

NOTICE OF MEETING

Meeting	Children and Young People Select Committee
Date and Time	Monday, 10th July, 2017 10.00 am
Place	Council Chamber, Castle Hill, The Castle, Winchester
Enquires to	Members.services@hants.gov.uk

John Coughlan CBE
Chief Executive
The Castle, Winchester SO23 8UJ

FILMING AND BROADCAST NOTIFICATION

This meeting may be recorded and broadcast live on the County Council's website. The meeting may also be recorded and broadcast by the press and members of the public – please see the Filming Protocol available on the County Council's website.

AGENDA**Updated Agenda to include Item 6 documents**

Approx.
Timings

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2. DECLARATIONS OF INTEREST

All Members who believe they have a Disclosable Pecuniary Interest in any matter to be considered at the meeting must declare that interest and, having regard to the circumstances described in Part 3 Paragraph 1.5 of the County Council's Members' Code of Conduct, leave the meeting while the matter is discussed, save for exercising any right to speak in accordance with Paragraph 1.6 of the Code. Furthermore all Members with a Non-Pecuniary interest in a matter being considered at the meeting should consider whether such interest should be declared, and having regard to Part 5, Paragraph 2 of the Code, consider whether it is appropriate to leave the meeting while the matter is discussed, save for exercising any right to speak in accordance with the Code.

3. MINUTES OF PREVIOUS MEETING (Pages 3 - 8)

To confirm the minutes of the previous meeting

4. DEPUTATIONS

To receive any deputations notified under Standing Order 12.

5. CHAIRMAN'S ANNOUNCEMENTS

To receive any announcements the Chairman may wish to make.

6. CONSIDERATION OF REQUEST TO EXERCISE CALL-IN POWERS (Pages 9 - 40)

To receive a report regarding the consideration of a request to exercise call-in powers in relation to a decision of the Executive Member for Education.

ABOUT THIS AGENDA:

On request, this agenda can be provided in alternative versions (such as large print, Braille or audio) and in alternative languages.

ABOUT THIS MEETING:

The press and public are welcome to attend the public sessions of the meeting. If you have any particular requirements, for example if you require wheelchair access, please contact members.services@hants.gov.uk for assistance.

County Councillors attending as appointed members of this Committee or by virtue of Standing Order 18.5; or with the concurrence of the Chairman in connection with their duties as members of the Council or as a local County Councillor qualify for travelling expenses.

Agenda Item 3

AT A MEETING of the Children and Young People Select Committee of
HAMPSHIRE COUNTY COUNCIL held at the castle, Winchester on
Wednesday, 14th June, 2017

PRESENT

Chairman:
p Councillor Ray Bolton

Vice-Chairman:
p Councillor Roz Chadd

Councillors:

p Jackie Branson	p Kirsty Locke
p Zilliah Brooks	p Russell Oppenheimer
a Fran Carpenter	p Neville Penman
p Steve Forster	a Jackie Porter
p Marge Harvey	p Robert Taylor
a Wayne Irish	p Malcolm Wade
p Gavin James	p Michael Westbrook

Co-opted Members:

p Caroline Edmondson: Primary School Parent Governor Representative
p Andrew March: Secondary School Parent Governor Representative
VACANT: Special School Parent Governor Representative
a Jeff Williams: Church of England Schools Representative
VACANT: Roman Catholic Schools Representative

At the invitation of the Chairman:

a Councillor Peter Edgar – Executive Member for Education
a Councillor Keith Mans – Executive Lead Member for Children’s Services

BROADCASTING ANNOUNCEMENT

The Chairman announced that the press and members of the public were permitted to film and broadcast the meeting. Those remaining at the meeting were consenting to being filmed and recorded, and to the possible use of those images and recordings for broadcasting purposes.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Wayne Irish and Jackie Porter.

2. DECLARATIONS OF INTEREST

Members were mindful that where they believed they had a Disclosable Pecuniary Interest in any matter considered at the meeting they must declare that interest at the time of the relevant debate and, having regard to the

circumstances described in Part 3, Paragraph 1.5 of the County Council's Members' Code of Conduct, leave the meeting while the matter was discussed, save for exercising any right to speak in accordance with Paragraph 1.6 of the Code. Furthermore Members were mindful that where they believed they had a Non-Pecuniary interest in a matter being considered at the meeting they considered whether such interest should be declared, and having regard to Part 5, Paragraph 2 of the Code, considered whether it was appropriate to leave the meeting whilst the matter was discussed, save for exercising any right to speak in accordance with the Code.

No declarations were made.

3. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting held on 18 January 2017 were confirmed as a correct record and signed by the Chairman.

4. DEPUTATIONS

The Committee did not receive any deputations at this meeting.

5. CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed new and returning members to the Committee.

The Chairman noted that this meeting was Andrew March's final meeting as a parent governor representative, as his four year term was due to end before the next meeting of the Select Committee. The Chairman stated for the record his thanks to Andrew for his contribution to the work of the Committee, helpfully providing Members with a perspective from a secondary school parent governor viewpoint, and wished him luck in his future endeavours.

The Chairman also noted that he had received in the last month the resignation of Gary Walker, the special school parent governor representative, due to his no longer being a parent governor. The Chairman stated for the record his thanks to Gary, and noted that the Committee would be seeking two new parent governors to take up positions later in the year.

6. INTRODUCTION TO SCRUTINY

A presentation was heard from officers in Legal and Governance which set out to the Committee the role and purpose of scrutiny, the terms of reference for the Children and Young People Select Committee, and how Members could best engage in the overview and scrutiny process (see presentation, Item 6 in the Minute Book).

In response to questions on how best to raise local issues or queries relating to Children's Services, it was heard that the Director of Children's Services, Steve Crocker, was happy to be contacted directly on these. All queries where Members were not sure how to direct their issue should be raised with Democratic and Member Services.

7. INTRODUCTION TO CHILDREN'S SERVICES

A presentation was heard from the Director of Children's Services, together with the three Assistant Directors of Children's Services, which provided a baseline of information for Members in relation to the Department and the variety of services it offers (see presentation, Item 7 in the Minute Book).

In response to questions, Members heard:

- That if children are not able to be offered one of their three school preferences, the closest school to their home address with places available would be allocated to them.
- The decision for all new schools to be 'Free' or 'Academy' schools is a policy implemented by Central Government. There were issues with finding appropriate Academy sponsors for new schools in Hampshire, or, where Academies are poorly performing, finding better sponsors to take them over. Hampshire County Council does not by law have a role in helping Academy schools improve, as this is for the Regional Schools Commissioner acting on behalf of the Secretary of State, nor in appointing sponsors for new Free or Academy schools. However, as the children attending these schools are all from Hampshire, the Department felt it appropriate that they take an active role in championing the interests of all children in this area.
- To date there had not been evidence to suggest that fewer families were using the Family Support Service since the decision was taken to reduce the number of Children's Centres, although it may be likely that the demographics would have changed given that the services were no longer universal, but more targeted. The Department would be content to bring a monitoring item to a future meeting of the Committee on this subject.
- Innovative work was taking place to recruit and retain social workers and teachers, where the highest vacancy rates were being seen across the Department.
- For social workers, the Department had been successful in recruiting social work students once they have graduated from University, with national roadshows for teachers advertising working for Hampshire County Council attracting staff who might not have applied otherwise.
- For teachers, there had been success in retraining teachers of non-core subjects to deliver English and Math syllabuses, with innovative work taking place with the Universities in Winchester and Chichester to design this programme. Over 800 Newly Qualified Teachers had been recruited for September 2017, and work would be ongoing to understand how best to retain these individuals; approximately 1/8th of them would usually leave after two years in a Hampshire school environment. Lectures were also being given at degree level by Hampshire County Council staff, where the benefits of working in the County were being promoted.

