

Delegated Decision

14 January 2022



Proposal to close the Sunnydale site of Greenfield Community College on 31 August 2022 and to rebuild the Newton Aycliffe site

Key Decision No. CYPS/01/2022

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

Electoral division(s) affected:

Aycliffe East, Aycliffe North and Middridge, Aycliffe West, Shildon and Dene Valley.

Purpose of the Report

- 1 To provide details on the outcome of consultation which was undertaken between 8 November 2021 and 19 December 2021 proposing to close the Sunnydale site of Greenfield Community College on 31 August 2022; and to seek approval to move to the next stage in the process which is to issue a statutory notice.

Executive summary

- 2 In a report dated 13 October 2021, Cabinet agreed that consultation could commence on a proposal to close the Sunnydale site of Greenfield Community College on 31 August 2022 and to rebuild the Newton Aycliffe site.
- 3 Consultation was carried out between 8 November and 19 December 2021 with Governors, staff, parents, and the wider community.
- 4 Responses were received via email, paper based forms and the online response form on the DCC website.
- 5 The majority of respondents (59.1%) supported the proposal and expressed the view that it would be beneficial to have all the pupils taught on one site which will lead to more effective teaching and

learning. Rebuilding the Newton Aycliffe site would provide an opportunity to invest in a school that will make education the heart of its mission instead of struggling with a building that doesn't work.

- 6 It was highlighted that the proposal will have a positive impact on children's education. Rebuilding the Newton Aycliffe site and closing the Sunnydale site will enable the school to be improved by removing the barriers to improving standards that have been created by split site provision.
- 7 Those who did not support the proposal expressed concerns that the loss of provision in a residential area that was expanding does not seem sensible. The Council should be building a school in Shildon even if it was a smaller school. The town has a population of 10,000, and 3 primary schools and respondents therefore felt that there would be sufficient pupils to make the school viable. The issue of sufficiency of pupil numbers was covered in the Cabinet report of 13th October 2021 and the consultation documentation.
- 8 Those respondents opposed to the proposal expressed concerns that it would have a devastating effect on Shildon's community, the children and young people involved and the stability on family life, not only from the practical perspective of travelling to and from school, but also the emotional wellbeing of the young people. Some respondents believed that the proposal would have an extremely negative impact on individuals, businesses and organisations as well as denying the young people of Shildon the opportunity to take a pride in their education at a local secondary school.

Recommendation(s)

- 9 The majority of responses (59.1%) supported the proposal, and those respondents who do not support it have not suggested alternative practicable solutions. The Cabinet report of 13th October 2021 outlined the pupil numbers and resulting financial implications that made the option of retaining secondary provision in Shildon unsustainable.
- 10 Respondents opposed to the proposals did not provide evidence of sustainable numbers or alternative viable options to support their preferred option which is to retain secondary education on the Sunnydale site.
- 11 Therefore, the Corporate Director, Children and Young People's Services is recommended to give approval for officers to issue a statutory notice proposing to close the Sunnydale site of Greenfield Community College on 31 August 2022 and to rebuild the Newton Aycliffe site.

Background

- 12 Following an Ofsted inspection judgement of 'inadequate', Sunnydale School in Shildon was amalgamated with Greenfield School, Newton Aycliffe. Greenfield School was enlarged from 1 January 2015, becoming Greenfield Community College, and Sunnydale School was closed as a separate school on 31 December 2014.
- 13 These schools were 2.2 miles apart and prior to the reorganisation, had already been working together in an educational trust. At the time of the Ofsted inspection in 2014 there were also significant sustainability issues for Sunnydale school with only 405 pupils attending the school.
- 14 Education delivery across a split-site took place until January 2020 whereupon health and safety concerns forced the temporary closure of the Sunnydale site. At this point all pupils were safely accommodated on the Greenfield site, with temporary additional accommodation provided.
- 15 The establishment of a single school operating on a split-side model in 2015 did not address the underlying challenges evident before the amalgamation. Pupil numbers have continued to fall as education standards have declined with challenge from both DfE and Ofsted. As a result, the school has faced financial challenges compounded by long standing site issues.
- 16 The very poor condition especially of the Sunnydale site, have combined to create a situation that must be resolved by considering long term options for improved educational provision.
- 17 Parental choice has favoured schools other than Greenfield Community College in recent years. That has led to pupils from Shildon increasingly attending schools in nearby Bishop Auckland. This has been compounded by the significant growth of the nearby University Technical College (UTC) South Durham in Newton Aycliffe which has also impacted pupil numbers.
- 18 This trend has further reduced pupil numbers at Greenfield Community College from below the minimum recommended by the Department for Education for a financially viable school across two sites.
- 19 Repeated Ofsted inspections and Department for Education (DfE) advisers have identified the split-site arrangement inhibits educational improvement and progress. Notwithstanding this, there is a desire within the Shildon community to retain secondary provision in the town.
- 20 In a report dated 13 October 2021, Cabinet considered 4 options for the provision of education at Greenfield Community College in order

