

CHILDREN AND FAMILIES OVERVIEW AND SCRUTINY COMMITTEE
26 September 2023
School closures and Governance

A briefing on :

1. School closures, process, and academies
2. Are closures and a lack of Governors related?
3. Governor recruitment, training and retention

YPOSC
26 September 2023
School closures and Governance

Background

- Education landscape
 - Vulnerable schools and closures
 - Educational challenges for small schools
 - Financial aspects for small schools
 - Monitoring, support and intervention
1. Closure process and academies
 2. The role of Governors
 3. Governor recruitment, training and retention

Landscape of Education in North Yorkshire (1 Sept 2023)

- 358 schools
- 211 are LA maintained (60%)
- 147 are Academy Schools (40%)

Landscape of Education in North Yorkshire (1 Sept 2023)

147 Academy Schools in 32 Trusts

- 113 Primary (38%)
- 28 Secondary (67%)
- 4 Special Schools (40%)
- 1 Academy Alternative Provision (formerly PRU) (20%)
- 1 UTC (100%)

Landscape of Education in North Yorkshire (1 Sept 2023)

Comparative size of schools

Average number on roll in Primary Academies - 167

Average number on roll in LA Maintained Primary Schools - 126

Average number on roll in Secondary Academies - 922

Average number on roll in LA Maintained Secondary Schools - 746

Landscape of Education in North Yorkshire (1 Sept 2023)

211 LA maintained schools

- 3 Nursery (100%)
- 184 Primary (62%)
- 14 Secondary (33%)
- 6 Special Schools (60%)
- 4 Pupil Referral Units (80%)

Landscape of Education in North Yorkshire (1 Sept 2023)

184 LA maintained primary schools –
Designation

- 86 Community Primary
- 21 Voluntary Aided Primary
- 76 Voluntary Controlled Primary
- 1 Foundation Primary

Landscape of Education in North Yorkshire (Feb 2023)

Numbers by area - Secondary

	Secondary inc Y12 & Y13					
	Actual	Actual	Actual	Forecast	Change	Change
	2017/18	2020/21	2022/23	2024/25	No.	%
Craven	4675	4816	5062	5307	632	13.5
Hambleton	4497	4245	4432	4568	71	1.6
Harrogate	11498	11523	11332	11154	-344	-3.0
Richmondshire	2726	2777	2802	2842	116	4.3
Ryedale	3095	3403	3425	3435	340	11.0
Scarborough	5093	5073	5088	5159	66	1.3
Selby	4795	5050	5214	5355	560	11.7
Total	36379	36887	37355	37820	1441	4.0

Landscape of Education in North Yorkshire (Feb 2023)

Numbers by area - Primary

	Primary					
	Actual	Actual	Actual	Forecast	Change	Change
	2017/18	2020/21	2022/23	2024/25	No.	%
Craven	3919	3964	3967	3970	51	1.30
Hambleton	6115	5979	5944	5948	-167	-2.73
Harrogate	11117	11022	10839	10765	-352	-3.17
Richmondshire	3582	3493	3407	3269	-313	-8.74
Ryedale	3552	3521	3410	3361	-191	-5.38
Scarborough	7507	7292	7193	7015	-492	-6.55
Selby	6893	7048	7245	7324	431	6.25
Total	42685	42319	42005	41652	-1033	-2.42

Vulnerable Schools and closures

School closures

16 Primary schools have closed since August 2017

- Drax Community Primary School – Aug 2017 – Selby area
- Horton in Ribblesdale CE Primary School – Aug 2017 – Craven area
- Rathmell CE Primary School – Aug 2017 – Craven area
- Ingleby Arncliffe CE VA Primary School – Dec 2017 – Hambleton area
- Swainby & Potto Ce VA Primary School - Dec 2017 – Hambleton area
- Ings Community Primary School – Dec 2017 – Craven area
- Burnt Yates CE Primary School – Aug 2018 – Harrogate area
- Arkengarthdale CE Primary School – Aug 2019 – Richmondshire area

School closures

16 Primary schools have closed since August 2017

- Clapham CE VC Primary School – Aug 2020 – Craven area
- St Hilda's RC Primary School, Whitby – April 2021 – Scarborough area
- Kell Bank CE Primary School – Aug 2021 – Harrogate area
- Weaverthorpe CE Primary – Aug 2022 – Ryedale area
- Baldersby St James (**Academy**) – Aug 2022 – Harrogate area
- Woodfield CP School – Dec 2022 - Harrogate area
- Hovingham CE VC Primary – April 2023 – Ryedale area
- Skelton Newby Hall CE Primary – Aug 2023 – Harrogate area

School closures – via amalgamation

The amalgamation of the two Whitby secondary schools will involve the technical closure of Eskdale School and site. The proposal was determined by NYC Executive in April 2023. To be implemented September 2024.