The Committee heard that Members would be welcome to request any briefings or information they felt they needed in relation to their divisional areas, and conversely to raise with the Department any issues that they receive to enable the Department to respond to them.

The Chairman thanked the Director and his Assistant Directors for an informative and educational presentation.

8. JOINT TARGETED INSPECTION - FEEDBACK AND LETTER OF FINDINGS

The Committee received a report (Item 8 in the Minute Book) from the Director of Children's Services and his representatives providing details of the outcomes of the Joint Targeted Area Inspection of the multi-agency response to abuse and neglect in Hampshire.

It was heard that this was a new framework for inspection; it was the first time that Hampshire County Council's Children's Services had been subject to an inspection with its multi-agency partners, the first time that the inspection team had been led by OFSTED but included other inspectorates with a responsibility for protecting children, and it had seen only six other Local Authority areas subject to this type of inspection before.

The outcomes of the inspection had been exceptionally positive, with Hampshire receiving the strongest report so far, with a substantial amount of good feedback on arrangements in the County. There had been some minor recommendations across all partners for improvement, and these had been placed into an action plan being led by the Assistant Director, Stuart Ashley, in conjunction with partner representatives. Monitoring was taking place of these through regular group meetings. It was agreed that a copy of the action plan would be made available to the Committee.

A few questions from Members further explored the meaning of the recommendations for partners, and clarifications were provided.

In response to questions, Members heard:

- That many of the recommendations made through the inspection would require working together through collaboration and partnership. Hampshire County Council did not have the ability to require the changes recommended to partners, but it would be able to work closely with others to influence change.
- There were many other forums for partnership in Hampshire other than the group monitoring the actions, such as a strong Safeguarding Children Board, and the Hampshire Children's Trust.
- Some wider issues around how Hampshire Constabulary manage Domestic Abuse cases had been raised through a recent HMIC report on the force, and similar issues had been raised through the Joint Area Targeted Inspection.
- The findings of the inspection team in relation to the stepping down of a very few 'child protection' cases to 'children in need' were not agreed with by the Department, as it was the decision of multi-agency partners to step children down from being in child protection. Of the 150 cases OFSTED audited, they felt that two had been stepped down to being a 'child in need' too quickly, believing that the decision had been over optimistic. Since receiving this recommendation, the Department had audited other cases to ensure that appropriate processes had been followed, and to

date evidence had not been found to suggest that the correct judgements had not been used.

Discussion was held on the possibility of Members in future being given the opportunity to review case studies of children subject to child protection plans, in order to understand the complex decision making that sits behind them.

It was agreed by the Committee that the report was overwhelmingly positive and officers and teams should be commended for their work in achieving it.

RESOLVED:

That the Children and Young People Select Committee note and welcome the letter and supporting report.

9. **WORK PROGRAMME**

The Committee received a report (Item 9 in the Minute Book) from the Director of Transformation and Governance setting out the Select Committee's future work programme.

The Committee agreed that the following items be added to the work programme:

- Additional free hours of early years provision
- Attainment in Schools
- Evaluation and monitoring of Family Support Service implementation
- Home to School transport

It was also agreed that the items on Special Educational Needs and Disability reform and Children and Young People Disability Services include discussion on children with autism.

RESOLVED:

That the work programme be agreed.

Chairman, 10 July 2017

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HAMPSHIRE COUNTY COUNCIL

Report

Committee:	Children and Young People Select Committee
Date:	10 July 2017
Title:	Amalgamation of Fort Hill Community School and Cranbourne Business and Enterprise College, Basingstoke, including the Fort Hill Special Educational Needs resourced provision - Consideration of Request to Exercise Call-in Powers
Report From:	Director of Children's Services Director of Transformation and Governance

Contact name:

Barbara Beardwell – Head of Law and Governance and Monitoring Officer

Brian Pope – Assistant Director of Children's Services

Tel:

01962 845157

02392 441471

Email:

Barbara.Beardwell@hants.gov.uk

Brian.Pope@hants.gov.uk

1. Purpose of Report

1.1. The purpose of the meeting to which this Report relates is for the Children and Young People Select (Overview and Scrutiny) Committee ('The C&YP Select Committee') to consider whether or not it should exercise its powers under Section 9F of Part 1A of the Local Government Act 2000 ('the 2000 Act'), referred to in the County Council's Constitution as 'Call-in'.

2. Contextual information

2.1. During the 2017/18 admissions round it was apparent that a very low number of parents and guardians had expressed a preference for their child to commence their education at Fort Hill Community School in September 2017. An analysis of the numbers of children living within the catchment was undertaken, and of the 220 Year 6 children living with the catchment area, the parents and guardians of 35 children had expressed a preference for their child to attend Fort Hill School. This low number added to trend data showing that the popularity of the school with parents and guardians had been declining in recent years.

2.2. The low number of children applying for Fort Hill School resulted in the County Council analysing the School's forward budget in more detail. This

analysis showed that without large reductions in staffing, the school would be in a multi-million pound deficit within three years. This reduction in staffing would lead to an unsustainable reduction in the curriculum offer to children and, in the view of the school improvement team, an inadequate education being provided. The County Council's Corporate Strategy, particularly Priority Two, 'Maximising Well-Being', and the 'Shaping Hampshire' strategic plan, with the key theme of 'health and wellbeing', provide a framework for decisions that enable all children to achieve their potential. Not to act would have been in contradiction of these Corporate Strategies.

- 2.3. After due consideration of the challenges set out above, County Council officers came to a view that the only viable option was to amalgamate the school with Cranbourne Business and Enterprise College. After discussions with the Headteacher and Chair of Governors, a meeting was held with the governing body where County Council officers outlined the issues and the proposed viable option to amalgamate. At the Governing Body meeting, officers left the meeting after giving their input, so that Governors could discuss their response to the proposal. No time limit for the discussion was imposed by the County Council. The Governing Body resolved to support the proposal put forward by the Local Authority to commence a consultation on the amalgamation of the two schools, and a letter was received by the County Council to that effect.
- 2.4. A consultation process was undertaken in line with the County Council's procedures, and whilst there was opposition in the community to the proposal, no viable alternative could be identified by officers. The decision to consult on the proposal to amalgamate Fort Hill and Cranbourne Business and Enterprise College was taken in line with County Council requirements as set-out in the report of May 2007 by the Director of Children's Services (Education and Inspections Act 2006 - Implications for School Organisation Decisions). The following non-statutory and statutory consultation processes and related decision making by the Executive Member for Education followed the statutory guidance as set-out in the Department for Education 'Opening and closing maintained schools', 'Guidance for decision-makers' and 'Making prescribed alterations to Maintained Schools' as published in April 2016.
- 2.5. Part of the unpopularity of Fort Hill School is the current educational performance of the school, as set out in the Decision report at Appendix 1. The national data measures changed in 2016 therefore performance can not be directly compared between these two years. The Department for Education sets a minimum performance standard for all secondary schools and any schools which fall below this standard are deemed to be underperforming and may be subject to intervention. Fort Hill School underperformed in 2015 and 2016 to the extent that it fell below the minimum floor standard in both years. This underperformance is therefore correctly described as poor in the report.
- 2.6. A report was considered by the Executive Member for Education on 20 March 2017, along with all consultation responses, and the decision was taken to proceed to publish Notices. This decision was implemented, and the

outcomes of the formal consultation were included in a report to the Executive Member for Education at his decision day on 19 June 2017.

