Average -0.9	Average 0.8	Average -0.5	13%	105	105	
Ripley Endowed Church of England School (/school/121580)	Maintained School	73%	Average -1.0	Well below average -4.1	Average -1.8	18%	108	106	
Summerbridge Community Primary School (/school/121401)	Maintained School	50%	Average -1.8	Average -1.8	Well below average -3.9	0%	102	99	
Birstwith Church of England Primary School (/school/121550)	Maintained School	45%	Average -3.1	Average 2.2	Average -3.0	9%	102	101	
Bishop Thornton Church of England Primary School (/school/121552)	Maintained School	50%	Average -3.3	Average 0.4	Well below average -4.7	17%	103	101	
Hampsthwaite Church of England Primary School (/school/143466)	Academy	No data available or applicable for this school or college							
England - state-funded schools		61%	0.0	0.0	0.0	9%	104	104	
England - all schools		61%				9%	104	104	

Requires IMPROVEMENT 8 JUN 2017

Good 24 Jan 2014

Outstanding 13 Sept 2007

## Appendix 4 – Document composed by parents of pupils at Burnt Yates CE VA Primary School

We the parents at Burnt Yates School, remain committed to securing a positive outcome for the school. If the outcome was a fait accompli, then our aim must be to ensure that this does not happen at any other village school particularly within North Yorkshire and the dales area.

We have put together a time line to try and comprehend where things went so very wrong, to understand who was accountable for the demise of our school and to see if anyone will accept responsibility for the failings. It appears that the survival of a small school relies very much on the leadership team; but as parents we fail to understand how a governing body of volunteers can have such responsibilities – we pay our taxes, with money going to the Department of Education, surely the leadership of the school should lie with those in paid positions and therefore with advisors and head teachers in ensuring that standards are met.

In 2006 Burnt Yates School received an Ofsted rating of outstanding, Mr Richard Langley was the head and 38 children attended the school.

The school was inspected again in 2011, where it received an Ofsted rating of good. Ms. Judi Popplewell was the head and 42 children attended the school. The main findings of the report state that 'This is a good school'. 'It has some outstanding features'. The report details that the head teacher gives a strong steer to the school and that the governing body are committed and well organised and fully involved in evaluating most aspects of the schools performance.

In Dec 2014, Ms. Popplewell retired.

In January 2015 Mrs Cath Wilson was appointed head. However we understand that due to financial shortfalls at both Burnt Yates and Ripley Schools, a decision was made to collaborate and share the headship.

In Sept 2016, Burnt Yates received a high intake into reception – 8 new children to the school. 7 new parents committed to their child attending this school for the next 7 years. Committed to sending future siblings to this school. 4 other children were accepted into the school across the academic years, parents who had chosen this school, a school where their child's needs would be met, where their child would be nurtured and thrive in an idyllic learning environment. At this time, there was nothing to suggest to those new parents, or already existing parents that something was amiss.

Forms were issued to parents that term asking for their thoughts on the opening of a pre-school. The school, unlike other schools in the area immediately surrounding Burnt Yates, is not landlocked and has room for expansion, a nursery/pre-school would have been an asset and something with which to promote the school.

An outside toilet/shower block was built to promote the woodland area of the school. We believe that this was funded by the diocese. Given that there was clear investment in the school, what would make us as parents believe that all was not well.

On 29<sup>th</sup> September 2016 a letter was issued to parents stating that Mrs Wilson was leaving having been appointed by the LEA as a Schools Improvement Adviser. She had been in position for a total of 22 months. In that time our collaborated school, Ripley School, had themselves been subject to an Ofsted inspection with an overall outcome of Requires Improvement. The leadership was deemed good, so it is difficult to understand how a head with good leadership skills could have left our school in such a compromised position. Knowing the results of the Ripley inspection, what efforts had been made by the Local Education Authority to ensure that Burnt Yates was attaining the required standards. It is even more difficult to understand that given such failings at our school, Mrs Wilson was now moving on to a position that would require her skills to improve schools.

This left both schools without a permanent head.

On the 31<sup>st</sup> October 2016, Mrs Susan Wass, an executive head was appointed as a temporary head at both Burnt Yates and Ripley until a permanent replacement could be found. I understand that Mrs Wass was in charge of St Thomas More RC School, Hull in 2013 when the school received the Ofsted rating of Requires Improvement. That school is now closed and is part of Voluntary Catholic Academy.

On the 1<sup>st</sup> December 2016, 30 days after the arrival of our interim head, Ofsted carried out an inspection of Burnt Yates School.

On the 23<sup>rd</sup> January 2017, parents received a copy of the Ofsted report – deeming the school to be inadequate in every area. There had been no outward indications that the school had been underperforming and therefore this was believed to be an unfair rating by the parents. So this poses the question, what had happened in those 5 years?

In trying to answer that question, we have sought to understand who is ultimately responsible for the performance of schools. In attempting to understand the LA's involvement, I have received information from Steven Holmes (Schools improvement partner) that states that the LA do not inspect schools. This is the role of Ofsted. The role of the LA is to monitor the work of the school and provide guidance.

So backtracking to Nov 2015, the school was reviewed by the LA and a National Leader of Education. Recommendations for improvement were identified. This resulted in the commissioning of a support plan from the Dales Alliance led by the NLE. Reports received were generally positive about progress being achieved. Further visits were undertaken in March 2016 and July 2016 at which time the advisor did not agree that the judgements were secure. However it is noted that the 'outcomes' at the end of the year generally compared favourably to National results – not a failing school then.

The advisor visited the school again in Oct 2016 – the results of this visit have not been disclosed.

On the 26<sup>th</sup> January 2017, the parents were invited to a meeting at the school where they were informed that the school had been made the subject of an academy order – should the school fail to secure a sponsor then it would be closed.

In May 2016 the government made a U turn on the controversial plans to force all state schools in England to become academies. Instead the new legislation was to include powers for the DfE to force schools in 'underperforming' local authorities to convert to academy status<sup>1</sup>. There was to be a new provision for 'unviable' local authorities to ask the DfE to covert schools into academies if the council can no longer support them – is this really the reason why Burnt Yates received its inadequate rating?

The school hall was packed that night with parents passionate about their school, about the education of their children and ensuring the schools future. Minutes were made of the meeting and I understand that Mr Lancashire, (Principal Adviser for Primary Education in NYCC) was quoted as stating that the LA were partly to blame.

**Had expressed his dissatisfaction with judgments made by the County's School Improvement Officer. He accepted that the County Inspection Service had FAILED the school in this respect.**

Points from the minutes made that evening to note are:

Point 4 – THE RSC has an option to direct closure if the school is not able to make sufficient improvements or is not viable.