The amalgamation of the Infant and Junior Schools at Wavell in Catterick, would involve the technical closure of the Junior School as a separate entity. The statutory representation period is currently live until 9 October. The proposal, if approved, is scheduled for implementation in April 2024.

School closures

The Rural presumption:

There is a presumption against the closure of (officially designated) 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'*.

Educational challenges for small schools

Challenges in leading small schools

- Costs can prohibit schools from having their 'own' headteacher
- Some heads have teaching roles alongside HT duties
- Time constraints for leaders can impact on
 - time for strategic planning activity
 - time for monitoring and school improvement activity
 - opportunities for development of staff incl HTs
- Salaries for leaders are typically lower than in larger schools - recruitment and retention of leaders can mean temporary arrangements are necessary
- Small leadership teams mean that each person has a wider set of roles and priorities, this can prolong improvement activity

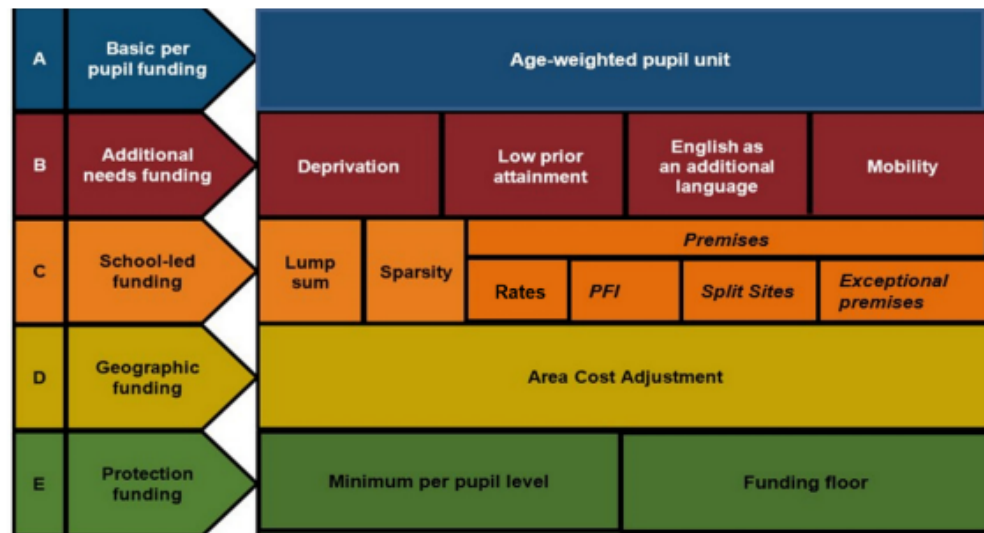
Challenges in leading small schools

- New and inexperienced teachers may not benefit from as much CPD but may be required to teach multiple year groups
- Buildings are often older, relatively more expensive to run and were not designed for modern teaching methods
- Targeted support for individual pupils can be a challenge
- Curriculum breadth and depth is more difficult to achieve in mixed age classes

Financial aspects for small schools

How NY schools are funded (recap)

- The funding for 5 – 16 year old pupils in mainstream schools is determined by the DfE direct National Funding Formula (NFF)
- North Yorkshire reflects the NFF funding formula factor values in its local school funding formula (used to calculate funding for both LA maintained schools & academies in North Yorkshire)
- Individual school funding for a financial year is based on the number of pupils recorded on the previous October school census e.g. October 2022 pupil numbers provide the basis of the funding for the 2023/24 financial year (starting 1st April 2023 – LA maintained schools)
- The NFF funding formula factors are:



