



**CABINET 10 MAY 2010**

**DETERMINATION OF STATUTORY NOTICE FOR THE CLOSURE OF KING  
EDWARD VII SCHOOL AND THE EXPANSION OF JOHN FERNELEY COLLEGE  
MELTON MOWBRAY**

**REPORT OF THE DIRECTOR OF CHILDREN AND YOUNG PEOPLE'S SERVICE**

**PART A**

**Purpose of Report**

1. To report on the outcomes of the statutory notice representation period for the proposed closure of King Edward VII School and the expansion of John Ferneley College, Melton Mowbray.

**Recommendations**

2. It is recommended:
  - (a) That the objections received to the statutory notice from the governing bodies of King Edward VII School and John Ferneley College be considered and noted;
  - (b) That Cabinet approves the proposals under paragraph 8 of Schedule 2 to the Education and Inspection Act 2006:
    - (i) to close King Edward VII School with effect from 31 August 2011; and
    - (ii) to expand John Ferneley College to a capacity of 1100 pupils and an admission number of 220 with effect from 1 September 2010.

**Reasons for recommendations**

3. The Cabinet approved the publication of a statutory notice proposing the closure of King Edward VII School and the expansion of John Ferneley College on 9 March 2010. A six week period of representation followed. At the time of preparing this report a day prior to the end of the representation period, two objections to the notice have been received. Any further objections received before the close on 29 April 2010 will be reported to the Cabinet at this meeting.

**Timetable for Decisions (including Scrutiny)**

4. If the Cabinet determines the statutory notice at this meeting, King Edward VII School will close on 31 August 2011 and John Ferneley College will expand to a capacity of 1100 pupils and an admission number of 220 on 1 September 2010.

5. The CYPS Overview and Scrutiny Committee have previously considered the future of King Edward VII and potential closure of the school on 11 November and 18 December 2009 and 8 February 2010.

### **Policy Framework and Previous Decisions**

6. A report was submitted to the Cabinet on 15 December 2009 at which approval to consult on a range of options for the future of King Edward VII School.
7. The results of this consultation were considered by the Cabinet on 9 March 2010 at which approval to publish a statutory notice was given.

### **Resource Implications**

8. In the event of a school closure or amalgamation any school deficits or surpluses revert to the Local Authority Schools Budget. In reverting to the Schools Budget; any deficit would result in a charge to the budget and any surplus would provide additional resources. Any redundancy costs would also revert to the Local Authority and may be funded from the Schools Budget.
9. In a school closure additional costs may be incurred, for example, in relation to the termination of any contracts or leases for services or supplies which the school has entered into. These would be incorporated into the school's closing budget balance.
10. At the point of school closure appropriate measures would be put in place to limit the exposure to deficit.
11. The Director of Corporate Resources and the Head of Legal Services have been consulted in the preparation of this report.

### **Circulation under the Local Issues Alert Procedure**

Mr J B Rhodes C.C  
Mr J T Orson J.P. C.C.  
Mrs P Posnett C.C.  
Mr P A Roffey DL C.C.

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## PART B

### Background

12. The re-organisation of the secondary schools in Melton and the Vale of Belvoir aims to raise standards of achievement and attainment for all pupils and students in the area.
13. In March 2007 the Cabinet (and subsequently full Council) agreed proposals for the re-organisation of secondary schools in Melton Mowbray and the Vale of Belvoir, to enable:
  - the development of four 11-19 schools in Melton Mowbray and the Vale of Belvoir, on existing school sites; and
  - the provision of a new jointly managed Post-16 Centre located in Melton Mowbray.
14. Since approval was given to the re-organisation in 2007, King Edward VII School has suffered from a lack of popularity and low pupil numbers, particularly in Years 7 to 9. The anticipated size of the School in future years would seriously compromise the ability to deliver a broad and balanced curriculum and to offer a wide range of GCSE options.
15. The Cabinet at its meeting on 10 November 2009 considered a recommendation to consult on a range of options for the future of King Edward VII School. The Cabinet deferred a decision at this meeting in the light of submissions received.
16. The Cabinet considered this matter further on 15 December 2009 and agreed to consult on five options. In agreeing to consult, the aim was to establish the level of support amongst all stakeholders for the Council's preferred option of the closure of King Edward VII School. The consultation would also seek views on the governance arrangements for the new Post-16 Centre.
17. The results of the consultation were presented to the Cabinet on 9 March 2010. As a result a statutory notice to close King Edward School and to expand John Ferneley College was published on 18 March 2010. There followed a representation period of six weeks which closed on 29 April 2010. During this period objections to the notice could be raised and two objections have been received.

