

# Outcome of consultation on a proposal to close Queensway Primary School

Date: 23 November 2022

Report of: Director of Children and Families

Report to: Executive Board

Will the decision be open for call in?  Yes  No

Does the report contain confidential or exempt information?  Yes  No

## Brief summary

This report contains details of a consultation brought forward by Leeds City Council to reduce the number of primary school places within the Guiseley and Yeadon areas of Leeds by proposing the closure of Queensway Primary School (PS) when term ends in July 2023. Whilst the school would close to children on that date, legally the school would close (discontinue) on 31 August 2023.

The birth rate in Leeds has declined significantly over the last few years with births for children due to start school in September 2026 some 1,459 (14.4%) lower than the births for the children who started school in 2021. In the Guiseley and Yeadon area the birth rate has fallen by 35% over the same period. Several schools across this area have surplus places available and this impacts directly on school budgets. It could be several years before any birth rate increases start to favourably impact on school rolls and it is urgent that action is taken.

This proposal has been brought forward as part of a wider plan in time to allow school places in the Guiseley and Yeadon areas to be managed. The proposal would support the Leeds Best City Ambition to ensure young people have the skills which enable them to realise their potential and thrive. It would do this by helping to safeguard the financial stability of schools in Guiseley and Yeadon in order that they can continue to deliver the scope of the National Curriculum in its broadest and fullest sense, ensuring that all children have rich opportunities and experiences across all ages and stages of their schooling.

Queensway PS and other primary schools in this area are part of the Aireborough Learning Partnership Trust (ALPT), however the schools' Governing Bodies employ their own staff and set their own school admissions arrangements, including their published admissions numbers (PANs). This means that the Local Authority (LA) cannot decide on the PANs for the schools and so cannot reduce numbers across the area through a proposed PAN reduction. In the absence of any other schools in the area choosing to consult on reducing their PANs, the only way the LA can manage the level of surplus is to consider the closure of a maintained school.

Over the last few years, Queensway Primary School (PS) has seen a decline in families preferencing the school and has not filled its reception places, despite having more children living nearest the school in its admissions priority catchment area than places available at the school. Families are close to several other local Ofsted rated Good and Outstanding schools and many families choose to preference other schools instead of Queensway PS. The school has been unable to set a balanced budget for 2022/23 and would move further into deficit in future years. Queensway PS was judged 'Inadequate' by Ofsted after their inspection in June 2022.

A consultation on a proposal to close Queensway PS at the end of term in July 2023 took place between 26 September and 23 October 2022. This consultation is stage one of a four stage Statutory Process. If the recommendations in this report were approved by Executive Board, the proposal would move to stages two and three. That is to publish a Statutory Notice in January 2023, which would immediately be followed by a four-week statutory representation period during which time anyone could object to or comment on the proposal to close the school. A summary of any objections and comments received during that time would be reported to Executive Board for a final decision to be made on the proposed closure of the school. That would be stage four. We expect that to happen in March 2023.

### **Executive Board is requested to:**

- a) Approve publication of a Statutory Notice on a proposal to close Queensway Primary School on 31 August 2023 whilst noting the outcome of the consultation.
- b) Note that implementation of the proposal would be subject to the outcome of the proposed statutory notice.
- c) Note the intention for a further report to be presented to the March 2023 Executive Board meeting.
- d) Note the responsible officer for implementation is the Head of Learning Systems.

### **What is this report about?**

- 1 The birth rate in Leeds has declined significantly over the last few years with births for children due to start school in September 2026 some 1,459 (14.4%) lower than the births for the children who started school in 2021. In the Guiseley and Yeadon area the birth rate has fallen by 35% over the same period.
- 2 Leeds City Council has a duty to manage the numbers of places across schools and works with key partners to respond when pupil numbers increase and when pupil numbers fall. There is a 'cyclical' nature to the birth rate going up and down, and although in the future it is likely that the birth rate will start to increase again, it is not known when that might happen or if numbers will reach previous levels.
- 3 Several schools across the area have surplus places available. Having surplus places impacts directly on school budgets and can affect schools' ability to deliver the scope of the National Curriculum in its broadest and fullest sense, ensuring that all children have rich opportunities and experiences across all ages and stages of their schooling. Where schools have deficit budgets, this can lead to limited resourcing and challenges around staffing – both in recruiting and retaining staff. It can also result in reduced opportunities for high-quality professional development which can and does impact on the outcomes of all children, including those who are deemed vulnerable.

- 4 It is important that when planning places that there are some surplus places available for families moving into the area and so there is a balance to be had between having sufficient places available, having too many or having too few. If the number of available places across schools in this area were to remain the same, the number of surplus places will increase in the future. School budgets can be planned more effectively when there is less uncertainty around likely future numbers, so reducing potential surplus across the area should offer increased financial stability for all schools. Based on the data held by the LA, which includes birth data, potential housing, parental preferences, and allocations trends, an assessment has been made that the number of places across schools in this area will need to reduce by a minimum of 60 places in reception by 2026. In addition to the proposed school closure, at least one other school would need to reduce its published admission number (PAN) by 2025 if further action by the LA is to be avoided.
- 5 An options appraisal exercise was undertaken by the local authority to determine the potential solutions available. This included the option to do nothing and monitor population data across the area for a longer period. This option was ruled out because data shows that births in the area are continuing to decline, and we know that there are over 100 fewer children living in the Guiseley and Yeadon areas due to start school in Sept 2026 compared to the size of the cohort who started school in Sept 2021. Any upturn in births in future years would likely take several years of continuous increases to favourably impact on school rolls. As there is now certainty that schools are now facing several years of lower demand for places, accompanied with significant budget challenges, doing nothing is not a favourable option as it would negatively impact on the future stability of schools in the area.
- 6 Another option would be for several other schools in the area to reduce the number of available reception places. In this area whilst the schools are part of the Aireborough Learning Partnership Trust (ALPT), the schools' Governing Bodies employ their own staff and set their own school admissions arrangements, including their published admissions numbers (PANs). The Local Authority (LA) and the ALPT cannot set the admissions policies or PANs for the schools. In the absence of other schools choosing to consult on reducing their PANs, the only way the LA can manage the level of surplus is to consider the closure of a maintained school, which it can legally do. Whilst school closure is a last resort, there is a legal requirement to consult for such a proposal to be considered.
- 7 Officers from the Sufficiency and Participation team met the ALPT and partner schools in May 2022 to give an update on current data and anticipated future reception need. This included a recommendation that fewer reception places would be required in the area to manage future demand and support schools to be sustainable. Officers also offered to hold further discussions with the ALPT and/or with individual schools, and this was taken up by two providers. The ALPT planned to meet as a group in June 2022 to consider the implications of reduced demand for places and to determine their response to what was being recommended. LCC officers again met with the ALPT and partner schools on 27 September 2022 to give a further update on future reception demand and to share information about the consultation on the proposal to close Queensway Primary School. No schools in this area have chosen to consult on any PAN reductions.
- 8 Over the last few years, Queensway PS has seen a decline in families preferencing the school and has not filled its reception places, despite having more children living nearest the school in its admissions priority catchment area than places available at the school. In 2020 43% of children in the catchment area made a 1st preference for the school but by 2022 only 20% in the catchment did so. Due to its location, families are close to several other local schools and many families choose to preference other schools instead of Queensway PS. As of September 2022, the school had 12 children on roll in reception with 18 surplus places in that year group. In the past, new

families who moved into the area after offer day and during the school year did not result in the school filling and there is no indication that this would change in the future. The school has been unable to set a balanced budget for 2022/23 and would move further into deficit in future years.

