

**Open Report on behalf of Debbie Barnes, Executive Director of Children's Services**

Report to:	<b>Children and Young People Scrutiny Committee</b>
Date:	<b>24 July 2015</b>
Subject:	<b>Monks' Dyke Tennyson College Options</b>

**Summary:**

This report seeks to:

- Inform Members of the proposal from the Governing Body of Monks' Dyke Tennyson College (MDTC) to close the Mablethorpe site and consolidate provision on the Louth site
- Provide information about the statutory process and the role of the Local Authority (LA) as decision maker regarding the proposal of the Governing Body to close the Mablethorpe site
- Explore options for the provision of future secondary education in Mablethorpe
- Inform Members that at the direction of the Department for Education (DfE) MDTC is also proposed to become a sponsored academy in response to the need to raise academic standards

**Actions Required:**

That members of the Children and Young People Scrutiny Committee:

- acknowledge the MDTC governors' decision to propose the closure of the Mablethorpe site
- are aware of the reasons for the proposal from the Governing Body, directly linked with the financial constraints of providing a broad and balanced curriculum across two sites with very low pupil numbers
- are aware that standards concerns have driven the DfE to require that MDTC become an academy with a strong sponsor
- are aware of and understand the statutory process underpinning the proposed closure of the Mablethorpe site and the LA's role as decision-maker and support to the process
- accept the evaluation of the range of options (16) around provision of future secondary education in Mablethorpe

- accept that there are only two options within the scope of the LA decision making control (options 2 and 3)
- are fully aware of the issues and constraints around the options and LA scope of control
- are, prior to the Governing Body of MDTC commencing the statutory process, fully informed around the complexities of closing MDTC Mablethorpe site, in order that the LA can perform its role as decision-maker from a position of knowledge and awareness

## 1. Background

1.1 Mablethorpe Tennyson High School and Louth Monks' Dyke Technology College began working together in partnership in 2008. They were federated in 2010 but remained as separate schools under a single leadership arrangement. In June 2010 the then Mablethorpe Tennyson High School was inspected and overall effectiveness was graded 'Satisfactory' by Ofsted (Grade 3). In January, 2012, the then Monks' Dyke Technology College was inspected and overall effectiveness was graded 'Satisfactory' by Ofsted (Grade 3). In September 2012 they were brought together as a single split site school at the request of the respective governing body following full consultation. This structural change was proposed as a solution to sustain secondary provision in Mablethorpe when there was serious concern regarding the financial and educational viability of Mablethorpe Tennyson High School as a small stand-alone secondary school which was experiencing falling pupil numbers. The schools were merged and renamed Monks' Dyke Tennyson College in September 2012.

1.2 In March, 2014, the amalgamated Monks' Dyke Tennyson College was inspected and overall effectiveness was again graded as 3 with the new descriptor 'Requires Improvement'. A monitoring visit was carried out by Ofsted in July 2014 and the report concluded that:

*"Senior leaders and governors are taking effective action to tackle the areas requiring improvement identified at the recent section 5 inspection"*

1.3 Following amalgamation, it has become apparent that the two-site single school has been difficult to manage financially, making it difficult for an effective curriculum offer to be maintained on both sites, with the Mablethorpe site unable to sustain a suitable broad and balanced curriculum with the funding available.

1.4 By December 2014, pupil numbers had fallen at both sites, with currently only 231 pupils located at the Mablethorpe site and 554 at the Louth site (now expected to fall to around 200 and 500 for the 2015/16 academic year). The subsequent effect on the school budget is significant and the governors were facing a predicted deficit of £1.4m by the end of 2015/16 rising to £3.4m by the end of 2016/17 if no action was taken. On January 13, 2015, The Chair of Governors, Rachel Tickhill, emailed Debbie Barnes, Director of Children's Services the following message:

*"The Governing Body of Monks' Dyke Tennyson College held an extraordinary Full Governing Body meeting on 18<sup>th</sup> December 2014 and voted in favour to close our Mablethorpe site.*

*You will no doubt understand this was a very difficult decision and we would welcome feedback and guidance from the local authority at the earliest opportunity in respect of the future of the site so we can have as much time as possible to prepare for this information becoming public."*

1.5 The LA considered that, although a site closure will affect where existing pupils receive their education in terms of location, those who already have a school place at MDTC, or who have been offered a place, have the right to continue as pupils of the school and would therefore be transferred to the Louth site to continue their education. Transport would be provided to enable them to get to school under the LA's transport policy.

1.6 The potential impact of closure of the site upon parents and young people in Mablethorpe who are not yet seeking a secondary school place will affect access to secondary education and parental choice. Therefore the LA decided to investigate options for secondary provision in Mablethorpe prior to any formal process to close the school site. Governors agreed to delay the statutory process required in accordance with the closure of a site of a foundation school, and to work collaboratively with the LA to identify and examine options. However, the statutory process and subsequent public consultation will need to proceed early in the new academic year, in order to facilitate budget reductions. Finance is only secured up until the end of the 2015/16 academic year for the Mablethorpe site. From September 2016 continuing with the existing model is not a viable option.

1.7 At the direction of the DfE, MDTC is also in the process of becoming a sponsored academy in response to the need to raise academic standards. In the summer examinations of 2014, Monks' Dyke Tennyson College experienced particular difficulties with GCSE English. This led to the percentage of pupils achieving 5 or more GCSEs at grade A\*-C including English and maths falling below the DfE's Floor Standard (currently set at 40% regardless of the ability of the cohort). The DfE subsequently notified the school and the LA that Monks' Dyke Tennyson College was required to academise with a strong and approved 'sponsor'. Approval has been given by the Minister to the sponsor being Louth King Edward VI Grammar School (KEVIGS), which is also in the process of becoming an academy, an 'approved sponsor' and setting up a multi academy trust (MAT). The DfE are aware of Governors' decision to close the site, and subsequently, have agreed to defer the academisation of the school to allow for the statutory process around site closure to be undertaken and options for Mablethorpe to be considered.

1.8 KEVIGS supports the Governing Body of MDTC around the rationale for site closure and confirmed their continuing support of the school through a Memorandum of Understanding which operates from this point, in advance of the academisation.

1.9 The governors and Head Teacher of MDTC and the Principal of KEVIGS have been working closely with LA officers to identify and consider options around the closure of the Mablethorpe site, the impact upon existing pupils and future secondary provision in the locality. They have also been working closely with School Finance officers to reduce the predicted level of deficit at MDTC in order to reach a balanced and therefore, legal budget. This involves significant reductions to staff throughout the school, review of the curriculum offer and delivery, revised staffing structures and school organisation. Both sites are affected. It should be noted that if there is a

budget deficit at the time the school becomes a sponsored academy, the LA has a legal responsibility to cover the shortfall from its own resources.

1.10 LA officers have also ensured that DfE officers with responsibilities for academies and education standards at national and regional level have been kept informed and updated about options and timelines. The Minister responsible for academy decisions has so far accepted arguments that the academisation needs to be delayed for a limited period while the options appraisal is underway on condition that the school continues to be supported by the preferred sponsor under a Memorandum of Understanding. It should be noted that responsibility for such decisions, however, has recently moved to the Regional Schools Commissioner (RSC).