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<sup>1</sup> The guardian –May 6<sup>th</sup> 2016



Fiona Beevers described in her role that there are 3 possible multi academy trusts that will be compatible with a church school and she would work with her diocesan colleagues to assess these. We as parents want to know what MAT's were considered in addition to the Yorkshire Causeway trust. Many parents have asked why we as a school cannot approach another Academy without religious foundation, although we could maintain the Christian Ethos of the school – why have we never been allowed to explore this option.

Point 5 – LA power of intervention. If taken as read 'The LA has no plans to use these which include powers to, (sub point) propose closure where there is no prospect of improvement.

Point 6 – In response to the question posed what happens if no sponsor comes forward - the school continues to exist until a sponsor is found.

On Thursday 30<sup>th</sup> November 2017, members of North Yorkshire County Council undertook an audit of safeguarding at the school. The team were satisfied that the school has maintained a standard of effective safeguarding, as identified in the **Ofsted monitoring inspection on 18<sup>th</sup> July 2017 (7 months after the initial inspection)** and recognised improvements made this term. I understand from Mr Holmes that a positive meeting was last held in relation to the improvement in teaching made at the school. As such, it appears that the school has made improvements and therefore reconsidering point 4 – The Regional Schools commissioner has an option to direct closure if the school is not able to make sufficient improvements, which it appear to now have, or is not viable.

The question viability – what is viable?

On Thursday 9<sup>th</sup> February 2017, an independent meeting was held by the parents of Burnt Yates School. At the meeting a number of questions were raised and a document forwarded to the school for the questions to be answered. All parents, apart from one<sup>2</sup>, committed to their child/children continuing their education at Burnt Yates. Not only did the parents commit to the current child's attendance, a further form was completed detailing the intention of the parents in sending younger siblings to the school, guaranteeing a future intake of at least 4 pupils per year, without additional children attending from the area.

4 subsequent parent forums were held, at the request of the parents in the following 7 month period. However due to the lack of transparency from January 2017 to July 2017

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<sup>2</sup> This was due to the logistics of getting one child to school in Burnt Yates given that her eldest child was transitioning to senior school

from both the governing board and from people appointed to oversee the academisation programme, the confidence in parents was eroded to the extent that pupils were withdrawn from the school. This had an almost domino effect resulting in the obliteration of one school year. Effectively the actions of parents who so wanted this school to succeed had ultimately resulted in what you had set out to achieve is this so you could be yourselves absolved of guilt.

It must also be recorded that within this time period, Mrs Wass left the school in May 2017. No explanation was given to the parents about why she had not returned. A temporary head was brought in until the end of the academic year. Miss Appleton was very much respected by parents at the school and showed us, unfortunately a little too late, just how amazing our school could be with great leadership. It must also be noted that under Mrs Wass's leadership, two teachers went off on long term sick, and one teacher left. There were further issues with staff at Ripley.

On the 12<sup>th</sup> July 2017, Richard Noakes, Director of Education for the Diocese attended the parents forum and informed us that the Diocese had failed to secure a sponsor (Academy) for the school. They had only approached the Yorkshire Causeway Trust, but Burnt Yates was not a viable option as it did not have the required 95 Business Units – Business Units referring to the children at this school. The first real injustice that we believe is that the Diocese approached an academy which due to its requirement for 95 Business units would not be suitable for a school with a current maximum capacity of 56.

That same evening we were informed that there was one last possible resolution for the school if an amalgamation could be achieved with a school in the area. Yet again there was no transparency as to who this school was and how long the process would take.

On the 27<sup>th</sup> September 2017 another parents meeting was held and we were informed that the governors were in communication with Ripley School with regards to a due diligence process for a potential amalgamation. This we as parents considered to be a real possibility. An amalgamation to allow the teaching of children over two sites, with EYS and KS1 at one school a KS2 at the other school. This was an exciting prospect and raised the possibility of the amalgamated school securing its future and the potential to improve on the poor Ofsted ratings once a permanent head had been appointed and to expand the school such that it became the 'school of choice in the Nidderdale area'. Both Schools are located on the B6125 road, the main thoroughfare for commuters from the Nidderdale region to Harrogate, and



therefore an ideal choice given the settings of both schools, the availability of wrap around care and the prospect of becoming a niche school if only there was the foresight.

On the 16<sup>th</sup> November, parents were informed by letter, that this process had not met a satisfactory conclusion in that the amalgamation was not financially viable.

That leaves us with only one outcome – closure. The next question is who is accountable for this injustice. For a community, a set of parents and most importantly the children who had no idea that there were any issues with their school when the new term started in Sept 2016. The results of this however have been catastrophic. This decision will affect Burnt Yates and the surrounding community from now going forward. We are already aware that parents have been unable to secure a place for their child at the school of their choice. Parents are left undecided as to when to move their children. The whole process has been a mess. Perhaps a game. If the end result was to close a small school with costly teachers then you have succeeded in your aim. If you are acting in accordance with the Ofsted mission statement of raising standards and improving lives – then you have failed demonstrably. In the DfE document schools causing concern it states that a government has made a clear commitment to extend opportunity and unlock potential, delivering real social justice. Every child, whatever their back ground deserves the best start in life and excellent education.

There are a number of small schools within this area – will they be next? We understand that only one primary school is viable. Will parents moving their children be subjected to this process again. Is there a bigger picture that we are not aware of? You will see the banners outside this school, it is a message not only to our community, but to other communities to not let them close ‘Your School’ I ask you to reflect on these comments.

We as parents have only wanted the truth. We as parents do not believe that the people put into position to guide this process have acted with the transparency needed and therefore this begs the question of whether you have acted with honesty and integrity in your role and have at all times acted in the best interests of this school. We as parents, up until now, have not involved the wider community so that we did not jeopardise the possibility of a positive outcome. We have given you the common courtesy, which you have not given us. Perhaps a parent’s campaign would have been best started 12 months ago, long before the horse had bolted.

We believe that this whole process has been unfair. Unfair because the people who it most affects, have not had the opportunity to affect the end outcome. We believe that it is unfair to close our school when there has been no opportunity to improve – not that we as parents

were aware that there were initially issues for concern. We as parents believe that there is a lack of foresight into the potential of Burnt Yates school in solving a future schooling crisis. This is a water tight building which has stood the test of time. It is built in beautiful surroundings and unlike other schools is not landlocked with no room for expansion. Further to this the school has the fantastic support and financial backing from the Trustees – The Admiral Long Foundation. We are not ignorant to the fact that rebuilding the school would take time, schools work in academic years, unlike business which can declare bankruptcy and re-open the next day under a new name. We are just asking for a chance.

