
REPORT OF THE CHIEF EXECUTIVE OF EDUCATION LEEDS

EXECUTIVE BOARD: 21 July 2010

SUBJECT: Outcome of statutory notices for proposal to close Parklands Girls High School in 2011, conditional upon establishing an Academy.

EXECUTIVE SUMMARY

PURPOSE OF THIS REPORT

- 1 In April 2010 the Executive Board approved the publication of statutory notices on a proposal to close Parklands Girls High School on 31 August 2011 conditional upon the making of an agreement between the Secretary of State for Education “the Secretary of State” and Edutrust Academies Charitable Trust “E-ACT” to establish an academy on the same site on 1 September 2011 .
- 2 This report details the representations received in response to those notices and recommends closing Parklands Girls High School on 31 August 2011 conditional upon the making of an agreement between the Secretary of State and E-ACT to establish an academy on the same site on 1 September 2011

BACKGROUND INFORMATION

- 3 Under the Education and Inspections Act 2006 the Local Authority has until 28 July 2010 to make a final decision on the closure proposal, being two months from the date of expiry of the statutory notice.
- 4 There were 7 responses to the statutory notice. The Executive Board is the decision maker for these proposals. It has chosen to set up the School Organisation Advisory Board (SOAB) to consider school organisation proposals when objections are received. They met on 1st July 2010 and considered the proposal to close Parklands Girls High School with due regard to statutory guidance. The minutes of that meeting are in Appendix 1. Copies of the Statutory notices are in Appendix 2.

RESOURCE IMPLICATIONS

- 5 Under current legislation, deficit budget balances at existing schools have to be written off by the Local Authority on closure. Legislation does not provide for a deficit budget balance to carry forward to a successor academy. Based on the

latest school staffing budgets there an anticipated budget deficit of £424,186 to write off in order to open the new academy at Parklands. The school has a responsibility to take steps to ensure that the final deficit is minimised. The local authority expects that the school will find further significant savings to ensure this is the case.

RECOMMENDATIONS

- 6 The Executive Board is asked to:
- i) note the responses to the statutory notices;
 - ii) note the views of SOAB in regard to the proposal;
 - iii) agree to discontinue Parklands Girls High School on 31 August 2011, conditional upon the making of an agreement between the Secretary of State and E-ACT to establish an academy on the same site on 1 September 2011

Agenda Item:

**Originator: Pat Toner
George Turnbull**

**Telephone: 2475613 /
2243239**

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SUBJECT: Outcome of statutory notices for proposal to close Parklands Girls High School in 2011, conditional upon establishing an Academy

Electoral Wards Affected:

Killingbeck and Seacroft

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality & Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call-in

Not Eligible for call in
(details contained in report)

1 PURPOSE OF THIS REPORT

- 1.1 In April 2010 the Executive Board approved the publication of statutory notices for a proposal to close Parklands Girls High School on 31 August 2011, conditional upon the making of an agreement between the Secretary of State for Education “the Secretary of State” and Edutrust Academies Charitable Trust “E-ACT” to establish an academy on the same site on 1 September 2011
- 1.2 This report details the representations received in response to those notices and recommends closing Parklands Girls High School on 31 August 2011 conditional upon the making of an agreement between the Secretary of State and E-ACT to establish an academy on the same site on 1 September 2011.

2 BACKGROUND INFORMATION

- 2.1 In 2008, the Government launched the National Challenge. This means that the minimum standard expected of every secondary school is that 30% of their young

people achieve five good GCSEs including English and Maths.