- 9 Queensway PS was judged 'Inadequate' by Ofsted after their inspection in June 2022 and the Department for Education (DfE) has issued the school with a Directive Academy order as required by legislation. Whilst the Department for Education (DfE) will work to identify a suitable Multi-Academy Trust (MAT) sponsor to run the school, they have indicated that they will not ask any identified sponsor to commence due diligence until they have had the opportunity to consider the outcome of the four-week consultation.
- 10 Given the outcome of Queensway PS's most recent Ofsted inspection report, the Local Authority have implemented a 'Team Around the School' plan to address the areas for improvement outlined in the report. This plan is designed to ensure rapid improvements within the Quality of Education section, so all learners can achieve highly because of collaboration and expertise from consultants. The plan draws upon Local Authority officer resources through a traded function funded by the school brokerage grant and further supplemented by the Local Authority statutory function to ensure the school is making significant improvements at pace. This plan is running in parallel to the consultant process on proposed closure of the school. The school has a responsibility to develop an effective and robust post-Ofsted action plan to address key priorities identified in the Ofsted report and what actions it is going to take to support improvement. This plan would address the provision and progress for pupils with Special Educational Needs and Disabilities (SEND).
- 11 If the school were to close the Local Authority would support families to secure alternative places, putting high priority on keeping sibling groups together. Transition arrangements would be in place between the schools. Any other professionals involved in the child's care, for example, specialist teachers, therapists etc. will be able to support with effective transition planning for all children who require additional support for transitions. This is covered in more detail below.

### **What impact will this proposal have?**

- 12 Leeds City Council has a responsibility to manage the numbers of places across schools and this proposal is being brought forward to address an over-supply of places in the Guiseley and Yeadon areas.
- 13 This proposal will allow children to continue accessing Ofsted rated 'Good' or 'Outstanding' schools across Aireborough. It also promotes the efficient use of resources by reducing the number of surplus places schools would have to carry in future years due to a declining birth rate.
- 14 If a decision was taken to close the school, Leeds City Council would oversee the allocation of places for all children on roll at the school at that time, supporting all families to secure alternative local school places for September 2023. Schools are experienced in managing the transition of pupils, including those with identified Special Educational Needs, and utilise a range of activities to ensure transition is effective and may include teacher-to-teacher discussions, transition days/sessions, new parent meetings and joint work projects between the schools. Transition would be a key focus for discussion between the Local Authority and schools. Although it would be for the receiving school to set transition arrangements, these discussions will ensure that appropriate arrangements are in place to make transition effective. Any other professionals involved in the child's care, for example, specialist teachers, therapists etc. will be able to support with effective transition planning for all children who require additional support for transitions.

- 15 For children in receipt of additional funding to meet identified needs, any funding awarded would automatically transfer to their new school. For children with Education, Health and Care Plans (EHCPs), the Special Educational Needs Statutory Assessment Process (SENSAP) team would ensure that a review of their EHC plan would be carried out by Queensway PS, to support the identification of an alternative school. Queensway PS would work alongside colleagues in the local authority to ensure parents/carers had the necessary support for these reviews. This would happen at the point a decision was made to close the school to ensure that a place was secured for September and so that appropriate transition arrangements could be put in place. Should a parent/carer wish to hold a review earlier than this to look at transition to another school, that can be considered.
- 16 In the event a decision was taken to close the school, the Governing Body as the employer of Queensway PS staff would be responsible for leading the Managing Staff Reductions process. Informal consultation with staff and Trade Union colleagues has already commenced to ensure the views of staff can be shared and responded to, prior to the formal consultation period, which would only commence after the 15th March 2023 should the Executive Board on that occasion decide to close the school. Leeds City Council's Human Resources Team are supporting this process throughout.
- 17 The Children's Centre at Queensway PS is run as a satellite of Aireborough Children's Centre, sited within the most deprived area of Guiseley/Yeadon, and offering services such as child minders groups, baby weigh and read and explore. The Queensway Children's Centre is more accessible for service users living locally who have mobility issues and for target families in Queensway, allowing facilitation for contact meetings and counselling sessions. The Childrens Centre also offers food parcel collections and runs fun days throughout the year where food is provided from the kitchen area.

The Early Years provision at the school is delivered by Kangaroo Kids and includes before and after school care as well as childcare for 2, 3 and 4-year-old children.

- 18 Potential future uses of the school site are currently being explored, with an ambition for the Children's Centre services and Early Years provision to remain on the site, possibly alongside some other services, should the consultation lead to a decision to close the school. Under statute all the land held and used by the council for the purposes of the school was automatically vested in the ALPT on the date the school became a trust school. This means that the Trust is the body holding the land for the purposes of the school. If the school is closed the Secretary of State for Education will determine what should happen to the land. The Secretary of State can order that the land is transferred back to the Council or remains with the Trust or is transferred to another academy school. The Council will be able to put forward arguments to the Secretary of State as to why the land should be transferred back to the Council if the proposal went ahead.
- 19 An Equality, Diversity, Cohesion and Integration Screening (EDCI) form that considered the *consultation process* is attached as appendix 1. An Equality, Diversity, Cohesion and Integration Screening (EDCI) form that considers the *publication and representation process* is attached as appendix 2.

### **How does this proposal impact the three pillars of the Best City Ambition?**

Health and Wellbeing       Inclusive Growth       Zero Carbon

- 20 This proposal, if approved, would have a direct positive impact on the Inclusive Growth pillar. It would assist in the achievement of the Best City Ambitions to 'ensure children in all areas of the city have the best start in life' and 'have the skills which enable them to realise their potential and

thrive.’ It would do this by helping the schools in the Guiseley and Yeadon areas that have already, or may soon need to, set deficit budgets due to falling numbers on roll have more certainty regarding their future stability. The impact of not acting now is that schools will soon face resourcing challenges around staffing – both in recruiting and retaining staff. Failing to act could also result in reduced opportunities for high-quality professional development which can and does impact on the outcomes of all children, including those who are deemed vulnerable.

### What consultation and engagement has taken place?

Wards affected: Otley & Yeadon and Guiseley & Rawdon

Have ward members been consulted?       Yes       No

- 21 The process in respect of the proposal has been managed in accordance with the relevant legislation and with local good practice.
- 22 Public consultation on the proposal took place between 26 September and 23 October 2022 to seek the views of children, parents, staff, governors, residents, local councillors and other stakeholders. To maximise stakeholder engagement a variety of consultation methods were used, including email communications and an online survey. Two ‘drop-in’ consultation sessions were also held at the school for parents, residents and other interested stakeholders which gave attendees an opportunity to discuss the proposal with representatives from the council’s Sufficiency and Participation team. A letter providing residents with information about the consultation was delivered by post to all residential addresses within the school’s priority catchment area for admissions. Details about the consultation were also sent to all local primary and secondary schools in the area. Information was available via the Leeds City Council website and through various social media platforms and accounts. A copy of the Consultation Document is attached as appendix 3.
- 23 Consultation meetings were held with Queensway PS’s Governing Body, staff, the school council, the public and the Aireborough Learning Trust.
- 24 The local ward members have been fully briefed on the proposal and information was also shared via email with MP’s, local neighbourhood and community associations and other stakeholders.
- A total of 1061 survey responses were received during the consultation period of which 30 (3%) either strongly supported or somewhat supported the proposal to close Queensway Primary school and 1019 (96%) either strongly opposed or somewhat opposed the proposal. A further 12 (1%) neither supported nor opposed the proposal. A petition containing 3,601 signatures was also received in objection to the consultation. The cover page for this is included as appendix 4.
  - A document with the anonymised consultation responses received during the consultation period is included as appendix 5. A Response Log providing a breakdown of response types received and theme is included as appendix 6.
  - Separately, children at the school shared their thoughts and feelings about the proposal and a summary of this can be found at paragraph 26. A document with the children’s anonymised consultation responses is included as appendix 7.
- 25 A summary of the views expressed by the 30 respondents who strongly or who somewhat supported the proposal is below:

- Some respondents felt that the proposal to close Queensway PS was required as a response to the falling birth rate and to reduce the number of places available in the area. Some commented that other local schools, and early years providers and out-of-school-club providers would be able to accommodate all the need from Queensway PS.
- One respondent said that the school was becoming less popular with local families, with a few commenting on the current low number of pupils on roll at the school and suggesting that numbers on roll would continue to be low in the future if the school remained open.
- Some felt that the proposed closure should go ahead because Queensway PS would not be financially viable in the future with one commenting that it would be an efficient use of resources. Some respondents also commented that Queensway's closure would improve and protect the financial stability and sustainability of other local schools.
- Some respondents raised concern over the standard of education at Queensway PS while more also referenced the recent poor Ofsted outcome. One respondent felt that Queensway PS had demonstrated only a limited capacity to improve over time and two suggested that there are better schools available in the area. One respondent also felt the school should close due to previous safeguarding issues.