1.11 The demographic data shared with the DfE, RSC and schools and academies in relation to secondary school provision in the area is provided as Appendix A to this report. The options for consideration are provided at Appendix B.

## 2. The Statutory Process to Close a School Site of a Foundation School

2.1 Governors of a Foundation school cannot proceed with closing a school site without undertaking a statutory process as the proposed closure is considered a "significant change" under the School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2013 and (Establishment and Discontinuance of Schools) Regulations 2013 that came into force on January 28, 2014, which state:

*"Governing bodies of voluntary and foundation schools and LAs (for community schools) seeking to close one site (where a school occupies more than one site) must follow a statutory process unless the straight line distance between the main entrances of the sites is less than one mile"*

NB The distance between the two MDTC sites is 15.1 miles.

2.2 The regulations go on to state that governing bodies may propose the closure of one site in a split site school by following a statutory process:

The statutory process for making significant changes to schools has four stages:

Stage 1	<b>Publication</b>	Statutory proposal published – 1 day.
Stage 2	<b>Representation (formal consultation)</b>	Must be 4 weeks, as prescribed in regulations.
Stage 3	<b>Decision</b>	The decision-maker (usually the LA) must decide proposals within 2 months of the end of the representation period or decision defaults to Schools Adjudicator (OSA). Any appeal to the adjudicator must be made

		within 4 weeks of the decision.
Stage 4	<b>Implementation</b>	No prescribed timescale, but must be as specified in the published statutory notice, subject to any modifications agreed by the decision-maker.

Although there is no longer a prescribed ‘pre-publication’ consultation period for significant changes, there is a strong expectation on schools and LAs to consult interested parties in developing their proposal prior to publication as part of their duty under public law to act rationally and take into account all relevant considerations.

2.3 It should be noted that the **Proposers** of the site closure are the Governors of MDTC – and the **Decision-maker** is the LA. Towards the end of the process, the LA has two months from the end of the representation period to arrive at a decision (Stage 3). If the LA fails to decide during this time then the Schools Adjudicator decides.

2.4. It is particularly important to be aware of the range of responsibilities that the LA has within this type of proposal. These responsibilities are all statutory and include:

- the role of decision maker regarding a statutory proposal to change provision significantly
- the strategic responsibility in providing sufficient school places
- the responsibility to ensure that a maintained school is not in breach of the legal requirement to set a balanced budget

NB There are times when these roles may not sit comfortably together and may create conflict and tension.

### 3. DfE Guidance to Decision Makers

The DfE provides the following guidance to decision makers of statutory proposals:

#### 3.1 The Process and Consideration of Responses

- that decision-makers need to be satisfied that the appropriate consultation and/or representation period has been carried out
- that the proposer has had regard to the responses received
- that the decision-maker must consider all the views submitted, including those which express support for, objections to and comments upon the proposal
- the decision-maker should consider the views of those affected by the proposal and should not simply take account of the numbers of people expressing a view but give the greatest weight to responses from those stakeholders likely to be most affected – especially the parents of children at the affected school

### 3.2 Education Standards and Diversity of Provision

- decision-makers should consider the quality and diversity of schools in the relevant area and whether the proposal will meet or affect the aspirations of parents, raise local standards and narrow attainment gaps
- decision-makers should take into account the extent to which the proposal is consistent with the government's policy on academies

### 3.3 Demand

- that decision-makers should consider demand for school places, including consideration of any planned housing and any new provision opening in the area eg free schools
- decision-makers should be satisfied that there is sufficient capacity to accommodate displaced pupils in the area, taking into account the overall quality of provision, the likely supply and future demand for places.
- that decision-makers should take into account the quality and popularity of the schools where spare capacity exists and evidence of parents' aspirations for a new school or for places in a school proposed for expansion. The existence of surplus capacity should not in itself prevent the addition of new places
- that decision-makers should be aware that reducing surplus places is not a priority (unless running at very high levels) because for parental choice to work effectively there may be some surplus capacity in the system and competition from additional schools and places in the system will lead to pressure on existing schools to improve standards

### 3.4 School Size

- decision-makers should not assume that schools should be of a certain size, although the viability and cost-effectiveness of a proposal is an important factor for consideration.
- that consideration should also be given to the impact upon the LA's budget of the need to provide additional funding to a small school to compensate for its size

### 3.5 Admissions

- decision-makers should consider all expected admission applications when assessing demand, not only those from the area of the LA in which the school is situated
- that where a proposal is likely to affect admissions to the school, the decision-maker should confirm that the admission arrangements are compliant with the School Admissions Code and where arrangements seem unsatisfactory, the decision-maker should inform the proposer and the admissions authority in order that they be given the opportunity to revise them

### 3.6 National Curriculum

- all maintained schools should follow the National Curriculum unless they have secured an exemption for groups of pupils or the school community. (This is not a requirement of academies, although all state-funded schools are

extremely mindful of the accountability measures against which their performance will be judged. At the moment, the key measure is the percentage of pupils achieving five or more GCSEs at grade C or above including English and mathematics. From 2016 it will be the Progress 8 measure that is scheduled to be explained in a separate report.

### 3.7 Equality of Opportunity

- that the decision-maker must have regard to the Public Sector Equality Duty of governing bodies and LAs which requires that due regard is given to eliminate discrimination; advance equality of opportunity, and foster good relations. The decision-maker should consider whether there are any sex, race or disability discrimination issues that arise from the changes being proposed.
- that the proposals should show that there is a commitment to provide access to a range of opportunities which reflect the ethnic and cultural mix of the area while ensuring that such opportunities are open to all

### 3.8 Community Cohesion

- that decision-makers must consider the impact on community cohesion, taking account of the community served by the school, the views of different sections, in order to ensure that there are opportunities for young people from different backgrounds to learn with, from and about each other

### 3.9 Travel and Accessibility

- decision-makers should satisfy themselves that accessibility planning has been properly taken into account and that proposed changes should not adversely impact upon disadvantaged groups
- decision-makers should bear in mind that a proposal should not unreasonably extend journey times or increase travel costs, or result in too many children being prevented from travelling sustainably due to unsuitable walking or cycling routes
- a proposal should be considered on the basis of how it will support and contribute to the LA's duty to promote the use of sustainable travel and transport to school

### 3.10 Capital

- that decision-makers should be satisfied that any land, premises or capital required to implement the proposal will be available and that all relevant local parties (trustees or religious authorities) have given their agreement
- a proposal cannot be approved conditionally upon funding being made available, and where proposers are relying on the DfE as a source of capital funding there can be no assumptions that the approval of a proposal will trigger the release of capital funds, unless the DfE has previously confirmed in writing that funds will be available, nor can any allocation be increased "in principle".
- If such capital is required then the proposal should either be rejected or consideration deferred until it is clear that funding will be provided

### 3.11 School Premises and Playing Fields

- Decision-makers must be mindful that under School Premises Regulations, all schools are required to provide suitable outdoor space in order to enable physical education to be provided in accordance with the curriculum and for pupils to play safely outside. Guidelines as to suggested areas for pitches and games courts are in place but are non-statutory
- all proposals must be considered on their individual merits.

