

		AGENDA ITEM 7
		PAF/12/13
Committee:	People & Families Scrutiny Committee	
Date:	14 November 2013	
Call-in: The Deanes School – decision whether to discontinue the school (FP/239/06/13)		

Report by the Scrutiny Officer:

Attached are copies of the templates for this call-in. Also attached (at Appendix A) is the Cabinet paper (FP/239/06/13) related to the decision. A detailed note outlining the procedure for the Scrutiny Committee to deal with the call-ins will follow.

Councillor Gooding, as the Cabinet Member responsible for the decision, has been invited to attend.

In terms of the options available to the Committee the following is an extract from the Constitution 20.14:

- (xiii) Having considered the decision, the Committee may refer it back to the decision taker setting out in writing its concerns or refer the matter to the full Council also with a record of its concerns. Upon a referral to a decision taker, the decision shall be reconsidered within five clear working days amending the decision or not before adopting a final decision
  - (xiv) If the Committee does not refer a decision to either the decision taker or the Council, the decision shall take effect at the conclusion of the meeting of the Committee.
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# Notification of Call-in

<b>Decision title and reference number</b>  The Deanes School - decision whether to discontinue the school  FP/239/06/13	
<b>Cabinet Member responsible</b>  Councillor Ray Gooding	<b>Date decision published</b>  07/11/2013
<b>Last day of call in period</b> 12 November 2013	<b>Last day of 10-day period to resolve the call-in</b>
<b>Reasons for Making the Call in</b>  <ol style="list-style-type: none"> <li>1. On the grounds that I believe that the unanimous view of both the Task and Finish Group and the Scrutiny Committee are correct and that there is no compelling case to close the Deane's School. This is based upon the projected housing growth in the area following evidence given to the Task and Finish Group by Castle Point Borough Council.</li> <li>2. I strongly believe that parents should have a choice in the type of Secondary Education for their children and that there is a place for smaller sized schools.</li> <li>3. Finally, I do not believe that there has been any significant change in circumstances since the previous Portfolio Holder, Stephen Castle, decided in March 2011 that both the Deane's and Glenwood Schools should be rebuilt and co-located on the site."</li> </ol>	
<b>Signed:</b>  <b>Richard Carson</b> <b>Non-elected Member of the People &amp; Families Scrutiny Committee</b>	<b>Dated:</b>  07/11/2013
<b>For completion by the Governance Officer</b>	

<b>Date call in Notice Received</b> 7 November 2013	<b>Date of informal meeting</b> N/A
<b>Does the call in relate to a Schools issue</b>  Yes	<b>If yes, date when Parent Governor Reps and Diocesan Reps invited to the meeting</b>  Scheduled meeting 14 November 2013
<b>Date of People &amp; Families Scrutiny Committee Meeting (if applicable)</b> 14 November 2013	<b>Date call in withdrawn / resolved</b>

# Notification of Call-in

<b>Decision title and reference number</b>  The Deanes School - decision whether to discontinue the school  FP/239/06/13	
<b>Cabinet Member responsible</b>  Councillor Ray Gooding	<b>Date decision published</b>  07/11/2013
<b>Last day of call in period</b> 12 November 2013	<b>Last day of 10-day period to resolve the call-in</b>
<b>Reasons for Making the Call in</b>  1) Concerns I have over the accuracy of the forecasts used to take the decision to close the school, specifically relating to the population figures used to predict potential school admissions  2) The strongly expressed wish of the local Community for the school to continue to offer educational facilities in this area.	
<b>Signed:</b>  <b>Councillor Ray Howard</b>	<b>Dated:</b>  07/11/2013
<b>For completion by the Governance Officer</b>	
<b>Date call in Notice Received</b>  7 November 2013	<b>Date of informal meeting</b> N/A
<b>Does the call in relate to a Schools</b>	<b>If yes, date when Parent Governor Reps</b>

<b>issue</b>  Yes	<b>and Diocesan Reps invited to the meeting</b>  Scheduled meeting 14 November 2013
<b>Date of People &amp; Families Scrutiny Committee Meeting (if applicable)</b> 14 November 2013	<b>Date call in withdrawn / resolved</b>

## Notification of Call-in

<b>Decision title and reference number</b>  The Deanes School - decision whether to discontinue the school  FP/239/06/13	
<b>Cabinet Member responsible</b>  Councillor Ray Gooding	<b>Date decision published</b>  07/11/2013
<b>Last day of call in period</b> 12 November 2013	<b>Last day of 10-day period to resolve the call-in</b>
<b>Reasons for Making the Call in</b>  <ol style="list-style-type: none"> <li>1. There is a lost opportunity of having two schools on the same site which would add to social cohesion and integration of disabled and non-disabled pupils</li> <li>2. The Equality Impact Assessment talks about provision for wheelchair users, but fails to mention other hidden disabilities</li> <li>3. It has not been proven that the socio-economic and/or health needs would be met in the alternative educational establishments</li> </ol>	
<b>Signed:</b>  <b>Councillor Theresa Higgins</b>	<b>Dated:</b>  07/11/2013
<b>For completion by the Governance Officer</b>	
<b>Date call in Notice Received</b>  7 November 2013	<b>Date of informal meeting</b> N/A

<b>Does the call in relate to a Schools issue</b>	<b>If yes, date when Parent Governor Reps and Diocesan Reps invited to the meeting</b>
Yes	Scheduled meeting 14 November 2013
<b>Date of People &amp; Families Scrutiny Committee Meeting (if applicable)</b> 14 November 2013	<b>Date call in withdrawn / resolved</b>

## Notification of Call-in

<b>Decision title and reference number</b>  The Deanes School - decision whether to discontinue the school  FP/239/06/13	
<b>Cabinet Member responsible</b>  Councillor Ray Gooding	<b>Date decision published</b>  07/11/2013
<b>Last day of call in period</b> 12 November 2013	<b>Last day of 10-day period to resolve the call-in</b>
<b>Reasons for Making the Call in</b>  I wish to call-in this decision on the grounds that: <ul style="list-style-type: none"> <li>i. the portfolio holder has disregarded the Scrutiny process and the findings of the Task and Finish group. This report was agreed by all members of the people and families committee and has still been ignored.</li> <li>ii. this Council has demonstrated that there is an 'educational and functional need' for the redevelopment of the Deanes School Site which would be used to fulfil to the needs of the wider community by co-location of Glenwood School. This decision to close the school does not adequately address these needs.</li> <li>iii. an explanation would need to be provided into the absence of a petition entitled "Save The Deanes from Closure" containing 6577 signatures which should have been received by the People and Families Scrutiny Committee as per Petition Policy.</li> </ul>	

<b>Signed:</b>  <b>Councillor Melissa McGeorge</b>	<b>Dated:</b>  07/11/2013
<b>For completion by the Governance Officer</b>	
<b>Date call in Notice Received</b>  7 November 2013	<b>Date of informal meeting</b> N/A
<b>Does the call in relate to a Schools issue</b>  Yes	<b>If yes, date when Parent Governor Reps and Diocesan Reps invited to the meeting</b>  Scheduled meeting 14 November 2013
<b>Date of People &amp; Families Scrutiny Committee Meeting (if applicable)</b> 14 November 2013	<b>Date call in withdrawn / resolved</b>



## Notification of Call-in

<b>Decision title and reference number DEANES SCHOOL</b>	
<b>Cabinet Member responsible</b> CLLR RAY GOODING	<b>Date decision published</b> 7.11.13
<b>Last day of call in period</b> 12.11.13	<b>Last day of 10-day period to resolve the call-in</b>
<b>Reasons for Making the Call in:</b> <ul style="list-style-type: none"> <li>• The cabinet member did not look at all options on the viability of Deanes School.</li> <li>• No audit trail on how and why the cabinet keep the rebuild of DeanesSchool in the 2013/2014 budget.</li> <li>• Essex County Council were responsible for the fall in pupil numbers by encouraging Deanes School not to spend any money on general decorating of the school</li> <li>• The cabinet member for education did not fully consider the appropriate processes or representation relative to parental choice .</li> </ul>	
<b>Signed:</b> Cllr Dave Blackwell	<b>Dated:</b> 11.11.12
<b>For completion by the Governance Officer</b>	
<b>Date call in Notice Received</b> 11 November 2013	<b>Date of informal meeting</b> N/A

<b>Does the call in relate to a Schools issue</b>  Yes	<b>If yes, date when Parent Governor Reps and Diocesan Reps invited to the meeting</b>  Scheduled meeting on 14 November 2013
<b>Date of People &amp; Families Scrutiny Committee Meeting (if applicable)</b> 14 November 2013	<b>Date call in withdrawn / resolved</b>

## Notification of Call-in

<b>Decision title and reference number</b> FP/239/06/13 The Deanes School – decision whether to discontinue the school	
<b>Cabinet Member responsible</b> Cllr Ray Gooding Cabinet Member for Education and Lifelong Learning	<b>Date decision published</b> 7 November 2013
<b>Last day of call in period</b> Tuesday 12 November 2013	<b>Last day of 10-day period to resolve the call-in</b>
<b>Reasons for Making the Call in</b> The Deanes School – decision whether to discontinue the school  The Decision by Cabinet to close The Deanes School fails to fully explore and consider ALL of the recommendations put forward by the People and Families Scrutiny Committee. The Task and Finish Group established by the People and Families Scrutiny Committee has concluded that there is insufficient evidence to close The Deanes School on the basis of the current evidence.  If this matter goes to Committee, I will be away for the meeting on the 14 November but Cllr Jamie Huntman will deal with the Call-in at the meeting as my substitute.	
<b>Signed:</b>	<b>Dated:</b>
Cllr Alan Bayley	7 November 2013
<b>For completion by the Governance Officer</b>	

<b>Date call in Notice Received</b> 11 November 2013	<b>Date of informal meeting</b> N/A
<b>Does the call in relate to a Schools issue</b>  Yes	<b>If yes, date when Parent Governor Reps and Diocesan Reps invited to the meeting</b>  Scheduled Meeting 14 November 2013
<b>Date of People &amp; Families Scrutiny Committee Meeting (if applicable)</b>  14 November 2013	<b>Date call in withdrawn / resolved</b>

**APPENDIX A  
AGENDA ITEM 4**

<b>Report to Cabinet</b> <b>Report of Cllr Ray Gooding</b>	<b>Forward Plan reference number</b> <b>FP/239/06/13</b>
<b>Date of meeting 7<sup>th</sup> November 2013</b>	<b>County Divisions affected by the decision: All Divisions in Castle Point and Basildon Districts</b>
<b>Title of report:</b>  <b>The Deanes School - decision whether to discontinue the school</b>	
<b>Report by:</b> Tim Coulson, Director for Education and Learning	
<b>Enquiries to:</b> Tim Coulson, Graham Ranby, Andrew Hind	

## **1. Purpose of report**

- 1.1. Following the publication on 9<sup>th</sup> September 2013 of a Statutory Proposal to Discontinue The Deanes School, Thundersley, this report presents a summary of the representations received by 21<sup>st</sup> October 2013. It presents the proposer's comments on the representations. It presents "A Review of The Pupil Forecasting Methodology and The Housing Impact Methodology in Essex County Council" commissioned from an independent reviewer recommended by the National Foundation for Educational Research (NFER). It sets out the reasons for proposing the closure of The Deanes School and enables the Decision Maker to decide the proposal.

## **2. Recommendations**

- 2.1. It is recommended that the proposals issued on 9<sup>th</sup> September 2013 to discontinue The Deanes School, Daws Heath Road, Thundersley, Benfleet, Essex SS7 2TD on 31st August 2016 be approved without modification. Admissions to Year 7 of The Deanes School will cease after the end of the academic year 2013/14.
- 2.2. In conjunction with the determination of the closure proposal it is also recommended that the Cabinet agrees that:
  - 2.2.1. if the Secretary of State approves the transfer of the ownership of The Deanes School campus to the County Council it be retained for educational use in the first instance for the relocation of Glenwood School;
  - 2.2.2. officers explore options with a range of local partners to secure the continued use of the sports centre as a community facility;
  - 2.2.3. schemes for The Appleton School and The King John School be added to the capital programme for 2013/14 and 2014/15. The Appleton School scheme budget will total no more than £2.0m and The King John School scheme budget will total no more than £2.0m;
  - 2.2.4. the current £11.3m budget for The Deanes element of the Deanes/Glenwood project will be released and £4m directed to the schemes at The Appleton School and The King John School (profiled as £0.5m in 2013-14 and £3.5m in 2014-15), with £2.5m directed to the Glenwood School relocation;
  - 2.2.5. the relocation of the Glenwood School to the Deanes site, with the addition of the Autistic Spectrum Disorder (ASD) provision proceed as soon as practicable and achievable and feasibility work be carried out in connection with this and the future shared use of The Deanes site for potential secondary school provision in the longer term.

## **3. Background and proposal**

### **Background**

- 3.1. The possible closure of The Deanes School has been the subject of a formal process over several months. This report enables Cabinet to take a decision on the proposed closure. The dates of relevant decisions and processes are set out below.

### **Dates of relevant previous decisions, consultation and statutory processes**

- 3.2. 10<sup>th</sup> June 2013 to Monday 22<sup>nd</sup> July – Consultation - “The Future of the Deanes School: Consultation on a proposal to discontinue the school with effect from 31 August 2016”

July and August – Meetings and evidence sessions of the People and Families Scrutiny Committee Task and Finish Group

30<sup>th</sup> August 2013 – Report on The Deanes School - decision whether to publish a statutory notice proposing to discontinue the school

2<sup>nd</sup> September 2103 - Cabinet Member decision to publish a statutory notice proposing to discontinue The Deanes School

9<sup>th</sup> September 2013 – Publication of statutory proposal to discontinue The Deanes School

21<sup>st</sup> October 2013 – End of period in which representations can be made.

## **History**

- 3.3. The history leading to the proposal for the closure of The Deanes School was set out in the pre-statutory consultation document “The Future of the Deanes School: Consultation on a proposal to discontinue the school with effect from 31 August 2016”. The key background is summarised below:
- 3.4. It was proposed that The Deanes School would be rebuilt in Wave 5 of the nationally funded Building Schools for the Future (BSF) programme, and Glenwood School would be relocated to the same site. The incoming government cancelled BSF in June 2010. Capital investment at The Appleton and The King John Schools was also withdrawn.
- 3.5. The County Council was committed to the rebuild of Glenwood School, and wished to improve the premises of The Deanes School. A sum of £22.85 million was agreed in 2012 to be in the capital programme from 2013-14 onwards to fund such a project.
- 3.6. Officers had noted a decline in numbers at The Deanes School since 2008/09, and following the receipt of applications for Year 7 places for September 2013 concluded that the decline was being sustained and that the cumulative impact of the lower admissions with no sign of an increase meant that a review of the proposed capital project was required. Given the range of pressures on capital budgets across Essex it was considered prudent to re-examine whether The Deanes School had a viable future before committing to the rebuilding project. The fall in 2013 admission numbers raised questions about the educational viability of the school and brought into question the proposed capital expenditure.
- 3.7. The sustained reduction in admissions to the school has seen the number of surplus places increase from 8.5% in January 2010 (1,025 pupils out of a total capacity of 1,120) to a surplus of 22.1% in January 2013 (793 pupils out of capacity for 1,018). As of October 2013, 41.1% of the 1,018 places are surplus (with 600 on roll).
- 3.8. This decline in numbers has raised serious questions about the financial viability of the school going forwards. While the standards of education at the school are

not in question (the school is rated 'good' by Ofsted), the ability of the school to sustain these standards in the face of declining pupil numbers and increasing deficits is considered unlikely.

- 3.9. In this context the Council believed that the future of the school should be considered. The Council considered three ways forward:
  1. The closure of The Deanes School from 31 August 2016 with an expansion of places at The King John and The Appleton schools;
  2. The Deanes School continues and further reviews to take place in the future of its on-going viability in the light of demand and popularity;
  3. The Deanes School continues and further reviews to take place in the future of its on-going viability and expansion of places at The King John and The Appleton Schools.
- 3.10. The Council took forward the first option and conducted pre-statutory consultation on the closure proposal for the reasons set out in this report.
- 3.11. A Task and Finish Group of the Council's People and Families Scrutiny Committee was set up to look into the proposal. A series of evidence sessions (both written and oral) were held throughout July and August and the Task and Finish Group submitted its findings to the Cabinet Member for Education and Lifelong Learning in August 2013. The Task and Finish Group concluded that on the basis of their evidence there was insufficient evidence to justify the closure of the school.
- 3.12. The details of the consultation process, the responses received, the views and recommendations of the People and Families Scrutiny Panel and the Council's comments were set out in the report to the Cabinet Member dated 30<sup>th</sup> August 2013.
- 3.13. Following consideration of the report the Cabinet Member authorised a statutory proposal to be made. The decision to publish proposals could have been 'called-in' by any member of the People Overview and Scrutiny Committee, but in the event no member of the Committee decided to do so within the given timeframe. A statutory notice and proposal was issued on 9<sup>th</sup> September 2013. The statutory representation period ended on 21<sup>st</sup> October 2013.
- 3.14. Further information about the history of this proposal is set out in the earlier reports and background documents.
- 3.15. The Cabinet Member decision to make a statutory proposal can be found here: [http://cmis.essexcc.gov.uk/essexcmis5/Decisions/tabid/78/ctl/ViewCMIS\\_DecisionDetails/mid/422/Id/5336/Default.aspx](http://cmis.essexcc.gov.uk/essexcmis5/Decisions/tabid/78/ctl/ViewCMIS_DecisionDetails/mid/422/Id/5336/Default.aspx)
- 3.16. The views and recommendations of the Task and Finish Group and the People and Families Scrutiny Panel were considered. In view of concerns expressed about the pupil forecasting methodology an educational consultant

recommended by the National Foundation for Educational Research, with experience of pupil forecasting in other authorities, was commissioned to review the system and methodology used in Essex. His report is attached as a Technical Annex.

- 3.17. Having made a statutory proposal to discontinue The Deanes School, Thundersley, Essex County Council is required to decide the proposal within two months of the completion of the representation period. The Council has until 21<sup>st</sup> December 2013 to decide the proposal.

### **Reasons for proposing the closure of The Deanes School**

- 3.18. The structure of this section of the report reflects the guidance set out in **“Closing a Maintained Mainstream School: A Guide for Local Authorities and Governing Bodies”** issued by the then named Department for Children Schools and Families, and last updated on 1<sup>st</sup> February 2010 – henceforth referred to as “The Guide”. Not every section of The Guide is applicable to The Deanes School closure proposal. Where this is the case it is noted.
- 3.19. Although this is the latest statutory guidance and the Council is required to have regard to it, the Department for Education has commented that the guidance was published under the previous government and therefore while the information is legally correct the Department for Education has said that ‘it may not reflect the current government’s thinking.

### **Check on Receipt of Statutory Proposals (The Guide paragraph 4.7)**

- 3.20. *“There are four key issues which the Decision Maker should consider before judging the respective factors and merits of the statutory proposals:*

- 3.21. *“Is there any information missing?”*

The proposer considers that all the information specified in Annex A of The Guide was provided in the supporting documentation to the statutory notice published on 9<sup>th</sup> September 2013.

- 3.22. *“Does the published notice comply with the statutory requirements?”*

The proposer considers that the statutory notice is valid and complies with the statutory requirements.

- 3.23. *“Has the statutory consultation been carried out prior to the publication of the notice?”*

Statutory consultation took place between 10th June 2013 and 22nd July 2013. The proposer is satisfied with the sufficiency and quality of the consultation. (A description of the statutory consultation process is set out in Section 3.9. of the Report to the Cabinet Member of 30th August 2013 “The Deanes School – Decision whether to publish statutory notices proposing to discontinue the school”.)

3.24. *“Are the proposals “related” to other published proposals?”*

The proposals are not “related” to other proposals as defined in relevant legislation and The Guide. (Paragraphs 9 and 19 of Schedule 2 to the Education and Inspections Act 2006 and paragraphs 4.10 to 4.14 of The Guide). It should be noted that The Appleton School and The King John School have proposed to expand their planned admission numbers by 30 at each school to accommodate pupils requiring places as a result of the closure of The Deanes School. However it is not for Essex County Council to decide these proposals as part of this decision and these are therefore not legally defined as “related proposals”. The expansion of each academy is not considered by the relevant Academy Trust to be ‘significant’ for the purposes of the recently published DfE guidance ‘Making significant changes to an existing academy’.

- 3.25. Paragraphs 8(6) and 17 of Schedule 2 to the Education and Inspections Act 2006 provide that the decision maker deciding closure proposals must have regard to guidance issued by the Secretary of State when taking a decision. The following paragraphs address the factors set out in The Guide.

**A system shaped by parents**

- 3.26. Paragraphs 4.17 and 4.18 of The Guide refer to the aim of the then Government *“to create a school system shaped by parents which delivers excellence with equity.”* It goes on to say that *“the Government wishes to see a dynamic system in which:*

*“weak schools that need to be closed are closed quickly and replaced with new ones where necessary; and*

*“the best schools are able to expand and spread their ethos and success.”*

- 3.27. The proposer does not claim that The Deanes School is weak in terms either of standards achieved by its pupils, as shown in published performance tables, or Ofsted judgements. The proposer’s concern relates to the school’s viability as its number on roll declines, a decline which is forecast to continue over the coming years, which is a reflection of the demography of the area and parental preference. Notwithstanding the heart-felt expressions of support for The Deanes School that have been shown through the consultation and representation periods, the number of parents seeking admission for their children at The Deanes has fallen substantially, with very small numbers choosing the school as their first preference. In these circumstances the proposer believes that securing on-going high quality education would be better achieved by the discontinuance of The Deanes School and by supporting the expansion of The Appleton School and The King John School both of which deliver high standards and are very popular. The proposer takes the view that the risk of leaving The Deanes School open, investing in a new building and the school then becoming unviable is considerably greater than the risks associated with an orderly and timely closure and retaining the site for secondary provision in the longer term should that be needed.



- 3.28. The Council has considered the impact of a new building on school intake numbers and has seen differing effects at different schools. There is no definitive information on the impact of a new building on pupil numbers. Ultimately a school needs more than a new or refurbished building to be successful. It is difficult to say whether a new building would have the effect of attracting significantly more local pupils in an area where the other two local schools already have a high reputation, are popular, successful and oversubscribed. For the impact of the new build to be significant two outcomes would be required. Firstly parents would need to be convinced to change their preferences away from two of the most successful and popular schools in Essex (namely The King John School and The Appleton School) and secondly it would be necessary for an increased number of parents from Southend and Basildon, who currently make up the majority of parents at The Deanes, to continue preferring a school in Castle Point, with the additional commuting distance, over their local schools.
- 3.29. The proposer recognises the value of diversity and parental choice, as set out in paragraph 4.18 of The Guide. The proposer believes that in the Benfleet, Thundersley and Hadleigh area of Castle Point this will be best achieved over the coming decade by the closure of The Deanes School and by supporting the expansion of The Appleton School and The King John School. In both cases these schools have significantly more support from parents as expressed through first preference applications. The Deanes School does not have strong parental support expressed through application for admissions. Its numbers on roll are projected to decline further and its viability, and hence the quality of education it can offer, will become increasingly jeopardised.
- 3.30. This section provides data on applications for places at each school. Details of applications for Year 7 places at The Deanes School and offers made are shown below:

**Table 1: Number of offers made throughout the co-ordination period by criterion in 2011, 2012 and 2013 for The Deanes School.**

**The Deanes School - Offer history Academic year of entry – 2011**

Published Admission Number 180

SEN places pre-allocated	2
Criterion 1 Looked After Children	0
Criterion 2 Catchment	43
Criterion 3 Sibling	18
Criterion 4 up to 10 children identified by the Lawn tennis association / Badminton England as showing an aptitude in tennis or badminton	10
Criterion 5 up to 8 children in each year group who are gifted or talented in sport	0
Criterion 6 Remaining applications	40
Vacant places	67

Total	180
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**The Deanes School** - Offer history Academic year of entry – 2012

SEN places pre-allocated	0
Criterion 1 Looked After Children	0
Criterion 2 Catchment	39
Criterion 3 Sibling	26
Criterion 4 up to 18 children who demonstrate an aptitude sport	3
Criterion 5 Remaining applications	61
Vacant places	51
Total	180

**The Deanes School - Offer history Academic year of entry – 2013**

SEN places pre-allocated	6
Criterion 1 Looked After Children	0
Criterion 2 Catchment	18
Criterion 3 Sibling	10
Criterion 4 up to 18 children who demonstrate an aptitude sport	2
Criterion 5 Remaining applications	26
Vacant places	118
Total	180

- 3.31. This set of tables shows information about applications and offers and may not correspond precisely with the final number of children admitted, as parents may accept an alternative offer. However, it gives a very clear indication of parental preference for places at the school. The choices for September 2013 were made well before the decision to consult on the future of the school.
- 3.32. The number of places available after all applicants had been made an offer was 67 in 2011, 51 in 2012 and 118 in 2013: a rise from 37% to 66% surplus places when compared with the published admission number of 180, an admission number that had already been reduced from the previous 210 that was the size that the school buildings can accommodate.
- 3.33. The number of applicants from within the priority admissions area (catchment area) declined from 43 to 39 to 18 over the three years. The number of parents seeking places based on aptitude for sports fell from 10 to 2. The number of applicants who did not meet any of the first five criteria and were offered places on the basis of distance from the school was 60 in 2011, 61 in 2012, and had fallen to 26 in 2013.
- 3.34. These figures tell a clear story of declining parental preference for places at The Deanes School, both from within the priority admissions area and further afield.
- 3.35. The following tables set out the equivalent information for The Appleton School and The King John School:

**Table 2: Number of offers made throughout the co-ordination period by criterion in 2011, 2012 and 2013 for The Appleton School**

**The Appleton School - Offer history Academic year of entry – 2011**  
Published Admission Number 240

SEN places pre-allocated	4
Criterion 1 Looked after children	0
Criterion 2 Catchment	177
Criterion 3 Sibling	33
Criterion 4 Medical	0
Criterion 5 Aptitude for Languages up to 24 places	24
Criterion 6 Distance	3
Vacant places	0
Total	241

**The Appleton School - Offer history Academic year of entry – 2012**

SEN places pre-allocated	0
Criterion 1 Looked after children	1
Criterion 2 Catchment	141
Criterion 3 Sibling	30
Criterion 4 Medical	0
Criterion 5 Aptitude for Languages up to 24 places	24
Criterion 6 Distance	33
Vacant places	11
Total	240

**The Appleton School - Offer history Academic year of entry – 2013**

SEN places pre-allocated	10
Criterion 1 Looked after children	3
Criterion 2 Catchment	123
Criterion 3 Sibling	29
Criterion 4 Medical	1
Criterion 5 Aptitude for Languages up to 24 places	24
Criterion 6 Children of staff	0
Criterion 7 Distance	50
Vacant places	0
Total	240

- 3.36. All the available places at The Appleton School were offered in 2011 and 2013, although there were 11 vacant places in 2012. It should be noted that the number of places offered to catchment area children declined from 177 to 133 over the three years. This reflects the smaller cohort sizes as the number of pupils seeking places in the Benfleet, Thundersley and Hadleigh area of Castle Point

has declined. All 24 places available on the basis of aptitude for language were offered each year. Balancing this the number of places offered to applicants not meeting the first five criteria increased from 3 to 50 over the same period, again showing the decline in local demand as a result of demographic factors, allowing demand from further afield to be satisfied.