26 A summary of views and concerns expressed by the 1018 respondents who somewhat or strongly objected to the proposal is below by theme:

### **Concerns relating to sufficiency of places**

- a) **Concern:** Some respondents to the consultation felt that that the local authority had not fully considered other potential solutions to achieve the required reduction in places as an alternative to proposing the closure of Queensway PS.

**Response:** An options appraisal exercise was undertaken by the local authority to determine the potential solutions available. This included the option to do nothing and monitor population data across the area for a longer period. This option was ruled out because data shows that births in the area are continuing to decline, and we know that there are over 100 fewer children living in the Guiseley and Yeadon areas due to start school in Sept 2026 compared to the size of the cohort who started school in Sept 2021. Any upturn in births in future years would likely take several years of continuous increases to favourably impact on school rolls. As there is now certainty that schools are now facing several years of lower demand for places, accompanied with significant budget challenges, doing nothing is not a favourable option as it would negatively impact on the future sustainability of schools in the area.

Another option would be for several other schools in the area to reduce the number of available reception places. However, whilst schools in Guiseley and Yeadon are part of the ALPT, schools' Governing Bodies set their own school admissions arrangements, including their published admissions numbers (PANs). The LA and the ALPT cannot set the admissions policies or PANs for the schools.

Officers from the Sufficiency and Participation team met the ALPT and partner schools in May 2022 to give an update on current data and anticipated future reception need. This included a recommendation that fewer reception places would be required in the area to manage future demand and support schools to be sustainable. Officers also offered to hold further discussions with the ALPT and/or with individual schools, and this was taken up by two providers. The ALPT planned to meet as a group in June 2022 to consider the implications of

reduced demand for places and to determine their response to what was being recommended. LCC officers again met with the ALPT and partner schools on 27 September 2022 to give a further update on future reception demand and to share information about the consultation on the proposal to close Queensway Primary School.

In the absence of other schools reducing their PANs, the LA has no other way of managing the level of surplus and is only left with one option which is to consider the closure of a maintained school. Whilst school closure is a last resort, there is a legal requirement to consult for such a proposal to be considered.

Even if fewer reception places were to be available in the area in the future, parental preference impacts on allocations and, therefore, there is a risk that any surplus could still disproportionately affect less popular schools and not actually help them to grow numbers significantly.

On balance proposing the closure of Queensway PS must be considered as part of a realistic and achievable plan to meet the required reduction in places that will help to keep the remaining school provision in this area viable. This has been done by asking the community about these plans as the best way for us to listen, seek views and consider a wide range of perspectives, as well as understanding if there are any alternative proposals that stakeholders feel should be considered.

- b) **Concern:** Some respondents suggested that the current need to reduce school places in Guiseley and Yeadon is a direct result of the local authority's previous decisions taken to expand schools in the area and that this should never have happened.

**Response:** Over several years the Yeadon and Guiseley areas of Leeds, like many others, saw a significant increase in the birth rate. This along with additional demand for places from new housing developments meant that there were too few places in the area for local children. From 2013 several primary schools were temporarily and/or permanently expanded to accommodate the additional children being born who would then go on to apply for school places. If the additional places had not been made available in local schools, up to two-forms-of-entry of children would have had to travel out of the Aireborough area to a school that had places available.

The Consultation Document at appendix 3 contains a graph and table 'Past and future school places in the Yeadon and Guiseley area', showing the numbers of available places in Yeadon and Guiseley primary schools compared with the total numbers of children on roll in reception each year, and what those numbers are projected to be in the future.

- c) **Concern:** A concern was raised by some respondents that closing Queensway PS would be a premature move because increases in the birth rate and additional housing may result in birth rate rises and the need for additional school places. Some respondents suggested that there might have been a 'Covid baby boom'.

**Response:** Leeds City Council has a responsibility to manage the numbers of places across schools and is committed to working in close partnership with schools, Governing Bodies, Trusts, and other key partners to respond to any changes to the birth rates and the numbers of school aged children, both when numbers are increasing and when they start to fall. There is a 'cyclical' nature to the birth rate going up and down, and although in the future it is likely that the birth rate will start to increase again, it is not known when that might happen or if numbers will ever reach previous levels.

NHS birth data used by the LA to plan school places shows that there will be approximately 100 fewer children requiring a Reception place in 2026 compared to the 2021 cohort. This impact of the falling birth rate can be seen through the declining numbers on roll and projected demand shown in the graph and data table shown in the Consultation Document at appendix 3.

Based on the data held by the LA, which includes birth data, parental preferences, and allocations trends, an assessment has been made that the number of places across schools in this area will need to reduce by a minimum of 60 per year group by 2026 for schools to be viable and continue to meet the needs of their learners.

Excluding former greenbelt housing sites, which have now returned to the greenbelt following the outcome of the Site Allocation Plan (SAP) Legal Challenge, all large-scale Aireborough housing sites within the adopted SAP have now either been constructed or are no longer eligible for delivery as housing. Although there are still some small-scale sites either under construction or to be brought forward for delivery from the SAP, these will not generate any real increase in demand for school places that cannot be managed through the planned level of surplus places available for any families moving into the area.

- d) **Concern:** Some people who responded to the consultation challenged the accuracy of the demographic data and school census data presented throughout the consultation period. Linked to this, some respondents disagreed that there would be sufficient places made available for current Queensway PS pupils if the school closes while some were concerned over the loss of choice or the loss of a non-faith school option in an area. Many of these respondents thought that a lack of available places/capacity might lead to some children being placed in larger or over-filled classes at other schools or being schooled in inferior (temporary) classrooms.

**Response:** The birth data used as part of school place planning is obtained from the NHS central database of hospital and GP records. Data from Leeds and surrounding areas is analysed, allowing the LA to understand where every child aged 0-5 lives based on their registered home address. The birth rate has been falling significantly in Leeds since 2017. This is similar for Yorkshire & the Humber and for the whole of England & Wales. In the Guiseley and Yeadon area the births have fallen from 303 in 2017 (2021 school entry) to 196 in 2022 (2026 school entry) - a 35% drop overall. This means a decline in the numbers of children joining reception classes at schools in the area is likely to continue until at least September 2026. There is a choice of Ofsted rated 'Good' and 'Outstanding' primary school provision in Aireborough, with mix of both faith and non-faith primary/infant schools. There are currently 4 faith schools and 6 non-faith schools available and, if the proposed closure of Queensway PS went ahead, there would still be a good choice of both faith and non-faith schools in the area.

The vacancy data shared during the consultation period provided a snapshot of the number of surplus places available at other schools at that time and was intended to demonstrate that there are a significant number of surplus places available across multiple year groups at other nearby schools. Some of these places could be offered to Queensway PS pupils as part of the transition arrangements if the school does close. The number of vacancies at each school in the area will change between now and July 2023. The vacancy data shared was not intended to signify the exact number of places that will be available at the time a decision is made on the proposal which we expect to be in March 2023 if the proposal were to progress.

If a decision was made to close Queensway PS and there were too few places available to accommodate all the pupils on roll at that time, the Sufficiency and Participation team would

work with local schools to identify suitable options to create some additional places to match the need. This work would pay due regard to current class size legislation for Key Stage 1 pupils and could mean something as simple as a school using some existing surplus space for teaching, the LA providing a temporary classroom for a school to be able to run an additional class, or simply one or two extra children in a class, as often happens now through the school appeals process. Any temporary classrooms provided would be high quality and fit-for-purpose.

