

**Leicester City Council
Children and Young People's Services**

Riverside Business and Enterprise College Consultation

Minutes of meeting with Riverside Staff

Held on 9th June 2009, 3.30 – 5.30 pm

Officers present:

Trevor Pringle..... (Divisional Director, Planning & Commissioning)
Margaret Libreri..... (Divisional Director, Learning Services)
Helen Ryan (Divisional Director, Transforming the Learning Environment)
Jenny Vickers..... Learning Services
Sally Payne (HR Consultant)

The meeting was well attended by around 70 – 80 teaching and non teaching staff employed at the School. Also in attendance:

Jane Rudon (NUT)
John Mark (NASUWT)
Gaynor Garner (UNISON).

Purpose of the meeting

Trevor Pringle opened the meeting by clarifying the purpose of the meeting.

“Following an officer review of the School and analysis of a range of options it has been recommended that there are strong educational, financial and business reasons to move to close Riverside Business and Enterprise College as soon as practicably possible”.

Reference was made to earlier correspondence (letters to staff 28.04.09, 19.05.09 & 29.05.09) and the fact that this recommendation was based upon the Business Case. The meeting was advised that Elected Members have agreed that a consultation exercise be conducted upon this and views sought on this matter.

Staff were advised that the meeting provided them with an opportunity to raise issues with colleagues in Children’s Services and inform their own personal and trades union response to the consultation.

Before outlining the format of the meeting and inviting comment Trevor Pringle emphasised four key points:

1. No decision has been taken to close the school at this point in time.
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2. Until such a decision is taken the City Council will continue to admit pupils to the School where parents express a preference for Riverside. (Letter, 19.05.09)
3. The City Council has, in conjunction with Schools Forum, made additional financial provision to support the continued operation of the School in 2009/10 and 2010/11 (Letter 19.5.09) – this is a significant commitment of £800k in each of these years.
4. There is no intent to close Riverside immediately and, if closure should ultimately be agreed by Cabinet, then closure would only occur in a *planned and phased fashion*. In this event, the City Council would work with staff and trade unions to secure the best outcomes for pupils and staff at the School.

Format of the meeting

Trevor Pringle outlined the format of the meeting:

1. Provision of information on the *process* being followed and business case
2. An opportunity for discussion and consideration of issues within the business case
3. Final summary of process and how responses may be made

Explanation of process being followed

Trevor Pringle advised that on 11th May 2009, Cabinet agreed an officer recommendation that the City Council begin a formal consultation upon the possible closure of Riverside Business and Enterprise College.

Staff were reminded that this action is being taken at this point following receipt and consideration of a business case from officers that concluded that there are clear educational, financial and business reasons to move to close this School as soon as practicably possible.

The process being followed is as detailed in previous correspondence.
(Letters to staff dated 28.04.09, 19.05.09 & 29.05.09)

Staff were advised that all letters were hand delivered to the School for distribution and are available at www.leicester.gov.uk/riversideconsultation

This consultation is the first stage of a formal *5 stage process* that the City Council must follow if it wishes to close Riverside Business and Enterprise College.

Stage 1 = Consultation runs from 01.06.09 – 10.07.09

Trevor Pringle advised that the City Council is consulting widely on this matter – details may be found in the staff letter of 29th May 2009.

Publication of consultation outcomes will occur in the early autumn – likely September 2009.

A report will be prepared for Cabinet on these outcomes and next steps.

This report will be subject to Scrutiny.

Staff were advised that at this meeting Cabinet will need to take a decision on whether or not to proceed to Stage 2 of this process i.e.

Stage 2 = Decision to publish Statutory Notice & Detailed Proposal

OR

Follow an alternative course of action

If a Statutory Notice and Detailed Proposal is published then a further 6 week period to receive representations will follow. (Staff were advised that this **representation period is the 3rd stage** in the 5 stage process. This representation period would be the final opportunity for people and organisations to express their views for consideration)

The Statutory Notice and Detailed Proposal would provide detail re the nature of any closure and alternative provision for pupils etc.

