

Forewarned is Forearmed!

The motto **'Be Prepared'**
is not just for scouts!

Statutory Process for closing a school

- has five stages:
- Stage 1 **Consultation** No prescribed timescale (minimum of 6 weeks recommended; school holidays should be taken into consideration and avoided where possible). Likely to be no longer than 12 months.
- Stage 2 **Publication** 1 day
- Stage 3 **Representation** Must be 4 weeks
- (this is prescribed in legislation and cannot be shortened or lengthened).
- Stage 4 **Decision** LA should decide a proposal within 2 months otherwise it will fall to the Schools Adjudicator.
- Where permitted appeals must be made within 4 weeks of the decision.
- Stage 5 **Implementation** No prescribed timescale – but must be as specified in the published notice, subject to any modifications agreed by the decision-maker.

Information which must appear

- **Contact details**
- 30. The name and contact details of the LA or governing body publishing the proposal and the name, address and category of the school proposed for closure.
- **Implementation**
- 31. The proposed closure date or, where it is proposed that the closure be implemented in stages, the dates of, and information about, each stage.
- **Objectives and reason for closure**
- 32. The objectives of the proposal and the reason why closure of the school is considered necessary.
- 33. Decision-makers will look to proposals to set out how the proposal will impact on the educational standards and parental choice in the community. Where the proposal is related to another proposal this should be made clear, for example in the case of an area wide reorganisation.
- **Pupil numbers and admissions**
- 34. Information on the numbers, age range, sex and special educational needs of pupils (distinguishing between boarding and day pupils) for whom provision is currently made at the school.
- **Displaced pupils**
- 35. Details of the schools at which displaced pupils will be offered places, including:
 - ☑ any interim arrangements;
 - ☑ the alternative provision for children recognised by the LA as reserved for children with special educational needs; and
 - ☑ in the case of special schools, the alternative provision made by LAs other than the LA which maintains the school.
- **Impact on the community**
- 36. A statement and supporting evidence about the impact on the community and any measures proposed to mitigate any adverse impact, including details of the extended services the school offered and what is proposed for these services once the school has closed.

Responding to threats of closure

..... and then **closure**

from experience.

What was learned from the experience

- ◆ The L.A. has a definite agenda- if they don't succeed the first time they'll come back again.
- ◆ The DfE has clear guidance on procedures to be followed if closure is proposed but some elements of this are disregarded by the L.A.
- ◆ Often the L.A. is economical with the truth when presenting evidence.
- ◆ Frequently the L.A. does not allow public access to both sides of the evidence presented.
- ◆ Better to have the necessary information to hand.

The power of the L.A.

- ◆ A L.A. can propose the closure of any category of maintained school, following a five-stage statutory process. (DfE School Organisation January 2014)

But there is an **additional element** for a proposal relating to the closure of a maintained nursery school- this requires a statement setting out:

- the LA's assessment of the quality and quantity of the alternative provision compared to the school proposed to be closed and the proposed arrangements to ensure the expertise and specialism continues to be available;

and

- the accessibility and convenience of replacement provision for local parents.

What's needed in the armoury?

- self-evaluation showing clarity of vision, ethos and strategic direction of leadership
- external evidence
- knowledgeable and involved governors
- successful parental and community engagement

1. Self- evaluation

- provides the basis for planning, developing and improvement
- based on deep and accurate understanding of school's performance and of staff and pupils' skills and attributes
- school's actions are carefully planned, concerted and effective.

2. Evidence ...Outstanding is the key!

- ❖ ‘Local authorities are under a statutory duty to promote **high educational standards**, ensure fair access to educational opportunities and promote the fulfilment of every child’s educational potential.’ (DfE 2014)
- **Nursery school closures**
- 62. There is a presumption against the closure of nursery schools. This does not mean that a nursery school will never close, but the case for closure should be strong and the proposal should demonstrate that:
- plans to develop alternative provision clearly demonstrate that it will be at least as equal in terms of the quantity as the provision provided by the nursery school with **no loss of expertise and specialism**; and
- replacement provision is more accessible and more convenient for local parents. (DfE 2014 Annex B)

Nursery Schools are frequently inspected

- ❖ ‘ A maintained nursery school that was judged to be ‘good’ or ‘outstanding’ at its last full section 5 inspection will be inspected within three years from the end of the school year in which in which it was last inspected. This is because currently there is no standardised performance data available on which to conduct a robust risk assessment and because of the vulnerable nature of the very young children who attend such provision.’

Extract from Ofsted School inspection Document 2014

3. Knowledgeable and involved governors

- if governors are knowledgeable and involved, they're committed and they won't just roll over when closure is threatened
- they will be confident to assemble evidence and provide facts and figures to challenge the L.A.'s proposals.

4. Parental and community engagement

- provides a strong voice and action force to challenge closure threats, augmenting the governors' attack.
- the more they're involved in the school, the harder they'll fight
- they'll involve local councillors, M.Ps etc.

Useful sites: National Association for Small Schools (NASS) www.smallschools.org.uk
email info@smallschools.org.uk also parentsagainstclosure.davesinfo cafe.com