As stated at the beginning the outcome for this school was most likely fait accompli. But we would like to take this as an opportunity to expose the shortcomings of the educational system and to warn other schools that they too could find themselves in a similar position. We have now engaged the wider community and will release the time line documented for the press/media should they wish to carry out their own investigations. Leaflets have already been commissioned informing the community of the closure of the school and the start of the consultation process for them to express their views.

I will conclude this with a conversation I had with my daughter the other night, who having told me to stop crying about the closure of the school again said she was staying at the school until it closed, she then asked me why the school had to close. It was difficult to answer, as there is no sensible answer. In simplest terms I said – because some bad people had made that decision and there was nothing mammy or daddy could do about it. She then said, well they will go to jail then. No I said, they have not committed a criminal offence, but they have made a decision that is in itself criminal.

Mr Julian Smith MP  
By email

**Stuart Carlton**  
**Corporate Director - Children and Young People's**  
**Service**

**County Hall, Northallerton**  
**North Yorkshire, DL7 8AE**

**Your ref:**

**Our ref:** SC/MES

Web: [www.northyorks.gov.uk](http://www.northyorks.gov.uk)

**Contact:** Stuart Carlton

25 April 2018

Dear Julian

**Rural schools: requirement to convert to academy status following inadequate Ofsted judgements**

I write, following a request from the County Council's Executive, to draw to your attention the current process that requires schools with an inadequate Ofsted judgement to convert to academy status and the extra difficulties faced by rural schools, including those in your constituency, in this regard.

This has been highlighted in the recent case of Burnt Yates CE VA Primary School. You will be aware of this situation from previous correspondence from your constituents but it may be helpful to summarise the position again.

Burnt Yates CE VA Primary School was judged by Ofsted as Inadequate and became subject to Special Measures in December 2016. In January 2017 the Regional Schools Commissioner (RSC) issued a directive academy order. The Diocese of Leeds attempted to find a suitable academy trust that might sponsor the school to become an academy. This period was one of significant uncertainty for the School, uncertainty which, we have no doubt, contributed to a loss of pupils and an increased threat to its sustainability. Ultimately no multi-academy trust could be found for the school.

Following this, the Diocese approached the RSC to propose an amalgamation solution involving the technical closure of the School. The County Council and the Diocese supported Burnt Yates CE VA Primary School and Ripley Endowed CE Primary School to explore the potential for amalgamation. Having undertaken a due diligence process the Ripley Governing Body had a number of concerns surrounding the financial sustainability of the amalgamated school on two sites, and decided not to consult on amalgamation. This left the County Council with the remaining option to proceed with statutory consultation on closure.

Where a school like Burnt Yates is in Special Measures, the Secretary of State can also order that the school is closed. The RSC advised that if, following the statutory closure process, the County Council decided to keep the school open then they would need to consult with the Secretary of State to see whether she wanted to use her powers to direct closure for this school.

The statutory guidance on local authorities' and RSCs' responsibilities relating to schools causing concern was updated in February 2018. The new guidance sets out the powers of the Secretary of State to revoke an academy order:

*“Section 5D of the Academies Act 2010 enables RSCs to revoke an academy order that was made because a maintained school is eligible for intervention. This power will only be used in very exceptional circumstances – for example, where the maintained school is not viable and therefore it is most appropriate for it to close. In such circumstances, where the maintained school is not viable and the RSC has taken the decision to revoke the academy order, then the local authority will be expected to close the maintained school and if necessary the RSC may use the Secretary of State’s power to direct them to do so.”*

On 13 March 2018, the County Council’s Executive met to consider the 79 responses that it had received to the public consultation on closure. The Executive Member for Schools reported to the Executive that the current process, whereby schools judged as inadequate in an Ofsted inspection under the Education and Inspections Act are subject to a directive academy order, was proving very difficult for rural schools, and, as in this case, was a contributory factor leading to their closure. The Executive resolved to contact you, and the Regional Schools Commissioner, in relation to the current process that requires schools with an inadequate Ofsted judgement to convert to academy status and the extra difficulties faced by rural schools when this was implemented.

The County Council’s view is that the statutory guidance allows no flexibility of approach in recognition that academy sponsorship is almost certainly not an achievable outcome for many small schools. Local Authorities and Diocesan bodies require a more pragmatic approach in these situations to allow us to determine a viable future for the schools and currently the prescribed process is unhelpful in that regard. Our view in this regard is supported by the recent National Audit Office report which highlighted the failure of the Department to meet its target to convert underperforming schools within nine months in two-thirds of cases. Whilst clearly not the only factor we would suggest placing unrealistic directive academy orders on small schools is inherent to this statistic.

I would therefore welcome your views on the matter.

Yours sincerely

*Stuart Carlton*

Corporate Director – Children and Young People’s Service

CC: Janet Renou, Regional Schools Commissioner for North of England



Department  
for Education

# **Opening and closing maintained schools**

**Statutory guidance for proposers and  
decision-makers**

**April 2016**

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# 1: Summary

## About this guidance

This is statutory guidance from the Department for Education. This means that recipients must have regard to it when carrying out duties relating to establishing (opening) a new school and / or the discontinuance (closing) of an existing school.

The purpose of this guidance is to ensure that good quality school places are provided where they are needed. It should be read in conjunction with Part 2 and Schedule 2 of the Education and Inspections Act (EIA) 2006 as amended by the Education Act (EA) 2011 and *The School Organisation (Establishment and Discontinuance of Schools) Regulations 2013*.

## Review date

This guidance will be review in April 2017.

## Who is this guidance for?

This guidance is relevant to all categories of maintained school, unless explicitly stated otherwise, and is for those proposing (e.g. governing bodies, dioceses and local authorities (LAs)) to open and / or close a school, decision-makers (LAs, the [Schools Adjudicator](#)), and for information purposes for those affected by a proposal (e.g. dioceses, trustees, parents etc.).

A governing body, LA or the Schools Adjudicator must have regard to this guidance when making decisions under Schedule 2 of [EIA 2006](#) (as amended by [EA 2011](#)) and the details set out in the [Establishment and Discontinuance Regulations](#).

Separate advice is available on making [prescribed alterations to maintained schools](#) and [significant changes to academies](#).

It is the responsibility of LAs and governing bodies to ensure that they act in accordance with the relevant legislation when making changes to or opening or closing a maintained school and they are advised to seek independent legal advice where appropriate.

## Main points

- Where a LA identifies the need for a new school, specifically to meet increased basic need in their area section 6A of EIA 2006 places the LA under a duty to seek proposals to establish an academy (free school) via the '[free school presumption](#)'.

The LA is responsible for providing the site for the new school and meeting all associated capital and pre-/post-opening costs.

