

**Cabinet**

**13 March 2019**

**Review of School Provision – Wolsingham School & Sixth Form: Future options for education in the Weardale community**



**Key Decision No.**

**CYPS/03/2018**

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**Report of Corporate Management Team**

**Margaret Whellans, Corporate Director of Children and Young People's Services**

**Councillor Olwyn Gunn, Portfolio Holder for Children and Young People's Services**

**John Hewitt, Corporate Director of Resources**

**Councillor Alan Napier, Portfolio Holder for Finance**

**Electoral division(s) affected:**

Weardale, Tow Law

**Purpose of the Report**

- 1 This report provides Cabinet with details of the work that has been undertaken as part of the review of education provision in County Durham which was agreed by Cabinet on 15 November 2017.
- 2 The report makes recommendations in relation to Wolsingham School and Sixth Form, which could affect other schools and education provision in general in the wider Weardale area.

**Executive summary**

- 3 Wolsingham School is a relatively small secondary school in rural Weardale. The report outlines the funding challenges that all schools face which are particularly pronounced for schools in rural settings which have fewer than 600 pupils (the Department for Education threshold for viability), which would include Wolsingham School.

- 4 The school was refurbished in 2016 at a cost of £7.4 million to remove the split-site and to address significant condition issues, which had been exacerbated by the delay and ultimate withdrawal of the Building Schools for the Future Programme. The school currently has an estimated deficit balance at 31/3/19 of £1.7m
- 5 While pupil numbers are increasing (with the school set to have admission requests exceeding its Published Admission Number (PAN) in 2019 through attracting pupils from outside the Pupil Planning area)) and while actions are being taken by the leaders of the school to reduce expenditure, further steps are required to ensure the school is able to repay the accumulated deficit.
- 6 The new Head Teacher (appointed in September 2018) is working with his governing body to explore all options to address the accumulated deficit. Importantly this includes actions to bring the school into an “in year” balanced position by 2021/22 which is essential given the current unsustainable financial position of the school.
- 7 Cabinet is asked to note that schools can only set a budget with an in-year deficit, providing that they have sufficient surplus balance (reserves) carried forward to do so. Where this is not the case (i.e. its carried forward reserves are less than the amount required to off-set the in-year deficit), a school must have permission from the s.151 Officer. The S151 Officer has to have evidence that a deficit recovery plan is in place. .
- 8 The respective duties and responsibilities of schools and local authorities are determined by local schemes of delegation, prepared in line with statutory guidance.
- 9 The scheme of delegation allows for deficit budgets, but only for three years, and no more than 20% of the school’s budget share, up to a maximum of £750,000. Wolsingham School & Sixth Form is in breach of this requirement and has been given permission to operate outside the scheme of delegation whilst the outcome of the National Funding Formula was determined and to enable the wider review of school provision to be completed. This balanced approach is in the best educational interests of the children that attend the school, however action does need to be taken as the setting of on-going deficit budgets and the legacy deficit balance need to be addressed. .
- 10 Had the Council insisted on Wolsingham School & Sixth Form balancing its budget, it is probable that as many as 10 teaching posts would need to be removed from the current staffing structure.. If such action had been required, the school would not have been able to fulfil its GCSE National Curriculum commitments. This would inevitably have resulted

in a reduction in educational attainment, accelerated reductions in pupil numbers and ultimately difficulties in terms of the school's Ofsted rating, which in turn would have led to a worsening of its financial difficulties at a time when an area wide review was being undertaken...

- 11 Despite some restructuring and actions taken to reduce expenditure within the school, a precarious financial position remains. The school will need to set an "in-year" deficit budget again in 2019/20 at which point the estimated accumulated deficit at 31 March 2019 will be circa £1.7 million. There is therefore an urgent need for a sustainable long term solution to be agreed. The new school leadership has committed to completing due diligence on options that will address this position by 31 July 2019.
- 12 In addition to providing details of the current and potential future position of Wolsingham School and Sixth Form. The report outlines the steps taken since Cabinet agreed to a strategic countywide review of educational provision in November 2017, including consultation and discussion undertaken with school leaders and governors from Weardale's primary schools, as well as with the secondary school.
- 13 The report details the budget position of schools, staffing, actual and projected pupil numbers, and related factors that affect options available to secure a sustainable and good quality educational provision in Weardale.
- 14 The report outlines the thorough consideration of all options and the viability of each for further consideration either by the Council or by the schools and their communities. This leads to a conclusion that there are only two real long term sustainable solutions to the issues relating to the financial viability of Wolsingham School & Sixth Form:
  - (a) the creation of a Federation of several schools with pooled resources, or
  - (b) Wolsingham School & Sixth Form becoming part of a Multi Academy Trust (MAT), either with a sufficient number of feeder primaries or with other schools.
- 15 It is important to note that the delivery of the outcomes from these options is not necessarily within the local authority's remit which means that the local authority will need a high degree of confidence that any proposals agreed are deliverable and will result in the financial and educational outcomes that are required being achieved
- 16 The creation of a Federation of schools, has been preferred by some school leaders but most interest is in a 'soft' federation which is an

informal arrangement that carries significant risk, not least the risk that individual schools may not make the difficult decisions that are required to assist Wolsingham to reach a balanced budget position. Further time will be required for Council officers to work with school leaders and governors to assess the potential for this idea to be fully developed as a viable option. Ultimately the local authority cannot enforce a federated model and delivery of this approach very much relies on the leadership of the schools community in Wolsingham working closely with the local community to achieve outcomes for children, as opposed to a focus on the individual schools within a federated arrangement. This approach could assist the school to pay down its historical deficit as part of a long term budget recovery plan if efficiencies from joint working can be achieved, but would involve the authority sanctioning an approach where the deficit would be carried potentially for many years, gradually being reduced through an ongoing requirement to generate in year surpluses year-on-year.

- 17 Wolsingham School and Sixth Form becoming part of a MAT would also be outside of the council's sphere of influence, and would be subject to the agreement of the Regional Schools Commissioner. To date this option has not been widely supported by the leaders of schools in the area, however it would allow economies of scale to be realised, which could make the school financially sustainable. The accumulated deficit would not be transferred to the MAT and the council would need to write-off the historical deficit budget balance from its General Fund in this scenario, which would have the effect of providing the school with a "clean slate"
- 18 Failing either of the above options being taken forward, the council would have no option but to consider a managed closure. Closure is not a position the council would wish to consider however real progress needs to be made in relation to the two options set out in this report, together with the work to bring the annual budget into balance to avoid a position where there is no alternative but to close the school. Continuing to allow deficit budgets to be set without a clear and deliverable plan is not an acceptable position for the council, or the school.
- 19 The wider implications of federation, academisation or closure are covered in detail in the report.

## **Recommendations**

- 20 Cabinet is recommended to note progress made to date, and:
  - (a) note that the review identified that there are two realistic solutions to the issues relating to the financial viability of

Wolsingham School & Sixth Form: the creation of a federation of several schools with pooled resources or Wolsingham School becoming part of a MAT;

- (b) note that officers will support the primary schools and secondary school in Weardale to consult further on forming a federation in order to establish a single staffing structure across all or most schools that could, through economies of staffing and other resources, lead to financial sustainability and the provision of all age education in this rural setting;
- (c) note the work of the school to deliver an “in year” balanced budget position by 2021/22 but that arrangements for eradicating the historical deficit will need to be agreed depending on the longer term option that is agreed in relation to either federation or academisation.
- (d) note that the school is currently undertaking due diligence and considering its position with regards to either federation or academisation, and has committed to making its decision by 31 July 2019;
- (e) note that in the event that none of the two options as set out in this report (federation or academisation) are taken forward, managed closure of Wolsingham School and Sixth Form will become the only alternative option that is available.

## **Background**

- 21 Previous reports have outlined the significant financial difficulties being experienced by a number of schools across the county as a result of reductions in admission numbers and to a lesser extent school funding formula changes, which has necessitated some schools setting deficit budgets – mainly secondary schools.
- 22 Schools that have an inadequate OFSTED judgement are required to become sponsored academies and if / when they do, any deficit balance that they are carrying becomes a cost to the local authority and is not transferred to the sponsoring academy.
- 23 The impact on schools from real terms cuts in schools funding is huge and representations have been made to the Secretary of State, both as part of the National Funding Formula consultation and more recently through concerns raised with regards to the impact of Government policy and funding decisions on rural schools provision.
- 24 It is estimated that if funding rates had kept pace with inflation since the 2009-10 financial year, the amount available for the mainstream school funding formula in the current financial year would be 15% higher than the actual amount. For Durham this is equivalent to £46 million, or around £120,000 per primary school and £600,000 per secondary school. Funding at this level could provide for around 3 extra teaching staff in a primary school and around 15 extra teaching staff in a secondary school.
- 25 In addition to this general concern, there is concern over what appears to be a lack of understanding of the financial sustainability of rural secondary schools and the long-term impact on families and communities in rural locations if these schools prove to be financially unsustainable under the current funding levels.
- 26 The DfE's threshold for concern over the viability of a secondary school is 600+ pupils. Few secondary schools in rural areas fall into this category, which forces the argument for some form of supplementary funding for this group of schools.
- 27 In the past the Council has sought to support small rural schools through a lump sum at, or close to, the maximum permissible. Prior to April 2013 the Council had more discretion, through its schools forum, to support these schools, but Members will be aware that legislation prevents the Council from making contributions to or financially supporting schools.

- 28 To provide stability and to safeguard those under-funded secondary schools in rural areas, it is essential that the government identifies new and additional funding. Without such investment, the formula in its current form will increasingly bring into question the viability of such schools, as a formula that is overly restrictive and primarily based on pupil-led funding will always disadvantage a small school which serves a large and sparsely populated geographic area, and in which opportunities to attract additional pupil numbers are thereby restricted.
- 29 Rural secondary schools can also face challenges in terms of recruitment of good quality teaching staff and also additional costs for travel in respect of supply cover and transport in respect of goods and services. Small populations also limit a school's ability to raise funds through the letting of premises or other activities.
- 30 The National Funding Formula (NFF), which is intended to replace locally determined funding formulas, includes a lump sum for every school and an additional lump sum for schools in sparsely populated areas. This funding makes a significant contribution towards the financial sustainability of eligible primary schools, but the amounts allowed in the NFF are a significantly smaller proportion of the overall funding for eligible secondary schools. In the 2018-19 local formula in Durham, which is part of a transition from the local formula to the NFF, lump sums and sparsity funding are over 50% of the total funding for pupil-led and school-led factors for eligible primary schools, but less than 10% for secondary schools:

<b>Lump sum and sparsity funding as proportion of the total of pupil-led and school-led funding</b>	
Primary	54.31%
Secondary	6.35%

- 31 The lack of support through government funding for secondary schools in rural areas and restrictions placed on councils' ability to recognise these challenges within the schools funding formula, impacts on the breadth of curriculum offer, because there is not enough funding to employ a wide enough range of subject specialists if the school operates within the resources the formula generates.
- 32 In November 2017, Cabinet considered a report which outlined the need for a strategy for school organisation. This involved reviewing educational provision in each local area across the county.
- 33 In terms of prioritising the planned reviews, the two schools presenting the most significant financial viability concerns were Wellfield School in

Wingate and Wolsingham School and Sixth Form in Weardale. These schools and the schools in the surrounding pupil place planning areas were agreed as falling into the first phase of the strategic review of schools provision, together with a review of schools provision in the Horden area.