Upon completion of a six week period (**Stage 3**) for representations a further report would go to Cabinet seeking a final **decision** upon this matter (**Stage 4**).

Implementation would follow thereafter (**Stage 5**)

Nature of the business case

Trevor Pringle then drew the meeting's attention to the key aspects of the business case. Staff were reminded that copies of the business case are available in School, public libraries and for download at www.leicester.gov.uk/riversideconsultation

Review of educational, financial and business reasons to move to close the School – summary overview from City Council officers.

Trevor Pringle invited Margaret Libreri to introduce these issues:

Educational

Margaret Libreri advised staff that Educational outcomes are addressed at 5.1 5.7 and 7.1 – 7.10 of the Business Case.

Margaret Libreri drew attention to the following from within the business case.

- 5.2 *Achievement and standards at Riverside have been low for a number of years and are very low compared to national averages. This is why the School is included in the National Challenge initiative. Conversely the School enjoys an extremely high pupil teacher ratio of 1:10 in some instances. This raises a clear issue of poor value for money given the limited outcomes achieved.*

- 5.3 At 975.4 Contextual Value Added for Key Stages 2-4 the School is judged as significantly below national comparisons (benchmark is 1000) and worse than the previous year. The 22% 5 A*-C including English and Maths however remains well below the national floor target of 30%.
- 5.4 **KS3 achievement, standards and value for money (VFM):** Standards at KS3 remain very low with average Contextual Value Added scores in 2007. The School's Average Point Score (APS) at KS3 is significantly below the national APS. 2008 KS3 Statutory and Floor Targets were not met in any of the core subjects and L5+ results were lower than in 2007. Progress of pupils, as indicated by two level gains, remains low; with 2008 unvalidated data indicating no growth in English and a fall in Maths.

Whilst acknowledging significant improvement at the School Margaret Libreri addressed KS4 achievement and VFM.

- 5.5 **KS4 achievement and standards and value for money (VFM):** As detailed above standards at KS4 remain very low with low contextual Value Added scores. In 2008 attainment was 1% above target for both 5+A*_C and 5+A*_C including English and Maths (32% and 22%). The 22% 5 A*-C including English and Maths however remains well below the national floor target of 30%. *The School is currently predicting 31% 5 A*-C grades (including English & Maths) for 2009, however, this is at a considerable financial cost.*
- 5.6 Overall progress to KS4 is unsatisfactory and has been so for the past three years. This is the case for overall and English and Maths Contextual Value Added (CVA) from KS2 to KS4. Progress of pupils, as indicated by two level gains, remains low; with 2008 validated data indicating a slight increase in English, but a fall in Maths. There is some evidence of a trend of improving outcomes for students between KS3 and KS4, particularly in the core subjects of English and Maths. RAISEonline data reveals that although overall KS3-KS4 CVA has remained significantly below expectations, in English and in Maths students' progress has been in line with expectations over the past two years.
- 5.7 *The School has set ambitious targets for improvement- for 2009 and 2010 (31% and 34% respectively), however there are concerns about the variation between subjects in the quality of pupil tracking and interventions to support underachieving pupils. Therefore it is difficult to assess the likelihood of those targets being reached. Until early March 2009 it appeared that the School was on track to meet the National Challenge Floor Target, but, following some disappointing modular maths results, the School has recently revised its estimate from 32% to 29%, thus putting the meeting of the threshold target under question.*

In responding to questions on the above Margaret Libreri expanded upon performance against targets and noted that the school is currently predicting 30% floor target will be achieved.

Margaret Libreri drew attention to a number of issues in connection with the curriculum and overall capacity to improve referring to the following sections of the Business Case.

