

Recurring issues have been raised by respondents in their responses to all questions and responses to these by the City Council:

a	Concerns that the Local Authority has selectively edited source materials	<p>The Local Authority has drawn upon independent assessments of performance and progress at the school prepared by national challenge advisers and reports by OfSTED. One key area of concern to respondents has been the commentary in connection with the effectiveness of leadership and management in the school. The governing body is of the view that the report does not give a representative picture of the college, particularly because of the use of certain quotes on leadership and management, and capacity to improve used from previous report.</p> <p>Although a limited number of documents have been quoted from, the Business Case is based on a range of reports covering standards, leadership and overall effectiveness.</p> <p>Reports dating from June 2008 – March 2009 repeatedly record and reflect lack of capacity in key aspects of leadership and management which limits the schools overall capacity to improve. This includes school self-evaluation against the ten criteria used in June 2008 to determine the school's local authority category. This is not a comment on the competence of individual leaders, but reflects gaps in leadership and management capacity, many of which have been identified in the school's self-evaluation. On six out of ten of these criteria, the school rates itself as inadequate, the SIP identifying a further three areas of concern.</p> <p>The local authority is satisfied overall that the Business Case reflects the current leadership position of the school and, therefore, its capacity to improve.</p> <p>The Authority recognises that this is a difficult challenge for staff engaged at the school, but remain of the view that the comments within the Business Case are sound and can be evidenced by reference to independent materials.</p>
b	That the Business Case and its accompanying Equality Impact Assessments are inadequate	<p>The Equality Impact Assessment accompanying the Business Case was prepared to highlight at a high level the issues that would need to be taken into account in the general discussion about the school. The Authority has acknowledged in meetings with parents that there is a need to undertake a more detailed Equality Impact Assessment to inform decision taking by Members and this EIA document accompanies this present report.</p>
c	That there is a lack of transparency evidenced in the fact that the Local Authority did not make available minutes of the meetings during the course of the consultation itself	<p>During the course of the consultation letters to Riverside parents, staff and consultation meetings were widely available at www.leicester.gov.uk/riversideconsultation. The Local Authority has committed to make available minutes of the meetings of consultation exercises as part of the review of consultation outcomes. Minutes of these meetings are included at Appendix B to this report. In the interests of transparency, the Local Authority has, as part of its consultation strategy, invited the acting Headteacher at the School and Chair of the School Governing Body to review the records of relevant meetings to</p>

		<p>ensure they adequately reflect discussion at these meetings. The Authority therefore believes that it has acted in good faith and is evidencing transparency about discussion processes.</p>
<p>d</p>	<p>That there is a failure to compare objectively against other Local Authority schools in terms of school performance, for example, Fullhurst and New College and school places, for example, New College and Babington. That the Local Authority has already made plans to dispose of the site and make use of the land or accompanying revenues.</p>	<p>Consultees have drawn direct comparisons between school performance at Fullhurst and New College and unfilled school places at New College and Babington.</p> <p>With regard to school performance, Riverside is one of 5 schools currently identified within the National Challenge initiative where there is a requirement for schools to enhance their performance such that 30% or more of pupils sitting GCSE achieve grades A*-C, including English and Maths. Whilst it is appropriate to draw comparison to school performance in other City schools, the Authority has been clear that the determining factor in its decision to explore potential closure of Riverside has been the collapse of parent confidence and preference for Riverside School with consequent input on the curriculum and school viability.</p> <p>Comparison with other schools that are underperforming. Riverside is one of five National Challenge schools in the city, identified as such due to low standards. Good progress has been made this year at year 11, however, this is not yet evidenced in other year groups.</p> <p>Based on the most verified recent results, Riverside performs poorly on a number of indicators, in comparison with other schools. For example, in 2008 its contextual value added score was the lowest in the city and significantly below the average CVA. As the CVA score suggests, rates of progress between Key Stages are low. In 2008 the school had the lowest rate of progress from KS3 to 4 in English (37.7%), and the second lowest in Maths (10.3%).</p> <p>Overall progress from KS2 to 4 is somewhat better but still lowest of all the National Challenge schools in English, though in 3rd place out of 5 in Maths. Nevertheless, just over 70% of pupils do not make the expected rates of progress in Maths. Current school data indicates that pupils who have attended the school from the beginning are just as likely to make inadequate progress as those who enter after Year 7. Poor rates of progress put the school at high risk of being judged inadequate in an OfSTED inspection.</p> <p>In any schools with poor outcomes, the LA is expected to consider closure as an option. Although there are other schools where low standards mean closure has had to be considered, with Riverside it is the combination of poor performance and falling numbers which underpin the Business Case for closure. Low numbers mean the school is not financially sustainable without significant and growing subsidy from Dedicated Schools Grant, particularly given the level of resources needed to improve standards in the school.</p> <p>Both Fullhurst and New College Schools have higher levels of 1st preference and enjoy parental support. Respective performance levels and preference levels at March 2009 are as follows:</p>

