

Cabinet

8 July 2020

**Proposal to Close the Trimdon Grange Site
of Bluebell Meadow Primary School on 31
August 2020**

Key Decision: CYPs/06/2020



**Report of John Pearce, Corporate Director of Children and Young
People's Services**

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

Electoral division(s) affected:

Trimdon and Thornley.

Purpose of the Report

- 1 To seek Cabinet approval to close the Trimdon Grange site of Bluebell Meadow Primary School on 31 August 2020 and to operate solely from the Trimdon Village site from 1 September 2020 taking account of the Local Authority's duties as prescribed in the Education and Inspections Act 2006 to secure sufficient places and to ensure good outcomes for all children and young people in the local area.

Executive summary

- 2 Bluebell Meadow Primary School is currently subject to a directive Academy Order as a result of an Ofsted inspection report that rated the school as inadequate. The Department for Education (DfE) has secured Eden Academy Trust, Hartlepool, as a sponsor and Bluebell Meadow Primary School is due to become part of that Multi Academy Trust (MAT) on 1 September 2020.
- 3 All pupils of statutory school age have already been consolidated on to a single site in Trimdon Village from January 2020. The Trimdon Grange site has continued to provide a base for nursery and pre-school age children. There are significant maintenance issues with the Trimdon Grange site and pupil numbers have fallen substantially since the previous reorganisation in 2016 which established a single school operating over two sites.

- 4 Undertaking the statutory process to close the Trimdon Grange site will enable the academy conversion to be completed from 1st September 2020. The educational and financial risks of not proceeding with the academy conversion are set out in the report.
- 5 If Cabinet agree to the recommendation in this report the Trimdon Grange site will remain with the Council rather than transferring to Eden Academy Trust as part of the conversion process. A decision on the future use of the site will be required once it ceases to be used for education provision.
- 6 Initial consultation was carried out on the proposal to close the Trimdon Grange site of Bluebell Meadow Primary School between 9 March and 3 April 2020. Consultation was undertaken with Governors, staff, parents and the wider community.
- 7 A total of 15 responses were received to that phase of consultation. 4 responses were in support of the proposal and 11 not in support of it. Details of the consultation and responses received are outlined in paragraphs 15 to 20 of this report. The majority of responses did not address the educational reasons for the consultation.
- 8 Following the initial consultation phase a decision was made on the 8th April 2020 by the Corporate Director, Children and Young People's Services, using delegated powers, to approve the issuing of a statutory notice proposing to approval to close the Trimdon Grange site of Bluebell Meadow Primary School on 31 August 2020.
- 9 The statutory notice was issued on 23 April 2020. Any person wishing to object or make comments on the proposal had four weeks from this date to do so. 3 comments were received to the proposal all opposed to the proposal. These comments reiterated concerns highlighted in the initial consultation phase but again did not address the educational reasons for the proposal.
- 10 The 3 responses to the statutory notice were critical of the council for the 2016 amalgamation of Trimdon Grange Infant and Nursery School, Trimdon Village Infant School and Trimdon Junior School into one primary school. Respondents were firmly of the view that that decision has led to the fall in pupil numbers and drop in education standards. However, the purpose of this consultation was not to revisit previous decisions but to address the current challenges set out in this report.

Recommendation

- 11 Cabinet is recommended to agree that the Trimdon Grange site of Bluebell Meadow Primary School should close on 31 August 2020 so that the school operates solely on the Trimdon Village site from 1 September 2020.

Background

- 12 Trimdon Grange Infant and Nursery School, Trimdon Village Infant School and Trimdon Junior School amalgamated on 1 September 2016 to form Bluebell Meadow Primary School. This single primary school currently runs across the sites of Trimdon Grange Infant and Nursery School and Trimdon junior Schools.
- 13 At the time of the amalgamation, it was anticipated that in the region of 295 pupils (Reception to Year 6) would be on roll at the school in September 2019 of which 70 would be attending the Trimdon Grange site. Since then numbers have steadily declined and there are currently 222 pupils on roll which is 73 (25%) less than previously expected, with only 36 now attending the Trimdon Grange site at the end of December 2019.
- 14 The reduction in pupil numbers from the predicted 295 to 222 has put significant pressure on the school budget. At 31 March 2020 the school is forecast to have a retained deficit balance carried forward of circa £45,000, with an in-year deficit of circa £87,000. In 2020/21 school funding is forecast to reduce by circa £132,000 as a result of a further reduction in pupils and without action, the school is expected to have a deficit carried forward of circa £177,000 at 31 March 2021.
- 15 The Department for Education (DfE) has secured Eden Academy Trust, Hartlepool, as a sponsor and Bluebell Meadow Primary School is due to become part of that Multi Academy Trust (MAT) on 1 September 2020. Eden Academy Trust, Hartlepool, will not however agree to Bluebell Meadow Primary School joining the Trust if they are required to take on the responsibility for the building and site at Trimdon Grange.
- 16 Eden Academy Trust commissioned a condition survey of the Trimdon Grange building. This survey indicated that there were significant issues to be addressed to bring the building to an acceptable standard. Expenditure in excess of £1 million would be required to resolve structural issues, dampness and safeguarding issues. This, in addition to the budgetary issues faced by Bluebell Meadow Primary School has resulted in Eden Academy Trust forming the view that all of the pupils should be educated on the site of the former Trimdon Grange School.
- 17 The council and Eden Academy Trust agree that to ensure quality and consistency of education provision, the children would benefit from being in the same location - part of the same 'school' and with the opportunity for greater interaction with their peers rather than being comparatively isolated.