- 7.3 Curriculum: The most recent OfSTED inspection in March 2007 judged curriculum as 'Good' however a significant period of time has now elapsed. *The serious reduction in pupil numbers over recent years and the attendant budget issues is putting at risk the quality and breadth of the curriculum.*
- 7.6 Capacity to Improve: Despite having received an overall 'satisfactory' OfSTED judgement in early 2007, since that time the School's record of improvement is unsatisfactory overall based on pupil performance at KS4.
- 7.8 *Despite potential short term gains in the School's examination results that may be achieved this year, the medium and long term capacity to improve is seriously compromised by;*
- *Pupil numbers falling significantly year on year with the subsequent negative impact on finance, staffing and curriculum.*
 - *A loss of confidence amongst some of the School's stakeholders evidenced in an extremely low parental preference rate.*
 - *The need to reduce staff as a result of the current budgetary position.*

Allan Dunsmore (Acting Headteacher) responded that he did not feel that the breadth of curriculum would be affected as he would plan accordingly.

- 7.9 Independent view on the Quality of Provision: In June 2008 the National Challenge Advisor judged that all but one of the ten aspects on which the School is judged were unsatisfactory. If accurate, such judgements would indicate a decline in quality of provision since the last OfSTED inspection in 2007. This may trigger further intervention. The School is anticipating an OFSTED inspection in the next few months.
- 7.10 Ability to meet pupil needs: *From the above it is clear that the school is failing to deliver satisfactory outcomes for its learners.* The School serves an area of high levels of social and economic deprivation. 26% of students are in the most deprived 5% and 51% are the most deprived 10% of IMD scores nationally. Over 31% of students are eligible for Free School Meals, which is well above the national average as is the proportion of students identified with Special Educational Needs. *Given the level of resourcing deployed to date and that projected these needs may be best met in other schools.*

17.3.1.1 *A review of standards achieved at KS3 and KS4 together with resources deployed evidences that the School does not deliver value for money and is failing pupils, many of whom come from the most disadvantaged communities within the City.*

Following conclusion of the above discussion Gaynor Garner moved that the meeting simply be opened to questions from the floor. Trevor Pringle responded that he and his colleagues would be pleased to respond to questions however it was important that all staff had an understanding of the key financial and business issues within the business case not covered in the discussion to date.

Financial

Trevor Pringle advised that financial matters are addressed at 8.1 – 8.7 within the Business Case.

As a direct result of the outcome of low parental preference the School is now facing a serious financial situation as a result of low pupil numbers.

- In 2007/08 the School received an additional £250k.
- In 2008/09 the School received an additional £300k.
- In 2009/10 a deficit of £815k is predicted by the School.

Provision has been made at this level to support the continued operation of the School in 2009/10 and 2010/11

While additional support on this scale can be accommodated by Dedicated Schools Grant in 2009/10 and 2010/11 staff were advised that this cannot be sustained at such levels beyond April 2011 without impacting on the funding available to other schools.

Staff were advised that it is questionable whether such levels of additional support would represent effective use of public money. National guidance suggests that local authorities should review the viability of schools in this financial position.

Business

Trevor Pringle advised staff that despite the deployment of considerable additional funds significant areas of underperformance remain and outcomes overall are inadequate for learners.

Demographic and financial projections indicate, however, that without corrective action this situation will become more acute.

The meeting was advised that Guidance from the Department for Children, Schools and Families suggests local authorities consider closure where there is a large number of surplus places.

11.1 *“LAs should take action to remove empty places at schools that are unpopular with parents and which do little to raise standards or improve choice” (s. 4.34).*

11.2 *“The decision maker should normally approve proposals to close schools in order to remove surplus places where the school proposed for closure has a quarter or more places unfilled, and at least 30 surplus places and where standards are low compared to standards across the LA” (s.4.35)*

11.6 *At the time of writing Riverside had 35% of places unfilled overall and 85% unfilled capacity in Yr 7.*

Although a range of options were explored within the Business Case it was concluded with regret that these did not *provide the opportunity for the required step change to reverse parental preference, enhance performance and address underling financial issues.*

