

**Cabinet**

**6 April 2022**



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

**Key Decision: CYPS/01/2022**

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## **Report of Corporate Management Team**

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

**Councillor Ted Henderson, Cabinet Portfolio Holder for 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 seek Cabinet approval to close the Sunnydale site of Greenfield Community College on 31 August 2022 and rebuild the Newton Aycliffe site, 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 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.
- 3 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.

- 4 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.
- 5 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 the long-standing site issues.
- 6 In addition, 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.
- 7 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.
- 8 Following the completion of the initial consultation process, the Corporate Director of Children and Young People's Services approved the issuing of a statutory notice proposing to close the Sunnydale site of Greenfield Community College on 31 August 2022 and to rebuild the Newton Aycliffe site.
- 9 The statutory notice was issued on 20 January 2022. During the 4 week statutory representation period, 14 comments were received, 12 in support of the proposal and 2 not in support of the proposal. Information on the responses received during the statutory representation period are set out in paragraphs 28 to 31 of this report.
- 10 As part of the statutory process there are a range of factors that must be considered by Cabinet as the decision maker. These are covered in paragraphs 32 to 46 of this report.

## **Recommendation**

- 11 Cabinet is recommended to:
  - (a) agree to close the Sunnydale site of Greenfield Community College on 31 August 2022 and to rebuild the Newton Aycliffe site.

## Background

- 12 Sunnydale School, Shildon, amalgamated with Greenfield School, Newton Aycliffe on 1 January 2015, forming Greenfield Community College. This was a consequence of Sunnydale School failing an Ofsted inspection and the subsequent choice between the school becoming part of a multi academy trust or closing outright or amalgamating with another school and giving up its unique reference number (URN). As Greenfield School and Sunnydale School were already part of a foundation trust (the Asset Trust), governors were in favour of amalgamation and removal of the Sunnydale URN. Greenfield School was enlarged, and Sunnydale School closed as a separate school on 31 December 2014.
- 13 Since May 2017, concerns about educational standards, an unsustainable budget projection, a steady decline in pupil numbers (particularly those attending the Sunnydale site), and an accumulation of conditions backlog problems on both sites have made it necessary to review the options for education provision for pupils attending Greenfield Community College. External pressure caused by the government approved expansion of the University Technical College (UTC) South Durham, situated in Newton Aycliffe, has exacerbated the situation.
- 14 Split-site education, with pupils predominantly being taught on one or other of the two sites, continued until January 2020 when health and safety concerns on the Sunnydale site brought about a consolidation of all pupils on the Aycliffe site as a temporary solution. Additional accommodation was required to support curriculum delivery, although reducing pupil numbers mean that there is no longer a need for the continued extensive use of temporary classrooms.
- 15 There has been a gradual decline in pupil numbers since the amalgamation, triggered as it was by a failed Ofsted inspection. Two Ofsted inspections of Greenfield Community College, one in May 2017 and one in September 2019, contributed to the falling rolls, as did reduced parental choice (especially in the Shildon community), the relative success of neighbouring schools, the aforementioned expansion of the nearby UTC, and a lack of clarity about the future development of either site of Greenfield Community College.
- 16 The 11-16 net capacity of Greenfield across both sites is 1,750 and in 2017-18 there were 987 pupils on roll. Currently, the total number of pupils on roll is 735. 163 pupils left at the end of Y11 in July 2021, and the Y7 roll is 124, with only 20 of these pupils coming from Shildon

primary schools. The current pupil projections indicate that the pupil roll will peak at 775 in 2026/27 and thereafter gradually decline to approximately 690 by 2029/30.

- 17 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.
- 18 Indications, therefore, from pupil data and Ofsted reports show that decisions should be taken promptly to provide sustainable and effective education for pupils attending Greenfield Community College.
- 19 At its meeting on 13 October 2021, Cabinet was presented with a report outlining future options for the provision of education at Greenfield Community College in order that a solution is found to current challenges around sufficiency, building conditions, and impact of the split site model on the breadth and quality of the curriculum. Having considered the four options presented, Cabinet gave approval for consultation to commence on a proposal to close the Sunnydale site of Greenfield Community College on 31 August 2022 and rebuild the Newton Aycliffe site. Should this proposal be agreed, the vacated Sunnydale building will be demolished, and the Council will invest in rebuilding the Newton Aycliffe site so that education can be delivered from a single site in a building for a capacity for 800 pupils suitable for delivering a first class 21<sup>st</sup> century education.