Consultation

- 18 An initial, non-statutory consultation on a proposal to close the Trimdon Grange site of Bluebell Meadow Primary School was held between 9

March and 3 April 2020. Meetings were scheduled to be held between 16-19 March 2020 with Governors and staff and with parents and members of the local communities at drop in sessions at the Trimdon Grange site.

- 19 However due to the situation regarding coronavirus and the Government's guidelines on social distancing, it was not possible to hold meetings with staff, or parents and members of the local communities. Instead the consultation document was put on Bluebell Meadow Primary School's Facebook page and staff and parents were able to ask questions or express views on there as well as by emailing relevant council officers. Details of the consultation and a full summary of the consultation responses received is included in the delegated decision report dated 8 April 2020 attached as Appendix 2.
- 20 When considering responses to the consultation, the council has referred to the Department for Education (DFE) guidance – "Making significant changes ('prescribed alterations') to maintained schools. Statutory guidance for proposers and decision-makers". This guidance states that the decision-maker (in this case the Council's Cabinet) needs to be satisfied that the appropriate fair and open local consultation has been carried out and that the proposer (in this case the Council's Education Service) has given full consideration to all the responses received. The decision-maker should not simply take account of the numbers of people expressing a particular view. Instead, they should give the greatest weight to responses from those stakeholders likely to be most affected by a proposal – especially parents of children at the affected school(s).
- 21 The responses to the consultation were received and considered by officers in the Council. Of the 15 responses received, 4 were in support of the proposal and 11 were not in support of the proposal. Those not in support of the proposal were of the view that the council had caused the fall in education standards by implementing an amalgamation that very few wanted and not improving the building at Trimdon Grange. These responses referred to the previous consultation rather than addressing the reasons for the current consultation proposal.
- 22 There were also a small number of responses raising concern as to how nursery age pupils would get to the Trimdon Village site as parents could not afford the daily bus fares.
- 23 Those in support of the proposal felt that the condition of the building was not conducive to effective teaching and learning.

Decision to Issue a Statutory Notice

- 24 After considering the responses, a summary of which is provided in the delegated decision report dated 8 April 2020, the Corporate Director, Children and Young People's Services used delegated powers to agree to publish proposals to close the Trimdon Grange site of Bluebell Meadow Primary School on 31 August 2020. A statutory notice was therefore published on 23 April 2020.
- 25 Once a proposal is published there follows a statutory 4-week representation period during which comments can be made. These must be sent to the Local Authority. Any person can submit representations, which can be objections as well as expressions of support. The representation period is the final opportunity for people and organisations to express their views about the proposal. Once the representation period has closed, a decision on the proposal must be made by the decision-maker (in this case the Council's Cabinet) within 2 months, i.e. by 21 July 2020.

Responses to the Proposal Published on 23 April 2020

The Statutory Notice Period

- 26 3 responses were received by the end of the 4-week statutory notice period, all of them blaming the council for the fall in pupil numbers and drop in education standards. They were firmly of the view that the amalgamation of Trimdon Grange Infant and Nursery School, Trimdon Village Infant School and Trimdon Junior School should never have happened and led to the fall in pupil numbers and education standards. Responses did not address the issues upon which the current consultation was undertaken and focused on previous decisions.

Decision-Making Process - Factors to be considered by Cabinet

(a) Consideration of Consultation and Representation Period

Cabinet needs to be satisfied that the appropriate fair and open local consultation and representation period have been carried out and that the proposer (in this case the Local Authority) has given full consideration to all the responses received. If the proposer has failed to meet the statutory requirements, this proposal may be deemed invalid and therefore should be rejected. Consultation was carried out in accordance with Department for Education (DFE guidance).