- 34 In terms of Wolsingham, the review of educational provision encompassed the full 0-16 age range in the area served by Wolsingham School & Sixth Form, to provide a platform for developing a long-term, financially sustainable, model for all children in the area. There are six primary schools serving Weardale and one secondary school. The schools are Wolsingham Primary, Frosterley Primary, Stanhope Barrington CE Primary, Rookhope Primary, St John's Chapel Primary, Wearhead Primary and Wolsingham School & Sixth Form. All of the primary schools are classified as rural schools.

### **Overview – Review of schools provision**

- 35 The Cabinet report of November 2017 identified a process for considering options for enhanced and sustainable educational provision in each locality and an indicative timeframe for these reviews to be completed. Reviews were to be undertaken in stages, with initial discussion with all partners to consider options for enhanced provision in local areas. This could involve discussions with schools, the local community, and partners / key stakeholders about possible options for re-organisation including:

- do nothing;
- establishing a model of federated schools;
- amalgamation of schools;
- creation of Multi-Academy Trusts;
- establishment of through-schools;
- closure / new-build.

- 36 As the Review proceeded however it was not possible to follow the process or indicative timeframe described in the November report. Options that developed in discussion with schools took longer than anticipated, with schools formally requesting extensions of time to complete these. Unanticipated parts of the process were requested (e.g.: a governors' conference) that had not formed part of the original planned sequence of events and necessarily extended it. In short, the fact that this process did not have a precedent and was largely dependent on schools' compliance with local authority requests, rather than a formal mandate, made quicker progress difficult. The result was that the suggested milestones were not met and update reports were postponed.



- 37 The review of existing provision in the three initial review areas (Weardale, Wingate and Horden) has now been completed and proposals have been developed for Cabinet consideration. Separate reports have been prepared outlining the findings, the options appraisal and making recommendations for each area. The reviews have involved:
- (a) A cross service grouping working group, chaired by the Head of Education, to ensure all relevant factors, including legal, financial and HR implications are covered by the review of options available;
  - (b) Meetings with school leadership teams – including Head Teachers and Chairs of Governors of the schools in financial difficulty and other schools in that locality – to discuss financial projections, options available etc.;
  - (c) Meetings with elected members and local MPs to share key information and provide advice on the options available in terms of a sustainable educational provision in each locality and progress updates with the reviews in their areas;
  - (d) Discussions with the Regional Schools Commissioner’s (RSC) office, which is part of the Department for Education.

### **Wolsingham Comprehensive School and Sixth Form - context**

- 38 Wolsingham School & Sixth Form is a secondary school with a sixth form, located in the heart of the rural Weardale. The school was refurbished in 2016 at a cost of £7.4 million to remove the split-site and to address significant condition issues, which had been exacerbated by the delay and ultimate withdrawal of the Building Schools for the Future Programme.
- 39 The area that it serves is sparsely populated, which means that pupil numbers are always likely to be small and unlikely to generate sufficient funding to provide a sustainable staffing structure, but at the same time, not having a secondary school in Wolsingham / Weardale would lead to longer daily journeys for pupils, with additional costs in respect of home-to-school transport.
- 40 The school has had three different head teachers in recent years, with the latest head commencing in September 2018. The school has a new Chair of Governors and has recently initiated restructuring plans to bring the in-year budget into balance by 2021.

- 41 Whilst the current financial forecasts show an improved position on that which was reported to Cabinet in June 2018 (the estimated deficit carried forward at 31 March 2019 is £1.7million), the position still reflects significant in-year deficits in the short term and cumulative deficits arising over the medium term.
- 42 The primary schools in Weardale, some of which are very small, are all judged by Ofsted to be 'Good' or better. They have no current deficit budgets, however they may be at risk of facing financial challenges in the future because funding changes at a national level do not favour small schools.
- 43 In January 2018, the governing body of Wolsingham School & Sixth Form independently took the decision to suspend admissions to the sixth form for two years, from September 2018. The budget plan for the school takes account of this and other savings, including the recently agreed restructuring of teaching. Although the in-year deficit continues in the short term, actions that the school has taken, including the suspension of admissions to the sixth form, have served to slow the deterioration in their financial position.
- 44 Under new national funding arrangements, the future financial position of all schools is heavily dependent on the level of pupil admissions. Despite adverse local publicity about the suspension of sixth form admissions, projected places at Wolsingham School & Sixth Form for September 2018 have increased on the previous year.

<b>Year 7 places offered/admitted</b>	<b>Sept 2017</b>	<b>Sept 2018</b>	<b>Sept 2019</b>
First preferences	103	121	148
Other places offered	15	11	
Total places offered	118	132	
Final number admitted	117	133	

- 45 This increase reflects the fact that Wolsingham is a school recently confirmed 'Good' by Ofsted (May 2018) with GCSE outcomes in 2017 and 2018 placing the school in the top quartile of County Durham schools on key measures. The increase in secondary places for Year 7 in 2018 mirrors the slowly rising demographic in the Dale, and contradicts the argument that suspending sixth form admissions would adversely impact upon Y7 intake numbers. The school has also increased efforts to market itself outside of its tradition catchment area and is providing free transport incentives to these pupils.

46 However, any such positive indicators are not in themselves sufficient to enable an in-year balanced budget until 2021/22 or for the school to address the accumulated deficit.

47 A summary of contextual information for Wolsingham School & Sixth Form and the primary schools in Weardale is shown in the tables below, with a breakdown by school included in Appendix 2. Those primary schools included are:

- Hamsterley
- Frosterley
- Rookhope
- St John's Chapel
- Wearhead
- Witton-le-Wear
- Wolsingham

<b>Capacity &amp; occupancy numbers (pupils &amp; students)</b>	<b>Primary schools</b>	<b>Wolsingham School &amp; Sixth Form</b>	<b>Total</b>
Number on roll ( as 28 September 2018)			
Reception to Y 11	413	537	950
Post-16 (Y13 only)	-	63	63
<b>Total on roll</b>	<b>413</b>	<b>600</b>	<b>1,013</b>
Total Capacity of the Schools	625	892	1,517
Spare capacity	212	292	504
% Spare Capacity	33.9%	32.7%	33.2%
% Places Filled	66.1%	67.8%	66.8%

<b>Age Range – Numbers on Roll (at 28 Sept. 2018)</b>	<b>Primary schools</b>	<b>Wolsingham School &amp; Sixth Form</b>	<b>Total</b>
Reception	54	-	62
Year 1	65	-	48
Year 2	48	-	52
Year 3	53	-	65
Year 4	67	-	64
Year 5	65	-	58
Year 6	61	-	75
Year 7	-	133	119
Year 8	-	120	106
Year 9	-	110	83
Year 10	-	82	91
Year 11	-	92	105
<b>Total – Reception to Year 11</b>	<b>413</b>	<b>537</b>	<b>950</b>
Post 16 (Y13 only)	-	63	63
<b>Total on Roll</b>	<b>413</b>	<b>600</b>	<b>1013</b>

<b><i>Funding Levels 2018-19 (£)</i></b>	<b>Primary schools</b>	<b>Wolsingham School &amp; Sixth Form</b>	<b>Total</b>
Formula funding 2018-19	2,418,000	2,692,000	5,110,000
Pupil Premium funding 2018-19	96,000	124,000	220,000

<b>Surplus / (Deficit) Balances held and Planned Use of Balances in 2018-19 (£)</b>	<b>Primary schools</b>	<b>Wolsingham School &amp; Sixth Form</b>	<b>Net Position</b>
Retained Balance at 31 March 2018	430,000	(1,240,000)	(809,000)
Forecast use of balances in 2018-19	(137,000)	(484,000)	(621,000)
Forecast retained balance at 31 March 2019	293,000	(1,724,000)	(1,430,000)

<b><i>Accumulated Surplus / (Deficit) balances 2013-14 to 2017-18 (£)</i></b>	<b>Primary schools</b>	<b>Wolsingham School &amp; Sixth Form</b>	<b>Net Position</b>
31 March 2013	131,000	(71,000)	60,000
Contribution to or (drawn down) in 2013-14	174,000	105,000	279,000
31 March 2014	306,000	34,000	339,000
Contribution to or (drawn down) in 2014-15	129,000	(104,000)	25,000
31 March 2015	434,000	(70,000)	364,000
Contribution to or (draw down) in 2015-16	(15,000)	(344,000)	(359,000)
31 March 2016	419,000	(414,000)	5,000
Contribution to or (draw down) in 2016-17	(41,000)	(440,000)	(481,000)
31 March 2017	379,000	(854,000)	(476,000)
Contribution to or (draw down) in 2017-18	52,000	(385,000)	(333,000)
<b>31 March 2018</b>	<b>430,000</b>	<b>(1,240,000)</b>	<b>(809,000)</b>

48 The Equality Impact Assessment covering all proposals considered by this report is available in Appendix 4.

- 49 In the context of finance, members should note that school budgets are set for the financial year, which covers two academic years. Staff restructuring, which is often necessary to balance budgets, often takes effect from September each year, because schools operate on an academic year rather than a financial year. This poses problems in finalising the budgets in April / May for the coming financial year as plans are often not yet fully developed within schools. It is not unreasonable to assume that the outturn position for the primary schools in this area could be better than initially budgeted.
- 50 Members will recall that schools can only set a budget with an in-year deficit, providing that they have sufficient surplus balance (reserves) carried forward to do so. Where a school cannot do this and therefore wishes to set a deficit budget (i.e. its carried forward reserves are less than the amount required to offset the in-year deficit of expenditure over income) it must have permission from the s.151 Officer in order to do so.
- 51 The respective duties and responsibilities of schools and local authorities are determined by local schemes of delegation, prepared in line with statutory guidance. These schemes confirm the arrangements for delegation to governing bodies, but also give authorities powers to monitor school budgets and determine whether a school is allowed to set a deficit budget. The scheme also sets out the procedure for dealing with schools causing concern, including the power to require schools to provide budget plans and, in extreme cases, to suspend delegation. Schemes also prohibit authorities from writing-off the deficits of schools with deficit budgets, in order that authorities cannot favour one school over another by allowing one to overspend and write-off the deficit.
- 52 The scheme of delegation allows for deficit budgets, but only for three years, and no more than 20% of the school's budget share, up to a maximum of £750,000. Wolsingham School & Sixth Form is in breach of this requirement and has been allowed to operate outside of these provisions whilst the outcome of the National Funding Formula was unknown and pending the review of schools provision.
- 53 Had the Council insisted on Wolsingham School & Sixth Form balancing its budget in the current year, or in recent years, it is probable that as many as 10 teaching posts would have needed to be removed from the staffing structure to achieve this. If such action had been required, the school would not have been able to fulfil its GCSE National Curriculum commitments. This would inevitably have resulted in a reduction in educational attainment, accelerated reductions in pupil numbers and ultimately difficulties in terms of the school's Ofsted rating, which in turn would have led to a worsening of its financial difficulties.