- The final decision on all new /free school presumption proposals lies with the [Regional Schools Commissioner](#) (RSC) on behalf of the Secretary of State.
- Any persons ('proposer') for example LA or diocese may publish a proposal at any time for a new school outside of the free school presumption and section 7 competitions process under section 11 of EIA 2006. It is also possible to apply to the Secretary of State for consent to publish proposals to establish a new school under section 10 of EIA 2006.
- All decisions on proposals to open or close a maintained school must be based on the factors outlined in the [guidance for decision-makers](#), following the [statutory five stage process](#).
- Consultations should be carried out in term time to allow the maximum numbers of people to see and respond to statutory proposals.
- Within one week of the date of their publication the documents below **MUST** be sent to the Secretary of State (via [schoolorganisation.notifications@education.gsi.gov.uk](mailto:schoolorganisation.notifications@education.gsi.gov.uk)):
  - a copy of the statutory proposal
  - a copy of the statutory notice
  - a copy of the decision record on the proposal.
- The school organisation team will make the necessary updates to the EduBase system.



## 2: Establishment of new schools

The following information sets out details of the free school presumption process as well as well as the **other** circumstances in which the establishment of a new maintained school can be proposed.

### The free school presumption

Where a LA identifies the need for a new school, to meet basic need, section 6A of EIA 2006 places the LA under a duty to seek proposals to establish an academy (free school) via the '[free school presumption](#)'. The LA is responsible for providing the site for the new school and meeting all associated capital and pre-/post-opening revenue costs. All new free school presumption proposals require the RSC's approval (on behalf of the Secretary of State) as it is the Secretary of State who will enter into a funding agreement with the academy trust/sponsor.

### School competitions

If the free school presumption does not result in a suitable proposal, a statutory competition can be held under 'section 7' of EIA 2006. This will not require a separate application for approval, since the Secretary of State will inform the LA that approval to hold a competition is given at the same time as informing the LA that no suitable free school was identified.

Free school presumption proposals and proposals for foundation, foundation special and voluntary schools can be submitted into the competition. However the RSC will consider any free school proposals first when making a decision on the case.

If a free school proposal is considered suitable, the competition ends and the proposer works with the department and LA to progress its proposal. If a free school presumption proposal is not considered suitable, or none are received, the competition continues and it is for the LA to decide on the most suitable maintained school proposal that should be approved. However, if the LA is involved<sup>1</sup> in the Trust of a proposed foundation school, the [Schools Adjudicator](#) will be the decision-maker.

Where approval is given to hold a section 7 competition, the LA must follow the statutory process set out in Schedule 2 to EIA 2006 and the [Establishment and Discontinuance Regulations](#).

For section 7 competitions there is no right of appeal.

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<sup>1</sup> As set out in para 10(2) of schedule 2 to EIA 2006

## Establishing new provision outside competitive arrangements

It is still possible to publish proposals for new maintained school outside of the competitive arrangements at any time.

### Section 11 proposals

Any persons ('proposer') e.g. LA or diocese may publish a proposal, at any time, for a new school outside of the free school presumption and competitions process under section 11 of EIA 2006.

The Secretary of States consent is not required in the case of proposals for:

- a new community or foundation primary school to replace a maintained infant and a maintained junior school;
- a new voluntary-aided school in order to meet demand for a specific type of place e.g. places to meet demand from those of a particular faith;
- a new foundation or voluntary school resulting from the reorganisation of existing faith schools in an area, including an existing faith school losing or changing its religious designation;
- a new foundation or community school, where there were no suitable free school proposals and a competition has been held but did not identify a suitable provider;
- a former independent school wishing to join the maintained sector; and
- a new LA maintained nursery school.

The proposer should be able to demonstrate to the decision-maker a clear demand for the places the new school will provide.

The statutory process in [part 4](#) must be followed to establish the new school. The [Schools Adjudicator](#) will decide LA proposals (and cases where the LA are involved in the Trust of a proposed foundation school). The LA will decide proposals from other proposers.

### Section 10 proposals

It is also possible to apply to the Secretary of State for 'consent to publish' proposals to establish a new school under section 10 of EIA 2006:

- to replace a community school; or
- for a brand new or replacement foundation or voluntary controlled school.

Each request for consent will be considered on its merits and the particular circumstances of the case, including whether the need for a new school might be better met by a free school.

If consent is given the statutory process in [part 4](#) must be followed to establish the new school. The Schools Adjudicator will decide LA proposals (and cases where the LA are involved in the Trust of a proposed foundation school). The LA will decide proposals from other proposers.

The table below sets out a summary of the processes.

<b>Proposer</b>	<b>Type of proposal</b>	<b>Decision-maker</b>	<b>Right of appeal to the Adjudicator?</b>
Other proposers	Free school presumption	RSC	N/A
LA	Section 11	Schools Adjudicator	CofE Diocese RC Diocese
Other proposers	Section 11	LA (Schools Adjudicator if LA involved in Trust of foundation school)	CofE Diocese RC Diocese Proposers (if LA is decision-maker)
Other proposers	Section 7 (competition)		
	Stage 1. Free school proposals considered first. If a proposal is received and considered suitable completion ends and proposer / LA / department take forward the free school proposal.	RSC	N/A
	Stage 2. Where no suitable free school bid received proposals for new foundation, foundation special or voluntary school submitted will be considered.	LA (Schools Adjudicator)	N/A
LA	Section 10	Schools Adjudicator.	CofE Diocese RC Diocese
Other proposers	Section 10	LA (Schools Adjudicator if LA involved in Trust of foundation school)	CofE Diocese RC Diocese Proposers (if LA is decision-maker)

### 3: School closures

All decisions related to school closures are taken locally following a statutory process to allow those directly affected by the proposals to feed in their comments.

All decisions on proposals to close a school must be made in accordance with the factors outlined in the [guidance for decision-makers](#).

#### Who can close a school?

An LA can propose the closure of **ALL** categories of maintained school, following the five-stage statutory process in [part 4](#).

The governing body of a voluntary, foundation, or foundation special school may also publish proposals to close its own school following the statutory process. Alternatively, it may give [at least two years' notice of its intention to close](#) the school to the Secretary of State and the LA.

Reasons for closing a maintained school include where:

- it is surplus to requirements (e.g. result of an area-wide reorganisation and/or neighbouring schools have sufficient places to accommodate displaced pupils);
- it is to be [‘amalgamated’ with another school](#);
- it is failing and there is no viable sponsored academy solution;
- it is to [acquire, lose or change religious character](#); or
- it is being replaced by a new school.