## 4. The Lincolnshire Context

4.1 The LA has its statutory role to ensure that there are sufficient school places available to pupils within a reasonable travel distance – this can be a challenge within a large rural county like Lincolnshire, in particular for secondary provision, where schools are located far apart from each other and some communities are more isolated. In order to assist with accessibility planning, secondary schools are aligned to Designated Transport Areas, which are drawn up to link schools to "reasonable" travel areas. This provides guidance to parents around identifying which school is their local school and provides a framework through which to operate the LA Transport Policy.

4.2 Parents apply for secondary school places through the application process of the local Admissions Authority which operates a co-ordinated scheme, in accordance with the National Admissions Code and which includes administering applications on behalf of local authority maintained schools, voluntary aided church schools, foundation schools and academies. The co-ordinated scheme is run by the LA admissions authority for all schools and academies for year 7 intakes. Mid-year admissions are also co-ordinated through the LA for the majority of schools and academies. Like voluntary aided and foundation schools, academies are their own admissions authority and set their own admissions policy and over-subscription criteria.

4.3 The LA will support parental preference where possible, and through the Admissions process encourage them to consider more than one school, particularly where there is competition for places. Where there is a need to create new school places, due to increased demand, the LA will consider expanding successful and popular schools, however, it would not look to create additional places at schools which are oversubscribed, unless there is an overall increase of pupils in the wider area. There are other conditions around creating additional school places which include ensuring that the school site can sustain further development in terms of meeting regulations around site provision and guidelines around outside sports provision. There must also be sufficient capital available to support additional investment in buildings and curriculum provision.

4.4 Each year Lincolnshire submits a statistical return to the DfE regarding the numbers of pupils within the county, the projected numbers requiring places in primary and secondary schools, and the number of available places. This is called the School Capacity Survey, otherwise known as the SCAP return. This data is submitted at planning area level so that the DfE are aware of availability and demand for school places within localities, not at individual school level (although some Lincolnshire planning areas only have one school due to the rural nature of the county). Funding is then allocated to Lincolnshire on the basis of the need to create

additional school places to meet demand in that planning area. It should be noted that this funding is demand led, rather than choice/preference led, although all local authorities take account of popularity of schools and education standards when considering the most cost effective means of creating good quality school places. The funding is referred to as Basic Need.

The planning areas relevant to this area of the county are as follows:

<b>Planning Area</b>	<b>School or Academy within the planning area</b>
Alford	Alford John Spendluffe Academy
	Alford Queen Elizabeth Grammar School
Louth	Louth Cordeaux Academy
	Louth King Edward VI Grammar School (KEVIGS)
	Louth Monks' Dyke Tennyson College (MDTC Louth site)
	Louth Monks' Dyke Tennyson College (MDTC Mablethorpe site)
North Somercotes	North Somercotes Birkbeck College

4.5 LAs can propose to expand LA maintained schools, voluntary aided schools with whom they work closely, and academies. However, academies have more autonomy around their provision, including their size, which means that they could take a different view around creating additional places, preferring in certain circumstances, not to expand. The Education Funding Agency and the Secretary of State agree the number of places, age range and overall size of academies directly with them. Funding to create additional school places in academies due to an increase in demand is part of the LA Basic Need allocation.

4.6 The LA aspires that all schools will be good schools and has a role in holding schools to account with regard to education standards.

4.7 As with other LAs, there has been an increase in demand for primary school places across the county, and Basic Need funding has been used to create more than 4000 additional school places within the primary sector over the last 5 years. As the larger primary cohorts progress to the secondary education, the demand for secondary places will increase accordingly. As part of the LA's statutory duty for school place planning, continual review and monitoring takes place to track demand for school places and highlight "hot spots" targeted as priority areas for Basic Need investment. However, the pattern of demand across the county is not consistent, and one area of the county can be identified as an exception because the demand for school places is decreasing, rather than increasing. In general, some of the more densely populated urban areas of the county have seen significant increases in primary pupils coming through e.g. Lincoln, Gainsborough, Spalding, Boston, Bourne and Skegness. However, in some of the more rural areas numbers have continued to decrease or remained relatively low. This is true for the North of the East Lindsey District. In Louth the primary pupils have been on the increase in recent years and required additional places to be added at primary schools, however in Mablethorpe the numbers have remained relatively low in the primary sector, not experiencing the increases in pupil numbers that other parts of the county have.

4.8 The North of the East Lindsey District includes the following schools which serve the local area:

#### Non selective schools

- Monks' Dyke Tennyson College (MDTC) (Mablethorpe and Louth sites)
- Cordeaux Academy (Louth)
- John Spendluffe Technology College (Alford)
- Birkbeck College (North Somercotes)

#### Selective schools

- King Edward VI Grammar School (KEVIGS) (Louth)
- Queen Elizabeth's Grammar School (Alford)

NB All schools are academies except for KEVIGS which is in the process of becoming an academy with its own Multi Academy Trust (MAT); MDTC and Birkbeck College - which are both in the process of becoming sponsored academies.

## 5. Overview – The supply of Secondary School Places in the North of East Lindsey

### 5.1 Tables showing pupil numbers in East Lindsey non selective and selective schools by Year group; current and projected numbers against PAN and capacity and % occupancy (see Appendix A which provides this in larger text along with further information)

East Lindsey (North) Non-Selective Secondary School Pupil Numbers by Year Group

School Name	Distance (miles) to:			PAN	2015 Offers	NC Year - January 2015 School Census*								Total on roll	Net Capacity	LA 2014 Option 2 Projected Intakes							
	MDTC Mablethorpe Site	Birkbeck North Somercotes				7	8	9	10	11	12	13	14			2015	2016	2017	2018	2019	2020	2021	2022
N Somercotes Birkbeck College	11.7	-	71	39	47	37	49	65	69	-	-	-	267	355	52	68	64	68	63	64	60	65	
	Surplus Places				32	24	34	22	6	2	-	-	88	75% full	19	3	7	3	8	7	11	6	
	Surplus Capacity (%)				45%	34%	48%	31%	8%	3%	-	-	25%		27%	4%	10%	4%	11%	10%	15%	8%	
Louth Cordeaux Academy	16.1	10.2	110	121	102	80	91	110	92	64	33	2	574	750	98	98	105	99	116	111	119	103	
	Surplus Places				-11	8	30	19	0	18	-	-	176	77% full	12	12	5	11	-6	-1	-9	7	
	Surplus Capacity (%)				-10%	7%	27%	17%	0%	16%	-	-	23%		11%	11%	5%	10%	-5%	-1%	-8%	6%	
Alford John Spendluffe	8.4	16.8	125	135	86	98	101	105	119	-	-	-	509	625	115	108	93	105	115	107	118	108	
	Surplus Places				-10	39	27	24	20	6	-	-	116	81% full	10	17	32	20	10	18	7	17	
	Surplus Capacity (%)				-8%	31%	22%	19%	16%	5%	-	-	19%		8%	14%	26%	16%	8%	14%	6%	14%	
Monks' Dyke Tennyson College (both sites)*			200	64	107	104	128	137	178	68	63	-	785	1585	147	149	146	150	171	154	170	154	
	Surplus Places				136	93	96	72	63	22	-	-	800	50% full	53	51	54	50	29	46	30	46	
	Surplus Capacity (%)				68%	47%	48%	36%	32%	11%	-	-	50%		27%	26%	27%	25%	15%	23%	15%	23%	
<b>Total of above schools/academies</b>			506	359	342	319	369	417	458	132	96	2	2135	3315	412	423	408	422	465	436	467	430	
	Surplus Places				147	164	187	137	89	48	-	-	1180	64% full	94	83	98	84	41	70	39	76	
	Surplus Capacity (%)				29%	32%	37%	27%	18%	9%	-	-	36%		19%	16%	19%	17%	8%	14%	8%	15%	