- 54 In spite of these complex challenges that make any course of action difficult, the current position is clearly not sustainable and a more financially viable solution is required.

### **Options analysis – Wolsingham School & Sixth Form**

- 55 In line with the process agreed by Cabinet in November 2017, detailed consideration has been given to each of the options available in terms of ensuring financially viable education provision in the Weardale area. An overview of the findings of the review are as follows:

#### ***Do nothing***

- 56 Whilst this option would result in no change to existing education provision and no additional home to school transport costs, it is not a viable solution given current financial resources available to the school through formula and other funding, the restrictions placed on the Council in terms of the School Funding Formula and the statutory requirements of the school to set a balanced budget.
- 57 This option would result in Wolsingham School continuing to operate with an unacceptably high accumulated deficits position, perpetuating the current non-compliance with statutory regulations over schools financing. Failure to address this situation is a matter that the Council's External Auditors would have significant concerns over and exposes the Council (and the school) to risk in terms of future financial performance. There would be little or no chance of the school recovering this accumulated deficit over the foreseeable future.

#### ***Insist the school balances its budget in line with statutory requirements***

- 58 The Council could insist on Wolsingham School balancing its budget and making provision to pay back the accumulated deficit over an agreed period. This would need to be in line with the statutory requirements over school finance. The impact of this would be the requirement for further downsizing and restructuring of the teaching capacity within the school which would impact on its ability to meet the national curriculum requirements and consequentially its overall performance and Ofsted judgements going forward as described above.
- 59 The table below shows the potential impact on staff numbers of various options for repaying the deficit, whilst also achieving a break-even position in 2019-20, (to ensure that the deficit does not continue to rise):

	Years to recover deficit		
	3 yrs	10 yrs	29yrs
Savings needed to recover deficit in target years	-574,000	-172,000	-72,000
Savings to break even in-year from 2019-20	-485,000	-485,000	-485,000
Reduction in teaching posts	17.14	10.61	8.99
Reduction in support staff posts	14.34	8.88	7.52
Reduction in teaching workforce	37%	23%	20%
Reduction in support staff workforce	37%	24%	21%

60 A recovery period of three years would be in line with the limit in the scheme of delegation. A period of ten years is a more realistic option, but would still only be possible with a significant reduction in staffing.

61 The considered view of the Education Service is that none of these actions provides a sustainable position, because the reduction in staffing would compromise performance. Experience elsewhere shows that when standards slip and a poor Ofsted judgement is published, school rolls fall and the financial position worsens.

### ***Establish a model of federated schools***

62 Under this option, Wolsingham School & Sixth Form and some or all of its feeder primaries would come together to form a single Federation.

63 Section 24 of the Education Act 2002 defines a federation as two or more schools operating under a single governing body; maintained schools in federations continue to be individual schools, keeping their existing DfE category; in terms of the school funding formula they retain their separate lump sums.

64 Schools participating in such a federation would be in a position to pool their resources and, by operating with fewer (joint) leaders and sharing business support arrangements and service level agreements, could release efficiencies to allow the collective pool of schools to be financially sustainable.

65 However, federations can be informal or formal arrangements. Informal arrangements would involve retention of individual governing bodies, and any agreement to release financial efficiencies would only be through a memorandum of understanding, without binding status. This would not give full assurances that the budget difficulties at Wolsingham School & Sixth Form would be addressed, with participating schools free to leave the arrangement at any time.



- 66 On the other hand, a formal federation as defined by the Education Act would provide sufficient reassurances of a sustainable arrangement and a means by which the financial challenges could collectively be addressed. Under the federated model the net deficit position would remain and be the responsibility of the Federation to address over a mutually agreed time-frame.
- 67 The formula funding arrangements that currently exist would be unaffected by the formation of a federation of these schools. There would be no radical change to existing education provision, with each school remaining as a separate entity within the Federation and no additional home to school transport costs being incurred.
- 68 Meetings which took place through 2018 involving Weardale head teachers and governors, culminating in a conference in September 2018, proposed a federation of schools which would be able to pay off the accumulated debt of Wolsingham School and Sixth Form.
- 69 The Council's preference for a formal ('hard') federation was not supported by all schools, with some committing to this, others to an informal ('soft') federation, and others not wishing to engage at all.
- 70 The responses from the governing bodies at this time were:

	<b>Hard federation proposal?</b>	<b>Further participation in other solutions?</b>
Witton le Wear	no	no
Wearhead	no	yes – agree to consult on soft federation
St John's Chapel	yes	
Frosterley	no	would consider other options (soft)
Rookhope	yes	
Hamsterley	yes	
Stanhope Barrington	no	no
Wolsingham Primary	no	no
Wolsingham School/Sixth Form	yes	
(Tow Law Millennium)	no	no

- 71 The option then becomes one where a formal federation, but with a smaller number of schools, is supported, in the knowledge that this will

only provide a limited benefit from staffing and other efficiencies, or to accept an informal federation that would, with more participants, provide a larger potential shared budget (but without robust assurances, as described above).

- 72 Where 'soft' federations of schools have occurred elsewhere in County Durham, these commonly move by mutual agreement into 'hard' federations once trust has developed, usually taking between one and two years.
- 73 However, the lack of a commitment from the majority of schools to a 'hard' federation means that the original proof of concept staffing model (Appendix 3) is no longer financially viable. The conclusion of officers is that the savings that could be achieved through a reduced federation would not be sufficient to eliminate the in-year and accumulated deficit of Wolsingham School and Sixth Form.
- 74 However, further efforts to establish a broader federation of schools, brokered by the local authority with a formalised commitment to work together remains the most likely model that would engage a wide enough group of schools to provide a viable result.
- 75 A federation of all, or most, schools in Weardale in which an agreement to pool existing resources and direct in-year savings towards addressing the in-year and accumulated deficit of the Wolsingham School & Sixth Form would be the option that most nearly maintains the status quo of education provision in the Dale.
- 76 Alongside this action, Wolsingham School and Sixth Form would pursue a realistic recovery plan with a view to remove the in-year deficit by April 2020. In the event that a sustainable financial position cannot be achieved in a reasonable time-frame (maximum 2 years), further options would be identified.
- 77 Agreeing a soft federation of a larger number of schools in Weardale, and accepting a reduced assurance but requiring (as stated above) additional actions of the secondary school to eliminate its in-year deficit and reduce its accumulated debt remains an option.

### ***Amalgamation of school, with shared leadership***

- 78 Under this option, consideration has been given to whether amalgamating several schools into one school, potentially across several sites, would ease the financial situation facing Weardale's education provision. Unlike federation, where schools remain as separate organisations, amalgamation creates a single organisation, even when this operates from several sites.

- 79 A possible advantage of amalgamation would be that a single head teacher would be required, enabling budget savings. Other economies of scale may be possible from the wider staff body and across sites through a potential reduced need for multiple service level agreements. However, an amalgamated school would be funded as a single organisation, so would draw down only one lump sum, thus reducing or negating any savings from staffing and other economies.
- 80 The anticipated loss of lump sum / sparsity funding using National Funding Formula values would be in excess of £1 million per year from 2020-21, which would be an additional financial challenge on top of the in-year and accumulated deficit within the Wolsingham School & Sixth Form. Pupil-led funding would not be affected by any amalgamation, but school-led funding would reduce, because the amalgamated school would only receive one set of school led funding.
- 81 A potential outcome of amalgamation could be the closure of some existing buildings as schools are brought together. For this, capital investment could be required, although this would potentially be balanced to a degree by capital receipts from sites disposed of. Inevitably, however, closure of buildings would result in additional home to school transport costs. Given the extent of the reduction in formula funding associated with this option and the financial viability concerns that this brings, detailed costings in this regard were not undertaken as part of the review.
- 82 This option is not recommended.

### ***Creation of a Multi-Academy Trust (MAT)***

- 83 As a school with a significant in-year and cumulative deficit, Wolsingham School & Sixth Form could not, without the discretion of the Regional Schools Commissioner (RSC), become an academy. Stand-alone academies are no longer permitted by the RSC, and the school being part of a multi-academy solution would be the only alternative.
- 84 Given its financial position, any established academy or MAT would effectively be taking on a financial liability by sponsoring a school unable to set an in-year balanced budget, and the trustees could conceivably be in contravention of fiduciary duties if they did. However, the restructuring activity initiated recently should bring the school into an in-year balanced position by 2021/22.
- 85 A MAT solution is more likely to be financially viable for a large established trust which has sufficient backroom savings to allow the school to make further cuts around essential administration and finance duties whilst also supporting the school improvement agenda.

- 86 Another potentially financially viable option would be for Wolsingham School & Sixth Form to create to a MAT together with feeder primaries although, as stated, this would be at the discretion of the RSC. This has the potential to release efficiencies in line with the federated model and result in a financially sustainable entity. This was among other options put before head teachers and chairs of governors during the Review process, although there was little interest expressed in academisation at that time.
- 87 There is a risk that feeder primary schools join other MATs in the future which may impact on Wolsingham School's ability to maintain its more recent recruitment success and such issues would need to be considered as part of any academisation.
- 88 Under any form of academisation, the accumulated deficit of Wolsingham School & Sixth Form at the point of conversion would be a cost to the Council's General Fund. To the schools involved, this is an advantage over the federated model in so far as the legacy debt would be cancelled rather than needing to be paid off from school budgets.
- 89 The reason for Weardale primary schools rejecting the option of forming a MAT was that it could compromise the schools' individual identities. At the time it was felt that any advantage of this model was at least as likely to be realised from federation. The Council has no powers to enforce this option.
- 90 The formula funding arrangements that currently exist would be unaffected by the formation of a MAT of these schools. A MAT would be funded directly by the DfE, but its funding would be similar to that of maintained schools. However, an additional advantage of academisation over the federated model would be the ability of all schools within a MAT to gain access to the DFE Condition Improvement Fund to support significant condition need within school buildings. This could provide a more sustainable solution to capital requirements of schools in the future.
- 91 Potentially there would be no radical change to existing education provision, with a number of schools making up the MAT and no additional home to school transport costs necessarily being incurred. Leadership, teaching and support staffing could however be pooled and shared in order to increase resilience, release efficiencies and address the in-year deficit position within Wolsingham School & Sixth Form, such that the MAT could overall maintain a surplus position. Assurances, however, that this position would be maintained without future closure of schools or other changes in the initial agreed direction of the MAT could not be guaranteed, and would be decided upon by the MAT trust board.