- e) **Concern:** Some respondents expressed concern about the potential loss of services currently provided out of Queensway PS, including the out-of-school provision (morning/after-school club/wraparound provision); nursery places and the Children's Centre services. Some people were also concerned that there would be insufficient out-of-school-care/wraparound provision available elsewhere, or that the provision that would be available would not meet their existing needs.

**Response:** Closure of Queensway PS would result in the loss of the three-way partnership working that currently exists between the school and the Children's Centre and Early Years provider. It was recognised that this offers additional value to the local community, and in particular to more vulnerable children and families living in the area. Working with the ALPT, the local authority is exploring the potential future use of the school site/building with an ambition for both the Children's Centre Services and Early Years provider to remain on site, possibly alongside some other services. However, as all the land held or used by the council for the purposes of the school automatically vested in the ALPT on the date the school became a trust school, an agreement would need to be reached to transfer the land back to the LA. Ultimately, if Queensway PS closes, it would then be a decision for the Secretary of State for Education as to what happens to the school site/buildings. In any event, the LA's Early Help team would work with the Children's Centre management team to ensure their work continues to support vulnerable families living in Queensway and that existing services continue to be provided in the area.

Other schools in the Guiseley and Yeadon areas have nurseries and wraparound care for their families and these would be available to any Queensway PS pupils joining those schools, in the event the proposed closure goes ahead. The Sufficiency and Participation team would also work with local schools and providers to identify suitable options to create some additional capacity to match the level of Early Years and wraparound care provision needed if a shortage of places was identified.

### **Concern about impact of the proposal on children and families**

- f) **Concern:** Some people said that families living in Queensway should have access to a local school that is located within the local community itself. This linked with comments made by respondents that Queensway PS is at the heart of the community and that its closure would be detrimental to the community and/or will make the area less desirable to live in for families. People felt that Queensway PS staff offer families a high level of support for struggling or vulnerable families. Some also said that children would have to travel further to get to school and might no longer have the option available to walk to school. Some worried that this would cause higher rates of lateness / absences at the remaining schools in the area. Similarly, some people felt the school closing would have a negative impact on their current school run arrangements such as shift workers being negatively impacted by longer travel distances or family members being unavailable to drop off and pick up at schools further away from Queensway. Others linked this with deprivation and parents being unable to afford increased transport costs or taxis being unavailable.

**Response:** It was recognised that Queensway PS is a local hub that provides more than just school places. The strong relationships between the school, the Children's Centre and the Early Years provider offers additional value to the local community, particularly to vulnerable children and families, that is greater than the sum of the individual parts. Although it would not be possible to fully replicate this partnership working if the school closes and to retain all that the school currently offers its local community, the LA's Early Help team would work with the Children's Centre management team to ensure their work continues to support vulnerable families living in Queensway and that existing services continue to be provided in the area. Working with the ALPT, the local authority is also exploring the future use of the school site/building with potential for both the Children's Centre Services and Early Years provider to remain on site.

Some parents understandably have concerns about potential changes to their home to school travel arrangements and it is accepted that the travel distance for some families may increase. This means that children and families may have to walk further to get to school. This is with the exception of any students who currently receive transport to support additional needs and pupils with Child Protection Plans who may be unable to travel. For the latter, plans would be made to manage specific needs identified. Over the past few years, the majority of families living within the Queensway school priority catchment area have chosen to access reception places at other local schools and, should a decision be taken to close the school, families living within Queensway PS's current catchment area would have several schools available nearby and within a reasonable walking distance from home. The closest schools are St Oswald's C of E PS, Rufford Park PS, and Yeadon Westfield Juniors, all being less than a mile walking distance from Queensway PS. On that basis, it is not expected that there would be any increased travel costs.

- g) **Concern:** Some respondents said that the proposal was based too much on data and/or financial considerations, and not enough on the impact on children and families. Linked to this, some respondents expressed concern that the LA had not fully considered socio/economic factors linked to the consultation and, if it were to go ahead, the impact that the closure of the school would have on equality, diversity and community cohesion.

**Response:** The need to reduce school places in the Guiseley and Yeadon areas is driven largely by the significant fall in the birth rate and the consequent reduction in funding that schools would receive if they then had fewer pupils on roll in future years. In addition, an Equality, Diversity, Cohesion and Integration impact screening (EDCI) has been carried out in relation to the consultation exercise undertaken. This sets out details of the stakeholder engagement exercise undertaken to ensure the consultation reached and engaged with the largest number of consultees possible. The document also demonstrates that the LA considered any potential negative impacts on those with the relevant protected characteristics in relation to the consultation process. A further EDCI screening has been undertaken to consider the statutory notice publication and representation process (should a decision be taken by Executive Board to proceed to this next stage in the decision-making process) and how this can be made as inclusive as possible. If the proposal progresses to the statutory notice publication and representation stage, any representations made during this time would help to inform a full Equality Impact Assessment (EIA) on the proposal itself, which would be made available to Executive Board when a final decision would be made on the proposal in March 2023. The EIA would consider the potential wider impact on EDCI if the proposal did go ahead. The assessment would provide details of action the LA would take to promote positive impact and remove/reduce negative impact.

- h) **Concern:** Some respondents stated that the current uncertainty over the school's future is already causing distress to the pupils attending Queensway PS and their families. Some felt

that this consultation exercise coming so soon after the disruption to children's education caused by the pandemic, was unfortunate and likely to cause further harm to children's education. In a similar vein, some respondents felt the school's closure would be disruptive, having negative impact on children's mental health and wellbeing and would negatively impact on children's learning. One respondent suggested closure and transition to another school would be particularly difficult for children going into Year 6 in September 2023.

**Response:** Although consulting on a proposal to close a school may cause some upset and distress, it is hoped that the consultation activity undertaken to date has given the opportunity for everyone with an interest in the proposal to fully engage in the decision-making process and to have their voices heard. It is also worth stressing that all schools are experienced in managing the transition of pupils and would utilise a range of activities to ensure transition is effective if the proposal goes ahead, with the objective of protecting the wellbeing of children and to prevent any negative impact to their learning.

In addition to the transfer of pupil records, potential activities that a receiving school may use to ensure effective transition would include teacher-to-teacher discussions, transition days/sessions, new parent meetings and joint work projects between the schools. Should there be a need for pupils to transfer to other schools, transition will be a key focus for discussion between the LA and both schools. Although it would be for the receiving school to set transition arrangements, these discussions will ensure that appropriate arrangements are in place to make transition effective.

- i) **Concern:** Some respondents suggested that other schools in the area could not provide the same level of support for SEND pupils / vulnerable learners as Queensway PS. Some respondents also felt that closure of the school would put children's safety at risk, creating safeguarding concerns.

**Response:** Although the school's latest June 2022 Ofsted inspection report acknowledges that senior leaders and the recently appointed special educational needs coordinator (SENCo) at Queensway PS have been *"rapidly carrying out assessments to better understand the needs of their SEND pupils"*, the report also highlights the need for further improvement at the school, stating that *"Pupils with SEND have erratic experiences at school. In some lessons, they are not supported to access the same work as their peers. Elsewhere, they work outside of the main classroom, undertaking work which lacks ambition."*

If the proposed closure went ahead, local schools, like all mainstream schools, have a duty to undertake their best endeavours to meet the needs of children with Special Educational Needs and Disabilities through a graduated approach. Queensway PS's SENCo would support good transition arrangements for all pupils with SEND. This would involve a handover of all relevant information in relation to the assessments and identification of their needs, and the support they require. Any other professionals involved in the child's care (for example, specialist teachers, therapists etc.) will be able to support with effective transition planning for all children who require additional support for transitions. Transition arrangements will be personalised to the needs of the children, but may include additional visits, transition days and meetings between Queensway and the receiving school.