\* MDTC pupil numbers recorded as at May 2015

Breakdown of Monks' Dyke Tennyson College (MDTC) by site

School Name	Distance (miles) to:			PAN	2015 Offers	NC Year - January 2015 School Census*								Total on roll	Net Capacity	LA 2014 Option 2 Projected Intakes							
	MDTC Mablethorpe Site	Birkbeck North Somercotes				7	8	9	10	11	12	13	14			2015	2016	2017	2018	2019	2020	2021	2022
MDTC (Louth Site)	15.6	10.1	115	35	85	74	93	80	117	57	48	-	554	1160	-	-	-	-	-	-	-	-	
	Louth site offers is approx based on addresses of pupils ↗				80	30	41	22	35	-2	-	-	606	48% full	-	-	-	-	-	-	-	-	
					70%	26%	36%	19%	30%	-2%	-	-	52%		-	-	-	-	-	-	-	-	
MDTC (Mablethorpe Site)	-	11.7	85	29	22	30	35	57	61	11	15	-	231	425	-	-	-	-	-	-	-	-	
	Mablethorpe site offers is approx based on addresses of pupils ↗				56	63	55	50	28	24	-	-	194	54% full	-	-	-	-	-	-	-	-	
					66%	74%	65%	59%	33%	28%	-	-	46%		-	-	-	-	-	-	-	-	
MDTC Total			200	64	107	104	128	137	178	68	63	-	785	1585	147	149	146	150	171	154	170	154	
	Surplus Places				136	93	96	72	63	22	-	-	800	50% full	53	51	54	50	29	46	30	46	
	Surplus Capacity (%)				68%	47%	48%	36%	32%	11%	-	-	50%		27%	26%	27%	25%	15%	23%	15%	23%	

East Lindsey (North) Selective Secondary School Pupil Numbers by Year Group

School Name	PAN	2015 Offers	NC Year - January 2015 School Census*								Total on roll	Net Capacity	LA 2014 Option 2 Projected Intakes								
			7	8	9	10	11	12	13	14			2015	2016	2017	2018	2019	2020	2021	2022	
King Edward VI Grammar School, Louth	120	151	146	121	121	122	131	117	84	-	842	845	122	134	134	122	140	128	137	125	
	Surplus Places		-31	-26	-1	-1	-2	-11	-	-	-	3	100% full	-2	-14	-14	-2	-20	-8	-17	-5
	Surplus Capacity (%)		-26%	-22%	-1%	-1%	-2%	-9%	-	-	-	0%		-2%	-12%	-12%	-2%	-17%	-7%	-14%	-4%
Queen Elizabeth's Grammar, Alford	84	74	87	69	88	84	92	85	69	-	574	628	96	88	82	86	93	95	97	92	
	Surplus Places		10	-3	15	-4	0	-8	-	-	-	54	91% full	-12	-4	2	-2	-9	-11	-13	-8
	Surplus Capacity (%)		12%	-4%	18%	-5%	0%	-10%	-	-	-	9%		-14%	-5%	2%	-2%	-11%	-13%	-15%	-10%

5.2 The number of places available at each school is calculated using a DfE formula based upon measuring the amount of space within teaching areas and calculating work places. The formula determines the number of pupil places within the teaching accommodation of a school, which is called the Net Capacity (NC) i.e. the physical capacity the school buildings are capable of taking. Should the amount of teaching space change – i.e. the school building is extended, or teaching space is taken out of

use to provide library or resource areas, then the NC will change to reflect this. Once the DfE formula for NC is evaluated, it provides the basis upon which to establish the number of places available for each new intake year – known as the Published Admission Number (PAN). Under normal circumstances, the NC and the PAN directly relate to each other, forming a planning tool which is the basis for establishing the size of the school and the numbers of pupils it can admit, but there can sometimes be exceptions where the NC and the PAN are not aligned e.g. the change of use due to amalgamation. It should also be noted that the NC of an Academy may not match the Capacity stated in the Funding Agreement (FA) between the Secretary of State and the Academy. The FA stated capacity is the figure used for determining the NC of an Academy.

5.3 According to information provided by the Office of National Statistics (ONS) in 2012, which is derived from census data, the numbers of secondary aged pupils within and across the whole of East Lindsey has fallen and remains low, which reflects the birth rate and migration trends. This decline is set to continue until 2017, when the numbers of secondary aged pupils will slowly begin to increase, although this pattern of increase is not uniform across the whole of the district. Louth is expected to see an increase where Mablethorpe is expected to see very little change.

5.4 Across all the non-selective schools in the north of East Lindsey there are a total of 3315 secondary places and currently 2135 secondary age pupils attending. Given the data provided by the ONS and projecting forward, it is highly unlikely that there will be the need for around 3000 secondary places across these schools in the short to medium term.

5.5 The table shows that MDTC has the largest number of secondary school pupils and places out of the non-selective schools with 800 11-18 pupils across both its sites. According to the NC of the school it is supporting a total of 1585 places, and is therefore 50.4% full. If the 11 – 16 pupil numbers only are considered (785), this reduces to 49.5% full.

5.6 MDTC is carrying the majority of the unfilled places within the area. This means that the school is paying for the maintenance and upkeep of twice as many school places as pupils attending across two separate sites, which is highly significant when considering the negative effect the reducing pupil numbers are having on the ability of the school to maintain a balanced budget, and constitutes poor value for money and a significant challenge in providing a broad and balanced curriculum.

5.7 Because MDTC has two separate sites, they are evaluated separately in terms of capacity. Mablethorpe site has a capacity of 425 places and Louth site has 1160 places. As well as being smaller, Mablethorpe has fewer curriculum facilities and less specialist accommodation. Table 5.1 shows the Projected Pupil Intake over the next seven years and indicates that the PAN of 200 is not likely to be reached. It therefore appears feasible that the 800 pupils at MDTC could be located comfortably on the Louth site (which could accommodate a PAN of 200 on its own given its NC).

5.8 There is a dislocation of NC and PAN in the case of MDTC, where the PAN is 200 (up to 200 pupils can be accepted into the school each year) and there are five statutory year groups (Year 7 to 11) plus Post 16. It would therefore be expected that the capacity of the school would be around 1000 plus Post 16, when in fact it stands

at a combined total of 1585 places. This would support the removal of the 425 places at Mablethorpe.