- 2.7. On 19 June 2017 the Executive Member for Education considered a report on the recommendations for the Amalgamation of Fort Hill Community School and Cranbourne Business and Enterprise College, Basingstoke, including the Fort Hill Special Educational Needs resourced provision. This included all of the consultation responses as per paragraph 2.6, which were read by the Executive Member and taken into account. A copy of the report to the Executive Member is attached as Appendix 1, and the decision record dated 19 June 2017 is at Appendix 2.
- 2.8. Following the decision of the Executive Member for Education on 19 June 2017 a request was made by a quorum of Members of the C&YP Select Committee ('Call-in request') for a meeting of the C&YP Select Committee to be held in order for the Committee to consider whether or not it should exercise its Call-in powers. The reasons given for the Call-in request are attached at Appendix 3 to this Report.

3. Legal and Constitutional Position

- 3.1. Legal provisions in respect of Call-in are set out at Section 9F of Part 1A of the 2000 Act and reflected at Part 3, Chapter 3, Paragraph 1.17 of the County Council's Constitution. A copy of Part 3, Chapter 3, Paragraph 1.17 of the Constitution is attached at Appendix 4 for ease of reference. It should be noted however that discussion of the Executive decision subject of the Call-in request is not limited to the points raised in the request.
- 3.2. When a Select (Scrutiny) Committee meets in order to consider whether or not it should exercise its Call-in powers in respect of an Executive Decision, a Select Committee is required to consider whether or not to recommend:
 - a) that the decision be reconsidered by the relevant decision maker; or
 - b) that its function in respect of review or scrutiny of the decision should be exercised by the County Council.
- 3.3. It should however be noted that the recommendation as referred to at b) is not available where the Executive decision in question is in line with the Budget or Policy Framework. Neither does the exercise of Call-in powers prevent implementation of a decision within the Budget and Policy Framework. It is considered that the decision in question is not contrary to the County Council's Budget and Policy Framework and therefore, should the C&YP Select Committee determine it appropriate to exercise its Call-in powers, the recommendation open to the Committee is as set out at 3.2 a).

4. Scrutiny

- 4.1. The role of a Scrutiny Committee includes both developing and reviewing policy and holding the Executive to account. A Scrutiny Committee may not however discharge any functions other than those conferred on it, and whilst it is perfectly proper for a Scrutiny Committee to offer advice and

recommendations to an Executive decision maker, in law responsibility for an Executive decision is that of the Executive.

5. Recommendation

- 5.1. That Members of the C&YP Select Committee determine whether or not they consider that the Executive Member for Education should re-consider his decisions as set out in the Decision Record attached at Appendix 2

CORPORATE OR LEGAL INFORMATION:

Links to the Corporate Strategy

Hampshire safer and more secure for all:	No
Maximising well-being:	Yes
Enhancing our quality of place:	No

Other Significant Links

Links to previous Member decisions:	
<u>Title</u>	<u>Date</u>
Amalgamation of Fort Hill Community School and Cranbourne Business and Enterprise College, Basingstoke including the Fort Hill Special Educational Needs resourced provision	20 March 2017
Amalgamation of Fort Hill Community School and Cranbourne Business and Enterprise College, Basingstoke including the Fort Hill Special Educational Needs resourced provision	19 June 2017
Direct links to specific legislation or Government Directives	
<u>Title</u>	<u>Date</u>
Local Government Act 2000 http://www.legislation.gov.uk/ukpga/2000/22/section/2	2000
Education and Inspections Act 2006 http://www.legislation.gov.uk/ukpga/2006/40/contents	2006
School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2013 http://www.legislation.gov.uk/uksi/2013/3110/made	2013
Department for Education Guidance 'Opening and closing maintained schools' https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/514556/16-04-06_FINAL_SO_Guidance_ED_Regs.pdf	April 2016
Department for Education Guidance 'Guidance for decision makers' https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/514570/16-04-06_FINAL_SO_Guidance_DM.pdf	April 2016

Department of Education Guidance Making prescribed alterations to Maintained Schools https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/514548/16-04-06_FINAL_SO_Guidance_PA_Regs.pdf	April 2016
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Section 100 D - Local Government Act 1972 - background documents	
<p>The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)</p>	
<u>Document</u>	<u>Location</u>
Amalgamation of Fort Hill Community School and Cranbourne Business and Enterprise College, Basingstoke including the Fort Hill Special Educational Needs resourced provision (March 2017)	http://democracy.hants.gov.uk/ieListDocuments.aspx?CId=167&MId=655&Ver=4
Amalgamation of Fort Hill Community School and Cranbourne Business and Enterprise College, Basingstoke including the Fort Hill Special Educational Needs resourced provision (June 2017)	http://democracy.hants.gov.uk/ieListDocuments.aspx?CId=167&MId=685&Ver=4

IMPACT ASSESSMENTS:

Equality Duty

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- a) The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- b) Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- c) Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

Equalities Impact Assessment:

Equality Impact Assessment referenced in section 7 of the decision report

Impact on Crime and Disorder:

No impact was identified in the decision report

Climate Change:

- How does what is being proposed impact on our carbon footprint / energy consumption?
- How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?
 - No specific measures were identified in the decision report

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HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Executive Member for Education
Date:	19 June 2017
Title:	Amalgamation of Fort Hill Community School and Cranbourne Business and Enterprise College, Basingstoke including the Fort Hill Special Educational Needs resourced provision
Report From:	Director of Children's Services

Contact name: Brian Pope – Assistant Director, Children's Services

Tel: 02392 441471

Email: brian.pope@hants.gov.uk

1. Executive Summary

- 1.1. On 20 March 2017 the Executive Member for Education decided to publish a statutory Public Notice (Appendix 1) in accordance with sections 15 and 19 of the Education and Inspections Act 2006. The Notice set out the County Council's intention to discontinue Fort Hill Community School and resourced provision with effect from 31 August 2017, and to establish a new Specific Learning Difficulties resource provision at Cranbourne Business and Enterprise College (CBEC). The report for that decision set out the history and context behind the proposal alongside the findings of the initial consultation with parents, pupils and other interested parties. This further report sets out the context leading to that decision and reports back on the representations received during the statutory Public Notice period.
- 1.2. The report also sets out and comments upon the statutory guidance for decision makers on factors that need to be considered when deciding on proposals to close and expand schools.
- 1.3. The report recommends that Fort Hill Community School and resourced provision be closed with effect from 31 August 2017 and that Cranbourne Business and Enterprise College accommodate pupils from the school, with effect from 1 September 2017.

2. Contextual information

- 2.1. Parental preference for Fort Hill Community School has significantly reduced over the past five years with only 39 first preference applications received for admission to Year 7 in September 2017. On the national notification date, a total of 72 offers were made 26 of which were from parents that had not selected Fort Hill as their preference. Due to some parents declining their offer of a place and securing places elsewhere, only 44 offers remain. Pupil numbers have declined to such an extent that the

school's ability to provide a wide-ranging curriculum offer will become severely limited. The financial impact of reducing numbers also means the school will be faced with a substantial deficit budget from the beginning of the 2018/19 financial year.

