

**ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS**

<b>1.</b>	<b>Meeting:</b>	<b>Cabinet Member for Children and Education Services</b>
<b>2.</b>	<b>Date:</b>	<b>8<sup>th</sup> December 2014</b>
<b>3.</b>	<b>Title:</b>	<b>Proposal to close Abbey School</b>
<b>4.</b>	<b>Directorate:</b>	<b>Children and Young Peoples Services</b>

### **5. Summary**

This report seeks approval to commence pre Statutory consultation on the proposal to close Abbey School.

### **6. Recommendations**

**It is recommended that pre statutory consultation should commence on the proposal to close Abbey School and that a further report be brought to Members in due course.**

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## 7. Proposals and Details

Following the recent Ofsted inspection placing the school in special measures, it is proposed to close Abbey School as a Special Educational Needs School. The recent inspection of the school highlighted significant health and safety, safeguarding and teaching and learning concerns.

A summary of the key observations from the Ofsted Inspection of 30.9.14 to 1.10.14 are shown below:

### **Summary of key findings for parents and pupils**

**This is a school that requires special measures.**

- Leaders, including governors through their work, have not ensured that pupils and students are safe and secure.
- Planned actions to improve the school are not yet effective and the quality of teaching has declined considerably since the last inspection.
- Leadership at all levels does not demonstrate the capacity to bring about the much needed improvements to the school.
- Governors are not well enough informed to be able to hold leaders robustly to account for the school's performance.
- Pupils and students are not guided well enough to know how to stay safe. Too many abscond from school and staff are not always aware of their whereabouts, which puts them at risk.
- The behaviour of pupils and students is inadequate; often it is not managed well enough. Exclusion rates are high. Incidents where staff use physical restraint are also high and not always recorded adequately.
- Teachers do not have high enough expectations of what pupils and students can achieve. Assessment information is not used well enough to ensure that learning is interesting and suitably challenging. Consequently, in lessons where this is the case, poor behaviour results and disrupts learning.
- High levels of staff turnover and absence are hindering efforts to improve the quality of teaching. Staff covering other teachers' lessons are not well enough prepared for each lesson; consequently learning and progress are often very slow.
- Attainment by the end of Key Stages 2 and 4 is exceptionally low. Overall pupils and students show inadequate achievement.
- Disadvantaged pupils and students are not supported well enough, because funding for them is not used effectively. The most able pupils and students are also not well provided for; as a result, these students also underachieve.

### **The school has the following strengths**

- Leaders have welcomed the partnership with Winterhill School and support from the acting executive headteacher. Together they have an accurate view of the school's performance.
- Actions taken to improve arrangements for pupils and students arriving at school each morning have been successful. Everyone now receives a warm welcome and is well prepared to start each day.

Following the proposed closure of Abbey School the site will be utilised for education purposes.

With the proposed closure of Abbey School there are significant implications for existing staff employed at the school.

Existing staff will all potentially be at risk of redundancy as a result of the proposed closure.

There are currently no contractual arrangements linking any particular members of staff to any particular pupils at Abbey and, as a result of this and also the factors relating to the dispersal of pupils across a number of schools, all of whom have existing staffing structures, our view, which is supported by early discussion with Legal Services is that this will mean that when pupils move from Abbey to be educated at other Rotherham Special Schools, as is the proposal, there will be no automatic right for staff to be employed in those other schools.

However, it is our intention that we give all appropriate support and assistance to staff should this proposal go forward and staff be at risk.

Part of this support will be seeking appropriate priority for existing Abbey staff for any vacancies that may arise at other Special Schools as a result of these changes. Whilst it is clear that any subsequent vacancies that may arise will be much less in number than the current number of Abbey staff, there may well be opportunities for some staff to be employed in the other Special Schools and we will be seeking to ensure that Abbey staff who are at risk get every opportunity to be appointed to those roles.

We will also be exploring all other redeployment opportunities, both in Schools and elsewhere in the Local Authority to make sure that any possible redeployment opportunity can be accessed to avoid redundancy.

The first step in consultation with staff and their Trade Unions on this issue will be an early consultation meeting to set out to staff and Unions the proposal and the implications for staff.

There will be a 30 day consultation period, following the issue to Government Office of a HR 1 form, setting out the numbers and types of staff at risk.

It would be our intention, if there are no changes to the proposal that notices would be issued to staff early in the New Year. Redeployment efforts will continue right up until those notices take effect (30th April 2015 at the earliest and 31<sup>st</sup> August 2015 at the latest).

## **8. Finance**

Specialist provision continues to be funded from the High Needs Block. The annual costs of specialist provision is not anticipated to change as a result of the proposal.

## **9. Risks and Uncertainties**

There are always risks and uncertainties when school place provision is considered since future pupil numbers are based on a combination of current knowledge of needs, gaps in provision and estimations of future need. Local Authorities however are obliged to provide sufficient places, promote diversity and increase parental choice.

## 10. Policy and Performance Agenda Implications

### Rotherham School Improvement Mission:

- ~ All children will make at least good progress
- ~ There will be no underperforming cohorts
- ~ All teachers will deliver at least good learning
- ~ All schools will move to the next level of successful performance

## 11. Background Papers and Consultation

The School Organisation (Establishment and Discontinuance of Schools) Regulations 2013

The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013

School Organisation (Maintained Schools) guidance for proposers and decision makers (January 2014)

The timetable for a pre-statutory and statutory consultation phase is set out below. Formal objections may be lodged during the representation period following the publication of the statutory notice. A final decision should be determined by the Decision Maker within 2 months from the end of the representation period. If this fails to be done, then the matter is referred to the Schools Adjudicator for decision.

### **Proposed consultation timeline**

Cabinet Member to agree to pre statutory consultation	<b>8<sup>th</sup> December 2014</b>
Pre statutory consultation period With stakeholders.	
Report to Cabinet detailing the outcome of pre statutory consultation and seeking approval to commence Statutory Consultation.	<b>25<sup>th</sup> February 2015</b>
Publication of statutory notice and proposals (4 week period)	<b>6<sup>th</sup> March 2015</b>

Report to Cabinet and final  
Determination of proposals and notification  
to the Department for Education

**29<sup>th</sup> April 2015**

Implementation Date

**phased up to the end of the  
2014/15 Academic Year**

Consultation meetings / correspondence should be undertaken with the Governing Body / interim Executive Board of the School, Staff with Trade Union representatives, Parents / Carers of pupils at the schools, local Councillors, local Parish Councils, local MPs and any other stakeholders.

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