**Table 3: Number of offers made throughout the co-ordination period by criterion in 2011, 2012 and 2013 for The King John School**

**The King John School- Offer history Academic year of entry – 2011**

Published Admission Number 320

SEN places pre-allocated	4
Criterion 1 Looked after children	0
Criterion 2 Siblings	119
Criterion 3 Catchment	136
Criterion 4 Medical	0
Criterion 5 General ability test (15% of PAN)	48
Criterion 6 Walking distance	11
Vacant places	2
Total	320

**The King John School- Offer history Academic year of entry – 2012**

SEN places pre-allocated	0
Criterion 1 Looked after children	1
Criterion 2 Siblings	109
Criterion 3 Catchment	145
Criterion 4 Medical	0
Criterion 5 General ability test (15% of PAN)	46
Criterion 6 Walking distance	11
Vacant places	8
Total	320

**The King John School- Offer history Academic year of entry – 2013**

SEN places pre-allocated	6
Criterion 1 Looked after children	0
Criterion 2 Siblings	89
Criterion 3 Catchment	97
Criterion 4 Children of staff	0
Criterion 5 General ability test (15% of PAN)	46
Criterion 6 Walking distance	82
Vacant places	0
Total	320

- 3.37. The figures relating to The King John School tell a similar story. There were two vacant places in 2011, eight in 2012 and none in 2013. The number of catchment area applicants who were offered places declined from 136 to 97 over the three years, confirming the demographic context of the mainland part of Castle Point. Those admitted after criteria 1 to 5 under the distance criterion increased over the same period from 11 to 82.
- 3.38. The following table shows the number of first preference applications at each of the three schools for the past three years:

**Table 4: First preference applications**

	Appleton	Deanes	King John
2011	296	60	314
2012	262	67	327
2013	238	57	311

- 3.39. From this it can be seen that the number of first preference applications for places at The Deanes School is significantly lower than those for places at the two alternative schools. This low level of first preferences pre-dates the 2013 drop in the number of pupils admitted.
- 3.40. The evidence from applications and offers at the three schools shows that the level of demand for places from their local area as defined by catchment areas has declined markedly. (A later section of this report will show that this is not forecast to recover in the short or medium term.) The effect of declining numbers in the locality at The Appleton School and The King John School has been to make more places available for applicants from outside their priority admissions area. The effect at The Deanes School has been to leave more places unfilled. The underlying level of preference for the school is not strong, with only about 60 parents a year choosing it as their first choice.
- 3.41. Whilst recognising the strong support expressed for The Deanes School in the statutory consultation and representation periods, the evidence from the admission process gives a rather different picture of the level of parental preference for the school, in which the number of applications both from local parents and those further afield has fallen.

#### **Standards (The Guide paragraphs 4.19 - 4.21)**

- 3.42. Paragraph 4.19 of The Guide refers to the Government's wish "to encourage changes to local school provision where it will boost standards and opportunities for young people, while matching school place supply as closely as possible to pupils' and parents' needs and wishes."
- 3.43. The proposer fully accepts that current standards at The Deanes School have been at the national average. The proposal to discontinue the school is not on the basis of poor standards. The concern relates to the ability of the school to maintain standards if there is a continued significant fall in numbers as predicted,

and the clear message delivered by parents in the Benfleet, Thundersley and Hadleigh area of Castle Point about their preferred schools.

- 3.44. The proposal to close The Deanes School together with the proposals of The Appleton School and The King John School to expand will meet the needs and wishes of parents as expressed through the admissions process as explained above.
- 3.45. The Appleton School and The King John School have both been judged as “outstanding” at their last Ofsted inspections. The Deanes School was judged as “good” at its last Ofsted inspection. The Council is seriously concerned that it will become increasingly difficult to maintain these standards with falling rolls and falling budget, leading to the unviability of the school. The proposer does not believe that it would be in the interests of children, their families and communities, or of staff, to wait until the school has become unviable in terms of number on roll, budget and educational quality, to bring forward closure proposals.
- 3.46. The proposer believes standards and opportunities can best be boosted through the closure of The Deanes School and the expansion of The Appleton School and The King John School. This would reflect the aspirations of parents as expressed through the admissions process.
- 3.47. The following basic information about standards achieved at the three schools is provided to give the Decision Maker helpful background context.

**Table 5: % 16 year olds achieving 5 GCSEs grades A\*-C, including English and Maths**

	2010	2011	2012
Essex	55	58	59
Appleton	58	58	65
Deanes	42	50	57
King John	81	81	75

- 3.48. Final performance data for 2013 is not yet published.
- 3.49. In terms of the effects on groups that tend to under-perform no data is available in relation to minority ethnic groups at the three schools. The number of minority ethnic pupils is relatively low, which means that school level data might risk identifying individuals.
- 3.50. In terms of children from deprived backgrounds, in the 2013 Year 11 cohort 10% of The Appleton School pupils were eligible for free school meals (FSM), 6% of The Deanes School pupils and 4% of The King John School pupils. Of these, 33% of the Appleton FSM pupils achieved 5A\*-C GCSEs including English and Maths, 23% of the Deanes FSM pupils and 25% of King John School pupils. It should be noted that The Appleton School had the highest percentage of pupils in receipt of free school meals, and these pupils achieved the best results between the three schools in the year in question. The Essex average is 34%. It should be stressed that the sample sizes are small, however there is no evidence

that The Deanes School has a notably high success rate in relation to its deprived pupils, or that such pupils would be disadvantaged if they were instead admitted to the alternative schools.

- 3.51. The number of looked after children at each of these schools is very low (2 or fewer). No conclusions can be drawn about achievement from such small sample sizes, and it would be inappropriate to publish data which could identify individuals.
- 3.52. Paragraph 4.21 of The Guide states that “Where a school is to be closed so that it may be amalgamated with a more successful and/or popular school, the Decision Maker should again normally approve these proposals, subject to evidence being provided by the LA and other interested parties that the development will have a positive impact on standards.” Whilst the proposal to discontinue The Deanes School is not a proposal to amalgamate, it should be noted that some current pupils (current Year 7 and 8) at The Deanes will be absorbed into the two expanding schools. The proposer believes that these pupils will benefit from the opportunities available at their new schools in terms of the resources that can be sustained in larger schools without large numbers of surplus places and this will have a positive impact on the standard of education they will experience. Pupils admitted in future will also have the benefits associated with thriving viable outstanding schools. Both the alternative schools have achieved higher scores on most of the relevant measures, so there is no question of pupils and families being asked to transfer to schools with lower standards.
- 3.53. This contrasts with the position if The Deanes School is not closed. If the school remains open pupils admitted to The Deanes School in future could be disadvantaged if numbers fall making the school unviable, leading to a deterioration in standards.

**Schools causing concern** (The Guide paragraphs 4.22-4.23) and **National Challenge Trust Schools** (Paragraph 4.24)

- 3.54. The Deanes School is not a “school causing concern” in the sense intended by The Guide, neither is it a National Challenge Trust School, therefore these are not relevant factors for the Decision Maker.

**Academies** (The Guide paragraphs 4.25-4.27)

- 3.55. The Deanes School is not an Academy, therefore paragraphs 4.25-4.26 of The Guide are not relevant factors for the Decision Maker.
- 3.56. However, paragraph 4.27 of The Guide may be relevant. It states: “If provision for pupils at a school proposed for closure is dependent on .... the extension or enlargement of an existing Academy, any approval of the closure proposals should be conditional on the Secretary of State .... agreeing to the extension or enlargement of an existing one, but there should be a general presumption in favour of approval.” The Secretary of State is aware of the statutory proposal and will be informed of the outcome of the decision making process. The Academy



Boards have agreed to all the necessary arrangements to enable the decision to be implemented. Having considered the recently published DfE guidance 'Making significant changes to an existing academy' each Academy Trust has concluded that the expansion of each academy is not 'significant' for the purposes of this guidance and therefore the Secretary of State's consent to the expansion is not required.

## **Diversity**

- 3.57. Paragraph 4.28 of The Guide refers to the closure of provision recognised by the local authority as reserved for pupils with special educational needs. No provision is specifically recognised at The Deanes School in this context, such as a resourced unit for children with particular special educational needs. The Deanes School, The Appleton School and The King John School all provide education for children with special educational needs within a mainstream school setting. Therefore paragraph 4.28 is not relevant to this decision.
- 3.58. Paragraph 4.29 of The Guide refers to the Government's aim of creating "a more diverse school system offering excellence and choice, where each school has a strong ethos and sense of mission, and acts as a centre of excellence or specialist provision." The Deanes School has recently been recognised as having a specialism in Performing Arts and has been a Sports College. It is recognised as having an expertise in physical education and sport and has the opportunity of admitting up to 10% of its published admissions number on the basis of aptitude for sport. The number of places offered on the basis of aptitude for sport has fallen to 2 in the most recent admissions year. The Appleton School is a Business and Enterprise Specialist College. The King John School is a Specialist Maths and Computing College. Clearly any closure removes an element of choice. The proposer's view is that as numbers decline The Deanes School will become unviable, making it difficult for the school to continue to be a centre of excellence. The choice for parents should be between good, viable schools. The Appleton and The King John schools also have strong reputations in provision of sport for their pupils.
- 3.59. Paragraph 4.30 of The Guide asks the Decision Maker to "consider how proposals will impact on local diversity. They should consider the range of schools in the relevant area of the LA and how the closure of the school will ultimately impact on the aspirations of parents, help raise local standards and narrow attainment gaps." If The Deanes School closes there will still be a choice of outstanding schools within the mainland area of Castle Point. Parents in the area served by The Deanes will still have the option of seeking places in schools in other areas of Essex and Southend-on-Sea, including places in the selective and Catholic schools in Southend. There will continue to be a range of schools with a proven record of raising aspirations of parents and standards of achievement and progress in Castle Point and more widely in south Essex.

### **Balance of Denominational Provision** (The Guide paragraphs 4.31-4.32)

- 3.60. The Deanes School is not a school with a religious character. Neither are other schools in Castle Point, nor any school significantly affected by this decision. It is therefore not a relevant factor for the Decision Maker.

### **Every Child Matters** (The Guide paragraph 4.33)

- 3.61. “Every Child Matters” was a policy framework of the previous Government. Whilst this is no longer a Government policy, the Decision Maker may consider “how pupils will have access to extended services, opportunities for personal development, access to academic and applied learning and training, measures to address participation and support for children and young people with particular needs.” The Appleton School and The King John School are well placed to offer services in all the service areas indicated.

## **NEED FOR PLACES**

### **Provision for Displaced Pupils** (The Guide paragraph 4.34)

- 3.62. The Guide states that: “the Decision Maker should be satisfied that there is sufficient capacity to accommodate displaced pupils in the area, taking into account the overall supply and likely future demand for places. The Decision Maker should consider the quality and popularity with parents of the schools in which spare capacity exists and evidence of parents’ aspirations for those schools.” Essex County Council has written undertakings from the governing bodies of The Appleton School and The King John School that they will admit current Year 8 Deanes pupils into the new Year 9 in September 2014, and current Year 7 pupils into the new Year 9 in September 2015. Other pupils currently in Years 9, 10 and 11 at The Deanes will complete their education at the school.
- 3.63. Parents seeking places for their children to start secondary school in September 2014 and beyond will be able to express a preference for The Appleton School and The King John School. The admissions criteria for each school will be applied. Essex County Council forecasts clearly show that with an increase of 30 to the published admission number at both schools all applications in respect of children resident in the combined current catchment areas of The Deanes School, The Appleton School and The King John School will be offered a place at one of the continuing schools.
- 3.64. The evidence of parents’ aspirations for the two alternative schools can be demonstrated by the large number of applications, including first preferences, as set out clearly earlier in the report.

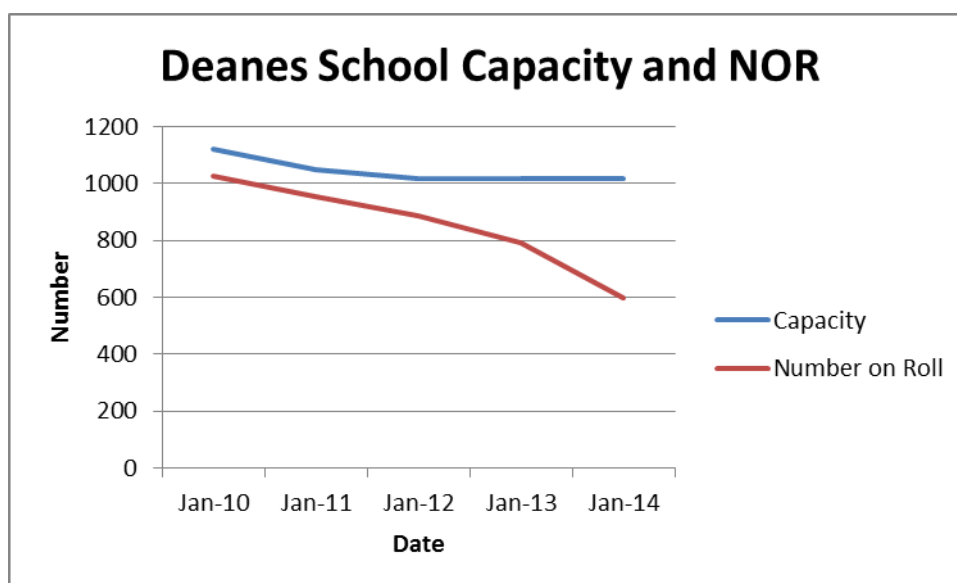
### **Surplus Places** (The Guide paragraphs 4.35-4.36)

- 3.65. The issue of surplus places and therefore declining viability is central to the proposal to discontinue The Deanes School.

3.66. The following table shows the capacity of The Deanes School, its number on roll, the number of surplus places and the percentage of surplus places between 2010 and 2013.

**Table 6: Deanes School Capacity and Number on Roll**

The Deanes School	Jan-10	Jan-11	Jan-12	Jan-13	Oct-13
Capacity	1120	1050	1018	1018	1018
Number on Roll	1025	955	886	793	600
Surplus places (no.)	95	95	132	225	418
Surplus places (%)	8.5%	9.0%	13.0%	22.1%	41.1%



*Note: The final data point relates to provisional data from the October 2013 school census and is likely to be confirmed in the January 2014 census*

3.67. It should be noted that the methodology (set by DfE) for calculating school capacity changes from time to time, and is also subject to a degree of negotiation between the school and the local authority. No accommodation was physically removed from The Deanes over the three year period, although the nominal capacity reduced from 1120 to 1018. Numbers on roll have fallen steadily, with the corresponding number of surplus places rising. Data for January 2014, which reflects new admissions in September 2013 and which will determine the school's budget share for the financial year 2014-15, has yet to be collected. However, the known low intake for September 2013, coupled with the leaving of a much larger group of Year 11 has created a still larger number of surplus places (418) and will therefore result in a lower budget to the school in the order of £500,000 in 2014-15.

3.68. The current number of surplus places and the likely future number is a serious cause for concern. Local authorities are required to report to the DfE where the number of surplus places reaches or exceeds 25%, together with a commentary on how the situation will be addressed. Surplus places at The Deanes already

exceed that threshold at 41%, and are likely to remain above 25% for the foreseeable future.

- 3.69. The continuing risk to the school is known because of forecasts of pupil numbers. Since this lies at the heart of the Council's proposal to discontinue The Deanes School it is important to set out clearly what the forecasts are and the basis on which they are made. This section will go into some detail demonstrating the robustness of the Council's forecasts, and thereby the very high risk of unviability faced by the school.
- 3.70. One of the main arguments of the objectors to the proposal is that the County Council's figures are wrong, that its forecasting methodology is unsound, and that there will be a large surge of pupils coming as a result of new housing to be agreed and developed in the Castle Point area and elsewhere.
- 3.71. Although it uses the same forecasting methodology for planning purposes successfully, the Council has taken these challenges to its forecasts very seriously. It has engaged an Education Consultant and Researcher with substantial experience of pupil number forecasting systems elsewhere in the country to investigate the forecasting and housing yield methodology and calculations that underpin the proposal. He has produced a technical report which forms a Technical Annex to this report. He endorses the Council's approach and believes that the resulting forecasts are sound. The Decision Maker is advised to look carefully at his findings.

## The Population of Castle Point

- 3.72. The structure of the population based on 2011 NHS data in Castle Point district is summarised below:

**Table 7: Children resident in Castle Point**

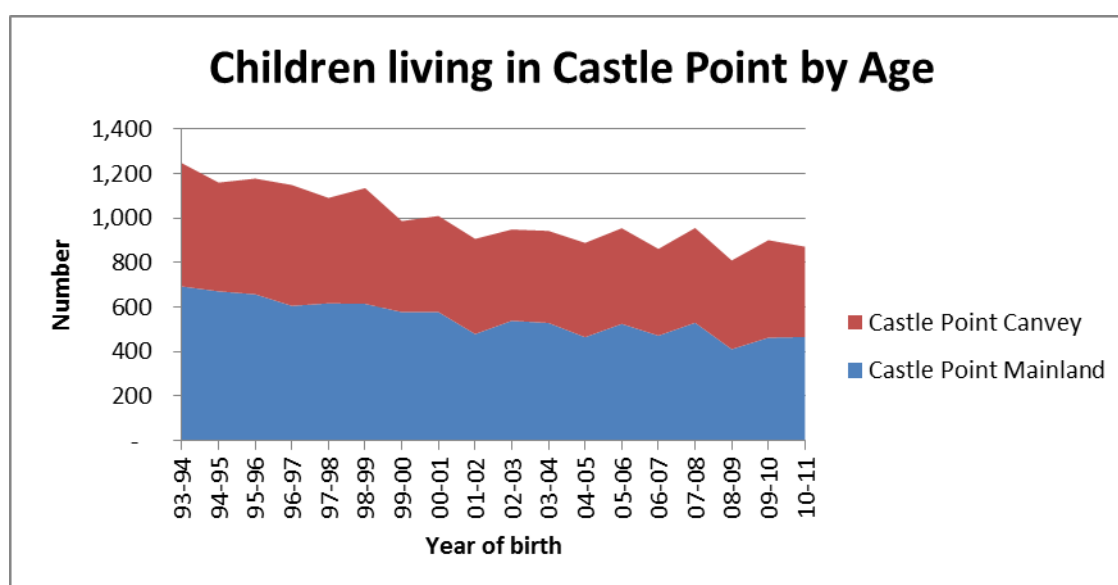
Year Born	93-94	94-95	95-96	96-97	97-98	98-99	99-00	00-01	01-02
Year 7	05-06	06-07	07-08	08-09	09-10	10-11	11-12	12-13	13-14
Castle Point Mainland	692	670	657	605	616	614	577	577	478
Castle Point Canvey	554	489	520	543	474	520	409	432	428
Castle Point Total	1,246	1,159	1,177	1,148	1,090	1,134	986	1,009	906

Year Born	02-03	03-04	04-05	05-06	06-07	07-08	08-09	09-10	10-11
Year 7	14-15	15-16	16-17	17-18	18-19	19-20	20-21	21-22	22-23
Castle Point Mainland	538	528	464	524	471	529	410	462	465
Castle Point Canvey	410	414	424	430	390	426	399	438	406
Castle Point Total	948	942	888	954	861	955	809	900	871

- 3.73. This data provides a good estimate of the number of children living in Castle Point at the date it was compiled in 2011. It shows the school year in which children were born, and the school year in which that cohort would reach secondary age. It is not the same as the number of children attending school in

Castle Point: some Castle Point children are educated elsewhere or in the independent sector, and some children from other areas are educated in Castle Point. However, it does show the size of cohorts currently resident in the district who will be requiring secondary education in the future.

- 3.74. It can be seen that there is a downward trend in cohort sizes, despite some random variation from year to year: such annual variation is a typical feature of this type of data. These declining cohort sizes go a long way to explaining the falling numbers that have already been experienced, and will continue to be experienced in the future.
- 3.75. The cohort of the Benfleet, Thundersley and Hadleigh area of Castle Point children who were eligible to start secondary school in Autumn 2013 was born in 2001-02 and numbered 478. Over the next nine years cohorts reaching secondary age range between a low of 410 and a high of 538. Even the largest of these cohorts is smaller than all the cohorts that reached secondary age in every year between 2005 and 2012. It is the declining size of local cohorts of children that is at the root of the increase in surplus places at The Deanes School. This has not impacted on The King John School and The Appleton School in the same way because after admitting local children and siblings these schools fill all their remaining surplus places with pupils from outside their priority admissions areas. This is simply the consequence of local demography and the relative popularity of the schools.
- 3.76. The same information contained in the table is shown below in the form of a graph.

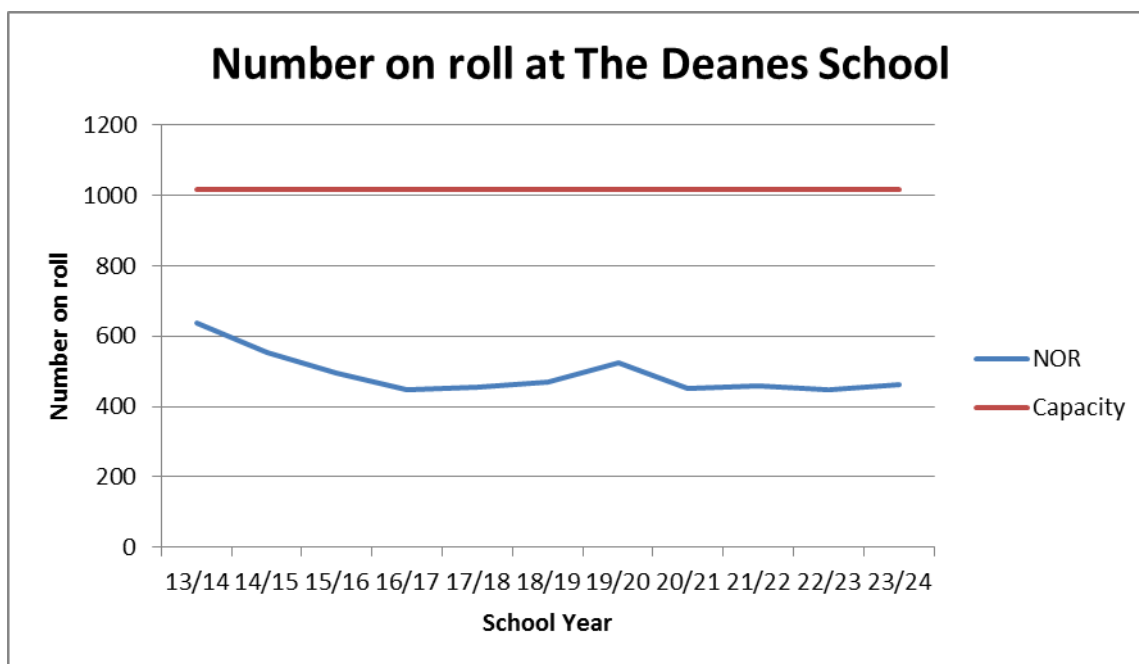


- 3.77. It should be noted that the NHS data discussed does not feed directly into the pupil forecasting methodology, but it is used as a “reality check” to confirm the robustness of forecasts at a local level. The pupil forecasting system is driven mainly by primary school data and recent patterns of transfer to secondary school.

3.78. The forecast of number on roll at The Deanes School *without taking account of housing development* was set out in Section 8 (page 10) of the supporting information published with the statutory notice.

**Table 8: Forecast number on roll in The Deanes School**

	13/14	14/15	15/16	16/17	17/18	18/19	19/20	20/21	21/22	22/23	23/24
NOR	636	555	495	449	456	469	523	450	457	448	464
Capacity	1018	1018	1018	1018	1018	1018	1018	1018	1018	1018	1018
Surplus	382	463	523	569	562	549	495	568	561	570	554
Surplus	37.5%	45.5%	51.4%	55.9%	55.2%	53.9%	48.6%	55.8%	55.1%	56.0%	54.4%



3.79. The table and graph show that with no new housing, and assuming current parental preferences continue, the number on roll would continue to fall before plateauing in the mid 400s from 2015 onwards. The number of surplus places would correspondingly increase. The working of the admission system has been explained earlier in the report. Admissions preference and allocation data for the past three years shows clearly that parents seek places at The Appleton School and The King John School in much greater numbers. Unless this were to change then the consequence is that falling cohort sizes would have a particularly big impact on The Deanes School.

