

4.2 Representations from Schools and Settings Consultative Committee Teachers Panel (ASCL, ATL, NAHT, NASUWT, NUT, VOICE) – Appendix C

Ref.	Schools and Settings Consultation Committee Teachers’ Panel representation (page 2 of Report)	Local Authority Response
a.	State the action proposed is short sighted and damaging to the longer-term integrity of local education	<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.</p> <p>The local authority has been keen to work with the School to find solutions to its longer term future and to support the School until such time as the trend of low numbers could be reversed. Regrettably parents have not reciprocated by sending their children to Riverside School.</p>
b.	Contend that the LA has not adequately explored how secondary education on that site fits into the wider context of education needs across the City.	<p>It is clear from looking at the expression of parental preference that the education offered at Riverside School does not meet the aspirations or expectations of parents within the immediate area far less pupils across the City. (Further detail on parental preferences given below). An alternative proposal for education provision on this site has been suggested previously by the Schools and Settings Teachers’ Panel during the course of the consultation exercise. The City Council has noted that the Teachers’ Panel has previously indicated that “the teaching unions recognise that on current student number projections, Riverside Business and Enterprise College is not sustainable, both financially and in curriculum terms. We further recognise that in these circumstances the local authority has a duty to act to resolve the situation in the best interests of students and education in the City”.</p> <p>These comments are predicated upon recognition that viability cannot be secured within the current 11 – 16 model and Teachers’ Panel proposed an alternative “innovative and coherent alternative to closure retaining secondary education at Riverside”. The respondents proposed an alternative model based upon a continuum of provision of mainstream and special education around that offered at Ellesmere School. The original proposal also proposed an intensive language intervention centre as part of this continual provision and that collectively this comprised a Centre of Excellence complex. This has been dropped from the representations received in response to the statutory notice and detailed proposal. This reflected a re-representation of option 4 within the original business</p>

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		<p>case, that of establishing, flexible, collaborative arrangements amongst local authority maintained schools.</p> <p>Although respondents posed the inclusion of an intensive language intervention centre, the local authority responded that this ran contrary to national guidance upon inclusion and the placement of new arrivals. Reports to Scrutiny and Cabinet on 23<sup>rd</sup> September and 5<sup>th</sup> October respectively, stressed that in any event the material factors cited within the business case (collapse of parental preference and financial viability) remained unchanged and that such a development was unlikely to secure increased parental support and would do little to address the pressing immediate need to secure improved, sustained learning outcomes for Riverside students.</p> <p>The recasting of the Centre of Excellence in the most recent representation received does not change this judgement and indeed, raises further questions about the viability of the proposal.</p>
c.	State that the LA will lose a Community comprehensive school in 2011, 3 years before secondary rolls start to rise.	Members' attention is drawn to the guidance published by the Department for Children, Schools and Families in connection with the removal of surplus places and the exercise of increased choice and diversity within the education sector. Members' attention is also drawn to the funding issues discussed within the initial business case and the funding gap that presents itself.
d.	It is argued that the City will need the equivalent of at least two large new schools or 3 smaller schools before 2017.	<p>As part of its planning for Strategy for Change and the Primary Capital Programme, the City Council continues to review demographic projections for the City as these are integral to its pupil place planning strategy. Although research indicates that pupil numbers will increase over the next 10 years, it is apparent that this will only materialise following a period of demographic decline that will inevitably impact upon the Dedicated Schools Grant made available to the Council over these years.</p> <p>For Riverside and other secondary schools, this means that the numbers of pupils will continue to fall for the next 6 – 9 years and then begin to rise and to continue to rise for some time. It is also clear however that the current economic downturn will result in reduced housing gain overall across the City during this period too. There is therefore currently not projected pupil increase within the immediate locality of the school within the next few years that might result in a marked increase in pupil uptake that will alleviate the issues noted in the Riverside business case, consultation and proposal before Committee.</p> <p>Scrutiny and Cabinet members will of course need to be aware of the duty of the Council</p>