- 92 Past experience is that a MAT is likely to buy fewer services from the Council, although buy back from the Educational Development Services provided by the Council has remained strong, with over 70% of academies buying full partner SLAs and providing the Council the ability to maintain strong relationships with these schools. A MAT would also qualify for 80% relief on business rates. For 2018-19, this relief would reduce the business rates received by the Council by £139,000 (while not directly benefitting the schools as the funding for all rates costs is accommodated from within the formula and is neutral to individual schools).
- 93 While it is evident that certain outcomes of this option could have negative impact on the Council, it remains preferable to closure and would conceivably address the challenge to the Council whereby the s.151 Officer may not continue to allow the school to operate in the event that it cannot pursue a realistic recovery plan.
- 94 As such, this option must remain open for consideration.

#### ***Establishment of through-schools / re-organisation options***

- 95 There are other options that would constitute re-organisation, beyond federation, amalgamation and academisation.
- 96 Two or more schools could seek re-designation to become a through-school, providing education for children from 3 to16, 0 to16, 3 to19, or 0 to 19. This option might be suitable for a school where over capacity in one phase and under-capacity in another could be equalised, to the mutual advantage of the through-school. An opportunity would exist to have only one Head teacher and to share key staff (especially Key Stage 2 and Key Stage 3 staff), leading to budget savings.
- 97 Under this option the through school could make transition from one key stage to another more fluid, which would be to the advantage of pupils.
- 98 Formation of a through-school would require a statutory process to extend the age range of one school and formally close the other(s).
- 99 A through-school involving the Wolsingham Primary and Wolsingham School & Sixth Form would allow some savings in administration and maintenance, but these would not be sufficient to make the resulting school financially viable. Re-organisation on a larger scale could reduce the number of primary schools, but this would reduce the funding via the lump-sum without significantly securing a longer term financial gain.
- 100 In the event that this action freed up a school site that had a commercial value for development, the on-balance result could be worth considering, but there is no obvious commercial demand for sites of any

of the schools in Weardale sufficient to warrant this. Consequently, this option has not been recommended.

- 101 A further re-organisation option would be to alter a school's designation to become an Alternative or Specialist provider, or to extend the purpose of one or more schools to serve this function.
- 102 Alternative Provision or provision to support special needs learning, for example, can generate income over and beyond regular per capita funding, although usually this requires higher staffing ratios and other resource commitments.
- 103 Critically for Weardale, however, the option would require bases which are easily accessible to other schools in County Durham, without high costs of pupil transport. The geographic remoteness of Weardale militates against this. Furthermore, the option would – if based on Wolsingham School & Sixth Form – potentially lead to the displacement of mainstream learners from the Dale, and the additional transport costs that the Council would incur as a result. Consequently, this option has not been recommended.
- 104 This said, while a wholesale re-organisation of schools to become through-schools or alternative/specialist providers is unlikely to represent a solution to the current financial pressures faced by Weardale's schools, plans to develop a federation or a MAT could conceivably incorporate elements of these models (such as shared KS2/3 teaching, or small-scale specialist provision) where such action would improve long-term financial sustainability.

#### ***Establish alternative sources of income***

- 105 There is no benefactor willing or able to step in and meet the shortfall in the in-year budget or to help the school address its accumulated deficit from an altruistic or charitable perspective. Even if this was the case, the school's financial position would be precarious if it was dependent on these sources of income in the future.
- 106 Discussions continue, with ongoing investigation of any available rural or arts/music grants and specialist activity-related grants to supplement funding for the secondary school. Many of these grants are time limited and require additional investment / costs being incurred in order to secure them.
- 107 Representations have been made to the Secretary of State regarding the financial pressures on schools and the real terms cuts in school funding. To provide stability and to safeguard those under-funded secondary schools in rural areas, the government urgently needs to identify new and additional funding. Without such investment or a policy

change in terms of schools funding formula, the financial viability of Wolsingham remains precarious. There has been no indication of any such change in Government policy or funding sufficient to address the ongoing budget problems being experienced and therefore this is not considered a viable option.

### ***Closure or part-closure***

- 108 Whilst not a recommended option, closure remains a possibility should a financially sustainable solution not be ultimately agreed and implemented.
- 109 If the cost of running a school cannot be met by existing funding arrangements or any other agreed solution, then closure needs to be considered. Further details and consideration of this option are provided later in this report.

### **Further consideration of a model of federated Weardale schools**

- 110 The potential impact of redundancies relating to supporting a federation and associated restructuring activity to deliver ongoing efficiencies would be a one-off cost of around £500,000 to the general fund, plus a significant additional amount for the cost of early access to pensions, estimated at a further £500,000.
- 111 This option would also have potential implications in respect of the services that it provides to the schools in the federation. The table below shows the value of annual Service Level Agreements (SLAs) that schools have bought for the current financial year:

<b>2018-19 annual SLA charges (£)</b>	<b>Total for CYPs</b>	<b>Total for Resources</b>	<b>Total for Regeneration and Local Services</b>	<b>Total</b>
Hamsterley Primary	10,000	22,000	2,000	33,000
Frosterley Primary	10,000	21,000	1,000	32,000
Rookhope Primary	8,000	19,000	1,000	28,000
St. John's Chapel Primary	9,000	13,000	2,000	24,000
Wearhead Primary	8,000	15,000	1,000	24,000
Witton-le-Wear Primary	10,000	25,000	2,000	37,000
Wolsingham Primary	15,000	38,000	2,000	56,000
Wolsingham School	13,000	70,000	9,000	92,000

<b>2018-19 annual SLA charges (£)</b>	<b>Total for CYPs</b>	<b>Total for Resources</b>	<b>Total for Regeneration and Local Services</b>	<b>Total</b>
<b><i>Total by school</i></b>	<b>83,000</b>	<b>223,000</b>	<b>20,000</b>	<b>326,000</b>

112 A federation would make its own decisions about which SLAs were required, but the Council would also need to consider its policy towards charging the federation, particularly in respect of the lump sum elements of existing SLA charges.

113 Most SLA charges consist of either a lump sum per school or an amount per pupil, often a combination of the two. It is possible that the federation might seek a discount on the lump sum charges currently levied. This could be appropriate for some SLAs, but not for others, for example where the lump sum charge is for a service related to buildings and the number of buildings will not change.

114 The table below provides a breakdown of the SLA income by type of charge:

<b>2018-19 annual SLA charges (£)</b>	<b>Total for CYPs</b>	<b>Total for Resources</b>	<b>Total for Regeneration and Local Services</b>	<b>Total</b>
£/school	72,000	71,000	16,000	158,000
£/pupil	10,000	112,000	5,000	127,000
£/employee	-	41,000	-	41,000
<b><i>Total by type of charge</i></b>	<b>83,000</b>	<b>223,000</b>	<b>20,000</b>	<b>326,000</b>

115 In addition, schools buy other SLAs as required, and buy other goods and services from the Council. In 2017-18, the total income from these schools, excluding annual SLAs, was £120,000:

<b>2017-18 other income to DCC (£)</b>	<b>Total for CYPs</b>
Training	40,000
Repairs & maintenance	26,000



<b>2017-18 other income to DCC (£)</b>	<b>Total for CYPS</b>
Other SLAs	14,000
Other	40,000
<b>Total</b>	<b>120,000</b>

### **Further consideration of closure of Wolsingham School & Sixth Form**

- 116 While there is a presumption against the closure of small rural schools in current Department for Education guidance, there is a real possibility of this in the case of Wolsingham School & Sixth Form in the event that other options prove unviable.
- 117 Closure of a school this size would put significant strain on pupil placement in other schools. According to current pupil-place planning data there is insufficient spare capacity in County Durham to disperse all pupils to existing schools within reasonable travelling distance of their homes. An exercise was previously undertaken in 2016 to determine the distance from each child's home address to the nearest school with space available in the relevant year group to accommodate pupils from Wolsingham School & Sixth Form.
- 118 The findings of that exercise are as follows, showing spaces where pupils (Years 7 – 10) could be accommodated:
- **Parkside Academy, Willington** for 109 pupils - this school is 9.09 miles from Wolsingham School & Sixth Form (95 require transport – distances could be between 3.05 and 8.99 miles depending on the pupil's home address).
  - **King James I Academy, Bishop Auckland** for 93 pupils - this school is 10.75 miles from Wolsingham School & Sixth Form (88 require transport – distances could be between 3.3 and 19.81 miles depending on the pupil's home address).
  - **Consett Academy** for 111 pupils - this school is 11.31 miles from Wolsingham School & Sixth Form (111 require transport - distances could be between 3.79 miles and 22.52 miles depending on the pupil's home address).
  - **Bishop Barrington School, Bishop Auckland** for 12 pupils - this school is 11.37 miles from Wolsingham School & Sixth Form (12

pupils require transport distances could be between 6.21 miles and 11.31 miles depending on the pupil's home address).

- **Durham Community Business College, Ushaw Moor** for 44 pupils - this school is 12.45 miles from Wolsingham School & Sixth Form (44 pupils require transport – distances could be between 6.96 miles and 9.09 miles depending on the pupil's home address).
- **Whitworth Park School and Sixth Form, Spennymoor** for 1 pupil - this school is 13.56 miles from Wolsingham School & Sixth Form(1 pupil requires transport – distance could be 7.67 miles depending on the pupil's address).
- **Fyndoune Community College, Sacriston** for 1 pupil - this school is 13.89 miles from Wolsingham school & Sixth Form(1 pupil requires transport - distance could be 4.58 miles depending on the pupil's home address).
- **Staindrop School** for 2 pupils - this school is 14.34 miles from Wolsingham School & Sixth Form (7 pupils require transport - distances could be between 14.34 miles and 21.59 miles depending on the pupil's home address).

- 119 If the option to consider the closure of Wolsingham School and Sixth Form is progressed in the future, a similar exercise would be undertaken to ascertain the position at that point in time. However, if places were taken up in the schools above by pupils relocated from the closure of Wolsingham School, it would leave a shortfall of places for other pupils who live closest to these schools when they would be due to transfer to secondary education. This potential shortage of places would become worse in the event that proposed housing developments in the draft Durham County Plan are completed.
- 120 If Wolsingham School & Sixth Form closed, the travelling distances for the large majority of pupils would increase significantly; for some the journey would be in excess of 20 miles. It is also evident from the exercise described above that pupils from particular villages will be travelling to different schools, which would appear to be in conflict with the Council's objective of promoting and contributing to community cohesion.
- 121 Cabinet may therefore need to consider the expansion of specific schools to avoid pupils being dispersed to several schools across the county to be a more effective alternative.

- 122 If a decision was taken to close Wolsingham School & Sixth Form however, it is anticipated that the sale of the site for development purposes would realise a capital receipt of between £1.58million and £2.42million. Dependent on permission from the Department for Education, this sum could be used towards covering the cost of extending another school and in part mitigating the impact described above.