		<table border="1"> <thead> <tr> <th rowspan="2">School</th> <th colspan="2">Performance % 5A-C* inc. English & Maths</th> <th colspan="2">KS2 – KS4 CVA</th> <th rowspan="2">Parent 1st choice preference</th> </tr> <tr> <th>2007</th> <th>2008</th> <th>2007</th> <th>2008</th> </tr> </thead> <tbody> <tr> <td>Riverside</td> <td>23</td> <td>22</td> <td>982.27</td> <td>975.44</td> <td>28</td> </tr> <tr> <td>Fullhurst</td> <td>19</td> <td>22</td> <td>948.93</td> <td>981.77</td> <td>139</td> </tr> <tr> <td>New College</td> <td>14</td> <td>19</td> <td>949.57</td> <td>991.94</td> <td>125</td> </tr> <tr> <td>Babington</td> <td>20</td> <td>22</td> <td>989.76</td> <td>981.87</td> <td>69</td> </tr> <tr> <td>Hamilton</td> <td>23</td> <td>31</td> <td>1002.00</td> <td>1000.90</td> <td>124</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>					School	Performance % 5A-C* inc. English & Maths		KS2 – KS4 CVA		Parent 1 st choice preference	2007	2008	2007	2008	Riverside	23	22	982.27	975.44	28	Fullhurst	19	22	948.93	981.77	139	New College	14	19	949.57	991.94	125	Babington	20	22	989.76	981.87	69	Hamilton	23	31	1002.00	1000.90	124						
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		<p>See Appendix F for further details.</p> <p>The Local Authority has no plans to dispose of the site.</p>																																																		
e	That promises to rebuild Riverside have been broken	<p>Despite assertions from consultees that Riverside has been removed from the Building Schools for the Future programme, assurances have been provided that this is not the case at public meetings. See Appendix B – minutes of parents meeting. This remains the position.</p> <p>The Local Authority approved the submission of the Building Schools for the Future (BSF) Strategic Business Case (SBC) to the Department for Education and Skills (DfES) at a Cabinet meeting of 7th March 2005.</p> <p>The SBC sets out proposals for the rebuilding and refurbishment of all the Local Authority secondary schools including Riverside.</p> <p>The Local Authority has not amended this decision and Riverside is still part of the BSF programme.</p>																																																		
f	That the Local Authority Admissions Service has systematically discriminated against Riverside over several years by turning away parents and stating that the school is full.	<p>Concerns about the conduct of the Admissions Service have been raised on numerous occasions throughout the consultation exercise. On each occasion, respondents have been invited to provide detailed information with the names of the respective children and dates to allow investigation to proceed. This information has only been forthcoming on 1 occasion and this has been fully investigated. In this instance, the names of two pupils were given to the authority; one was found to have applied (late) for Winstanley Community College (Leicestershire County Council) and as this was agreed this pupil no longer required a place at Riverside. The other named pupil was found not to be listed within the transfer group or on the ONE system and no such application was ever received.</p> <p>The local authority operate within published admission arrangements and will admit pupils to year groups in preferred school subject to admission criteria being met and place availability. This commitment has been made clear to parents throughout the course of this consultation and informed admission practices in the authority for many years. The City Council has not discriminated <u>against</u> parents expressing a preference for Riverside and refutes this assertion.</p>																																																		
g	That the Local Authority has failed to translate materials.	<p>The Local Authority has not translated materials as part of this consultation exercise as there is no mandatory requirement to do so and the Authority is mindful of guidance from the Communities</p>																																																		

		and Local Government Department for on the translation of publications and the need to promote integration and cohesion and value for money. In providing a range of opportunities for individuals to learn of the consultation and participate, the Authority believes that it has acted reasonably in this matter and with prudence with regard to the use of public resources in what is a technical process interpretation or summation of ideas may inadvertently have lead to misinterpretation or misrepresentation.
h	That the closure of the school will deprive the neighbourhood of the valuable facility and neighbourhood school	The Business Case itself recognises that the closure of any neighbourhood school has an impact on that neighbourhood and community and that local authorities have a need to consider impact. This matter is addressed in the Section within this report on community strategies and the accompanying Detailed Proposal.
i	That residents were not informed and not provided with an opportunity to respond	Residents were not informed of this consultation exercise directly, however, the Authority is of the view that was no need to do so in law and that the wide publicity surrounding the initial media coverage of the Business Case and subsequent coverage could have left residents in no doubt about the nature of the consultation. The Authority is of course mindful of the need to follow guidance in connection with any subsequent Statutory Notice and Detailed Proposal which will allow for a period of formal representation by any interested party. With regard to the matter of the use of the school by residents, the Local Authority specifically contacted the School and asked for a list of lettings at the School to identify groups who use the facilities regularly. No information was provided to the Authority at this time.
j	No context or comparator information has been provided for financial data used in the report	Contextual information in connection with the levels of expenditure and investment at Riverside school has been disclosed fully in the report and levels of funding at other City schools are published annually and are a matter of public record. The financial position at the School has been determined in discussion with the School Leadership Team and School Finance Officer and the figures within the report are not disputed by Riverside School.
k	Other City schools performing at similar levels (Fullhurst and New College) and places unfilled (New College and Babington) have not been used for comparative purposes.	Please see response at point (d) above
l	That the Equality Impact Assessment presented is illegal	Although addressed briefly at point (b) above, the City Council recognise the importance of following a clear Equality Impact Assessment process and is cognisant of the guidance from the Improvement and Development Agency on this matter. The Authority is also cognisant of the guidance within the Equality Impact Assessment Bill, April 2009. These issues have informed the Equality Impact Assessment to be found at Appendix D .
m	That the facts in the Business Case are mistruths	Please see response at point (a) above.
n	That the impact on the local area has been overlooked	Please see response at point (h) above.