3.80. The size and structure of the population will be affected by future housing development. New houses and flats facilitate the in-migration of children and young people. In common with most local authorities Essex County Council includes the effect of housing development in its forecasts. The input data for this is information provided by the district councils. In the case of The Deanes School the relevant district council is Castle Point Borough Council. Updates are provided on a regular basis, including the location and size of proposed developments and their composition in terms of houses and flats. Some developments are discounted for the purposes of school place forecasting, such

as elderly persons residential homes or student halls of residence. For planning purposes houses are expected to be occupied on average by 0.2 secondary age children, and flats by 0.1 secondary age children. This is at the high end of the range of values used by different local authorities. The methodology and values used in child yield calculations have been confirmed by the independent review of Essex's housing yield methodology. While this has been contested by some opponents of the closure proposal this appears to have been based on a misunderstanding of figures set out in DfE guidance on forecasting methodologies.

- 3.81. That guidance reported that local authorities use child yield factors of between 16 and 40 children per year group per thousand new homes. It made no recommendation about the values to be used as the actual child yield varies considerably from one local authority area to another. A child yield of 16 per thousand dwellings could also be expressed as 0.016 per home, and a child yield of 40 per thousand dwellings could be expressed as 0.04 per home. Because these yields relate to a single year group they would need to be multiplied by five to reflect the five year groups in the 11-16 age range of secondary schools. This means that the low end of the child yields in the DfE studies was 0.08 children per home, and the high end was 0.2. Essex's figure of 0.2 per home is at the top end of the range. The DfE guidance supports the basis of the calculations made by officers and refutes the assertion made by some commentators that the council's assumptions on child yield from housing is wrong, out of line with other authorities, or contrary to recommended DfE practice.
- 3.82. After calculating the ultimate child yield from housing an additional step is applied to model a 'staggered' effect – to model the gradual way in which the build-up of pupils from new housing takes place over a number of years – rather than the full pupil product being applied from the first year of new housing.
- 3.83. The staggering factors used are:

**Table 9: The Staggering Factor (reflecting the age profile of families moving into new housing)**

	Yr 1	Yr 2	Yr 3	Yr 4	Yr 5
Primary	0.56	0.67	0.78	0.89	1.00
Secondary	0.41	0.53	0.68	0.81	0.94

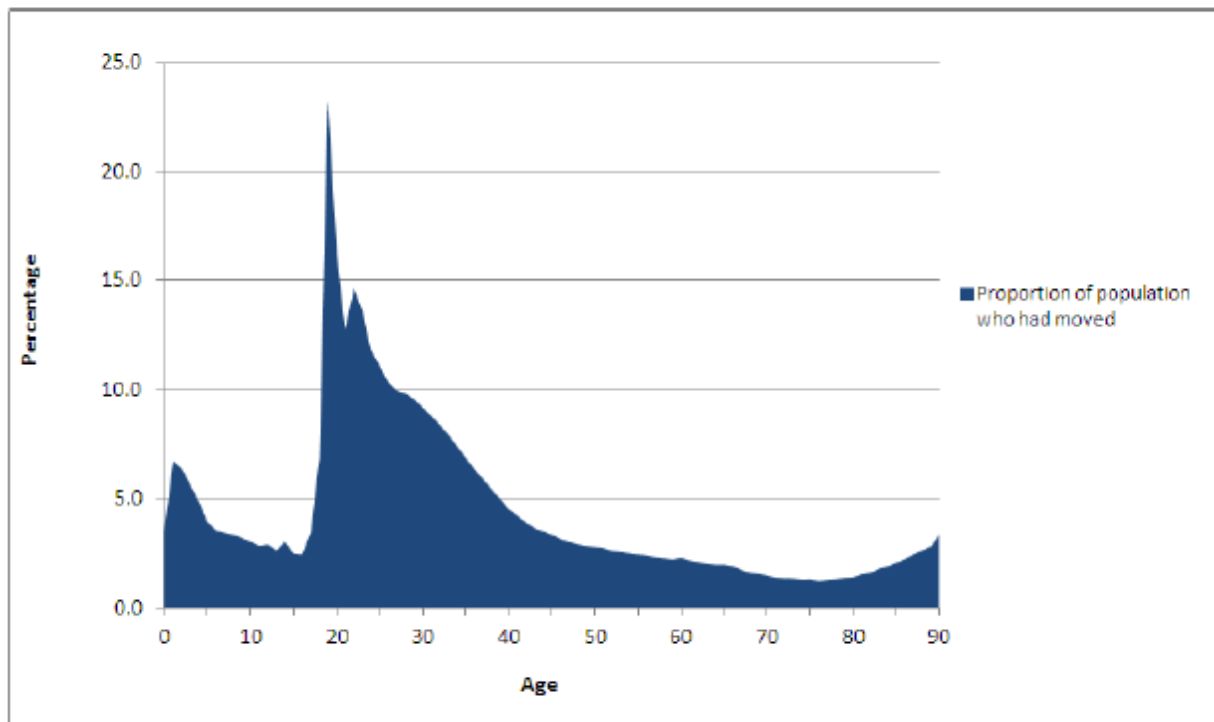
*For the avoidance of doubt Yr 1 in this table means the year that a new house is expected to be built based on information received from the relevant district council housing trajectory. Also the staggering factor rises to 1.00 in the sixth year for secondary age pupils.*

- 3.84. These factors have been chosen on the basis of research into what has actually happened at housing developments across Essex over the past decade, and are regularly reviewed in the light of accumulated experience.
- 3.85. The staggering methodology reflects the fact that there is a strong and distinctive age profile to internal UK migration. Families are more likely to move home

when their children are young and increasingly less likely as their children move through the school system. Thus the new housing does not produce the full child yield at secondary level for some years as children grow up and move into the secondary sector.

- 3.86. Figure 2 is taken from the Office of National Statistics' Statistical Bulletin, *Internal Migration by Local Authorities England and Wales 2012* ([http://www.ons.gov.uk/ons/dcp171778\\_315652.pdf](http://www.ons.gov.uk/ons/dcp171778_315652.pdf)). It demonstrates graphically why children moving into new housing are unlikely to be spread evenly across all age ranges. New housing is more likely to attract families with young children than families with teenagers. Of course those young families will ultimately require secondary school places when their children reach the appropriate age.

**Figure 2: Proportion of England and Wales population, by age, who had moved local authority within the UK during the year ending June 2012**



Source: Office for National Statistics

- 3.87. There is a spike of internal child migrants at a very young age. This declines as they get older. There is a clear downward trend for the migration of dependent children through to their late teens, when they leave home to start higher education or seek employment.
- 3.88. The age profile associated with internal migration in England and Wales means that the increase in numbers at secondary schools lags behind the completion of new housing. ONS data as well as locally collected data suggests that parents are generally reluctant to disrupt their children's education with house moves during the secondary phase. To discount this effect would lead to unjustified over forecasting.



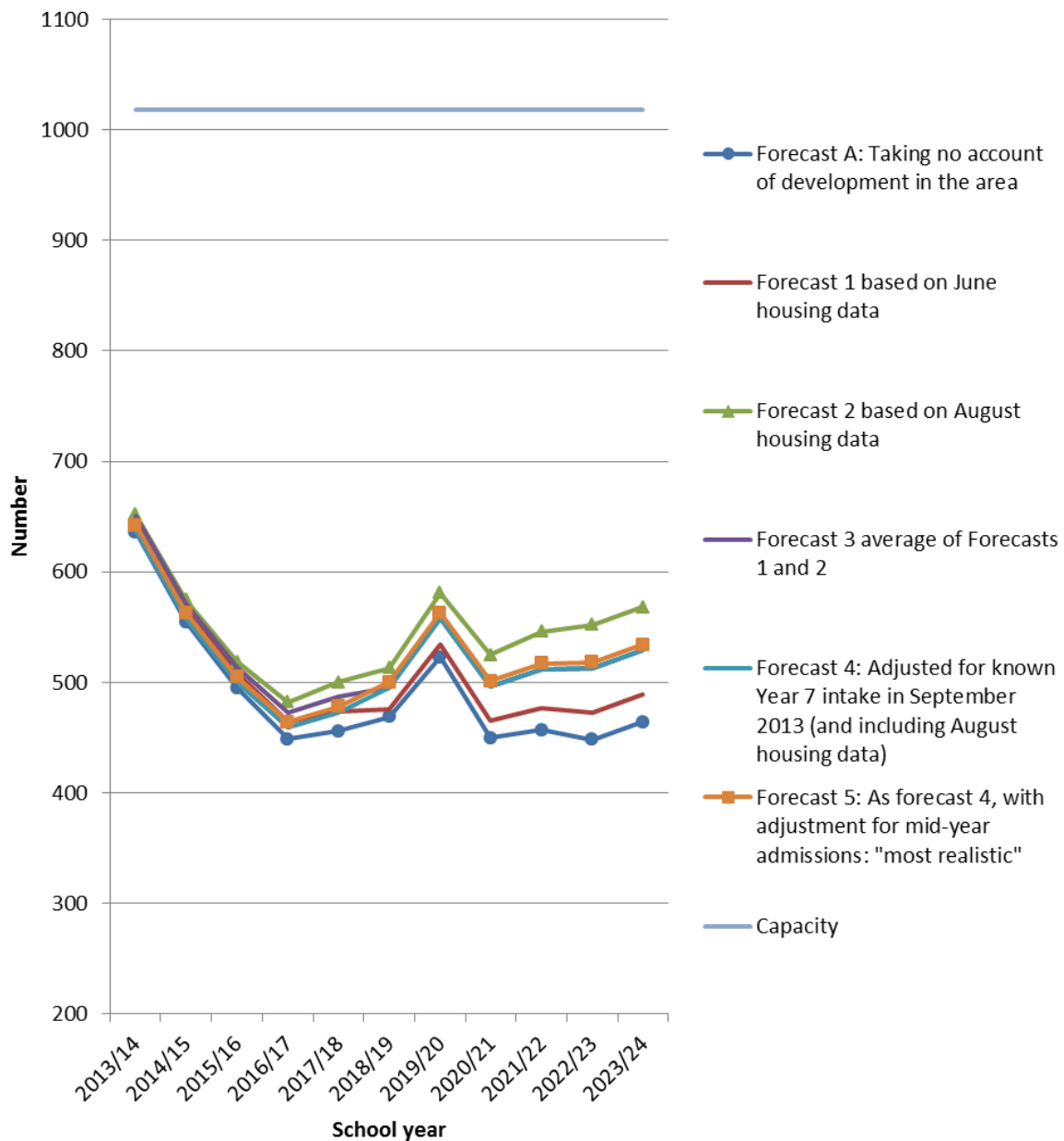
- 3.89. The additional pupils forecast from new housing are added to the total forecast before housing and no breakdown across year groups is normally given. This gives schools and planners the opportunity of considering scenarios based on the underlying demography with and without housing effects. This is entirely reasonable, as actual housing development is affected by economic factors, local planning decisions and the national legislative and policy context. Just as school organisation changes are frequently contested, so are proposals for new housing developments.
- 3.90. In the normal way two main forecasts are made for all schools in Essex each year. In the context of a school organisation review additional forecasts are sometimes made in order that alternative scenarios can be considered. The following paragraphs examine the forecasts made in the statutory proposal.
- 3.91. Forecast A was set out in section 8 on page 10 of the supporting information published with the statutory proposal and is that previously referred to which takes no account of housing development.
- 3.92. Forecast 1 is that set out in Column 1 of the table on page 11 of the supporting information and is based on the housing forecasts provided by Castle Point Borough Council in June 2013 just before the statutory consultation commenced.
- 3.93. However, on 13 August 2013 further provisional housing forecasts were provided by Castle Point Borough Council. These shows a higher number of dwellings being provided in the Thundersley/Benfleet/Hadleigh area of Castle Point. Forecast 2 is that set out in Column 2 and is based on the highest possible number of new dwellings contained in that forecast. Forecast 2 was calculated using assumptions as to location and housing types estimated by the Council in consultation with officers at Castle Point in order to produce the highest development they could expect to see in the area. (The figures have been used despite the recognition that there are a significant number of practical difficulties with the delivery of housing at this level as this will require the release of green belt land, which will be contentious).
- 3.94. Forecast 3 is that set out in column 3 and is the average of Forecasts 1 and 2, and may be a more realistic projection given the difficulties associated with meeting housing plans.
- 3.95. Forecast 4 is that set out in column 4 and is adjusted for the expected intake of pupils to The Deanes School in September 2013 at the time the statutory proposal was prepared.
- 3.96. Forecast 5 is a further adjustment to reflect possible in year admissions and was a response to issues raised in the consultation.
- 3.97. The statutory proposal noted that Forecast 5 “represents what the Council believes is the most realistic and ‘best case’ estimate of potential future numbers at The Deanes if it remains open”. It should be noted that in all the forecasts the

number of pupils at The Deanes would remain significantly below 600 for the large majority of the forecast period.

**Table 10: Essex County Council Forecasts of future numbers on roll at The Deanes School**

	Forecast 5: As forecast 4, with adjustment for mid-year admissions: "most realistic"	Forecast 4: Adjusted for known Year 7 intake in September 2013 (and including August housing data)	Forecast 3 average of Forecasts 1 and 2	Forecast 2 based on August housing data	Forecast 1 based on June housing data	Forecast A: Taking no account of development in the area
2013/14	642	637	651	652	650	636
2014/15	563	558	572	575	569	555
2015/16	505	500	514	519	509	495
2016/17	464	459	473	482	464	449
2017/18	478	473	487	500	474	456
2018/19	500	495	495	513	476	469
2019/20	563	558	558	581	534	523
2020/21	501	496	496	525	466	450
2021/22	517	512	512	546	477	457
2022/23	518	513	513	552	473	448
2023/24	534	529	529	568	489	464

## A comparison of forecasts set out in the Statutory Notice



3.98. The table and graph present the 6 variants of the forecasts used in section 8 of the statutory proposal.

3.99. Some important points about the graph should be noted;

- The top horizontal line is the measured and agreed capacity of The Deanes School – 1018;
- Forecast A – that without any housing effects is the lowest and is distinguished by a round marker;

- Forecast 2 – which includes all the housing developments notified to the County Council in August 2013 is the highest and is distinguished by a triangular marker;
- Forecast 5 – which is based on the mid-point of the June and August housing figures, updated with the actual admission numbers for September 2013 and an allowance for potential mid-year admissions, and which the County Council stated was the most realistic and ‘best case’ estimate is in the middle and is distinguished by square markers.

3.100. The graph clearly shows a fall in numbers to school year 2016/17 in all the variant forecasts. This reflects the smaller cohort sizes in Castle Point which can be seen in the NHS data referred to earlier. Although numbers climb after the low point of 2016/17 they do not recover to their starting level even by the end of the period covered in the forecast – school year 2023/24.

3.101. There is a distinctive and apparently anomalous peak in 2019/20. This is due to higher cohort of children born in 2007/08 in this area than in previous years. Numbers in subsequent cohorts return to the previous trend. This feature is part of the underlying demography of Castle Point before any housing effects are taken into account and relates to children already living in the area.

3.102. The effect of housing developments may seem to be small. However, the effect of housing is fully accounted for using the robust methodology developed by Essex County Council’s Pupil Place Planning Team and reviewed in the accompanying Technical Annex.

3.103. First, not all the proposed housing in Castle Point will take place in The Deanes School priority admissions area. Some will be in that of other schools. The Essex methodology attributes housing growth to the priority area school. To do otherwise would be arbitrary and potentially misleading, and would run the serious risk of double counting. It would not be prudent for any local authority to assume that all the housing developments within an area larger than the priority admissions area would lead to additional numbers at a given school. It would be completely inappropriate in this context to attribute housing growth in Basildon or Southend-on-Sea to The Deanes School, when there are surplus places in those areas, and where the effect of housing growth is shown in local forecasts. Similarly it is likely that parents living in housing built in the priority admissions area of The Appleton School or The King John School will wish their children to attend those schools. Whilst an increase in children from the priority area will lead to a reduction in the availability of places at those schools for children from outside the priority admissions area, in practice this is not likely to impact on parents in the priority admissions area of The Deanes School.

3.104. Second, there is a trajectory of housing. The processes required before a development comes to fruition with housing completed and ready for occupation can take a considerable time, which can be affected by planning applications and the state of the economy. Large developments are typically completed over several years, rather than all coming onto the market at once. Therefore new houses become available gradually. This is reflected in the model on a development by development basis.

- 3.105. Third, there is the child yield from developments. Essex's forecasting model is based on a child yield of 0.2 secondary age children per house and 0.1 per flat is at the high end of the national range. It should be remembered that new housing will be occupied by a range of different household types, including individuals and couples without children, families with pre-school children, and families with non-dependent older children, as well as families with school age children.
- 3.106. Fourth, because of the pattern of internal migration in England and Wales the full effect of new housing in terms of secondary age children takes some time to be felt, as there is a higher likelihood of pre-school children moving home, than secondary age children. Hence there is the "staggering effect" built into the methodology.
- 3.107. The council has to produce forecasts for all schools and academies in its area and therefore has to use a consistent methodology, and ensure the forecasts for individual schools are consistent with area wide forecasts.
- 3.108. Whilst opponents of the proposal to close the Deanes School may continue to present and promote alternative forecasts, the Decision Maker is asked to look carefully at the forecasts presented in the statutory proposal, produced using standard methodology which has subsequently been independently reviewed and endorsed. The Decision Maker is also asked to take into account the operational considerations relating to the reality both of housing developments and the process of applying for and being offered a school place.

### **School place demand in Southend-on-Sea**

- 3.109. The impact of demographic changes in Southend-on-Sea and the impact of the closure of The Deanes School on Southend residents, were raised as issues during the representation period. It is therefore relevant for the decision maker to be aware of Southend-on-Sea Borough Council's perspective on the supply and demand of secondary places in its area.
- 3.110. The following text appeared in the 2012 Southend School Organisation Data Supplement:
- Year 7 numbers have dropped since reaching a high of 2,205 in September 2008. This trend is expected to continue until September 2016 when the current higher births will start to reach secondary school age. On the assumption of no significant changes in cross-border movement, there should be no need to create further secondary school capacity for this increase.
- 3.111. This was the position during the consultation stage during the summer term. As can be seen there was nothing to suggest that there would be changes in cross border movement, nor did Southend-on-Sea flag the need for new secondary capacity.

3.112. An update was published in the August 2013 School Organisation Data Supplement:

Year 7 numbers have dropped since reaching a high of 2,205 in September 2008. This trend is expected to continue until September 2017 when the current higher births will start to reach secondary school age.

Work to ensure that sufficient places are available for these higher numbers will begin over the next twelve months. Surplus classbases as a result of the lower numbers over the next few years as well as any need to build new accommodation will all be taken into consideration.

At the time of publication Essex County Council are concluding a consultation on the possible closure of The Deanes Secondary School. Some Southend resident pupils attend this school and any loss of places will also be included in the future planning of places.

3.113. This indicates falling numbers until 2017 – four years ahead. It shows that Southend-on-Sea is planning for increased demand from its own population and notes the potential effect of the closure of The Deanes School. The data and commentary in Southend's school planning documents does not justify the level of alarm that has been expressed in some of the discussion, nor does it suggest that additional demand for school places will arise from Southend for several years.

### **Independent review of forecasting methodology**

3.114. Following concerns raised in the statutory consultation period and subsequently in the scrutiny process it was decided to commission an independent review of Essex County Council's pupil forecasting methodology, including its treatment of housing growth. The full review can be found in the Technical Annex. It was found that Essex's methodology was sound, and used similar processes to those of other authorities, including those in London. The impact of housing growth was modelled using the methodology used by the Greater London Authority on behalf of the London Boroughs and was found to give broadly similar results.

### **Cost efficiency**

3.115. Paragraph 4.35 of The Guide states: "It is important that education is provided as cost efficiently as possible. Empty places can represent a poor use of resources – resources that can often be used more effectively to support schools in raising standards." These sentences express the core rationale for the closure of The Deanes School. There are currently over 40% surplus places at The Deanes School and it is forecast that this will increase to around 50% and remain at around that figure for the foreseeable future. This places a cost burden on the school as it is responsible for the maintenance of a building with an assessed capacity of 1018 pupils. As numbers fall the fixed overheads take up an ever greater proportion of the school's budget. It becomes increasingly difficult to employ specialist teachers, so curriculum opportunities shrink. Forecasts show

that the school would not reach 600 pupils over the coming years and would be unviable even in a smaller building.

- 3.116. Schools are funded by a formula largely driven by pupil numbers and from a budget ring-fenced for schools. The Deanes School has demonstrated how it could manage the school with a budget based on at least 600 pupils. However, forecasts indicate that numbers will fall well below this level.
- 3.117. Paragraph 4.35 of The Guide also states that: "LAs should take action to remove empty places at schools that are unpopular with parents and which do little to raise standards or improve choice. The removal of surplus places should always support the core agenda of raising standards and respect parents' wishes to match school places with parental choices."
- 3.118. The Deanes School has had support in the responses to the consultation on the statutory proposals. The number of applications for places has, however, declined, including the number of first preference applications, and in that sense is unpopular in comparison with neighbouring schools where total applications and first preferences are very significantly higher. Data on applications and offers at the three schools for the past three years has already been presented and discussed in this report.
- 3.119. The admissions data suggest that parents in the area would like to see an expansion of places at The Appleton School and the King John School. These schools are generally oversubscribed. The proposal by those two schools to create 150 additional places (including some additional sixth form places) each by increasing their admission number by 30 is a response to parents' wishes and choices.
- 3.120. The proposer's case is that The Deanes School will become unviable and therefore that the choice will become unviable over coming years.
- 3.121. Paragraph 4.36 states that: "The Decision Maker should normally approve proposals to close schools in order to remove surplus places where the school proposed for closure has a quarter or more places unfilled and at least 30 places, and where standards are low compared to standards across the authority." There are currently 41.1% surplus places, i.e. 418 places, and this is forecast to rise to in excess of 50%.
- 3.122. Any pupils transferring from The Deanes School to The Appleton School or The King John School will be transferring to schools judged outstanding by Ofsted.
- 3.123. Paragraph 4.36 of The Guide continues: "The Decision Maker should consider all other proposals to close schools in order to remove surplus places carefully." There are no alternative proposals. The alternative schools in Castle Point do not have surplus places. It is not open to Essex County Council to propose the closure, or reduction in capacity, of Academies, through a statutory process of this type. It appears unlikely that a Secretary of State would consider the possibility of removing surplus places in the Benfleet, Thundersley and Hadleigh

area of Castle Point by reducing capacity at The Appleton School or The King John School, effectively redirecting pupils to The Deanes School.

- 3.124. A proposal to reduce the capacity of The Deanes School was put forward by the governing body during the statutory consultation, predicated on a rebuild of the school. Reducing the capacity and leaving the building unchanged would not address any of the problems caused by surplus numbers or the unviability of a small secondary school. There are therefore no alternative proposals to achieve the desired end of ensuring parents have a choice of viable and successful schools.
- 3.125. Paragraph 4.36 concludes: “Where the rationale for the closure of a school is based on the removal of surplus places, standards at the school in question should be taken into account, as well as geographical and social factors, such as population sparsity in rural areas, and the effect on any community use of the premises.” It is the risk to standards in the future if the school becomes unviable which is of concern.
- 3.126. Population sparsity is not a relevant factor for The Deanes School. Castle Point is classified as “Urban – Less Sparse” in the Office of National Statistics’ Urban-Rural classification system. There are six other mainstream secondary schools within three miles (straight line distance) of The Deanes School, of which four are in Essex and two in Southend-on-Sea (information retrieved from The Department for Education website (School and Local Statistics section):
- |                       |             |
|-----------------------|-------------|
| The King John School  | 0.875 miles |
| The Fitzwimarc School | 1.504 miles |
| The Sweyne School     | 1.904 miles |
| The Appleton School   | 2.067 miles |
| Belfairs Academy      | 2.134 miles |
| Eastwood Academy      | 2.792 miles |
- 3.127. There are no strong geographical factors that would make the closure of The Deanes School inappropriate or unreasonable.
- 3.128. Community use of the premises is dealt with in the next section.

## **IMPACT ON THE COMMUNITY AND TRAVEL**

### **Impact on Community (The Guide paragraphs 4.37-4.38)**

- 3.129. Paragraph 4.37 of The Guide states: “In considering proposals for the closure of ... schools, the effect on families and the community should be considered.”
- 3.130. There are highly regarded community facilities at The Deanes School. These include the Sports Centre. The Enchanted Wood Day Nursery is also located on the site but is technically independent of the school, although governors and others associated with the school are directors. Essex County Council is keen to see this facility continue and will work with the board to secure its future.



- 3.131. The Deanes School is a Sports College. It offers a wide range of school sports activities. The statutory proposal noted the range of activities at the school including art and craft, choir, music/drama productions, gifted and talented, dance, homework club, ICT, science club, supervised lunchtime quiet study area, rock band, Chinese and other clubs. The value of such activities is fully recognised. Similar activities are offered at the alternative schools. Work with all three schools to sustain extra-curricular activities would be part of the transition discussion, coordinated by a Transition Manager(s).
- 3.132. A range of community activities takes place at The Deanes School particularly making use of the sports facilities. The County Council is committed to retaining the school site for educational use if the closure proposal is approved. In particular it is proposed that the Sports Centre is retained and a local community partner is identified who could take the lead in its management in the future.
- 3.133. The statutory proposal noted the contribution made by The Benfleet and Thundersley Interschool Cluster (BATIC). This charitable trust has worked collaboratively with The Deanes School to raise additional funds to help secure a prosperous financial future for the school community in Benfleet, Thundersley and Hadleigh.
- 3.134. The Enchanted Wood Day Nursery is an independent organisation located on The Deanes School site. Essex County Council will work with the directors to ensure that it will continue to offer services to the community on a similar basis.

