

SECTION 15 OF THE EDUCATION AND INSPECTIONS ACT 2006 (AS AMENDED BY THE EDUCATION ACT 2011) and the SCHOOL ORGANISATION (ESTABLISHMENT AND DISCONTINUANCE OF SCHOOLS) REGULATIONS 2013

PROPOSED CLOSURE OF BROAD OAK COMMUNITY PRIMARY SCHOOL

1. Contact details

Name and address of the local authority making the proposal

East Sussex County Council
County Hall, St Anne's Crescent, Lewes BN7 1UE

Name, address and category of school

Broad Oak Community Primary School
Scotsford Road, Broad Oak, Heathfield TN21 8UD

The school is a community school.

2. Implementation

The proposal is to discontinue Broad Oak Community Primary School ("the school") with effect from 31 August 2020.

3. Reason for closure

East Sussex County Council has a statutory duty to ensure there are sufficient school places for all children. The [School Organisation Plan 2019-2023](#) sets out the local authority's approach to the organisation and leadership arrangements of schools to maintain the efficiency and effectiveness of provision to ensure that all schools are well placed to deliver high quality education that meets the needs of their local community and makes best use of public funding.

The decision to consult on closure of the school was taken in the context of the local authority's review of rural primary school provision undertaken during the 2018/19 academic year and its statutory duty to ensure there are the right numbers of places in the right locations to meet local demand. The local authority also has to look more widely at the organisation of schools to ensure they are well placed to deliver a high quality education to their local community. The area review identified the school as being at risk of closure for the following reasons.

The school is a small, rural community primary school. The school is part of the Woodlands Federation with Punnetts Town Community Primary School and Dallington CE Primary School. The school has a published admission number (PAN) of 20 and capacity for 140 pupils (20 x 7 year groups). Information and evidence gathered during the area review of primary school places shows that the school has been under-subscribed in each of the last five years and pupil numbers fall significantly short of the school's PAN each year. The school was allocated 7 reception pupils for September 2019, at the October 2019 school census only 5 reception pupils were on roll. The 10-year average birth rate in the school's community area is less than 8 per annum. There is very little house building planned in the school's community area to help grow the birth rate which means that in-area demand for places at the school will remain low.

Between the May 2019 and October 2019 school censuses, pupil numbers at the school fell from 83 to 52. 13 Year 6 pupils left the school at the end of the last academic year to be replaced by 5 reception pupils, a net reduction of 8 pupils. The local authority recognises that the consultation on closure has contributed to the further reduction in pupil numbers. There are 88 (63%) surplus places at the school.

According to the October 2019 school census, only 18 (30%) of the 60 pupils living in the Broad Oak community area and attending state funded primary schools in East Sussex, attend the school. This equates to only 35% of the school's number on roll of 52. In comparison, 42% (22 pupils) of the school's cohort live in Heathfield where there are surplus places at schools a short distance away e.g. All Saints' and St Richard's CE Primary School and Cross-in-Hand CE Primary School (36% and 24%

respectively).

The governing board's three-year budget plan, submitted in May 2019, showed the following budget position.

Financial year	End of year
2019/20	£0
2020/21	-£73,820 Deficit
2021/22	-£203,435 Deficit

The school has already restructured to make savings by moving from four classes to three in September 2019. The governors have not identified where further savings could be made.

Despite respondents to the consultation referencing the budget deficit, no plans have been forthcoming from the governing board in terms of how the deficit can be addressed. On 7 January 2020 the information on the Go Fund Me website indicated that £2,073 had been raised of the school's £100,000 target.

An interim estimate of the 2020/21 budget using the current pupil numbers and the new funding assumptions contained in the announcement from the government shows that, whereas the school's income might have been between £370,000 and £375,000 based on previous pupil numbers built into the school's budget plan, the likelihood is that the income could reduce to somewhere between £314,000 and £318,000 based on current numbers and will further increase the budget deficit. Governors were unable to provide a clear strategy to overcome the financial challenge prior to the consultation when pupil numbers were higher; the budget projection is now significantly worse making it even harder for governors to identify a viable solution.