### Objections and comments received

18. An objection to the statutory notice has been received from the Governing Body of King Edward VII School. This states (in relation to the proposed closure of the school) two principle reasons for their objection.
  - **Surplus school places in Melton Mowbray.** The governors believe that since the notice was published Long Field School and John Ferneley College have both stated that they will not expand beyond their current limits of 800 pupils each; and

- **Post 16 Centre Governance.** The governors believe that the proposals for shared governance of the new Post 16 Centre do not meet the previous requirements agreed by the Cabinet; that the Centre should have its own Principal and be an establishment in its own right.
19. The objection also raises a number of supplementary issues concerning:
- availability of school places within Melton and the impact on parental choice;
  - the absence within the statutory notice of the results of the prior consultation on the proposed closure, and any detail about future accountability for post-16 students;
  - the objectives implied by the statutory notice to close King Edward VII rather than the wider objectives of raising standards through the re-organisation of schools;
  - references within the notice to admission numbers at John Ferneley rather than the overall school places in Melton; and
  - the absence within the statutory notice of a reference to Birch Wood School and the support given to the school by King Edward VII School, for pupils with SEN.
20. A copy of the objection from King Edward VII School is attached as Appendix A to this report. Commentary on the objection and issues raised is provided in the paragraphs 23 to 25 below.
21. An objection has also been received from the Governors of John Ferneley College. The objection relates only to the expansion of John Ferneley, not to the closure of King Edward School. Five reasons were given for their objection;
- the proposal would make John Ferneley into a medium sized school, when the original proposals were for small schools in the area;
  - some pupils living less than three miles from the school will have to negotiate busy roads in order to get to school;
  - governors at the school feel that they were not fully consulted on the proposal to increase the admission limit from 200 to 220 at the school;
  - the increase in numbers will be difficult to manage and places significant challenges on the school in achieving their ambitious targets; and
  - the new school building was designed for 800 pupils, not 1100.
22. The Governors also raise issues about the governance of the Post 16 centre. A full copy of the objection from John Ferneley College is attached as Appendix B.

### **Commentary on the objections received and supplementary issues**

#### **23. Surplus places**

In the event of closure of King Edward VII School there will be sufficient places available at Long Field School and John Ferneley College to

accommodate displaced pupils. The Governing Body of Long Field School has stated that it does not wish the school admission number to increase above 160. However for the next school year only, the school have agreed to exceed their intake number for Year 7 to assist with the situation.

In the event of a school closure the Local Authority has the power to direct a school to admit additional pupils above the published admission number providing there is sufficient capacity in the premises (or this is made available). In view of the Long Field governor's decision, the statutory notice requires John Ferneley College to expand its admission number to 220, to ensure a place is available within the Melton catchment area for all pupils. The proposed increase in numbers was discussed with the head teacher at John Ferneley prior to publication, but time constraints meant that full consultation with the Governing Body was not possible prior to publication of the notice. Meetings have subsequently been held between Governors and the Local Authority.