## **Consultation**

- 20 In undertaking this process, 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, October 2018". This guidance states that the decision-maker (in this case the Cabinet) needs to be satisfied that 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 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 An initial, non-statutory consultation on a proposal to close the Sunnydale site of Greenfield Community College on 31 August 2022 and rebuild the Newton Aycliffe site was held between 8 November and 19 December 2021. 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 2021 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.
- 22 The responses to the consultation were received and considered by officers in the Council. Of the 1,127 responses received, 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.
- 23 In summary, the main concerns expressed by those strongly disagreeing or disagreeing with the proposal were: Sildon should have its own secondary school and that there are sufficient pupils attending the three primary schools in Sildon 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; Newton Aycliffe has three secondary schools and closing the one secondary school building in Sildon conflicts with the Government's levelling up agenda.
- 24 Those strongly agreeing or agreeing 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; 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; it was in the best interests of children in Sildon, Newton Aycliffe and South West Durham generally to create a 21<sup>st</sup> century facility which should become the springboard for enhanced opportunities for people across all sections of the communities and a beacon of good practice.

### **Decision to Issue a Statutory Notice**

- 25 After considering all of the consultation responses received, the Corporate Director of Children and Young People's Services agreed to publish proposals to close the Sunnydale site of Greenfield Community College on 31 August 2022 and rebuild the Newton Aycliffe site. A statutory notice was therefore published on 20 January 2022.
- 26 Significantly more responses supported the proposal than did not support it as indicated in paragraph 22 of the report. Those

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.

- 27 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 Cabinet) within 2 months, ie by 17 April 2022.

### **Responses to the proposal published on 20 January 2022 (The Statutory Notice Period)**

- 28 14 responses were received by the end of the 4-week statutory notice period, 12 in support of the proposal, 2 not in support of the proposal.
- 29 The Governing Body and Senior Leadership Team of Greenfield Community College and the Directors and Trustees of the Asset Trust all support the proposal. It feels that the proposal is the only means of providing a sustainable future for Greenfield Community College. It believes that the school's student population deserves 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.
- 30 Other respondents who support the proposal felt that educationally the proposal is in the best interests of children and their families and the inevitable turbulence during the initial changes will eventually subside and enable transformation of the learning environment for all children attending the Greenfield site. All of the education monitoring evidence from DfE and LA officers, points towards improved provision once the split site arrangement is finally removed. The provision of new, purpose-built accommodation will inevitably better meet the curriculum needs of children progressing in the 21st century. Strong links already exist with institutions in Further and Higher Education and modern accommodation is the only solution and the proposal will provide the 'missing link' in the experience for children of secondary age. It will provide the children from all communities with a broader curricular and social experience, and it will allow the school infrastructure to maximise

spend per pupil rather than doubling costs of business support staff and utility bills.

- 31 Those respondents who did not support the proposal felt that Shildon deserved its own secondary school. They stated in responses that Shildon has three outstanding primary schools and Sunnydale had once been an outstanding school and could be so again if the Council had not neglected it. However, these respondents did not address the underlying issues that make secondary provision in Shildon unsustainable both educationally and financially as set out in both this report and the original Cabinet report in October 2021.

## **Decision-Making Process - Factors to be considered by Cabinet**

### *Consideration of Consultation and Representation Period*

- 32 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) 'Opening and closing maintained schools, November 2019.
- 33 Cabinet must consider all the views submitted, including all support for, and objections to and comments on the proposal. Details of responses received during the statutory representation period are included in paragraphs 28-31 of this report. The statutory notice published on 20 January 2022, and which expired on 17 February 2022 (the representation period) was prepared in accordance with the regulations and complied with statutory requirements.

### *Related Proposals*

- 34 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.

The proposal to close the Sunnydale site of Greenfield Community College on 31 August 2022 and rebuild the Newton Aycliffe site are 'related' therefore they must be considered together.

## *Education Standards and Diversity Issues*

- 35 Following an 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.
- 36 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.
- 37 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 the long-standing site issues.
- 38 Repeated Ofsted inspections and Department for Education (DfE) advisers have identified the split-site arrangement inhibits educational improvement and progress.
- 39 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 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 21<sup>st</sup> century education. It is believed that this proposal 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.

## *Proposed Admission Arrangements*

- 40 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 Year 7 in the school in September 2022 will be 185.