### **Community Cohesion and Race Equality (The Guide paragraph 4.39)**

- 3.135. The proposer does not believe that there are community cohesion or race equality issues arising from this decision. The Deanes School and the two continuing schools are fully aware of their responsibilities in this regard. Essex County Council is confident in the professionalism of the headteachers and staff of all the schools involved, their commitment to community cohesion and race equality.

### **Travel and Accessibility for All (The Guide paragraph 4.40-4.41)**

- 3.136. Paragraph 4.40 of The Guide states: "In considering proposals for the reorganisation of schools, Decision Makers should satisfy themselves that accessibility planning has been properly taken into account. Facilities are to be accessible by those concerned, by being located close to those who will use them, and the changes should not adversely impact on disadvantaged groups."
- 3.137. The School Census collects pupil level address data which enables the number and proportion of pupils living at various distances from each school to be calculated.
- 3.138. The following table shows a summary of that data for The Deanes School and the two alternative schools.

3.139. This data was extracted from the School Census May 2013 and is based on data supplied by the schools.

**Table 11: The number and percentage of pupils living within the specified distances of The Deanes School, The Appleton School and The King John School**

Miles	Deanes		Appleton		King John	
	Number	%	Number	%	Number	%
1	245	30.51%	807	67.93%	656	34.51%
2	182	22.67%	151	12.71%	757	39.82%
3	128	15.94%	158	13.30%	326	17.15%
>3 - 5	196	24.41%	56	4.71%	133	7.00%
5+	52	6.48%	16	1.35%	29	1.53%
Total	803	100.00%	1188	100.00%	1901	100.00%

3.140. From this table it can be seen that a smaller proportion of pupils attending The Deanes School come from its immediate area, both within a one and two mile radius. Conversely a larger proportion of pupils attending The Deanes School live over three miles away than the other schools. This data confirms the picture that is evident from the admissions data: The Deanes School has experienced declining parental preference from its own area and has increasingly drawn in children from further afield. It is likely that a significant number of children living furthest from The Deanes will in fact live closer to one of the two alternative schools: those from Basildon live closer to The Appleton School, and those from Southend-on-Sea closer to The King John School. While of course some individuals will have longer journeys to school there is no generalised inconvenience apart for those families living in the immediate vicinity of The Deanes School.

3.141. Of the 561 secondary school age children resident in The Deanes priority area 48.7% attend The Deanes and 38.5% attend The King John School. 0.9% attend The Appleton School; 0.9% attend schools on Canvey Island; 0.5% in Brentwood; 0.4% in Chelmsford; and 10.2% in Rochford. The number attending schools in Southend-on-Sea is not collected as part of the Essex County Council school census, although it is collected by Southend-on-Sea Borough Council as part of the census for children in schools in its area. It can be seen that children living in the area appear to be able to make journeys to schools in a variety of surrounding areas.

3.142. Of pupils living in the admission area shared by The Deanes School and The King John School none actually attend The Deanes School; 75% go to The King John School, the remainder attending The Appleton School or schools in Rochford. Pupils attending schools in Southend-on-Sea are recorded within Southend's census data,

3.143. The same census also reports on the home areas of pupils attending each school. This does include Southend-on-Sea residents attending schools in Essex. Of the 530 pupils at The Deanes at the time of the census, 34% came from the school's own priority area; 5.9% came from The Appleton School's

priority area; 8.5% from The King John's area; 1.2% from The Appleton and The King John shared area; 5.6% from Canvey Island and 2.1% from Rochford. 12% came from Basildon district and 29.8% from Southend-on-Sea. (A small number of individual children came from other areas but will not be identified in this report).

3.144. This data shows that The Deanes School takes pupils from a wide geographical area, with a number coming from Basildon (within Essex) and Southend-on-Sea (Unitary Authority). These latter pupils already make long journeys. Existing pupils will make shorter journeys if Basildon pupils transfer to The Appleton School, and Southend pupils to The King John School.

3.145. In general all pupils making long journeys to school do so because their parents have chosen schools away from their locality. Some might have moved home during their children's school career. There is no reason to believe that journeys to school would be significantly more difficult overall if The Deanes School were to close. Parents would be able to apply for financial assistance for home to school transport on behalf of their child and their eligibility would be assessed on the same basis as any other in Essex.

#### **Rural Schools and Sites** (The Guide paragraphs 4.42-4.44)

3.146. This section of The Guide is not relevant to this decision as The Deanes School is in an area classified as Urban.

### **SCHOOL CHARACTERISTICS**

#### **Boarding Provision**

3.147. This factor is not relevant to The Deanes School.

#### **Equal Opportunity Issues** (The Guide paragraph 4.46)

3.148. An Equality Impact Assessment is appended to this report. The proposer does not believe that the proposal disproportionately disadvantages any group referred to in the Equalities Act or similar legislation. The Deanes School and the two continuing schools are all mainstream mixed secondary schools with similar approaches to equality issues. There are no significant differences in accessibility to buildings or services.

### **SPECIFIC AGE PROVISION ISSUES**

#### **Early Years Provision** (The Guide paragraphs 4.47-4.48)

3.149. The Deanes School does not provide early years places, so this factor is not relevant. However, it should be noted that the Enchanted Wood Day Nursery is located in the site. This is a private independent facility and it is proposed that it be retained following the closure of The Deanes School. As previously noted there are links between The Deanes School and The Enchanted Wood Day Nursery with some directors having close links with the school. Essex County

Council would wish to work with the directors to ensure the future of the day nursery.

**Nursery School Closures** (The Guide paragraph 4.49)

3.150. This is not a relevant factor.

**14-19 Curriculum and Collaboration** (The Guide paragraph 4.50)

3.151. The Deanes School has an age range of 11-16. The continuing schools have an age range of 11-18 (The Appleton having recently had post 16 provision approved by the Secretary of State). All schools are expected to collaborate with other providers to ensure an appropriate range of courses is available to young people in the 14-19 age range.

**16-19 Provision** (The Guide paragraphs 4.51-4.55)

3.152. This is not a relevant factor as The Deanes School is an 11-16 secondary school. The continuing schools both have sixth forms, The Appleton School having recently had this approved.

**Options which have been considered and alternatives suggested**

3.153. Cabinet has the option of approving or not approving the proposal made in the statutory notice to close the Deanes Schools. Alternative options may not be introduced at this stage without commencing a new statutory process.

**Representations made following the publication of the statutory notice**

3.154. Following the Cabinet Member decision of 30th August 2013 a statutory notice was published on 9<sup>th</sup> September 2013. This was published in the local newspapers, posted at the entrance to The Deanes School and other local schools, and posted on the Essex County Council website. The period during which representations could be made commenced on the date of the publication of the notice and finished six weeks later on 21st October 2013. Representations could be made by letter or email to addresses specified in the notice and were accepted up to midnight on the closing date. Correspondence concerning the closure of The Deanes School addressed to named councillors and officers during this period has been treated as representations.

3.155. All representations have been read, collated and analysed. Copies are available in the Members' Area. Many representations were made by individuals: parents, staff, pupils and others. 101 email representations were received in the School Organisation mailbox, and 71 on paper. Some letters were signed by class groups of pupils. Some were made by or on behalf of groups and organisations. The following section responds first to the representations made by groups and organisations and then to those made by individuals.

3.156. It should also be noted that a petition entitled "Save The Deanes from Closure" comprising 6577 signatures was received during the consultation period. This

was not properly acknowledged in the report to the Cabinet Member dated 30<sup>th</sup> August 2013, although other similar petitions were acknowledged. This report corrects that omission and recognises the strong feelings of the signatories.

## **The Representation of The Deanes School**

- 3.157. The documents received by Essex County Council from The Deanes School on 21<sup>st</sup> October are treated as its representation. The principal document is entitled “The Deanes School Representations to Cabinet Regarding the Proposed Closure of the School”. The response of the County Council reflects the structure of the representation

### ***Executive Summary: first bullet point***

- 3.158. *“The data used by Essex County Council to predict pupil numbers at The Deanes is fundamentally flawed and cannot be relied upon to make a rational decision about its future.”*

The data used to predict pupil numbers at The Deanes School includes number on roll at primary schools from which pupils transfer, the ratio of such pupils transferring, the number of housing units planned for the area and the expected year of completion, a “pupil yield” ratio representing the ultimate average number of children per dwelling, and a “staggering factor” reflecting the fact that new housing is not immediately occupied by children across the age range, but is skewed towards younger children. This range of data and methodology is used to predict pupil numbers at all schools in Essex. The methodology is reported annually to the Department for Education as part of the Schools’ Capacity Assessment. A good level of forecast accuracy is achieved every year and no adverse comment on the methodology has ever been received from the Department. The forecasting methodology has been independently assessed by Sean Hayes, Education Consultant, whose report is attached as a Technical Annex to this Report.

A rational decision is one made with reasoned consideration of available evidence and data: the decision to propose the closure of The Deanes School is based on a rational assessment of the school pupil forecasts.

### ***Executive Summary: second bullet point***

- 3.159. *“The LA’s assessment of the future viability of The Deanes is incorrect and ignores actual future pupil numbers, parental choice and the need for diversity of secondary provision.”*

Essex County Council’s assessment of the school’s viability is based on a robust forecast of future pupil numbers. “Actual future numbers” is not a meaningful concept: any future numbers are a prediction by definition. The forecasting methodology takes full account of parental choice. The strong preference of parents for places at The Appleton School and The King John School and the low level of preference for places at The Deanes School has been set out in the

report. The Council believes that parents should have a choice of successful and viable schools.

***Executive Summary: third bullet point***

3.160. This bullet point confuses the issue of current Deanes pupils transferring to alternative schools and the question of the future admission of pupils living in the current Deanes School priority area.

3.161. *“These proposals cannot be lawfully determined until and if the Council knows that places can be found for the students currently at The Deanes.”*

Arrangements for the transfer of some of the pupils currently at The Deanes (current Years 7 and 8) to The Appleton School and The King John School (both of which are judged “outstanding” schools) have been agreed with the headteachers and governing bodies of those two schools. The remaining pupils (current Years 9 to 11) will complete their education at The Deanes School. The consent of the Secretary of State is not required.

3.162. *“The decision of the Secretary of State not to allow The Appleton and The King John Schools to expand their priority admission areas to ensure priority admission to pupils in The Deanes priority area means that extra places could be taken by pupils living in any direction.”*

The decision of the Secretary of State related to requests made by the two academies to make a late change to their priority admissions area for 2014. This is because the Secretary of State felt that such a decision was premature given that the Council had not yet made a final decision in relation to the closure of The Deanes School. However Academies determine their own arrangements in the ordinary course of events (with objections being considered by the Schools Adjudicator. There is an agreement between the Council, The Appleton School and The King John that those two schools should incorporate the whole of the existing Deanes priority admissions area into their own admissions areas. It will be for the Secretary of State to consider any objections to the revised admission arrangements if the decision is made to close The Deanes School.

3.163. *“No factual modelling of this inevitable effect has been provided by the LA for the 2014 and 2015 admissions, which make the Proposals fatally flawed in their current form,”*

This effect is understood by the Council. For 2014 the admissions criteria for the two schools will be applied as they are currently adopted. According to NHS data from January 2013 there were 551 children born in the year ending 31<sup>st</sup> August 2003 living in the combined priority areas of the three schools (including shared areas) who would be eligible for a secondary school place in September 2014, and 536 born in the year ending 31<sup>st</sup> August 2004. There will be 270 places at The Appleton School and 350 places at The King John School, making a total of 620 places. Given the pattern of demand for places at The Appleton and The King John Schools from local children, coupled with the pattern of admissions of siblings at The King John School and test applicants at both schools the total likely maximum demand from within the combined priority

areas can be satisfied at the two schools. It would also suggest that places will remain available to be offered to applicants on the basis of distance.

- 3.164. *“The Council cannot make a lawfully rational decision in favour of closure if it cannot be certain that The Deanes pupils will find places elsewhere.”*

On the basis of the evidence presented in the report and above the Council can be sure that all current Deanes School pupils will be offered places at one of the two alternative schools, and that the cohorts of children living in the priority areas of all three current schools at the time of application, seeking Year 7 places in 2014 and 2015 will be offered places, providing their parents express a preference for those schools.

#### **Executive Summary: fourth bullet point**

- 3.165. *“The long term expansion of The Appleton and King John Schools will necessarily involve building work and therefore planning applications. There is no certainty that the requisite planning permissions will be obtained.”*

The Appleton School is seeking planning permission for new accommodation for its sixth form and associated facilities. It intends to remodel its existing building to accommodate the additional pupils admitted as a consequence of the closure of The Deanes School. The King John School intends to expand largely within the footprint of existing buildings on the site, by adapting the youth centre to make it suitable for school use during the day. It also intends to enlarge the school hall by extending an outer wall in line with other parts of the building. It should be noted without prejudice that as Essex County Council is funding these building works the Council would be able to consider and determine these planning applications itself.

#### **Section 1: Predicted Pupil Numbers**

- 3.166. This section outlines why The Deanes School believes there are *“fundamental flaws in the predictions made about both the future numbers attending The Deanes and those attending relevant other schools”*.

The representation makes a number of points about demography and its effect on the demand for places, and about the popularity of the school.

- 3.167. *The representation asserts that, “The LA should include the August 2013 Castle Point housing data at face value. It cannot lawfully take into account a factor for potential practical difficulties with the proposed building works without specifying how that factor works and its rational basis.”*

- 3.168. Essex County Council has extensive experience of predicting pupil numbers for the 553 schools in the county. In doing so it uses housing data supplied by each of the twelve district councils. It is entirely rational for the County Council to use its experience of school pupil place planning in the interpretation of any input data. The forecasts set out in the statutory proposals took account of the



information supplied by the Chief Executive of Castle Point Borough Council on 13<sup>th</sup> August 2013. Each development notified by the district councils is organised into a trajectory over a number of years, sometimes by the district council and sometimes by the County Council if the information supplied was not broken down into individual years by Castle Point.

3.169. Castle Point supplied the information in five year blocks (i.e. 0-5 years, 5-10 years, 10-15 years etc.). For planning purposes these were split into individual years by Essex County Council. All the housing developments for the next ten years were incorporated into the projections for the appropriate school, with one exception. The site known as Glebelands was not included because an appeal was refused by the Office of the Secretary of State for Communities and Local Government, having been earlier refused by the planning committee of Castle Point Borough Council. The Secretary of State's decision is now the subject of litigation in the High Court. It is entirely rational for the County Council to exclude this development in its pupil number predictions. However if the judicial review overruled the decision of Castle Point Borough Council and the Secretary of State it would be treated in the same way as any other development. Such a practical difficulty has a clear rational basis. It should be noted that if the Glebelands development were to go ahead the developer wishes to build 165 houses which would be in the priority admissions area for The Appleton School. This would ultimately lead to an additional 33 children of secondary age; an average of 6.6 per year group. The full effect of this would be felt over a number of years because the development would be likely to take more than one year to be built and the full effect of new housing is not felt at secondary age range until several years have elapsed.

3.170. *"The Deanes seeks quite legitimately to rely on the housing targets published in The East of England Plan for 2013. If the LA disputes those figures it must give a list of the sites it has disregarded and objective justification for why it has disregarded those sites."*

3.171. This point is fully answered in the previous answer.

3.172. *"The LA has used a 'staggered pupil factor' as part of its methodology for calculating projected numbers but has not adequately justified these figures. That factor cannot consequently be rationally relied upon."*

3.173. The body of the report shows that internal migration between local authority areas in England and Wales has a strong age profile, with younger children much more likely to move than older children. Essex County Council has done a great deal of work over five or more years analysing the actual product of new housing in developments across the county. This work takes the form of many spreadsheets and hand written calculations, which are working documents.

3.174. The school states that *"Basildon, Castle Point and Southend Councils dispute the figures produced by Essex County Council and are very confident that The Deanes School is needed now and in the future, to respond to rapid growth in the South East of Essex"*.

- 3.175. The views of the district councils and the unitary council of Southend-on-Sea will be addressed in relation to their own representations. Essex County Council does not accept that it disregards housing data supplied by the district councils, nor that its pupil forecasting methodology is flawed, nor that The Deanes School is not at risk of unviability because of falling demand for school places. Similarly it takes regard of Southend-on-Sea's school organisation plan and recognises the importance of daily cross-border travel between the authorities for the purpose of attending school.
- 3.176. The school claims that *"it is unreasonable and legally irrational for the LA to model future pupil numbers at The Deanes using the current low roll as the starting point."*
- 3.177. The proposer takes the opposite view: it would be unreasonable not to take the current actual figures into account and it would be irrational to substitute an alternative set of numbers.
- 3.178. The school states that, *"until threatened with closure in May The Deanes successfully attracted an intake of 120 per year."*
- 3.179. This is misleading as by May 2013 places had already been applied for and offered for pupils commencing school in September 2013. The process of application for secondary school places began in Autumn Term 2012, with a deadline of 31st October 2012. At the time the consultation document was published there were 68 children offered places for September 2013, plus six with statements. Of those, 21 lived outside the priority admissions areas served by the three schools. 17 lived in Southend and 21 were in The Deanes School priority area. The remaining nine were from The Appleton School and The King John priority areas. This is why the proposed capital project was being reconsidered and questions were raised about the viability of the school. By the time the possibility of closure came into the public domain the sharp drop in numbers to be admitted was already a fact.
- 3.180. The proposer does not dispute the January 2013 census data. It contains no information about admissions due in September 2013. Neither does it dispute the fact that 56 pupils have left the school since the consultation process began. It regrets any disruption to children's education, however any consideration of changes to school organisation present some risk.
- 3.181. The school draws attention to the financial impact of this loss of pupils in its appendix in section 4.
- 3.182. The proposer observes that the financial problems highlighted are precisely those which led to the concern about the future viability of the school. Significantly greater reductions in number on roll are predicted which will add further to the problem of maintaining a viable school.
- 3.183. *"No factor appears to have been added to account for the reversal of this trend due to the almost certain increased popularity of The Deanes as a rebuilt school"*

*with a future. The reversal of trends will have a restorative effect on the total school roll, both in Year 7 admissions and in year.”*

- 3.184. It is true that there is no factor in the Essex pupil forecasting system to account for possible changes of trend arising from school rebuilding. It may be that a new building would help to attract new pupils (at the expense of other schools). However it is also possible that a major building project would deter some parents in the short term. The possibility that caused greatest concern to the Council was that a major building project costing over £11m might take place with no uplift in pupil numbers. It was that possibility which prompted concerns about the wisdom of going ahead with the project and examining the viability of the school. It would not be normal to include speculative forecasts about potential future changes in parental preference either up or down.
- 3.185. The proposer takes the view that capital investment should be made where it is known that it is both needed and will deliver results, not in the hope that it will stimulate demand for provision which would not otherwise be needed and lead to “almost certain increased popularity” of a school whose numbers are falling.
- 3.186. The school states that its *“calculations show that an intake of 120 is easily achievable.”*
- 3.187. The proposer is not convinced by the school’s assertion. It does not account for the low numbers expressing a preference for the school for admission in September 2013: applications made well before the possibility of closure was publically discussed. A similarly low number is likely to be admitted next year. There have been low numbers of first preference applications for the last three years. Although the Marketing Plan has clearly been given considerable priority, there is no evidence to suggest that an intake of 120 over the next few years is “easily achievable”, or that parents will significantly change the current pattern of preferences which has led to a decline in pupil numbers.
- 3.188. The proposer does not accept that the evidence presented in the statutory proposal or this report is flawed, nor that any relevant factual issues have been omitted. As with any decision taken through Essex County Council’s decision making process, all the reports have had the benefit of legal advice and input and the clearance of the authority’s Monitoring Officer.

## **Section 2. Continuing viability of The Deanes and Community Impact**

- 3.189. The opening paragraphs of Section 2 attempt to propose that Essex County Council substitutes its forecasts with a more optimistic set of figures. This would not be objectively justified.
- 3.190. *The school says that “parental choice will probably continue in its current form meaning that The Deanes and other local schools will continue to admit pupils from outside their own “priority” or catchment areas and from other local authority areas given the geography of the area.”*

3.191. Essex County Council fully understands the operation of parental choice and the current form of that choice based on the data it holds in its role coordinating admissions for schools and academies within its boundaries. It understands that pupils come from a range of primary schools and in some cases from other local education authority areas. It is precisely because parental choice will probably continue in its current form that The Deanes School is at risk of unviability. The number of applications from within its priority area and from outside have fallen as set out in the body of the report.

3.192. The school notes that the admission arrangements for The Deanes School and the alternatives are not in the control of the authority. This is accepted. Nevertheless the arrangements regarding admissions have been discussed between Essex County Council and both The King John and The Appleton schools and confirmed in writing, and therefore form the basis for the proposal. It is entirely rational for the authority to take into account the admission arrangements it has discussed and agreed. It is also proper that the Secretary of State for Education does not prejudice the decision to be taken on the discontinuance of The Deanes School by agreeing a change in admission arrangements for the academies prior to the decision on this statutory proposal.

3.193. *The school's statement claims that the proposer's evidence is fatally flawed because it does not take into account the primary school populations in Southend and Basildon.*

3.194. The Essex County Council pupil forecasting system takes into account all pupils at primary schools in Essex. All pupils at primary school are accounted for in terms of transfer to secondary school. Southend-on-Sea is a unitary authority and therefore responsible for school place planning in its area. Essex understands that a proportion of pupils at The Deanes are Southend residents. This is monitored in the periodic school censuses. There is no justification for the claim that the proposal does not take into account the primary school populations in Southend and Basildon.

3.195. *The school claims that the LA has not considered new housing and migration into Southend, Basildon and Rochford. The school complains that the Council has limited calculations on new housing to The Deanes priority area.*

3.196. Essex County Council considers all housing developments planned in the area for which it is responsible, including Basildon and Rochford. It attributes the product of housing to the school where the development is planned. This is entirely reasonable. Whilst it may suit opponents of the proposal to discontinue The Deanes to attribute the product of all new housing in Castle Point district and the three adjacent districts to The Deanes School this would not be methodologically sound. Nearly all secondary schools use priority areas as a high criterion for admission. For that reason new housing in any school priority area is more likely to result in additional demand for places at the priority area school than any other. The Deanes has seen a declining number of applications for places from outside its priority area. Essex County Council has a responsibility to maintain a forecasting methodology which is sound and

internally consistent for **all** schools in the County. It cannot, and does not, privilege a particular school in relation to child yield from housing any more than it does for any other factor. The forecasts for The Deanes are produced on exactly the same basis as other schools.

3.197. *The school argues that investment in the sports centre would increase revenue, and that a new school building would cost much less to maintain.*

3.198. These claims are predicated on a very substantial capital investment by the County Council. It is because the Council is not confident of the viability of the school that it does not consider such an investment to be a good use of public resources. The alternative risk which is a concern of the Council is that a new building is provided which is under-utilised and unviable.

3.199. *The school argues that viability is synonymous with diversity.*

3.200. The proposer recognises that The Deanes offers a different range of opportunities to those in the alternative schools. However, sustaining these opportunities if the school becomes unviable would be a major challenge. The school has already noted the effect of the drop in numbers over recent months in its representation. Any school closure removes an option; however there are times when a local authority as a commissioner of school places needs to bring forward proposals for reorganisation.

3.201. *The school refers to the role it plays in the community and comments made by the Task and Finish group. It gives the example of The Enchanted Wood Day Nursery. It notes that although it is technically independent of the school the two are closely linked with parents and governors being involved in the running of the nursery.*

3.202. The proposer agrees that The Enchanted Wood Day Nursery is a valuable community resource. The Council would wish to work with the directors and managers of the nursery to ensure it continues to thrive if The Deanes School closes.

3.203. The Council also fully recognises the value of the sports centre to the community and notes the letter from Baroness Campbell of the Youth Sports Trust which was attached to the school's representation. The Council is keen to secure the future of the sports centre with a suitable local community based partner.

### **Section 3. Capacity Elsewhere: Transfer of Pupils to The Appleton School and The King John School**

3.204. The proposer's response to the key issues has already been touched on in the section on the Executive Summary. The representation confuses the transfer of existing Deanes pupils with the admission of new pupils. This response will deal with each group separately.

## **Transfer of existing pupils**

- 3.205. The two schools have agreed to take existing Deanes School pupils in the stages set out in the statutory proposal. Current Year 8s will transfer in September 2014 and current Year 7s will transfer in September 2015. This will be done by agreement of Essex County Council and the schools involved. There is no question of places being opened up to other pupils other than those at The Deanes as part of that process.

## **2014 Year 7 Admissions**

- 3.206. It is true that 2014 admissions to Year 7 at The Appleton and The Deanes School will have to be done on the basis of the existing admissions policies of the two schools. Children living in the catchment area of The Deanes School seeking a place would have to qualify under criterion 6, distance, unless they had qualified under a higher criterion such as sibling links or test. If a circle of radius 1.5 miles is drawn centred on The Appleton School and another on The King John School it takes in the majority of the Deanes priority area, with the exception of the very sparsely populated Pound Wood/Great Wood area in the extreme north east, the very sparsely populated area of Great Burches farm near the intersection of the A127 and the A130 and an uninhabited area of Hadleigh Marsh and Two Tree Island. (See the map at Appendix A.) These circles do not extend into Rochford or Southend-on-Sea and only take in a small and relatively sparsely populated area of Basildon, namely part of North Benfleet and Bowers Gifford. Neither do these circles extend into the populated area of Canvey Island. There being 551 children of the appropriate age living in the combined areas of the existing three schools, and 620 places available at the two continuing schools there is no good reason to assume that all children applying for a place will not be able to be satisfied. Indeed it is likely that a significant number of places will continue to be offered to out of area children from Basildon and Southend-on-Sea as has happened previously. It should also be remembered that some children resident in that area will be offered places at selective and denominational schools in Southend-on-Sea, some in other parts of Essex, and some will be educated privately creating still further places for out of area children to secure places at The Appleton and The King John Schools.