- 2.2 The Council received an Improvement Notice from the DCSF, now the Department for Education (DfE) following meetings with the Secretary of State for Children, Schools and Families and his ministers. In these meetings the Authority was urged to take radical action, including structural change, in each of the National Challenge schools. The Improvement Notice states that we must demonstrate clear evidence of improvement in outcomes evidenced by a reduction in the number of schools where fewer than 30% of pupils achieve 5 or more A*-C grades at GCSE and equivalent including GCSEs in English and Maths. Education Leeds working with DfE and National Strategies colleagues have produced, as required by the DfE, a National Challenge Plan to secure the necessary improvements. This plan, which includes the necessary structural changes, is being monitored by a strategic board and the independent Children's Services Improvement Board
- 2.3 At its meeting on 14th October 2009, Executive Board considered the latest of a series of reports on the local authority's response to the National Challenge. This report emphasised the need to identify deliverable solutions as a matter of urgency if this complex and challenging agenda is to be taken forward successfully. The **Board agreed to consult formally on the proposed** closure of Parklands Girls High School on 31st August 2011 conditional upon the making of an agreement between the Secretary of State and E-ACT to establish an academy on the same site on 1 September 2011 .
- 2.4 The public consultation period ran from 7th January to 5th March 2010. At their meeting on 7th April 2010 the Executive Board received a report summarising the consultation during which the following issues emerged:
- a) Considerable blurring in responses and consultation between the future of girls only education and the future of Parklands – the **issue of choice**;
 - b) Should look to build on significant improvements seen recently and consolidate these before imposing major change – sustaining a **good local school**;
 - c) Education Leeds is directly responsible for this. This was linked with the notice to improve judgement by Ofsted and subsequent identification as a National Challenge school – the issue of **quality**
 - d) Why BSF money allocated nearly five years ago had not yet been spent on the school – the **learning environment**;
 - e) Concerns about the transition arrangements available to those families who deliberately and specifically choose girls only education – **transition arrangements**.
- 2.5 At that meeting the Executive Board approved the publication of a statutory notice to close Parklands Girls High School on 31st August 2011 conditional upon the making of an agreement between the Secretary of State and E-ACT to establish an Academy on the same site on 1 September 2011
- 2.6 A statutory notice was published on 16th April 2010 which expired on 28th May 2010. Under the Education and Inspections Act 2006 the Local Authority has until 28 July 2010 to make a final decision on the closure proposal, being two months from the date of expiry of the statutory notice.
- 2.7 There were 7 responses to the statutory notice, including two from the local community, one from a member of staff, one from the colleges group and one from a union. Copies of all of the statutory representations can be found at

- 2.8 The Executive Board is the decision maker for these proposals. It has set up the School Organisation Advisory Board (SOAB) to consider school organisation proposals when objections are received. Statutory guidance requires the decision maker to consider four key issues:
- Is there any information missing?
 - Does the published notice comply with statutory requirements?
 - Has the public consultation been carried out prior to the publication of the statutory notice?
 - Are the proposals 'related' to other published proposals and should therefore be considered together?

- 2.9 The SOAB met on 1st July 2010 and minutes of that meeting are in Appendix 1. Copies of the statutory notices are in Appendix 2.

- 2.10 The decision on the proposals is the responsibility of the Local Authority. The Authority must have regard to the Guidance issued by the DfE. A full copy of the Guidance has been given to members of Executive Board. The Executive Board may:-

- Approve the proposals
- Reject the proposals
- Approve the proposals with a modification (e.g school closure implementation date) but not so as to in effect substitute new proposals.
- Approve the proposals subject to them meeting limited specific conditions as set out in the statutory regulations by a specified date

The Executive Board must give reasons for the decision irrespective of whether the proposals are rejected or approved indicating the main factors/criteria for the decision. If the Executive Board does not make a decision on the proposals within 2 months of the end of the statutory notice that is by 28 July 2010 the Authority must within one week refer the proposals to the Schools Adjudicator for a decision. The Schools Adjudicator has no time limit within which to decide the proposals but has indicated a general target of 6 weeks.

3 THE MAIN ISSUES

- 3.1 No new issues were raised by objectors that had not arisen during the earlier consultation. Concern has been expressed about losing the only girls-only school in the city, about the unproven track record of academies in general and about the need for the proposal given that the national challenge targets were achieved in 2009.