### **Size of school**

A school of 1100 pupils is not large – nationally it is of medium size, such schools are amongst the best performing in the country. John Ferneley College will remain a local school for Melton. The effect of previous decisions is that together with Long Field School it is the catchment school for all Melton Primary schools

### **Transport**

County Council policy is that children and young people who live more than three miles from their catchment secondary school are entitled to free school transport. This is in line with national legislation. Existing pupils at John Ferneley College living less than three miles from the school, do not get free transport. The College and the Local Authority are working together to investigate establishing 'school specials' where there is sufficient demand, for some routes to school, for which parents would be expected to meet the cost.

### **Increase in capacity at John Ferneley College**

The Local Authority recognises that it is a significant challenge for the College to ensure that new pupils are fully integrated and that high standards are achieved. Other schools in the partnership also face this challenge, although it is greater at John Ferneley because of the greater numbers of new pupils. Support is being provided by the Local Authority to the College through this transition period.

### **School Buildings**

Additional school building will need to be provided at John Ferneley College to accommodate the additional pupils. Plans are being developed with the College. £5 million has been set aside in the 2010/11 capital budget for this work. The design of the existing new building provides for very flexible learning spaces and means that it has the feel of a number of smaller schools, so that for instance year groups will have separate break times.

## 24. **Post 16 Governance**

The proposed arrangements for the joint governance of the Post 16 Centre do not form part of the statutory notice proposals, and in this respect are not therefore relevant. However, a supplementary paper is being prepared on progress on the establishment of the joint management and governance arrangements and the proposals for the future of the Hub. That paper will be circulated to members as soon as it is available.

## 25. **Supplementary Issues**

- Availability of school places
  - This issue is addressed in paragraph 23 above
- Absence of items in the statutory notice eg. references to consultation, accountability for post-16 students, and objectives.
  - Statutory notices have to follow a prescribed format set out in DCSF guidance. Any supplementary information relating to issues required for consideration by the decision maker, where appropriate, are actually covered in the full written proposals that accompany the notice – these are referred to in the notice and made available on request.
- References to admission numbers for John Ferneley College in the notice, rather than overall school places.
  - Again this in keeping with the prescribed form of the notice and further detail is provided in the full written proposals.
- Reference to Birch Wood School.
  - The full proposals are required to consider future provision for pupils with SEN enrolled at the school. Birch Wood School has been consulted on the statutory notice and has not submitted an objection or comments during the representation period.

### **Other matters to be considered by Cabinet in deciding the proposal**

26. Statutory guidance sets out the considerations which local authorities must take into account when deciding a proposal to close a school or expand a school. These are set out below with comments as appropriate.

#### **The Government's aim set out in its Five Year Strategy and the White Paper 'Higher Standards, Better Schools For All'**

27. Government wishes to see a system in which popular schools and successful schools are supported and unpopular ones are closed quickly and alternative popular schools expanded where necessary. There are currently in Year 7 approximately 69% surplus places at King Edward VII School.

#### **'Boosting standards and opportunities'**

28. In the event of closure King Edward VII pupils would be able to attend the expanded John Ferneley College, Long Field School or other successful schools.

## **Raising local standards of provision**

29. There are no failing schools in the Melton and Vale of Belvoir area. The transformation of education in Melton and the Vale of Belvoir has at its heart raising standards of achievement. New and refurbished buildings have given pupils high quality learning environments to achieve higher standards. Belvoir high school was the first school to take key stage 4 pupils and indications are that GCSE results this summer will be very good.

## **Special Educational Needs**

30. There is no specific special educational needs provision at King Edward VII School. Review arrangements for pupils with statements of SEN will ensure continuity of provision.

## **'Diversity'**

31. In the event of the closure of King Edward VII School and expansion of John Ferneley College there would be no impact on the diversity of educational provision in the area.

## **'Balancing of Denominational Provision'**

32. All secondary schools in the Melton and the Vale of Belvoir area are currently community or foundation schools, the proposals will not therefore have an effect on the balance of denominational provision in the area.

## **'Every Child Matters'**

33. In the event of closure King Edward VII pupils would be transferring to schools where management and leadership are at least satisfactory and so the Every Child Matters outcomes would be achieved effectively.