- 2.2. Following discussion and a written request from the school's governing body the County Council undertook a public consultation between 19 January and 2 March 2017. The County Council's preferred option was to amalgamate Fort Hill Community School and Cranbourne Business and Enterprise College (CBEC), Basingstoke including the Fort Hill Special Educational Needs Specific Learning Difficulties (SpLD) resourced provision. The outcome of the consultation strongly favoured keeping Fort Hill School open. Following consideration of the responses received, including alternate proposals, the Executive Member for Education agreed to the publication of a Public Notice on the amalgamation.
- 2.3. GCSE results at Fort Hill over the past five years have been consistently poor, despite the best efforts of all those involved. The table below sets out the school's GCSE performance using the Government's preferred measure of the proportion of pupils being awarded five or more good GCSEs including English and mathematics at grades A* to C (%5A*-C English + maths) against the national figures for the four year period 2012 to 2015.

	%5A*-C(English + maths) Fort Hill	%5A*-C(English + maths) National
2015	39%	57%
2014	44%	57%
2013	42%	61%
2012	42%	59%

- 2.4. Pupils' progress has also been poor over this time. The preferred government measure used up to 2015 was based on the proportion of pupils that make three levels of progress in English over the five years of attending a school, and three levels of progress in mathematics. These figures are given below against the national averages.

3LP English Fort Hill		3 LP English National	3 LP mathematics Fort Hill	3 LP mathematics National
2015	61%	71%	46%	67%
2014	61%	72%	53%	66%
2013	51%	71%	66%	71%
2012	50%	68%	59%	69%

- 2.5. In 2016 the Government's preferred measures of secondary school performance changed. Schools are now judged against the proportion of pupils reaching "the basics" (an A* to C grade in both English and mathematics), the proportion of pupils being awarded the English baccalaureate (%EBacc – the equivalent of 5A*-C GCSEs but in a tightly defined range of subjects), Attainment 8 (A8 – pupils' average performance

- across eight tightly defined subjects) and Progress 8 (P8 – a measure of pupils' progress in these eight subject areas).
- 2.6. Fort Hill has performed poorly across these measures. 47% of pupils were awarded the basics against 63% nationally, 9% achieved the EBacc against 25% nationally, A8 was 44 versus 50 nationally, P8 was – 0.55. This means that pupils at the school made half a GCSE grade less progress on average than pupils nationally in the same subjects.
 - 2.7. In 2016, the definition of the floor standard was changed so that it is now solely based on the P8 progress measure. Fort Hill falls below this new standard.
 - 2.8. The authority has to evaluate the impact of the number of children in the catchment area of Fort Hill who have chosen to attend the school, against the numbers who have not and go elsewhere to be educated. This must be considered alongside the school's performance over recent years and the significant work undertaken over this time to raise educational standards which, have not been realised. Since the consultation was launched to amalgamate Fort Hill Community School with CBEC on 19 January 2017 as described below, 138 children across Years 7 -10 have left Fort Hill Community School, having applied for and secured places at other local schools. Of those, 49 have started at CBEC. The total number of children currently on roll at Fort Hill Community School is 325.
 - 2.9. GCSE results in the maintained schools close to Fort Hill are all higher than in Fort Hill. Progress rates are better. Pupils would do better if they attended other local secondary schools.
 - 2.10. In general, larger secondary schools are more successful than smaller schools. This is because they have more resources available to them and it is consequently easier to build up a critical mass of good teaching within the school. Setting up one larger school would be to the benefit of pupils and staff in both schools. Not only would it enable a much wider and varied curriculum offer, it would also provide a far stronger platform to support continuing professional development for staff. Larger schools can offer a wider choice of curricular pathways and therefore all students, including those that are more vulnerable, can access more bespoke educational opportunities.
 - 2.11. The County Council believes that amalgamating Fort Hill with CBEC on the CBEC site offers the best potential for success for both schools.
 - 2.12. Alternative options or other proposals as to how the required improvement of Fort Hill could be achieved were invited as part of the consultation process. Having reviewed these options it was concluded that amalgamation of the two schools on the CBEC site provides the best opportunity for school improvement.

3. Statutory guidance for decision makers regarding school closure and amalgamations

- 3.1. The Department for Education has issued statutory guidance for decision makers on factors that need to be considered when deciding on proposals to amalgamate schools. There are a number of factors to be considered:

- Any proposal that is 'related' to another proposal must be considered together, do the published notices comply with statutory requirements?
- That an appropriate, fair and open local consultation and representation period (to the Public Notice) has been carried out and full consideration has been given to all the responses received.
- Consideration is given to the quality and diversity of schools in the relevant area and whether the proposal will meet or affect needs of parents, raise local standards and narrow attainment gaps
- Whether there are any sex, race or disability discrimination issues that arise from the changes being proposed.
- The impact on community cohesion.
- That accessibility planning has been properly taken into account and the proposed changes should not adversely impact on disadvantaged groups.
- The impact on special educational needs provision.
- There is sufficient capacity to accommodate displaced pupils from a school closure.
- That guidance on schools causing concern (intervention in failing, underperforming and coasting schools) has been followed.

4. Representations to the Public Notice

- 4.1. The Public Notice was published on 24 March for a period of four weeks; the closing date for comments was 21 April 2017.
- 4.2. Nine representations were received during the Public Notice consultation period. These have been made available to the Executive Member for Education and all Hampshire County Councillors.
- 4.3. In addition a number of representations were received between the Executive Member for Education decision on 20 March and the publication of the Public Notice on 24 March. The comments made during this period are summarised below and for the sake of consistency and fairness have been considered within this report;
 - That the number of first preferences used as the comparison for demand did not reflect the actual year 7 offers made which were higher.
 - That safeguarding issues at Cranbourne and distance between the schools and the difficulties this will cause parents were not considered sufficiently.
 - Concern about what will happen to the Fort Hill site if it left empty.
 - Additional support should be provided to Fort Hill in order for them to improve, with greater support being secured from the local community.
 - The negative impact on pupils from the disruption this proposal will cause.

- Concern over the safety of the walking routes between the two schools was not fully taken into account.
 - That parent and others views were not taken into account during the first consultation exercise.
 - The consideration of other options including using space in alternative schools to Cranbourne was not fully considered.
- 4.4. The majority of representations received sought clarification on a range of subjects related to the proposal and these are listed below;
- No mention was made of the request for the Fort Hill site to remain available for year 10 and 11 pupils from September 2017.
 - Arrangements for some form of pupil transport between the schools.
 - What arrangements are there for those pupils who must walk the distance between the schools? There is significant concern amongst families of the safety of the walking routes between the schools.
 - Is there any arrangement to support families in buying new school uniforms?
 - What will be the new catchment area for the school and what strategy will be put in place to support pupils travelling to the school?
 - Concerns about the impact on pupils in the resourced provision and for those pupils with more general special educational needs.
 - That the consultation was not undertaken correctly and not all views were represented in the minutes of the public meetings, and that online consultation responses were not acknowledged.
 - That the consultation following the publication of the Public Notice was poorly advertised.
 - Nothing was mentioned in the report to the Executive Member for Education about free schools.
 - Why was CBEC chosen for amalgamation compared to other schools in the local area?
 - Manydown is due to be built shortly so shouldn't Fort Hill stay open to meet the need for additional school places?
 - Who benefits from the closure as it's not the local community?
 - Who supports those children affected by the closure?
 - What will happen with current year 10 pupils at Fort Hill?
 - Concern that the County Council will not allow the Fort Hill site to remain open for year 10 and 11 pupils.
 - CBEC has low pupil numbers and is unpopular so why is the County Council trying to save Cranbourne and being anti Fort Hill?
 - Fort Hill, which requires improvement, is being closed and the County Council expects its pupils to attend a school that is rated inadequate by OFSTED.