- 27 Cabinet must consider all of the views submitted, including all support for, and objections to and comments on the proposal. Details of the consultation are included in paragraphs 14-16. The statutory notice published on 23 April 2020 and which expired on 21 May 2020 (the representation period) is attached as Appendix 2. Officers prepared the notice as set out in the regulations and complied with statutory requirements. Due to the current situation with coronavirus, rather than

placing the public notice on the main school gates, it was placed on Bluebell Meadow Primary School's Facebook page

- 28 The delegated decision report provides full details of the response received during the consultation period from 9 March 2020 to 3 April 2020. In summary, 15 responses were received, 4 in support of the proposal and 11 not in support of the proposal.

(b) Related Proposals

- 29 Where proposals appear to be related to other proposals, the decision-maker must consider the related proposals together. A proposal should be regarded as related if its implementation (or non-implementation) would prevent or undermine the effective implementation of another proposal.

- 30 The proposal to close the Trimdon Grange site of Bluebell Meadow Primary School is not linked to any other proposal.

(c) Education Standards and Diversity Issues

- 31 Since Trimdon Grange Infant and Nursery School, Trimdon Village Infant School and Trimdon Junior School amalgamated on 1 September 2016 to become a single primary school on the sites of the former Trimdon Grange Infant and Nursery School and Trimdon Junior School, pupil numbers have reduced significantly, causing budget pressures. In addition, Bluebell Meadow Primary School has been judged 'Inadequate' by Ofsted in May 2019.

- 32 It is believed that the best way of improving education outcomes and easing the pressure on the budget will be most effectively achieved by Bluebell Meadow Primary School operating on one site rather than two sites. Furthermore, the academy sponsor secured by the DfE, Eden Academy Trust, Hartlepool will only agree for the school to become part of the Trust if it has responsibility for only the building and site of the former Trimdon Junior School.

(d) Proposed Admission Arrangements

- 33 When deciding the proposal, Cabinet should confirm that the admission arrangements are compliant with the School Admissions Code. The admission arrangements will remain unchanged and be the same as those for all community and voluntary controlled schools in County Durham and these are compliant with the DfE's School Admission Code. The proposed number of pupils to be admitted to Reception in the school in September 2020 will continue to be 60.

(e) National Curriculum

34 All maintained schools must follow the National Curriculum unless they have secured an exemption for groups of pupils or the school community. The proposal to close the Trimdon Grange site of Bluebell Meadow Primary School has no impact on the school's ability to follow the National Curriculum.

(f) Equal Opportunity Issues

35 Cabinet must have regard to the Public Sector Equality Duty (PSED) which requires them to have 'due regard' to the need to:

- eliminate discrimination;
- advance quality of opportunity; and
- foster good relations

36 An equality impact assessment (Appendix 4) has been carried out on this proposal. There are no potential impacts in relation to age, gender, disability, sexual orientation or ethnicity for pupils and parents/carers. The current school across two sites provide education for boys and girls aged between 2-11 years and the primary school operating from one site only at Trimdon Village will continue to provide education for boys and girls across the same age range.

(g) Travel and Accessibility

37 Bluebell Meadow Primary School will operate on the Trimdon Village site which is where all pupils of statutory school age have been taught since January 2020. Consequently, there will be no increases to travel time for these groups. Nursery and pre-school pupils have continued to access provision on the Trimdon Grange site so there will be an impact for those groups as a result of the proposed changes.

(h) Funding

Cabinet must be satisfied that the necessary funding required to implement the proposal will be available. If the proposal is agreed, capital funding from the DFE Capital Maintenance Grant will be utilised to improve the playground area and carry out work to the structure of the building and to resolve safeguarding issues.

(i) School Premises and Playing Fields

38 Under the School Premises (England) Regulations 2012 all maintained schools are required to provide suitable outdoor space to enable physical education to be provided to pupils in accordance with the school curriculum; and for pupils to play outside safely. The site of Bluebell Meadow Primary School at Trimdon Village School will have

suitable outdoor spaces for all pupils and the council is allocating funding to improve the playground area.

Conclusion

- 39 It is believed that the best way of improving education outcomes and easing the pressure on the school budget will be most effectively achieved by Bluebell Meadow Primary School operating on one site rather than two sites. Furthermore, the academy sponsor secured by the DfE, Eden Academy Trust, Hartlepool will only agree for the school to become part of the Trust if it has responsibility for only the building and site of the former Trimdon Junior School.
- 40 Although there has been limited response to the consultation and statutory notice, and the majority of responses received were not in favour of the proposal, there have been no educational reasons put forward as to why the Trimdon Grange site of Bluebell Meadow Primary School should not be closed on 31 August 2020. . . .