## **'Provision for displaced pupils'**

34. Depending upon the exercise of parental preference there will be overall sufficient capacity in local schools. Temporary accommodation may need to be provided for 18 months at John Ferneley College during the transitional period, whilst building work is completed.

## **'Surplus Places'**

35. Guidance indicates that "the Decision Maker should normally approve proposals to close schools in order to remove surplus places where the school proposed for closure has a quarter or more places unfilled and at least 30 surplus places and where standards are low compared to standards across the LA". The large amount of surplus places at King Edward VII School, considerably exceed the tolerances in the guidance.

## **'Impact on the community'**

36. There is substantial community use of the facilities at King Edward VII School. There are proposals to ensure that adequate facilities continue to be available to the community after closure of the School. Extended school activities are not developed at King Edward VII School.

### **‘Community Cohesion and, Race Equality’**

37. An Equality Impact Assessment (EIA) has been conducted in the eventuality of a closure. The pupil profile reflects that of the community and no individual group will be disadvantaged

### **‘Travel and Accessibility’**

38. The alternative schools within the Melton Mowbray and their distance from King Edward VII School are as follows:

Long Field School - 1.45 miles; and  
John Ferneley College – 2 miles

39. The County Council's policy on home to school transport will apply. This states that any Leicestershire child who lives more than three miles safe walking distance from the nearest school with places will receive free home to school transport.
- 40.. There is a good network of footpaths and road crossings in Melton Mowbray. Entitlement to free transport for individuals living less than three miles from the allocated school will only be provided if road safety professionals deem a the walking route to be unsafe.
41. Closure of King Edward VII and expansion of John Ferneley would be unlikely to increase traffic significantly above current levels. The consultation process was conducted in accordance with the 2006 Education and Inspections Act, Regulations and DCSF Guidance.

### **‘Equal Opportunities Issues’**

42. The proposal to close King Edward VII School and expand John Ferneley College was predicated on the need to provide equal opportunities for all young people in the area to have a satisfactory or good education. An Equality Impact Assessment has been undertaken and shows that there is no discrimination arising from the proposal.

### **‘Rural Schools and Sites’**

43. King Edward VII School is not designated by the Department for Children, Schools, and Families (DSCF) as a rural school.

### **‘14-19 Curriculum and Collaboration’**

44. The work of the secondary schools in the area and Brooksby Melton College through the Melton and Vale of Belvoir Partnership, has helped to develop a coherent 14-19 phase offering. This has provided for students a rich mix of learning, from which they are able to choose tailored programmes and gain qualifications appropriate to their aptitude, needs and aspirations. Work has been undertaken by Partnership schools to ensure the 14-19 provision is not affected by the proposed closure of King Edward VII School.

## **'16-19 provision – General'**

45. There will continue to be good progression routes in the area for 16-19 students, and access to high quality provision locally through the new Post-16 Centre in Melton, which is due to open in September 2011.

## **Funding and Land**

46. There is sufficient land, and funding available within the CYPS Capital Programme to achieve the necessary adaptations to other Partnership schools (in accordance with DCSF guidance), in the event of the closure of King Edward VII School and expansion of John Ferneley College.

## **Decision Making**

47. In considering proposals for discontinuing or expanding a school the Decision Maker (ie the Local Authority) can decide to:
- reject the proposal;
  - approve the proposal;
  - approve the proposal with a modification (e.g. the closure date or the admission number of the school subject to the proposed expansion); or
  - approve the proposal subject to its meeting a specific condition.

## **Equal Opportunities Implications**

48. The closure of King Edward VII School and the expansion of John Ferneley College will ensure that all pupils entitled to attend schools within the Melton and Vale of Belvoir Partnership, have access to a good or satisfactory school as a minimum.