Where a child currently has an Education, Health and Care (EHC) plan, the LA would ensure that a review of their EHC plan would be carried out by Queensway, to support the identification of an alternative school. Queensway would work alongside colleagues in the local authority to ensure parents/carers have the necessary support for these reviews. This would happen at the point that a decision was made to close the school (if that decision was made) to ensure that a place was secured for September so that appropriate transition

arrangements could be put in place. Should a parent/carer wish to hold a review earlier than this to look at transition to another school, that can be considered.

Parents/carers of children with EHCPs have a right in law to preference any school they wish, and the Local Authority (LA) must name that school in their Plan unless it is unsuitable for the age/aptitude/ ability of the child; is incompatible with the education provision chosen; or is an inefficient use of the LA's resources.

If Queensway PS closes, to protect outcomes for vulnerable learners at Queensway, a clear, robust, and targeted transition plan would be required for every vulnerable pupil, which is fully understood by foster families and social workers. This plan would need to take account of the individual needs of each child and requires the mapping of provision in receiving schools and their readiness to accommodate the additional needs of Queensway children - i.e., considerations around ethos and inclusion policy. Plans would need to be made to help overcome any other issues vulnerable families would face and to manage the specific needs of those pupils with Child Protection Plans who may be unable to travel. Where they are in place, Personal Education Plans could be used to funnel this support.

- j) **Concern:** A concern was raised by some respondents that, in the event of a decision being taken to close the school, sibling groups attending Queensway PS may be split up when re-allocated places at other schools. Some had a similar concern that friendship groups would be split up if families could not gain places for their children at the same schools as their friends, or that would make attending clubs / seeing friends more difficult if children have to attend a school further away from where they live.

**Response:** If a decision was taken to close the school, then the LA would oversee the allocation of places for all children on roll at the school at that time. A review of available places would take place and families would be asked to complete a form to tell us their preferred schools. Although it is not possible to guarantee that every child would be able to have their first choice of school, in a similar way to how places are allocated to families for the start of primary and secondary school, the LA would allocate places with several principles underpinning that work to ensure fairness – including parental preference and prioritising sibling groups to stay together. In all cases, the LA would seek to meet the highest stated preference possible.

### **Concern about impact of the proposal on other schools**

- k) **Concern:** Some respondents worried that if Queensway PS closed there would be increased pressure on the resources of other local schools. Some people also suggested that the impact of pupils from Queensway PS joining other schools may cause disruption to the education and wellbeing of pupils already on roll at these other schools and on their Early Years settings.

**Response:** Currently there are several schools across the area with surplus places available. Having too many surplus places impacts directly on school budgets and can affect schools' ability to deliver the scope of the National Curriculum in its broadest and fullest sense, ensuring that all children have rich opportunities and experiences across all ages and stages of their schooling. Where schools have deficit budgets, this can lead to limited resourcing and challenges around staffing – both in recruiting and retaining staff. It can also result in reduced opportunities for high-quality professional development which can and does impact on the outcomes of all children, including those who are deemed vulnerable.

If Queensway PS does close, existing surplus places can be filled by pupils currently on roll at Queensway and would reduce the potential surplus across the area over the next four years, offering increased financial stability for all remaining schools.

The Sufficiency and Participation team would also work with local schools and providers to identify suitable options to create some additional capacity to match the level of need if a shortage of school and/or nursery places was identified.

- l) **Concern:** Some respondents raised concerns about increase parking and traffic at other schools if Queensway PS closes. Some also suggested that going ahead with the proposed closure would have a negative impact on the environment and the local authority's Zero Carbon ambition.

**Response:** If the school does close, families living within Queensway Primary School's current catchment area would have several other schools located nearby and within a reasonable walking distance from home. Therefore, closure should not lead to any noticeable increase in the number of families needing to use private vehicles to transport their children to school.

There are no plans to undertake any carbon intensive activities, such as construction works, linked to this proposal that would impact negatively on the council's Zero Carbon ambition.

#### **Other concerns raised**

- m) **Concern:** Some respondents told us that they were concerned that, if a decision is taken to close Queensway PS, the LA would sell the school site off for housing development. Some also said that they had a concern that the school site would be left vacant, encouraging anti-social behaviour and vandalism.

**Response:** Working with the ALPT, the LA is exploring the future use of the school site/building with potential for both the Children's Centre Services and Early Years provider to remain on site, possibly alongside some other services.

Under statute all the land held and used by the council for the purposes of the school was then automatically vested in the ALPT on the date the school became a trust school. This means that the Trust is the body holding the land for the purposes of the school. If the school is closed the Secretary of State for Education will determine what should happen to the land. The Secretary of State can order that the land is transferred back to the Council or remains with the Trust or is transferred to another academy school. The Council will be able to put forward arguments to the Secretary of State as to why the land should be transferred back to the Council.

- n) **Concern:** Some respondents expressed concern that the staff at Queensway PS would lose their jobs if the school closes.

**Response:** The Governing Body has commenced informal consultation with staff, supported by Leeds City Council's HR Schools service as their chosen HR provider. Various options are being explored by the Governing Body to reduce the impact of compulsory redundancies, should the school close.

- o) **Concern:** Some respondents felt that the consultation on the proposed closure of Queensway PS has had a negative impact on numbers on roll at the school, as some families have already chosen to take their children out of Queensway and found a new school place for them

elsewhere. Some also said that the decision to consult should have been made before the start of the new school year when new children joined Queensway PS.

**Response:** Although consulting on a proposal to close a school is inevitably going to cause uncertainty, which has resulted in some families choosing to move their children to other schools ahead of any decision on the future of Queensway PS, it is essential that this stage of informal consultation is undertaken (and is a statutory requirement) to provide all stakeholders with the opportunity to fully engage in the decision-making process and to have their voices heard before any final decision is taken.

The decision to consult now was taken following detailed analysis of the available demographic and school place allocations data, which confirmed that the birth rate was continuing to fall in the Guiseley and Yeadon areas. Once it was agreed that action was required to permanently reduce places, the best available option was to consult on the proposal in September/October as this would provide the required amount of time to gain a final decision on the proposal from Executive Board by no later than March 2023 (if the proposal progresses to this stage). This means a final decision would be made before the school admissions National Offer Day on 17 April next year giving greater clarity to parents applying for reception places.

27 A number of those who responded to the consultation submitted general comments and suggestions as part of their overall response. These are summarised below:

- Some respondents stated that a high proportion of learners at Queensway PS have additional needs.
- Some felt that the school's popularity had been negatively impacted by historical issues that are now resolved and that Queensway PS had not been given the opportunity to rebuild its reputation ahead of this consultation starting.
- Some people told us that the recent 'Inadequate' Ofsted judgement does not reflect the positive impact the current school leadership team have had on the school in recent times.
- Some respondents submitted positive comments about the current school leadership team and staff at Queensway PS and the positive influence they have on their children's lives.
- Some people made positive comments about the school's standard of teaching and learning, and some said that the school has good facilities, including lots of outdoor space that should be retained.
- Some respondents said that the school has a very inclusive ethos and provides excellent support to pupils with SEND.
- Some of those who submitted a response made positive comments about Queensway's pastoral support and some others said that, rather than being an issue, the low numbers on roll at Queensway has resulted in smaller class sizes which is of benefit to the pupils at the school.
- Some respondents stated that Queensway Primary School is at the heart of their community.
- **Suggestions:** Some suggested that the LA should take no action at all. This included suggestions to not close Queensway PS, give Queensway PS longer to improve and monitor the population data for longer before taking any action. Some suggested that if closure went ahead, the closure of Queensway PS should be phased to allow existing pupils to stay and allow re-opening in the future if required.

