

# Process for ensuring a sufficiency of places should an academy close

## Document Details:

Status: Draft

Version: 1.0

Last updated: July 2016

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## **1. Background**

In Worcestershire the majority of primary schools are still maintained by the Local Authority (LA) but this changes in the secondary phase, where nearly all are academies. In some parts of the Country academies have closed due to financial constraints or other reasons and the LA retains the statutory duty to ensure for a sufficiency of places for all children and young people in its area.

Whilst the LA has no knowledge of any academies in its area considering an option to close, this document sets out the process the LA would follow should this event occur.

It should be noted that closure of a school is a last resort, when all other options have been explored, and the school is unable to deliver the standard of education children and young people deserve.

## **2. Initial identification of risk**

The LA retains a very good relationship with all its schools, including academies and free schools and works closely with them on a number of matters that benefit all the children and young people in our area. Academies are an important part of our place planning going forward and we have an on-going dialogue with them to ensure we can meet our statutory duty on places.

We would expect that any academy in our area considering closure would discuss this with the LA at the earliest possible opportunity to see what support we can offer and to help look at options going forward. Schools that are part of a Multi-Academy Trust (MAT) may be able to help with potential displaced pupils, though the statutory responsibility remains with the LA.

The Regional Schools Commissioner (RSC) – West Midlands, has responsibility for academies in Worcestershire. We have strong links with the RSC and regular meetings take place between the LA and RSC. Again, it is expected that should any academy consider closing they would make contact with the RSC to discuss options, who in turn would contact the LA in their role for place planning to identify how this would affect the local supply of numbers and which schools could help to mitigate.

Other stakeholders, such as School Improvement in Babcock Prime, other local schools or parents, may gain early indications of a potential closure at an academy and make contact with the LA. At this point the Manager-Universal Provision and Planning 0-19 will make contact with the school concerned and see what support the LA can offer.

If the LA is notified of a potential academy closure by any of the above methods or any other method not noted, the Manager – Universal Provision and Placement 0-19 will immediately notify the Cabinet Member with Responsibility for Children and Families, Director of Children, Families and Communities and Strategic Commissioner Education and Skills.

In line with this process, and the current Worcestershire County Council Schools Closure Policy, amended to take into account the changed status of the school, the Manager – Universal Provision and Placement 0-19 will set up a project group to oversee the process, should closure proceed. This will include the clear identification of Project Leads from across the Council and commissioned services, including admissions, school improvement, HR, transport etc. to ensure that all appropriate matters are covered.

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The Closing School Policy has clear principles for this work, that include the expectation that:

*"The education for the pupils will continue in a way that is appropriate for their age, ability and aptitude so that the pupils are not disadvantaged by the closure decision."*

And the aim of the guidance is to ensure:

- *A common understanding on processes and procedures for everyone involved;*
- *The pupils and staff are supported.*

The project group will work up a project plan to mitigate the effects of closure, should this happen, and to ensure that the Council is able to offer all children an appropriate school place.

### **3. Consultation period**

Academies proposing closure are subject to a consultation period to allow relevant stakeholders, including the LA, to comment. This process is covered under School Organisation Regulations and Admissions process.

During this process, the project group will start to undertake discussions with parents and colleagues in admissions to see which other schools in the area have sufficient places and parental preferences. This will include working with parents whose children are due to transfer in the September to see whether this wish to look at alternative places now or wait to see the results of the consultation period.

As part of this process provision planning lead on the project group will discuss with all local schools in the same phase, and wider where appropriate, to see which schools may be in a position to take the displaced children and what support those schools would need to enable them to do this. This could be in the form of additional accommodation or teaching staff. The LA will work with the RSC and other relevant professionals to identify any timeframes that would be needed to meet these additional needs and how any costs would be funded.

Academies, with some exceptions, lease the land and buildings from the LA on conversion. Should a school close it is anticipated that the land and buildings would revert to the LA. Should the site still be required to meet pupil needs the LA would work with the RSC to see if an alternative free school provider would be prepared to take on the school and site or whether a local school would be interested in operating a school on the site as part of a Federation or MAT. Should this not be possible or should places not be required, then the asset would be declared surplus and disposed of. Should funding for other schools be required to support displaced pupils from this site, then a request would be made from this disposal.

### **3 School closure**

Should approval for closure be given by the RSC then the process of closure will be implemented. In particular the LA will work with colleagues in Babcock Prime Admissions Team to support displaced children and young people and their parents into new appropriate schools in line with the discussions that have taken place during the consultation period. This includes identifying transport implications where appropriate. It is

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anticipated, that in line with previous school closures undertaken by the LA, that all children and young people affected by this change will have been offered alternative places prior to the end of the summer term.

On an individual case basis Cabinet will be asked to decide what support would be appropriate for parents whose children are relocated to a new school in terms of school uniform costs etc. Cabinet will also be asked for a decision on the disposal of the assets, where these come back to the County Council.

#### 4 **Key contact**

The key contact for this process on behalf of the Local Authority is:

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