Open forum – questions, discussion and consideration of issues

School performance and context: In response to issues about performance and low contextual value added scores Alan Dunsmore, Acting Headteacher, questioned whether Riverside statistics were worse than other schools in the City and whether the turbulence issue had been considered as part of the assessment within the Business Case. Lisa Hill questioned whether the issue was about numbers or standards. Margaret Libreri responded that the business case had looked at schools performance objectively on the basis of the current cohort and according to the national challenge criteria against which the school would be measured. Trevor Pringle made reference to Section 4.2 of the Business Case which drew attention of decision-makers to mid-term transfers and turbulence at the school. Mr Dunsmore responded that this however was not contained within the section of educational outcomes.

A question was asked about the position of the school should it go into a category following OFSTED inspection. The meeting was advised that the City Council would continue to support the school however it was made clear that the School is vulnerable and that if this happened might be subject to closure by the Secretary of State under other procedures.

Rejection of assessment of education, management and leadership judgements within the Business Case: Mr Dunsmore responded that staff felt a sense of injustice and disappointment that the City Council appeared to express no expression of regret given that it is currently consulting upon proposed closure. Mr Dunsmore added:

- No right of reply was possible through the business case
- Comparisons with other local schools were not included
- Inequity of support between schools was not acknowledged
- Local authority had known about these issues for some time but had delayed decision taking

He stated that staff understood the issue on the grounds of pupil numbers and financial considerations however found the educational, management and leadership judgements within the business case difficult to accept. A request was made by the Assistant Principal for the local authority to undertake a comparison and show value for money between schools in West Leicester.

Prior knowledge of low pupil numbers: Issues were raised in connection with the low pupil numbers and the length of time that this had been known to the local authority. It was stated that potential problems had been raised at the time of the opening of the Samworth Enterprise Academy and that these had been compounded by the revamping of Fullhurst CC and the removal of the bus service from the School. A number of staff raised issues in connection with Riverside numbers and the situation at New College. In response to these issues Trevor Pringle drew the meeting's attention to the fact that parental preference at

New College was increasing in direct comparison with Riverside. At no point had New College reached the low admission number currently being experienced by Riverside. Further issues were raised in connection with the position of Riverside within the Building Schools for the Future programme and the indicative reduction in the numbers on roll within BSF plans for the new Riverside School. It was suggested that this indicated the City Council's prior intent to close Riverside. Helen Ryan responded that Riverside School remained within the Strategy for Change documentation and that the reduced admission number projected for the School was that agreed at the time of the submission of the strategy for change business case and was not related to the issue currently being consulted upon.

A number of staff members raised issues in connection with the bad reputation that Riverside accrued over many years and were concerned that despite progress being made at the School this had tainted their school in people's views and had an adverse impact on admission. It was felt that the local authority should have done more to actively promote the School and direct comparisons were made with the position at New College and Fullhurst School. Trevor Pringle responded on the relationship between the Authority and local media such as the Leicester Mercury and it was made clear to the meeting that the City Council was not in a position to set editorial policy within the paper.

Staff commented that local primary Headteachers are recommending to parents that their children do not go to Riverside School and that they are bussing them free of charge into the County. Officers responded that clearly the choice of school was an important one and that parents were entitled to express a preference.

A number of issues were raised in connection with the Admissions processes for the School and it was explicitly stated that the local authority had turned pupils away from the School for many years stating that it was already full. Several staff members asserted that parents and staff had been advised on contacting the Admissions team that the school was full. It was alleged that parents had been directed elsewhere. In response to this assertion Trevor Pringle advised them that the City Council was a good performer in terms of meeting parental first choice preference with the performance being one of the highest in the Midlands cities. Places are allocated strictly in accordance with our published Admissions criteria and the availability of places. If a parent expressed a wish for a place at a school and there is a place available in that year group they would be admitted. In recognition of ongoing staff concerns staff were asked to provide details to Helen Ryan at the end of the meeting for her to investigate.