## **Conclusions**

49. On the basis of the objections to the statutory notice proposing the closure of King Edward VII School, the commentary set out in this report, and statutory considerations, the Cabinet is invited to decide the proposal by approving the proposal to close King Edward VII School with effect from 31 August 2011 and expand John Ferneley College from 1 September 2010.
50. The programme of re-organisation for schools in Melton and the Vale of Belvoir represents a long-term commitment by the County Council to transform our schools and to raise standards for the pupils within them. The recommendations to the Cabinet in this report will ensure that the needs of learners continue to be put first. It provides for the Partnership; a long-term, sustainable solution, clearly addressing the issues of removing surplus places.

## **Background Papers**

Reports to Cabinet – 5 March 2007, 15 January 2008, 10 November 2009, 15 December 2009 and 9 March 2010.

Report to the County Council – 21 March 2007.

Reports to CYPS Overview and Scrutiny – 11 November and 18 December 2009, 8 February 2010.

## **Appendices**

Appendix A - Objection received from the Governing Body of King Edward VII School

Appendix B: Objection received from the Governing Body of John Ferneley College

## **Objections to the Statutory Notice to close KEVII School Melton Mowbray from the Governing Body of KEVII**

The Governing Body of King Edward VII School objects to the statutory notice that was published by the County Council following the Cabinet Meeting on 9 March. The closure was intended to address two problems: surplus places and post 16 governance but has succeeded in resolving neither.

- **Surplus school places in Melton Mowbray.** Since the notice was published Long Field and John Ferneley Schools have both stated that they will not expand beyond their current limits of 800 pupils each. That now leaves a situation where there are insufficient secondary places in Melton Mowbray. Many parents are finding that the only accessible school with vacancies is Vale of Catmose College in Oakham
- **Post 16 Centre Governance.** Officers have developed a proposal that will establish shared governance but this does not meet the requirements stated at Cabinet that the centre should have its own Principal and be an establishment in its own right.

There are a number of other issues with the statutory notice:

### **Implementation**

The statutory notice outlines how pupils currently in the school will transfer. But there are two problems:

- It states that students currently in KS3 will transfer to other **schools** in Melton. During the course of the consultation both John Ferneley and Long Field were forthright in expressing their willingness to make places available to KEVII pupils. Long Field stated that it would have no trouble in taking up to 900 pupils. KEVII parents expressed considerable scepticism about this claim, however County Council made a decision based on this approach. But now Long Field have decided that they will not be able to take more than 800 pupils which means that there is effectively no choice for those pupils remaining at KEVII (the majority) but to transfer to John Ferneley.
- It simply states that post 16 students will transfer to the partnership post 16 centre. It is not yet clear how this centre will run. No one knows who or which institution will take responsibility for post 16 students in 2011. We are not at this stage able to tell students who are starting year 12 in September which school they will enrol in for year 13. Is it any wonder that many of them are reluctant to commit to the sixth form without knowing which school they will complete their A levels from? Consultation

The statutory notice outlines the process but says **nothing** about the results of that consultation. A clear majority of those responding were against the closure of KEVII and either supported:

- Option 6 which keeps KEVII open and addresses the issue of surplus places or
- The County Council 'original preferred option' with KEVII closing as a pre 16 school but leading the post 16 centre on behalf of the partnership. This would resolve most of the governance issues that otherwise remain unresolved.

### **Objectives**

The objective is stated as being to close KEVII. Throughout the consultation the LA stated that its objectives were to raise standards and to reduce surplus places. Surely this should be stated as the objective of the statutory notice?

### **Provision for post 16 students**

There is no clear statement of who will be accountable for post 16 provision once KEVII is closed. There is a repetition of the intention to establish a partnership governance model but neither reassurance of how it will work nor any mention of impact on other post 16 institutions in the area.

### **Need for Places**

This refers to admission numbers not places at John Ferneley – it does not state how many places there are in Melton at present and how many are needed.

### **Special Needs**

The notice makes no comments on the grounds that it is not applicable. Yet KEVII shares a campus with the area special school Birch Wood. Pupils from the two schools attend classes and support activities at the other. They are able to move between the two schools on foot across the playing field which supports independence of vulnerable learners. Birch Wood in its response to the consultation made a strong case for the retention of KEVII in order to continue this partnership. This will clearly have a negative impact on learners with special needs.

