

REPORT TO: Executive Board

DATE: 19 May 2008

PRESENTED BY: Strategic Director – Children and Young People

SUBJECT: Statutory Consultation for Fairfield High and Wade Deacon High School

WARDS: Borough-wide

1.0 PURPOSE OF REPORT

- 1.1 This report summarises the response to the statutory consultation on the closure of Fairfield High School and the expansion of Wade Deacon High School. An outline of the decision-making process is also included.
- 1.2 A further report will be tabled for the consideration of Executive Board following the meeting of the Cross Party Members Advisory Group on 15th May 2008.

2.0 RECOMMENDATION:

- 2.1 That the Executive Board consider the recommendations on the Statutory Consultation as set out in the additional report following the Cross Party Members Advisory Group on 15th May 2008.**

3.0 BACKGROUND

- 3.1 In June and July 2007 extensive consultation was undertaken on the proposals to re-organise secondary and secondary special provision in the borough. As part of these proposals it was suggested that Fairfield High School be closed due to both current and forecasted pupil numbers. Fairfield High School's current capacity is 1160 pupils in total and 232 per year group, in September 2007 the school admitted only 99 pupils. It was also proposed that Wade Deacon High School be expanded from 1125 to 1350 pupils, as a successful and popular High School and that Ashley School be co-located on the Wade Deacon Site.
- 3.2 The Cross Party Members Advisory Group considered, in detail, the responses received to the first phase of consultation and evaluated all alternative proposals that had been submitted. The Advisory Group then made recommendations to the Executive Board. On 1st November 2007 Executive Board agreed to the recommendations of the Cross Party Members Advisory Group and proposed that revised proposals be considered and that a further stage of pre-statutory consultation be undertaken. As a response to the consultation and the need for sufficient provision for 3750 pupils in Widnes, it was proposed that Wade Deacon High School be increased to accommodate 1500 pupils, that Fairfield High close due to the current and

future decline in pupil numbers in Widnes and that Ashley School be co-located on the Wade Deacon site.

- 3.3 The second phase of consultation ended in December 2007. The response to the consultation was then considered by the Cross Party Members Advisory Group who again made recommendations to the Executive Board. On 12th December 2007 Executive Board agreed that statutory consultation could be undertaken in 2008 on the proposals to close Fairfield High School and expand Wade Deacon High School. The alternative option proposed by Fairfield High School was considered in detail however it was agreed that in its current form the proposal could not be supported. It was suggested that further details would be needed including more information on pupil numbers and the support of other schools. It was agreed that this feedback be reported back to the school in writing to allow them the opportunity to develop the proposal further should they wish to do so.
- 3.4 The re-location of Ashley School to the Wade Deacon site was agreed by Executive Board at its Special Meeting on 12th December 2007. No statutory consultation was required for this proposal. It was also agreed that zoning arrangements for admissions would be introduced for Widnes.
- 3.5 To minimise the impact on pupils, staff and the community should Fairfield High School closure be approved it was agreed that Wade Deacon High and Fairfield High governors should be encouraged to hard federate during the transitional period until the school closure. A paper on the benefits of entering a hard federation was produced and sent to both schools and discussions on hard federation were held. In January 2007 the Governing Bodies of both schools formally agreed in principle to consulting on establishing a hard federation if the outcome of the statutory consultation was closure. It was agreed that this would be a transitional arrangement only until September 2010, and that the two schools would only consult on the federation proposals should the proposal to close Fairfield High be approved.

4.0 STATUTORY CONSULTATION

- 4.1 Following advice from the DCSF School Organisation Unit and Legal Services one linked statutory notice was published on Thursday, 21st February 2008. The first part of this notice dealt with the position in relation to Fairfield High. It described the reason for closure as the continuing decline in pupil numbers. It also said that insufficient pupil numbers were forecast in Widnes to ensure the continued financial and curriculum viability of Fairfield High School. The date the closure would take effect would be 31st August 2010, with all Fairfield High pupils transferring to Wade Deacon from 1st September 2010. The notice explained that Wade Deacon would operate on split sites until its extension and modernisation had been completed in 2013. The notice described the position for any pupils with Special Educational Needs and the travel implications of closing Fairfield High School. The transitional arrangements to minimise disruption were listed as the commitment in principle of both the Governing Bodies of Fairfield High and Wade Deacon High to a hard federation should the closure proposal be approved. The notice advised that

further details of the proposal were available on the Halton bsf website and could also be found in the Executive Board report of 12th December 2007.