3.2 Girls-only provision in Leeds should be retained

During the recent city-wide consultation on the provision of girls-only education in Leeds the following issues emerged:

- the overall level of response city-wide was low with no significant demand from across the city for girls-only provision emerging as a result of the consultation;
- the quality of education is more important than single sex provision even when considering the faith perspective, although a choice is preferred;
- there were suggestions that consideration should be given to providing a central location for any single sex provision which might make it more accessible to other families living near or in the city centre;

- 3.3 Despite the scale of the consultation, the overall attendance at the public meetings was low. The most well attended meeting was the one held at Parklands Girls' High School with the majority of the audience made up of students, staff, governors and parents connected to the school. The main topic of conversation was what was happening to Parklands High School rather than girls-only provision. The second most well attended meeting was the community meeting for women-only held at the Bangladeshi Community Centre facilitated by the Shantona Women's Centre in Harehills. Two areas of demand emerged at these two meetings. The main demand for girls-only education is coming from the community who live nearest to Parklands Girls' High School who choose the school because it is their nearest school. The other key area of demand is from the Muslim community who want the option of single sex education for faith reasons. It is important to the leaders of the Leeds Mosques for faith reasons that a large diverse city like Leeds provides the choice for parents of girls-only education. Attendance at other public meetings across the city was poor with five meetings to which no-one attended.
- 3.4 The quality and standard of the education offered by a school was the main factor influencing parents' choice of a secondary school for their daughter. Parents cited the decline in academic standards at the one remaining girls-only school in Leeds as a contributing factor for not choosing girls-only education for their daughter. There was a small number of respondents who indicated that they had chosen to send their daughters to independent girls-only schools either in, or outside of Leeds as a result. Some, though not all, of these respondents had chosen independent faith schools for their daughters.
- 3.5 The majority of parents expressing a preference for their daughters to attend Parklands are local to the school. One of the reasons for holding the consultation on single sex girls' provision was to help us to understand whether factors such as changed location of provision would increase its popularity amongst parents and girls in the city.
- 3.6 **Academies**
With input from the sponsor we are confident that continuous improvement will be secured by:
- the consolidation of an ethos which is focused on learning and achievement, which fosters unity and citizenship, and which is based on respect for people from diverse backgrounds.
 - providing an educational experience of the highest quality and the widest opportunities for all, irrespective of ability, gender, faith or race.
 - establishing partnerships with local employers and businesses, colleges of further education and universities to make sure the effective progression of students, to maximise opportunities, and to provide a rich and rewarding learning experience for students at the academy.
 - welcoming the new academy into the E-ACT family of academies across the country, to provide further support and to make sure the identification, celebration and exchange of best practice.
 - the work of the E-ACT education team, which will provide regular, experienced and high quality support and challenge, fulfilling an essential quality assurance function.
 - establishing the new academy at the heart of its community and making sure that it is an asset to the community. The facilities and resources will be available for use by the community after school hours and throughout weekends and school holidays.

3.7 **Quality**

Parklands Girls High School has significantly improved in the last two years and girls achieved the school's best outcomes ever in August 2009. This included exceeding the government's national challenge floor target. However, this has been achieved by providing extra resources to improve leadership and a high level of external support. Pressure on the school budget is threatening the school's ability to retain staff and therefore puts these improvements at risk. The consultation saw an acknowledgement of the increasing success of the school and strong support to consolidate and build upon this success.

3.8 **Where will the pupils come from?**

The academy would fill from children in the immediate locality, over time.

3.9 **The city should have two single-sex schools**

While this issue was raised, no rationale was offered to explain how two single sex schools could be sustained or attended.

3.10 **There will be disruption to pupils and staff**

Transition plans have been developed in outline by Education Leeds and shared with the leadership team of the school. It would not be appropriate to develop detailed plans until a clear decision is made by Executive Board.

4 **IMPLICATIONS FOR COUNCIL POLICY AND GOVERNANCE**

4.1 Proposals identified in this report would impact on the "Narrowing the Gap" and "Going up a League" agendas. Academies in Leeds have the potential to contribute to the ambitious targets to meet key priorities within the Children and Young People's Plan and the work on the Local Area Agreement.

4.2 This proposal would address the requirements of the Council to respond to the National Challenge in respect of this school

5 **LEGAL AND RESOURCE IMPLICATIONS**

LEGAL IMPLICATIONS

5.1.1 This consultation is the responsibility of the Local Authority, and they are the decision maker on any proposal to close Parklands Girls High School.