### **Conclusion**

This notice does not take proper account of some of the key issues involved in the closure of KEVII.

David Davies  
Chair of Governors  
21 April 2010

**Statutory Notice regarding the closure of King Edward VII School and the Expansion of John Ferneley College**

**Objection from the Governors of John Ferneley College.**

At its meeting on 13th April 2010, the Governing body of John Ferneley College voted unanimously to oppose the statutory notice regarding the closure of King Edward VII School and Expansion of John Ferneley College, Melton Mowbray issued on 18th March 2010.

For some time the Governors have been concerned about the process involved in the reform of Secondary Education in the Melton Area. The whole process was started (see below) by a reaction to events without a vision of a way forward, which was compounded by a lack of attention to detail such as forecasted pupil numbers in the planning of the reform and by an inability to develop realistic plans for the implementation of the reform. This unfortunately has more recently been compounded by lack of prior consultation by the Local Authority in some of its decisions affecting the College and at least in one instance the breaking of assurances and the imposition of arbitrary decisions contrary to what had been agreed. This has led not only to a lack of confidence by the Governing Body of John Ferneley College in the Local Authority but also a lack of trust.

The Statutory Notice is intended to close King Edward VII School and increase the capacity of John Ferneley College from 800 to 1100 pupils, an increase in its admissions limit from the current 160 to 220. This paper is purely directed at the impact of the statutory notice on John Ferneley and makes no comment on the closure of King Edward VII itself.

**In summary our reasons for this objection is as follows:**

1. This is not what parents voted for in the original consultation on the future of secondary education in the Melton Area. Parents wanted three equal 11-19 schools in Melton Mowbray of 800 pupils each and a post 16 centre managed by all the schools in the Melton Partnership.

Parents wanted small, local schools. This proposal creates two unequal sized schools in the town and therefore a difference between them based on size and resources.

John Ferneley College will no longer be a 'small' school with just 800 pupils. At 1,100 pupils it will be almost the same size as the 11-16 element of King Edward VII in recent years. King Edwards was criticised by parents as being too large and anonymous. The Local Authority is replacing one large school in the South with another in the North. This is of particular concern to parents of pupils currently at John Ferneley College. In effect the number of pupils at the College will have doubled from September 2008 when there fewer than 600 11-14 pupils on the John Ferneley Campus.

John Ferneley College will no longer be a 'local' school to many pupils given the larger numbers and the increased radius from which they must come. This will be especially true for the next 5 years as those pupils who are currently at King Edward VII and who live close to the school.

2. No free transport is being provided for pupils attending King Edward and living in the South of the town. Children as young as 11 will be expected to walk over 4 miles a day along some of the busiest and most dangerous roads in the area.

Given that Long Field is not accepting any more pupils, those currently at King Edward have no option but to go to John Ferneley College else risk going outside their catchment area to either Belvoir High School or Vale of Catmose (at costs we understand of around £700 and £550 respectively). This is in effect a tax on education which parents originally opting for King Edward VII School were unaware of. In our view the Local Authority should not only provide the transport but also pay the cost. The transport cost is in addition to any other costs the parents may face eg new school uniform etc.

If free transport is not provided then for poorer families the only alternative is for their children to walk. The distance from King Edward VII School to John Ferneley College via Burton Road and the Scalford Road is 2.2 miles. Many children of 11 years old will be expected to walk 4 miles a day using some of the busiest roads in the area as well as crossing Norman Way, a road which has suffered fatal accidents in the recent past.

3. The increase in capacity and admissions number of John Ferneley College given in the statutory notice does not accord with the decision made by the Cabinet on the 9th March. Nor was there any consultation with the College on its ability to manage the increased numbers before the statutory notice was printed.