that a solution is found to current challenges sufficiency, building conditions, and impact of the split site model on the breadth and quality of the curriculum. The preferred option, and that which Cabinet gave agreement on which to consult was to close the Sunnydale site of Greenfield Community College and to rebuild the Newton Aycliffe site.

- 21 Consultation documents (attached as Appendix 2) were distributed widely (distribution list attached as Appendix 3). Meetings with Elected Members, Governors and staff were held on 8 and 9 November 2021. Live events were held over Microsoft Teams on 16 and 17 November for parents, the wider communities and other stakeholders to hear the proposal explained by senior council officers and for them to ask questions and express views.

Issues raised at the Consultation Meetings

- 22 At the meetings with staff and Governors of Greenfield Community College held on 8 - 9 November 2021 and the Live Events held on 16 and 17 November, officers explained the reasons for the proposal and invited those present to express views and ask questions. The key issues discussed at the meetings and Live Events can be summarised as follows:

(a) The proposal was viewed positively at the staff, Trust and Governing Body meetings, with Governors, the Trust and staff firmly of the view that having education on one site rather than two sites will improve outcomes for both teaching and learning. This would be further enhanced by having improved accommodation. The proposal also brings to an end the uncertainty around the future of Greenfield Community College which has had a negative impact on teaching and learning and recruitment of staff and pupils.

(b) At the Live Events, questions were asked as to whether the decision on the proposal had already been made if Cabinet had already agreed funding to rebuild.

Officers explained that the decision had not already been made as a decision cannot be made without a consultation being held on the proposal. Funding had been agreed for the rebuild to the Newton Aycliffe site should the proposal be agreed.

(c) Concerns were raised that the closure of the Sunnydale site would put at risk the adjoining leisure facilities.

Officers stated that the proposal to close the Sunnydale site of Greenfield Community College did not impact on the long-term future of the adjacent Leisure Centre. The plans for that are being

progressed through the Council's Leisure Transformation programme.

- (d) Questions were asked as to how residents could prevent the proposal being agreed as they wanted Shildon to have its own secondary school to address the needs of the town and its population.

Officers stated that responding to the consultation and putting forward other options not previously considered was something the Council would evaluate. However, a school for Shildon would have to be a Free School or Academy which would have to attract a sponsor and be viewed by the DfE as a viable proposition. The numbers likely to attend a secondary school in Shildon would not be sufficient to persuade the DfE that the school would be sustainable.

- e) Comments were made that the Council had engineered the closure of Sunnydale by systematically reducing funding to the school for repairs and support.

Officers responded by stating that we continued to make an investment in the Sunnydale site and there is no justification in a suggestion that it has been systematically run down. High level repairs on this site to help keep it operational for pupils included, in 2017/18, a full refurbishment of Block 2 at a cost of £849K involving fitting new windows, a new roof, repairs to electrics, decoration and the demolition of a chimney (unsafe). In 2018/19, the fire alarms were replaced at a cost of £120K. The council has supported work to reduce the infestation of vermin reported first in 2018/19, and drainage work that was undertaken following a burst in the underground pipes near the main walkway. In September 2019 another similar burst occurred causing major disruption to the school (limiting water supply to the kitchen & toilets) and the drainage team once again made repairs to the water pipes and clay sewage pipes from the PE changing rooms but reported that both are in a poor condition and would require costly full replacement.

- (f) Questions were asked as to how the Council could justify 3 secondary schools in Newton Aycliffe.

Officers stated that there had always been two secondary schools in Newton Aycliffe and the 3rd one that had more recently opened, the UTC South Durham was opened by the DfE, not the Council who had had no say in that matter.

- (g) Questions were asked as to what the future for the Sunnydale site was if the proposal was agreed.

Officers stated that the site would potentially be sold, and the capital receipt used to help fund the rebuild to the Newton Aycliffe site.