2023/24 School Financial Pressures

- School budgets continue to experience significant cost pressures in the 2023/24 financial year. Cost pressures include:
 - September 2023 teachers pay award of 6.5% (additional separate DfE grant funding support teacher's pay award costs above 3.5%)
 - A National Employers offer of £1,925 on NJC salary points 2 to 43 and 3.88% increase for salary points 44 and above from 1st April 2023. This equates to a 9.4% increase for the lowest paid employees. (no additional funding provided)
 - Ongoing high levels of inflation.
 - Cost pressures associated with supporting an increasing number of pupils with SEND
 - Below forecast inflation increases in school funding provided by Government for the 2022/23, 2023/24 & 2024/25 financial years.

2023/24 School Financial Pressures

The table below provides a summary of school revenue deficits over recent years and forecasted deficits for the current year.

Financial Year	Primary (incl. Nursery)		Secondary		Special (incl. PRU)		Total	
	No. Schools In Deficit	Average Deficit £'000	No. Schools In Deficit	Average Deficit £'000	No. Schools In Deficit	Average Deficit £'000	No. Schools In Deficit	Average Deficit £'000
2015/2016	22	-16.4	3	-325.7	0	0	25	-53.5
2016/2017	21	-24.7	7	-242.5	2	-294.2	30	-93.5
2017/2018	44	-22.2	9	-275.9	1	-967.8	54	-82.0
2018/2019	35	-33.9	8	-384.6	4	-435.6	47	-127.8
2019/2020	26	-45.4	6	-520.8	5	-584.0	37	-195.3
2020/2021	11	-54.1	6	-596.5	5	-659.6	22	-339.7
2021/2022	15	-54.0	5	-690.7	4	-473.4	24	-256.5
2022/2023	21	-51.3	5	-672.5	5	-424.5	31	-211.7
2023/2024	23	-57.9	6	-606.1	5	-512.0	34	-213.3

2023/24 School Financial Pressures

The projected cumulative revenue outturn position for future years, as reported in school 2023/24 Start Budgets is outlined below:

REVENUE BALANCES	PRIMARY & NURSERY	SECONDARY	SPECIAL	PRU	TOTAL
Actual Revenue Balance (March 2023)	15,054	-973	-887	753	13,947
Projected Start Budget (March 2024)	10,890	-1,968	-1,747	556	7,731
Projected Start Budget (March 2025)	3,329	-3,372	-2,674	341	-2,376
Projected Start Budget (March 2026)	-9,643	-6,234	-4,166	16	-20,027

Local Authority Support for Schools in Financial Difficulty

The Local Authority adopts a number of measures to support schools facing financial difficulty:

- the use of a financial risk rating framework to determine the level of support, challenge and intervention undertaken at individual school level, including the use of Notices of Financial Concern where deemed appropriate. Currently, six schools are subject to a Notice of Financial Concern.
- the undertaking of School Resource Management reviews in individual schools where this has been identified as an appropriate intervention through the risk rating process. The reviews are based on the DfE School Resource Management Adviser (SRMA) model and are undertaken by LA staff, many of whom have the SRMA accreditation;
- review of the Schools Financial Value Standard (SFVS) and Resource Management dashboard in financially challenged schools;
- continuing the promotion of school collaboration and the sharing of best practice in terms of effective resource management between schools;
- the provision of Headteacher and Governor finance briefings and training;
- continuing to lobby DfE for fairer funding for North Yorkshire schools, especially in relation to small, rural secondary schools.



Monitoring, support and intervention



Monitoring

A risk based approach taking account of indicators across the 3 key elements:

- **Pupil numbers**
 - Number on roll and expected increase or decrease
 - In area cohort and retention rate
 - Outstanding housing developments
- **Educational performance**
 - Pupil outcomes
 - Current inspection outcome and progress made to areas for improvement
 - Leadership and governance capacity
 - Proximity to inspection window
- **Finance**
 - Accumulated budgets (surplus of deficit) 3-year forecast
 - The extent of any change in budget
 - Potential impact as indicated in a financial recovery plan (where relevant)

Support and intervention

SCHOOL A: Universal support for all LA schools

SCHOOL B: Bespoke support, delivered by individual service areas including, strategic planning, school improvement and schools finance. Monitoring at service leadership level.