5.9 Taking into account the overall supply and demand for school places in the locality currently and projecting forward on the basis of the data available, it seems that it would be sustainable for 425 places to be taken out of the system without risk that future demand will outstrip supply. This does not however address the issues of the location of places, access to pupils in terms of travel and distance, parental choice, and impact upon local communities.

## 6. The Current situation in Mablethorpe

6.1 MDTC is the only provider of secondary education in Mablethorpe. Its closest neighbouring secondary school is at Alford (John Spendluffe Technology College/Academy) which is 8.1 miles away, followed by Birkbeck College in North Somercotes which is 11.7 miles away.

6.2 MDTC is a foundation school which is maintained by the LA and was formed in September 2012 by merging two existing secondary schools, Tennyson High School in Mablethorpe and Monks' Dyke Technology College, located in Louth. This merger enabled secondary provision to continue to be provided in Mablethorpe, as pupil numbers at Tennyson High School were worryingly low and the future of Tennyson High School was at risk.

6.3 The school operates as a split site school across a distance of 15.1 miles, which is the largest distance between school sites in Lincolnshire. It principally serves both local communities, although children can apply to any school for a place, and be offered one should there be a place available. Both sites deliver education to Years 7, 8, 9, 10 and 11 by running a parallel curriculum. Most Post 16 courses are delivered at Louth, though some Post 16 options are also delivered on the Mablethorpe site where there are facilities for a small number of vocational courses. The Mablethorpe site has fewer specialist curriculum facilities than the Louth site, and does not have a sports hall.

6.4 At the time of the merger, pupil numbers at Mablethorpe were predicted to increase, however, three years on, due largely to changes in parental preference, this increase has not materialised and there are currently 231 pupils in a building with capacity for 425. Pupil numbers at the Louth site have also decreased. MDTC is currently OFSTED rated Requires Improvement. It is in the process of becoming a sponsored academy, which has been initiated by the DfE. The sponsor identified by DfE is King Edward VI Grammar School (KEVIGS), the only local outstanding school. KEVIGS is also in the process of becoming an academy and setting up a multi academy trust (MAT).

6.5 In order for parents of secondary aged pupils in Mablethorpe to exercise preference for a school other than their local school, they have to take account of travel, distance and transport costs. The nearest alternative school to Mablethorpe is 8.1 miles away in Alford (John Spendluffe Academy) which is OFSTED rated Good; followed by Birkbeck College in North Somercotes (OFSTED rated Inadequate) which is 11.2 miles away. There are two other secondary schools in Louth, located close to the Louth MDTC site 15 miles away; Cordeaux Academy, (OFSTED rated Requires Improvement) and KEVIGS which is a selective independent school

(OFSTED rated Outstanding). The LA transport policy does not automatically fund free transport to these schools from Mablethorpe, however a significant number of parents choose to send their children to schools outside of Mablethorpe.

6.6 Currently, secondary age children who live in Mablethorpe attend the following schools (due to rounding these percentages do not total 100%):

- MDTC 40%
- Alford John Spendluffe 32%
- Birkbeck College 9%
- Cordeaux Academy 2% (Louth)
- King Edward V1 Grammar School 1% (Louth)
- Alford Queen Elizabeth's Grammar School 15%

In summary, the majority of parents of secondary age children (59%) choose to send their children to schools outside Mablethorpe. This breaks down into 43% attending non selective schools outside the town and a further 16% attending selective schools. More parents are choosing a non-selective option outside the town, than opting for MDTC in Mablethorpe. This data was established prior to MDTC being rated Requiring Improvement by OFSTED.

6.7 In September 2015, two schools in the vicinity are planning to take a greater number of pupils than their PAN (the legal minimum number of pupils who can be admitted to a year group) into Year 7, because they received a high number of first choice applications and have chosen to offer places to as many as possible, making use of their available accommodation. They are: Alford John Spendluffe Technology College and Cordeaux Academy. As both of these schools are academies, they are allowed to do this provided that they have appropriate accommodation available. Inevitably, this means that MDTC will be expecting fewer pupils that they anticipated and planned for.

6.8 Since the merger of the two schools, school organisation and curriculum delivery at MDTC has focussed upon enabling pupils to access their secondary education locally by reducing the need for pupils to travel therefore preserving equality of entitlement to all pupils, irrespective of where they live.

6.9 To achieve this it has been necessary for staffing levels to be higher than usual to reflect the replication of classes of the same year group at each site. It has also been necessary for staff to regularly travel between sites. Whilst these arrangements are costly, they have preserved some secondary provision in Mablethorpe for the last two years, despite reducing numbers of pupils. However, the new performance measures will make it increasingly difficult for an adequate curriculum offer, delivered by specialist teachers, to be maintained

6.10 Because the funding mechanism for schools is based upon the number of pupils attending school, the reduction in pupils at both sites has had a direct effect on the school budget, which was predicted to have a significant deficit (£1.4m by the end of 2015/16 rising to £3.4m by the end of 2016/17) before steps were considered by the school to reduce costs.

6.11 Delivering a parallel curriculum across two sites has considerable logistical and financial challenges. It negates economies of scale in terms of group size, requires

an increased staffing structure (management team and within subject areas) to support curriculum delivery, increases staff travel costs and time in transit (less break time), and adds to the complexities of school organisation when the sites are such a significant distance apart with a relatively poor road network. Unoccupied school places reduces the overall need for space, but it can be difficult to identify areas to close down while continuing to deliver a full range curriculum, therefore running costs remain the same. A parallel curriculum protects pupils aged 11 to 16 from experiencing an extended school day and considerable travel – and it retains education provision in the heart of local communities. It has, however, proven to be costly and unsustainable, made worse by falling rolls. The school can no longer afford to deliver education in this way and continue to provide the quality of education and breadth of curriculum that the pupils are entitled to.

Below is a table showing the current numbers of pupils attending each site by year group:

Breakdown of Monks' Dyke Tennyson College (MDTC) by site

School Name	Distance (miles) to:			2015 Offers	NC Year - January 2015 School Census*								Total on roll	Net Capacity	LA 2014 Option 2 Projected Intakes									
	MDTC Mablethorpe Site	Birkbeck North Somercotes	PAN		7	8	9	10	11	12	13	14			2015	2016	2017	2018	2019	2020	2021	2022		
MDTC (Louth Site)	15.6	10.1	115	35	85	74	93	80	117	57	48	-	554	1160	-	-	-	-	-	-	-	-	-	
Louth site offers is approx based on addresses of pupils ↗				80	30	41	22	35	-2	-	-	-	606	48% full	-	-	-	-	-	-	-	-	-	
				70%	26%	36%	19%	30%	-2%	-	-	-	52%		-	-	-	-	-	-	-	-	-	
MDTC (Mablethorpe Site)	-	11.7	85	29	22	30	35	57	61	11	15	-	231	425	-	-	-	-	-	-	-	-	-	
Mablethorpe site offers is approx based on addresses of pupils ↗				56	63	55	50	28	24	-	-	-	194	54% full	-	-	-	-	-	-	-	-	-	-
				66%	74%	65%	59%	33%	28%	-	-	-	46%		-	-	-	-	-	-	-	-	-	-
MDTC Total			200	64	107	104	128	137	178	68	63	-	785	1585	147	149	146	150	171	154	170	154		
Surplus Places				136	93	96	72	63	22	-	-	-	800	50% full	53	51	54	50	29	46	30	46		
Surplus Capacity (%)				68%	47%	48%	36%	32%	11%	-	-	-	50%		27%	26%	27%	25%	15%	23%	15%	23%		