5. Responses to representations made

- 5.1 The majority of representations made during the Public Notice period mirrored those raised during the initial consultation process and were addressed in the report submitted to the Executive Member for Education on 20 March 2017. These issues are addressed in section 6 detailing the information as a response to the statutory guidance for decision makers.

6. Responses to statutory guidance for decision makers regarding school amalgamation

- 6.1 The relevant factors to be considered in relation to this decision are detailed below, which address equally the representations made during the Public Notice consultation period.

Related proposals

- 6.2 The proposal on the amalgamation of Fort Hill Community School and Cranbourne Business and Enterprise College included the related proposal to establish resourced provision for up to 16 pupils with a Specific Learning Difficulty (SpLD) at CBEC with effect from 1 September 2017. The detail in relation to this related proposal forms part of this report.

Consideration of consultation and representation period

- 6.3 Details on the outcome of the initial public consultation were detailed in the report to the Executive Member for Education of 20 March 2017. This consultation provided a range of opportunities for consultees to submit their responses which were fully considered as part of the above mentioned report. The Public Notice was published and displayed as required in the relevant statutory guidance. Representations made during the Public Notice period are summarised and addressed in this report and representations have been made available as required to all County Councillors.

Education standards and diversity of provision

- 6.4 Any proposal relating to a school closure should be based upon the fact that the closure will contribute to raising local standards of education and new alternate provision will lead to improved attainment for pupils. GCSE results at Fort Hill over the past five years have been consistently poor and the school's performance has been below the national headline figures year on year over this period. Additionally, pupils' progress over this time has been poor and again below the national average.
- 6.5 Over the five year period from 2012 to 2016 the standards at CBEC, as indicated by the government's attainment and progress measures, have been consistently above those at Fort Hill apart from in 2012. CBEC received an inadequate Ofsted judgement in December 2015 – this was as a result of an issue related to a safeguarding procedure, not educational performance. This was immediately addressed by the school and subsequently checked by education advisers who confirmed the issue had been effectively dealt with.
- 6.6 The authority has to evaluate the impact of the number of children in the catchment area of Fort Hill who have chosen to attend the school, against the large majority who have not and go elsewhere to be educated. This has

to be considered against the track record of performance and the significant steps that have been taken to improve the school to little avail.

- 6.7 The increase in pupil numbers through the amalgamation of Fort Hill and CBEC would increase CBEC's budget and therefore the breadth of the educational offer. In general, larger schools are more successful than smaller schools. This is because they have more resources available to them and it is consequently easier to build up a critical mass of good teaching within the school. So setting up one larger school would be in the interests of pupils currently in both schools.
- 6.8 The County Council believes that the amalgamation of Fort Hill with CBEC on the CBEC site offers the best potential for creating high quality educational provision with better outcomes for students.

Equal opportunity issues

- 6.9 Consideration must be given as to whether there are any sex, race or disability discrimination issues that arise from the changes being proposed. Whilst it is proposed that Fort Hill Community School is closed, the Local Authority will make available the Fort Hill site to the governing body of CBEC so that they can continue to offer education on the Fort Hill site for year 10 and 11 pupils from September 2017 should they wish to do so. Support with travel between the Fort Hill and CBEC sites at the beginning and end of the school day will be offered to current Fort Hill pupils in years 8 and 9 from September 2017 for a fixed period of two years. This offer would be extended to pupils in years 10 and 11 if at anytime during this period a decision is taken by the governing body to cease the offer of education on the Fort Hill site. This support would be available for any pupil on roll of Fort Hill at the time of the Executive Member's Decision day on 20 March 2017.
- 6.10 The policies of the County Council and CBEC in relation to equal opportunities and eliminating discrimination will continue to apply should the amalgamation be approved.
- 6.11 County Council officers will work with the headteacher and governing body of CBEC to assess the opportunities that exist to provide financial support to those families in most need with regard to any additional costs incurred from having to buy a new school uniform. The arrangements will need to be clarified by the governing body should the decision be made to proceed with the amalgamation.

Community cohesion

- 6.12 The significant decline in pupil numbers at Fort Hill over the past five years and linked impact on the school's financial position leading to a reduced curriculum offer has brought the school's future viability into question. Should the amalgamation proposal be approved the County Council would be keen, in conjunction with Basingstoke and Deane Borough Council and the local community, to look at how the site could be used to support future public infrastructure opportunities.

Travel and accessibility

- 6.13 Support to travel between the Fort Hill and CBEC sites at the beginning and end of the school day would be offered to Fort Hill pupils in years 8 and 9

from September 2017 for a period of two years. This offer would be extended to pupils in years 10 and 11 if at anytime during this period a decision is taken by the governing body to cease the offer of education on the Fort Hill site. In order to access this offer all families would need to apply to the County Council in due course. This support would be available for any pupil on roll of Fort Hill at the time of the Executive Member's Decision day on 20 March 2017.

6.14 Should the proposal be approved the County Council's School Travel Plan team would work with the school community to identify sustainable methods of travel to school. Work has been undertaken to assess exiting walking routes and further work would include but not limited to:

- Assessing the existing transport infrastructure
- Mapping of infrastructure, walking/cycling zones, bus routes, and postcode/mode of travel (pupils and where available, staff). Other mapping where relevant e.g. to indicate dispersal of parking with the inclusion of an additional entrance or plan showing suggested measures/improvements.
- Consultation with relevant stakeholders (parents, staff, pupils, residents, governors and others the schools wish to engage with)
- Development of a Travel Action plan consisting of appropriate aims and objectives, 'SMART' targets, suitable measures (soft and hard), possible actions which are allocated to suggested roles/bodies and within approximate timescales.
- Monitoring strategy with appropriate timescales to undertake a full survey and review the travel plan based on the new school population and community.

Changes to special educational needs provision

6.15 Fort Hill Community School has a resourced provision for children with Specific Learning Difficulties (SpLD). The proposal is to re-establish this provision on the CBEC site. The importance of this provision is recognised and, if the school is amalgamated with CBEC, pupils placed in the resourced provision would continue to receive the same level of support that is currently available to them, including access to a suitably qualified teacher and other support as required within a mainstream setting to meet their individual needs. Support would continue to be provided to reflect the provision as specified within the pupils' Education, Health and Care Plans, and/or their individual education plans.

Sufficient capacity exists in the local area to accommodate displaced pupils

6.16 Fort Hill School has a capacity of 731 places and Cranbourne a capacity of 1,182 places. The number on roll of both schools at January 2017 census was 1,100. Cranbourne prior to 2011 had a PAN of 260 (currently 180) and a capacity of 1,300 places. Based on current numbers on roll the total of pupils from both schools can be accommodated on the Cranbourne site. This number could not be accommodated within the available buildings and space on the Fort Hill site.

6.17 With regard to the response made during the Public Notice period relating to the new housing proposed at Manydown, should this receive planning permission, it is not expected that new homes will be occupied until 2018/19, at the earliest. New primary provision is unlikely to be provided until 2020/21 and the requirement for any new secondary school places is not anticipated until the mid 2020s. The intention is to provide new school places to meet the demand from the Manydown development when needed. Keeping Fort Hill open beyond September this year in expectation of future demand from Manydown will cause significant financial issues due to the large funding deficit that will exist and does nothing to address the quality of education currently on offer to pupils. Therefore, keeping the school open because of future development on Manydown is not a viable option.