5.1.2 The Leeds Admissions Policy is based on a "nearest" criteria that applies to all mixed sex, non faith schools and academies. A proposal to cease to provide single-sex education on the Parklands site and replace it with a co-educational academy would change the priority areas for all of the neighbouring secondary schools. Such a change would need to be reflected in the published admission arrangements. The outcome of these consultations would need to be considered as part of the annual consultation on admission arrangements for Leeds and form part of the published admission arrangements for 2011.

5.1.3 Since representations have been received during the statutory notice period the proposal has been referred to the School Organisation Advisory Board (SOAB) to consider and to make a recommendation to the Executive Board (appendix 1). A final decision must be made by the Executive Board within 2 months of the expiry of the statutory notices.

5.1.4 There is a separate parallel process of consultation regarding the opening of a new academy. The final decision maker with responsibility for approving the opening of the specific new academy is the DfE. The DfE is presently reviewing its Academies policy and associated practices and a draft Academies Bill has been laid before parliament. Given that the recommendation before Executive Board is linked to the opening of an academy, then should any aspect of the proposed academy change significantly this will require further consideration by Executive Board.

5.2 Resource Implications

5.2.1 Under current legislation, deficit budget balances at existing schools have to be written off by the Local Authority on closure. Legislation does not provide for a deficit budget balance to carry forward to a successor academy. Based on the latest school staffing budgets there is an anticipated budget deficit of £424,186 to write off in order to open the new academy at Parklands. The school has a responsibility to take steps to ensure that the final deficit is minimised. The local authority expects that the school will find further significant savings to ensure this is the case.

5.2.2 Members of Schools Forum have in the past expressed concern about the level of projected deficit budget balances on closure of the schools. They were particularly concerned at the prospect of being asked to agree to a “blank cheque” (particularly as further future academies remain a possibility) without assurance that the budgets were being monitored rigorously in the lead up to closure. It was noted that if the schools were to remain as LA maintained they would be expected to arrive at a balanced budget over time.

5.2.3 In addition, there would be an ongoing impact on the Dedicated Schools Grant which involves the removal of the level of funding that would have been provided to the Academy had it still have been funded through the local formula. In addition to the funding adjustment through replication of the local formula, funding would also be removed based on the level of central expenditure on certain central activity within the schools budget. This funding adjustment will require the Local Authority to cut central expenditure in line with the reduction of funding. Due to the level of fixed costs, economies of scale and varying support provided for individual schools, the budget reduction is unlikely to match the cost reductions through no longer providing services to an Academy.

5.2.4 Part of the funding that would go directly to the academy rather than via the local authority is the allocation for extended services. It is unclear what the potential academy may decide regarding this contribution, and therefore what the impact on the local extended services clusters in inner East Leeds may be.

6 RECOMMENDATIONS

6.1 The Executive Board is asked to:

- i) note the responses to the statutory notices;
- ii) note the views of SOAB in regard to the proposal;

- iii) agree to the discontinuance Parklands Girls High School on 31 August 2011, conditional upon the making of an agreement between the Secretary of State and E-ACT to establish an academy on the same site on 1 September 2011

7 BACKGROUND REPORTS

Executive Board, 5 December 2008 – Building School for the Future: Expression of interest for follow-on projects

Executive Board January 2009 – The National Challenge and structural change to secondary provision in Leeds Progress Report

Executive Board March 2009 – The National Challenge and Structural Change to Secondary Provision in Leeds

Executive Board October 2009 - The National Challenge and Structural Change to Secondary Provision in Leeds

Executive Board January 2010 - The future of Primrose, City of Leeds, Parklands Girls' High Schools, and of girls only secondary education in Leeds

Executive Board April 2010 - Outcome of consultation on the future of Parklands Girls High School

APPENDIX 1

Minutes of meeting of School Organisation Advisory Board (SOAB) held 1st July 2010 to consider proposal to close Parklands Girls High School