## **2015 and beyond Year 7 Admissions**

- 3.207. From 2015 the admissions policies of The Appleton and King John School will change. An agreement has been reached with the Academy Boards of the two schools for the necessary changes to be made. This would make the existing priority area of The Deanes part of the priority area of both continuing schools, thus giving parents in The Deanes area a very high priority for a place at two outstanding schools.
- 3.208. All the succeeding cohorts of children currently resident in the priority areas of the three schools are smaller than that seeking admission in 2014, so if the 2014 Year 7 cohort can be accommodated, then if there were no in-migration enabled by new housing so could those through to 2023. The total product of housing

across the area, based on the information supplied by Castle Point Borough Council is as follows:

2014/15	19 children
2015/16	32 children
2016/17	55 children
2017/18	80 children
2018/19	111 children
2019/20	142 children

- 3.209. These are cumulative totals, so by 2019 there is predicted to be a total of 142 additional children who may require a school place in the relevant area. These children could be spread across the whole of the secondary age range, although would be likely to be skewed somewhat to the younger end. If it is assumed a third of them were Year 7s this would result in 47 children to be added to the 535 children already living in the area: a total of 582 potential places required which could be satisfied in the two continuing schools even in the improbable scenario of no children being admitted to the Southend selective or denominational schools or being educated privately. Meanwhile The Deanes School could have continued to admit around 60 pupils per year resulting in a school of just 300.
- 3.210. Given that a proportion of children will continue to be admitted to selective and denominational schools, this number would still be able to be accommodated in The Appleton School and The King John School. Children living in the former Deanes priority area would not be treated differently or disadvantaged in comparison to children living in the current area of the continuing schools.
- 3.211. The proposer is satisfied that pupils living in the priority admission areas for the three schools will be able to secure places at the two continuing schools for the foreseeable future, providing their parents express a preference for those schools. The proposer acknowledges that at some point beyond the forecasting period, and after the Deanes School had become and remained unviable for several years, there might be a need for additional secondary school provision in the area. This is why it is proposed to retain The Deanes site. It does not however make sense to keep the school open for a number of years with very low numbers which would render it unviable. The proposer regrets that some opponents of the proposal have caused unjustified alarm amongst parents in the area in relation to the matter of admissions to the continuing schools.
- 3.212. The admission of children from the priority area takes precedence over the admission of children on the basis of aptitude, therefore priority area children cannot be disadvantaged by the selective criterion. Essex County Council is discussing with both schools the number that they would wish to admit on a selective basis.
- 3.213. The school's representation appears to argue that unless every possible admissions scenario is modelled in fine detail, a decision to close The Deanes School will be "fundamentally flawed". The proposer does not accept this. The numerical analysis shows that there are more places at the two continuing schools than there are children living in the Benfleet, Thundersley and Hadleigh

area of Castle Point. These children live closer to the two continuing schools than children in other areas further afield. Notwithstanding that, there will still be places to offer to children in other areas, including Basildon and Southend as there has been in the past.

#### **Section 4. The Inadequacy of the Statutory Process**

3.214. The school asserts that *“the fact there could be no expansion of the catchment areas for the two academies was a material change in the factual situation in September and one which should have prompted the Council to reconsider again whether to publish a statutory notice at all.”*

3.215. The proposer notes the view of the school. As previously explained the decision of the Secretary of State relates solely to a late request to change 2014 admissions which was rejected on the grounds of prematurity. It has no bearing on the long-term ability of the two academies to change their admission areas. Agreements have been made with the Academy Boards of both the continuing schools in respect of their enlargement and change of admission policies for 2012 onwards. Whilst at this stage a change to the admission areas for 2014 cannot be agreed, the Council has demonstrated how children living in The Deanes area can be accommodated at either The Appleton or The King John Schools providing their parents applied for both schools as advised

#### **The Deanes School Summative Statement**

3.216. A further document was included as a representation of the school. It draws attention to the 2012 Ofsted judgement and the achievements of the headteacher and governors. It mentions strategic partnerships with other secondary schools, and the approval of the addition of Performing Arts to the existing specialism of Sport.

The school describes the work of the Sports Centre and the extent of its partnership with primary schools and the level of community involvement, and cites the national recognition of its curriculum and community work. It makes particular mention of BATIC, the Benfleet and Thundersley Interschool Cluster, the heritage project around the Olympics and the Hadleigh Farm Mountain Biking Centre.

The school draws attention to the plan to co-locate Glenwood School and The Deanes School on the site with a £39.7 rebuild. The school draws attention to the level of planning that had gone into this project and the aspiration that it represented.

The school draws attention to the modified proposal that was developed when Building Schools for The Future funding was withdrawn.

The school refers to the strength of its community links. It ascribes the fall in its number on roll to the uncertainty surrounding BSF and the subsequent rebuild project. It refers to the potential additional demand for school places in neighbouring boroughs. The school draws attention to the expressions of support



from a variety of stakeholders, including its links with Southend-on-Sea. It describes its “unique selling point” as its “small school ethos, [its] sporting provision and [its] more personalised approach to individual success”.

- 3.217. Proposer’s response: These achievements are recognised and applauded by Essex County Council. However they do not alter the fact that the school has not attracted sufficient applications for places for a number of years, and is at risk of unviability. The decline in pupil numbers, and in applications for places from within the priority area and beyond, meant that the proposed rebuilding project had to be re-examined. As explained above, a very large investment of public money in a school which forecasts show will become unviable is not appropriate. The proposer acknowledges the views of the school but remains concerned that the school will become unviable. Despite the claims of parental and community support, applications for places have fallen to a level where the viability of the school is in jeopardy. This decline is not short term, but has built up over several years and requires action to ensure that parents in South East Essex have a choice of outstanding and viable schools.

### **The Representation of The Save The Deanes Group**

- 3.218. Response to Representations made on behalf of the Save The Deanes group
- 3.219. A range of correspondence was received during the representation from the Save The Deanes group and its leading members. This response addresses the issues that were raised.

### **The Save The Deanes Report**

- 3.220. A key concern of the Save The Deanes group was that the forecasts produced by Essex County Council were fundamentally flawed. The Council decided to engage an independent researcher with substantial experience of pupil forecasting to scrutinise the forecasting methodology, including its treatment of the effect of new housing. His report endorses the Council’s approach and is attached to this report as a Technical Annex.
- 3.221. It would not be productive to unpick every paragraph and number in the Save The Deanes Report produced by members of The Save The Deanes Group. This response simply highlights the main areas in which the Report is mistaken or misleading and explains why the alternative figures within it would not be a sound basis for the decision maker.
- 3.222. The Report asserts that Essex County Council did not use data supplied by Castle Point Borough Council (CPBC) regarding housing. This is not correct. The forecasts in the statutory proposal used data supplied by the Chief Executive of CPBC on 13th August 2013. The only development excluded was that known as Glebelands, which has been rejected both by CPBC Planning Committee and the Secretary of State for Communities and Local Government (this is referred to earlier in this report). If this decision is overturned the forecasts will be amended accordingly. Including that development would not make a material difference in relation to the proposal. All the forecasts contained in the statutory proposal and

supporting documents show that the number of pupils at The Deanes School would be significantly below 600.

- 3.223. The Report suggests that housing in other areas should be included in relation to the forecast for The Deanes. It is the practice of Essex County Council to attribute the product of housing to the school where the housing is proposed. This is entirely appropriate. It would be no more justified to attribute housing in other areas to The Deanes than it would be to attribute housing proposed for The Deanes area to other schools, such as those in Southend-on-Sea. This approach can only make sense to people with a partisan interest in one school.
- 3.224. The Save The Deanes Report objects to the evidence of parental preference being used to show places at the alternative schools filling before The Deanes. This is an objective fact which should be reflected in the forecasts.
- 3.225. The Report twice includes an upward error factor of 5.9% on the basis that a difference of such a magnitude was found between two selected figures. This is methodologically unsound and leads to a very substantial and unjustified increase in the forecast numbers. No equivalent downward error factor is proposed, although it could be justified more easily on the basis that earlier forecasts produced for The Deanes have proved to be too high.
- 3.226. Further recalculations in the Save The Deanes Report are similarly unjustified by any sound methodology and contain elementary errors.
- 3.227. The forecasts produced by the Save The Deanes group choose the highest possible figure for any factor and attribute every potential additional child in South East Essex into the Deanes School. They add a 5.9% error factor, regardless of any methodological rationale. In contrast Essex County Council has used a consistent methodology for all its school forecasts and has treated The Deanes School in the same way as any other. No special methodology was adopted for The Deanes, nor was any data manipulated in order to produce a predetermined outcome. The Save the Deanes Group criticisms of ECC's forecasts are unjustified, and its alternative forecasts can best be described as wishful thinking.
- 3.228. Essex County Council also rejects the comments of Professor Reeves. Professor Reeves has taken the figures of the Save The Deanes Group at face value and has provided no evidence of conducting a rigorous examination either of those forecasts or the Council's. He claims that Essex's pupil yield is outside the range referred to in the Department for Education's "Pupil Projection Guide 2006", without appearing to understand that 40 secondary pupils per year group per 1000 houses is arithmetically the same as 0.2 pupils per house as the 0.2 figure adds up the pupils per house over the five year groups of secondary school. This seems to demonstrate a fundamental misunderstanding of the DfE guidance, as well as of ECC's forecasting methodology.
- 3.229. The Save The Deanes Report and associated documentation does not present a valid alternative forecast to that of the County Council. It makes many unjustified claims; uses methodologies with no sound basis. Its conclusions can only be

explained by the very strong feelings its authors have about The Deanes School and their desire to prevent its closure.

### **Other representations from Save The Deanes**

3.230. A letter was sent on behalf of Save The Deanes to Councillors on 14th October entitled "Final letter to ECC"

3.231. It referred to the review of the Task and Finish Group of the People and Families Scrutiny Committee ratified by the full Scrutiny Committee on 12th September 2013.

3.232. The letter quoted the Committee:

*"That the Task and Finish Group, established by the People and Families Scrutiny Committee, has concluded that there is insufficient evidence to close The Deanes School on the basis of current evidence, and a repositioned school could be a success and offer an alternative to other schools in the area.*

*"Before reaching any decisions on the future of the School the Cabinet Member is requested to review carefully his proposal to consult on its closure taking into account the following points that are drawn from the main body of the scrutiny report."*

3.233. Further extracts from the report are quoted. The letter goes on to cite The Save The Deanes Report referred to above. In reaching his decision to make statutory proposals the Cabinet Member considered the views expressed through the scrutiny process and took into account all the relevant evidence.

3.234. The letter concludes by presenting what it describes as the "final calculations" of the Save The Deanes Group showing a further estimate of pupil numbers at The Deanes. This is set out below. It should be observed that this particular sequence of figures does not appear anywhere in the Save the Deanes Report, so must presumably be a further reworking. It shows numbers rising to 869 in 2023/24.

3.235. The final set of figures in The save The Deanes Report shows 650 pupils for 2013/14 rising to 1332 in 2023. Whatever the provenance or methodology of the figures Essex County Council rejects both forecasts, and would advise the decision maker that the figures presented by the Save The Deanes Group are flawed and unreliable (The Save The Deanes Report, p.10 "True forecast for The Deanes School – column 11").

3.236. It should be noted that the actual figure for the October 2013 Number on Roll at The Deanes is understood to be 600. This is much lower than any of the Save The Deanes' forecasts.

3.237. The letter goes on to reference the draft Thames Gateway South Essex Strategic Housing Review Assessment Review 2013 (SHRAR). This provides useful

background context to the potential demographic changes for the area. It is principally for the district councils as housing and planning authorities to determine how to respond to the Review. Any housing plans for their areas are then communicated to Essex County Council and are then incorporated into the pupil forecasting system. It should be noted that the SHRAR targets are set over twenty years. In this time the secondary school population will have turned over four times, and The Deanes School will have experienced many years of low numbers and unviability.

- 3.238. The letter then goes on to describe the position of Castle Point Borough Council in relation to new housing development. It recognises the difficulties Castle Point faces in meeting its target, including the potential use of green belt land. It refers to “a leaked report” published in the local press, and appears to criticise the Borough Council’s approach to planned housing in its area. It criticises Castle Point Borough Council for its decision about what data to pass to the County Council and again makes the unjustified assertion that all housing in the Borough should be attributed as to growth at The Deanes School. Essex County Council takes the view that it is entitled to rely on data supplied by the district councils who clearly apply their professional judgement and local knowledge in compiling information about development in their areas. Essex County Council does not take the view that it should substitute alternative data on housing developments based on alleged leaks or surmise. Neither should it attribute housing growth to schools other than those where the development is planned.
- 3.239. Whatever the trajectory and geographical distribution for the development of new housing in South East Essex may ultimately prove to be, there is no evidence to suggest a level of housing growth over the next five years that would stop The Deanes School becoming unviable in that period, thus jeopardising the educational experience of a generation of young people.
- 3.240. The representation states that: “School sites cannot simply be conjured up overnight.” This is recognised, which is why it is proposed to retain The Deanes School site for educational use in the future. It is not an argument for keeping a school open in a state of unviability in the hope that numbers will eventually recover.

**A further letter was sent on 18th October on behalf of the Save The Deanes group**

- 3.241. The letter praises the professionalism that The Deanes School staff has shown throughout the consultation and statutory proposal process. The proposer fully endorses that view.
- 3.242. The letter goes on to praise the success of students over recent months. Again, Essex County Council applauds the range of activities and achievements of young people at The Deanes School.
- 3.243. The letter quotes correspondence from several parents praising the school and concludes with a strong plea to keep it open. Essex County Council notes all the points made and would add that it has received similar representations from parents.

- 3.244. The proposal to close The Deanes School is not based on concerns about a lack of commitment from staff, a lack of achievement by pupils, or a lack of support from parents. The concern is that numbers on roll have reduced, and are predicted to continue to reduce over the coming years to the point where the school will be unviable and will not be able to sustain the levels of achievement.
- 3.245. A further letter was distributed to elected members of Essex County Council prior to the meeting of full Council on 15<sup>th</sup> October on behalf of The Save The Deanes group
- 3.246. The letter referred councillors to the previous “final” letter. It claims that: *“This decision is based on completely fabricated arithmetically incorrect calculations for the need for school places which are being used by ECC to justify closure. Despite complaints to Joanna Killian she has refused to deal with our representation about the fact that ECC Officers can’t add up.”*
- 3.247. The allegation that the Essex County Council forecasts are fabricated is completely refuted. Essex County Council uses consistent methodology for all schools in Essex. This has been validated by an independent report (attached as a Technical Annex) and, if anything is seen as being too generous in its forecasts for The Deanes School. The issues surrounding the forecasts are dealt with in this report and the Technical Annex.

### **The representation of the Headteacher of Glenwood School**

- 3.248. The representation mentions the advantage of small schools and the benefits of collaboration. It argued that secondary places might be needed again, and that it would therefore be unwise to close The Deanes.
- 3.249. Proposer’s response: schools can become unviable when their numbers fall and they do not have the budget to offer the curriculum opportunities they might wish. The potential requirement for secondary school places at some point in the future is recognised, which is why Essex County Council intends to retain The Deanes School site for educational use.

## **The Representation of Castle Point Borough Council**

- 3.250. Councillor Pam Challis OBE, Leader of Castle Point Borough Council, wrote to Cllr David Finch, Leader of Essex County Council on 18th September 2013 expressing the opposition of Castle Point to the proposed closure of The Deanes School. She expressed concern about the way in which the proposals to close The Deanes School was made and the role of the scrutiny panel. She was also concerned that certain housing development sites in Castle Point had not been taken into consideration when making forecasts for The Deanes School and the wider area. Councillor Challis expressed her firm view that there would be a greater demand for school places than the County Council assumed.
- 3.251. David Marchant (Chief Executive of Castle Point Borough Council) wrote to Tim Coulson (Director for Education and Learning Essex County Council) on 4<sup>th</sup> October referring to Councillor Challis's earlier letter. He referred to the different duties of district and county councils, and drew attention to the expectation on district authorities to deliver new housing.
- 3.252. Proposer's response: in relation to Councillor Challis's concern about the way in which the decision was made. The decision that has been made by Councillor Gooding as Cabinet Member for Education and Lifelong Learning was to publish statutory notices about the possible closure of the school. This initiated a period of six weeks for representations on the issue.
- 3.253. In relation to the concern that the work of a Scrutiny Panel was dismissed, the officer report to Councillor Gooding, and in Councillor Gooding's own statement about his decision, very careful consideration was made of the report by the Scrutiny Panel prior to the decision being made. Essex County Council therefore does not accept the assertion that the work of the Scrutiny panel was 'dismissed'.
- 3.254. In relation to concerns about the way background data has been assessed and used to inform pupil projections, the assumptions used as the basis for the pupil projections are the same as used throughout the county and have been commended by the Department for Education. In brief these are based on a combination of known numbers in primary schools, GP registrations and trends in progression from year to year and for migration both in and out of an area, with an adjustment also made for additional pupils who may be anticipated to come from new housing developments. It is this final addition of what has been referred to as the 'pupil housing product', and the assumptions within this, which the Castle Point representations may be questioning and not the methodology which makes up by far the greater part of the projection.
- 3.255. In addition there are three other assumptions which underpin the process of predicting numbers local to Castle Point and which specifically have informed the numbers presented in the report on the consultation, and on which the Cabinet Member made his decision. These are:

1. Any pupil housing product from housing developments on Canvey Island will be contained on the island and will be met by the two secondary schools on Canvey.
2. The popularity of The King John School and The Appleton School both of which are judged by Ofsted as 'outstanding' schools will continue and that these schools will continue to be oversubscribed and popular to local parents.
3. Recent experience both of housing completions against targets in the Castle Point area, and knowledge of secondary aged pupil numbers resulting as a consequence of housing developments more generally means that an averaging adjustment was made to provide what it is believed are realistic projections.

3.256. Essex County Council refutes the suggestion that the pupil number projections have had no regard for the information provided in August by Castle Point Borough Council. The revised housing information as included in the Key Decision report published on 2 September and in the full proposals which have been on the Essex County Council website as of 16<sup>th</sup> September was calculated using the information provided confidentially by Castle Point Borough Council.

3.257. Castle Point provided two separate lists of housing sites: "Five Year Housing Land Supply Sites" and "Potential Housing Sites in the Green Belt in Benfleet, Hadleigh and Thundersley". In order that officers could make a realistic assessment of when these sites might commence development and be included within the revised pupil forecasts for The Deanes and other schools in the District further, more specific information was required. Information supplied by Castle Point Borough Council's Senior Planning Policy Officer in August, in the form of a borough wide housing trajectory was, therefore, used to inform this work. As a result of the information contained within this housing trajectory the three sites listed as "potential housing sites in the Green Belt" were included within the forecasts as sites that are expected to start in the next 5 years in The Deanes School Priority Admissions Area.

3.258. The following sites which are within the Priority Admissions Area for The Deanes **were** included:

Five Year Housing Land Supply sites:

- Land at Scrub Lane
- Hadleigh Town Centre Regeneration
- Brickfields, Great Burches Road

Potential housing sites in the greenbelt:

- Land East of Rayleigh Road and North of Daws Heath Road, Hadleigh
- Solby Wood Farm, Daws Heath Road, Hadleigh
- Oak Tree Farm

- 3.259. All of these sites have been included in the detailed school by school forecasts. It should be noted that since 2004 there have been around 1200 new homes built in the district, during which period the number on roll at the secondary schools has declined by 485 children. Essex County Council's forecasts are based on the detailed information Castle Point Borough Council's officers have provided and include all possible sites listed across the district
- 3.260. The site outside of Hadleigh referred to in correspondence is Brickfields, Great Burches Road. This was included because it is located within The Deanes School's Priority Admissions Area.
- 3.261. The pupil product from different sites is allocated to schools according to the Priority Admissions Areas in which they are located. Where secondary aged pupils arrive because of new housing then there is expected to be a general balancing of admissions with leavers.
- 3.262. The representation refers to 'arbitrary' boundaries. These are the boundaries of the Priority Admissions Areas which are in fact anything but arbitrary. They are long established and generally well known. The site to which the representation refers (Kiln Rd) is in the Priority Admissions Area of The King John School, although a small area of this development lies within the Deanes/ King John shared area. Whilst this site might be only 750 metres from The Deanes it lies a similar distance from The King John School. The potential pupils from this development have been included in Essex County Council's detailed forecasts.
- 3.263. Even if further developments are identified that have not yet been included, there is little likelihood that they would impact on secondary school numbers for many years – given that work on planning, development, building, families moving into new homes and children being of secondary age is not something that will occur in the next few years.
- 3.264. Essex County Council is looking forward to the publication of the Castle Point Borough Council draft Local Plan. The County Council is uncertain at the moment where the figure of 500 additional pupils mentioned in the representation comes from. The Castle Point representations refer to the need for additional places up to 2031. Essex County Council's projections indicate that increased numbers of places will be needed from 2023 onwards but the Cabinet Member has explained in his statement that he did not believe the school could be sustained until that time with the current low numbers and expected further reductions.
- 3.265. Essex County Council has been clear that the minimum size of school that it considers viable in the Castle Point area is 600 pupils and the school's own submission has supported this position. There appears to be the very likely possibility of a shortfall in funding if the school roll falls below 600. For example if the school roll were 480, the following year the school would have in the order of £480,000 less funding.



- 3.266. In short Essex County Council has used Castle Point's data in making its pupil forecasts, and with this data forecasts that The Deanes School will become unviable.

### **The Representation of Basildon Borough Council**

- 3.267. Paul Burkinshaw – Group Manager (Governance and Support) at Basildon Borough Council – wrote on behalf of the Deputy Leader of the Council reiterating the objections to the proposal to close The Deanes School. This communication referred to the letter of 9th August 2013 sent by Councillor Tony Ball (Leader Basildon Borough Council).
- 3.268. Although the original letter was sent before the publication of statutory proposals, the issues raised and the covering comments are being treated as a representation.
- 3.269. The proposer accepts that the proposal affects the small number of families and children in the Basildon Borough area that currently attend The Deanes School and those who would have been planning on doing so in the future.
- 3.270. The proposer notes that Basildon Borough Council is “concerned that in making its decision, the County Council has not given sufficient regard to future pupil numbers and that the closure of the school is as a result, short sighted.” The proposer disagrees. The housing plans of all 12 district councils in Essex are built into the pupil forecasting system, including those from Basildon.
- 3.271. Essex County Council is aware of the recent work undertaken by the Local Government Association which has expressed concern about the lack of capacity in schools to cope with future places needed, particularly in light of the requirements for new houses to be built. The proposer would however note that the location and timescale of housing development is a critical factor in forecasting where and when additional children will require school places.
- 3.272. Basildon Council draws the attention to the fact that it has not yet produced its new Local Plan. It observes that “it is clear that like all other local authorities’ Local Plans, this will need to make provision for a significant number of additional homes.” The proposer accepts that this will create pressure on schools. When Basildon Borough Council provides appropriate information this will be incorporated into the school pupil forecasting system. It is for the district council to make its plans and communicate them to the County Council. When it does so the pressure created will be attributed to the schools in Basildon where the development is planned. It would be perverse to attribute the effect of housing development to a school elsewhere. Essex County Council is not aware that Basildon Borough Council has identified the schools in its area where additional numbers are currently predicted as the consequence of housing development where those additional pupils should be attributed to The Deanes instead. If more school places in Basildon are required then Essex County Council would expect the developer to fund the cost of any expansion in that area.

- 3.273. The representation states that Basildon Borough Council remains concerned that The King John and The Appleton Schools will not be able to increase the size of their schools to accommodate those pupils from The Deanes School who are displaced by the closure. The proposer would wish to assure Basildon Borough Council that the Academy Boards of The Appleton School and The King John School have agreed to the necessary changes to their capacity, admission number and admissions arrangements.
- 3.274. The proposer notes the concern about parental choice expressed in Councillor Ball's letter. The level of parental preference expressed for The Deanes School is low and has fallen. The proposer agrees that parental choice is important; however there comes a point where the level of preference actually expressed is not sufficient to sustain a viable school. This is the predicted position at The Deanes School.
- 3.275. There is no intention in the proposal to exclude children from Basildon or any other area outside the priority area of the continuing schools. Where places remain after all applicants meeting criteria 1 to 5 have been allocated then they will continue to be allocated to others on the basis of distance.
- 3.276. Councillor Ball seems to suggest that other schools in the area will not receive additional resources to accommodate children who would otherwise have attended The King John School or The Appleton School. In terms of revenue funding this will be determined on the basis of the funding formula, which is largely driven by pupil numbers, and in the case of Academies in accordance with their agreement with the Secretary of State. Capital funding is available to schools in the normal way dependent on the condition, sufficiency and suitability of places at the school.
- 3.277. Councillor Ball observes that in the longer term The Appleton School and The King John School may not be able to meet the demand for places. The proposer accepts that this may occur at some point in the longer term but not until after The Deanes School would have spent several years with low and unviable numbers. If there is evidence of the need for more places in the future the County Council will address that problem. This is not an argument for maintaining an unviable school.
- 3.278. The proposer notes Councillor Ball's points about parental preference on the part of children transferring from The Deanes School. It will remain the right of parents to express a preference for any school, and if places are available that preference will be met. However it is likely that the majority will want a place in one of the continuing schools and the County Council has worked with those schools to make appropriate arrangements.
- 3.279. The proposer is confident in the commitment and professionalism of staff in all the schools affected to work together to minimise the disruption to individual pupils' learning.
- 3.280. The proposer notes Councillor Ball's comments on future housing developments in Basildon, including the outline application for 750 homes in the Pitsea area. It

agrees that ensuring that suitable educational provision is available for families in that area is important, however Essex County Council does not conclude from this that this would secure the viability of The Deanes School.