That guidance on schools causing concern (intervention in failing, underperforming and coasting schools) has been followed

6.18 Since 2012 Fort Hill Community School and local authority have worked closely together and considerable activity has taken place with the aim of bringing about improvement in standards, progress and the overall quality of the school. As well as using other sources of school support, this has included work from local authority subject inspectors to support and challenge the leadership and management, in particular subject areas in the school; support and help to develop teaching; support to develop the subject knowledge of teachers who are working outside their subject specialisms and support and challenge for the school's senior leadership.

6.19 Despite this work, standards have remained stubbornly low, as have rates of progress. A situation further compounded by the levels of staff turnover during this period. In the professional judgement of Hampshire's Inspection and Advisory Service, if Ofsted was to inspect the school currently, it is highly likely to be rated as 'requires improvement' or 'inadequate'.

6.20 The Local Authority has followed the relevant guidance regarding intervention and feels amalgamation with CBEC presents the best opportunity to improve educational outcomes for pupils currently at Fort Hill.

6.21 Free school proposals are only considered where there is a need for a new school in an area to meet a clearly identified basic need pressure or, widen parental choice. In this instance this is not the case, therefore the development of a free school on the Fort Hill site is not required.

7 Consultation and Equalities

7.1 The County Council has undertaken the consultation and the publication of the Public Notice process in line with all relevant Departments for Education statutory guidance. Relevant documents were also published in the Hampshire Independent, on the County Councils website and at the school's.

7.2 Details of the consultation process and responses were reported to the Executive Member for Education on 20 March 2017 and this report details those representations received during the publication of the Public Notice.

7.3 An Equality Impact Assessment (EIA) has been undertaken and it is acknowledged there is likely to be an impact in relation to age, disability and

poverty. For age this could be an impact due to the additional distance pupils will have to travel to attend CBEC; for disability it relates to the closure of the SpLD resourced provision at Fort Hill and establishment of this provision at CBEC and for poverty in relation to possible additional travel costs and that of providing a new school uniform.

- 7.4 It is felt that suitable mitigation will be put in place to lessen the impacts. To support pupils who may have a longer journey to school it is proposed that support is offered, to those pupils currently on the roll of Fort Hill Community School in years 7 and 8 who will transfer to CBEC in September 2017, with travel between the two schools at the beginning and end of the school day. This support is to be offered for a maximum of 2 years from 1 September 2017. This offer would be extended to pupils in years 10 and 11 if at anytime during this period a decision is taken by the governing body to cease the offer of education on the Fort Hill site. This support would be available for any pupil on roll of Fort Hill at the time of the Executive Member's Decision day on 20 March 2017. The Local Authority will make available the Fort Hill site to the governing body of CBEC so that they can continue to offer education on the Fort Hill site for year 10 and 11 pupils from September 2017 should they wish to do so.
- 7.5 The importance of the resourced provision is recognised and, if the school is amalgamated with CBEC, pupils placed in the resourced provision would continue to receive the same level of support that is currently available to them. This would include access to a suitably qualified teacher and other support as required within a mainstream setting to meet their individual needs. Support would continue to be provided to reflect the provision as specified within the pupils' Education, Health and Care Plans, and/or their individual education plans. The SpLD resourced provision will be provided at CBEC. Provisional planning has commenced to support the smooth transition of students should a decision be taken to amalgamate the two schools.
- 7.6 County Council officers will work with the headteacher and governing body of CBEC to assess the opportunities that exist to provide financial support to those families in most need with regard to any additional costs incurred from having to buy a new school uniform. The arrangements will need to be clarified by the governing body should the decision be made to proceed with the amalgamation.

8 Financial impact

- 8.1 Fort Hill Community School ended 31 March 2017 with a carry forward surplus balance of £278,306, a reduction of £161,158 from the previous year. The school's current three year financial plan projects a deficit of £1.7m in three years based on current pupil numbers.
- 8.2 As outlined in the previous report considered by the Executive Member for Education in March, a significant deficit is still forecast. With a continuing decline in pupil numbers forecast, there will be further impact on the level of funding the school will receive.
- 8.3 In the event of Fort Hill Community School closing and amalgamating with CBEC, both schools would receive a pro-rata budget share for the period 1

April to 31 August 2017 for five months of funding. From 1 September 2017, CBEC would be issued with a revised budget share that incorporates the pupils from Fort Hill School at point of closure. A significant financial impact would be the loss of the Fort Hill School's lump sum, which is £160,000 per school for 2017/18. However, as a protection for amalgamating schools and to acknowledge the loss of the lump sum, CBEC would continue to receive two lump sums for the remainder of 2017/18 and for 2018/19 would receive equivalent to 85% of the two combined lump sums.

- 8.4 While the amalgamated school continues to operate across the two school sites, the school will be eligible for additional split site funding as detailed within the Hampshire School Funding Policy Pack.
- 8.5 Additional items incurred by the re-organisation would be funded via the re-organisation fund from within the growth fund, details of which can also be found within the Policy Pack.

9 Personnel implications

- 9.1 Should a decision be taken to close Fort Hill and amalgamate it with CBEC the County Council will work with all affected staff, their professional associations and any future academy sponsor to ensure the interests of all staff are fully considered.
- 9.2 Early provisional engagement with staff at Fort Hill and CBEC has commenced in parallel to the statutory consultation period. This is required to ensure that should a decision be taken to amalgamate the two schools the required staffing actions can be concluded in line with the proposals.

10 Admissions

- 10.1 In the event that a decision is taken to close Fort Hill Community School, any families holding an offer of a place at Fort Hill for Year 7 in September 2017 will be notified that their offer becomes an offer of a place at CBEC. Parents who do not wish to send their child to CBEC may apply to other schools if they wish and their preference will be met wherever possible, depending on availability of places. The Admissions Team can advise which schools have availability and assist with the application process. Parents who are unable to gain a place at their preferred school because it is full can add their child's name to the waiting list. They also have the right of appeal to an independent appeal panel. The same rights apply to parents of current Fort Hill pupils seeking to secure a place elsewhere.
- 10.2 The admission arrangements for Cranbourne for both 2017/18 and 2018/19 have already been determined. If the decision is taken to amalgamate Fort Hill with CBEC, the local authority will seek approval from the Schools Adjudicator to vary the admission arrangements for CBEC to include an extension of the catchment area to incorporate the existing Fort Hill catchment area and the addition of Castle Hill Primary School, Chiltern Primary School and Winklebury Junior School as named linked schools.

- 10.3 On conversion to Academy status, the Academy would adopt the admission arrangements determined by the local authority (varied or otherwise) for 2017/18 and 2018/19. The Academy would determine its own admission arrangements for 2019/20 onwards.

11 Future direction

- 11.1 The Local Authority has met the statutory guidance to enable a decision to be made regarding the amalgamation of Fort Hill Community School and Cranbourne Business and Enterprise College. In addition that resourced provision be created at Cranbourne for up to 16 pupils with a Specific Learning Difficulty (SpLD).
- 11.2 The Public Notice resulted in nine representations, which have been considered by the Executive Member for Education and made available to all Hampshire County Councillors and are summarised in this report.
- 11.3 There are significant challenges facing Fort Hill relating to poor educational performance and low pupil numbers, which together contribute to the fact that significant change is needed. The amalgamation of Fort Hill and CBEC present the best opportunity for providing sufficient, quality secondary school places enabling one shared vision for pupils in the area with the aim of providing consistent, high aspirations and expectations and a drive for excellence.