## *National Curriculum*

- 41 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 Sunnydale site of Greenfield Community College on 31 August 2022 and rebuild the Newton Aycliffe site has no impact on the school's ability to follow the National Curriculum.

## *Equal Opportunity Issues*

- 42 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;
  - foster good relations.
- 43 An equality impact assessment (Appendix 2) has been carried out on this proposal. It is evident that there would be potential or actual impact on protected groups of pupils. In particular, there are potential impacts in relation to age, disability, and gender to varying degrees. As the proposal develops, this EIA will be updated to clearly reflect the potential impact and the appropriate mitigating actions will be put in place.

## *Travel and Accessibility*

- 44 The single secondary school will operate on the Newton Aycliffe site of Greenfield Community College which is where all pupils are currently taught. Consequently, there will be no increase in travelling time from that currently experienced.

## *Funding*

- 45 The capital cost of the preferred option to convert the Aycliffe site is forecast to be £20.7 million. The cost of the demolition of the Sunnydale building is circa £1.3 million resulting in a total forecast cost of £22 million. There is sufficient scope in capital contingencies to finance £12 million of the total forecast £22 million requirement. If Cabinet agrees to the proposal, a subsequent £10 million capital bid will be made as part of the MTFP(13) budget process. In relation to revenue 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 2022/23 at a cost of £92,100. If all pupils are educated on the Newton Aycliffe site, then this allowance will cease

from the start of the 2023/24 financial year. 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. This loss of funding will be offset by savings in non-staffing budgets, from future planned restructuring and from savings in staff supervision and staff travel between two sites.

- 46 The dual use access / funding arrangements between Greenfield Community College and Shildon Leisure Centre will end and this will place a c£60k budget pressure / MTFP impact on the Council as we will retain the leisure provision. Projected Capital funding for demolition of building on the Sunnydale site referenced in paragraph 44 will enable separation of utilities for Shildon Leisure Centre to continue to operate in its present form.

### *School Premises and Playing Fields*

- 47 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 Newton Aycliffe site of Greenfield Community College has suitable outdoor spaces for all pupils.

### **Conclusion**

- 48 As evidenced through this report and the original 13 October 2021 report to Cabinet, the proposal to close the Sunnydale site of Greenfield Community College on 31 August 2022 and rebuild the Newton Aycliffe site will have a positive impact for students, their families. It will enable 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 21<sup>st</sup> century education.
- 49 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 and educational outcomes. 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.

- 50 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.
- 51 There was a large response to the initial consultation. The majority of responses (59.1%) supported the proposal which is unusual. School reorganisation can be an area of concern as local communities often see a school as being at the heart of the community and sometimes cannot immediately agree with the need for change. However, the fact that most respondents support this proposal indicates that they clearly see the educational benefits it will bring about. Those respondents who do not support it have not suggested alternative practicable solutions for the education of children and young people living in the area.
- 52 The statutory notice received a limited response but 12 out of the 14 who did respond supported the proposal to close the Sunnydale site of Greenfield Community College on 31 August 2022 and rebuild the Newton Aycliffe site. Those not in support of the proposal 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.

## **Background Papers**

- Delegated Decision Report dated 14 January 2022.
- Cabinet Report dated 13 October 2021 'Greenfield Community College – future options'.
- Consultation document: 'Proposal to close the Sunnydale site of Greenfield Community College on 31 August 2022 and rebuild the Newton Aycliffe site'.
- Consultation document distribution list –Nov/Dec 2021
- Public notice: 'Proposal to close the Sunnydale site of Greenfield Community College on 31 August 2022 and rebuild the Newton Aycliffe site'.

## **Author(s)**

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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 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 of 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 convert the Aycliffe site is forecast to be £20.7 million. The cost of the demolition of the Sunnydale building is circa £1.3 million resulting in a total forecast cost of £22 million. There is sufficient scope in capital contingencies to finance £12 million of the total forecast £22 million requirement. If Cabinet agree to the proposal, a subsequent £10 million capital bid will be made as part of the MTFP(13) budget process.

A Marketing Strategy Report for the Sunnydale site, detailing a likely sales range, was undertaken by the Council. Please note this is not a formal 'Red Book' valuation with is stated within the report. The report was prepared as an advisory note and was based on the small amount of information available to the surveyors undertaking the requested report.