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		under the Education and Inspections Act 2006 to exercise their powers with a view to securing diversity in the provision of schools and increasing opportunities for parental choice.
e.	Assert that future schools will need to be open to competition and be established by alternative promoters. By closing Riverside the LA is reducing its capacity to retain coherent community comprehensive education provision in the City.	The provisions of the Education and Inspections Act 2006 (discussed above) require all new schools to be established by competition unless the promoter is seeking to establish a voluntary aided school. The ability of the Council to promote a new school itself as a promoter will depend upon the capacity and OfSTED judgement of the local authority. Scrutiny and Cabinet members will wish to note that the requirements of the Education and Inspections Act 2006 are applicable <u>regardless</u> of the position adopted with respect to Riverside. Committee members will wish to note that the Cabinet has published a range of criteria that promoters and partners are encourage to adhere to and this of course includes a commitment to comprehensive education.
f.	In opening up the possibility of schools provided by alternative promoters (e.g. faith/ private sector) it is asserted that the LA runs the risk of seriously destabilising all current admission arrangements and creating an education free for all in the City.	Scrutiny and Cabinet will wish to note that parent's already have the ability to express a preference to any school across the City and, as detailed below, it is clear that 90% of Riverside parents are already taking this opportunity to seek a place elsewhere in the City.  A range of admission options are proposed as part of the detailed proposal and these will form the basis of alternative school allocation procedures in the event of a decision taken to close Riverside School. These will have the effect of increasing the choice available to current Riverside students.
g.	Contend that the above will impact on standards, place preferences and have unforeseen consequences in terms of job losses for staff.	The City Council is mindful of the need to minimise adverse impact upon standards, admissions to City schools and impact upon staff employed at Riverside School. Respective measures are detailed in the equality impact assessment at Appendix F to this Report.  In the event of a closure decision being taken the City Council will work closely with trades unions and professional associations to identify and deploy strategies to minimise impact on staff. As stated within the main body of the Report, the City Council will also establish a stakeholder Working Group to assist pupils and parents with the transition.
h.	State that the alternative proposal for an Inclusion Centre of Excellence would provide a more creative response to the situation and evidence local authority commitment to collaborative working involving both special and mainstream provision within a caring environment.	This item is addressed at (b) above.

5. Representation from the Governing Body of Riverside Business and Enterprise College

Ref.	Governing Body representation (page 2 of Report)	Local Authority Response
a.	Assert that the local authority lacks vision and has been aware of falling rolls and the difficulties in raising standards at Riverside for some years.	<p>The local authority has supported Riverside intensely over the last 3 years, including the provision of additional financial resources detailed in the original 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, following consideration of consultation responses upon a number of options, has recommended an alternative solution for the young people in this area and at Riverside Business and Enterprise College.</p>
b.	Assert that the local authority has failed to address the issue strategically and in partnership with the community and Governing Body.	<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 this has required a more robust response.</p> <p>The local authority has been keen to work with the School to find solutions to secure a 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 local authority officers worked to identify additional financial support for the School, which has now been secured for the next two years and why the City Council explored the inclusion of the School in plans for a potential city academy, as detailed in the business case and response to the subsequent consultation. Low and falling numbers led to both potential sponsors and the DCSF questioning its viability as an academy. There is little prospect of increasing pupil numbers to a viable level and it is difficult to justify continued high levels of subsidy to sustain Riverside as this will disproportionately reduce the resources available for other secondary school pupils across the City.</p> <p>Councillors are reminded that officers explored six different options in the initial business case including potential federation, flexible collaborative arrangements, and the establishment of a collaborative academy.</p>

		<p>Although federation and collaborative working were supported by school governors, staff and trades unions, it was judged that the potential of these to address fundamentally low pupil numbers were not adequate to secure recovery.</p> <p>The proposal for an academy was opposed by staff and trades unions.</p>
<p>c.</p>	<p>States that the closure of Riverside reduces secondary choice in the immediate neighbourhood and removes the potential for developing an earlier vision of 3 – 16 education proposed by the former Director of Children’s Services</p>	<p>The City Council must pay regard to guidance from the Department for Children, Schools and Families that local authorities should take action to remove 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 has 86% of year 7 places currently empty and overall 35% of all places are empty. This situation cannot be sustained.</p> <p>The fundament issue here is a collapse in parent support for this School within the immediate neighbourhood. In the last two years more than 90% of local people living within the school priority area have expressed a preference for another school for their child at secondary transfer, even if this means a journey outside the area.</p> <p>The Education and Inspections Act 2006 places a duty on local authorities to exercise their powers with a view to securing diversity in the provision of schools and implies that local authorities should take action to reduce capacity at schools that are unpopular with parents.</p> <p>References are made to an earlier vision of 3 – 16 education on this site proposed by the former Director of Children’s Services. This aspect was addressed and acknowledged by some respondents during the consultation exercise and it has been acknowledged that development of this age range within this part of the City at this time could only be achieved by impacting upon the provision of other schools.</p>
<p>d.</p>	<p>State that an earlier Academy proposal could have contributed to the revitalisation of the secondary education in the area.</p>	<p>The City Council notes the view of the Governing Body about the role a city academy might play in the revitalisation of secondary education in the area, however, members’ attention is drawn to the fact that current government policy reflects the view that an academy should have more than 600 on roll.</p> <p>Clearly Riverside does not meet this criteria and, as noted above, experiences additional difficulties in attracting potential sponsors.</p>