12 Recommendations

- 12.1 It is recommended that approval be given to the proposal published by the Local Authority, in accordance with sections 15 and 19 of the Education and Inspections Act and the School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2013 to
- (a) Discontinue Fort Hill Community School (including resourced provision), Kenilworth Road, Basingstoke RG23 8JQ from 31 August 2017.**
 - (b) Establish resourced provision for up to 16 pupils with a Specific Learning Difficulty (SpLD) at Cranbourne Business and Enterprise College (Community School), with effect from 1 September 2017.**
- 12.2 That the Local Authority make available the Fort Hill site to the governing body of CBEC so that they can continue to offer education on the Fort Hill site for year 10 and 11 pupils from September 2017 should they wish to do so.
- 12.3 That support is offered, to those pupils currently on the roll of Fort Hill Community School in years 7 and 8 who will transfer to CBEC in September 2017, with travel between the two schools at the beginning and end of the school day. This support to be offered for a maximum of two years from 1 September 2017. This offer would be extended to pupils in years 10 and 11 if at anytime during this period a decision is taken by the governing body to cease the offer of education on the Fort Hill site. This support would be available for any pupil on roll of Fort Hill at the time of the Executive Member's Decision day on 20 March 2017.

CORPORATE OR LEGAL INFORMATION:**Links to the Corporate Strategy**

Hampshire safer and more secure for all:	No
Maximising well-being:	yes
Enhancing our quality of place:	No
OR	
This proposal does not link to the Corporate Strategy but, nevertheless, requires a decision because:	

Other Significant Links

Links to previous Member decisions:	
<u>Title</u> Amalgamation of Fort Hill Community School and Cranbourne Business and Enterprise College, Basingstoke including the Fort Hill Special Educational Needs resourced provision	<u>Date</u> 20/3/17
Direct links to specific legislation or Government Directives	
<u>Title</u> Education and Inspections Act School Organisation-Maintained Schools – Guidance for decision makers	<u>Date</u> 8/11/2016 April 2016

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
Representations to the Public Notice	Children's Services Department, Hampshire County Council, Winchester

IMPACT ASSESSMENTS:

1. Equality Duty

12.4 The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Due regard in this context involves having due regard in particular to:

12.4.1 The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;

12.4.2 Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;

12.4.3 Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

12.5 Equalities Impact Assessment:

An Equality Impact Assessment (EIA) has been undertaken and it is acknowledged there is likely to be an impact in relation to age, disability and poverty. For age this could be an impact due to the additional distance pupils will have to travel to attend CBEC; for disability it relates to the closure of the SpLD resourced provision at Fort Hill and establishment of this provision at CBEC and for poverty in relation to possible additional travel costs and that of providing a new uniform.

It is felt that suitable mitigation will be put in place to lessen the impacts. To support pupils who may have a longer journey to school it is proposed that support is offered, to those pupils currently on the roll of Fort Hill Community School in years 7 and 8 who will transfer to CBEC in September 2017, with travel between the two schools at the beginning and end of the school day. This support to be offered for a maximum of 2 years from 1 September 2017. In addition, the Local Authority will work with the governing body of CBEC to support the continued provision of education on the Fort Hill site for year's 10 and 11 pupils from September 2017.

The importance of the resourced provision is recognised and, if the school is amalgamated with CBEC, pupils placed in the resourced provision would continue to receive the same level of support that is currently available to them, including access to a suitably qualified teacher and other support as

required within a mainstream setting to meet their individual needs. Support would continue to be provided to reflect the provision as specified within the pupils' Education, Health and Care Plans, and/or their individual education plans. The SpLD resourced provision will be provided at CBEC.

The Local Authority will work with the governing on a strategy to support eligible parents with any additional school uniform costs.

13 Impact on Crime and Disorder:

13.1 The recommendations will have no impact on crime and disorder.

14 Climate Change:

14.1.1 How does what is being proposed impact on our carbon footprint / energy consumption?

No impact has been identified

14.1.2 How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

No specific measures have been identified



AMALGAMATION OF FORT HILL COMMUNITY SCHOOL AND CRANBOURNE BUSINESS AND ENTERPRISE COLLEGE, BASINGSTOKE

- 1. Notice is given** in accordance with S15 of the Education and Inspections Act 2006 and the School Organisation (Establishment and Discontinuance of Schools) Regulations 2013 that Hampshire County Council, The Castle, Winchester, Hampshire SO23 8UG intends to discontinue Fort Hill Community School (including resourced provision), Kenilworth Road, Basingstoke RG23 8JQ from 31 August 2017.
- 2. Notice is also given** in accordance with S19 Education and Inspections Act 2006 and the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 that Hampshire County Council intends to establish resourced provision for up to 16 pupils with a Specific Learning Difficulty (SpLD) at Cranbourne Business and Enterprise College (Community School), Wessex Close, Basingstoke RG21 3NP. It is proposed that the resourced provision will open on 1 September 2017.
3. The closure of Fort Hill Community School is being proposed due to reducing pupil numbers. Places will be available for all pupils affected by the closure of Fort Hill school (including those with special educational needs) at Cranbourne Business and Enterprise College.
4. Transport will be provided for any pupils who qualify under the authority's published policy:
<https://www.hants.gov.uk/educationandlearning/schooltransport>
5. This Notice is an extract from the complete proposal which contains the reason for the decision. A copy of the complete proposal can be viewed on the following website <http://www3.hants.gov.uk/publicnotices.htm> or obtained from Glenn Parkinson, Strategic Development Office, Children's Services Department, The Castle, Winchester, Hampshire SO23 8UG (email: strategicplanningunit@hants.gov.uk)
6. Within four weeks from the date of publication of these proposals, any person may object to or make comments on the proposals by sending them to Glenn Parkinson, Strategic Development Office, Children's Services Department, The Castle, Winchester, Hampshire SO23 8UG (email: strategicplanningunit@hants.gov.uk)

John Coughlan, Chief Executive, Hampshire County Council
Publication date: 24th March 2017

HAMPSHIRE COUNTY COUNCIL

Executive Decision Record

Decision Maker:	Executive Member for Education
Date:	19 June 2017
Title:	Amalgamation of Fort Hill Community School and Cranbourne Business and Enterprise College, Basingstoke including the Fort Hill Special Educational Needs resourced provision
Report From:	Director of Children's Services

Contact name: Brian Pope – Assistant Director, Children's Services

Tel: 02392 441471

Email: brian.pope@hants.gov.uk

1. The decision:

- a) That the Executive Member for Education gives approval to the proposal published by the Local Authority, in accordance with sections 15 and 19 of the Education and Inspections Act and the School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2013 to
 - Discontinue Fort Hill Community School (including resourced provision), Kenilworth Road, Basingstoke RG23 8JQ from 31 August 2017.
 - Establish resourced provision for up to 16 pupils with a Specific Learning Difficulty (SpLD) at Cranbourne Business and Enterprise College (Community School), with effect from 1 September 2017.
- b) That the Local Authority make available the Fort Hill site to the governing body of Cranbourne Business and Enterprise College so that they can continue to offer education on the Fort Hill site for year 10 and 11 pupils from September 2017 should they wish to do so.
- c) That support is offered, to those pupils currently on the roll of Fort Hill Community School in years 7 and 8 who will transfer to Cranbourne Business and Enterprise College in September 2017, with travel between the two schools at the beginning and end of the school day. This support to be offered for a maximum of two years from 1 September 2017. This offer would be extended to pupils in years 10 and 11 if at anytime during this period a decision is taken by the governing body to cease the offer of education on the Fort Hill site. This support would be available for any pupil on roll of Fort Hill at the time of the Executive Member's Decision day on the 20 March 2017.