As a combined development site, it is believed that the site is likely to encounter significant viability issues. Each of the calculations provided with the report provided a range of negative figures. This is due to; site constraints, unknown costs, low sales values, high build costs and demolition costs (estimated within a previously produced report to be in the region of £1.3 million). As such, it is believed that the asset will have a likely sales price of £1 (ONE POUND).

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 2022-23 at a cost of £92,100. If all pupils are educated on the Newton Aycliffe site only, then this allowance will cease from the start of the 2023-24 financial year. 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. This loss of funding will be offset by savings in non-staffing budgets, from future planned restructuring and from savings in staff supervision and staff travel between two sites.

The dual use access / funding arrangements between Greenfield Community College and Shildon Leisure Centre will end and that this will place a c£60k budget pressure / MTFP impact on the council as we will retain the leisure provision.

## **Consultation**

Consultation has been carried out in accordance with DfE statutory guidance. The approach to consultation is described in the report.

## **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 Newton 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 Newton Aycliffe site, and staff employed at Greenfield Community College.

However, the proposal to close the Sunnydale site of Greenfield Community College on 31 August 2022 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.

An Equality Impact Assessment is included in Appendix 2 to this report.

## **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**

No impact.

## **Staffing**

The school is effectively operating on one site now and any restructuring will be linked to the financial sustainability of the school, not directly as a result of the proposal to close the Sunnydale site. Any future staffing reductions 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 because 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 arrangements.

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## Appendix 2: Impact Assessment

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<b>Service/Team or Section</b>	Children and Young People's Services
<b>Lead Officer</b>	Graeme Plews, School Places and Admissions Manager
<b>Subject of the impact assessment</b>	Proposal to close the Sunnydale site of Greenfield Community College on 31 August 2022 and rebuild the Newton Aycliffe site.
<b>Report date (Cabinet/CMT/Mgt team etc)</b>	Cabinet 13 October 2021 Delegated Decision Report 14 January 2022 Cabinet 6 April 2022
<b>MTFP Reference (if relevant)</b>	
<b>Start Date</b>	November 2021
<b>Review Date</b>	At various planned stages within the development of the proposal.

### 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 purpose of the impact assessment is to provide information for the decision-making process. It is designed to appraise the likely impacts of the proposal on people with characteristics protected under the Equality Act 2010.

This equality impact assessment will assess the potential impact of the proposal to close the Sunnydale site of Greenfield Community College on 31 August 2022 and rebuild the Newton Aycliffe site,

## **Background**

Sunnydale School, Shildon, amalgamated with Greenfield School, Newton Aycliffe, on 1 January 2015, forming Greenfield Community College. This was a consequence of Sunnydale School failing an Ofsted inspection and the subsequent choice between the school becoming part of a multi academy trust or closing outright or amalgamating with another school and giving up its unique reference number (URN). As Greenfield School and Sunnydale School were already part of a foundation trust (the Asset Trust), governors were in favour of amalgamation and removal of the Sunnydale URN. Greenfield School was enlarged, and Sunnydale School closed as a separate school on 31 December 2014.

Since May 2017, concerns about educational standards, an unsustainable budget projection, a steady decline in pupil numbers (particularly those attending the Sunnydale site), and an accumulation of conditions backlog problems on both sites have made it necessary to review the options for education provision for pupils attending Greenfield Community College. External pressure caused by the government approved expansion of the University Technical College (UTC) South Durham, situated in Newton Aycliffe, has exacerbated the situation.

Split-site education, with pupils predominantly being taught on one or other of the two sites, continued until January 2020 when health and safety concerns on the Sunnydale site brought about a consolidation of all pupils on the Aycliffe site as a temporary solution. Additional accommodation was required to support curriculum delivery, although reducing pupil numbers mean that there is no longer a need for the continued extensive use of temporary classrooms.

There has been a gradual decline in pupil numbers since the amalgamation, triggered as it was by a failed Ofsted inspection. Two Ofsted inspections of Greenfield Community College, one in May 2017 and one in September 2019, contributing to the falling rolls, as did reduced parental choice (especially in the Shildon community), the relative success of neighbouring schools, the aforementioned expansion of the nearby UTC, and a lack of clarity about the future development of either site of Greenfield Community College.

The 11-16 net capacity of Greenfield across both sites is 1750 and in 2017-18 there were 987 pupils on roll. Currently, the total number of pupils on roll is 735. 163 pupils left at the end of Y11 in July 2021, and the current Y7 roll is 124, with only 20 of these pupils coming from Shildon primary schools. The current pupil projections indicate that the pupil roll will peak at 775 in 2026/27 and thereafter gradually decline to approximately 690 by 2029/30.