- (h) Concerns were raised that the proposed closure would lead to increased traffic congestion with parents taking their children to school by car.

Officers stated that although the distance from Shildon to Greenfield Community College was under 3 miles and therefore pupils would not normally be eligible for free home to school transport, the walking routes had been assessed as unsuitable. Consequently, even though the distance is under 3 miles, for those pupils for whom Greenfield Community College was the nearest suitable school free home to school transport would be provided on the basis of an unsuitable walking route. This would avoid increased traffic congestion caused by parents otherwise having to take their children to and from Greenfield Community College by car.

- (i) Questions were raised as to how pupils with SEN could access transport if they were unable to use the buses provided.

Officers explained that those pupils who could not access the buses provided because of their SEN would be provided with transport in vehicles that would be accessible to them based on information provided by health professionals who were involved with them.

- (j) Questions were asked how being on one site has impacted on the rate of educational improvement for children and whether the proposal will ensure access to a wider curriculum than they did when Sunnydale and Greenfield amalgamated in 2014.

Officers stated that repeated Ofsted inspections and Department for Education (DfE) advisers have identified the constraints that the split site accommodation has had upon educational improvement and progress. Subsequent improvements have been noted when all children moved onto the Greenfield site in 2020. The remote and face to face Ofsted HMI monitoring visits that took place in March and June 2021 noted the good progress of the school in addressing areas for development. DfE monitoring during 2019-21 via a National Leader in Education has also reported on significant improvements in the quality of education in the school. Reference was also made to the

economies of scale that are achieved when education is delivered on one site rather than a split site. This means greater finances can be spent on staffing and resources rather than duplicating costs on buildings maintenance, school meals, grounds maintenance and energy thus bringing about a wider and more enriching curriculum. Officers provided examples from the DfE around significant site maintenance costs per pupil compared to comparative schools elsewhere in the country.

- (k) Questions were asked regarding the evidence the Council had that rebuilding the Newton Aycliffe site would encourage Shildon parents to send their children there.

Officers stated that the improvements to education standards as well as improved teaching and learning should act as a catalyst for parents to send their children to that school. A rebuild should enhance that. It is apparent that over recent years parents in Shildon have been expressing preferences for schools in Bishop Auckland which have provided better outcomes for children than Greenfield Community College, particularly when it was running across two sites. A good school and improved environment should encourage parents from Newton Aycliffe, Shildon and other communities to send their children there in future.

- (l) Questions were asked as to whether Shildon would continue to benefit from Greenfield Community College contributing to major arts and holiday activities alongside Shildon Town council and other providers.

Officers stated that Greenfield Community College had every intention of continuing to provide that level of support and the rebuild would enhance the facilities to widen this future offer.

- (m) Questions were asked if children in Shildon would be given priority admission to secondary schools in Bishop Auckland.

Officers explained that admission to all schools is governed by the published admission arrangements including the oversubscription criteria.

- (n) Questions were asked if Greenfield Community College was dependent on other schools not having places.

Officers explained that a number of schools in the county were dependent on other schools not having places. However, the projected rolls and additional housing developments, in particular the site at Low Copelaw should mean that the school will be viable for the long term.

Responses to the consultation

- 23 The following information provides a summary of the 1127 responses received to the consultation in writing or using the online response form:
- 24 314 (27.9%) respondents strongly disagree with the proposal, 52 (4.6%) respondents disagree with it, 467 (41.4%) strongly agree with it, 199 (17.7%) agree with it, and 95 (8.4%) neither agreed nor disagreed.
- (a) A significant number of those respondents who strongly disagreed with the proposal were of the view that the Council should be building a school in Shildon even if it was a smaller school. The town has a population of 10,000 and has 3 primary schools. The respondents therefore felt that there would be sufficient pupils to make the school viable. They were firmly of the view that removing a secondary school is taking away one of the facilities the town still has which will cause people to move away. Retaining the school will avoid people having to travel to either Newton Aycliffe or Bishop Auckland which is not environmentally friendly. Concerns were also expressed that if Shildon did not have its own secondary school, parents expressing preferences for schools elsewhere may not get a place because they live further away than residents in towns where a secondary school is located.
- (b) Some respondents who strongly disagreed with the proposal felt that with new housing being built in Shildon there is a need to keep secondary education provision. Some parents have recently sent their children to schools in Bishop Auckland because the Sunnydale site has been “left to rot”. Shildon has always had stronger ties with Bishop Auckland than Newton Aycliffe, and should the proposal go ahead, parents in Shildon will send their children to schools in Bishop Auckland rather than Newton Aycliffe. This will result in Greenfield Community College not having sufficient pupil numbers to make it financially viable. A rebuild on the Sunnydale site will balance out pupil numbers across the three towns leaving the children with good education provision in all three towns.
- (c) Some respondents who strongly disagreed with the proposal felt that remedial work should be carried to the Sunnydale and Newton Aycliffe sites so that split site education could continue and pupils from Shildon would then have the option of being educated in their own town.
- (d) Some respondents who strongly disagreed with the proposal felt that children living in a town like Shildon which is expanding because of new housing should not have to rely on transport to