2. Reason(s) for the decision:

- 2.1. On 20 March 2017 the Executive Member for Education decided to publish a statutory Public Notice (Appendix 1) in accordance with sections 15 and 19 of the Education and Inspections Act 2006. The Notice set out the County Council's intention to discontinue Fort Hill Community School and resourced provision with effect from 31 August 2017, and to establish a new Specific Learning Difficulties resource provision at Cranbourne Business and Enterprise College (CBEC).
- 2.2. The Public Notice was published on 24 March for a period of four weeks; the closing date for comments was 21 April 2017.
- 2.3. Nine representations were received during the Public Notice consultation period. Those representations have been reviewed taking into account the statutory guidance for decision makers on factors that need to be considered when deciding on proposals to close and expand schools. In reviewing the representations made on the proposal no suitable alternative option was identified and, therefore, it has been concluded that amalgamation of the two schools on the CBEC site provides the best opportunity for school improvement.
- 2.4. In order to support pupils in the last years of their secondary education the Local Authority will make available the Fort Hill site to the governing body of CBEC so that they can continue to offer education on the Fort Hill site for year 10 and 11 pupils from September 2017 should they wish to do so.
 - a) It is proposed that support is offered to those pupils currently on the roll of Fort Hill Community School in years 7 and 8 who will transfer to CBEC in September 2017, with travel between the two schools at the beginning and end of the school day. This support to be offered for a maximum of two years from 1 September 2017. This offer would be extended to pupils in years 10 and 11 if at anytime during this period a decision is taken by the governing body to cease the offer of education on the Fort Hill site.

2.5.

3. Other options considered and rejected:

- 3.1. Maintain the current position; make no change
- 3.2. Find a strong academy sponsor to improve outcomes at the school
- 3.3. Link Fort Hill Community School with another Basingstoke secondary school
- 3.4. Create an all-through 4 to 16 school

4. Conflicts of interest:

- 4.1. Conflicts of interest declared by the decision-maker: None
- 4.2. Conflicts of interest declared by other Executive Members consulted: None

5. Dispensation granted by the Conduct Advisory Panel: none.
6. Reason(s) for the matter being dealt with if urgent: not applicable.
7. Statement from the Decision Maker:

Approved by:

Date:

**Executive Member for Education
Councillor Peter Edgar**

19 June 2017

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Call-in Request

I and the other members of the C&YP Committee below would like to call-in the recent decision regarding the closure of Fort Hill School in Basingstoke. The reasons for call in are summarised below, please let me now if there is anything further I should do in initiating this call in.

1. The decision has been based on in-complete or absent data, for example, data which would show:

- That the school is improving i.e. the 2016 exam results
- That there has been a failure to correlate low pupil numbers to the low pupil numbers in the feeder schools & the effect of when these numbers go up from next year.
- Fort Hill's standards are not, "poor", as is suggested by the report as referred to in
- That schools outside of the borough are deliberately marketing to Basingstoke parents
- Pupil numbers in local feeder schools show a rise from next year
- That several new housing developments in close proximity to Fort Hill are either being built or are proposed (eg, Worting, Manydown) these developments will need a local secondary school

2. The decision has not adequately taken into consideration a number of non-quantifiable. albeit vital issues for example:

- The amalgamation will adversely affect not only the exam results of current students, but also their mental health and wellbeing.
- While the proposal is to fund transport from Fort Hill to CBEC for current students for 2 years, what happens after this?
- A 2016 survey by Winklebury Community Action Group found that around 1 in 5 families have limited, or no, access to a car. These low income families will not be able to afford to fund bus fares for their children- how will this affect truancy rates when pupils are faced with an hour-long, dark, possibly rainy, walk to school in winter?

3. Serious concern has been raised throughout the process that the governing body were in effect given a fait accompli. Although the report suggested that the governing body had asked for the consultation on amalgamation, the facts remain that the governing body were given limited options (effectively-move to consultation or county would close the school) and limited time (20 minutes max) to discuss and arrive at their decision. Other governing bodies of schools in similar situations were given a range of options to consider. It is vital that this aspect is examined in closer detail.

4. Finally, the proposed decision did not benefit from pre-decision scrutiny by members and interested parties, had it done so, it would no doubt have improved the

decision. Because of the lack of this pre-decision scrutiny then serious consideration should be given to post-decision scrutiny to ensure the proper democratic functions are followed.

We would propose that the committee formulates appropriate recommendations firstly in relation to the specific issues involving Fort Hill but secondly to the wider, generic issues of how situations like this can be avoided in the future.

1.17 Call-in

- 1.17.1 Where a decision of the Executive has been made but not yet been implemented, a quorum of members of the relevant Select (Overview and Scrutiny) Committee(s) may require by way of notice in writing to the Chief Executive that a meeting of the Committee is held to consider whether or not to exercise the Committee's powers under Section 9 F (4) of Part 1A of the 2000 Act (referred to in this Constitution as 'call-in'). These powers are to arrange that the decision be reconsidered by the Executive, or arrange for its powers in respect of review or scrutiny of the decision to be exercised by the County Council. Where a decision materially affects more than one Select Committee (i.e. it is cross-cutting) a call-in must be made by at least two of the Select (Overview and Scrutiny) Committees;
- 1.17.2 A decision can only be called-in within 5 clear working days of the date the decision was notified to all members of the appropriate Select (Overview and Scrutiny) Committee(s), in accordance with Part 3, Chapter 2, Paragraph 4.8 of the Constitution.
- 1.17.3 When a valid call-in request is made, the Select (Overview and Scrutiny) Committee(s) must meet to consider the request, make a decision and communicate to the Executive any recommendations it wishes to make within 14 clear calendar days of the request being made. When it meets the Committee(s) must consider whether or not to recommend;
- i) that the decision be reconsidered by the relevant decision making body who made the decision; or
 - ii) that the County Council consider whether the relevant decision making body should reconsider the decision (this recommendation shall not be made when the decision is in line with the budget, or the Policy Framework, or statutory requirements regarding notice procedures in respect of publicity for Key Decisions)
- 1.17.4 Any decision of the Executive which is not in line with the Budget or the Policy Framework, or the notice procedure in respect of Key Decisions as set out at Part 3 Chapter 2 Paragraph 3.2 of the Constitution, if called-in, shall not be implemented until the request has been disposed of by;
- i) The withdrawal of the request
 - ii) The rejection of the request by the Select (Overview and Scrutiny) Committee(s) or by the County Council
 - iii) The relevant decision-making body rejecting the recommendation for reconsideration or;
 - iv) The relevant decision-making body reconsidering and confirming the original decision.

- 1.17.5 Call-in shall not prevent the decision from being acted on where the decision is in line with the Policy Framework and other policies approved by the County Council but when the views of the Select Committee differ from, or are critical of, the Executive decision, the facts shall be reported to the next County Council meeting and be debated without changing the previous decision although the County Council may request the Cabinet or relevant Executive Member(s) to review the decision in question.