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.

Indications, therefore, from pupil data and Ofsted reports show that decisions should be taken promptly to determine options for providing sustainable education of pupils attending Greenfield Community College, including future proposals for the Sunnydale site which is currently unoccupied.

At its meeting on 13 October 2021, Cabinet was presented with a report outlining future 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. Having considered the options presented, Cabinet gave approval for consultation to commence on a proposal to close the Sunnydale site of Greenfield Community College on 31 August 2022 and rebuild the Newton Aycliffe site.

The table below shows the number of pupils attending nearby secondary schools.

<b>Secondary school attended by pupils attending Primary schools in Shildon</b>				
	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
Woodham Academy	1	4	3	9
Sunnydale site of Greenfield Comm College	40	39	22	17
St. John's Catholic School Bp Auckland	19	15	29	30
King James 1 Academy	43	33	50	44
Aycliffe site of Greenfield Comm College	3	1	2	8
Bishop Barrington School	11	10	9	2
Out county school(s)	2	4	1	3
Ferryhill Business & Enterprise College	-	-	1	-
<b>119</b>	<b>TOTAL</b>	<b>TOTAL</b>	<b>TOTAL</b>	<b>TOTAL</b>
		<b>106</b>	<b>117</b>	<b>113</b>

The 11-16 net capacity of Greenfield across both sites is 1,750 and in 2017-18 there were 987 pupils on roll. The current number of pupils on roll is 735. 163 pupils left at the end of Y11 in July 2021, and the current role for Y7 is only 124, with only 20 of these pupils coming from Shildon primary schools. The current pupil projections indicate that the pupil roll will peak at 775 in 2026/27.

This EIA considers the proposal to close the Sunnydale site of Greenfield Community College on 31 August 2022 and rebuild the Newton Aycliffe site.

Who are the main people impacted and/or stakeholders? (e.g., general public, staff, members, specific clients/service users, community representatives):

General Public, Governors, Staff, Parents, Pupils, Primary schools within the area, Elected Members, MPs, Neighbouring Schools, Trade Unions, Diocese, Department for Education, Community Groups, Parish Councils, Residents' Associations, AAP Board, Neighbouring Authorities, CYPS/DCC Staff

## Screening

Is there any actual or potential negative or positive impact on the following protected characteristics<sup>1</sup>?

Protected Characteristic	Negative Impact Indicate: Yes, No or Unsure	Positive Impact Indicate: Yes, No or Unsure
Age	N	N
Disability	Y	Yes, the rebuild of the Newton Aycliffe site will lead to a more accessible building.
Gender reassignment	N	N
Marriage and civil partnership ('eliminate discrimination' employment only)	N/A	N/A
Pregnancy and maternity	N/A	N/A
Race	N	N
Religion or Belief	N	N
Sex	N	N
Sexual orientation	N	N
Please provide <b>brief</b> details of any potential to cause discrimination or negative impact. Record full details and any mitigating actions in section 2 of this assessment.		

<sup>1</sup> <https://www.equalityhumanrights.com/en/equality-act/protected-characteristics>

### Overall impact on pupils

Overall, there may be impacts on all pupils who currently attend either Sunnydale or Greenfield site. Pupils may experience anxiety and stress relating to changes, such as adapting to new routines, staff, facilities, and peers. Positive impacts are likely to occur with improved teaching and learning facilities on a single school site, which provide larger number of pupils so this will allow increased opportunities for greater social interaction and breadth of experiences, resulting in a positive impact on pupils.

### Overall impact on staff

There will be no staff reductions as a result of this proposal: the numbers of pupils and breadth of curriculum will remain unchanged and so staffing will be unaffected. However, a single site would reduce the additional burden of travel between sites, allowing staff additional time to complete other tasks.

### **Age**

#### Pupils

If the proposal is agreed, those in Shildon will be attending the Newton Aycliffe site on a permanent basis rather than moving back to the Sunnydale site at some point. The temporary school transport arrangements currently in place will become permanent to facilitate this.

#### Staff

There will be no impact in relation to staff reductions, as a result of any of the proposal.

### **Disability**

#### Pupils

There are potential negative impacts associated with the proposal for some pupils who are disabled. For example, pupils with autistic spectrum conditions may experience difficulties in the rebuild process that can negatively affect educational attainment and general well-being. These pupils may find adapting to the routines, expectations, and social relationships of a new school environment more challenging. There are potential positive impacts as the rebuild will be a more accessible building.