### ***Home to school transport implications***

- 123 Wolsingham School & Sixth Form is in a rural part of the county and the vast majority of pupils who attend the school live in rural areas. Alternative secondary schools that could accommodate pupils are between 9 and 15 miles from Wolsingham School. Additional home to school transport costs would inevitably be incurred.
- 124 The additional cost of transporting pupils to the next nearest school should Wolsingham School & Sixth Form close is approximately £110,000 per annum. This would be a budget pressure within the MTFP.

### ***Impact on the Community***

- 125 The closure of Wolsingham School & Sixth Form would be met with significant opposition from a number of rural communities, particularly those in Upper Weardale. The case for closing the school would need to be robust enough to stand up to challenge, particularly around the areas that need to be considered as part of the DfE's statutory process on proposals to close schools. This will involve having a clear indication, for example, that education standards will not be impacted upon for pupils if they are displaced as a result of closure. The impact on community cohesion and on the distances that pupils would need to travel to another school (as well as costs involved) would also be closely scrutinised. Account would also need to be provided of how the closure of Wolsingham School & Sixth Form will support and contribute to the LA's duty to promote the use of sustainable travel and transport to school.
- 126 As indicated above pupils would have to travel distances of up to 22.5 miles to access a place at another school and journeys of this length would be difficult for the council to justify and defend if there was consultation on a proposal to close the school, as the council should comply with national guidance around recommended travelling times for pupils to travel to school. Other implications can be drawn from the Equality Impact Assessment which is attached to this report.

- 127 Additional travelling has the potential to have greater impacts on pupils with a disability which would need to be mitigated through a personal educational plan or a revised Education and Health Plan and changes to transport arrangements (see Appendix 4 for Equality Impact Assessment).
- 128 Wolsingham School & Sixth Form is also frequently used by the community for sport, leisure and a range of other community activities. The school is a central hub for the Wolsingham Community and other communities in Weardale. The school swimming pool and sports centre are widely used throughout the year. The swimming pool is fully timetabled and is utilised for the following activities:
- Aqua Aerobics
  - Swim Fit
  - Under 4's
  - Canoeing
  - Rookie Lifeguards
  - Thursday Parent and Toddlers
  - Savapass Child and Adult
  - Junior and Adult General Swim
  - Triathlon Club
  - Party Hire
  - Family Swim
- 129 The sports hall is hired out for the following activities:
- Basketball
  - Five a Side
  - Cricket
  - Badminton
  - Junior Badminton
  - Table Tennis
  - Netball
  - Short Tennis
  - Yoga
  - Spinning
- 130 Wolsingham School & Sixth Form has a fixed term contract with Lifestyle Fitness for the provision of leisure activities. This contract is not due to expire until 2025. Terminating the contract beforehand will result in a financial penalty, which is estimated at £0.5 million. Consideration would need to be given as to whether the community facilities remained open post closure of the school. The estimated annual net running costs of the pool and community facilities is £40,000.

- 131 Work is underway in partnership with Culture and Sport to examine any potential savings and efficiencies that could be achieved from different approaches to the management and delivery of the Leisure Centre's provision.
- 132 Account needs to be taken of the fact that the Council recently carried out a major capital building project to enable the school to operate from one building rather than across two sites from September 2016. The cost of this work was approximately £7.4 million and if a decision was taken to close the school so soon after this significant level of capital investment, the reputation of the council could be adversely affected.
- 133 The timescale of closure and relocation of pupils in other schools can be estimated as between two and three years, entailing (as it may) permission from one or more academy trust boards, possible consultation, planning, design and building of new provision, plus processes to arrange staff redundancies and site disposal.

## **Conclusion**

- 134 This report provides Cabinet with details of the work that has been undertaken as part of the review of education provision in County Durham which was agreed by Cabinet on 15 November 2017.
- 135 While work is in hand by leaders and governors of Wolsingham School and Sixth Form to reduce expenditure, the financial position of Wolsingham School & Sixth Form is not yet sustainable and an arrangement to balance its budget must be put in place at the earliest opportunity.
- 136 The report outlines the thorough consideration of all potential options, concluding that there are only two viable solutions to the issues relating to the financial viability of Wolsingham School & Sixth Form:
- (a) A Federation, which school leaders prefer but for which initial conversations have focussed on a 'soft' federation, which is an informal arrangement that carries significant risk. Further time will be required for Council officers to work with school leaders and governors to assess the potential of this idea to be properly developed as a viable option;
  - (b) Wolsingham School & Sixth Form becoming part of a multi academy trust (MAT), either with a sufficient number of feeder primaries and/or other schools, subject to agreement of the Regional Schools Commissioner, or with schools established already as a MAT.

- 137 In the event that neither option can be achieved within a reasonable timescale, a managed closure of the school would need to be considered. This is a position that the council, school leadership and the local community want to avoid however it will become inevitable if the actions set out in this report are not progressed by school leaders.
- 138 The new Head Teacher is working with his Governing body to explore the options of either federation or an academy solution to address their accumulated deficit position going forwards, having taken steps to address their in-year deficit position which should see the school balance its in-year budget from 2021/22.
- 139 Despite the restructuring activity the school remains in a precarious financial position. The school will need to set a deficit in-year budget again in 2019/20 and the estimated accumulated deficit at 31 March 2019 will be £1.724 million. There is therefore an urgent need for a sustainable long term solution to be agreed and the new school leadership has committed to completing this due diligence by 31 July 2019.
- 140 Council officers will continue during this time to support the primary schools and secondary school in Weardale to consult further on forming a federation in order, if possible, to establish a single staffing structure across all or most schools that will, through economies of staffing and other resources, lead to financial sustainability.
- 141 It is to be hoped that schools, the local community and organisations based in Weardale will work with the Council to support all viable models, acknowledging the position of Wolsingham School and Sixth Form as a vital community hub, and seeking together the best possible outcome for education in Weardale.

### **Background papers**

- Report to Cabinet 14 December 2016  
Strategy for School Organisation and the Pattern and Provision of Schools across County Durham
- Report to Cabinet 12 July 2017  
Revenue and Capital Outturn 2016/17
- Report to Cabinet 13 September 2017  
Quarter 1 Forecast of Outturn 2017/18
- Report to Cabinet 15 November 2017  
Review of School Provision in County Durham: Ensuring Financial Sustainability of Schools
- Report to Cabinet 13 December 2017

## Mainstream Primary and Secondary Funding Formula 2018-19

- Report to Cabinet 13 June 2018  
Maintained Schools Budget Plans and Permission to Set Deficit Budgets 2018/19
- Report to Cabinet 12 September 2018  
Forecast of Revenue and Capital Outturn 2018/19 – Period to 30 June 2018
- Report to Cabinet 14 November 2018  
Forecast of Revenue and Capital Outturn 2018/19 – Period to 30 September 2018
- Report to Cabinet 14 November 2018  
Review of School Provision – Future options for Wellfield School as part of the Education Review in County Durham
- Report to Cabinet 14 November 2018  
Review of School Provision – Future options for schools in the Horden area, as part of the Education Review in County Durham

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## **Appendix 1: Implications**

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### **Legal Implications**

The actions described in this report are intended to comply with the Council's duty to exercise its education functions with a view to promoting high standards and the fulfilment of each pupil's learning potential in accordance with S 13 A of the Education Act 1996.

The Corporate Director Resources is responsible by virtue of Section 151 of the Local Government Act 1972 for the administration of the authority's financial affairs. The Corporate Director Resources also has a duty to report certain matters to the authority by virtue of Section 114 of the Local Government Finance Act 1988.

Schools have delegated budgets, but if a school closes or converts as a sponsored academy then any deficit balance remains with the Council, which must meet the cost of writing-off the deficit from its general funds. Surplus balances of closing schools are credited to the Council, but it does not retain any surplus balance for a school becoming a sponsored academy: the academy receives the balance upon conversion.

The funding framework governing schools finance, which replaced Local Management of Schools, is based on the legislative provisions in sections 45-53 of the School Standards and Framework Act 1998. Under this legislation the Council is required to publish a Scheme of Financing for Schools. The scheme sets out the financial relationship between the authority and the maintained schools which it funds, including the respective roles and responsibilities of the authority and the schools. The scheme does not limit unreasonably the flexibility of schools to control and deploy their budgets, recognising the need for public monies are involved to be properly accounted for and recorded. The scheme includes provisions which are binding on both parties. Under the scheme, any deficits of expenditure against budget share (formula funding and other income due to the school) in any financial year will be charged against the school and will be deducted from the following year's budget share to establish the funding available to the school for the coming year.

Schools cannot set a deficit budget without the prior agreement in writing of the authority. For clarity, a deficit budget is one where the gross expenditure in the budget plan exceeds the total of funding, income and the balance (surplus or deficit) brought forward from the previous year. This consent is given by the Section 151 officer - Corporate Director, Resources



## **Finance**

Schools are funded through Dedicated Schools Grant and operate to delegated budgets, which are the responsibility of individual school governing bodies. Where a school wishes to set a deficit budget (where its spending exceeds its resources in year) it can only do so in accordance with EFA guidance and the Scheme of Financing for Schools and with the permission of the Council's S151 Officer. In accordance with legal obligations, the S151 Officer may not continue to allow a school to set a deficit budget without a robust business plan that indicates the removal of any deficit over time.

The report outlines the significant financial difficulties that continue to be experienced by schools, the work that has been undertaken with these schools and the options that will need to be explored in terms of a solution to these problems.

The National Funding Formula puts more funding into pupil-led factors than school-led factors, which could create longer-term challenges for smaller schools, because the increase in pupil-led funding will be of less benefit to schools with smaller numbers of pupils.

Should a school close, the additional cost of providing home to school transport to pupils' nearest schools can be significant. There would also need to be significant capital investment to expand other secondary schools to accommodate additional pupils should a secondary school close for financial reasons.

## **Consultation**

In line with a strategic approach described in the Cabinet report, 15 November 2017, consultation with the public is a possible outcome of the Education Review. School communities have, to date, been engaged in consultation through governing bodies.

## **Equality and Diversity / Public Sector Equality Duty**

A decision to close a school can only be taken after consultation, but this action may prevent or inhibit choices of families to send their children to a local school.

Any review or change to educational provision in an area has the potential to adversely impact on protected characteristics, both in terms of pupils, their families, local communities and employees working in the schools. The options described in this and previous reports could involve pupils being required to attend different schools or not being able to access a local school and being required to travel further.

Initial analysis of the potential equality impacts of the review options are as follows:

Any diminution in the quality of education across the Weardale schools will be associated with particular impact on pupils who have learning difficulties, SEN or who are already disadvantaged in their educational attainment. The situation at Wolsingham School where the council has provided an exceptional subsidy will be particularly acute for pupils who have protected characteristics.

The potential equalities impact on protected groups and individuals lies in the voluntary nature of a soft federation. Any random and arbitrary withdrawal from the partnership would pose significant risk to those pupils and staff who are vulnerable.

The mitigating impact of schools co-operating in a hard federation would be particularly strong. A fixed, reliable and secure planning framework of governance, staffing and finance would enable the delivery of a resilient education to protected groups. It is proposed that these benefits would extend to pupils, staff and governors. Recognition should be given to some variation in staff contracts, changed travel times and potential for some impact on hours worked. It will be important to negotiate mitigation in these areas.