- **Response:** The option to take no action for now was considered and this is explained further at paragraph 43 of this report. There is considerable risk that a phased closure would have adequate staffing and pupils over several years to continue teaching effectively.
- **Suggestions:** Reduce PAN at Queensway. This included a suggestion to move to mixed age classes and year groups or keep open with reduced capacity and utilise spare accommodation for other educational/community purposes. Some suggested promoting Queensway PS to increase intakes or amending the catchment areas of Queensway PS and other local schools. Others suggested closing another school in the area, amalgamating two schools, or reducing PAN at other local schools instead.
- **Response:** Queensway PS is already a small single-form-entry school and has been unable to set a balanced budget for 2022/23. Current demographic data and allocation trends suggest that the school would not be able to attract enough parental preferences in future years to remain financially sustainable with a reduced PAN, moving the school further into deficit in future years. Given the challenging demographic picture, the lack of local families choosing the school, and the Inadequate Ofsted judgement, it is difficult to see how the school could be promoted effectively to compete with other more popular schools in the area.

Amending the catchment priority area would only have an influence on the allocation of places if there was more demand (parental preferences) than the number of places available at the school. It is unlikely that changing the catchment priority area would have any impact on allocation patterns for Queensway PS, given the low allocations figures for recent years and the reduced birth rate in future years.

Most schools in the area are 1.5 or 2 form-entry, with larger numbers on roll. Therefore, there would be a greater degree of complexity and more disruption with transition arrangements associated with any proposals to close or amalgamate larger schools. In addition, other schools are more popular, and all are judged good or outstanding by Ofsted.

Reducing PAN at other schools instead was considered as an option and is described at paragraph 44 of this report. This option would still be required to achieve the total reduction in places required by 2026.

- **Suggestions:** Some said that Queensway PS should become an academy instead of closing. Some also suggested that Queensway PS could be turned into dedicated SEND provision; that SEN provision could be developed at the school; a community hub could be developed on the school site; or that the site could be used to develop a further education centre.
- **Response:** Queensway PS was judged 'Inadequate' by Ofsted after their inspection in June 2022 and has been issued with a Directive Academy order as required by legislation. Whilst the Department for Education (DfE) will work to identify a suitable Multi-Academy Trust (MAT) sponsor to run the school, they will not ask any identified sponsor to commence due diligence until they have had the opportunity to consider the outcome of the four-week consultation.

Even if Queensway PS was to become an academy, the Yeadon area would still face the same issues of reduced births and low numbers on roll. In addition, the LA has assessed that the number of places across schools in this area will need to reduce by a minimum of 60 per year group by 2026 for schools to be viable and continue to meet the needs of their learners. Therefore, a decision not to proceed with this proposal would require alternative proposals to be found to address the over-supply of places.

Working with the ALPT, the LA is exploring the future use of the school site/building with potential for both the Children's Centre Services and Early Years provider to remain on site, possibly alongside some other services, if the proposal goes ahead.

- **Suggestion:** Increase funding to Queensway PS and other local schools.
- **Response:** Leeds City Council allocates funding to all mainstream school in Leeds in accordance with DfE regulations and in consultation with schools and Leeds Schools Forum each year. It is not possible to change these arrangements for individual schools. As a large proportion of a mainstream school funding is paid on a per pupil basis, the only way that Queensway PS and other local schools could increase the funding they receive would be to increase the number of pupils they have on roll.

28 A joint response to the consultation was received from the Governing Body of Queensway PS. This is a summary of their collective views, concerns, and suggestions:

- Together, the school, Children's Centre and Early Years provider (kangaroo Kids) provide seamless support to families living in the most deprived area of Guiseley/ Yeadon. The support includes wrap-around care and support for vulnerable families who don't have cars to travel to other schools;
- Queensway Primary School is recognised for offering extended support to children with SEND and to hard-to-reach families that they suggested other schools in the area would not welcome;
- Governors felt that, because an equality impact assessment had not been carried out on the proposed closure ahead of consultation, due regard had not been given to the local authority's Equality Duty. Governors suggested that this should have been completed ahead of a decision being taken to consult on proposed closure of the school;
- Governors stated that the school has suffered from previous poor leadership, a lack of any leadership, and insufficient support from the local authority. They say that this had led to families choosing other local schools, but that the appointment of a new Board of Governors and a new leadership team provided "renewed hope that the school was finally turning a corner";
- Concern was raised by Governors that the consultation has added to the burden of stress on the school leadership team and staff at a time when they need to be focused on school improvement following the 'Inadequate' Ofsted judgement;
- The Governing Board's response accepted that urgent action was needed to resolve the pupil number issue but suggested that the LA's processes should be reviewed, should consultation on a proposal to close a school ever be under consideration again. They also felt that the equality impact on the proposal should be assessed at an earlier stage and that the timing of communication with schools ahead of a decision to consult should be looked at to ensure that it comes as no surprise to key stakeholders;
- Governors end by saying they "cannot express enough how much stress and anxiety the speed of the Consultation has placed on staff, children, families and yes, even us as Governors."

29 The Governing Body also made some suggestions that they would like considered as an alternative to the proposed closure of Queensway PS.

- Firstly, as the Governors felt the local authority had not complied with their Equality Duty, they demanded an immediate close to the consultation. If that demand was not met, they would like any of the following approaches to be considered:
- “Allow all schools within the Aireborough Trust to share the pain, reducing PANs and accepting the consequences collectively”.
- “Close Westfield Infants School and amalgamate with the Westfield Juniors as a 1FE through school going forward”.
- “Do nothing for 12 months and give leaders at Queensway time to prove that the school can build on its reputation and provide a good service of education for the families on the estate who are currently considering choosing other local schools over Queensway.”

30 The LA’s response to the Governing Board’s suggestions is:

The LA believes that it has complied with its Public Sector Equality Duty (PSED) and that due regard to equalities considerations have and will continue to be made should the proposal progress to the next stage. The local authority cannot choose whether or not consultation takes place, it must consult if a decision is to be considered. This first stage of consultation aligns fully with the essential guidance on the PSED which talks about meaningful engagement through public consultation at a stage when views can be considered and taken into account in the planning and decision making. Whilst a screening tool is used to consider equalities in the consultation, it is about ensuring that as far as possible everyone is able to access the consultation and engage in the process. The screening could not find that consultation should not take place, as there is a legal requirement to consult before any formal publication can be made on a proposal for closure. If Executive Board were to approve the recommendation to publish a Statutory Notice, this would be immediately followed by a representation period during which time, any person or organisation can submit comments on the proposal to the Local Authority, to be taken into account by Executive Board as the decision-maker. The outcome of that representation period, along with a full Equality Impact Assessment would accompany the report which the decision maker would take into account before making a final decision on the proposal. We expect that to happen in March 2023.

31 Whilst the schools in this area are part of the ALPT, the schools’ Governing Bodies set their own school admissions arrangements, including their published admissions numbers (PANs). The LA and the ALPT cannot set the admissions policies or PANs for the schools and in the absence of other schools choosing to consult on reducing their PANs, the only way the LA can manage the level of surplus is to consider the closure of a school.

32 The Governors’ suggestion to close Yeadon Westfield Infant School and amalgamate with Yeadon Westfield Junior School, both of which are rated ‘good’ by Ofsted would require a fresh consultation. There are more than 60 too many places each year in the area and further action may also have to be considered in the future. This could include these schools, or others, reducing their PAN, without the need for closure. Amalgamating the two schools would require a level of capital investment as neither site is designed as a through primary school, and government funding is only provided for the delivery of additional places, and not the reduction of places in an area.

33 On balance, the reasons that a proposal to close Queensway PS has been brought forward are that over the last few years, the school has seen a decline in families preferencing the school and has not filled its reception places, despite having more children living nearest the school in its admissions priority catchment area than places available at the school. In 2020 43% of children

in the catchment area made a 1st preference for the school but by 2022 only 20% in the catchment did so. Due to its location, families are close to several other local schools and many families choose to preference other schools instead of Queensway PS. As of September 2022, the school had 12 children on roll in reception with 18 surplus places in that year group. In the past, new families who moved into the area after offer day and during the school year did not result in the school filling and there is no indication that this would change in the future. The school has been unable to set a balanced budget for 2022/23 and would move further into deficit in future years. It is also likely that the Ofsted outcome will impact further on parental preferences and doing nothing at this point is not preferable.