However, there are potential positive impacts for some pupils with disabilities due to the support available in one site, for example larger pupil population and larger staff population can enable greater access to specialist staff and services.

Staff

There are no potential impacts on staff in relation to the options proposed.

**Sex**

Pupils

The proposal has no potential impacts on pupils .

Staff

The proposal has no potential impacts on staff.

### **Review of equality impact**

The current situation of school provision based on one site allows to see the potential implications which may arise if this is a permanent solution. There are both positive and negative impacts to this option. The decision to locate all pupils temporarily has allowed for a better standard of education which identifies a positive impact for all pupils. The positive benefits which this has brought to young people and teaching staff has been identified by the Governing Body. This has seen benefits such as improved access for pupils to specialist teachers, teacher/teaching specialism is accurately matched to student/class need, enriched curriculum in terms of subject but also extra-curricular activities. Pupils living in Shildon for whom Greenfield Community College is the nearest suitable school should the proposal be agreed will be provided with free home to school transport as the walking routes from Shildon to the Newton Aycliffe site have been deemed to be unsuitable. Under the Extended Rights policy, pupils on free school meals (FSM) are entitled to free travel to one of the 3 nearest suitable schools between 2-6 miles, so any negative impact on this group would be unlikely. The proposal would have no impact on specialist SEND provision for pupils who require such support. In fact, likely this would improve in an enhanced building and learning environment.

Please provide **brief** details of positive impact. How will this policy/proposal 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.

## **Evidence**

What evidence do you have to support your data analysis and any findings?

Please **outline** any data you have and/or proposed sources (e.g., service user or census data, research findings. Highlight any data gaps and say whether or not you propose to carry out consultation. Record your detailed analysis, in relation to the impacted protected characteristics, in the following section of this assessment.

Current data identifies the number of pupils attending Greenfield Community college and the location from which they currently travel.

The data above also shows pupil numbers of those attending secondary schools

<b>Locations for pupils attending Greenfield Community College in September 2021</b>			
<b>Location</b>	<b>Number</b>	<b>Location</b>	<b>Number</b>
Newton Aycliffe	532	Eldon	2
Shildon	194	Stockton on Tees	2
Chilton	16	Durham	2
Ferryhill	7	Chester le Street	2
Darlington	6	Auckland Park	1
Middridge	5	Crook	1
Heighington	3	Coundon	1

<b>Secondary school attended by pupils attending Primary schools in Shildon</b>				
	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
Woodham Academy	1	4	3	9
Sunnydale site of Greenfield Comm College	40	39	22	17
St. John's Catholic School Bp Auckland	19	15	29	30
King James 1 Academy	43	33	50	44
Aycliffe site of Greenfield Comm College	3	1	2	8
Bishop Barrington School	11	10	9	2
Out county school(s)	2	4	1	3
Ferryhill Business & Enterprise College	-	-	1	-
<b>119</b>	<b>TOTAL</b>	<b>TOTAL</b>	<b>TOTAL</b>	<b>TOTAL</b>
		<b>106</b>	<b>117</b>	<b>113</b>

from Shildon. This shows that although travel may be a potential issue for some families for others it is not, as currently 2021 data shows 76/ 113 attend schools outside of the Shildon area, mainly Bishop Auckland.

### **Pupil data (Spring 2021)**

Sex

Number of pupils		Male 369	Female 366

Has EHC plan	8	1%
Has SEN support, but not an EHCP	130	17.6%
Not known to have special education need	597	81.4%

### Screening Summary

On the basis of this screening is there:	Confirm which refers (Y/N)
Are you proceeding to full impact assessment (sections 2&3 of this template) based on the screening (section 1) information provided?	Y

### Sign Off

Lead officer sign off:	Date:
Equality representative sign off (where required): S Tracey, C Holt	Date:

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

If not proceeding to full assessment, please ensure your screening record is **attached to any relevant decision-making records or reports**, retain a copy for update where necessary, and forward a copy to [equalities@durham.gov.uk](mailto:equalities@durham.gov.uk)

If you are unsure of assessing impact please contact the corporate 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 of 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 and any necessary mitigating actions to ensure fair treatment.