## **The Representation of Southend-on-Sea Borough Council**

- 3.281. Councillor Courtenay, on behalf of Southend on Sea Borough Council makes it clear that the Council does not support closure of the Deanes although they have not expressed their letter to be an objection. The letter refers to work done on forecast numbers in Southend-on-Sea secondary schools in the context of rising primary numbers in Southend (although not in Castle Point). He observes that it is forecast that there will be no surplus secondary places in Southend in 2017, and that there is a possibility of a deficit in 2017 or as early as 2016 if primary numbers increase further. The deficit is forecast to increase over the following years. ECC accepts Southend-on-Sea's analysis of its own data.
- 3.282. At the start of the consultation process this data was not available to Essex County Council, the work still being in progress. The County Council received the update to its school organisation plan from Southend-on-Sea over the summer.
- 3.283. Councillor Courtenay states that: "whilst it is not expected that The Deanes would meet this shortage of places there will be more preferences and a likely increase in pupils wishing to attend schools outside of Southend including King John and The Deanes." ECC agrees that if the number of children seeking secondary places rises as forecast and if places are not added in Southend then the demand for places in Essex schools would increase. There is a question of timing however. If the demand for places at The Deanes School remained low for even two or three further years, the number on roll would still be unviable.
- 3.284. Councillor Courtenay comments that: "The Deanes does not form part of the long-term strategy to meet the deficit of places." From this it can be inferred that Southend-on-Sea proposes to develop places within its own boundaries. This is an entirely reasonable approach, and would be likely to be the best way of meeting the aspirations of Southend parents and families. However, the implications for The Deanes are not good. It could be concluded that Southend's view is that The Deanes could serve as a back stop for Southend parents for a limited period, if numbers rise in Southend before capacity has been added although there is no indication that Southend anticipates any difficulty in adding capacity. ECC does not take the view that this forms the basis for a secure and viable future for the school.
- 3.285. The number of parents from Southend expressing a preference for The Deanes and being allocated a place is shown in the following table:
- 3.286. Second applications are those which are made after offer day (where the parent wants a different school to the one they were offered).

Preference	Number offered in 2011	Number offered in 2012	Number offered in 2013
1	8	14	8
2	4	6	3
3	5	3	2
4	3	6	0
Second Application	0	5	1
Totals Offered	20	34	14

3.287. This data shows that the overall number of applications from Southend for places at The Deanes is not especially high, and that a significant proportion of those are not first preferences. The mean number of first preference applications for The Deanes from Southend-on-Sea is 10. Whilst the preference of those parents is recognised, it does not seem sufficiently solid evidence that there would be sufficient sustained demand from Southend to prevent numbers at The Deanes remaining well below 600. Indeed it seems that they accept that the numbers at the Deanes could fall to around 450 which may, they accept, not be large enough to be viable.

3.288. Councillor Courtenay's point about journeys to school is noted. The relative locations of The Deanes School and The King John School and the border between Essex and Southend means that it is likely some children would have slightly longer journeys and some slightly shorter. There does not seem to be any systematic disadvantage to the proposal in that respect. Many more Southend residents are on the roll of The King John School in any case.

### **The Representation of Rebecca Harris MP (Castle Point)**

3.289. The proposer notes Ms Harris's strong objection to the proposal to discontinue the Deanes School. It notes her view that the evidence used by the Council is "based on a series of unsubstantiated assumptions". As explained in the report and elsewhere, the pupil forecasting methodology used by Essex County Council is robust and rigorous, and all the underlying assumptions are tested. It does not agree that "The evidence of the Essex County Council education department relating to falling rolls at the school is insufficient and inaccurate."

3.290. The representation observes that "45% of pupils on the school roll live outside of the Castle Point Borough boundaries" and argues on that basis that housing growth in other areas should be attributed to The Deanes School. This would not be a prudent approach to pupil forecasting as it would arbitrarily reduce the effect of housing growth in the areas where it actually occurs. This is addressed earlier in this report.

3.291. Essex County Council takes into account all housing growth notified to it by the district councils and attributes it to the priority area schools. It would be no more justifiable to attribute housing growth in Basildon or Southend-on-Sea to the Deanes School than it would be to attribute housing growth in The Deanes area

to Basildon or Southend, although some residents in such housing would certainly seek places in schools other than The Deanes. No argument has been made that housing growth in The Deanes priority area should be shown as creating pressure on schools elsewhere, although this would be equally justifiable.

- 3.292. Essex County Council is aware of proposed housing developments throughout Essex and in Southend-on-Sea, and is aware of its responsibility to secure a high quality education for all its residents. It has no objection to children from other local authority areas seeking admission to Essex schools any more than it has to Essex parents seeking school places elsewhere.
- 3.293. Essex County Council does not agree that it has rejected the housing plans supplied by Castle Point Borough Council. On the contrary it has used the data supplied by Castle Point as the basis for its school place planning. Just as Castle Point has expertise in housing, so does Essex in relation to education, including experience of housing developments large and small across the County. Based on lengthy experience it has good knowledge and evidence of the child yield that arises from housing developments and the age and time profile of the resulting demand for school places. Only one development was excluded from the calculation which was the Glebelands development of 165 homes (referred to earlier). This was rejected by the planning committee of Castle Point Borough Council and by the Secretary of State for Communities and Local Government. If Castle Point Borough Council wishes to reinstate that development it would be included in the calculations of future pupil numbers.
- 3.294. The representation argues that The Deanes School would be more popular if it had benefitted from capital investment under Building Schools for the Future, the programme cancelled by the coalition Government in 2010. This may be so, however in the current economic climate the local authority has to be confident that capital investment is fully justified. The significant reduction in applications for places was the trigger for reconsidering the proposed building project and raised questions about the viability of the school. The Council needs to be convinced that the numbers are there to justify a rebuild, rather than committing to a rebuild and hoping enough pupils are admitted.
- 3.295. The proposer notes the representation's comments about the potential for marketing the school. It is impossible to know what the effect of such marketing would be. There are a number of popular and outstanding schools in the area who will also market themselves vigorously. It is not clear from which other schools it is expected additional pupils would come, especially in the light of the admissions data referred to in the report.
- 3.296. The proposer notes the representation's observation that the reputation of schools can go up and down. The proposer's concern is that it could be very difficult for The Deanes School to maintain the quality of its provision in the context of falling rolls and financial unviability.
- 3.297. The representation correctly observes the context of demography, with falling rolls at secondary level in the short term "a trend that it is widely expected to

reverse in the next fifteen years.” The County Council agrees that in the longer term there may be demand for new places, but not until the fall in numbers has put The Deanes School at risk of unviability for the school life of several generations of pupils. That is why the Council intends to retain The Deanes School site for educational purposes so that if and when the demand for places returns it would be possible to commission new places. That is not an argument for retaining the school with well below 600 pupils for many years.

- 3.298. The representation notes the popularity of The Deanes School amongst parents with whom she has spoken. This popularity however has not extended to applications for places in the numbers required to sustain a viable school. Essex County Council agrees that parental choice is important, however it takes the view that such choice should be between viable schools.
- 3.299. The representation suggests that more regard should be had for the needs of parents and children of Basildon in terms of providing additional choice in addition to the schools in that area. It will still be possible for Basildon parents to express a preference for secondary schools in Castle Point and they will continue to be assessed against the admissions criteria of the schools concerned. Where schools in Basildon are currently performing at standards that may be viewed as unacceptable to some parents, it remains the role of Essex County Council, the academy promoters and the Secretary of State for Education to provide the challenge and support to secure improvement.
- 3.300. The proposer notes the representation’s view that the Council has not properly scrutinised the school’s plan for rebuilding at a capacity of 750 rather than 1,000. The Council has discussed the possibility of a reduction of capacity to 600 with the school – this is the school’s own position, but even at this size the Council was not convinced, based on the forecasts, that this number would be likely to be achieved.
- 3.301. The proposer notes Ms Harris’s comments about the desirability of the co-location of The Deanes and The Glenwood School. The council remains committed to the relocation of Glenwood School and enabling it to develop closer links with other local schools.
- 3.302. The proposer acknowledges Ms Harris’s strong opposition to the proposal to close The Deanes School and the views she has expressed on behalf of her constituents. It remains concerned that the viability of the school, even in newly built premises, would not be secure and for that reason it takes the view that closure is in the best interests of ensuring high quality secondary education for children in Castle Point and nearby areas.

## **The Representation of Mr J Fair on behalf of The Association of Teachers and Lecturers (ATL)**

- 3.303. The proposer notes the ATL's opposition to the proposed closure of The Deanes School. The representation refers to a consultation paper from Southend-on-Sea Borough Council indicating a need for 1,000 secondary school places in the next ten years and suggests the proposal "fails to reflect an adequate analysis of the demand for secondary school places in South East Essex." The proposer would note that the additional demand in Southend-on-Sea will not arise soon enough to prevent The Deanes School from becoming unviable.
- 3.304. Mr Fair expresses a concern that the closure of The Deanes School would lead to pupils "taking up places in under-performing schools." He does not identify which schools in Essex or Southend-on-Sea he would identify as underperforming. Presumably he would share the ambition of both Councils to challenge underperforming schools to improve.
- 3.305. Mr Fair expresses a concern about the cost of closing The Deanes School. He observes that: "Building on other sites to provide extra transitional places is doubly expensive." The proposer would note that there would also be costs associated with keeping the Deanes School open, including the additional revenue costs associated with small schools and the potentially very significant costs of replacing the school building. It was precisely because the Council could not be confident that The Deanes School would be of a viable size that it reconsidered its plans for a rebuild.
- 3.306. Mr Fair repeats the assertion that there is a high demand for places at The Deanes School, including from Southend. The proposer would draw attention to the figures in the report which show that actual preferences expressed for places at the school is low. It is this that requires the Council to address the question of the viability of the school.
- 3.307. Mr Fair observes that "the majority of pupils are local. Their parents live locally. Their school journeys can be managed on foot, by bike, or with short rides on local bus services." However this is not consistent with his earlier emphasis on the needs of parents and families in Southend-on-Sea. The alternative schools are relatively close and there is no reason to believe that most pupils will have longer journeys to school. This is referred to earlier in this report.
- 3.308. Mr Fair points out that, "application data for 2014 will be heavily distorted" as a result of the closure proposal. Whilst this may be so, applications for admission in September 2013 were made in Autumn 2012, well before the closure proposal was considered.



## **Other representations**

3.309. Other representations were made by parents, grandparents, pupils, members of staff, members of the wider community and others.

3.310. A total of 101 representations were received by email. A further 71 representations were received in writing. Some people wrote on more than one occasion or sent similar correspondence to multiple recipients at the Council.

3.311. The main issues raised in the consultation were as follows:

### **3.312. Comment: General statements of support for the school**

**Proposer's response:** The strongly supportive views of many past present and potential future parents are recognised. The quality of education and opportunity that has been offered by The Deanes is not being questioned.

### **3.313. Comment: Negative comments about The Deanes**

One negative comment was made about the management of The Deanes School, with particular reference to the handling of bullying and this was given as a reason for falling rolls.

**Proposer's response:** This comment was made by only one person. The proposal is not based on concerns about the school's management of pupil behaviour.

### **3.314. Comment: The proposed closure will be disruptive to the education of current pupils**

**Proposer's response:** Any disruption to children's education would be a matter for concern. The proposer fully recognises and respects the expressions of worry and concern made by parents on behalf of their children. However, organisational changes sometimes have to be made and there is no "good time" for this to be done. The proposer is confident that the professionalism of the staff at The Deanes, the support of the County Council appointing a Transition Manager(s), and the support of the two alternative schools will minimise disruption to children's education.

### **3.315. Comment: The history of the potential rebuild of The Deanes School**

**Proposer's response:** The school was to have been rebuilt through Building Schools for the Future but this national programme was cancelled. The County Council considered funding a reduced scheme from its own resources. There was growing evidence that The Deanes School was not attracting the number of applications for places that it needed in order to remain viable. It would be difficult to justify a very large investment of public money in a new building at a time of budgetary restraint with insufficient evidence of the viability of the school.

The County Council reviewed its approach to The Deanes School because the evidence about likely future numbers required its plans to be reviewed.

**3.316. Comment: The figures used in the statutory notice were incorrect.**

This issue has been dealt with in the main body of the report, the proposer's response to representations from the school and Save The Deanes and in the Technical Annex.

**3.317. Comment: The forecasts should take account of new housing in Basildon, Rochford and Southend-on-Sea**

**Proposer's response:** This question has been thoroughly explored earlier in this report. The County Council engaged a consultant with relevant expertise to review its forecasting methodology and the figures used in the Statutory Proposal and at other stages of the process. The system used and the resulting figures have been confirmed to be robust. Housing developments are attributed to the school in whose priority area the development is planned. To arbitrarily assign all additional numbers across the whole planning area and all the neighbouring areas to one undersubscribed school cannot be justified. It takes no account of the operation of the admissions system and would be misleading for decision makers. If housing in Southend, Basildon or Rochford districts is anticipated to lead to a shortage of school places, then the County Council will expect developers to address this by providing funding under section 106 of the Town and Country Planning Act 1990 to develop capacity in the location of the new housing.

**3.318. Comment: The recommendations of the Task and Finish group and the Scrutiny Committee were "ignored"**

**Proposer's response:** The views expressed through the Scrutiny process of the County Council were taken seriously and addressed in the Cabinet Member report of 30 August. Steps were taken to secure appropriate expertise to review the forecasting methodology used and the forecasts for The Deanes. Every step of the process of making the forecasts has been minutely and independently examined. It is entirely proper for the responsible elected County Councillors to take a different view to that expressed through Scrutiny, on the basis of sound advice from professional officers. Decision makers are required to take account of all the relevant factors.

The Executive and Scrutiny functions of the Council are distinct. The Executive is responsible for making decisions, and Scrutiny has the role of examining and challenging the decisions of the Executive. While the Executive must consider the recommendations of Scrutiny committees, it is not obliged to agree with their findings. The additional scrutiny provided by the Task and finish Group (in addition to the intense public scrutiny from the local community) has strengthened the decision making process by testing – and re-testing – the proposer's forecasts. The proposer remains confident that the school is unlikely to have a viable future and is unlikely to attract even the 600 pupils that is

deemed as a minimum for its viability. The Overview and Scrutiny Committee's conclusion was that, at that time, they did not feel that they had seen sufficient evidence to justify closure of the school. The Cabinet will have the benefit of the report to the Cabinet Member of 30<sup>th</sup> August and this report as including the independent report about ECC's forecasting methodology (see Technical Annex).

**3.319. Comment: A petition presented during the consultation phase was ignored**

**Proposer's response:** The report to the Cabinet Member on 30<sup>th</sup> August 2013 contained a list of petitions received. It is accepted that this did not include a reference to a petition that had started to collect signatures before the consultation document was published. The proposer is happy to confirm the receipt of a 6,577 signature petition opposing the proposed closure. It was clear during the consultation that there was widespread opposition from many in the area to the proposed closure from people associated with The Deanes School. The views of those opposing the closure of the school and prepared to express support for the school by signing a petition are recognised and respected.

**3.320. Comment: There was a lack of discussion with the headteacher and governors of The Deanes School prior to the statutory consultation and the school heard about the proposal via the press**

**Proposer's response:** There had been discussions about organisational matters with The Deanes School over several years. The Council regrets that the school and its community heard about the proposal as a result of a leak to the press.

**3.321. Comment: Why is Mountfitchet School not proposed for closure, given it too has low numbers on roll?**

**Proposer's response:** It is not appropriate in this report to go into detail about another school, beyond noting that there are different geographical and demographic characteristics in different parts of Essex.

**3.322. Comment: The proposal underestimates the likely effect of new housing and its impact on the demand for school places**

**Proposer's response:** All proposed housing development notified by Castle Point, the eleven other district councils and neighbouring local authorities is included in the school place forecasting model. This included the data supplied by Castle Point Borough Council in mid-August 2013.

**3.323. Comment: The proposal does not recognise the value of the Sports Centre, community and out of school activities located at The Deanes School**

The proposer acknowledges the importance of the sports centre and will work to find a local partner to manage the sports centre, which will be retained.

**3.324. Housing may be developed on the site creating additional demand for school places**

**Proposer's response:** When a foundation school closes the ownership of premises on the dissolution of the governing body default to the County Council, or it is for the Secretary of State to determine the future ownership of the land, with a general expectation that it will return to the ownership of the County Council. It is proposed to retain The Deanes School site for future educational use. The Sports Centre will be retained for community use and a suitable partner identified for its on-going management. The Enchanted Wood Day Nursery will continue to operate. The relocation of the Glenwood Special School is still planned. The site would continue to be available for potential mainstream secondary school use if future demand warrants it.

**3.325. Comment: Southend-on-Sea residents are concerned about insufficient access to high quality schools in their area**

**Proposer's response:** Existing pupils from Southend-on-Sea attending The Deanes School will either be offered a place at one of the alternative schools in Castle Point, or will be able to complete their education at The Deanes, depending which year group they are in. The other schools in Castle Point, particularly The King John School, also take pupils from Southend-on-Sea. With the expansion of those schools' published admission numbers and the known demography of the area it is highly likely that places will still be offered to Southend-on-Sea applicants, although no specific guarantee can be given for individual applicants.

The number of pupils from Southend-on-Sea at The Deanes School has declined in recent years, despite the availability of places, suggesting that Southend parents do not find The Deanes School to be as attractive an option as has been suggested. (See also the section in the report about the demand for school places in Southend-on-Sea.)

**3.326. Comment: Other local authorities were not consulted:**

**Proposer's response:** Southend-on-Sea Borough Council is a Unitary Authority responsible for education in its area. It was consulted in the statutory consultation period and received the statutory notice proposing the closure of The Deanes School. A representation has been received and is responded to in this report.

Basildon Council is a district council within Essex. The County Council is responsible for education in the Basildon area. A representation has been received and is responded to in this report.

**3.327. Comment: The Deanes School is viable**

**Proposer's response:** The headteacher and governors of The Deanes School have proposed that the school would be viable if it had a reduced capacity of 600 pupils, rather than its current capacity of 1018. This proposal is predicated on a rebuild at the lower capacity. There would be substantial costs associated with

the construction of a new 600 place secondary school building. Forecast figures show that even at this lower number the school would not be full. The figures used to produce the forecasts for the statutory proposal are those supplied by the Chief Executive of Castle Point Borough Council. The Appleton School and The King John School do not have “endless space”, but they do have capacity to offer places to Castle Point residents, including those in projected new housing.

**3.328. Comment: Current Year 6 pupils whose parents have applied for a place at The Deanes School are not guaranteed to get a place at The Appleton School or The King John School.**

**Proposer’s response:** If the decision is taken to close The Deanes School, preferences for that school will be disregarded and all the other lower preferences will be moved up. So an applicant who had expressed a first preference for The Deanes School would have their second preference treated as first preference instead. The admissions criteria would be applied in the normal way. Applicants who meet the criteria would be offered places. Current data shows that this would include all children in care, all siblings of pupils currently at the school in question and all priority area children. After the first five criteria had been applied, then places would be offered to other applicants using distance as a tie-breaker.

**3.329. Comment: The school would be viable if money was spent on it**

Essex County Council was concerned when the sharp drop in numbers applying for places at The Deanes School became apparent and when forecasts showed that this was likely to continue. This raised questions about the justification for committing to a large capital investment. The proposer takes the view that the need for places at the school needs to be established before deciding to rebuild the school, rather than rebuilding it and hoping that numbers rise at a future date

**3.330. Comment: Concerns about sports facilities and opportunities**

**Proposer’s response:** Whilst the achievements of The Deanes School in the field of sport are recognised, the proposer is confident that the continuing schools also offer high quality sport opportunities. Essex County Council plans to identify a local partner to secure the long term use of the sports centre by the community.

**3.331. Comment: Concerns about the size of the alternative schools:**

**Proposer’s comment:** Essex County Council is confident that the managers and teachers at the continuing schools have the commitment and professional experience to ensure the individual needs of all children are met.

**3.332. Comment: Councillor Gooding is determined to close the school regardless of evidence:**

**Proposer's response:** A number of representations commented about Councillor Gooding's role in the process of considering the closure of The Deanes School. Councillor Gooding has been provided with all the necessary information and advice throughout the process and reached his decision to make a statutory proposal on that basis. The Cabinet has been provided with all the necessary information, including the representations received following the statutory proposal. The decision on the proposal will be taken in accordance with the law and the Council's Constitution taking into account all the relevant evidence

**3.333. Comment: Why give capital money to The Appleton School and The King John School – they are academies?**

**Proposer's response:** Essex County Council has a statutory responsibility to secure places for children resident in its area and to fund those places through 'basic need'. In this context it is appropriate for the Council to support the expansion of the two academies. Legislation gives the Council a specific power to provide funding to academies.

**3.334. Comment: Will a new school have to be built?**

**Proposer's response:** It is not expected that a new school would have to be built in the short or medium term. However, the Council is mindful of that possibility in the longer term which is why it intends to reserve the land for educational purposes.

**3.335. Concern about pupils at Deanes as the closure takes effect**

**Proposer's response:** Essex County Council is confident that interschool cooperation and the professionalism of staff will ensure that remaining pupils at The Deanes will continue to receive a good education throughout the closure process.

**3.336. Have The Appleton School and The King John School agreed to take pupils from The Deanes School?**

**Proposer's response:** Yes.

**3.337. Comment: Planning issues surrounding the expansion of Appleton and King John: will the schools be able to expand their buildings.**

**Proposer's response:** Essex County Council is working with the two schools on detailed plans to enable them to accommodate additional pupils. To some extent this will be achieved through re-modelling of existing accommodation. The Council will work with Castle Point Borough Council to achieve agreed plans and it notes that as it would be funding the developments it has the power to grant planning permission.

**3.338. Comment: Blight – the school is disadvantaged whilst the closure proposal is being considered**

**Proposer's response:** The Council wishes to minimise the uncertainty by ensuring a decision is reached in a timely manner. The process has been conducted as expeditiously as possible in accordance with legally prescribed timescales.

**3.339. Comment: Parental demand – the school would be viable at 120 pupils per year group**

**Proposer's response:** Essex County Council forecasts that numbers will fall well below 120 per year group and less than 600 overall. The parents of only 60 children have given Deanes as their first preference for the last three years.

**3.340. Comment: There will be a shortage of secondary school places in Basildon from 2022**

Even if this is the case this does not mean that The Deanes School would be viable in the short or medium term or that it would be an appropriate solution to meeting demand in Basildon. This issue has been addressed in response to the representation submitted by Basildon Borough Council.

**3.341. Comment: The contribution of BATIC (The Benfleet and Thundersley Interschool Cluster) is not recognised**

**Proposer's response.** The value of inter-school collaboration is recognised, including the work of BATIC. The proposer would encourage BATIC and its constituent members to continue to support collaborative working in the area.

**3.342. Comment: The County Council has always wished to close The Deanes School in order to rebuild Glenwood School and the new ASD (Autistic Spectrum Disorder) school on the site.**

**Proposer's response.** It had always been the County Council's intention to rebuild Glenwood School alongside a rebuilt Deanes. However, as set out in this report the viability of The Deanes has led the Council to reconsider this and propose the school's closure. The Council intends to proceed with the rebuilding of Glenwood School on the site. The County Council has identified a need for more provision for children with ASD in the south of the county and was able to bid to DfE for capital to support this provision. This bid was successful. The Council intended that the provision, as an extension of Glenwood School, could be provided on The Deanes site as part of the rebuilt Deanes / relocated Glenwood project, or alternatively on the current Glenwood School site as a separate annex. The bid for the funding was submitted before a decision was taken to consult on the closure of The Deanes School.

***This concludes the section of the report dealing with the representations regarding the statutory proposal, and the proposer's comments on them.***

## **The proposal being recommended**

3.343. It is recommended that the proposal to close the Deanes School is approved as set out in the recommendations.

## **Timescales going forward**

3.344. If the proposal to close The Deanes School is approved the following timescale will apply:

As soon as practicable:	Parents who have expressed a preference for The Deanes School for children transferring to secondary school at the start of September 2014 will be informed of the decision. Their preference for The Deanes will be deleted and their lower preferences for other schools will be promoted.
1 September 2014	No current Year 6 pupils will be admitted to Year 7 at The Deanes School. Current Year 7 pupils will continue into Year 8 at the Deanes School. Current Year 8 pupils will transfer to The Appleton or The King John Schools to commence Year 9 Current Year 9 pupils will continue into Year 10 at The Deanes School Current Year 10 pupils will continue into Year 11 at the Deanes School. Current Year 11 pupils will graduate to post-16 education (as in previous years) This will leave The Deanes School with pupils in Years 8, 10, and 11.
1 September 2015	Current Year 7 pupils will transfer to either The Appleton or The King John Schools to commence Year 9. Current Year 9 pupils will continue into Year 11 at The Deanes School. Current Year 10 pupils will graduate to post-16 education (as in previous years) This will leave The Deanes School with pupils in Year 11 only.
31 August 2016	The Deanes School will close

## **4. Policy context**



- 4.1 A stated priority of The Essex Vision for 2013-2017 is: *to increase educational achievement and enhance skills.*
- 4.2 The County Council's objective through this proposal is to ensure that young people in the Benfleet area, and across the district as a whole, continue to have access to high quality education provision so as to sustain and increase their opportunities for educational achievement and enhancing their skills to give them greater life chances.
- 4.3 The proposal takes account of the predicted future pupil numbers for the district, including consideration of the latest information on future housing developments and the impact of the closure of The Deanes School. The proposal will create a sustainable solution for secondary schooling across the district by securing resilience in terms of pupil numbers and standards of education. Surplus capacity will be removed and local pupils will be able to access places in high performing schools and have the opportunity to perform better themselves as a result.
- 4.4 One of the priorities of the Lifelong Learning Strategy is to ensure every child goes to a good or outstanding school and has a positive experience during their school years. The Council's view is that this proposal will ensure this remains the case in the Benfleet, Hadleigh and Thundersley area where the decline in pupil numbers and popularity means that the future viability and therefore success of The Deanes School is in serious doubt.