Background Papers

Author Graeme Plews

Tel: 03000 265777

Appendix 1: Implications

Legal Implications

The actions described in this report are intended to comply with the council's duty to exercise its functions with a view to promoting high standards and the fulfilment of each pupil's learning potential in accordance with S13A of the Education Act 1996.

Finance

To resolve the issues within the building at Trimdon Grange would cost in the region of £1 million. This would be a cost to the School Capital Budget. Should the building close and no alternative use be found, there would be a capital receipt to the council if the building and site were sold. The value of this capital receipt is not yet known.

At 31 March 2020 the school is forecast to have a retained deficit balance carried forward of circa £45,000, with an in-year deficit of circa £87,000. In 2020/21 school funding is forecast to reduce by circa £132,000 as a result of a further reduction in pupils and without action, the school is expected to have a deficit carried forward of circa £177,000 at 31 March 2021.

Closure of the Trimdon Grange site would see a reduction in formula funding through the loss of the split site lump sum provision – which is £51,000 in 2020/21 – but will provide opportunities for efficiencies that will more than offset this

Consultation

Consultation will be carried out in accordance with DfE statutory guidance. The approach to consultation is described in paragraphs 24-26 of the report, and an indicative timescale is provided in paragraph 27.

Equality and Diversity / Public Sector Equality Duty

A decision to close one or more sites of a community school which are more than one mile apart can only be taken after consultation.

Any review or change to educational provision in an area has the potential to have an adverse effect on protected characteristics, both in terms of pupils, their families, local communities and employees working in the schools. However, the proposal to close the building of the former Trimdon Grange Infant and Nursery School and utilising the building and site of the former Trimdon Junior School to teach all pupils aged between 2-11 will benefit pupils, staff and parents. Education will be provided in an improved environment to provide a positive learning experience for children and provide equal access to all.

The focus on improved educational outcomes is seen as a positive experience in a child's education and ensures that children who are protected under the Equality and Diversity/Public Sector Equality Duty can maximise their potential. The main groups affected are children currently accessing early years education at Trimdon Grange, their families and staff.

Climate Change

The closure of the building at Trimdon Grange will not directly lead to a negative impact on climate change, but increased use of transport from Trimdon Grange to the site of the former Trimdon Junior School in Trimdon village must be acknowledged.

Human Rights

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

Crime and Disorder

None

Staffing

Any changes to staffing as a result of the consolidation of the school onto one site would be determined by Eden Academy Trust, Hartlepool.

Accommodation

There may be alternative uses identified by the local community for the building at Trimdon Grange, though the asset management and investment requirements will still be an issue. Eden Academy Trust, Hartlepool, will refurbish the building at Trimdon Village to ensure it can accommodate all pupils from September 2020.

Risk

There are a number of risks and issues associated with closure of any school building and the consultation and decision-making process needs to be transparent and inclusive. There is little by way of other council provision in Trimdon Grange and the local community will be concerned over the loss of their local school and over what is planned for the Trimdon Grange building if it is to be no longer used as a school. Alternative use of the building and site was referred to as part of the consultation within the local community to ascertain what future requirements may be. No proposals for the future use of the building have been made.

An over-riding risk to the Council however is that the failure to agree the recommendation in the report results in Eden Academy Trust, Hartlepool, not agreeing that Bluebell Meadow Primary School becomes part of the Trust. This would mean that the school remains a maintained school and the deficit continues to rise. This will also result in reputational damage to the Council who may be viewed as obstructing the DfE's directive requiring Bluebell Meadow Primary School to convert to academy status.

Procurement

N/A

Appendix 2: Public Notice



PUBLIC NOTICE

Proposal to close the Trimdon Grange site of Bluebell Meadow Primary School on 31 August 2020

Notice is given in accordance with Section 19(1) of the Education and Inspections Act 2006 that Durham County Council intends to make a prescribed alteration to Bluebell Meadow Primary School (Community) Trimdon Grange, Trimdon Station TS29 6EY.

It is proposed to close the Trimdon Grange site of Bluebell Meadow Primary School on 31 August 2020. This proposal reflects the work being done across County Durham to make schools sustainable in the long term to meet the challenges in a rapidly changing educational environment.