SCHOOL C: Coordinated support for schools needing two or more services to be delivered collaboratively. Joint monitoring by senior managers

Closure process and academies

LA Maintained School closure process

Process can be instigated by the Governing Board (preferred) or by Officers.

An 8 step process:

1. Consideration of viability – business as usual activity for several schools
2. Request to consult – usually following a GB resolution – concerns in the public domain
3. Approval to consult (Executive Member for Education, Learning and Skills)
4. Consultation – guidance for 6 weeks in term-time, includes a public meeting
5. NYC Executive review the consultation – halt or proceed
6. Publication of statutory notice and proposal – allows a further 4 weeks for representations
7. NYC Executive review and determine (or Executive Member for Education, Learning and Skills if no objections)
8. Implementation – closure date

A separate process for staff runs in parallel



Academy School closure process

A different process, notably that

- The Secretary of State is the decision maker - Guidance on closure 'by mutual agreement with the Secretary of State'
- NYC are only a consultee – although NYC need to agree to the closure of a designated rural academy
- The school's community are involved at a much later stage, after a substantive decision has already been taken

Academy School closure process

A six stage process:

1. Consideration of closure – engagement with NYC officers required
2. Seeking an in principle agreement – where appropriate consent of the Trustees or Diocese is required
3. In principle decision – The Regional Director makes a recommendation to the Secretary of State who decides whether, in principle, the funding agreement should be terminated and the academy closed
4. Seeking a substantive decision on closure – various activities by the Department (DfE) and Trust at this stage including:
 - Updating VFM and viability assessments
 - Developing a communications plan
 - Exploring availability of other schools (with NYC officer input)
 - Exploring land/ lease arrangements in advance of termination

Academy School closure process

5. Substantive closure decision - The Secretary of State decides whether the funding agreement should be terminated and the academy closed

Following a substantive decision from the Secretary of State to proceed to closure, the academy trust should share news of the closure with pupils, parents, staff, unions, relevant local authorities and schools elsewhere in the local area at the earliest opportunity and conduct a listening period.

The listening period is an opportunity for stakeholders and interested parties to be provided with information as to why the school is closing and how it is proposed the closure process will operate. Likewise, it is an opportunity for stakeholders and interested parties to submit their views on how the school closure process can be best managed.

This is the first time that the proposal is in the wider public domain and the first opportunity for the Council to express it's formal view via the Executive.

Academy School closure process

*The listening period should normally take place over a period of no fewer than 4 weeks (during term time, and not school holidays). It should be made clear that **the decision to close the school has been made**, and the rationale for closure should be set out. The academy trust should set out the plans it intends to put in place to transfer pupils to schools elsewhere in the local area. It should also let people know the proposed timeline for closure*

6. Approval and implementation of the closure plan - The Secretary of State will consider the outcome of the listening period and give permission for the trust to announce details of the closure. At this point NYC officers are responsible for securing alternative schools for the displaced pupils, usually undertaken via a co-ordinated preference exercise

The role of Governors

The role of Governors

Governance responsibilities

There are three key roles for governors –

- **strategic direction**
- holding leaders to account for **performance** of the school
- **financial oversight**

These directly relate to the three key areas for officer monitoring

The role of Governors

Are closures and a lack of Governors related?

Good governance **is not about** the pure number of governors

- However, governors are volunteers and capacity can be an issue for individual boards
- Conversely, too many governors can hamper effective debate and decision making
- Poor governance, irrespective of the number of board members, can increase the vulnerability of a school

The role of Governors

Are closures and a lack of Governors related ?

Good governance **is about** the quality and rigor of governance in undertaking the three key roles

- Governors positive influence over strategic direction, performance and finance can help a school remain educationally and financially viable
- However, a school closure can become necessary despite good governance
- Recognising that a school should be proposed for closure can be good governance

Support for governance in LA schools - Governor, recruitment, training and retention

- Access to the School Improvement offer, incl. a named contact and in-person work
- Access to school improvement visit reports
- Attendance of LA officers at relevant Governing Board meetings
- Training packages via NYES – majority is online
 - SLA for governor support
 - SLA for clerking
 - Bespoke training if requested
- Support for HT recruitment
- LA and diocese liaison where applicable
- **New joined-up clerking and governance service from January 2024