o	That insufficient assessments on the impact of young people has occurred.	<p>Please see response at point (l) above.</p> <p>The Authority would naturally would wish to mitigate against negative impact on young people and their families. For this reason is the Authority is proposing revised admission arrangements that will provide pupils immediately affected by the suspension of admissions to Riverside School with higher degree of choice at other community maintained schools throughout the City.</p>
p	Provision for SEN will be placed at risk	Please see response at point (l) above and Detailed Proposal.
q	That subsequent admissions allocation policies have mitigated against the School and that there is a lack of choice without travel	Please see response at point (o) above and Detailed Proposal with regard to alternative admission allocation policies and pupil place availability and provision of travel.
r	Parents require choice and assistance with increased costs	<p>Please see responses at points (l), (n) and (p) above.</p> <p>The services of Voluntary Action Leicester are being procured to offer a 'Choice Advisor' service from September 2009.</p>
s	That the format of the consultation form used was difficult to understand.	<p>The Local Authority has reflected on the format of the consultation, the availability of materials in different formats and the oral presentations by officers of the council and judge that reasonable efforts were made to communicate the nature and content of the consultation to interested parties.</p> <p>The Authority is pleased to note that just under 50% of all respondents were young people themselves.</p>
t	That the Panel of Local Authority officers were unable to answer many questions by parents – that there is a lack of trust in those carrying out the process	<p>During the course of the consultation exercise, Local Authority officers made clear that there were a number of questions that they would be unable to answer, for example, potential timeframes for any school closure, etc., as this was outside the scope of the consultation and it was important not the prejudge the outcome of the consultation and deliberation upon outcomes by Elected Members.</p> <p>Regrettably, this has been interpreted by respondents as an unwillingness or lack of knowledge by officers.</p>
u	No opportunity to discuss alternative options	The Business Case contained 6 options and it was open to all respondents to reference these during the course of the consultation and within their consultation responses themselves. While 3 of the questions within the consultation questionnaire related directly to the Business Case, an opportunity was provided to respond widely and creatively in the 3 remaining questions.
v	That the Local Authority has consistently failed Riverside school.	<p>The Local Authority has supported Riverside intensively over the last 3 years, including provision of additional financial resources as detailed in the Business Case. Regrettably, despite improvements in the school and standards achieved, parents have not had sufficient confidence in the school to request places for their children.</p> <p>As a consequence the Local Authority has been required to review the situation and recommend an alternative solution for young people in this area and at Riverside School.</p>

w	That current and future turbulence (if close occurs) will present a far bigger problem than the Local Authority admits.	Proposals with respect to any school closure at Riverside are detailed in the attached Detailed Proposal at Appendix E . The numbers of pupils at school who would be offered alternative places in relatively small. Based on current Numbers On Roll (NOR), there is forecast to be 30 pupils in year 8 and 61 pupils in year 9 in 2010 that will need alternative provision. The incoming year 10 and 11 at September 2010 will continue their education at Riverside.
w	That lies have been told that the consultation meeting regarding Riverside remaining in the Building Schools for the Future programme.	Please see response at point (e) above
y	That the Local Authority has a short term focus.	<p>The Local Authority has explored a wide range of options at Riverside including the potential creation of a City Academy. However, circumstances have changed with the collapse of parental preference and confidence and the positioning of the school within a National Challenge category. This has required a more robust and immediate response than many school stakeholders would wish.</p> <p>The LA has been keen to work with the school to find solutions to secure its longer term future, and to support the school until such time as the trend of low numbers could be reversed. It was for this reason that LA officers worked to identify additional financial support for the school, which has now been secured for the next two years. It was also for this reason that the school was included in the LA Academy exploration, though the low and falling numbers led to both potential sponsors and the DCSF questioning its viability as an Academy. Unfortunately the extremely low number of Year 7 admissions in particular, in a context where overall secondary pupil numbers are falling in the city, calls into question the potential for increasing pupil numbers in Riverside and, therefore, the longer term viability of the school. Where there is little prospect of increasing pupil numbers to a viable level, it is difficult to justify continued high levels of subsidy to sustain Riverside, when this reduces disproportionately the resources available for other secondary school pupils across the city.</p> <p>The Local Authority is also mindful of guidance from Department for Children, Schools and Families that (Local authorities) should take action to move empty places at schools that are unpopular with parents and which do little to raise standards or improve choice". (Paragraph 4.35) Regrettably Riverside School, although popular with respondents to the consultations, has many empty places and its academic record and improvement prospects are substantially weaker than that of the other National Challenge schools.</p>