



Report to Leader (Education & Skills portfolio)

Date: 27 July 2020

Reference number: ED02.20

Title: Proposal by the governing board of Whaddon Church of England School to change its status from voluntary controlled to voluntary aided.

Relevant councillor(s): Cllrs: John Chilver, Sir Beville Stanier, Lew Monger, Susan Renshell, and Scott Raven

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Ward(s) affected: Winslow

Recommendation: The Cabinet Member is recommended to agree to the proposal by the governing board of Whaddon Church of England (CE) School and the Oxford Diocesan Board that the school changes its status to become a Voluntary Aided school. The school is presently a Voluntary Controlled school. The school undertook a public consultation on the proposed change and then held a representation period for people to comment on the proposal and there was overwhelming support for the proposed change.

Reason for decision: In line with Department for Education (DfE) statutory guidance the governing board held a public consultation and then a four week representation period on their proposal to change status. There was overwhelming support for the proposed change from governors, parents, staff and the local community.

Executive summary

- 1.1 The school's governing board supported by the Oxford Diocesan Board held a public consultation and then a four week representation period on a proposal that from 1 September 2020, or as soon as practicable afterwards, the school changed its status from voluntary controlled to voluntary aided.
- 1.2 There was overwhelming support for the proposed change from parents, local community, staff and governors

- 1.3 The statutory guidance from the DfE on managing school changes such as the school's proposed change of status, have been followed by the governing board by them holding a public consultation and then a four week representation period.
- 1.4 If implemented the change would mean that the Oxford Diocesan Board would assume responsibility from the LA for any capital and maintenance works at the school and the governors become the staff's employers. The school would assume more responsibility for managing admissions into the school.
- 1.5 As the statutory guidance has been followed and there is overwhelming public support for the proposal, the Cabinet Member is recommended to agree to the proposed change of status.

Content of report

- 1.6 When a Local Authority or governing board wish to implement a prescribed alteration to a school that changes its status, they must firstly make people aware of the proposed change and then publish a statutory notice in a local newspaper and place details on the school website. The Department for Education guidance on such changes was republished in 2018: Making significant changes (prescribed alterations) to maintained schools, statutory guidance for proposer and decision makers 2018. A governing board, LA or the Schools Adjudicator must have regard to this guidance when exercising functions under the School Organisation Prescribed Alterations to Maintained schools (England) regulations 2013 (the prescribed alterations regulations). It should be read in conjunction with Parts 2 and 3 of the Education and Inspections Act (EIA) 2006 and prescribed alterations regulations. The process followed by Whaddon CE School governing board and the LA has followed the current statutory guidance.
- 1.7 If the change is implemented it would mean that the school would become a Voluntary Aided school. It is presently a Voluntary Controlled school.
- 1.8 In line with DfE guidance on school reorganisations, the governing board held a public consultation from 28 April 2020 to 9 June 2020 on a proposal to change the school's status. The school was unable to hold a public meeting because of the coronavirus restrictions, so instead anybody with any questions on the proposal was asked to contact the school directly. 29 responses were received, 97% of those who responded were in favour of the proposal. Details of the consultation were sent to parents/carers, local councillors, staff, governors, Whaddon Parish Council, Oxford Diocese, the local MP and a number of county council teams and other organisations connected to the school.

- 1.9 Following the end of the public consultation the outcome was reviewed. The decision was taken to move to the next stage of the DfE's statutory process and in line with their statutory guidance the school published a statutory notice in the Buckingham and Winslow Advertiser, with a deadline of 3 July 2020 for people to make representations, (i.e. to comment on, object to or support the proposed expansion). 10 representations were received during the four week period: all expressed support for the proposal.
- 1.10 When making the recommendation the Local Authority has taken account of the Public Sector Equality Duty. An Equality Impact Assessment has been completed and forwarded to the Head of Equalities who raised no objection or comment. If the expansion takes place, the school will continue to offer places to children of any faith or no faith and they will continue to welcome and support children and their families/carers with special educational needs and disabilities.
- 1.11 The school was last inspected by Ofsted in June 2019 when it was graded as Outstanding across all areas. The report states "the Headteacher provides strong leadership. Leaders and governors have created an outstanding school where all pupils thrive."
- 1.12 The chair of governors has written confirming that the governing board is aware that when they become voluntary aided they have to fund 10% of all future capital works at the school unless the proposed works related to a Basic Need requirement and is being progressed by the Local Authority.
- 1.13 As the statutory process has been followed, the Cabinet Member is recommended to agree to the change of status at the school, effective from 1 September 2020, or as soon as practicable as possible afterwards.

Other options considered

- 1.14 The only other option would be for the Cabinet Member not to agree to the change. However as 97 % of those responding to the public consultation were in favour of the change and 100 % of people who commented during the representation period supported the change, the recommendation is that the change is agreed.

Legal and financial implications

- 1.15 When an LA or governing board wish to implement a prescribed alteration to a school that changes its status, they must firstly make people aware of the proposed change and then publish a statutory notice in a local newspaper and place details on the school website. The Department for Education guidance on such changes was revised in 2018: Making significant changes (prescribed alterations) to Maintained Schools: Statutory Guidance for proposer and Decision Makers 2018. A governing board, LA or the Schools Adjudicator must have regard to this guidance when exercising functions under the School Organisation Prescribed Alterations to

Maintained schools (England) regulations 2013 (the prescribed alterations regulations). It should be read in conjunction with Parts 2 and 3 of the Education and Inspections Act (EIA) 2006 and prescribed alterations regulations. The process followed by Whaddon CE School governing board and the LA has followed the current statutory guidance. In line with Department for Education guidance a public consultation was held, followed by the publication of a statutory notice by the Local Authority in the Buckingham and Winslow Advertiser inviting people to make representations on the proposed closure. In addition, advice has been sought on the contents of this report from the Principal Lawyer.

- 1.16 The change would not have a financial impact for the authority. Indeed the LA's current responsibility for the cost of maintenance and capital works pass to the Oxford Diocesan Board. Advice has been sought from the section 151 officer.

Corporate implications

- 1.17 There are no adverse financial implications for the Local Authority for the proposal, and indeed there will be potential savings, as the Oxford Diocese assumes responsibility for the maintenance of the school campus and any future capital works. Staff now employed by the LA will be employed by the governing board and all staff are aware of the change. There will be no adverse impact on their terms and conditions or employment.
- 1.18 The proposed change would not have a detrimental impact on the environment as it will not entail an increase in car traffic.

Consultation and communication

As outlined in the report a public consultation took place as did a four week representation period. Both opportunities gave the local community a chance to raise any questions and comment on the proposed change of status. The local councillors were made aware of the proposals. Cllr Chilver asked for the following comment to be included: I fully support this proposed change to voluntary aided status which has the full support of governors, parents, staff and the local community. Cllr Renshall stated: I too am in favour of this recommendation and please add my confirmation and support to the school's change of status.

Next steps and review

- 1.19 If the proposal is agreed the governing board and Oxford Diocese will be informed and the school will arrange to update the Department for Education records about the change.

Background papers

- 1.20 Attached is the board's consultation letter and statutory notice

Your questions and views (for key decisions)

If you have any questions about the matters contained in this report please get in touch with the author of this report. If you have any views that you would like the Cabinet Member to consider please inform the democratic services team. This can be done by telephone 01296 382343 or email democracy@buckinghamshire.gov.uk