6.12 The governors' concern about the quality of education was around maintaining the equality of provision across the two sites when pupil numbers at Mablethorpe were especially low. This concern is accentuated by the school now being rated as Requiring Improvement by OFSTED, though it is hoped that with the support of KEVIGS, there will be a rapid improvement in standards. This cannot be achieved without reviewing curriculum planning and delivery and consideration of staffing levels – all of which are currently changing in the light of essential budget reductions. Staffing reductions are well underway with a total of 13.2 teaching posts and 19 administrative and support posts proposed to be removed from the structure. Delivering the curriculum on one site and ensuring cost effective group sizes is a key part of the budget reduction strategy and it would be possible for all the pupils from the Mablethorpe site to transfer to the Louth site without any physical alterations to the school building, as it has the capacity for 1160 pupils.

## 7. Options for the future of secondary provision in Mablethorpe

7.1 Officers from School Organisation, CfBT, Admissions, Finance and School Transport have worked with the Director of Children's Services and Head Teachers from schools in the north of East Lindsey (principally MDTC and KEVIGS) to identify a range of options around future provision in Mablethorpe.

7.2 Sixteen (16) options were identified and evaluated against the DfE criteria for guiding decision makers with respect to the statutory process to close a school site of a foundation school. These are all set out in the Options Matrix (Appendix B). It was decided to use these criteria as they are the benchmark against which any statutory decision to close the Mablethorpe site would be made. The LA would be the decision maker for any proposal resulting in the closure of the Mablethorpe site whilst the school remains maintained, and the statutory process begins when the governors make public their proposal. These are also the criteria against which the decision would be judged by the Schools Adjudicator if the LA failed to decide upon the proposals within 2 months after the end of the representation period. Once the school becomes an academy, the LA role of decision-maker for any proposals put forward is removed.

7.3 Out of the 16 options identified, 9 involved Mablethorpe/MDTC only (options 1 – 9); 2 relate to circumstances involving Birkbeck College in North Somercotes (options 10 - 11) ; and 5 relate to both Mablethorpe/MDTC and Birkbeck College. It is considered important to extend the options and draw in circumstances at Birkbeck, due to the size of the school (267 on roll/capacity 355) and because 9% of pupils from Mablethorpe opt to attend there. There are also buses provided by Birkbeck College which pick up pupils in Mablethorpe and Louth, as well as those which transport pupils to Birkbeck and are paid for by the LA if they qualify under the LA home to school transport policy.

7.4 The options for consideration are as follows (the majority are outside of the control of the LA):

### **Mablethorpe Only**

1. MDTC becomes a sponsored academy and maintains provision on the Mablethorpe site as part of the new academy (continues as split site).
2. MDTC consolidates provision in Louth. Mablethorpe site transfers to a new academy provider. Pupils either remain with MDTC at Louth or apply to transfer to another school, including the new academy.
3. MDTC consolidates provision in Louth. Mablethorpe site closes and secondary provision discontinues in Mablethorpe. All pupils continue on the roll of MDTC at the Louth site or apply to other schools; OR Years 9, 10, 11 and 12 transfer to Louth to continue on the roll of MDTC, but Year 6 pupils with offers and Years 7 and 8 transfer to other schools with available places (LA to designate pupils or pupils apply via a possible mini admissions round with the agreement of other schools and academies affected).
4. MDTC closes Mablethorpe site and the LA seeks to expand an existing local school/academy for Mablethorpe pupils.
5. MDTC becomes a sponsored academy and closes Mablethorpe site. Pupils transfer as option 3.
6. MDTC becomes a sponsored academy and closes Louth site. Pupils transfer to other schools.

7. Extend the age range of Mablethorpe Primary Academy (part of the Greenwood Dale Academy Trust) to become a 4 – 16 years through academy with the current or alternative provider.
8. MDTC becomes a sponsored academy and the new provider maintains KS3 (age 11 – 14) provision only for Mablethorpe pupils on Mablethorpe site.
9. Establish a new academy in new buildings to serve the east coast area providing secondary provision for Mablethorpe and surrounding areas with potential for offering specialist provision (vocational) linked to area needs. Location of the new academy would need to be determined (new or existing sites), capital would be required, and buy in from all schools/academies affected (North Somercotes, Mablethorpe and Alford John Spendluffe) by merging them into one single new area academy.

#### **Related Options – Birkbeck College**

10. Birkbeck College (North Somercotes) becomes a sponsored academy and maintains provision at North Somercotes.
11. Birkbeck College closes and pupils transfer to Mablethorpe, Louth or other schools.

#### **Mablethorpe/MDTC and Birkbeck College/North Somercotes**

12. Retain secondary provision at both Mablethorpe and North Somercotes as two academies with different sponsors.
  13. Retain provision at both Mablethorpe and North Somercotes either as a split site academy – or two sponsored academies within the same Multi Academy Trust (MAT).
  14. MDTC closes Mablethorpe site. Birkbeck becomes a sponsored academy and relocates from North Somercotes to Mablethorpe.
  15. MDTC closes Mablethorpe site, Birkbeck becomes a sponsored academy at North Somercotes. Pupils from Mablethorpe continue at Louth site or apply to Birkbeck/other schools (as in option 3).
  16. Close both schools, removing secondary provision from both areas. Pupils take up places in Louth and the LA expands existing local schools/academies to provide additional places for both Mablethorpe and Birkbeck pupils.
- 7.5 All the options are evaluated against the DfE criteria for decision makers within the Options Matrix which forms Appendix B to this paper.

## 8. Secondary provision close to Mablethorpe – response from academies

8.1 Officers from School Organisation have been working to identify possible impact on children and families in terms of other schools in the locality, should secondary provision in Mablethorpe no longer be available within the town itself. It should be noted that pupils currently attending MDTC and who are based at Mablethorpe, or those with offers of a school place at Mablethorpe will continue to have a right to attend the school - but the location of their place will be transferred to the Louth site. Transport would be provided to enable them to get to school under the LA's transport policy.

8.2 The distance to Louth site is 15.1 miles (depending on where pupils live) which may be considered too far to travel by some families. The journey time is approximately 30 minutes by car. Therefore, they may want to consider applying for a school place at an alternative school, closer to where they live. This would involve making a formal application through the Admissions process and withdrawing from MDTC when and if they received an offer for a different school.