#### Closure of rural schools

There is a presumption against the closure of rural schools. This does not mean that a rural school will never close, but the case for closure should be strong and a proposal must be clearly in the best interests of educational provision in the area.

When producing a proposal, the proposer must carefully consider:

- the likely effect of the closure of the school on the local community;
- educational standards at the school and the likely effect on standards at neighbouring schools;
- the availability, and likely cost to the LA, of transport to other schools;
- any increase in the use of motor vehicles which is likely to result from the closure of the school, and the likely effects of any such increase; and
- any alternatives to the closure of the school.

When deciding a proposal for the closure of a rural primary school, there is a legal requirement<sup>2</sup> that the decision-maker must refer to the [Designation of Rural Primary Schools \(England\) Order](#) to confirm that the school is a rural primary school.

Secondary schools are identified on the EduBase system using the Office for National Statistics' [Rural and Urban Area Classification](#). Decision-makers should consider this indicator when deciding a proposal for the closure of a rural secondary school.

The [free school presumption](#) will not apply in cases where a rural infant and junior school on the same site are being closed to establish a new primary school.

In order to assist the decision-maker, the proposer of a rural school closure should provide evidence to show that it has carefully considered:

- alternatives to closure including: federation with another local school; conversion to academy status and joining a multi-academy trust; the scope for an extended school to provide local community services and facilities e.g. child care facilities, family and adult learning, healthcare, community internet access etc.;
- transport implications i.e. the availability, and likely cost of transport to other schools and sustainability issues; and
- the overall and long term impact on local people and the community of the closure of the village school and of the loss of the building as a community facility.

## Amalgamations

There are two ways to amalgamate two (or more) existing maintained schools:

- The LA or governing body (depending on school category) can publish a proposal to close two, or more, schools and the LA or a proposer other than the LA (e.g. diocese, faith or parent group, Trust) depending on category, can publish a proposal to open a new school or presumption free school (see [part 2](#)). This results in a new school number being issued.
- The LA and / or governing body (depending on school category) can publish a proposal to close one school (or more) and enlarge / change the age range / transfer site (following the statutory process as / when necessary) of an existing school, to accommodate the displaced pupils. The remaining school would retain its original school number, as it is not a new school, even if its phase has changed.

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<sup>2</sup> Section 15(7)(b) of EIA 2006

## Existing schools wishing to acquire, change or lose a religious character

It is not possible for an existing school to make any change to its religious character. Instead the LA or governing body must publish a proposal to close the existing school, and a faith organisation, as proposer, must issue a 'related' proposal to establish a new voluntary or foundation school, with a religious character. This can be done by either gaining the Secretary of State's consent under section 10 or as a special case under section 11 of EIA 2006.

In **ALL** cases before the religious designation flexibilities can be utilised, the proposer will need to [apply separately, to the Secretary of State, for the new school to be designated with a religious character](#). This would normally be done once the decision on the new school has been approved. Schools that have been designated with a religious character that close will automatically have the designation revoked.

Upon gaining a religious designation a school can not automatically change its admissions policy to include faith-based criteria. It will need to consult in accordance with the [School Admissions Code](#) and determine revised admission arrangements.

The table below sets out a summary of the process for closing a maintained school.

Proposer	Type of proposal	Decision-maker	Right of appeal to the Adjudicator?
LA	Following a statutory process to close a community, community special or maintained nursery school	LA	CofE Diocese RC Diocese
LA	Following a statutory process to close a foundation, foundation special or voluntary school	LA	CofE Diocese RC Diocese GB Trustees
Governing Body	Following a statutory process to close a voluntary, foundation or foundation special school	LA	CofE Diocese RC Diocese GB Trustees

NB: the LA must make a decision within a period of two months of the end of the representation period or they must be referred to the [Schools Adjudicator](#).

## Two years notice of closure – voluntary and foundation schools

Instead of following the statutory process for closure, the governing body of a voluntary or foundation school may, subject to specified provisions<sup>3</sup>, give the Secretary of State and the LA at least two years' notice of their intention to close the school.

The trustees of a foundation or voluntary school must give their governing body at least two years notice if they intend to terminate the school's occupation of its site. The minimum two years' notice allows the LA and / or governing body time to make alternative arrangements for pupils.

## Closure of a community or foundation special school in the interests of pupils

The Secretary of State may direct<sup>4</sup> a LA to close a community special or foundation special school if she considers it is in the interests of the health, safety or welfare of the pupils. Prior to making the direction, the Secretary of State, must consult: the LA, any other LA who would be affected by the closure of the school; for a foundation special school with a foundation, the person who appoints the foundation governors; and any other persons the Secretary of State considers appropriate.

The Secretary of State must give notice in writing, of the direction, to both the governing body and head teacher of the school. The school must be closed on the date specified by the Secretary of State.

## Temporary school closures

A proposal to close a school is not required where a school will temporarily cease to operate due to a rebuild. Where a school operating over multiple sites proposes to cease operations on one (or more) of its sites the proposal will be for a [prescribed alteration](#) and not a school closure.

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<sup>3</sup> As outlined in section 30 of the SSFA 1998, and including those in the DBE Measure 1991.

<sup>4</sup> Section.17 of EIA 2006

## 4: The statutory process

The statutory process for opening<sup>5</sup> and closing<sup>6</sup> a maintained school has five stages:

Stage	Description	Timescale	Comments
Stage 1	Consultation	No prescribed timescale.	Informal / pre consultation. Recommended to last a minimum of 6 weeks. School holidays should be taken into consideration and avoided where possible. Likely to be no longer than 12 months.
Stage 2	Publication		Publication of the statutory notice and proposal
Stage 3	Representation	Must be 4 weeks, at least, from date of publication.	Formal consultation. As prescribed in the Establishment and Discontinuance of Schools Regulations and cannot be shortened or lengthened.
Stage 4	Decision	LA should decide a proposal within 2 months otherwise it will fall to the Schools Adjudicator.	Where permitted appeals must be made within 4 weeks of notification of the decision.
Stage 5	Implementation	No prescribed timescale.	However the date must be as specified in the published notice, subject to any modifications agreed by the decision-maker.

<sup>5</sup> Under sections 10 and 11 of EIA 2006

<sup>6</sup> Under section 15 of EIA 2006



## Consultation

Except where the school is a rural school or a special school where there are prescribed consultees (see [Annex A](#)), proposers of a school closure must consult organisations, groups and individuals they feel to be appropriate (the information in Annex A can be used for examples). The information that **MUST** be included in a closure proposal is set out at [Annex B](#). The information that **MUST** be included in a proposal to establish a new school under the section 10 or 11 processes is set out in [Annex C](#).