<p>e.</p>	<p>Refute the local authority comments that the proposal will contribute to “greater social mobility, inclusion and ultimately therefore improve community cohesion itself”.</p>	<p>If this proposal is implemented some pupils will undoubtedly seek and secure an alternative place outside West Leicester.</p> <p>The proposed revised admission arrangements for year 7 pupils at September 2010 and any other displaced pupils are documented in the detailed proposal (Appendix B) and commented upon in paragraphs 6.2 to 6.4 of this Report. These arrangements will enable parents to express a preference for any other City community maintained secondary school and these parents will be accorded a higher priority when places are allocated. It is important to note however that the majority of parents within the Riverside priority area already choose to send their children elsewhere.</p> <p>In 2008 and 2009 over 90% of pupils within the Riverside priority area expressed a preference to attend a school other than Riverside Business and Enterprise College. In choosing a school for their child, parents of course take a wide range of factors into account.</p> <p>The original business case and subsequent consultation provided information that indicated that the numbers of pupils travelling from across the City to Riverside School had declined significantly. It is clear from the equality impact assessment that has been undertaken that the Riverside cohort that will still be in the School in September 2010 will evidence the following characteristics: –</p> <ul style="list-style-type: none"> <li>○ The number of boys is higher than the City average particularly in those groups who will be in years 8, 9 and 10 in September 2010;</li> <li>○ The ethnic make up of most groups reflect the local cohort rather than the rest of the City – the majority of pupils come from white British backgrounds;</li> <li>○ There are no pupils who are registered disabled;</li> <li>○ There are more pupils with special educational needs than in the same year groups across the City;</li> <li>○ There are significant groups of pupils who currently require “school action”;</li> <li>○ The majority of pupils with identified special educational needs have moderate learning difficulties, speech and language associated difficulties or behaviour, social and emotional difficulties;</li> <li>○ The social context of these cohorts shows that a higher proportion than in the rest of the City come from the 10% most deprived nationally lower super output areas. This is also the case for pupils living in the 5% more disadvantaged.</li> </ul>
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		<p>The proposed closure of Riverside School will help ensure more sustainable schools in Leicester and will open up through, revised admission policies, student access to a wider range of schools and a more inclusive setting where young people will be exposed to other community groups and thus have richer personal experiences and development opportunities.</p>
f.	<p>Asserts that the local authority has failed to adequately acknowledge 2009 GCSE results, the importance new build would have made and the capacity of the leadership team and staff to turn around pupil numbers.</p>	<p>The City Council has readily acknowledged the achievement of staff and pupils at the School in the 2009 GCSE cohort. The City Council is pleased to acknowledge the progress made by pupils at Riverside School this summer, but remains of the view that progress to this degree cannot be sustained given the collapse in roll and the resources deployed to bring this about.</p> <p>In revising admission arrangements to accord displayed Riverside pupils a higher priority in all other City school, it is judged that this will be the best long term interest of these pupils and support improved educational outcomes and opportunities for them.</p> <p>Despite assertions from stakeholders 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. The sequencing of development at Riverside has of course been the subject of discussion and agreement with City Headteachers. The Strategic Business Case for Building Schools for the Future sets out proposals for the re-building and refurbishment of all the local authority secondary schools, including Riverside. To date the local authority has not amended this decision and Riverside is still part of the BSF programme.</p>
g.	<p>Reaffirms all previous objections and concerns stated during the recent consultation period.</p>	<p>Issues raised previously by the Riverside Business and Enterprise College Governing Body have been addressed separately in reports to Scrutiny and Cabinet in September and October 2009 respectively.</p>