Protected Characteristic: <b>Age</b>		
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?
The proposal will have a potential impact on young people (age 11-16).	<p>Current data (February 2022) shows the percentages for the following year group:</p> <p>Year 7- 16.9% (124 pupils)</p> <p>Year 8 – 16.6% (122 pupils)</p> <p>Year 9 – 23% (169 pupils)</p> <p>Year 10 – 20.9% (154 pupils)</p> <p>Year 11- 22.6% (166 pupils)</p>	Ensure this EIA is updated as the proposal develops.

Protected Characteristic: <b>Disability</b>		
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>There is not expected to be a potential negative/positive impact for disabled young people, as all young people with an EHCP will still have their needs met. Even though there is a specialist speech and language provision at Timothy Hackworth Primary school, not all of these children then go on to attend Greenfield Community College. Parental choice means that some travel to schools within the Bishop Auckland area.</p> <p>However, the overall positive impact of the proposal would be improved educational outcomes for all pupils. This is evident in the information provided by the Governing body in respect of current arrangements based on a single site. Students based at one site have regular access to teachers, and better support for SEND students, all TA's on one site, allows the ability to develop nurture group, SENCO is accessible to all students all the time.</p>	<p>Current data (February 2022)</p> <p>The data shows that currently 1% (less than 10 pupils) of pupils at Greenfield Community college have an Education, Health Care plan, this is in comparison to 4% across County Durham. However, 16% (132 pupils) have SEN support but not an EHCP, this is in comparison to 13% across County Durham.</p>	<p>Further consultation with pupils and specialist SEND teachers at the school, to identify potential issues.</p> <p>Planned communication between the schools to ensure pupil needs are understood to support work to ensure each pupil's statement or individual education plan has been reviewed, and appropriate provisions have been made.</p> <p>Larger staff population enabling greater access to specialist staff</p>
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Protected Characteristic: <b>Gender reassignment</b>		
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 potential impact		

Protected Characteristic: <b>Marriage and civil partnership ('eliminate discrimination' employment only)</b>		
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 impact		
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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 potential impact		

Protected Characteristic: **Race**

What is the actual or potential impact on stakeholders?	Explain your conclusion considering relevant evidence and consultation	What further action or mitigation is required?
There are a number of GRT families within the Shildon area. Consideration needs to be given to the potential impact the options may have on the community.	Current pupil data indicates that of those that have declared their data, 97.1% are White British. Pupils of Traveller and Irish Heritage are 0.1%, this figure is representative of other school data across the county. Therefore, the impact on the GRT pupils will be slight.	Target consultation with families in the GRT community.

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 potential impact		

Protected Characteristic: **Sex**

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>The proposal will not have a significant impact on either male/female young people. There may potentially be issues of safety in relation to travel outside of the area.</p>	<p>Current pupil data indicates an even split of male/female pupils.</p>	
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Protected Characteristic: <b>Sexual orientation</b>		
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 potential impact		

### Section Three: Conclusion and Review

#### Summary

<p>Please provide a brief summary of your findings; a summary of any positive and/or negative impacts across the protected characteristics, links to the involvement of different groups and/or public consultation, mitigations and conclusions made.</p>
<p>From the process of equalities impact assessment, it is evident that there would be potential or actual impact on protected groups of pupils, and staff. In particular, there are potential impacts in relation to disability, and race to varying degrees.</p> <p>As the proposal develops this EIA will be updated to clearly reflect the potential impact and the appropriate mitigating actions will be put in place.</p>

<p>Will this promote positive relationships between different communities? If so how?</p>
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#### Action Plan

Action	Responsibility	Timescales for implementation	In which plan will the action appear?

As the proposal develops, ensure that we engage with all young people and families to understand the impact.			
Ensure this EIA is updated as the proposal develops			
Regular correspondence with pupils, and with parents/carers to ensure that they are aware of changes and able to support their children.			
Further consultation with pupils and specialist SEND teachers at the school, to identify any potential issues for individual pupils.			

### Review and connected assessments

Are there any additional or connected equality impact assessments that need to be undertaken? (If yes, provide details)	
When will this assessment be reviewed?  Please also insert this date at the front of the template	As and when the proposal is implemented.

### Sign Off

Lead officer sign off:	Date:
Equality representative sign off (where required):	Date:

**Please ensure this equality impact assessment (EIA) record is attached to relevant decision-making records or reports, a summary of findings is included within the report and the report implications appendix is noted that an EIA has been undertaken.**

Retain a copy for update where necessary, and forward a copy to [equalities@durham.gov.uk](mailto:equalities@durham.gov.uk)