- 34 Two drop-in sessions were held at Queensway PS during the consultation period, the latter of which became a panel style question and answer session at the request of the attendees. These were informal sessions arranged to provide any interested stakeholders with an opportunity to speak with council officers from the Sufficiency and Participation team about the proposal.
- 35 Attendees were reminded that minutes are not taken in these sessions and actively encouraged to engage with the online survey. The issues raised were in line with those already summarised above. There was frustration that more detailed answers could not be given at this early stage in consultation about individual cases, and a wish that the school could be given more time to improve under the new leadership.
- 36 A consultation meeting was held with school staff and Trades Unions. Many of the issues raised were in line with those already summarised above aside from the following:
- Attendees questioned the mechanics of the decision-making process, including how the decision to propose closure of the school had been reached and how stakeholders could challenge the LA's response to the consultation and influence the next steps in the process;
  - Some expressed dissatisfaction regarding a lack of consultation with local schools and other key stakeholders ahead of the consultation starting;
  - Some felt the decision to propose closure of Queensway PS should have been based on more than demographic data and financial considerations alone;
  - Staff felt that other schools would not be able to offer the level of additional support and intervention provided collectively by Queensway PS, the Children's Centre and Kangaroo Kids, to some of their more vulnerable families;
  - Staff stated that the consultation period has been stressful, and staff are under huge pressure. They asked whether they should start looking for other jobs now. They also asked about details of any forthcoming redeployment package and worried that there is insufficient time to seek employment in time for next September, if it is announced in March that the proposed closure will be going ahead.
- 37 A consultation meeting was held with the school council. 9 children were at the meeting, representing various year groups, along with a member of staff from the school. Officers were in attendance from the LA.
- 38 The children had spoken to class members and captured views – the children read these out officers and presented a pouch full of responses from children in the school - these are attached as appendix 7.

The children were engaged and spoke openly about what their school means to them and others in school, sharing the following:

- We're being asked about our views, when we should be happy and talking about other things;
- We learn here;
- It's the best environment to achieve our goals;
- We won't fit in at other schools;
- We have friendships, support and help and we have celebrations;
- Don't break our bonds;
- Not everyone can get to another school;
- We have opportunities such as clubs, music lessons, family fun nights;
- It's our second home;
- We have amazing teachers and staff;
- We trust our teachers to keep us safe;
- We felt disgust, sadness, anger and frustration;
- Parents are having to make some tricky decisions about moving schools

Officers asked the children to say more about some of the best things about their school. Here is what they said:

- We can be with our teachers and if you're stuck, they help, we have good bonds;
- Relationships are good, with the teachers and with each other;
- Staff are generous and kind, they help us. The school is just great;
- Teachers are nice, we won't be able to see them again if the school closes;
- We won't be able to see our friends if we go to different schools;
- I feel really sad, just sad;
- Kids will lose the school, but the adults will also lose their jobs and will have to find another place to work;
- The staff are sad, they like to work with the children and they enjoy working here.

Other thoughts that the children shared were:

- I was inspired to make a drama club after going on a theatre trip with the school, it would be my legacy to keep the drama club in school;
- Parents might not be able to afford uniforms at other schools, especially if you have a few children, you will need new jumpers and it would be really expensive;
- I didn't like my previous school and this one is really welcoming;
- We should be talking about school trips, not this.

The children came up with one positive thing about changing schools – making new friends. All 9 gave their thumbs down to the suggestion to close the school.

The children were asked if they would like to share just one more thing that they would want the council to know about the suggestion to close the school – this is what they said:

- It's harder for parents and carers that rely on school for after school clubs. Some schools might not have an after school club;
- If the school shuts, I would be crying as its important to me. It really means a lot to me. I would be so sad;
- Some people can't afford school uniforms, there is a food bank at the school to help families and other schools might not have that;
- I have brother and sisters, and some have left Queensway. If we all went to different schools, it would mean parents having to take more time to get their children to school and maybe to more than one school;
- We have a good playground and lots of equipment, some schools don't have grass but we do;
- We have a trim trail; it helps children who don't have anyone to play with;
- We have a 'buddy bench' so if you don't have anyone to play with you can sit there and someone will come and play with you;
- We have 'Jessica's Garden' to chill out in [sensory garden] it was named after a child who went to this school who sadly passed away;
- If you're worried or need someone to talk to there's always staff to help you, and help you through any problems;
- We get support, we are part of a community;
- We feel safe here;
- We talk about the 'Queensway family' and it's how we think of each other.

Officers thanked the children and said they should be really proud for talking to them and sharing their own and their friends' views and feelings – especially when it can be quite daunting and a bit scary to talk to people they don't know.

### **What are the resource implications?**

39 If the proposal is approved then the appropriate level of funding will be recouped by the ESFA from the date of closure. Depending on the type of funding attributable to pupils previously on roll at the school this may be re-allocated or determined by the usual funding regulations or grant conditions associated with a school move. Any existing deficit budget at the time of closure would be absorbed by the local authority. Like Queensway PS, other schools in the area are also facing challenges balancing budgets. By reducing places in the area all schools have more certainty about pupil numbers coming through allowing them to plan effectively. Children transferring to other schools will lessen the financial impacts on all schools. Greater efficiency can be achieved in staffing employed to meet the needs of the children.

### **What are the key risks and how are they being managed?**

40 This proposal has been brought forward as part of a wider plan in time to allow school places in the Guiseley and Yeadon areas to be effectively managed. This will help to ensure the effective planning of schools' budgets and offer increased financial stability for schools. This will assist schools to deliver the scope of the National Curriculum in its broadest and fullest sense, ensuring

that all children have rich opportunities and experiences across all ages and stages of their schooling.

- 41 Based on the data held by the LA, which includes birth data, parental preferences, and allocations trends, an assessment has been made that the number of places across schools in this area will need to reduce by a minimum of 60 per year group by 2026 for schools to be viable and continue to meet the needs of their learners. A decision not to proceed with this proposal at this stage may result in fresh consultations on new proposals, and the required reduction in places may not be delivered in time, leading to increased levels of deficit school budgets. The Local Authority's ability to meet its statutory duty to manage to numbers of available school places may be at risk if this proposal does not go ahead.
- 42 If Queensway PS closes, there would be fewer places available across the area and a need to allocate places at other schools to the pupils on roll at Queensway PS. However, there are several schools across the area with existing surplus places which can be filled by pupils currently on roll at Queensway and, if required, the Sufficiency and Participation team would also work with local schools and providers to identify suitable options to create some additional capacity to match the level of need if a shortage of school and/or nursery places was identified as a result of the school closing.

Closure of Queensway PS as part of a wider plan to reduce places, would reduce the potential surplus across the area down to a more manageable level needed to meet both Reception place and in-year demand over the next four years, offering increased financial stability for all remaining schools.

- 43 Queensway Primary School has seen a decline in families preferencing the school and has not filled its reception places, despite having more children living nearest the school in its catchment area than places available at the school and has surplus places across most year groups. This has impacted on the school's budget, and it has set a deficit budget for the next three financial years. With a decline in the birth rate meaning that fewer children will need a place in the coming years, it is now urgent that action is taken to prevent the situation at the school and in other schools worsening.