The school last received an Ofsted rating of 'Good' in 2011. At its last two Ofsted inspections in 2016 and 2018 the school was rated overall as requiring improvement. In 2018 the effectiveness of leadership and management, personal development, behaviour and welfare and early years provision were all rated good. However, quality of teaching, learning and assessment and outcomes for pupils were rated as requiring improvement resulting in the overall judgement of requires improvement.

The local authority has provided a range of support to the school in recent years for teaching, learning, leadership and management. The school also has a progress group in place which provides additional support and monitoring from the local authority.

Prior to 2016 when the school received the first of its two Requires Improvement judgements from Ofsted, pupil numbers were at or close to the school's capacity of 140. Since then, pupil numbers have declined to 52.

A section 8 monitoring visit was undertaken at the school by Ofsted HMI on 8 October 2019. The monitoring inspection was carried out under section 8 of the Education Act 2005 and took place because the school had received two successive judgements of 'Requires Improvement' at its previous section 5 inspections. The key findings of the inspection were that:

'Senior leaders and governors are taking effective action to tackle the areas requiring improvement identified at the recent section 5 inspection in order for the school to become good.'

"The school should take further action to:

- Continue to develop the school's curriculum to ensure that it is coherently planned and sequenced so that pupils are able to know more and remember more as they progress through the school*
- Ensure that the recent improvements in the teaching of phonics are sustained so that there is a clear focus on ensuring that younger pupils promptly gain the phonics knowledge necessary to read well*
- Maintain a sharp focus on continuing to improve teachers' subject knowledge to enhance the teaching of the curriculum.'*

The monitoring letter also noted the “*Local Authority is providing effective support and challenge to Leaders and Governors to improve the school. Advisers from East Sussex Local Authority are following timely, focused support and guidance in all aspects of the school’s work. Staff training, together with the school’s involvement in specific local authority-led projects, is helping to improve the quality of education in the school.*”

The vast majority of respondents to the consultation, which ran from 5 July to 11 October 2019, overwhelmingly object to the proposed closure; there is a clear strength of feeling that the impact on current pupils and the local community would be significant. However, the challenge of the school’s deficit budget remains and will be made worse by the reduction in pupil numbers at the school since the consultation was launched. The situation of significant surplus places in the Heathfield area, and at the school in particular, remains, and no action has been identified in the consultation process to address this critical issue. While recognising the level and nature of objection to the proposal, the case for closure of the school continues to be strong.

4. Pupil numbers and admissions

The school is a small rural co-educational school with an age range of 5-11. The school has a PAN of 20 and capacity for 140 pupils (20 x 7 year groups).

Currently there are 52 pupils on roll, as illustrated below.

Pupil numbers 2019/20

2019/20 pupil numbers	PAN	Capacity	2019/20 number on roll							
			Year R	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Total
Broad Oak Community Primary School	20	140	5	1	6	9	8	6	17	52

Source: October 2019 School Census

52% of the school’s current pupils are male and 48% are female.

Source: October 2019 School Census

Special Education Needs (SEN) data for Broad Oak shows that the percentage of SEN pupils identified by the school is 17.3% (9 out of 52), including those with an Education, Health and Care Plan (EHCP), of which there are fewer than five.

Source: October 2019 School Census

At full capacity the school would be expected to organise across five classes. Due to its low pupil numbers the school is currently organised across three classes as follows:

Reception, Year 1 and Year 2 class of 12
 Year 3 / 4 class of 17
 Year 5 / 6 class of 23

5. Displaced pupils

Should the school close it is proposed that, for admissions purposes, the Heathfield schools community area would be extended to incorporate the Broad Oak community area. On 4 November 2019 the Lead Member for Education and Inclusion, Special Educational Needs and Disability gave approval for the local authority to consult on the proposal to ensure that, should the school close, children living in the Broad Oak community area would be able to access a local school. Any decision on the proposed change to the community area would be subject to the outcome of the closure proposal.