The current capacity of Bluebell Meadow Primary School across the two sites is for 420 pupils. The capacity of the school should the Trimdon Grange site close will continue to be for 420 pupils as the building at the Trimdon Village will be remodelled to provide additional places. The proposed admission number will be 60

When Trimdon Village Infant School, Trimdon Grange Infant and Nursery School and Trimdon Junior School amalgamated in September 2016 to form Bluebell Meadow Primary School, in the region of 295 pupils were expected to be on roll in September 2019. Since then pupil numbers have reduced more than expected and the total number of pupils currently on roll is 222. This reduction in pupil numbers has put significant pressure on the school budget. The current model of providing education across two sites is not likely to be sustainable in the long term and it is not in the best interests of the pupils and staff at the school. The school was also judged as Inadequate by Ofsted in May 2019. As a result, the school was issued with a directive 'Academy Order' by the Secretary of State requiring them to convert to academy status and be sponsored by an existing Multi-Academy Trust. The council and the proposed sponsor, Eden Academy Trust, Hartlepool both believe that this proposal will not have any negative impact on the standard of education provided to children from Bluebell Meadow Primary School.

This Notice is an extract from the full proposal. Copies of the complete proposal can be obtained via an email request to:
schoolorganisation@durham.gov.uk

It is also available on the County Council's website at: www.durham.gov.uk/consultations

Within four weeks from the date of this publication any person may object or make comments on the proposal by emailing them to

- schoolorganisation@durham.gov.uk

Signed:

A handwritten signature in black ink, appearing to read 'JMPearce', written in a cursive style.

John Pearce
Corporate Director
Children and Adults Services

Publication Date: 23 April 2020

Appendix 3: Impact Assessment

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	Education, School Places and Admissions
Lead Officer	Graeme Plews
Title	School Places and Admissions Manager
MFTP Reference (if relevant)	N/A
Cabinet Date (if relevant)	July 2020
Start Date	March 2020
Review Date	May 2020

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):

Proposal to close the Trimdon Grange site of Bluebell Meadow Primary School on 31 August 2020 with pupils being taught solely on the Trimdon Village site from 1 September 2020.

The objective of the proposal is to address the reduction in pupil numbers, pressure on the school budget and to improve educational standards.

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

General Public, governors, Staff, pupils of Bluebell Meadow Primary School, providers of Early Years Education, Elected Members, MPs, Neighbouring Schools, Trade Unions, Diocese, Department for Education, Community Groups, Parish Councils, Residents' Associations, AAP Board, CYPS/DCC Staff, Parents/Carers.

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	N
Disability	N	N
Marriage and civil partnership (workplace only)	N	N
Pregnancy and maternity	N	N
Race (ethnicity)	N	N
Religion or Belief	N	N
Sex (gender)	N	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.

The main groups affected by this proposal are pupils attending Bluebell Meadow Primary School, their families and staff. It is not expected that pupils and their families will be adversely affected.

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?**

Closing the Trimdon Grange site of Bluebell Meadow Primary School will enhance education provision in the area and will lead to a more sustainable establishment for the long term that will bring about educational improvement and will continue to provide equal access for all.

A 4-week consultation was held during March and April 2020. Consultation documents were distributed widely and a meeting was held with Governors of Bluebell Meadow Primary School. Due to the situation with coronavirus and Government guidance on social distancing it was not possible to have meetings with staff, parents or members of the local community. Stakeholders were invited to respond in a variety of ways written responses using the response form attached to the consultation document, letter, email or completing the response form online via the County Council's website. Alternative formats were available on request. 15 responses were received to the consultation, 4 in support of the proposal and 11 not in support of the proposal.

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.

Bluebell Meadow Primary School was inspected by Ofsted in May 2019 and was judged as 'Inadequate'. As a result, the school was issued with a directive 'Academy Order' by the Secretary of State requiring them to convert to academy status and be sponsored by an existing Multi-Academy Trust. The Department for Education (DfE) has secured Eden Academy Trust, Hartlepool, as a sponsor and Bluebell Meadow Primary School is due to become part of that Multi Academy Trust (MAT) on 1 September 2020, subject to them not taking on the responsibility for the building and site at Trimdon Grange.

The Eden Academy Trust, Hartlepool, is of the view that to ensure quality and consistency of education provision the children would benefit from being in the same location - part of the 'same school' and with the opportunity for greater interaction with their peers rather than being comparatively isolated. Under the Academy Order, this decision rests with the sponsoring Trust, but the County Council recognises the action of educating all children on a single site is in their best interests at this time.

Screening Summary

On the basis of the 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?	No
No evidence of actual or potential impact on some/all of the protected characteristics?	No

Sign Off

Lead Officer sign off: 	Date: 8 July 2020
Service equality representative sign off:	Date:

If not proceeding to full assessment please return completed screenings to your service equality representative and forward a copy to 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