- 4.2 Part two of the notice described the proposal to expand Wade Deacon High School from 2010 so that it would have a Published Admission Number of 300 per year group. It proposed that all the pupils in Fairfield High School at the point of closure would transfer to Wade Deacon High School and that Wade Deacon would utilise both school sites. The notice advised that further details of the proposal were available on the Halton bsf website and could also be found in the Executive Board report of 12th December 2007
- 4.3 As part of the statutory consultation responses to the closure of Fairfield High had to be made within six weeks of the formal publication of the proposal, 21st February 2008. Any responses to the expansion of Wade Deacon High School had to be made within four weeks of the formal publication of the linked proposal. (See Appendix A for a copy of the published Statutory Notice)
- 4.4 In line with the guidance provided on statutory consultation the statutory notice was published in the local papers. Information on the dates of the public consultation meetings were also published for two weeks in the local papers. The notice detailed that further information on the proposals to close Fairfield High and expand Wade Deacon were contained on the bsf website and details of where copies could be obtained were provided., The presentations, notes of meetings and details of previous consultation were all provided on the website. In addition, copies of the notice and the dates of the consultation were provided to all Widnes Schools, Nursery, Infant, Junior, Primary and Secondary. All Widnes Governors received a copy of the notice along with the dates of the consultation meetings. Wade Deacon and Fairfield High displayed the notices at all entrances. Copies of the notice and invitations to the meetings were sent to all Trade Unions, Alliance representatives, Health Authority representatives, Neighbouring Authorities and Diocesan Authorities. In addition the notice and details of meetings were detailed on the website and displayed in the following venue:
- Warrington Road Children's Centre;
 - Upton Community Centre;
 - Widnes Direct Link;
 - Kingsway Children's Centre;
 - Municipal Building;
 - Chapelfield Community Centre;
 - Ditton Community Centre;
 - Ditton Children's Centre;
 - Ditton Direct Link; and
 - Ditton Library.
- 4.5 A joint staff and governor consultation meeting was held at Wade Deacon High School. Two meetings were held at Fairfield High School, one for staff

and the second for governors of the school. These meetings outlined the objective of statutory consultation and the process. A summary of the previous two consultations was provided. Governors and staff were advised that further detailed information on the previous consultations, the level of responses received, minutes of consultation meetings and details of those consulted with the Executive Board report and Cross Party Members Advisory Group papers had been placed on the BSF website so that they were easily accessible for them.

4.6 In addition, a further two public consultation meetings were held at The Foundry. A further meeting was held at the Stadium for staff and governors from Widnes Primary Schools.

4.7 Those people wishing to respond to the consultation were advised to put their views in writing to Operational Director, Legal, Organisational Development and Human Resources. Each response was then acknowledged and advised that their response would be considered as part of the process.

4.8 In total thirty six responses were received to the consultation. Twenty three of the responses agreed to the proposals to expand Wade Deacon. Thirteen responses disagreed to the proposal to close Fairfield High School. No alternative responses were received to the proposals. Appendix B provides a summary of the representation received for the closure of Fairfield High and Appendix C provides a summary of the representation received for the expansion of Wade Deacon High School.

4.9 There were a number of common themes in some of the responses disagreeing with the proposals to close Fairfield High School. These themes included:

- Traffic Congestion;
- School Size;
- Choice;
- Pupil Numbers;
- Split Site;
- Fairfield High School Site; and
- Shared Sports Facilities.

4.10 There were a number of common themes in the responses to the Wade Deacon High proposal. These themes included:

- Current success of Wade Deacon;
- Effectiveness of current Governors and Staff at Wade Deacon;
- Strong leadership; and
- Stability for pupils, staff and stakeholders;

5.0 DECISION

5.1 The Decision maker (Executive Board) must decide the proposal within two

months of the end of the representation period otherwise the decision must be referred to the Adjudicator for a decision. If referred to the Adjudicator the proposal and any representations must be forwarded to the school adjudicator within one week of the end of the two month representation period along with any representations received and not withdrawn. Appendix D details the issues the Decision maker needs to consider.

5.2 The Decision maker can decide to:

- Reject the proposals;
- Approve the proposals;
- Approve the proposals with a modification (e.g. the school closure date)
- Approve the proposals subject to them meeting a specific condition.

Conditional approval can only be granted in a limited number of circumstances related specifically to Academy provision or changes in admission arrangements relating to another school. A date by which the conditions should be met must be set.

5.3 The reason for the decision must be given whether it is approved or rejected it should also include the factors and criteria for the decision. A copy of the decision must be sent to:

- Each objector;
- The Secretary of State;
- LSC;
- Local C of E Diocese
- The Bishop of the RC Diocese; and
- The Office of the Schools Adjudicator.