In turn there may be opportunities for and a need to review governance, governor representation, meetings, and venues and travel times. Again there will be an important opportunity to mitigate the impact of these changes on protected individuals.

School closures at Wolsingham would impact particularly and directly on pupils and staff in protected groups. Whilst the impact of relocation can be mitigated through degree through careful planning, it is clear:

- travel times to and from school may increase,
- there may be disruption to routine;
- some use of unfamiliar staff and new environments would pose challenges.

For vulnerable pupils there is maybe a need for a personal educational plan or a revised Education and Health Plan. Structure changes to transport arrangements, and to support staff continuity would be required as part of equalities mitigation.

Wolsingham School is frequently used by the community for sport, leisure and a range of community activities and closure of the facility would have potential negative impacts across the protected groups in particular age, gender and disability.

Critical challenge, feedback and advice should come from future public consultations from professional associations, unions and other interested parties.

Although doing nothing and leaving all the schools as they are may initially be favoured by parents, who tend to view the closure of any school in a negative manner, the fact is that because of the size of some schools (in some areas

very small), although they are viable currently they may become unviable in future if action is not taken in a planned way.

In addition, whilst some small primaries can be considered financially viable, their local secondary may be in significant deficit and is not financially viable and therefore there must be some action taken. If a local secondary school is closed, parents may also then consider sending their child to a primary school nearby to the school which would become their 'local' secondary school. The consequences of this is that the primary schools may then become unviable over time.

From the process of equalities impact assessment it is evident that there would be potential or actual impact on protected groups of pupils, staff and governors and members of the community consequent on implementation of the Weardale/Wolsingham Review. In particular there are potential impacts in relation to age, disability and gender to varying degrees depending on the outcome of the preferred option taken forward. A copy of the Equality Impact Assessment is attached at Appendix 4.

## **Human Rights**

Human rights are not affected by the recommendations in this report.

## **Crime and Disorder**

None

## **Staffing**

Potential impact on school staff through re-structuring to address deficit balances, or through amalgamation/federation of schools, is indicated in this report. In cases where the Review proposes federation of schools, there may be implications for staff in terms of adjustments to some terms and conditions (e.g.: travel) but these will be fully negotiated through the relevant trade unions, where required.

## **Accommodation**

If school closures are proposed as part of the review of provision, accommodation will be an implication, but this has not formally happened to date. Transfer of maintained schools to become academies may have implications in terms of accommodation where school premises are used by the community under arrangements set up with a maintained school.

## **Risk**

A key risk is that, as a consequence of actions taken by the County Council (including the failure to make timely interventions), pupils and students do not receive an adequate education. There is an additional risk of reputational damage if the Council does not appear to be able resolve the problem of schools operating with significant and sometimes increasing budgetary

difficulties, and allows some schools to continue to set deficit budgets whilst requiring other schools to balance their budgets.

The s.151 officer must sign-off the budget for schools with a deficit budget plan and needs to be able to justify doing so in terms of each school having a robust plan to recover from its deficit. The scheme of delegation allows for deficit budgets, but only for three years, and no more than 20% of the school's budget share, up to a maximum of £750,000. There is a risk of legal challenge from the Department for Education if this statutory function is neglected. There is a risk of external auditors calling into question the actions of the s.151 officer if no credible plans are agreed to resolve the issues described in this report and the Cabinet report of November 2017.

## **Procurement**

n/a

## Appendix 2: Context of the Weardale Schools

	Hamsterley	Frosterley	Rookhope	St Johns Chapel	Wearhead	Witton-le-Wear	Wolsingham	Wolsingham School	Total
Number on roll									
Reception to Y 11	40	43	8	13	23	94	192	537	950
Post-16								63	63
Total on roll	40	43	8	13	23	94	192	600	1,013
Spare capacity	2	62	39	71	19	11	17	213 (11-16) 79 (16-18)	434 (R Y11) 79 (16-18))

	Hamsterley	Frosterley	Rookhope	St Johns Chapel	Wearhead	Witton-le-Wear	Wolsingham	Wolsingham School	Total
<b>Funding (£)</b>									
Formula funding 2018-19	286,000	268,000	207,000	221,000	248,000	420,000	768,000	2,692,000	5,110,000
Pupil Premium funding 2018-19									220,000

<b>2018-19 use of balances (£)</b>	Hamsterley	Frosterley	Rookhope	St Johns Chapel	Wearhead	Witton-le-Wear	Wolsingham	Wolsingham School	Total
Figures in brackets are deficit balances and decreases in balances									
Balance at 31 March 2018	12,000	47,000	90,000	18,000	88,000	28,000	148,000	(1,240,000)	(809,000)
Forecast use of balances in 2018-19	(6,000)	(30,000)	(20,000)	3,000	(25,000)	(25,000)	(35,000)	(484,000)	(622,000)
Forecast balance at 31 March 2019	5,000	17,000	70,000	22,000	62,000	4,000	113,000	(1,724,000)	(1,431,000)

## Appendix 2: Context of the Weardale Schools

<b>Accumulated balances (£)</b>	<b>Hamsterley</b>	<b>Frosterley</b>	<b>Rookhope</b>	<b>St Johns Chapel</b>	<b>Wearhead</b>	<b>Witton-le-Wear</b>	<b>Wolsingham</b>	<b>Wolsingham School</b>	<b>Total</b>
Figures in brackets are deficit balances and decreases in balances									
31 March 2013	13,000	30,000	23,000	21,000	18,000	6,000	21,000	(71,000)	60,000
Increase or decrease in 2013-14	20,000	15,000	30,000	12,000	29,000	4,000	65,000	105,000	279,000
31 March 2014	33,000	44,000	52,000	32,000	47,000	11,000	86,000	34,000	339,000
Increase or decrease in 2014-15	14,000	14,000	28,000	11,000	25,000	32,000	4,000	(104,000)	25,000
31 March 2015	47,000	59,000	80,000	43,000	72,000	43,000	90,000	(70,000)	364,000
Increase or decrease in 2015-16	(22,000)	(5,000)	-	(14,000)	(3,000)	6,000	22,000	(344,000)	(359,000)
31 March 2016	26,000	54,000	81,000	29,000	69,000	49,000	112,000	(414,000)	5,000
Increase or decrease in 2016-17	(9,000)	(6,000)	7,000	(19,000)	6,000	(24,000)	4,000	(440,000)	(481,000)
31 March 2017	17,000	48,000	88,000	10,000	75,000	24,000	116,000	(854,000)	(476,000)
Increase or decrease in 2017-18	(5,000)	-	2,000	8,000	12,000	4,000	31,000	(385,000)	(333,000)
31 March 2018	12,000	47,000	90,000	18,000	88,000	28,000	148,000	(1,240,000)	(809,000)

	<b>Hamsterley</b>	<b>Frosterley</b>	<b>Rookhope</b>	<b>St Johns Chapel</b>	<b>Wearhead</b>	<b>Witton-le-Wear</b>	<b>Wolsingham</b>	<b>Wolsingham School</b>	<b>Total</b>
<b>Employee numbers</b>									
Teaching	3	3	2	3	3	6	11	39	70
Support	9	9	6	4	3	12	21	49	113
Total	12	12	8	7	6	18	32	88	183

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### Appendix 3: Proof-of-concept model used to establish potential sustainability for Weardale Schools

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- A single federation of primary schools and the secondary school covering all Weardale, with shared leadership, shared strategic financial management and a tightly coordinated approach to educational provision could require as few as two executive head teachers, one primary and one secondary.
- Lead teachers on each site would be responsible for teaching and learning, and safeguarding for the site, and each of these post-holders would have a wider phase leadership responsibility across the federation; one of these would be the designated deputy for the primary executive head teacher in the event of the latter's absence or unavailability. A deputy in the secondary school would perform the same function.
- Lead teachers would be timetabled to a 0.8FTE teaching commitment with an equivalent of one day leadership time when all can meet. These posts would be notionally on L4. There could be a single primary Special Educational Needs Co-ordinator working across all schools, with this post notionally on L3. There would additionally be a number of F/T main scale teachers and F/T higher level teaching assistants.
- There would be one F/T business manager with site managers (or those with that responsibility) on each of the sites; there would be a number of additional cleaners to be determined. There would be 1 administrative member of staff in each site with a number of P/T supervisory assistants to be determined.

The Council has modelled this staffing structure as a proof-of-concept, to show the potential savings compared to 2018/19 budgets for these schools. The potential savings range from £780,000 assuming staff on the mid-point of their scale, to £260,000 assuming staff on the top of their scale. The table below summarises the changes to staffing used in the proof-of-concept model.

Possible staffing (assuming federation of 8 schools)	Notional current staffing of 8 non-federated schools
1 primary /1 secondary executive leads	6 primary / 1 secondary HTs
7 DHT/Lead teachers	8 DHT/Lead teachers
12 AHT/subject leads	16 AHT/subject leads
40 teachers	45 teachers

2 SENCOs (1 pri/1 sec)	4 SENCOs
12 HLTA / TA	18 HLTA / TA
5 supervisory assistants	7 supervisory assistants
1 business manager	3 business/office managers
1 data/exams manager	2 data/exams managers
Admin/caretakers/cleaners unaffected	

Most of the savings are because of the reduction of 5 head teacher posts, with additional economies from reducing other leadership posts, delivering up to one-fifth of the key stage 2 curriculum in larger groups at the secondary school, and other benefits of flexible working. As already mentioned, the actual structure would be determined by the federation, through a joint staffing committee, formed of a group of governors representing all schools with delegated powers to manage appointments.

A curriculum model that uses a reduced number of teachers to provide a broad and balanced curriculum across several sites, rather than maintaining a discrete staff capable of delivering the full curriculum in each school, will present the opportunity for savings described above, while still avoiding large-scale transportation of children between schools. The model will presume a readiness of some teachers to move between sites, which would be for schools and staff to agree.



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**Appendix 4: Equality Impact Assessment**

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**Durham County Council Equality Impact Assessment**

**NB:** The Public Sector Equality Duty (Equality Act 2010) requires Durham County Council to have 'due regard' to the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity and foster good relations between people from different groups. Assessing impact on equality and recording this is one of the key ways in which we can show due regard.

**Section One: Description and Screening**

Service/Team or Section	Children and Young People Service
Lead Officer	Julien Kramer
Title	Weardale/Wolsingham Review
MTFP Reference (if relevant)	
Cabinet Date (if relevant)	November 2018
Start Date	November 2017, updated November 2018
Review Date	December 2018

**Subject of the Impact Assessment**

Please give a brief description of the policy, proposal or practice as appropriate (a copy of the subject can be attached or insert a web-link):

The review of educational arrangements in Weardale and Wolsingham was undertaken in recognition of the distinctive needs and vulnerabilities of small rural schools. Its stated intention was to explore options, and recommend organisational changes to the delivery of education, which would ensure educational resilience and financial viability for future years.