8.3 The schools nearest to Mablethorpe are:

- Alford John Spendluffe Technology College – academy (8.1 Miles / approx. 17 minutes by car)
- Birkbeck College - becoming a sponsored academy - (11.2 miles / approx. 21 minutes by car)

8.4 There could be difficulties for parents seeking to secure a place at alternative schools as the school nearest to Mablethorpe is Alford John Spendluffe Technology College and is full or almost full in some year groups (81% full overall) – the school census on October 2014 shows 116 available places for 11-16 year olds. It should also be noted though that the LA do not have the powers to instruct an Academy to take up to PAN if they do not wish to, so it may be that there would be far less than 116 places available in reality. Birkbeck is 75% full and has 88 places for 11 – 16 year olds currently available. Although East Lindsey area continues to have more secondary school places than pupils, the location of these places can be problematic for families living in Mablethorpe.

8.5 Whilst the DfE guidance makes it clear that although there is no requirement for a pre-publication consultation period for a statutory process for significant change to a foundation school, there is a strong expectation on schools and LAs to consult interested parties in developing their proposal prior to publication, as part of their duty under public law to act rationally and take into account all relevant considerations.

8.6 The work that the MDTC Head Teacher and KEVIGS Principal have been involved with alongside the LA in exploring impacts and options has involved other local schools. They have been fully briefed about the proposals and options identified, and given the opportunity to comment. Direct contact has been made by the LA, and by both MDTC and KEVIGS, to the nearest affected school, Alford John Spendluffe Academy. An initial meeting took place between the LA and the Head Teacher and Deputy Head Teacher of John Spendluffe in order to share information around potential effects upon their school, including the possibility for increased numbers of applications and competition for school places, both mid-year and for

Year 7, should the Mablethorpe site be closed. The LA wanted to explore with the school, the views around its present size and possible potential for expansion, in order to facilitate the current parental preference as expressed by a significant number of Mablethorpe parents. The meeting took place in a spirit of collaboration on both sides. There was an acknowledgment of the limitations of the school site. Data held by the LA shows that with some capital investment the site is large enough in terms of size to accept an additional form of entry (30 pupils per year group) but without more detailed examination and modelling, this cannot be evaluated on a practical level. The LA strongly suggested exploring this further with the academy by modelling the curriculum and space requirement for current pupil numbers and potential increased pupil numbers to understand whether the school capacity could be altered, and to be able to get a broad estimate of the capital required. However, after the initial meeting, the academy stated that expansion is not of interest to them at this time and have therefore, not engaged with any curriculum modelling or further discussion.

8.7 Birkbeck College also receives pupils from Mablethorpe (9%). This school has capacity for 355 11 – 16 year olds and currently has 267 pupils on roll which is very small by national standards. It is located 11.2 miles away from Mablethorpe, which is 3 miles further than Alford John Spendluffe. It takes pupils from the north of Mablethorpe. 9% of pupils from Mablethorpe choose to attend Birkbeck and buses are provided by Birkbeck College which run to both Mablethorpe and Louth to pick up pupils. In addition, there are currently 107 pupils who are transported to Birkbeck via closed contract buses by the LA. This school has recently been judged to be 'Inadequate (4)' by Ofsted, and the DfE are engaged in academising it within the Tollbar Multi Academy Trust which has its base just over the border in NE Lincolnshire (14 miles away). A meeting with the Executive Head Teacher of Tollbar Academy has taken place to provide information and collect views on the options. At this stage there was no indication about changing the size of the school, however any additional pupils in years 7 to 10 would be welcome to support the viability of the school. The school site is limited, but may be able to sustain additional pupils and there is scope to increase the capacity in the future if required. The PAN is currently 71, and there would be a possibility for this to be increased to 90, providing a school size of 450 if the site could sustain this and investment was available. As this school is in the process of becoming a sponsored academy with Tollbar MAT, it would be the MAT which would be responsible for proposing a change to the school size and PAN.

*See Appendix A for relevant tables and pupil distribution maps*

8.8 An approach was made to the Greenwood Dale Multi-Academy Trust around the potential extension of age range to Mablethorpe Primary to incorporate the Mablethorpe site of MDTC. The response was as follows:

*"We have studied the additional information sent over to us ... and have come to the conclusion that the secondary proposal is just not viable.*

*The issues we see are:*

- *low pupil numbers (less than two forms of entry)*
- *the inability to run a broad curriculum with such low numbers*

- *the introduction of a more academic curriculum over the next few years, with progress 8 being used to assess outcomes, mitigating against any possible success.*

*I am sorry that on this one occasion, we do not feel able to be involved"*

## 9. Overview on school performance - schools north of East Lindsey

9.1 This is a table summarising the most recent validated performance data for schools within the area north of East Lindsey:

School	NOR	%5+ A*-A	%3+ A*-A	5+ A*-C	5+ A*-G	1+ A*-G	%5+ A*-C incl A*-C GCSE E&M	5+ A*-C incl Level 2 E&M	5+ A*-G incl Level 1 E&M	Eng Bacc	A*-C GCSE Eng	A*-C GCSE Maths	APS	Capped APS	GAP % 5 A*-C EnMa
Cordeaux Academy	94	3.2	8.5	55.3	98.9	100	48.9	48.9	98.9	11.7	69.1	59.6	305.3	278.9	-34.2
Alford John Spendluffe School	125	4.8	11.2	67.2	96.8	100	59.2	59.2	94.4	23.2	70.4	68	549.4	396.8	-26.7
Monks' Dyke Tennyson College	196	2	5.1	38.3	85.7	100	25.5	25.5	85.2	5.6	42.9	47.4	365.4	328.5	-20.1
North Somercotes The Birkbeck School	65	1.5	3.1	53.8	95.4	100	40	40	92.3	0	70.8	49.2	268.5	265.3	-19.4
Alford Queen Elizabeth's Grammar School	84	52.4	66.7	98.8	100	100	96.4	96.4	98.8	84.5	97.6	100			4.1
Louth King Edward VI Grammar School	126	56.3	72.2	100	100	100	94.4	94.4	100	82.5	95.2	99.2	284.2	254.3	5.7
NATIONAL	559389	16	24.1	65.2	92.8	97.8	56.2	56.2	90.5	24	68.5	67.4	364.3	308.7	-27.6
LA AVERAGE	8298	16.5	24.5	64.4	93.2	98	54.4	54.4	90.1	26.5	64.5	68.8	365	309.8	-28.4

School	% 3 Levels ENG	% 4 Levels ENG	% 3 Levels MATHS	% 4 Levels MATHS	% 3 Levels SCI
Cordeaux Academy	77.4	25.8	55.9	10.8	33.3
Alford John Spendluffe School	68.3	21.3	65.9	20.5	58.1
Monks' Dyke Tennyson College	47.1	8.9	44.3	5.2	13
North Somercotes The Birkbeck School	77.8	20.6	51.6	9.4	55.6
Alford Queen Elizabeth's Grammar School	93.9	68.3	97.6	67.1	92.7
Louth King Edward VI Grammar School	84.4	31.7	99.2	73	100
NATIONAL	71.5	32.7	65.8	29.4	53
LA AVERAGE	66.2	28.4	65.4	28.3	53.8

9.2 The principal measure of secondary school performance is currently the percentage of pupils that achieve five or more GCSEs including English and mathematics at a grade C or above. The minimum "floor" standard is 40% by this measure. Performance is measured across five subjects for each student. In 2016, a new measure is introduced called "Progress 8". This will measure the performance of each pupil across eight tightly prescribed subjects and a new floor standard will be introduced. Schools will be obliged to offer a wider curriculum if students are to be given choice and be measured across eight rather than five subjects.