attend secondary school. Increasing the amount of school buses is not environmentally friendly. Therefore, it should be the Sunnydale site that is rebuilt in a way for an energy efficient environment. The Sunnydale site is in a perfect position for the children of the town of Shildon for their health and wellbeing to be able to walk to school. It was also highlighted that the proposal could lead to traffic congestion and increased CO2 emissions.

- (e) Some respondents who strongly disagreed with the proposal wanted a new build school for Shildon as part of a Multi Academy Trust. It should be noted that developing a new school in this way is outside of the Council's power and any Free School application would still need to evidence sufficient demand for places.
- (f) A County Councillor representing Shildon and Dene Valley submitted an extensive response strongly opposing the proposal.
 - They made reference to a report produced by Shildon Town Council that concluded that residents were concerned about losing their secondary school and that the hypothesis that parents would not choose a Shildon school is unfounded. This respondent also referred to the County Durham Housing Targeted Delivery Plan which includes a section on housing delivery specifically for Thicky and how it will improve the existing housing stock and the wider residential environment.
 - The response expressed the view that the proposal to close the Sunnydale site of Greenfield Community College will disproportionately affect people who are already experiencing higher than average levels of inequality by removing educational facilities from an area that needs improved access to employment. Should the Council agree to close the Sunnydale site, it will be working against the aims of the Targeted Delivery Plan because access to education is a key factor people consider when moving.
 - They also stated that closing the Sunnydale site would have a negative impact on the social fabric of Shildon. The town would be split in half as half of the students would be educated in Bishop Auckland and half in Newton Aycliffe. Shildon currently experiences outward migration and the closure of the Sunnydale site will lead to a generation of children who don't identify with the town.

- (g) Some respondents who strongly disagreed with the proposal stated that they weren't made to feel welcome on the Newton Aycliffe site and felt that situation would continue if the Sunnydale site closed.
- (h) Some respondents believed that the Council should be separating Greenfield Community College and Sunnydale into two separate schools appropriately sized for their communities with separate management and governance (as two schools, not two sites of one) and that both should receive newly built facilities. If the Council is unwilling to do this under their own governance, on the basis of cost alone, then one or more Academy Trust should be invited to take over both the Sunnydale Campus and the Newton Aycliffe Campus as separate schools.
- (i) The Governing Body of Greenfield Community College and The Directors and Trustees of the Asset Trust both strongly agree with the proposal. They both feel that the proposal is the only means of providing a sustainable future for Greenfield Community College. They believe that the school's student population deserve a school that is fit for purpose, with resources and facilities to allow teachers to deliver a high quality secondary education for the school community that serves both Shildon and Newton Aycliffe and the surrounding villages. The school's unique ethos, with an emphasis on the arts and personal development alongside academic excellence, provides significant choice to families.
- (j) A number of respondents who strongly agreed with the proposal felt that Greenfield Community College had been left in limbo and important decisions had been put on hold due to the uncertainty around the future of the school. This proposal provides clarity and gives the school a positive future.
- (k) Some respondents who strongly agreed with the proposal felt that investing in the Newton Aycliffe site is a much better option for all the young people to ensure they have the best opportunities and access to resources.
- (l) Some respondents who strongly agreed with the proposal felt that rebuilding the Newton Aycliffe site would provide an opportunity to invest in a school that will make education the heart of its mission instead of struggling with a building that doesn't work. The proposal will have a positive impact on the children's education. Rebuilding the Newton Aycliffe site and closing the Sunnydale site will enable the school to be improved in ways that

children and young people will be provided with more beneficial opportunities.