**Background to the review**

Weardale is a rural area. The communities along the dale are served by 8 local primary schools (Frosterley, Hamsterley, Rookhope St John's Chapel, Wearhead, Witton le Wear, Wolsingham, and Stanhope Barrington and one secondary school founded at Wolsingham. Current pupil figures as of 28 September 2018, indicates 413 primary and 600 secondary with a spare capacity of 212 for primary school places and 292 for Wolsingham school and sixth form.

There is some pupil mobility between Weardale primary schools, with some parental preference beyond the dale into neighbouring schools in Teesdale, and across the border to schools in Northumberland.

Approximately staff numbers across the schools are 124 primary and 93 at secondary.

Each school has its own governing body.

#### Educational considerations

Governing bodies, Headteachers and staff have worked hard to sustain education in Weardale. Whilst some schools have low numbers of pupils the quality of education in each is at least Good.

Primary schools have to date benefitted from the formula funding protection given to small schools. The secondary school at Wolsingham has however experienced significant financial difficulty. This has required both staff reductions, suspension of the post 16 offer, and exceptionally a subsidy from the county council beyond the formula funding of some millions of pounds. This arrangement is beyond the scope of the Delegated Schools Grant regulations. Whilst it has sustained the school it cannot continue as a drain on the wider county council finances.

#### Progress in the review

Both informal discussions with head teachers and more formal discussions with chairs of governors have been taking place over the past three terms. These meetings have served to develop a shared awareness of the difficult demographics in the area, the funding changes consequent on new national funding arrangements, and the need to consider a more formal co-operation through partnership working and governance.

#### Present position and options

Status Quo – There is a national debate about the vulnerability of small rural schools; we recognise that low and falling pupil rolls coupled with a new, less generous National Funding model will threaten the delivery of the education in Weardale and Wolsingham. A reduced educational offer will impact generally on pupils and staff.

Going forward there are three options being considered: soft federation, hard federation, or reorganisation with school closure at Wolsingham Secondary school.

Soft Federation – This option would enable a simple model of staff and governance with its associated strengths and efficiencies. Its key weakness is the voluntary basis of the federation partnership, it can be undone if one or more partner withdraws. It is recognised that there will be variations in staff and governor travel time should this option be adopted. Pupils would continue to access education at their chosen school.

Hard Federation- structured partnership or a co-operative based trust across the family of Weardale schools offers economies of scale for governance, staff, curriculum specialism and in delivering a sustainable educational offer across each member school.

Closure of Wolsingham school- On this option the existing parental choice of school would be reduced for all pupils. Places would be made available at other secondary schools within County Durham for those pupils currently attending Wolsingham and for future pupils. Some parents may elect to transfer their child to alternative provision. Staff would be relocated, redeployed or made redundant. There would be a need for fewer governors across the area.

Chairs of governors are broadly in favour of a soft federation of voluntary partnership working. The county council is of the opinion that partnership on a voluntary basis provides only a fragile basis for future education in the locality.

The county council strongly advocates a hard federation, based on formal agreement to an integrated staff team with a reduced and simplified system of governance.

**Next Steps**

Meetings of all interested parties should take place into the Autumn Term 2018. Reports to the County Council Cabinet meeting in November could lead to the publication of notices early in 2019; proposing significant changes to be implemented from September 2019.

Who are the main stakeholders? (e.g. general public, staff, members, specific clients/service users):

- Pupils
- Parents/Carers
- Headteachers/Teachers/All staff employee in these schools
- Governors
- Trade Unions
- Local Communities

**Screening**

Is there any actual or potential negative or positive impact on the following protected characteristics?

Protected Characteristic	Negative Impact Indicate: Y = Yes, N = No, ? = unsure	Positive Impact Indicate: Y = Yes, N = No, ? = unsure
Age	?	N
Disability	?	N
Marriage and civil partnership (workplace only)	N	N
Pregnancy and maternity	N	N

Race (ethnicity)	?	N
Religion or Belief	N	N
Sex (gender)	?	N
Sexual orientation	N	N
Transgender	N	N

Please provide brief details of any potential to cause adverse impact. Record full details and analysis in the following section of this assessment.

Initial analysis of potential equality impact of the review options are as follows:

Any diminution in the quality of education across the Weardale schools will be associated with particular impact on pupils who have learning difficulties, SEN or who are already disadvantaged in their educational attainment. The situation at Wolsingham School where the council has provided an exceptional subsidy will be particularly acute for pupils who have protected characteristics.

The central weakness and main potential equalities impact on protected groups and individuals lies in the voluntary nature of a soft federation. Any random and arbitrary withdrawal from the partnership would pose significant risk to those pupils and staff who are vulnerable.

The mitigating impact of schools co-operating in a hard federation would be particularly strong. A fixed, reliable and secure planning framework of governance, staffing and finance would enable the delivery of a resilient education to protected groups. It is proposed that these benefits would extend to pupils, staff and governors. Recognition should be given to some variation in staff contracts, changed travel times and potential for some impact on hours worked. It will be important to negotiate mitigation in these areas.

In turn there may be opportunities for and a need to review governance, governor representation, meetings, venues and travel times. Again there will be an important opportunity to mitigate the impact of these changes on protected individuals.

School closures at Wolsingham would impact particularly and directly on pupils and staff in protected groups. Whilst the impact of relocation can be mitigated through degree through careful planning, it is clear; travel times to and from school may increase, there may be disruption to routine; some use of unfamiliar staff and new environments would pose challenges.

For vulnerable pupils there is maybe a need for a personal educational plan or a revised Education and Health Plan. Structure changes to transport arrangements, and to support staff continuity would be required as part of equalities mitigation.

Wolsingham school is frequently used by the community for sport, leisure and a range of community activities and closure of the facility would have potential negative impacts across the protected groups in particular age, gender and disability.

Critical challenge, feedback and advice should come from future public consultations from professional associations, unions and other interested parties.

How will this policy/proposal/practice promote our commitment to our legal responsibilities under the public sector equality duty to:

- eliminate discrimination, harassment and victimisation,
- advance equality of opportunity, and
- foster good relations between people from different groups?

We recognise the need to treat all those involved in the review fairly; in particular we have had regard to the named 'protected' characteristic and our specific duty to carry out our discussions and decision making in ways that eliminate discrimination, advance equality of opportunity and foster good relations; for people who share a relevant protected characteristic; and those who do not.

A fixed, reliable and secure planning framework of governance, staffing and finance as offered by a hard federation option would enable the delivery of a resilient education. This will be particularly positive for more vulnerable groups such as pupils and staff with disabilities. Recognition should be given to some variation in staff contracts, changed travel times and potential for some impact on hours worked. It will be important to negotiate mitigation in these areas.

We have sought to review over an extended period in order to be inclusive and have encouraged the involvement of as many people as possible from protected groups. Reasonable adjustments have been made where required.

## Evidence

What evidence do you have to support your findings?

Please outline your data sets and/or proposed evidence sources, highlight any gaps and say whether or not you propose to carry out consultation. Record greater detail and analysis in the following section of this assessment.

Initial scoping

The initial scoping exercise covered the following areas:

- Ofsted Reports on School Performance
- School improvement service monitoring reports
- Financial information on dedicated schools grant, and individual school budgets
- Demographic analysis for the area with housing and pupil projections
- Staffing analysis

The information informed a series of local consultations with Headteachers and governors of the school in the review as follows:

- Blessed John Ducket
- Frosterley Primary
- Hamsterley Primary
- Howden-le-Wear Primary
- Rookhope Primary
- St John's Chapel Primary
- Stanhope Barrington CE Primary
- Tow Law Millennium Primary
- Wearhead Primary
- Witton-le- Wear Primary
- Wolsingham Primary
- Wolsingham School

The initial scoping gathered evidence across a wide spectrum. More detailed analysis both drilled into the potential equality implications of specific groups and drew on wider national and regional comparators. The key groups identified included:

- Pupils who are Looked After
- Pupils who have learning difficulties / SEND
- Pupils who are disadvantaged and in receipt of Pupil Premium support
- Pupil ethnicity
- Staff who may have protected characteristics
- Governors who have protected characteristics

We have used and are using this information to support and inform the continuing public consultations.

We recognise that through public consultation our awareness of the equalities impact of the proposals will develop and may change as we review more evidence, advice and opinion.

### Screening Summary

On the basis of this screening is there:	Confirm which refers (Y/N)
Evidence of actual or potential impact on some/all of the protected characteristics which will proceed to full assessment?	Y
No evidence of actual or potential impact on some/all of the protected characteristics?	

## Sign Off

Lead officer sign off: Head of Education	Date: Updated November 2018
Service equality representative sign off: Equality and diversity team leader	Date: November 2018

If carrying out a full assessment please proceed to section two.

If not proceeding to full assessment please return completed screenings to your service equality representative and forward a copy to [equalities@durham.gov.uk](mailto:equalities@durham.gov.uk)

If you are unsure of potential impact please contact the corporate research and equalities team for further advice at [equalities@durham.gov.uk](mailto:equalities@durham.gov.uk)

## Section Two: Data analysis and assessment of impact

Please provide details on impacts for people with different protected characteristics relevant to your screening findings. You need to decide if there is or likely to be a differential impact for some. Highlight the positives e.g. benefits for certain groups, advancing equality, as well as the negatives e.g. barriers for and/or exclusion of particular groups. Record the evidence you have used to support or explain your conclusions. Devise and record mitigating actions where necessary.