Where a LA or governing body carries out a preliminary (informal/ stage one) consultation to consider a range of options for a possible reorganisation, this would not be regarded as a statutory consultation as set out in legislation. The statutory consultation would need to cover the specific opening or closure proposal of the school in question.

How the stage one consultation is carried out is not prescribed in regulations and it is for the proposer to determine the nature of the consultation and its length (although a minimum of six weeks is recommended). It is best practice for consultations to be carried out in term time to allow the maximum number of people to respond. The Cabinet Office guidance on [Consultation principles](#) can be used for other examples of best practice.

## Publication

A statutory proposal should be published within 12 months of the stage one consultation period being completed. This is so that it can be informed by up-to-date feedback. A proposal must contain the information specified in either Schedule 1 for establishing a new school (see [Annex C](#)) or Schedule 2 for closing a school (see [Annex B](#)) of the Establishment and Discontinuance Regulations.

The full proposal must be published on a website (e.g. the school or LA's website) along with a statement setting out:

- how copies of the proposal may be obtained;
- that anybody can object to, support, or comment on, the proposal;
- the date that the representation period ends; and
- the address to which objections or comments should be submitted.

A brief notice (including details on how the full proposal can be accessed e.g. the website address) must be published in a local newspaper and in a conspicuous place on the school premises and at all of the entrances to the school.

Within one week of the date of publication of a section 10 or 11 proposal to open a new school, the proposer **MUST** send a copy of the proposal to the LA which it is proposed would maintain the school.

On the day of publication of a proposal to close a school the proposer **MUST** send a copy of the proposal to the governing body/LA (as appropriate).

In all cases, within one week of the date of publication on the website, the proposer **MUST** send a copy of the proposal and the information set above to:

- the Secretary of State ([schoolorganisation.notifications@education.gsi.gov.uk](mailto:schoolorganisation.notifications@education.gsi.gov.uk));
- the parents of every registered pupil at the school - where the school is a special school;
- the local Church of England diocese;
- the local Roman Catholic diocese; and
- any other body or person that the proposer thinks is appropriate (e.g. relevant faith group).

Within one week of receiving a request for a copy of the proposal the proposer must send a copy to the person requesting it.

## Related proposals

A proposal for one change can be linked to another proposal(s) for example such an amalgamation where two schools are closing and are to be replaced by a completely new school or if the need for the closure arises from an area-wide reorganisation such as a result of long-term LA planning.

In these cases this should be made clear in any informal or formal consultation processes, in published notices and proposals. All notices should be published together / or as one notice (e.g. where one school is to be enlarged because another is being closed a single notice could be published) and specified as 'related'.

Decisions on 'related' proposals should also be made at the same time.

## Representation

The representation period starts on the date of publication of the statutory proposal and must last for at least four weeks. During this period, any person or organisation can submit comments on the proposal, to the LA, to be taken into account by the decision-maker. It is also good practice for representations to be forwarded to the proposer to ensure that they are aware of local opinion.

## Decision

The LA will be the decision-maker on a school closure proposal, unless the closure proposal is 'related' to another proposal that is to be decided by the [Schools Adjudicator](#).

The Schools Adjudicator will decide LA proposals for new schools (and cases where the LA are involved in the Trust of a proposed foundation school). The LA will decide proposals for new schools from other proposers.

If the LA does not make a decision within a period of two months of the end of the representation period, they must, within a week of the end of the two month period, refer the case to the Schools Adjudicator.

However, the body or individual that takes the decision must have regard to the statutory '[Decision-makers Guidance](#)'.

When issuing a decision, the decision-maker can:

- reject the proposal;
- approve the proposal without modification;
- approve the proposal with such modifications, as the LA think desirable, after consulting the LA and/or governing body (as appropriate); or
- approve the proposal – with or without modification – subject to certain conditions<sup>7</sup> (such as the granting of planning permission) being met.

A proposal can be withdrawn by the proposer at any point before a decision is taken. When doing so the proposer must send written notice to the LA and the [Schools Adjudicator](#) (if the proposal has been sent to them). A notice must also be placed on the website where the original proposal was published.

Within one week of making a determination the decision-maker must arrange (via the proposer as necessary) for their decision and the reasons for it to be published on the website where the original proposal was published. They must arrange for notification of the decision and reasons for it to be sent to:

- The Secretary of State (via [schoolorganisation.notifications@education.gsi.gov.uk](mailto:schoolorganisation.notifications@education.gsi.gov.uk))
- the LA (where the Schools Adjudicator is the decision-maker);
- the governing body/proposers (as appropriate);
- the trustees of the school (if any);
- the local Church of England diocese;
- the local Roman Catholic diocese;
- for a special school, the parents of every registered pupil at the school; and
- any other body considered appropriate (e.g. other relevant faith organisation).

## **Rights of appeal against a decision**

Within four weeks of the decision being made the following bodies may appeal to the Schools Adjudicator against a decision made by a LA:

- the local Church of England diocese;
- the local Roman Catholic diocese;

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<sup>7</sup> As specified in Part 5 (20) of the Establishment and Discontinuance Regulations

- the proposers of section 10 and 11 proposals where the LA is the decision-maker; and
- the governors and trustees of a foundation, foundation special or voluntary school that is subject to a proposal for closure

On receipt of an appeal, an LA decision-maker must then send the proposal, representations received and the reasons for their decision to the [Schools Adjudicator](#) within one week of receipt.

There is no right of appeal on determinations made by the Schools Adjudicator.

## Implementation

There is no maximum limit on the time between the publication of a proposal and its proposed date of implementation. However, proposers will be expected to show good reason (for example an authority-wide reorganisation) if they propose a timescale longer than three years.

The proposer must implement a proposal in the form approved, taking into account any modifications made by the decision-maker.

The school organisation team will make the necessary changes to the school(s) EduBase record(s).

## Modification post determination

If it proves necessary, due to a major change in circumstance, or unreasonably difficult to implement a proposal as approved, the proposer can propose modifications (for example to the implementation date) to the decision-maker before the approved implementation date. However, proposals cannot be modified to the extent that new proposals are substituted for those that have been published.

## Revocation

If the proposer cannot implement an approved proposal because circumstances have changed (so that implementation would be inappropriate or unreasonably difficult) the proposer must publish a revocation proposal, to be relieved of the duty to implement. A revocation proposal must contain:

- a description of the original proposal as published;
- the date of the publication of the original proposal; and
- a statement as to why the duty to implement the original proposal should not apply.

The proposer must publish the revocation proposal on the website (where the original proposal was published) and a brief notice of the proposal in a local newspaper. Details of what must be included in this notice are the same as in the [publication section](#).