9.3 The data in the table is from the 2014 GCSE results. It shows that MDTC is below floor targets as a school overall ie. Below floor standard in all three measures – 5 A\* - C including English and mathematics, percentage 3 levels progress English, and percentage 3 levels progress mathematics. The predicted performance estimates from the school indicate that the school will be below floor standards in 2015 and will only just exceed these standards in 2016.

9.4 Birkbeck's data shows that it is not below floor standards overall because standards are above floor in 5 A\* - C and English progress. However, mathematics remains a key cause for concern. School data suggests that standards will rise but mathematics may not reach floor standard in 2015.

9.5 Alford John Spendluffe is not below floor standards overall, however, progress in English and mathematics remain below floor standards expected.

9.6 Both grammar schools (KEVIGS and Queen Elizabeth) comfortably exceed floor standards, however, the percentage making expected 3 levels progress in English might be considered relatively low considering the context of the schools.

9.7 Cordeaux is below floor target in mathematics progress but above in English. The percentage 5 A\* - C attainment is above floor but remains close enough to be a

cause for continued monitoring. The gap in overall attainment between disadvantaged pupils and their peers is largest in Cordeaux compared to the other local schools.

## **10. Conclusions**

10.1 The option of doing nothing is not available as governors of MDTC have voted in favour of closing the Mablethorpe site. They will be engaging in a statutory process through which they will formally propose closure, undertake the prescribed process as outlined in Section 2 of this report that involves a period of 4 weeks of representation/formal consultation (likely to be preceded by a period of consultation as advised by DfE guidance) and in which the LA acts as decision-maker.

10.2 The scope of the LA decision-making control across the 16 options is considerably limited. 14 of the options are around changes to, and are dependent upon the agreement of academies/multi academy trusts (MATs). Academies and multi academy trusts are independent of LA control.

10.3 The academies/MATs which could be the most affected or involved, have not indicated that they would be interested in engaging with any changes which could be a consequence of the closure of MDTC Mablethorpe site in the initial stages of review and pre-consultation.

10.4 The only options which elected members could decide upon within the LA role as decision-maker are options 2 and 3:

2. MDTC consolidates provision in Louth. Mablethorpe site transfers to a new academy provider (LA would be the decision maker regarding the closure of the site prior to any transfer). Pupils either remain with MDTC at Louth or apply to transfer to another school, including the new academy (if a suitable academy sponsor could be found and the DfE were prepared to enter into a Funding Agreement with them – which at this current time is unlikely).
3. MDTC consolidates provision in Louth. Mablethorpe site closes and secondary provision discontinues in Mablethorpe. All pupils transfer to Louth or apply to other schools; OR Years 9, 10, 11 and 12 transfer to Louth but Year 6 pupils with offers and Years 7 and 8 transfer to other schools with available places (LA to designate pupils or pupils apply via a possible mini admissions round – would require the agreement of other schools and academies)

10.5 Pupils who have a school place at MDTC, and those who have been offered a place (current Year 6) have the right to continue as pupils of the school at the Louth site. MDTC recognise this and have modelled the increase of pupils on the Louth site. All pupils can be safely accommodated with no additional investment to the building. They have also considered the support required to all pupils during transition – especially pupils on examination courses – and have strategies planned to minimise disruption, support individuals and reduce impact upon pupils.

10.6. Forthcoming changes to school performance measures to be introduced in 2016 (Progress 8) present a challenge to small secondary schools as a wider curriculum of eight tightly prescribed subjects will be the new indicator of attainment

and performance, instead of the current five subjects. This is critically important when considering the opportunities for pupils from Mablethorpe to attain high levels of achievement which can affect their future further education and employment options.

10.7 Retaining MDTC as a split site school has proved to be financially unviable and the school has already been engaged in reviewing staffing structures, reducing teaching and support staff in order to manage a budget which was spiralling into deficit (predicted £1.4m by the end of 2015/16 rising to £3.4m by the end of 2016/17). Revised staffing structures reflect moving to one site at Louth.

10.8 The majority of unfilled places in the area are located within MDTC and it can be demonstrated that removal of 425 places (Mablethorpe site) can be sustained across the location, whilst still enabling parental preference.

10.9 The LA School Transport policy will apply to more pupils if Mablethorpe site closes which needs to be reflected in consideration of the budget and the LA responsibilities to pupils and their families.

10.10 The majority of parents of pupils in Mablethorpe (59%) choose to send their children to schools outside Mablethorpe. This breaks down into 43% attending other non-selective schools and 16% attending selective schools.

10.11 Two academies locally (Alford John Spendluffe and Cordeaux) have arrangements to take a greater number of pupils than their planned admission number (PAN) into Year 7 in September due to the high proportion of first choice applications.

10.12 Pupils at MDTC who wish to apply to transfer to other local schools may experience difficulty in achieving their first choice due to availability and location of places.

10.13 There continues to be limited capital available to support significant changes to secondary school provision, unless it is to create additional places through a proven Basic Need case. Projected pupil numbers within schools north of East Lindsey do not justify a Basic Need case as school capacities are well able to accommodate demand, as confirmed by available data. This situation will be kept under annual review.

## **11. Recommendation**

11.1 That Members of the Children and Young People Scrutiny Committee:-

- acknowledge the MDTC governors' decision to propose the closure of the Mablethorpe site
- are aware of the reasons for the proposal from the Governing Body, directly linked with the financial constraints of providing a broad and balanced curriculum across two sites with very low pupil numbers
- are aware that standards concerns have driven the DfE to require that MDTC become an academy with a strong sponsor

- are aware of and understand the statutory process underpinning the proposed closure of Mablethorpe site and the LA's role as decision-maker and support to the process
- accept the evaluation of the range of options (16) around provision of future secondary education in Mablethorpe
- accept that there are only two options within the scope of the LA decision making control (options 2 and 3)
- are fully aware of the issues and constraints around the options and LA scope of control
- are, prior to the Governing Body of MDTC commencing the statutory process, fully informed around the complexities of closing MDTC Mablethorpe site, in order that the LA can perform its role as decision-maker from a position of knowledge and awareness

#### 11.2 Next steps/Consultation timelines:

In order for a decision to be made in time for the new academic year, and to provide parents who will be considering applications to secondary schools for September 2016, the statutory process led by governors, needs to commence early in September 2015. If this was achieved, an LA final decision would be anticipated by the end of January 2016.

## 12. Consultation

### a) Policy Proofing Actions Required – n/a

## 13. Appendices

These are listed below and attached at the back of the report	
Appendix A	Demographic Trends and Projections – North of East Lindsey
Appendix B	Options Matrix

## 14. Background Papers

All references in relation to decision makers' guidance and DfE statutory processes in relation to prescribed alterations or school closures for maintained schools can be found here:

<https://www.gov.uk/government/publications/school-organisation-maintained-schools>

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