## **5. Financial Implications**

- 5.1 The capital cost of investment up to £4 million in total at The Appleton School and The King John School to enable them to increase their capacities by 30 places a year each can be met from the £11.3 million earmarked in the current capital programme for the rebuilding of The Deanes School, including fees. The remaining £7.3 million will be available to re-allocate to other capital priorities. However, if the Glenwood relocation project proceeds on The Deanes site after The Deanes School closes there will be additional costs currently estimated in the order of up to £2.5million.
- 5.2 Initial feasibility work has been undertaken to determine the extent and estimated cost of building works required at The Appleton and The King John Schools to accommodate pupils transferring from The Deanes School (two cohorts at the end of Year 8 in each of September 2014 and September 2015) and to accommodate an additional 30 pupils a year on an on-going basis from September 2014. Broad indications of cost at this stage show that a total of £4 million will be sufficient.
- 5.3 If the decision is taken to close The Deanes School, the site released will be used for the re-location of The Glenwood School together with the associated ASD provision for 60 pupils. The remainder of the site will be retained for future secondary education provision should that eventually be needed in the longer term. No release of surplus land is required to meet the required capital costs at

the two academies and it is not anticipated that any of the current Deanes site will be sold.

- 5.4 There will be a potential small additional cost to the Home to School Transport budget up to 2018 in connection with the transport of some pupils who transfer to The Appleton School and The King John School as part of the transfer plan. It is not possible to quantify this until parents have expressed their preferences which will not happen until a decision on the closure of the school has been taken. On an on-going basis the overall cost impact of any changed transport arrangements is not expected to be significant.
- 5.5 A detailed package of support will be developed to help the governing body of The Deanes retain staff at the School during the run up to the closure to ensure as far as possible continuity of provision for pupils. There will also be a closure plan put in place which will involve support as needed from other schools. The cost of this package of support will be met from the Council's Growth and Reorganisation Fund (formerly the Opening, Closing and Reorganising Schools Budget) which is funded through Dedicated Schools Grant, across the financial years 2014-15, 2015-16 and 2016-17. The estimated total cost of this support including settling the final closing balance for the school based on the last three secondary school closures is in the order of £1.5m. The Schools Forum has been made aware of this.
- 5.6 Where it has been necessary to close a secondary school in the last few years, the approximate cost of meeting the redundancies that have resulted has been £549,000 (based on average cost of closure of 2 secondary schools). This is met by a budget funded from the Non DSG.
- 5.7 In addition the approximate cost of maintaining an empty building (including rates, security, grounds maintenance, utilities) until re-use or disposal is £160,000 per annum which has to be met from the surplus properties budget. This is in addition to the closing down cost of approximately £60,000 for boarding, drain-down and winterising. However, if a decision is taken to close the school, a decision will need to be made whether to demolish the buildings at a cost of up to £600,000. However, if this is done in conjunction with relocation and building of new premises for Glenwood School this could be reduced to around £300,000. Subsequent decisions in respect of this, identifying the capital funding stream will be needed at the time. If it is decided to demolish the buildings this would not include the sports facilities which would be retained and managed so as to continue to be available to the community.
- 5.8 Once closure is complete, a sum relating to rent and rates (£25,190 for 2013/14) and the lump sum made available to all schools (£150,000) will be released for re-allocation to all secondary schools through the Funding Formula. Any pupil-led funding (AWPU, deprivation, low cost high incidence SEN, and EAL) will follow the pupils.
- 5.9 If The Deanes School does not close there will be a number of condition issues to address in the existing buildings. The precise cost of this liability is unknown but the 2008/9 condition survey identified a total cost of just under £1m.

Alternatively, the cost of building a new 600 place school is estimated at £10.5M. Either of these costs could be contained within the £11.3M identified in the capital programme for the rebuilding of The Deanes.

- 5.10 If the school is not closed and pupil numbers do not increase as significantly or as quickly as suggested by many of the opponents, there would be a significant risk to its financial viability and it may be necessary for the school to request a licensed deficit budget or for the Schools Forum to consider exceptional funding to support the school. Either option would require the school to present a robust and viable recovery plan that would enable the school to achieve a long term balanced budget. If the school remains open and is approved by the Secretary of State to convert to academy status these would become matters for the Education Funding Agency.

## **6. Legal Implications**

- 6.1 Section 15 of the Education and Inspections Act 2006 requires a Local Authority to publish statutory proposals where it is considering discontinuing a maintained school. Section 16 of the Act requires the local authority to consult such people as they feel to be appropriate and to have regard to Guidance published by the Secretary of State, before publishing such proposals. The current Guidance is "Closing a Maintained Mainstream School: A Guide for Local Authorities and Governing Bodies (2010)".
- 6.2 The process for publishing statutory proposals is set out in the School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007. Those Regulations only apply to schools maintained by a local authority and not to Academies which are independent of the local authority.
- 6.3 The Guidance, referred to in 6.1 above, sets out requirements for consultation in paragraphs 1.1 – 1.8. At Stage One the Council is required to consult interested parties and in so doing must have regard to the Secretary of State's guidance. The Council met those requirements as demonstrated in the previous report for the Cabinet Member.
- 6.4 The Guidance, referred to in 6.1 above sets out requirements for Stage 2, Publication, in paragraphs 2.1 – 2.10 and for Stage 3, Representations, in paragraphs 3.1 and 3.2. At Stage 2 the Council is required to publish a statutory notice containing specified information in a local newspaper and to post that notice at the main entrance to the school and some 'other conspicuous place' in the area served by the school. The notice was published in the Echo group of newspapers covering the Castle Point, Southend and Basildon areas on 9 September 2013. A copy was posted at the entrance of The Deanes School and at the entrance of The Appleton and The King John Schools. All Castle Point libraries and Basildon library were sent a copy and asked to publish it. A copy of the notice was also sent to Basildon District Council, Canvey Island Town Council, Southend Borough Council and a number of other interested parties. It was also published on the County Council website.

- 6.5 A copy of the complete proposal was sent to The Deanes School, Southend Local Authority, the Roman Catholic and Church of England Dioceses and the Secretary of State for Education as required.
- 6.6 The King John and The Appleton Schools, as academies, have consulted on their proposal to each increase their planned admission numbers by 30 pupils commencing now in September 2015, absorbing The Deanes priority admission area within their own currently defined priority admission areas from September 2015 and admitting existing Deanes pupils in accordance with the arrangements set out in the consultation document. Both schools have confirmed their commitment to these actions.
- 6.7 All changes proposed at The Appleton and The King John Schools are conditional upon an ultimate decision to discontinue The Deanes School. They are not 'related' proposals as defined by law or referred to in paragraph 2.5 of the Statutory Guidance because the two schools are academies and decisions in relation to those schools are governed by a separate process set out in paragraph 4.10 of the guidance notes.
- 6.8 The Deanes School is a foundation school. The County Council is the 'Decision Maker' following the publication of notices to discontinue the school. The governing body of the school can appeal the County Council's decision to the Independent Schools Adjudicator, via the County Council, within four weeks of the final decision being notified to it.
- 6.9 The Deanes School has applied to the Department for Education to become an Academy but it is understood that this application has not yet been determined as the Department awaits the outcome of this process. If it becomes an Academy then any capital funding for refurbishment, maintenance or rebuild would be provided by the Education Funding Agency through the annual bidding process for academies.
- 6.10 The Deanes School has instructed solicitors to assist with their drafting of their representation to the statutory proposal. In most cases the legal points raised are really claims that the County Council's decision is based on information or assumptions which they feel to be incorrect. We have responded to these points elsewhere in this report
- 6.11 With respect to the linkage between closing The Deanes School and expansion of the two academies, it is clear that The Deanes School cannot be closed unless the Academies each expand by 30 places per year and agree to admit pupils transferred from The Deanes as outlined in this report and the proposals. Both Academies have agreed to do so.

## **7. Staffing and other resource implications**

- 7.1 The Deanes School is a foundation school and as such all relevant staff are employed by the governing body. If a decision is taken to close the school then all employed staff will be at risk of redundancy. The County Council will meet the cost of any redundancies (see paragraph 5.6).

- 7.2 The County Council and other stakeholders are committed to developing strategies to maintain continuity of teaching at The Deanes School in partnership with The Appleton and King John Schools, securing as far as possible on-going employment opportunities for all staff and avoiding as far as possible compulsory redundancies.
- 7.3 As pupil numbers at The Deanes School decline, fewer staff will be required. Some will secure posts at other schools and some may be eligible for retirement. It is likely that some may be offered redundancy at the end of the current school year, or at 31<sup>st</sup> August 2015, or when the school finally closes on 31<sup>st</sup> August 2016. Retirement and redundancy compensation will be available in accordance with the law and Essex County Council policy.
- 7.4 All resources at the school at the time of closure will be offered for re-allocation to other schools, with priority being given to the The Appleton and The King John Schools who will be receiving transferred pupils and expanding in the future. Any income received through this process will be used to offset the closing deficit balance of the school.
- 7.5 As The Deanes School is a foundation school the land and buildings are held by the governing body. In the normal course of events the property would default to the County Council upon any closure. In advance of that, the governing body would need to give permission for any use of the land for the purposes of the proposed relocation and re-building of Glenwood School.

## **8. Equality and Diversity implications**

- 8.1 The proposal involves closing a mainstream 11-16 secondary school with some existing pupils transferring to two nearby 11-18 academies. No minority or vulnerable groups will be disproportionately disadvantaged by this reorganisation. The closing school and the two continuing schools are fully aware of their responsibilities in relation to equality and diversity and have a track record of addressing specific concerns when required. An Equality Impact Assessment is attached.

## **9. Background papers**

- 9.1 Cabinet Member Decision (30th August 2013) Proposal to discontinue The Deane School Thundersley  
[http://cmis.essexcc.gov.uk/essexcmis5/Decisions/tabid/78/ctl/ViewCMIS\\_DecisionDetails/mid/422/Id/5336/Default.aspx](http://cmis.essexcc.gov.uk/essexcmis5/Decisions/tabid/78/ctl/ViewCMIS_DecisionDetails/mid/422/Id/5336/Default.aspx)
- 9.2 Department for Children Schools and Families "Closing a Maintained Mainstream School: A Guide for Local Authorities and Governing Bodies" (last updated on 1<sup>st</sup> February 2010) available on request from Department for Education
- 9.3 The full statutory proposals and supporting papers
- 9.4 All representations to the statutory proposal
- 9.5 Commissioning School Places in Essex 2012/17



# Technical Annex

## A Review of

## The Pupil Forecasting Methodology and

## The Housing Impact Methodology in

## Essex County Council

**Author:** Sean Hayes  
Independent Education Consultant

**About the author:** He is a graduate from Queen's University Belfast, with a BSc (Hons) in Business Administration and Accounting and he holds the Professional Qualification of the Institute of Housing. His career has spanned over 30 years and he has worked as a senior manager of research and statistics teams in local government education departments since 1990. He developed the school roll projection methodology from the outset in one council and has worked on school place planning in three councils in London. He has presented frequently at national education conferences and has a strong publication record. He is a member of the Executive Council of the British Educational Research Association (BERA), a secondary school governor and a fellow of the Royal Society for the Arts (FRSA).

**Date:** October 2013

# **A Review of Essex County Council's Pupil Forecasting and Housing Impact methodologies**

## **Executive Summary**

### **Overall summary**

The overall conclusion from this review is that the Essex pupil forecasting and housing impact methodologies are fit for purpose. They are based on a sound approach, grounded in the right data sources, shared openly with schools, produced at several administrative levels, accurate within their own and nationally recommended parameters and in several aspects they go beyond what would be expected by existing standards for good pupil forecasting.

### **Strengths of the pupil forecasting methodology**

The Essex pupil forecasting model is fit for purpose and it uses a robust and recognisable methodology for making forecasts. It incorporates the core elements of a good forecasting system, including:

- Taking as its basis the historic numbers on roll data.
- The use of GP registrations to augment birth data is a real strength.
- These data on rolls and births are available at a wide range of administrative levels; school, educational phase, District Council, planning group, Essex Quadrant and local authority level.
- This wide range of geographic bases gives the council an invaluable degree of strategic overview at several administrative levels.
- The open sharing of forecasts with schools and the incorporation of feedback from schools and intelligence gathered by school place planning officers.
- The comprehensive and open approach the council takes to accuracy checking.

In several respects the methodology goes beyond what would be expected by existing national standards for good pupil forecasting:

- It uses a good database on the number of children of pre-school age, built up from birth data and GP registrations.
- It has reliable estimates of primary school admissions and transfers to secondary schools.
- The forecasts are shared with individual schools, dioceses, other local authorities and partners, where appropriate, and feedback on the likely accuracy of the forecasts is particularly encouraged from schools.
- The council validates its own forecasts and addresses any deficiencies.

### **Strengths of the housing impact methodology**

The council incorporates in new housing developments in its model and the potential resultant child yield from those developments. The five year housing trajectory figures published by the Local Planning Authorities are used to provide the estimated phasing



of housing developments. The key strengths of the housing impact methodology can be summarised as follows:

- The maintenance of the database of all housing developments, including details of planning applications, within the Pupil Place Planning team is a clear strength.
- The model uses child yield ratios that are in line with national guidance and which tend towards the upper end, making them likely to be relatively generous and the resultant pupil forecasts less likely to be an underestimate.
- The gradual build up of pupils from new housing is modelled through additional factors that produce a staggered effect, which is the most sensible way to account for child yield, because new children do not always materialise at the same time as the new properties are first occupied.

### **The Castle Point District of Essex**

The review had a specific focus to consider the Castle Point district because of the existing proposal to close The Deanes School. The pupil forecasting methodology as applied to Castle Point is no different from that which is applied to the whole of the county.

The school census data for The Deanes School shows that its roll has been declining every year since 2008/09. The numbers on roll dropped from a peak of 1,073 in 2008/09 to 793 in 2012/13, a decrease of 26% in four years. The rate of decrease has also been accelerating over that period from a 4.5% reduction in the first year to a 10.5% reduction in 2012/13. The ratio of Year 6 pupils in the catchment area of the school to the number of pupils who turn up in Year 7 the following September dropped from a high of 104.2% in September 2007 to only 59.6% in September 2012. This is the backdrop against which the pupil forecasts for The Deanes School are being made. It is the opinion of this review that the pupil forecasts for The Deanes School, which suggest that the school roll will not reach 600 (i.e. four forms of entry in every Year group) between 2014/15 and 2019/20 are accurate, based on reliable data from the trends in historic school rolls. This review believes that the apportioning of child yield from new housing developments in the Castle Point area has been done fairly and transparently and in a manner that has been tried and tested over previous years.

### **A review and critique of any relevant external reports**

This review finds that the additional sets of pupil forecasts for The Deanes School being put forward by external parties are not accurate. The following is a summary of why these external projections are likely to be overestimates:

- They inflate the child yield that is likely to emerge in Castle Point and erroneously assume that it can only be accommodated in The Deanes School.
- They add in an error margin of 5.9% which has no justification when one checks Essex's forecasts and the underlying data.
- They build in additional numbers of students from Basildon and Southend to their forecasts for The Deanes School, which ignore what is already happening in the school, i.e. the numbers on roll from Southend are declining and the numbers from Basildon are, at best, standing still.

The review concludes that Essex County Council officers working in school place planning have a very clear and proper understanding of the statistical and mathematical principles underlying their pupil forecast and housing impact methodologies and that their forecasts for schools in the Castle Point District are likely to be accurate.

# **A Review of**

## **The Pupil Forecasting Methodology and**

## **The Housing Impact Methodology in**

### **Essex County Council**

**Author:** Sean Hayes  
Independent Education Consultant

**About the author:** He is a graduate from Queen's University Belfast, with a BSc (Hons) in Business Administration and Accounting and he holds the Professional Qualification of the Institute of Housing. His career has spanned over 30 years and he has worked as a senior manager of research and statistics teams in local government education departments since 1990. He developed the school roll projection methodology from the outset in one council and has worked on school place planning in three councils in London. He has presented frequently at national education conferences and has a strong publication record. He is a member of the Executive Council of the British Educational Research Association (BERA), a secondary school governor and a fellow of the Royal Society for the Arts (FRSA).

**Date:** October 2013

## **A review of the council's pupil forecasting and housing impact methodologies**

### **Pupil forecasting methodology**

The review was carried out over six days which included four days on site in the County Council Offices in Chelmsford and two days working remotely. I had two key meetings with Essex's Data and Intelligence Officer responsible for Pupil Place Planning and subsequent meetings and discussions with other Essex personnel involved in school place planning. A structured questionnaire was used to support the information gathering process and a copy of the questionnaire is at Appendix 1. See Appendix 2 for a list of the Essex personnel who supported this review.

### **Summary of conclusions**

The overall conclusion from this review is that the Essex pupil forecasting and housing impact methodologies are fit for purpose. They are based on a sound approach, grounded in the right data sources, shared openly with schools, produced at several administrative levels, accurate within their own and nationally recommended parameters and in several aspects they go beyond what would be expected by existing standards for good pupil forecasting.

### **Factors that go into the pupil forecasting model**

The model takes as its basis the historic numbers on roll data. These data are available at a wide range of administrative levels; school, educational phase, District Council, Essex Quadrant<sup>1</sup> and local authority level. The school roll and projection data are also split at the primary phase into planning groups below the level of District Council. For example, in the Castle Point District Council area, the data for the primary rolls and pupil forecasts is split into four planning groups: Benfleet, Hadleigh, Thundersley and Canvey Island, while the data on the secondary phase is split into Canvey Island and the rest of the district. This distinction reflects the fact that secondary schools, being larger, generally have larger catchment areas. The model can respond to changes arising as a result of local intelligence picked up by School Organisation Officers and if necessary, planning groups can be changed. The database is refined enough to allow the Data and Intelligence Officer for Pupil Place Planning to map pupils and check patterns of pupil movement within the county and across borough boundaries. This is a significant facility which a system built up from core data on individual pupils allows.

In a large county like Essex, in terms of geographic area and the size of its resident population, the ability to aggregate the roll data at so many administrative levels is an important and valuable facet of the model. Historic numbers on roll are the core data on which pupil forecasts are made. The model includes live birth data from children aged 0 as supplied in the GP registrations with detailed anonymised information at the level of the individual child. The birth data can be broken down to school catchment area and aggregated to district, quadrant and local authority level. This means that patterns in the number of live births (a key determinant of population change) can be studied at

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<sup>1</sup> Essex has 12 District Council areas and these are mapped to four Quadrants; Mid, North East, South and West Essex.

these levels and analysed to ascertain their likely impact on future pupil numbers, giving the council several layers of strategic overview.

The actual pupil forecasting model is maintained in an in-house database which is linked to ACCESS. The GP registrations are matched to primary schools' admissions areas and based on these and the historic rolls, using a flat three year average, the pupil forecasts are made.

The model can take account of the movement of children across the county and between districts, in terms of where they go to school. The model can also factor in pupil movement across local authority borders and the annual report on school places reports on the number of children who do not reside in Essex but who attend state-funded schools within Essex and the number of children who reside in Essex but who attend state-funded schools in other local authorities. The model is sufficiently refined to allow it to take account of other factors such as the popularity of individual schools and their relative success, based on test and examination results.

The model can accommodate input from School Organisation and School Place Planning Officers, who can gather local intelligence through their direct contact with schools. This feedback can be incorporated in the model, where appropriate, between the dissemination of provisional forecasts to schools in May and the dissemination of final forecasts in September. The model is also responsive to significant changes, e.g. above average changes in the birth rate or a rapid drop in an individual school's roll.

The model incorporates all schools, including those that have become academies. The current pattern of school provision in Essex includes a diversity of schools with a religious foundation and background as well as the non-denominational schools established from public funds. The diocesan authorities and the local authority co-operate over planning school places to provide opportunities for parents to express a preference for denominational schools. There is clear evidence that Essex engages with the appropriate range of partners when it undertakes school place planning.

The model does not generally use cohort survival ratios from one year group to the next but it does use cohort survival ratios from the primary phase to the secondary phase, i.e. at secondary transfer between Year 6 and Year 7.

Individual schools get sent pupil forecasts twice a year. The first set of forecasts is based on the numbers of pupils in the January School Census of the year in which the forecasts are being made and these are considered to be provisional. They are sent to schools who are invited to comment on them. Where feedback has been provided by schools this can be taken account of when the final projections are being produced. It is this combination of feedback from schools and local intelligence gathering by school place planning officers that gives, what is broadly speaking a mathematical model, its comprehensive degree of refinement and this enables the model to respond quickly and appropriately to significant changes in pupil numbers whenever and wherever they occur. The schools receive their final forecasts in September each year.

In the Essex County Council document: *Commissioning school places in Essex*<sup>2</sup>, its Appendix 4 explains the council's forecasting methodology very clearly and outlines the approach the council takes to check forecast accuracy. Essex recognises that it is good practice to review the accuracy of previous projections and to use these accuracy checks as a starting point for the production of each new series of projections.

The council applies four types of accuracy checks:

- Accuracy error – the difference between the projection and the actual number of pupils, expressed as a percentage of the actual pupil count.
- Average accuracy error – the average accuracy error taken over all schools. This identifies whether school projections overall are under-projecting or over-projecting pupil numbers. Averages have been taken across all primary and secondary schools, for the whole local authority, and for each district.
- Absolute average accuracy error – the scale of the accuracy error across all schools, ignoring whether they were over-forecasts or under-forecasts.
- Degree of accuracy – the percentage of schools with an accuracy error within 3%, 5% or 10%.

This is a comprehensive approach to accuracy checking, that is vital in terms of validating the underlying methodology and the recalibration of future forecasts in response to any old forecasts that proved not to be accurate, i.e. not within acceptable numeric and percentage limits.

The council does not apply tolerance levels to its pupil forecasts, e.g. +/- X% to either side of the actual projections, other than the standard Audit Commission measure that one year ahead forecasts should differ from the actual numbers by no more than one percentage point above or below. However, its approach to accuracy checking means that it is constantly striving to ensure that its forecasts are within acceptable tolerances. This approach reinforces the robustness of the forecasting model both in general and as a valid instrument moving forward.

## **Housing impact methodology**

Essex County Council builds in new housing developments to its model and the potential resultant child yield from those developments.

The five year housing trajectory figures published by the Local Planning Authorities in their Annual Housing Monitoring Reports are used to provide the estimated phasing of housing developments. It must be recognised, however, that the actual developments and the rate at which new houses are built depends on a mixture of economic and social factors. House builders may prove unwilling to develop all the sites identified and may likewise apply for permission to construct dwellings on alternative pieces of land.

A detailed database of all housing developments planned within schools' catchment areas has been built up by the Pupil Place Planning team and is used to estimate the mix of houses and flats in a development. Together with the five year housing trajectory figures, these are used to generate projections of new housing by catchment area.

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<sup>2</sup> See Appendix 3 for a list of references used in this report

Having the management of this database within the Pupil Place Planning team is a key strength and an advantage more likely to be associated with large county councils like Essex rather than smaller local authorities, which might not have the same level of resource.

The likely number of pupils that will move into a development and require an additional place at the local school is calculated using different factors for houses and flats. These are multiplied by the forecast number of new dwellings to estimate the number of pupils that will be produced by a particular development overall. One bed-roomed units and certain other types of dwellings (e.g. studio flats, student accommodation and sheltered housing) that are unlikely to house children are discounted from the calculation. Other new housing that is replacing existing stock with stock of a similar quantity and size will also be discounted.

The factors currently used are for primary pupils 0.3 additional pupils per new house and 0.15 additional pupils per new flat and for secondary pupils 0.2 additional pupils per new house and 0.1 additional pupils per new flat. These ratios are also at the upper end of the Department for Education's estimates for child yield and therefore are unlikely to underestimate the number of children emerging from new housing developments. The advantages of these factors are that they are simple to understand and easy to apply. For Essex the factors used are likely to be the most appropriate because they have been tried and tested and shown to be broadly accurate based on the child yield from previous new housing developments.

The gradual build up of pupils from new housing over a number of years is modelled through additional factors that produce a staggered effect rather than the full pupil product being added in from the first year that the new housing is occupied. This is a very important aspect of Essex's housing impact methodology because it recognises the actuality of child yield, which is that it does not all materialise as soon as the new housing is occupied. By way of an example, pre-school age children will only enter primary school reception classes in the year when they turn five years old and children of primary school age will only enter secondary school in the year when they turn eleven. In addition, in terms of more general patterns of internal migration; families moving home and into new developments are much more likely to move when the children are young than when they are of school age, particularly secondary school age.

For longer range pupil forecasting it will be necessary to include housing development data from beyond the five year housing trajectory figures. This is where additional caution needs to be exercised. Although the housing data may be broadly reliable in the short term; i.e. 0 to 5 years, the housing data will be less reliable in the medium term; i.e. 5 to 10 years, and the housing data in the long term; i.e. 10 to 15 years, is quite often largely conjecture. The level of new build cited that far into the future can sometimes be a significant overestimate and what actually gets built may often be very different from what was put forward for approval 10 to 15 years earlier. Essex County Council is sensitive to these issues and through its planning database aims to have the most accurate data on new housing developments available to it.

## **Observations on the pupil forecasting and housing impact methodology**

The Essex pupil forecasting model is fit for purpose and it uses a robust and recognisable methodology for making forecasts. In several respects the approach goes beyond what would be expected by existing national standards for good pupil forecasting, including:

- The use of GP registrations to augment birth data;
- The wide range of geographic bases that the forecasts are produced at, giving the council a strategic overview at several administrative levels;
- The open sharing of forecasts with schools and incorporation of feedback from schools and intelligence gathered by school place planning officers; and
- The comprehensive and open approach that it takes to accuracy checking.