SCHOOL ORGANISATION ADVISORY BOARD

THURSDAY, 1ST JULY, 2010

PRESENT: Councillor in the Chair
Mr I Garforth in the Chair
Mr C Sedgewick and Mrs T Hagerty

7 Chair's Opening Remarks

The Chair welcomed everyone in attendance

8 Election of Vice Chair

The Clerk to the Board sought nominations for the position of Vice Chair to the School Organisation Advisory Board

Reverend C Sedgewick nominated Mrs T Hagerty, the Chair seconded the proposal

RESOLVED – That Mrs T Hagerty be elected Vice Chair of the School Organisation Advisory Board for a one year period

9 Apologies

Apologies for absence were received for Mr D Kenny and Mr J Sutton

10 Declarations of Interest

Mr C Sedgewick declared a personnel interest in the proposals to close Parklands Girls High School, the Diocese of the Church of England having put forward a bid to establish an Academy on the Parklands site

11 Outcome of Statutory Notices for Changes to School Organisation

The Board considered a report by the Legal Adviser to the Board explaining the role of the Board in considering objections to the following proposals and to make recommendations to the Executive Board in reaching a decision in relation to the following proposals:

Statutory proposals to seek the closure of City of Leeds High School, the Closure of Parklands Girls High School, the Closure of Primrose High School and Changes to Primary Provision in Horsforth

Changes Provision in Horsforth

The Board were advised that in January 2010 the Executive Board approved a formal consultation on proposals for changes to Featherbank Infant School and Newlaithes Junior School in Horsforth. Statutory Notices were published to decrease the lower age range of Newlaithes Junior School from 7-11 to 4-11, with an admission limit of 60 and with an overall capacity of 420 children and increase the age range of Featherbank Infant School from 4-7 to 4-11 and decrease the admissions number from 60 to 30, with an overall capacity of 210 children. These proposals were formally linked.

There was one response to the statutory notices, which opposed the change.

Officers reported that the objections received raised no new significant issues

Members discussed the proposal, concentrating on the following issues:

- Use of site availability
- Concern over transition arrangements
- Risk of negative disruption to education
- A desire for further consultation on the Early years Service in the Horsforth area
- Concern over funding of a new key stage

The Board noted the objections and expressed sympathy to the concerns raised

Closure of Primrose High School

The Board were advised that in October 2009 the Executive Board approved a formal consultation on the proposed closure of Primrose High School on 31st August 2011 to be replaced by an Academy sponsored by the Co-operative Society.

There were nine responses to the statutory notice, which opposed the change.

Officers reported that the objections received raised no new significant issues

Members discussed the proposal, concentrating on the following issues:

- The ability of the sponsor(s) to deliver Secondary Education provision at Primrose
- Insufficient clarity about the links with City of Leeds College
- Early years provision

The Board noted the objections

Closure of Parklands Girls High School

The Board were advised that in October 2009 the Executive Board approved a formal consultation on the proposed closure of Parklands Girls High School on 31st August 2011 to be replaced by an Academy sponsored by the Edutrast Academies Charitable Trust (EACT). A parallel consultation was conducted on the provision of single sex girl's education.

There were seven responses to the statutory notice, which opposed the change.

Officers reported that the objections received raised no new significant issues

Members discussed the proposal, concentrating on the following issues:

- Budgetary implications for the Academy
- The ability of the proposed sponsor to deliver school improvement
- Concern about administration costs for the Academy
- The move away from single sex schools
- The location for the provision of an additional High School to serve the east Leeds community

The Board noted the objections and expressed sympathy to the concerns raised

Closure of City of Leeds High School

The Board were advised that in October 2009 the Executive Board approved a formal consultation on the proposed closure of City of Leeds High School on 31st August 2011.

There were one hundred and seventy five responses to the statutory notice, which opposed the change.

Members discussed the proposal, concentrating on the following issues:

- The viability of the school
- The location of the school was in an area compounded by challenges
- The desirability of maintaining secondary school provision in the City Centre
- A desire for availability of high quality secondary provision for that community
- Acknowledged the commitment of the staff
- To further look at the demographics of the area

The Board noted the objections and expressed sympathy to the concerns raised

Additional comments - Overall Members considered that that proposals lacked a cohesive approach to the needs of the inter-related communities involved and had now been overtaken by the new opportunities for school improvement, in conjunction with the local authority, provided by the change in central government.