### **What are the legal implications?**

- 44 This report contains details of a consultation brought forward to meet the local authority's duty to manage the numbers of available school places. The changes that are proposed are aligned with the statutory process set out in the Department for Education's guidance document, 'Statutory guidance for proposers and decision makers, Opening and closing maintained schools' (November 2019) and are proposed in accordance with Section 15 of the Education and Inspections Act 2006. The statutory process for making the proposed changes varies according to the nature of the change and status of the school. The process followed in respect of this proposal is detailed in this report. The LA is the decision maker in this case.
- 45 An Equality, Diversity, Cohesion and Integration impact screening (EDCI) was carried out in relation to the consultation exercise undertaken under Section 16 of the 2006 Act. Section 16 provides that such a consultation exercise must be carried out before any proposals under Section 15 can be published. Section 149 of the Equality Act 2010 provides that a public authority must, in the exercise of its functions, have due regard to:
- the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct, and
  - advance equality of opportunity and foster good relations between people who share a relevant protected characteristic and those who do not share it.

In particular, advancing equality of opportunity means having due regard to:

- the need to remove or minimise disadvantages suffered by people who share a relevant protected characteristic that are connected to that characteristic,
- take steps to meet the needs of people who share a relevant protected characteristic that are different from the needs of people who don't share it (including in particular, steps to take account of disabled people's disabilities)
- encourage people who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such people is disproportionately low.

Having due regard to the need to foster good relations involves having due regard in particular to the need to tackle prejudice and promote understanding. The relevant protected characteristics for these purposes are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The EDCI document in relation to the consultation under Section 16 sets out details of the stakeholder engagement exercise undertaken to ensure the consultation reached and engaged with the largest number of consultees possible. The document also demonstrates that the LA considered any potential negative impacts on those with the relevant protected characteristics in relation to the consultation process. Concerns have been raised during the consultation process that the EDCI document did not address the wider equality impacts of the possible closure of the school. However, to have carried out a such a wider assessment would have been to pre-judge the outcomes of, and the LA's consideration of, both the consultation exercise under Section 16, and the publication of proposals and receipt of representations under Section 15. Plainly therefore, such a wider assessment would not have been appropriate at that stage. Importantly, there is no suggestion in the Secretary of State's statutory Guidance document mentioned above that the equality impacts of a possible closure of the school, should be considered at the point when the LA carries out the consultation exercise under Section 16, or at the point when the LA decides to publish proposals under Section 15. The Guidance only references the need to consider these impacts at the time when the LA is considering whether or not to close a school following both a consultation exercise, and the publication of proposals.

46 A further EDCI screening has been undertaken to consider the statutory notice publication and representation process (should a decision be taken by Executive Board to proceed to this next stage in the decision-making process) and how this can be made as inclusive as possible.

47 If the proposal progresses to the statutory notice publication and representation stage, any representations made during this time would help to inform a full Equality Impact Assessment (EIA) to be carried out on the proposal to close Queensway PS, and this would be made available to Executive Board when a final decision would be made on the proposal. We expect that to happen in March 2023. The EIA would consider the potential wider impact on EDCI if the proposal did go ahead. The assessment would provide details of action the LA would take to promote positive impact and remove/reduce negative impact.

The information which must be set out in a proposal to close a school at the statutory notice publication and representation stage will include the following considerations:

- A statement and supporting evidence about the need for school places in the area including whether there is sufficient capacity to accommodate displaced pupils. Details of the schools at which pupils at the school to be discontinued will be offered places, including a) any interim arrangements and b) the provision that is to be made for those pupils who receive educational provision recognised by the LA as reserved for children with special educational needs. Details

of any other measures proposed to be taken to increase the number of school places available, if necessary, in consequence of the proposed discontinuance;

- A statement and supporting evidence about the impact on the community of the closure of the school and any measures proposed to mitigate any adverse impact; and
- Details of length and journeys to alternative provision. The proposed arrangements for travel of displaced pupils to other schools including how the proposed arrangements will mitigate against increased car use.

48 The 'Statutory guidance for proposers and decision makers, opening and closing maintained schools' - Annex B: Statutory proposals for school closures' is attached as appendix 8.

49 At its meeting in September 2021 Executive Board members agreed that in the future, and in response to the recommendation of the Children and Families Scrutiny Board, anonymised consultation responses be shared in full with Executive Board Members as 'background documents'. These would be published alongside the agenda papers, but not form part of the formal agenda. For this proposal, in the interest of completeness the redacted responses are being attached as appendices and therefore will form part of the formal agenda. The consultation responses have been redacted to remove any personal information. Where at all possible the redaction has not prevented the central point of the response from being understood. These details have been redacted with reference to the lawfulness, fairness and transparency principles of General Data Protection Regulation (GDPR).

50 Working with the ALPT, the local authority is exploring the future use of the school site/building with potential for both the Children's Centre Services and Early Years provider to remain on site, possibly alongside some other services.

51 Queensway Primary School joined the ALPT in January 2014. Under statute all the land held and used by the council for the purposes of the school was then automatically vested in the ALPT on the date the school became a trust school. This means that the Trust is the body holding the land for the purposes of the school. If the school is closed the Secretary of State for Education will determine what should happen to the land. The Secretary of State can order that the land is transferred back to the Council or remains with the Trust or is transferred to another academy school. The Council will be able to put forward arguments to the Secretary of State as to why the land should be transferred back to the Council.

52 If the recommendations are approved and a Statutory Notice is published, anyone will be able to object to or comment on the proposal at that stage. Where objections are received there would be an opportunity for Scrutiny Board to consider the objections.

## **Options, timescales and measuring success**

### **What other options were considered?**

53 The option to do nothing and continue to monitor the birth rate was considered. However, the birth rate in this area has now fallen for four years in a row and it could be several years before any increases start to favourably impact on school rolls. As there is certainty that schools are now facing several years of lower demand for places, accompanied with significant budget challenges, doing nothing is not a favourable option.

54 Another option would be for several other schools in the area to reduce the number of available reception places. However, whilst schools in Guiseley and Yeadon are part of the ALPT, the schools' Governing Bodies set their own school admissions arrangements, including their

published admissions numbers (PANs). The LA and the ALPT cannot set the admissions policies or PANs for the schools.

55 Officers from the Sufficiency and Participation team met the ALPT and partner schools in May 2022 to give an update on current data and anticipated future reception need. This included a recommendation that fewer reception places would be required in the area to manage future demand and support schools to be sustainable. Officers also offered to hold further discussions with the ALPT and/or with individual schools, and this was taken up by two providers. The ALPT planned to meet as a group in June 2022 to consider the implications of reduced demand for places and to determine their response to what was being recommended. Officers met with the ALPT and partner schools on 27 September 2022 to give a further update on future reception demand and to share information about the consultation on the proposal to close Queensway Primary School.

56 In the absence of other schools choosing to consult on reducing their PANs, the LA has no other way of managing the level of surplus and is only left with one option which is to consider the closure of a maintained school. Whilst school closure is a last resort, there is a legal requirement to consult for such a proposal to be considered.

### **How will success be measured?**

57 If the proposal is approved, reducing potential surplus across the area should offer increased financial stability for all schools while allowing children to continue accessing local and desirable school places. Schools will be able to plan their budgets more effectively with less uncertainty around likely future numbers.

### **What is the timetable and who will be responsible for implementation?**

58 This proposal has been brought forward to allow for a closure decision to be made in March 2023 by Executive Board in time to close Queensway PS to children when term ends in July 2023. Legally the school would close (discontinue) on 31 August 2023. The responsible officer for implementation is the Head of Learning Systems.

### **Appendices**

- Appendix 1: Equality, Diversity, Cohesion and Integration Screening (EDCI) form (consultation)
- Appendix 2: Equality, Diversity, Cohesion and Integration Screening (EDCI) form (Statutory Notice and Representation stage)
- Appendix 3: Consultation Document
- Appendix 4: Petition Cover Sheet
- Appendix 5: Anonymised consultation responses
- Appendix 6: Consultation response log with themes
- Appendix 7: Queensway pupils' anonymised consultation responses
- Appendix 8: 'Statutory guidance for proposers and decision makers, opening and closing maintained schools' - Annex B: Statutory proposals for school closures

### **Background papers**

- None