Parents and carers of pupils at the school would be able to express a preference for a place at an alternative school. Parents and carers would be asked to complete an admissions application form and to name up to three schools they would prefer their child/ren to attend. Parents and carers would be offered a school place either at one of their preferred schools named on the application form or, if this is

not possible, at the nearest school to their child's home where a place is available. The local authority would try to meet parents and carers preferences wherever possible but cannot guarantee to do so. The allocation of places would be made in line with the admissions policy as set out in the school admissions booklet which is available on the local authority's website at:

<https://www.eastsussex.gov.uk/educationandlearning/schools/admissions/>

The local authority has assessed the current capacity at the school and other schools in the surrounding area. Surplus places in the Heathfield area remain high at 19%, as illustrated.

Pupil numbers in the Heathfield area

Capacity	PAN	YR	Y1	Y2	Y3	Y4	Y5	Y6	Total	Capacity	Surplus	% surplus
		230	230	230	230	230	230	230				
Broad Oak	20	5	1	6	9	8	6	17	52	140	88	63%
All Saints' and St Richard's	20	15	13	14	10	17	6	14	89	140	51	36%
Cross-in-Hand	60	58	37	42	41	58	44	38	318	420	102	24%
Dallington	15	15	13	17	17	17	14	11	104	105	1	1%
Five Ashes	10	10	10	8	7	13	7	7	62	56	0	0%
Mayfield	30	20	20	27	25	23	24	21	160	210	50	24%
Maynards Green	30	30	30	30	30	33	32	30	215	210	0	0%
Parkside	30	30	30	29	31	30	30	30	210	210	0	0%
Punnetts Town	15	15	12	16	12	14	17	10	96	105	9	9%
Totals	230	198	166	189	182	213	180	178	1306	1596	301	19%

Data source: October 2019 school census.

The following tables show the local authority's projected pupil numbers for the Heathfield area taken from the annual update to its pupil forecasts in July 2019. The local authority's pupil forecasts take account of housing plans in the area and the likely demand for school places they will generate.

Reception intake and total number on roll forecasts

Reception intake forecasts	Combined PAN	2018/19			2019/20			2020/21			2021/22			2022/23		
		Yr R NOR	Surplus places	Surplus %	Yr R NOR	Surplus places	Surplus %	Yr R NOR	Surplus places	Surplus %	Yr R NOR	Surplus places	Surplus %	Yr R NOR	Surplus places	Surplus %
Heathfield primary review area	230	168	62	27%	198	32	14%	197	33	14%	168	62	27%	189	41	18%

Number on roll forecasts	Combined capacity	2018/19			2019/20			2020/21			2021/22			2022/23		
		Total NOR	Surplus places	Surplus %	Total NOR	Surplus places	Surplus %	Total NOR	Surplus places	Surplus %	Total NOR	Surplus places	Surplus %	Total NOR	Surplus places	Surplus %
Heathfield primary review area	1596	1299	297	19%	1317	279	17%	1347	249	16%	1354	242	15%	1343	253	16%

Source: January 2019 School Census and ESCC Pupil Forecasts 16.07.19

The Heathfield Primary Area Review Area contains the following schools: All Saints' and St Richard's CE Primary School; Cross-in-Hand CE Primary School; Parkside Community Primary School; Dallington CE Primary School; Broad Oak Community Primary School; Five Ashes CE Primary; Mayfield CE Primary School; Maynards Green Community Primary School and Punnetts Town Community Primary School

According to the October 2019 school census, pupil numbers across the nine schools (1,306) are eleven lower than the numbers projected when the forecasts were finalised in July 2019 (1,317). Should the school close, the combined PAN in the area would reduce to 210 and capacity would fall to 1,456. There would be sufficient places in the surrounding schools to accommodate displaced pupils from the school. Based on current pupil numbers, surplus places in the area would accordingly reduce from 19% to 10%, still well above the level recommended by the National Audit Office in its report on Capital Funding for new school places published in 2013. The report states:

"It is considered that on average 5 per cent was the bare minimum needed for authorities to meet their statutory duty with operational flexibility, while enabling parents to have some choice of schools".