A number of the members of staff raised the issue that pupils feared being bullied if they were required to attend other schools. Further comments were expressed about the need to ensure the needs of vulnerable pupils continued to be met. In response to this matter Trevor Pringle commended staff and drew attention to positive comments within the Business report about the good quality of pastoral care within the School. The meeting's attention was drawn to the need for the City Council to consider such issues within a detailed proposal if it wished to continue and move towards closure of Riverside school. This would be addressed if Cabinet decide to proceed with closure proposals.

Issues once again returned to the matter of relationships between Fullhurst and Riverside and the preferential status accorded to Fullhurst in the local media. Trevor Pringle once again affirmed that the local media is, of course, entirely independent of the City Council.

Adequacy of planning: Bimal S raised issues about the preparation of bids for additional money at Riverside three years ago and commented that the Authority should have been alert to reduction in numbers and planned accordingly. Trevor Pringle responded that clearly the City Council had considered that a significant investment of resources and a consequent improvement in standards at the school should have resulted in improved parental preference, however, this has not been the case and pupil numbers have collapsed.

Pupil destinations: A question was asked about what would happen to the pupils at the School if a decision was taken to close the school and local schools such as Fullhurst and New College were full. Trevor Pringle responded that this level of detail was a matter for consideration in any Detailed Proposal that would accompany any Statutory Notice if such a decision were taken by the Council to move forward with the proposed closure of the School. Issues were again raised about the admission number and the size of the School. It was suggested that a school of 500 would be more suitable. Trevor Pringle responded that clearly the admission numbers currently presenting at the school of less than 30 in each year group would mean the school would ultimately be much smaller than 500. Jenny Vickers added that recent discussion around Academies and DCSF thinking suggested that a school of less than 700 was not ideal and that difficulties would be experienced in delivering a school curriculum.

Discussion once again moved to the nature of judgements by national challenge and school improvement partners on the nature of leadership and management within the school and the key educational outcomes within the business case and discussion became very animated.

It was felt that staff would not really have an opportunity to respond to the comments about teaching practice and outcomes and that a number of the judgements, for example, the assessment of performance in maths were poor and showed a lack of understanding of the School data. Margaret Libreri responded to this issue by drawing attention to the performance statistics for the school and the views of independent assessors of school performance such as the national challenge adviser.

A range of views were subsequently expressed about the comments within the report about that middle management was inadequate; staff expressed their view that these statements were inappropriate and should be retracted. Margaret Libreri re-affirmed that the judgements within the Business Case had a sound evidential basis. In the response that followed it was clear that staff felt that the report had been prepared with a view to close the school and that statements in connection with the fragility of leadership were inaccurate and misleading. It was asserted that an extract from an NCA report had been taken out of context and a key word missed out. Staff asked the local authority to ensure that they will not be disadvantaged in the job market by comments about middle management.

It was also suggested that information within the consultation documents is not clear and needs to be simpler. Planning needs to pay particular regard to the needs of vulnerable students and ensure continuity of care and support for gifted and talented pupils as well. Jane Rudon from the NUT expressed the view that the City Council should have looked more creatively at options and requested that consideration be given to addressing any factual inaccuracies in any future report and that such information inaccuracies also be drawn to the attention of parents at the forthcoming Parents' meeting.

Helen Grant indicated that a range of parents had decided against placing their children at the school on the basis of the uncertainty of the current situation and that this was regrettable. A number of members of staff expressed the view that the City Council had acted in this fashion to close the school more quickly.

Summary of process and how responses may be made

In conclusion Trevor Pringle reminded staff how they could make their views known.

- Views at meeting. A record of the meeting and issues raised would be produced (this minute) and form part of the consultation response process.
- By submission of written questionnaire – copies have already been sent to all staff
- By submission of on line questionnaire

All submissions were requested by 10.07.09.