- (m) Some respondents who strongly agreed with the proposal felt that it will provide a much improved environment that will benefit future generations of pupils. It would have a positive effect on students, staff and community. The dedication that staff have to its students would be echoed in the school building and students would have upgraded facilities to do the things they love at school. They felt that the current condition of the Newton Aycliffe site is not conducive for effective 21st century curriculum delivery and that all children deserved better.
- (n) Some respondents who strongly agreed with the proposal felt it was in the best interests of children in Shildon, Newton Aycliffe and South West Durham generally to create a 21st century facility which should become the springboard for enhanced opportunities for people across all sections of the communities and a beacon of good practice. They felt that a new build would give a significant boost in facilities and impact on education outcomes. The proposal would enable the school to build on the educational improvements made since pupils have been located on a single site in Newton Aycliffe.
- (o) Some respondents who strongly agreed with the proposal felt that the families of Newton Aycliffe and surrounding areas need to be able to have a comparable choice. If there are two new schools on the town in the UTC and Woodham, and Greenfield is not rebuilt a significant number of children will be lost year upon year. Consequently, the school would die a slow death due to a falling roll, losing all the best staff during that time. All three schools offer something different, a new build for Greenfield Community College is a must. Additionally, the cohesion of staff and students since the two sites came together has significantly improved and there is no longer a Shildon/Aycliffe divide.
- (p) Some respondents who strongly agreed with the proposal felt that Greenfield Community College needs something such as a new build to overcome the stigma and negative press that has been attached since the school amalgamated with Sunnydale.

Conclusion

- 25 There was a large response to the consultation which is both positive and to be expected given the importance area. It also demonstrates the Council's successful approach to engaging with its stakeholders over proposals that are crucial to the future of its children and young people.

- 26 Those respondents who either strongly disagree or disagree with the proposal are of the view that Shildon should have its own secondary school and that there are sufficient pupils attending the 3 primary schools in Shildon to fill a secondary school. A secondary school would address the needs of the town and the population. Closing the school will have a detrimental impact on the community and businesses and wellbeing.
- 27 However, the key objective of the proposal is to improve educational outcomes for pupils in the area which have been negatively impacting by the split site arrangements and lack of sustainability of that approach. This in turn supports the objective of the Council Plan that young people will have access to good quality education, training and employment. Improving educational attainment is a key factor in children and young people gaining access to more and better jobs. This in turn benefits the economy in general as well as the individual. The proposal to close the Sunnydale site of Greenfield Community College and rebuild the Newton Aycliffe site will provide a sustainable model to improve education outcomes in the area
- 28 The Department for Education views the minimum size of a financially viable secondary school to be 600. Greenfield Community College's pupil roll is above this but across two sites the economies of scale are lost, putting the school under financial pressure. In recent Ofsted inspections (May 2017 and September 2019) where the school was judged 'Requires Improvement', inspectors expressed the clear view that the delivery of the curriculum across a split-site was one of the factors delaying improvement in educational standards.
- 29 The data clearly indicates that a secondary school in Shildon would not attract sufficient pupil numbers for it to be viable. Since 2016, the highest number of first preferences expressed for the Sunnydale site of Greenfield Community College is 47. In September 2021 there were only 28 pupils from the three primary schools in Shildon who commenced their secondary education at Greenfield Community College. 87 pupils from those three schools were attending secondary schools other than Greenfield Community College.
- 30 Furthermore, a secondary school in Shildon would likely make Greenfield Community College similarly unviable and therefore two secondary schools may have to close in future. The argument has been made that Newton Aycliffe has three secondary schools and closing the one secondary school building in Shildon conflicts with the Government's levelling up agenda. One of the three secondary schools referred to however is the UTC, South Durham which was set up by Government, not the Council. This establishment has a different

curriculum and a wider catchment area including Darlington and other North East Local Authorities.