Where the proposer is the governing body it must send the revocation proposal to the LA within one week of the date of publication on the website. Where the original proposal was decided by the [Schools Adjudicator](#) the LA must refer the revocation proposal together with any comments or objections within two weeks of the end of the representation period to the Schools Adjudicator.

The LA decision-maker, who must determine the revocation proposal within two months of the end of the representation period, must arrange for the revocation decision to be published on the website where the original proposal and revocation proposal were published. The LA decision-maker must notify those with a [right of appeal](#) of the revocation and their reasons for doing so.

## Annex A: School closure consultations

In the case of the closure of a rural primary school or a community or foundation special school proposers **must**, under section 16(1) of EIA 2006 consult:

- The LA (as appropriate);
- The registered parents of registered pupils at the school;
- where the LA is a county council the local district or parish council where the school that is the subject to the proposal is situated; and
- in the case of a special school – any LA which maintains an EHC plan or statement of special educational needs in respect of a registered pupil at the school.

The Secretary of State considers that these bodies, along with those listed below should be consulted in the case of the proposed closure of all schools:

- the governing body (as appropriate);
- pupils at the school<sup>8</sup>;
- (if a proposal involves, or is likely to affect a school which has a particular religious character) the appropriate diocese or relevant faith group<sup>9</sup>;
- the trustees of the school (if any);
- teachers and other staff at the school;
- any LA likely to be affected by the proposal, in particular neighbouring authorities where there may be significant cross-border movement of pupils;
- the governing bodies, teachers and other staff of any other school that may be affected;
- parents of any pupils at other schools who may be affected by the proposal including where appropriate families of pupils at feeder primary schools;
- any trade unions who represent staff at the school; and representatives of any trade union of staff at other schools who may be affected by the proposal;
- MPs whose constituencies include the school that is the subject of the proposal or whose constituents are likely to be affected by the proposal; and
- any other interested organisation / person that the proposer thinks are appropriate.

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<sup>8</sup> Under section 176 of the Education Act 2002.

<sup>9</sup> Under the DBE Measure 1991 Church of England schools must consult with their diocese before making closure proposals.

## **Annex B: Statutory proposals for school closures**

As set out in Schedule 2 to the Establishment and Discontinuance Regulations the information below **must** be included in a proposal to close a school:

### **Contact details**

The name and contact address of the local authority or governing body publishing the proposals and the name, address and category of the school it is proposed that should be discontinued.

### **Implementation**

The date on which it is proposed to close the school or, where it is proposed that the closure be implemented in stages, the dates of and information about each stage.

### **Reason for closure**

A statement explaining the reason why closure of the school is considered necessary.

### **Pupil numbers and admissions**

The numbers (distinguishing between compulsory and non-compulsory school age pupils), age range, sex, and special educational needs of pupils (distinguishing between boarding and day pupils) for whom provision is currently made at the school.

### **Displaced pupils**

A statement and supporting evidence about the need for school places in the area including whether there is sufficient capacity to accommodate displaced pupils.

Details of the schools or further education colleges at which pupils at the school to be discontinued will be offered places, including—

- a) any interim arrangements;
- b) the provision that is to be made for those pupils who receive educational provision recognised by the local authority as reserved for children with special educational needs; and
- c) in the case of special schools, the alternative provision made by local authorities other than the local authority which maintain the school.

Details of any other measures proposed to be taken to increase the number of school or further education college places available in consequence of the proposed discontinuance.

## **Impact on the community**

A statement and supporting evidence about the impact on the community of the closure of the school and any measures proposed to mitigate any adverse impact.

## **Rural primary schools**

Where proposals relate to a rural primary school designated as such by an order made for the purposes of section 15, a statement that the local authority or the governing body (as the case may be) considered section 15(4).

## **Balance of denominational provision**

Where the school has a religious character, a statement about the impact of the proposed closure on the balance of denominational provision in the area and the impact on parental choice.

## **Maintained nursery schools**

Where proposals relate to the discontinuance of a maintained nursery school, a statement setting out—

- d) the local authority's assessment of the quality and quantity of the alternative provision compared to the school proposed to be discontinued and the proposed arrangements to ensure the expertise and specialism continues to be available; and
- e) the accessibility and convenience of replacement provision for local parents.

## **Sixth form provision**

Where the school proposed to be discontinued provides sixth form education, the effect for 16 to 19 year olds in the area that the closure will have in respect of—

- a) their educational or training achievements;
- b) their participation in education or training; and
- c) the range of educational or training opportunities available to them.

## **Special educational needs provision**

Where existing provision that is recognised by the local authority as reserved for pupils with special educational needs is being discontinued, a statement as to how the local authority or the governing body (as the case may be) believe the proposals are likely to lead to improvements in the standard, quality and/or range of the educational provision for these children.



## Travel

Details of length and journeys to alternative provision.

The proposed arrangements for travel of displaced pupils to other schools including how the proposed arrangements will mitigate against increased car use.

## **Annex C: Statutory proposals for establishing a new school.**

As set out in the Establishment and Discontinuance Regulations the information below must be included in section 10 and 11 proposals to establish a new school:

### **Contact details**

The name and contact address of the LA or the proposers (as the case may be).

### **Implementation**

The date on which it is proposed that the school be opened or, where it is proposed that the opening be implemented in stages, the dates of and information about each stage.

Where the proposals are to establish a voluntary, foundation or foundation special school, a statement as to whether the proposals are to be implemented by the local authority or by the proposers, and if the proposals are to be implemented by both,

(a) a statement as to the extent that they are to be implemented by each body, and

(b) a statement as to the extent to which the capital costs of implementation are to be met by each body.

### **Reason for the new school**

A statement explaining the reason why the new school is considered necessary and whether it is to replace an existing school or schools.

### **Category**

The category of school that it is proposed be established (a foundation or foundation special school and, if so, whether it is to have a foundation, a voluntary school, a community or community special school, or a local authority maintained nursery school) and, if required by section 10, a statement that the Secretary of State's consent has been obtained to publish the proposals.

### **Ethos and religious character**

A short statement setting out the proposed ethos of the school, including details of any educational philosophy, which it is proposed that the school will adhere to.

If it is proposed that the school is to have a religious character, confirmation of the religion or religious denomination in accordance with whose tenets religious education will, or may be required to be provided at the school; and a statement that the proposers

intend to ask the Secretary of State to designate the school as a school with such a religious character.

Where it is proposed that the school—

(a) has a religious character, evidence of the demand in the area for education in accordance with the tenets of the religion; or

(b) adheres to a particular philosophy, evidence of the demand for education in accordance with that philosophy that is not already met in other maintained schools or Academies in the area.

## **Pupil numbers and admissions**

The numbers (distinguishing between compulsory and non-compulsory school age pupils), age range, sex, and special educational needs of pupils (distinguishing between boarding and day pupils) for whom provision is to be made at the school.