Local schools should benefit from the proposal by reducing surplus places in the area and providing more certainty to the remaining schools about pupil numbers. The proposal should create a more sustainable network of schools in the local area thereby reducing the risk of more schools becoming unviable.

SEN provision is addressed in section 11 below, but all schools have the same duties under the Equality Act 2010 and the Children and Families Act 2014 to identify and provide for children with SEN. This would continue to be the case should the school close.

6. Impact on the community

The community impact assessment, undertaken as part of the consultation, identified a number of possible areas where the proposal could have some negative impact on a small number of local families and the local community, but also some mitigating factors which limit the impacts.

Issue	Potential Impact	Mitigating Factors	Conclusions
Impact on pupils	Coping with change to a new school environment.	The local authority and schools would work to minimise disruption arising from transition.	Initially negative; later potentially positive in terms of widening peer groups and accessing different facilities. Overall: Neutral
Impact on parents and families	Loss of clubs and events.	All the alternative schools provide a range of clubs and events.	Neutral
Impact on wider community	Losing a community venue.	Broad Oak has a village hall and the village is very close to Heathfield and other villages which host events in community venues.	Potentially negative but could be mitigated by use of village hall.
	Local shop losing trade	None	Potentially negative
	Losing access to Community Defibrillator	There are two further community defibrillators located in Broad Oak. The defibrillator at the school could be relocated to an alternative community venue.	Neutral
Access to same school designation	A number of pupils could be offered places at faith schools.	Parents can opt their children out of collective worship in any school.	Neutral
Impact on neighbouring schools	Neighbouring schools would offer places to pupils currently at the school.	There are sufficient places at surrounding schools to take all the pupils from the school.	Positive
Impact on pupil travel arrangements	Some families may experience increased costs and travel time to school; others may experience reduced costs and travel time to school.	For the majority of pupils there are alternative schools nearer to their home address. Some pupils living in Broad Oak might face longer journeys to and from an alternative school each day. However, for many their nearest alternative school is within statutory walking distance. Free home to school transport would be available for eligible pupils.	Potentially negative for pupils living in Broad Oak who might face longer journeys to and from school each day.

Issue	Potential Impact	Mitigating Factors	Conclusions
Impact on community demographics	Closure of the school may impact the balance of community.	The birth rate in the village is low and projected to remain so. The majority of children in the village do not attend the local school. Very few of the pupils arising from new housing will be in houses built in Broad Oak. The majority of new homes will be in school admissions areas served by other schools.	Neutral

In any small community, the loss of one institution or business will be felt proportionately more than in a larger community and the closure of a school in a village community will undoubtedly impact. Good schools engage parents in their children's education and reach out to the wider community for support, as well as providing community facilities. However, these must be considered beneficial side-effects to the main duty of a school which is to provide a quality education to its pupils. Numbers on roll, budget deficits and quality of education must be the considerations in any decision on the future of a school and, while a community may be impacted by a decision to close, this cannot be the overriding factor.

The local authority's [Community Impact Assessment](#) is available at Appendix 5 of the Lead Member report on 23 December 2019.

7. Rural primary schools

The school is designated as a rural school under the Designation of Rural Primary Schools (England) Order 2019.

The local authority has carefully considered the factors set out in section 15(4) of the Education and Inspections Act 2006 as detailed in its report on the presumption against the closure of rural schools. The [Presumption Report](#) is available at Appendix 6 of the Lead Member report on 23 December 2019.

8. Balance of denominational provision

As a local authority community school, the school does not have a particular religious character.

Currently there are 931 faith based places and 665 non-denominational places in the Heathfield area. Should Broad Oak close the number of non-denominational places would reduce to 525.

It is not unusual for rural parts of the county to have only faith schools and no community provision at all. Examples include the review areas of North Chailey, Battle, Robertsbridge and Wadhurst. All non-denominational state funded schools in England have to provide collective worship of "a broadly Christian character", the Diocese of Chichester Diocesan Board of Education recognises "*that church schools serve the whole community and are not exclusive to worshipping families*".

Parental preference would be considered where possible when allocating alternative school places to pupils at Broad Oak but parents do have the right to have their children excused from worship in any state funded school, whether non-denominational or faith based.