In particular, Members were concerned that the location of Parklands Academy was not on the correct site for a new, large school to serve the communities of inner East Leeds.

The Board therefore recommended that an urgent review of all the three secondary proposals should take place with a view to establishing integrated, viable, high quality educational provision for the communities involved at the centre of those communities, as is inherent in the Leeds Schools Admissions Policy

RESOLVED – It was the view of the School Organisation Advisory Board that the Executive Board be recommended to:

- (i) Support the proposed changes to Primary provision in the Horsforth area

- (ii) Support the proposals to close Primrose High School and replace with an Academy
- (iii) Support the proposal to close Parklands Girls High School and replace with an Academy
- (iv) Support the proposal to close City of Leeds High School

12 Future Business

There were no issues raised under future business

13 Date and Time of Next Meeting

Arrangements for a future meeting of the Schools Organisation Advisory Board to be notified to Members in due course

APPENDIX 2

Copy of the statutory notice for all proposals

Note: This is the published notice. Full detail can be obtained from www.educationleeds.co.uk/schoolorganisation as indicated in these extracts.

PROPOSAL TO DISCONTINUE PARKLANDS GIRLS HIGH SCHOOL CONDITIONAL UPON THE MAKING OF AN AGREEMENT BETWEEN THE SECRETARY OF STATE AND THE EDUTRUST ACADEMIES CHARITABLE TRUST (EACT) FOR THE ESTABLISHMENT OF AN ACADEMY ON THE SCHOOL SITE

Notice is given in accordance with section 15 (1) of the Education and Inspections Act 2006 that Leeds City Council, c/o The Chief Executive, Education Leeds, Merrion House, 110 Merrion Centre, Leeds LS2 8DT intends to discontinue Parklands Girls High School, South Parkway, Seacroft, LEEDS, LS14 6TY on 31 August 2011.

The discontinuance is conditional upon the making of an agreement between the Secretary of State for Children, School and Families and the Edutrust Academies Charitable Trust (EACT) to establish an Academy on the same site on 1 September 2011.

All applicable statutory requirements to consult in relation to the proposal to discontinue have been complied with.

It is intended that pupils will transfer to the new Academy in accordance with pupil admission arrangements of the new Academy or seek admission to other schools or academies that have places available.

Existing transport arrangements will continue for pupils transferring to the new Academy, as the academy will be on the same site. The Education Leeds Policy for the Provision of Home to School or College Transport for Children and Students prior to their nineteenth birthday current at the time of transfer will apply as appropriate to pupils and pupils attending schools other than the new Academy.

Making Representations

This Notice is an extract from the complete proposal. Copies of the complete proposal can be obtained from: www.educationleeds.co.uk/schoolorganisation, or by post from Education Leeds, School Organisation Team, 9th floor west, Merrion House, 110 Merrion Centre, Leeds, LS2 8DT, or telephone 0113 2243867.

Within six weeks from the date of publication of this proposal to discontinue, ie by 4pm Friday 28th May 2010, any person may object to or make comments on the proposal by sending them to The Chief Executive, Education Leeds, FAO School Organisation Team, 9th floor west, Merrion House, 110 Merrion Centre, Leeds, LS2 8DT.

Signed:



Eleanor Brazil

Interim Director of Children's Services

Leeds City Council

Publication Date: Friday 16th April 2010

Explanatory Notes

Academies are publicly funded independent schools with sponsors from the private and voluntary sectors. The establishment of an Academy is subject to the agreement of the Secretary of State. It is proposed that the closure of Parklands Girls High School should be approved to take effect only if by the date of closure an agreement has been made under section 482(1) of the Education Act 1996 for the establishment of a co-educational Academy to replace Parklands Girls High School.

Appendix 3 Summary of Respondents

Parklands - Summary of respondents (letters and e-mails)

Community Representative	2
Staff	1
Union	1
Colleges Group	1
Other	2
Grand Total	7