## **Admission arrangements**

Except in relation to proposals for special schools, the proposed admission arrangements and over-subscription criteria for the new school including, where the school is proposed to be a foundation or voluntary school which is to have a religious character—

(a) the extent to which priority for places is proposed to be given to children of the school's religion or religious denomination; and

(b) the extent, if any, to which priority is to be given to children of other religions or religious denominations or to children having no religion or religious denomination.

## **Early years provision**

Where the proposals are to include provision for pupils aged two to five—

(a) details of how the early years provision will be organised, including the number of full-time and part-time pupils, the number of places, the number and length of sessions in each week, and the services for disabled children that will be offered;

(b) how the school will integrate the early years provision with childcare services, and how the proposals for the establishment of the school are consistent with the integration of early years provision with childcare;

(c) evidence of parental demand for additional provision of early years provision;

(d) assessment of capacity, quality and sustainability of provision in schools, and in settings outside of the maintained school sector which deliver the Early Years Foundation Stage within three miles of the school; and

(e) the reasons why schools and settings outside the maintained school sector which deliver the Early Years Foundation Stage within three miles of the school

and which have spare capacity, cannot make provision for any forecast increase in the numbers of such children.

## **Sixth form provision**

Where it is proposed that the school will provide sixth form education, how for 16 to 19 year olds in the area the proposals will—

- (a) improve the educational or training achievements;
- (b) increase participation in education or training; and
- (c) expand the range of educational or training opportunities available to them.

## **Special educational needs provision**

Whether the school will have provision that is recognised by the LA as reserved for children with special educational needs and, if so, the nature of such provision.

Details of the proposed policy of the school relating to the education of pupils with special educational needs.

Where the school will replace existing educational provision for children with special educational needs—

- (a) a statement on how the proposer believes the proposal is likely to lead to improvements in the standard, quality and range of educational provision for these children;
- (b) details of the improvements that the proposals will bring in respect of—
  - (i) access to education and associated services including the curriculum, wider school activities, facilities and equipment with reference to the local authority's Accessibility Strategy;
  - (ii) access to specialist staff, both education and other professionals, including any external support or outreach services;
  - (iii) access to suitable accommodation; and
  - (iv) supply of suitable places.

## **Single sex school**

Where the school is to admit pupils of a single sex—

- (a) evidence of local demand for single sex education and how this will be met if the proposals are approved; and
- (b) a statement giving details of the likely effect the new school will have on the balance of provision of single sex education in the area.

## **Curriculum**

Confirmation that the school will meet the general requirements in relation to the curriculum contained in section 78 of EA 2002 and an outline of any provision that will be in addition to the basic curriculum required by section 80 of EA 2002, in particular any 14-19 vocational education.

## **Relevant experience of proposers**

Evidence of any relevant experience in education held by the proposers including details of any involvement in the improvement of standards in education.

## **Effects on standards and contributions to school improvement**

Information and supporting evidence on—

- (a) how the school will contribute to enhancing the diversity and quality of education in the area; and
- (b) how the school will contribute to school improvement.

## **Location and costs**

A statement about—

- (a) the area or particular community or communities which the new school is expected to serve;
- (b) the location of the site or sites including, where appropriate, the postal address or addresses;
- (c) the current ownership and tenure (freehold or leasehold) on which the site will be held, and if the site is to be held on a lease, details of the proposed lease;
- (d) whether the site is currently used for the purposes of another school and if so why the site will no longer be required by the other school;
- (e) the estimated capital costs of providing the site and how those costs will be met (including the extent to which the costs are to be met by the proposers and the local authority) and how the proposers intend to fund their share of the costs of implementing the proposals (if any);
- (f) whether planning permission is needed under the Town and Country Planning Act 1990, and when it is anticipated that it will be obtained;
- (g) confirmation from the Secretary of State or LA (as the case may be) that funds will be made available (including costs to cover any necessary site purchase).

## **Travel**

The proposed arrangements for travel of pupils to the school.

## **Federation**

Details of any proposals for the school to be established as a federated school.

## **Voluntary aided schools**

Where the school is to be a voluntary aided school—

- (a) details of the trusts on which the site is to be held; and
- (b) confirmation that the governing body will be able and willing to carry out their obligations under Schedule 3 to SSFA 1998.

## **Foundation schools**

Where the school is to be a foundation or foundation special school, confirmation as to—

- (a) whether it will have a foundation and if so, the name or proposed name of the foundation;
- (b) the rationale for the foundation and the particular ethos that it will bring to the school;
- (c) the details of membership of the foundation, including the names of the members;
- (d) the proposed constitution of the governing body; and
- (e) details of the foundation's charitable objects.

## **Independent schools entering the maintained sector**

Where a school is an independent school entering the maintained sector—

- (a) a statement that the requirements of section 11(3) are met;
- (b) a statement as to whether the premises will meet the requirements of the School Premises (England) Regulations 2012(4) and, if not,
  - (i) details of how the premises are deficient; and
  - (ii) details of how it is intended to remedy the deficiency.

## Annex D: Further Information

This guidance primarily relates to:

- [The Education and Inspections Act 2006](#), as amended by the [Education Act 2011](#)
- [The School Standards and Framework Act 1998](#), as amended by the [Education Act 2002](#)
- [The School Organisation \(Establishment and Discontinuance of Schools\) Regulations 2013](#)
- [The School Organisation \(Prescribed Alterations to Maintained Schools\) \(England\) Regulations 2013](#)
- [The free school presumption – Departmental advice for local authorities and new school proposers \(July 2015\)](#)
- [Establishing New Maintained Schools – departmental advice for local authorities and new school proposers \(2013\)](#).
- [Presumption against the closure of primary schools](#)
- [Rural and Urban Area Classification](#)
- [The Religious Character of Schools \(Designation Procedure\) Regulations 1998](#)
- [How to apply for religious designation](#)
- [Guidance for decision-makers](#)
- [Schools Adjudicator](#)
- [School Admissions Code](#)

It also relates to:

- [School Governance \(Constitution\) \(England\) Regulations 2012](#)
- [School Governance \(Roles, Procedures and Allowances\) \(England\) Regulations 2013](#)
- [Governors handbook](#).
- [School Premises \(England\) Regulations 2012](#)
- [The School Companies Regulations 2002](#) as amended by the [2003 Regulations](#) and the [2014 Regulations](#)
- [Change your charity's governing document](#)
- [Academies Act 2010](#)
- [Making Significant Changes to an Existing Academy \(2014\)](#);
- [Regional Schools Commissioner](#)
- [Consultation principles](#)



Department  
for Education

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