The three non-denominational schools in the Heathfield area other than Broad Oak (Parkside, Punnetts Town and Maynards Green) currently have 10 spare community school places between them. Other community schools are available in the wider area surrounding Heathfield, for example in Hailsham where a number of pupils on roll at Broad Oak live.

9. Maintained nursery schools

The school does not have a maintained nursery; therefore, no consideration needs to be given under this section.

10. Sixth form provision

The school does not have sixth form provision; therefore, no consideration needs to be given under this section.

11. Special educational needs provision

SEN data for Broad Oak shows that the percentage of SEN pupils identified by the school is 17.3% (9 out of 52), including those with an EHCP, of which there are fewer than five.

Source: October 2019 School Census

Unless a pupil has an EHCP, the determination of whether a pupil has SEN is down to individual schools in consultation with parents and the threshold varies between schools. However, the percentage at Broad Oak is higher than for East Sussex as a whole. All schools have the same duties under the Equality Act 2010 and the Children and Families Act 2014 to identify and provide for children with SEN and, unless there are specific provisions named in a statutory plan which would make admission incompatible with the requirement for reasonable adjustments, it is a legal requirement for all schools to comply. As the barriers to learning, that a pupil with SEN might experience, change over time, the local authority would expect provision to adapt and change alongside these developments. In some cases, pupils may cease to be identified as having SEN if appropriate adjustments are put in place to enable them to overcome barriers and to make progress in line with their peers.

Attainment for SEN pupils is difficult to compare across schools due to the very small cohorts. As would be expected for this cohort, at the school and all the alternative schools, some SEN pupils attain at the expected standard and above and some do not.

Respondents to the consultation identified the care suite at the school and their concern about the perceived lack of alternative care suites at other schools in the area. There are care suites at four alternative schools in the wider area providing the same facilities as Broad Oak:

- Cross-in-Hand CE Primary School – full facilities available
- Hawkes Farm Primary Academy – full facilities available
- Park Mead Primary School – full facilities available but some steps between the infant and junior parts of the building
- Punnetts Town Community Primary School – full facilities available

12. Travel

The majority of pupils currently attending the school are from out of the area while a number of children living in the village travel to other schools. The majority of children therefore already face journeys to and from school each day. Should the school close the likely impact on traffic and the environment could potentially be reduced if displaced pupils attend schools nearer to their home address.

Alternative schools are not far from the village and would be in travelling distance for community activities - between 1.5 and 5.4 miles away from the school as shown in the table below. For the majority of pupils and families these schools could be nearer to their home address.

School	Distance from Broad Oak Community Primary School in miles (rounded)
All Saints' and St Richard's CE Primary School	1.5
Cross-in-Hand CE Primary School	2.3
Parkside Community Primary School	2.5
Punnetts Town Community Primary School	2.3
Dallington CE Primary School	3.8
Maynards Green Community Primary School	3.5
Mayfield CE Primary School	3.7
Five Ashes CE Primary School	5.4
Burwash CE Primary School	5.1

Latest analysis shows that of the 35 Reception to Year 5 pupils likely to be affected by the proposal, approximately 57% live nearer / the same distance to an alternative school, with approximately 43% living further away. Free home to school transport would be provided for eligible pupils who meet the criteria set out in the link below. On the information available, the local authority considers five pupils would be eligible for free home to school transport to their nearest alternative school. The cost to the local authority would be negligible as either pupils are already in receipt of free home to school transport or arrangements are already in place to the alternative schools. The local authority acknowledges that some pupils living in Broad Oak and attending the school might face longer journeys to and from an alternative school each day. However, for the majority their nearest alternative school is within statutory walking distance.

<https://www.eastsussex.gov.uk/educationandlearning/schools/transport/>

It is envisaged that displaced pupils would continue to be transported to and from school under arrangements made by their parents and carers and that, given the majority of pupils would be able to attend a school nearer to their home address it is unlikely there would be a noticeable increase in car usage. To the contrary, it would be hoped that car usage would reduce.