5.4 If the closure of Fairfield High School is approved it is essential that the disruption to pupils, staff and the community is minimised in the transitional period. It is therefore suggested that the two schools be encouraged to enter into a collaboration agreement until a federation is agreed. The Governing bodies of both schools could agree to formally collaborate in Summer 2008. They could then agree to work formally together on a number of key areas such as staffing, budgets, data and site management.

5.5 In Summer 2008 both governing bodies would then need to determine whether they were willing to consult on establishing a hard federation. If both governing bodies agree to the consultation process this could commence in Autumn 2008 allowing the option for a hard federation to be established in Spring 2009.

6.0 FINANCIAL IMPLICATIONS

6.1 Maintaining surplus secondary provision does not represent value for money. As a secondary school's pupil numbers drop below 600 in order to maintain the curriculum the formula must provide the school with funding for the pupils within the school and additional funding of £2046.70 (2008/2009 rate) for every pupil below 600.

6.2 Should the decision be made to close Fairfield High School provision has been made within the Dedicated Schools Budget to meet the additional costs the school are likely to incur during the transitional period. The funding formula provides the following additional allowance for a closing school:

Year 1	£58,458
Year 2	£119,702
Year 3	£55,676

6.3 The funding formula also allows for additional funding to be provided for school operating on split sites. Funding for a full financial year for a school operating on split sites which are more than 400 yards apart totals £120,241.

6.4 There is also provision within the Halton Funding formula to provide schools that are developing as a result of a rationalisation programme to receive additional funding either over four financial years or five academic years. The current funding levels are as follows:

Year 1	£82,882
Year 2	£124,368
Year 3	£84,404
Year 4	£45,968
Year 5	£13,519

6.5 Under the BSF Workforce Strategy, developed and agreed with the Trade Unions, there is the facility for an annual discretionary compensatory payment to be made to retain staff. The governors and headteacher of a school directly affected by the rationalisation of secondary provision can identify staff in shortage areas, who have indicated that they wish to retire or leave but are required in order to ensure the quality of education of pupils is unaffected throughout the transition process. The retention allowance equates to two months salary for year 1, a further 2 months additional salary for year 2 and a further additional two months salary for year 3. The final decision on who receives this allowance will be made by the Strategic Director after consultation with the appropriate headteacher.

6.6 Funding for the capital development of Wade Deacon High school will be through the BSF funding envelope. The detailed costs of this work will be available at Outline Business Case.

7.0 OTHER IMPLICATIONS

- 7.1 A comprehensive review of the transport and access arrangements will be undertaken to ensure there is safe, accessible and sustainable provision to all schools. Assistance will be provided for those pupils who meet the criteria of the Authority's Transport Policy. The BSF Workforce Strategy details the additional support available to staff whilst there is split site working.

8.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

8.1 Children and Young People

By undertaking a secondary school re-organisation and entering into the BSF Programme the authority aim to transform secondary provision for all children and young people and improve the facilities for the secondary workforce.

8.2 Employment Learning and Skills in Halton

Through access to an excellent secondary school for all pupils, standards will improve providing greater employment prospects for Halton's Children and Young People.

8.3 A Healthy Halton

In developing its secondary schools for the future the authority will demonstrate how it will enable schools to meet the school sport Public Service Agreement through its capital investment and achieve high nutritional standards and encourage healthy living and eating.

8.4 A Safer Halton

Schools for the future will be designed to ensure that children, staff and other community users feel safe and secure on schools sites.

8.5 Halton's Urban

Through the BSF Halton schools will become a major resource for communities they serve and will be designed to offer shared community facilities, linking to other wider regeneration projects as well as being the focus for the local delivery of children's services.

9.0 RISK ANALYSIS

Secondary school re-organisation must be completed for the Building Schools for the Future Programme. A full risk register is available for the BSF Programme.

- 9.1 Disruption to staff, pupils and the community must be kept to a minimum during the transitional process and standards must not only be maintained but continue to improve. Additional resources will be provided to both schools and increased support will be available including commissioned external specialist consultants.

10.0 EQUALITY AND DIVERSITY ISSUES

- 10.1 The proposals for the re-organisation of Halton's secondary and secondary special provision seek to provide choice and diversity, promote inclusion and access. Wade Deacon High school will be remodelled and redesigned to provide more accessible provision to both pupils, staff and the local community.

11.0 REASON(S) FOR DECISION

- 11.1 Surplus provision in schools needs to be addressed particularly where this exceeds over 25% and in determining school place provision opportunities taken to expand schools which are both popular and successful. In addition, Secondary provision must be re-organised for the BSF programme.

12.0 ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 12.1 In the first and second round of consultation a number of alternative options were proposed, each of these was assessed and evaluated in detail, in particular in relation to the government criteria.