In relation to other external benchmarks, the Essex pupil forecasting model meets, and often exceeds, the criteria that the Audit Commission would expect from a good pupil forecasting system. It uses a good database on the number of children of pre-school age, built up from live birth data and GP registrations. It has reliable estimates of primary school admissions and transfers to secondary schools (both of which are produced at school and a range of other administrative levels). It has good intelligence on new housing developments and their likely impact on pupil numbers. It produces accurate forecasts of total primary and secondary numbers on roll.

In terms of the Audit Commission's criteria on sharing and validation, the forecasts are shared with individual schools, dioceses, other local authorities and partners, where appropriate. Feedback on the likely accuracy of the forecasts is encouraged from schools, dioceses and other local authorities and Essex validates its own forecasts and addresses any deficiencies.

The strengths of the housing impact methodology can be summarised as follows:

- The management and maintenance of the database of all housing developments, including details of planning applications, within the Pupil Place Planning team is a clear strength, enabling the team to access the most up-to-date information and to build it into the pupil forecasting model, based on the most accurate assessment of the new housing data available.
- This also means that the Place Planning Team is less reliant on information sourced second hand from planners and developers or, in the case of planners, on having to access their databases.
- The gradual build up of pupils from new housing over a number of years is modelled through additional factors that produce a staggered effect, which is the most sensible way to account for child yield, because new children do not always materialise at the same time as the new properties are first occupied.

## **Suggestions for Essex to consider**

In the course of this review it has become clear that the pupil forecasting and housing impact methodologies employed by Essex County Council are very robust and fit for purpose. Against that very secure backdrop the reviewer wants to make a few suggestions that Essex might wish to consider with regard to school place planning



moving forward. These are only suggestions for consideration and are not intended to be critical of what is a robust process.

- To introduce year group on year group cohort survival ratios based on trends over the preceding years.
- To continue to produce two sets of pupil forecasts each year but to try and not exceed that number unless there are exceptional reasons for doing so.
- To ensure that published school roll forecasts in public documents are consistent, e.g. across the Commissioning School Places document and any other decision reports on school organisation.

### **A review of Pupil Forecasting and Housing Impact Methodology in relation to Castle Point District of Essex**

As part of this review, Essex County Council specifically wanted part of the review to focus on the Castle Point district because of the existing proposal to close The Deanes School, which is one of three secondary schools in the Benfleet area of Castle Point, while there are two other secondary schools in Castle Point, located in Canvey Island.

The pupil forecasting methodology as applied to Castle Point is no different from that which is applied to the whole of the county and this holds true at individual school and district level. The three schools in the Benfleet area of Castle Point are The Deanes School, The Appleton School and The King John School. The school census data for The Appleton School and The King John School shows that they are almost always full to capacity in every year group, which means that the pupil forecasts for these schools suggest that they will be full, or very close to full, in years 7 to 11, for the next seven years. However, the school census data for The Deanes School shows that its number of pupils on roll has been declining every year since 2008/09. The numbers on roll dropped from a peak of 1,073 in 2008/09 to 793 in 2012/13, a decrease of 26% in four years. The rate of decrease has also been accelerating over that period from a 4.5% reduction in the first year to a 10.5% reduction in 2012/13. The ratio of Year 6 pupils in the catchment area of the school to the number of pupils who turn up in Year 7 the following September dropped from a high of 104.2% in September 2007 to only 59.6% in September 2012. This is the backdrop against which the pupil forecasts for The Deanes School are being made.

In relation to the Castle Point District and The Deanes School, Essex County Council has been completely fair and possibly relatively generous in the level of new housing developments that it has factored into the housing impact model and therefore into its pupil forecasting model. It is important to acknowledge that Essex's child yield ratios for secondary age children from new housing are at the upper end of nationally recommended guidance and there is also within the guidelines a cautionary note about over estimating the number of additional children materialising from new housing developments. It is the opinion of this review that the pupil forecasts for The Deanes School which suggest that the school roll will not reach 600 between 2014/15 and 2019/20 are accurate, based on reliable data from historic school rolls; which dropped from 886 in 2011/12 to 793 in 2012/13, down 10.5% in one year; the ratio between Year 6 catchment area numbers and admissions to Year 7, down to 59.6% in September 2012 and even with the factoring in of future child yield from housing developments.

There has been some confusion in the wider community about how the child yield from new housing developments gets apportioned in the pupil forecasting modelling process. However, it is the opinion of this review that it is done fairly and transparently and in a manner that has been tried and tested over previous years. The one aspect of the process that the wider public might not grasp so easily is that of staggering the child yield so that it is not all added to the projections in the year that the houses are built and occupied.

In an effort to find a way of externally validating the impact of new housing developments on pupil forecasting in the Castle Point area, the reviewer has taken the data from the housing trajectory and modelled it using the child yield factors from the Greater London Authority (GLA)<sup>3</sup>. The child yield factors and tables used by the GLA are included for information at Appendix 4.

To enable the Castle Point housing data to be put through the GLA child yield model certain assumptions had to be made about the data; this is because the GLA model distinguishes between market and social housing and the number of bedrooms per unit. The child yield calculations exclude the housing on Canvey Island. The following lists these assumptions:

1. The housing data had to be split between market and affordable/social and a 90% market, 10% affordable/social was assumed.
2. The number of bedrooms had to be assumed and for houses the split was 20% 2 bed, 60% 3 bed and 20% 4 bed. For flats the split was 40% 2 bed and 60% 3 bed.

**Table 1: The child yield emanating from the GLA model by secondary age group over 15 years based on the two assumptions above**

Number of children in each time period	Age in years					Total
	11	12	13	14	15	
<b>0 – 5 Years</b>	20	20	20	20	20	<b>100</b>
<b>5 – 10 Years</b>	27	27	27	27	27	<b>137</b>
<b>10 – 15 Years</b>	35	35	35	35	35	<b>177</b>

What the GLA model shows is that the child yield would be 100 children of secondary age in the first 5 years; 137 in years 5 to 10 and 177 in years 10 to 15. The Essex child yield model gives the following child yield: 126 children of secondary age in the first 5 years; 172 in years 5 to 10 and 220 in years 10 to 15. What one can conclude from this is that the Essex child yield ratios are more generous from those emanating from a different model. It is also important to repeat that Essex factors in new children on a staggered basis because it recognises the actuality of child yield, which is that it does not all materialise as soon as the new housing is occupied.

<sup>3</sup> The Greater London Authority child yield factors have been chosen, not because they are intrinsically better than any other factors but because they are readily available and have been tested over many years in the London context. The GLA recognises that no one set of child yield factors is going to be perfect and they keep theirs under regular review. Their use in this report is in no way intended to promote them over those factors used by Essex.

## **Suggestions for Essex to consider**

Any significant change in school organisation, such as the closure of a school is likely to encounter opposition from some quarters and being a complex and difficult process for all concerned there are sometimes lessons to be learned from having gone through that process. The reviewer wants to make some observations that Essex might wish to consider with regard to school place planning and school organisation moving forward. These are only observations for consideration and are not intended to be critical of what is a robust process.

- One issue emerging from the school place planning activity around the potential closure of The Deanes School is that there have been too many sets of forecasts produced for the Castle Point District and more specifically for The Deanes School itself.
- This is something that Essex can manage more carefully and reflect on in relation to future significant changes to school organisation. As suggested above, it might be best to only produce a maximum of two sets of projections per year, except in exceptional circumstances.
- Access to good quality detailed information on new housing developments is an important part of the whole forecasting process and with that in mind Essex County Council might want to ensure that its relationships with District Councils, (which one assumes are generally very good), are such that they can rely on getting the best and most up-to-date housing development data from them.
- Ensuring that the county continues to get accurate and timely housing development data from Castle Point District Council is important moving forward.
- Finding a clear and concise form of words to explain the staggering of child yield in the modelling process, to a wider public, would be advantageous moving forward.

## **A review and critique of any relevant external reports**

This section reviews three external items, which are summarised as follows:

Item 1 – Mr Wright's report of 18 September 2013

Item 2 – Mr Wright's 12 items of evidence

Item 3 – Professor Reeves' report (September 2013)

### **A review of Mr Wright's report of 18 September 2013**

The Wright report provides a series of challenges to Essex County Council, although the narrative thread is sometimes hard to follow and the style of writing is both emotive and subjective regarding Essex County Council and its officers. However, the reviewer acknowledges that it has to be given due consideration. The report works through several versions of forecasts for The Deanes School, including those produced by Essex and counter forecasts produced by Mr Wright. Mr Wright's forecast at Stage 1 and Stage 2, which both include the addition (but not subtraction) of a 5.9% error margin lead to numbers that are in excess of any of the more realistic and grounded forecasts produced by Essex. The forecasts in Stage 5, attributed to Mrs Allport Hodge, are well in excess of Essex's forecast and are identified as including "the wider ramifications of new dwellings". This does not mean that they are somehow more accurate or have any greater validity. Essex County Council, as this review has already established, has been incorporating the impact of housing developments to the forecasts for The Deanes School in the proper tried and tested manner.

The revised forecasts (Stage 6, on Page 10) appear to be very unrealistic, as they make some very broad and tenuous assumptions. The 'Impact of New Builds' column of additional numbers from child yield seems to be too high, compared to what Essex's model would forecast and there are no clear grounds for adding this on to Mr Wright's forecasts, which themselves are his own forecasts from his Stage 1 table on Page 4 and which by his own labelling already include the addition of a 5.9% error margin. Mr Wright builds in a child yield for The Deanes School which after 10 years, i.e. by 2022/23, has risen to 297. This figure is at the upper limits of the potential child yield in the Castle Point mainland area and there is no allowance that over the coming years some of those children might end up in the other two schools in the area or even in school outside the area.

There are additions being made upon additions, without any recognition that there could be double counting. Then, after adding the impact of new building, he adds an amount for the average intake from Basildon and Southend. The average intake from Basildon and Southend starts from a position of zero in 2013/14, even though there are Basildon and Southend resident students on the roll of the school already. It then assumes that there will be an intake from Basildon and Southend of 65 students per year giving a cumulative total increase from Basildon and Southend of 325 students over 5 years, plus a further 3% addition to reflect general population growth in Basildon and Southend. The additional 325 students from Basildon and Southend are then assumed to be a constant for the next 5 years, although no basis for this is given. The reviewer's observation about this is that there are students from Basildon and Southend on the roll

of The Deanes School already and the numbers on roll from Southend are declining and the numbers from Basildon are, at best, standing still. To suggest that these will rise to an additional 325 is not logical and is counter to what is actually happening to the demographic profile of the current school population. Mr Wright then adds another error factor of 5% to his forecast, with no acknowledgement that he has already added a 5.9% error margin. Finally he makes a 5% reduction to his forecasts to somehow account for The Deanes School rebuild. The rationale for this final reduction was hard to follow. However the end position from these forecasts was that the school roll would rise to over 1,300 by 2022/23. This is so far out of kilter with the current school roll, which is declining rapidly and in all likelihood is unlikely to even be sustained at 600 or more from 2014/15 onwards, based on the best information available to Essex County Council. The methodological approach being adopted by Mr Wright shows no understanding of the admissions process and how pupils in Castle Point would actually be allocated places at secondary schools. There is an assumption that additional pupils could only be admitted to places at The Deanes School, when in fact, they could be admitted to all three schools. The effect in the future could be to decrease the number of places available under criterion 6 in the various admission policies, i.e. other pupils with distance as the tie-breaker.

## A summary of the 12 evidences with commentary by the reviewer

Mr Wright references 12 pieces of evidence that he has used in making his case to save The Deanes School. These are considered in turn below, with comments from the reviewer on each. Please note that the text in boxes in this section have been cut and pasted from the evidences, wherever it was helpful to do so, to support the reviewer in his observations.

### Evidence 1

Forecast method – Castle Point Secondary Schools – Spring 2012/13 Batch initial data and factors.

**Reviewer's comment:** This is a straightforward description of the pupil forecasting methodology as applied to the Castle Point secondary schools, including a description of how child yield from new housing is built into the model.

### Evidence 2

This describes the action needed to be taken by the other 2 schools to increase their admission numbers to accommodate pupils from The Deanes School during its phased closure. The extract below shows how The Deanes School roll will drop in 2013/14 as the result of the large Year 11 cohort leaving the school, to be replaced by a much smaller Year 6 in September 2013.

The number of children at the school at the time of the census in January 2013 was as follows:

Year 7	Year 8	Year 9	Year 10	Year 11	Total
119	117	165	175	217	793

At the time of preparing this consultation document the intake for Year 7 in September 2013 is expected to be 74, of whom 6 have a statement of special educational needs. With 217 pupils leaving the school in July 2013 and 74 pupils joining in September 2013 the total roll drops by 143 to 650.

The document then provides a straightforward description of the pupil forecasting methodology as applied to The Deanes School and the forecast shows a declining roll for the next four years, with numbers never as high as the January 2013 position.

**Reviewer's comment:** This document confirms that the removal of 217 Year 11 pupils to be replaced by 74 new Year 7 entrants would result in a significant reduction in the school roll in September 2013.

### Evidence 3

This shows the declining number of admissions to The Deanes School and the corresponding decline in the numbers who are from the school's catchment area.

The figures above show that in 2011, 55 places were required for children local to the three schools, in 2012 it was 58 and for 2013 it is 29.
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This document also shows the projected budget deficit for the school, which is expected to rise to unprecedented levels over the next five years against a backdrop of falling numbers.

2013 -14	2014-15	2015-16	2016-17	2017-18
208,090	652,908	973,455	1,396,255	1,947,008

The King John School and The Appleton School both admit students from Canvey and Basildon and both the Canvey and Basildon areas are forecast to have surplus capacity for the immediate and mid-term future.

**Reviewer's comment:** This document confirms the increasingly unsustainable budget deficit position at The Deanes School if it was to remain open in a period of declining pupil numbers.

### Evidence 4

This is an Excel spreadsheet with projected year 7 numbers for the five secondary schools in Castle Point. Year 7 projections for The Deanes School are at 73 for September 2013 and are projected at a level way below PAN (180) every year through to 2023. First preferences for The Deanes School for September 2013 were 56, fewer than 1/3<sup>rd</sup> of the school's PAN. The table also shows an underlying trend of decreasing GP registrations and decreasing reception numbers in the area.

**Reviewer's comment:** These demographic data do not support the case for keeping the school open.

### Evidence 5

Two pages from Commissioning School Places in Essex 2012 – 2017

- (1) Published forecasts from 2012/13 to 2016/17 for Castle Point, split by Benfleet and Canvey Island. These are the forecasts from one year before the statutory notice to close The Deanes School.
- (2) The housing development data for Castle Point district as at 2012. In this data the 5 year trajectory included a total of 381 units, of which 348 were deemed to be qualifying units. Of the 348, 53 were in Canvey and 295 were in the rest of Castle Point, i.e. in Benfleet and Hadleigh. Although this is from the stated position in 2012, if the housing trajectory was maintained at this level in 2013, it would give an average of 59 units per year over the next 5 years

**Reviewer's comment:** The first of these is a historic position from 2012. The second is a version of the housing development five year trajectory for Castle Point district as at 2012. If anything the number of housing units in the trajectory, 381, is well below the most recent numbers reported in October 2013. A 5 year trajectory of 381 units would not yield near enough new secondary age school children to make The Deanes School sustainable going forward in a period when roll numbers are falling. Essex has actually put in 698 housing units for the mainland area of Castle Point and 167 units for Canvey Island for five years and this level of new developments would still not produce a high enough child yield to sustain 600 on roll at The Deanes School moving forward, i.e. the school would not be able to sustain four forms of entry, which is 120 pupils in each year group.

## Evidence 6

This is an Excel spreadsheet with Essex forecasts for The Deanes School and a series of forecasts calculated by Mr Wright. Mr Wright takes the housing adjustment from Evidence 4 and multiplies it by 5 to cover all 5 year groups. He then allocates all of this to The Deanes School, less 25% that has been identified as being in Canvey Island. Mr Wright makes an assumption that there is an underestimate of 5.9% ( $996-937 = 59 = 5.9\%$ ) in the numbers forecast for The Deanes School and then adds 5.9% onto his forecasts, giving a new set of forecasts. The 937 is from the District calculation working sheet and is part of the background information in Essex's forecasting model but it is not the actual forecast of pupil numbers. Mr Wright's notes state that "for the September 2013 entry, the ECC predicted 937 Castle Point children" for admission to the three Castle Point schools. However, the set of Essex forecasts called: "*Secondary Schools by Forecast Group: 2012/13 NOR and Seven Year Forecasts - Forecast Batch 2012/13 Spr*" (produced on 21 May 2103) shows the projected September 2013 entry as being 996. In terms of the modelling process the 937 has been superseded by more up-to-date information on the demand for places in Castle Point, which has been used to inform the forecasts.

**Reviewer's comment:** The Essex forecasts referenced above (996 pupils forecast to be in Year 7 in the three Castle Point secondary schools in September 2013) and local knowledge indicates that there is no need to add a forecasting error margin of 5.9%. The annual accuracy checks for Essex's overall school roll projections are based on a 1% error margin, i.e. within +/- 1%. Essex council's use of a range of annual accuracy checks and



the adoption from national guidance of appropriate accuracy levels are key features of an effective pupil forecasting model.

#### **Evidence 7**

This item reports the child yield of secondary age pupils that Essex factors into its forecasting model, i.e. 2 new children from every 10 new houses and 1 from every 10 new flats. The gradual build-up of pupils from new housing over a number of years is modelled through additional factors that produce a staggered effect rather than the full pupil product from a development being added in the first year of a new development.

**Reviewer's comment:** The staggered effect that results from gradually building up the pupils from new housing developments is a very sensible one.

#### **Evidence 8**

This is a FOI request for information on the potential sixth form expansion at King John School and for projected roll numbers at King John School and Appleton School, should the closure of The Deanes School go ahead.

**Reviewer's comment:** This is a copy of Essex's response to the FOI request.

#### **Evidence 9**

No record of Evidence number 9 has been found.

#### **Evidence 10**

Evidence 10 is a copy of Mr Ranby's letter to Mr W.

**Reviewer's comment:** The letter provides a fair rebuttal of Mr Wright's arguments regarding pupil forecasts and the likely impact of new housing developments.

#### **Evidence 11**

No record of Evidence number 11 has been found

#### **Evidence 12**

This is an Excel spreadsheet with Essex forecasts for The Deanes School and a series of forecasts calculated by Mr W. His forecasts add in a child yield based on 75% of new houses being built in Canvey Island and 25% in Castle point. However, from 2019/20 onwards although it states 75% of new builds are on Canvey, the remaining housing adjustment for Castle Point is much higher than 25%.

**Reviewer's comment:** There appears to be some confusion about the split of the new housing developments between Canvey Island and Benfleet but in any case Mr Wright

comes up with forecasts well in excess of those produced by Essex, although some significant way short of the forecast of over 1,300 from Stage 6 of his report. Nonetheless the forecasts in Evidence 12 still include a cumulative 5.9% error margin which makes the forecasts seem very unlikely, (see: Reviewer's Comments in response to Evidence 6).

### **A review of Professor Reeves' report (Sept 2013)**

Professor Reeves' report begins with a largely non-challenging and non-controversial mathematical explanation of the Essex forecasting model and he acknowledges that forecasting errors can be rectified, as forecasts can always be updated.

He quotes national DfE guidelines for the impact of new housing on child yield, stating that the number of new secondary school children emanating from new housing would be between 16 and 40 per 1,000, in each year group. On this basis, that would give five times this number for an 11 to 16 school, i.e. between 80 and 200 children per 1,000 new dwellings. The Essex child ratio from new houses is 200 per 1,000, which is at the upper end of these national guidelines and 100 per 1,000 for flats. Therefore, Essex is not underestimating the likely impact on child yield from new housing developments. If anything, Essex is being generous in its child yield modelling. Professor Reeves' inference that Essex should apply its ratio to each year group is incorrect. To put it more clearly, 40 children per year group per 1,000 houses is the same as 0.2 per house across five year groups. The assumption by the professor that new children emerging from the new housing could only go to The Deanes School does not stand up to scrutiny. If the new children from new housing live within the catchment areas of The Appleton School or The King John School, then they should be admitted under this criterion, which is second in The Appleton School's admission policy and third in The King John Schools admission policy ahead of children who live further away, e.g. in Basildon or Southend.

The professor concludes by agreeing with Mr Wright that Essex County Council staff were incompetent and that the statistical and mathematical principles underlying the forecasts are still not properly understood. The reviewer concludes that he can find no evidence that Essex County Council officers were incompetent. Essex County Council officers working in school place planning have a very clear and proper understanding of the statistical and mathematical principles underlying their pupil forecast and housing impact methodologies and that their forecasts for schools in the Castle Point District are likely to be accurate.

## **Appendix 1**

### **Questions used to Review Essex County Council's Pupil Forecasting Methodology and Housing Impact Methodology**

This questionnaire was used to review the efficacy of the council's pupil forecasting methodology and housing impact methodology.

1. What factors go into the pupil forecasting model?
  - What is the full list of factors?
  - Are historic roll numbers the key factor?
  - Does the model include numbers of live births?
  - Does it use cohort survival ratios?
  - Does it build in population data? E.g. ONS population estimates from the 2011 census?
  - Does it take account of cross border pupil movement?
  - Does it build in birth projections? If yes, are these split by district/planning area?
2. What geographies or planning areas are used?
  - Are they different for different phases?
  - How frequently are projections updated? E.g. is it 2 or 3 times a year?
  - Is frequency used the most appropriate?
3. Does it compare actual school rolls against net capacity and/or PANs?
4. Is the accuracy of the model tested every year?
  - At what level? E.g. school, planning area, other level, LA
5. Does the model have tolerance limits? E.g. +/- X%
6. How flexible is the model, in terms of responding to significant changes?
7. Which LA sections/officers have input into the model, if any?
  - If yes, is this part of the process of fine tuning the projections?
8. Does the model factor in the relative success of schools based on parental perception, results and Ofsted inspection judgements?
9. What detail goes into your child yield calculations?
  - **Tenure:** market, intermediate, social/affordable
  - **Type:** Flats or houses

- **Size:** Number of bedrooms
  - **Location:** Urban or rural
  - Replacement or additional stock
10. Do you only include housing developments with approval or also those that are likely to be approved and built or everything in the housing trajectory?
11. How is the child yield apportioned, over time and geographically?

### **Supplementary questions**

Can I have access to the historic school roll and admission data for the three secondary schools in Castle Point?

Can I have access to the recent roll projections for the three secondary schools in Castle Point, to pull all of them together, so that we have all of the data in one place if we have to counter any external challenges?

## **Appendix 2**

### **Essex County Council Contacts**

Several Essex County Council Officers provided invaluable assistance with this review. They were particularly helpful in terms of giving up their time for meetings and discussions about pupil forecasting in the county and in the provision of information and access to files and databases to inform this review.

These officers are:

Graham Ranby – Lead Strategic Commissioner, Planning & Provision

Neil Keylock – Pupil Place Planning Manager

Ruth Woodman – Data and Intelligence Officer for Pupil Place Planning

Andrew Hind – Lead Officer for School Organisation

Ken Donald – Pupil Place Planning Support Officer

## **Appendix 3**

### **Bibliography**

Essex County Council. (2012). *Commissioning school places in Essex*. (UK)

Department for Education. (2006). *Pupil Projection Guide*. (UK)

The Audit Commission. (1996 and updated in 2002). *Trading Places: A Management Handbook on the Supply and Allocation of School Places*. (UK)

## Appendix 4

### An Example of the Greater London Authority (GLA) Child Yield Ratios<sup>4</sup>

Child yield ratios for affordable housing – flats						
Age of children	Number of Bedrooms					
	0	1	2	3	4	5+
0 to 4	0.00	0.20	0.64	0.62	0.41	0.57
5 to 10	0.00	0.00	0.23	0.74	1.22	1.66
11 to 15	0.00	0.00	0.08	0.47	1.29	1.76
16 to 18	0.00	0.00	0.05	0.17	0.37	0.51
<b>Total</b>	0.00	0.20	1.00	2.00	3.29	4.50

Child yield ratios for intermediate / market housing – flats						
Age of children	Number of Bedrooms					
	0	1	2	3	4	5+
0 to 4	0.00	0.00	0.07	0.17	0.00	0.00
5 to 10	0.00	0.00	0.02	0.11	0.00	0.00
11 to 15	0.00	0.00	0.01	0.03	0.00	0.00
16 to 18	0.01	0.01	0.01	0.02	0.00	0.00
<b>Total</b>	0.01	0.01	0.10	0.33	0.00	0.00

Child yield ratios for affordable housing – houses						
Age of children	Number of Bedrooms					
	0	1	2	3	4	5+
0 to 4	0.20	0.64	0.62	0.41	0.41	0.57
5 to 10	0.00	0.23	0.74	1.22	1.22	1.66
11 to 15	0.00	0.08	0.47	1.29	1.29	1.76
16 to 18	0.00	0.05	0.17	0.37	0.37	0.51
<b>Total</b>	0.20	1.00	2.00	3.29	3.29	4.50

Child yield ratios for intermediate / market housing – houses						
Age of children	Number of Bedrooms					
	0	1	2	3	4	5+
0 to 4	0.17	0.17	0.08	0.29	0.63	0.36
5 to 10	0.00	0.00	0.03	0.10	0.31	0.58
11 to 15	0.00	0.00	0.01	0.05	0.13	0.25

<sup>4</sup> These have been included by kind permission of the Greater London Authority (GLA).

16 to 18	0.00	0.00	0.01	0.01	0.04	0.17
<b>Total</b>	0.17	0.17	0.12	0.45	1.10	1.36