Protected Characteristic: Age																																		
What is the actual or potential impact on stakeholders?	Record of evidence to support or explain your conclusions on impact.	What further action or mitigation is required?																																
<p><b>Potential impact</b> <i>Soft federation</i> Due to voluntary nature of a soft federation any random and arbitrary withdrawal from the partnership would pose a risk to both pupils and staff.</p> <p><i>Hard federation</i> A fixed, reliable and secure planning framework of governance, staffing and finance would enable the delivery of a resilient education to protected groups. It is proposed that these benefits would extend to pupils, staff and governors. Recognition should be given to some variation in staff contracts, changed travel times and potential for some impact on hours worked. It will be important to negotiate mitigation in these areas.</p> <p><i>Closure of Wolsingham School</i> School closures at Wolsingham would impact directly on pupils and staff. Whilst the impact of relocation can be mitigated through degree through careful planning, it is clear; travel times to and from school may increase, there</p>	<p>Age Profile of employees</p> <table> <tr> <td>16-24</td> <td>12</td> </tr> <tr> <td>25-44</td> <td>83</td> </tr> <tr> <td>45-66</td> <td>122</td> </tr> </table> <p>The age profile of all employees across the primary and secondary schools within the Wolsingham area identifies a larger proportion of employees (45-66). Therefore any future proposals may have a potential disproportionate impact on this group of employees.</p> <p>Pupils Age Range – Numbers of Roll</p> <table> <tr> <td>Reception</td> <td>54</td> </tr> <tr> <td>Year 1</td> <td>65</td> </tr> <tr> <td>Year 2</td> <td>48</td> </tr> <tr> <td>Year 3</td> <td>53</td> </tr> <tr> <td>Year 4</td> <td>67</td> </tr> <tr> <td>Year 5</td> <td>65</td> </tr> <tr> <td>Year 6</td> <td>61</td> </tr> <tr> <td>Year 7</td> <td>133</td> </tr> <tr> <td>Year 8</td> <td>120</td> </tr> <tr> <td>Year 9</td> <td>110</td> </tr> <tr> <td>Year 10</td> <td>82</td> </tr> <tr> <td>Year 11</td> <td>92</td> </tr> <tr> <td>Year 13</td> <td>63</td> </tr> </table>	16-24	12	25-44	83	45-66	122	Reception	54	Year 1	65	Year 2	48	Year 3	53	Year 4	67	Year 5	65	Year 6	61	Year 7	133	Year 8	120	Year 9	110	Year 10	82	Year 11	92	Year 13	63	<p>Post Cabinet decision – update of equality analysis based on forward plans.</p> <p>The EIA will be updated as the proposals develop and the mitigating actions will be updated.</p> <p>As during any restructure or reorganisation of staffing, the relevant HR policies and procedures will be followed,</p>
16-24	12																																	
25-44	83																																	
45-66	122																																	
Reception	54																																	
Year 1	65																																	
Year 2	48																																	
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Year 4	67																																	
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Year 8	120																																	
Year 9	110																																	
Year 10	82																																	
Year 11	92																																	
Year 13	63																																	



<p>may be disruption to routine; some use of unfamiliar staff and new environments would pose challenges.</p> <p>For vulnerable pupils there is maybe a need for a personal educational plan or a revised Education and Health Plan. Structure changes to transport arrangements, and to support staff continuity would be required as part of equalities mitigation.</p> <p>Wolsingham school is frequently used by the community for sport, leisure and a range of community activities and closure of the facility would have potential negative impacts across the protected groups.</p>	<p>Activities currently timetabled at the community swimming pool and sports hall (potential disproportionate age impact):</p> <ul style="list-style-type: none"> <li>• Under 4's</li> <li>• Rookie lifeguards</li> <li>• Parent and toddler</li> <li>• Family swim</li> <li>• Junior badminton</li> </ul>	
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Protected Characteristic: Disability		
What is the actual or potential impact on stakeholders?	Explain your conclusion considering relevant evidence and consultation	What further action or mitigation is required?
<p>Potential impact: <i>Soft federation</i></p> <p>Due to voluntary nature of a soft federation any random and arbitrary withdrawal from the partnership would pose a risk to both pupils and staff. This is likely to have a greater impact on pupils and staff with disabilities.</p>	<p>Employee Data – Disability profile</p> <p>Disabled employees- less than 5.</p> <p>Non Disabled 135,</p>	<p>As above</p> <p>We will ensure that Reasonable adjustments will be made where required.</p> <p>The EIA will be updated as the proposals develop</p>

<p><i>Hard federation</i> A fixed, reliable and secure planning framework of governance, staffing and finance would enable the delivery of a resilient education to protected groups. It is proposed that these benefits would extend to pupils, staff and governors. Recognition should be given to some variation in staff contracts, changed travel times and potential for some impact on hours worked. It will be important to negotiate mitigation in these areas.</p> <p><i>Closure of Wolsingham School</i> School closures at Wolsingham would impact directly on pupils and staff. Whilst the impact of relocation can be mitigated through degree through careful planning, it is clear; travel times to and from school may increase, there may be disruption to routine; some use of unfamiliar staff and new environments would pose challenges.</p> <p>For pupils with disabilities or additional needs there may be a need for a personal educational plan or a revised Education and Health Plan. Structure changes to transport arrangements, and to support staff continuity would be required as part of equalities mitigation.</p> <p>Wolsingham school is frequently used by the</p>	<p>Due to low numbers of employees disclosing whether or not they have a disability, it is difficult to determine whether the proposals will have a potential impact on disabled employees. For those who have declared themselves as disabled, reasonable adjustments will be considered throughout the process.</p> <p>Pupils</p> <p>11 pupils are identified as having a disability.</p> <p>A variety of activities are currently timetabled at the community swimming pool and sports hall where there is evidence of disabled people accessing these facilities</p>	<p>and the mitigating actions will be updated.</p> <p>As during any restructure or reorganisation of staffing, the relevant HR policies and procedures will be followed.</p> <p>Schools will follow the correct procedures and ensure that all pupils with a disability are considered during the process, to meet their needs particularly if they are expected to travel further. There may be the need for a revised personal education plan or an education and health plan.</p>
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community for sport, leisure and a range of community activities and closure of the facility would have potential negative impacts across the protected groups. There is likely to be a greater negative impact on people with disabilities as they rely more on local services and may have restricted transport options.	.	
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Protected Characteristic: Marriage and civil partnership (workplace only)		
What is the actual or potential impact on stakeholders?	Explain your conclusion considering relevant evidence and consultation	What further action or mitigation is required?
No anticipated impact	Employee data – not disclosed	

Protected Characteristic: Pregnancy and maternity		
What is the actual or potential impact on stakeholders?	Explain your conclusion considering relevant evidence and consultation	What further action or mitigation is required?
No anticipated impact	Employee data – not disclosed	

Protected Characteristic: Race (ethnicity)		
What is the actual or potential impact on stakeholders?	Explain your conclusion considering relevant evidence and consultation	What further action or mitigation is required?
No anticipated impact	<p>Employee Data – Ethnicity profile</p> <p>White British 172  Other ethnic 3  White Irish 1  White NI 3  ASIANB IND 1  Not disclosed 37</p> <p>Based on the ethnicity staff profile, it is not thought that</p>	<p>The EIA will be updated as the proposals develop and the mitigating actions will be updated.</p> <p>As during any restructure or reorganisation of staffing, the relevant HR</p>

	<p>the proposals will have a significant impact, as the larger proportion of employees declared themselves as White British.</p> <p>Pupils</p> <table> <tr><td>White British</td><td>967</td></tr> <tr><td>White/Asian</td><td>7</td></tr> <tr><td>White Traveller/Irish</td><td>3</td></tr> <tr><td>White other</td><td>2</td></tr> <tr><td>Other Asian</td><td>4</td></tr> <tr><td>Other Mixed</td><td>2</td></tr> <tr><td>Other Ethnic</td><td>2</td></tr> <tr><td>Black African</td><td>1</td></tr> <tr><td>White Irish</td><td>2</td></tr> <tr><td>White any other</td><td>6</td></tr> <tr><td>Gypsy/Roma</td><td>3</td></tr> </table>	White British	967	White/Asian	7	White Traveller/Irish	3	White other	2	Other Asian	4	Other Mixed	2	Other Ethnic	2	Black African	1	White Irish	2	White any other	6	Gypsy/Roma	3	<p>policies and procedures will be followed.</p>
White British	967																							
White/Asian	7																							
White Traveller/Irish	3																							
White other	2																							
Other Asian	4																							
Other Mixed	2																							
Other Ethnic	2																							
Black African	1																							
White Irish	2																							
White any other	6																							
Gypsy/Roma	3																							

Protected Characteristic: Religion or belief		
What is the actual or potential impact on stakeholders?	Explain your conclusion considering relevant evidence and consultation	What further action or mitigation is required?
No anticipated impact	Employee data – not disclosed	

Protected Characteristic: Sex (gender)		
What is the actual or potential impact on stakeholders?	Explain your conclusion considering relevant evidence and consultation	What further action or mitigation is required?
<p>Potential impact:</p> <p><i>Soft federation</i></p> <p>Due to voluntary nature of a soft federation any random and arbitrary withdrawal from the partnership would pose a risk to both pupils and staff.</p> <p><i>Hard federation</i></p>	<p>Gender profile of employees</p> <p>40 Male</p> <p>177 female</p> <p>The gender profile of all employees across the primary and secondary schools within</p>	<p>The EIA will be updated as the proposals develop and the mitigating actions will be updated.</p> <p>As during any restructure or</p>

<p>A fixed, reliable and secure planning framework of governance, staffing and finance would enable the delivery of a resilient education to protected groups. It is proposed that these benefits would extend to pupils, staff and governors. Recognition should be given to some variation in staff contracts, changed travel times and potential for some impact on hours worked. It will be important to negotiate mitigation in these areas.</p> <p><i>Closure of Wolsingham School</i>  School closures at Wolsingham would impact directly on pupils and staff. Whilst the impact of relocation can be mitigated through degree through careful planning, it is clear; travel times to and from school may increase, there may be disruption to routine; some use of unfamiliar staff and new environments would pose challenges.</p> <p>Wolsingham school is frequently used by the community for sport, leisure and a range of community activities and closure of the facility would have potential negative impacts across the protected groups. This may have a disproportionate negative impact on women who, as main carers in many instances, may rely more on local services.</p>	<p>the Wolsingham area identifies a larger proportion of female employees. Therefore any future proposals may have a potential disproportionate impact on this group of employees.</p> <p>Pupils</p> <p>Male 499</p> <p>Female 522</p> <p>Activities currently timetabled at the community swimming pool and sports hall (potential disproportionate gender impact):</p> <ul style="list-style-type: none"> <li>• Under 4's</li> <li>• Parent and toddler</li> <li>• Family swim</li> </ul>	<p>reorganisation of staffing, the relevant HR policies and procedures will be followed.</p>
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Protected Characteristic: Sexual orientation		
What is the actual or potential impact on stakeholders?	Explain your conclusion considering relevant evidence and consultation	What further action or mitigation is required?
No anticipated impact	Employee data- not disclosed	

Protected Characteristic: Transgender		
What is the actual or potential impact on stakeholders?	Explain your conclusion considering relevant evidence and consultation	What further action or mitigation is required?
No anticipated impact	Employee data – not disclosed	

### Section Three: Conclusion and Review Summary

Please provide a brief summary of your findings stating the main impacts, both positive and negative, across the protected characteristics.

From the process of equalities impact assessment it is evident that there would be potential or actual impact on protected groups of pupils, staff and governors and members of the community consequent on implementation of the Weardale/Wolsingham Review. In particular there are potential impacts in relation to age, disability and gender to varying degrees depending on the outcome of the preferred option taken forward.

Will this promote positive relationships between different communities? If so how?

### Action Plan

Action	Responsibility	Timescales for implementation	In which plan will the action appear?
Post Cabinet decision – update of equality analysis based on forward plans.			

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**Review**

Are there any additional assessments that need to be undertaken? (Y/N)	N
When will this assessment be reviewed? Please also insert this date at the front of the template	

**Sign Off**

Lead officer sign off: Julien Kramer, Interim Head of Education	Date: November 2018
Service equality representative sign off: Equalities team leader	Date: November 2018

Please return the completed form to your service equality representative and forward a copy to [equalities@durham.gov.uk](mailto:equalities@durham.gov.uk)