- 31 The data clearly indicates that an additional school could not be justified and would be unviable. The Council has a statutory duty to ensure that there are sufficient school places in the right locations to meet demand. It is responsible for promoting a good supply of strong schools through planning, organising, and commissioning places in a way that raises attainment, increases diversity, encourages collaboration between schools and promotes community cohesion. Officers believe that educational improvement and community cohesion can most effectively be brought about by closing the Sunnydale site of Greenfield Community College and rebuilding the Newton Aycliffe site.
- 32 The proposal to close the Sunnydale site of Greenfield Community College and rebuild the Newton Aycliffe site will have a positive impact for students, their families and the school's potential to retain and attract the very best teaching and support staff. Having one site instead of two eradicates duplication of resources and enables more of the funding the school receives to be spent on the students to improve education provision in an enhanced facility fit to deliver a first class 21st century education.
- 33 Schools need to be sustainable to meet the challenges in a rapidly changing educational environment. The objectives of this proposal are to significantly enhance the quality of education provision for children within local communities whilst ensuring choice of provision and curriculum breadth through specialisms, are enhanced. Closing the Sunnydale site of Greenfield Community College on 31 August 2022 and rebuilding the Newton Aycliffe site will remove split site provision which has a detrimental impact on viability. This will help to make the school sustainable for the long term and educationally it is in the best interests of children and their families.
- 34 Officers believe this recommendation provides the best future option for the children, the school and the communities it serves based on educational outcomes, pupil numbers, site issues and sustainable finances.
- 35 The consultation responses did not bring forward any new options for consideration or provide evidence that retaining secondary provision in Shildon, either on a split site basis or through a separate school was possible or sustainable. In addition those opposing the proposal did not address the educational impacts evident due to the split site approach and unsustainably low numbers if the proposal is not taken forward.

Background papers

- Report to Cabinet - 13 October 2021

Other useful documents

- Consultation document

Author(s)

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.

The Corporate Director of 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 of 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 fails to recruit sufficient pupils to maintain a viable budget or incurs staffing or other costs in excess of income, then the decision to allow a school to set a deficit budget falls to the Section 151 Officer, the Corporate Director Resources.

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 previous years.

Finance

The cost of the preferred option to remodel the Aycliffe site will cost circa £20 million. This funding has been applied for via MTFP 12.

A site valuation of the Sunnydale site undertaken by the council. Analysis of current market conditions and the market appraisal of the asset considered has determined that the capital receipt for the sale of the land would be £1 (ONE POUND). It is believed that the asset, as a combined development site, is likely

to encounter viability issues due to abnormal build costs, low dwelling sales prices and increasing build costs.

Current operation of the school over the two sites would lead to a revenue schools reserve deficit of c.£1 million by 31 March 2022.

In relation to formula funding, the school currently qualifies for a split-site allowance, consisting of a lump sum of £89,230 plus £3.70 per pupil. This has been provided in 2021-22 at a cost of £92,400. As the final decision won't be made until after we have set the formula, which needs to be done by mid-January 2022, Greenfield Community College will still get the full year split site allowance value for 2022/23. The allowance is part of the school's formula funding and is paid for out of the overall formula funding allocation to mainstream primary and secondary schools.

Consultation

The Cabinet Portfolio Holder for Children and Young People's Services and Local Members have been consulted about moving to the next stage in the process and have agreed that the Corporate Director, Children and Young People's Services uses delegated powers to approve that a statutory notice can be issued.

Equality and Diversity / Public Sector Equality Duty

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. 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.

Consideration over whether to close the Sunnydale site and to teach all pupils on the Aycliffe site is a course of action recommended by both Ofsted and the Department for Education, as it will lead to improved standards and a better curriculum offer. It is argued by these bodies that education will be provided in an improved environment to provide a positive learning experience for children and young people 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 students currently accessing their education exclusively on the Sunnydale site, prior to its temporary closure, students who expressed a preference for a place on the Aycliffe site, and staff employed at Greenfield Community College.

However, the proposal to close the Sunnydale site of Greenfield Community College and to rebuild the Newton Aycliffe site will benefit pupils, staff and parents. Education will be provided in one location with a single leadership team to facilitate 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.

Climate Change

The recommendation of this report involves increased use of transport from Shildon to Newton Aycliffe. The proposals in the report concerning new build schools or refurbishment will be costed and undertaken in line with the Council's commitment to follow a pathway to net zero carbon emissions.

Human Rights

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

Crime and Disorder

None

Staffing

Any staffing reductions deemed necessary in relation to the recommendation in this report will be subject to DCC policies and will be managed in line with HR processes.

Accommodation

The Sunnydale site has shared-use Sport and Leisure facilities, managed by the Council as part of the Culture, Sport & Tourism Service. The operation of these services to the community will continue as normal. The rebuild of the Newton Aycliffe site will lead to improved accommodation that will be fully accessible.

Risk

A key risk is that as a consequence of actions taken by the 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 Section 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 Section 151 Officer if no credible plans are agreed to resolve the issues described in this report.

Procurement

The rebuilding of the Newton Aycliffe site will be procured in accordance with the Council's procurement arrangement.