13.0 IMPLEMENTATION DATE

- 13.1 A decision will be required on 19th May 2008. If the decision to close Fairfield High and to expand Wade Deacon High School is agreed, Fairfield High School will close on 31st August 2010. Pupils will transfer to Wade Deacon on 1st September 2008. Consideration by the governors of both schools as to whether to hard federate will take place following the decision on 19th May 2008.

14.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Documents	Place of Inspection	Contact
<u>First Consultation summary – Halton Building Schools for the Future – Inspiring Children</u>	3 rd Floor Chester Building – Grosvenor House, Runcorn and website www.halton.gov.uk/bsf	Ann McIntyre – Operational Director – Business Planning and Resources
<u>Consultation Meeting Dates Phase 1</u>	3 rd Floor Chester Building – Grosvenor House, Runcorn and	Ann McIntyre – Operational Director – Business Planning

<u>Consultation Presentations – Phase 1</u>	website www.halton.gov.uk/bsf 3 rd Floor Chester Building – Grosvenor House, Runcorn and website	and Resources Ann McIntyre – Operational Director – Business Planning and Resources
<u>Executive Board report – 1st November 2007</u>	www.halton.gov.uk/bsf 3 rd Floor Chester Building – Grosvenor House, Runcorn and website	Ann McIntyre – Operational Director – Business Planning and Resources
<u>Second Consultation Summary – Halton Building Schools for the Future – Inspiring Children</u>	www.halton.gov.uk/bsf 3 rd Floor Chester Building – Grosvenor House, Runcorn and website	Ann McIntyre – Operational Director – Business Planning and Resources
Consultation Meeting dates (Phase 2)	www.halton.gov.uk/bsf 3 rd Floor Chester Building – Grosvenor House, Runcorn and website	Ann McIntyre – Operational Director – Business Planning and Resources
Consultation Presentations	www.halton.gov.uk/bsf 3 rd Floor Chester Building – Grosvenor House, Runcorn and website	Ann McIntyre – Operational Director – Business Planning and Resources
Pupil Numbers	www.halton.gov.uk/bsf 3 rd Floor Chester Building – Grosvenor House, Runcorn and website	Ann McIntyre – Operational Director – Business Planning and Resources
Notes of Public Meetings	www.halton.gov.uk/bsf 3 rd Floor Chester Building – Grosvenor House, Runcorn and website	Ann McIntyre – Operational Director – Business Planning and Resources
All responses to First round of consultation	www.halton.gov.uk/bsf 3 rd Floor Chester Building – Grosvenor House, Runcorn and website	Ann McIntyre – Operational Director – Business Planning and Resources
Halton Building School for the Future Pamphlets Federation Pupil Numbers Co-located Schools Zoning	3 rd Floor Chester Building – Grosvenor House, Runcorn and website www.halton.gov.uk/bsf	Ann McIntyre – Operational Director – Business Planning and Resources
All responses to second round of consultation	3 rd Floor Chester Building – Grosvenor	Ann McIntyre – Operational Director

Executive Board Reports – 12 th December 2007	House, Runcorn and Reception – Municipal Buildings 3 rd Floor Chester Building – Grosvenor House, Runcorn and website www.halton.gov.uk/bsf	– Business Planning and Resources Ann McIntyre – Operational Director – Business Planning and Resources
Cross Party Members Report	3 rd Floor Chester Building – Grosvenor House, Runcorn and website www.halton.gov.uk/bsf	Ann McIntyre – Operational Director – Business Planning and Resources
Federation Summary for Wade Deacon and Fairfield High.	3 rd Floor Chester Building – Grosvenor House, Runcorn	Ann McIntyre – Operational Director – Business Planning and Resources
Minutes of Governing Bodies of Wade Deacon and Fairfield High agreeing in principle to hard federate		
Statutory Consultation on closure/expansion	3 rd Floor Chester Building – Grosvenor House, Runcorn and website www.halton.gov.uk/bsf	Ann McIntyre – Operational Director – Business Planning and Resources
Presentations	3 rd Floor Chester Building – Grosvenor House, Runcorn and website www.halton.gov.uk/bsf	Ann McIntyre – Operational Director – Business Planning and Resources
Notes of public meetings	3 rd Floor Chester Building – Grosvenor House, Runcorn and website www.halton.gov.uk/bsf	Ann McIntyre – Operational Director – Business Planning and Resources
All responses to the consultation	3 rd Floor Chester Building – Grosvenor House, Runcorn and website www.halton.gov.uk/bsf	Ann McIntyre – Operational Director – Business Planning and Resources