The Cabinet resolved under (d); "That approval be given to proceed with proposals to close King Edward VII School from September 2011 and the proposed changes to Year 7 admission numbers for John Ferneley College and Long Field School to accommodate additional pupils with effect from September 2010"

Paragraph 47 in Part B of the Report of the Director of Children and Young People's Service to the Cabinet states: "To accommodate the transfer of students from King Edward VII School, some expansion of the other two Melton schools will be necessary to enable an admission number of 180 pupils at Long Field School and 200 pupils at John Ferneley College. Currently both schools have an admission limit of 160 pupils."

These proposed numbers were never discussed with John Ferneley College (nor we believe with Long Field High School) prior to the Cabinet meeting. Long Field is a Foundation School and as such sets its own admissions limit. Their Governors resolved not to agree to any increase in their admissions limit and we understand informed the Local Authority as such on the morning of 16th March. This we believe caused the Local Authority that day to amend the statutory notice and increase John Ferneley's capacity to 1,100 and its admissions number to 220. The Chair of Governors of John Ferneley College was informed of this change only at a meeting of the Programme Implementation Board that evening where a copy of the statutory notice was produced. Again there was no detailed discussion over John Ferneley's ability to cope with the numbers.

4. The increased capacity and admissions numbers will cause significant disruption at the College at a time when the College is adapting to teaching years 10 and 11 and the teaching of GCSE's for the first time.

The College was already facing a significant challenge by increasing its numbers from roughly 500+ students to 800 students by expanding its age range on the campus from 11-14 to 11-16. These extra two years of pupils Years 10 and 11, will increase the size of the College significantly and also give additional problems associated with the increased numbers, including increased administration, tracking and supporting individual students etc. In addition there are increased challenges with pupils in these older age ranges.

The teaching of GCSE for the first time at the College is also a significant challenge and one in which the College is using its best efforts. We have set ourselves high standards and targets for ourselves in this task.

The college is now being asked to double its size from the 2008 intake to 1,100 pupils. Not only that but over the next two years pupils will be entering the College at different year groups across the whole age range from Year 7 to at least Year 10. We intend to ensure the pupils from King Edward VII will be integrated fully but this will mean additional resources will be necessary and the risk of significant disruption to the current running of the college. In order to integrate the King Edward VII pupils fully the College will have to completely reorganise the form groups with all the disruption that will entail for both current and new pupils, including reassignment of teaching staff and loss of friendships groups in the same form. In addition particular attention will have to be given to integrating pupils from King Edward VII to ensure they are fully assimilated and to deal with any issues and problems they may have which will potentially divert resources from existing teaching and the attainment of our ambitious targets. This will be to the detriment of those pupils currently at the College as well as to those who have been uprooted from King Edward VII. The challenge of achieving our ambitious targets, set before the closure of King Edward VII was announced, is considerable and should not be underestimated. We will need significant additional resources and support from the Local Authority to support the assimilation of the additional King Edward VII pupils.

5. The additional pupils will undermine the concept of the new College building which has been designed into zones which will have limited capacity to assimilate significant numbers of extra pupils. The communal areas of the new College building such as the dining room, sports hall, lockers etc cannot accommodate an extra 300 pupils or an increase of almost 40% (37.5%).

The new College building which opened this month was designed around five self-contained learning zones (Communication, Culture, Discovery, Enterprise and Performance) each with a capacity of 160 pupils to accommodate the 800 pupils the College building was designed for. Each year group would spend a day in a particular zone which meant minimum time lost transferring to class rooms, less bullying and the ethos of a 'small' school of 160 pupils. There is no possibility that an additional 60 pupils a year will fit into a zone designed for 160 pupils.

The communal areas of the College such as the dining room, sports hall, changing rooms, lockers, toilets have been designed for 800 pupils. If 300 more pupils are to be added then new facilities will have to be located in a separate building which will not only create logistical issues such as transfer of food from the central kitchen but also lead to a loss of integration of pupils dispersed across the two buildings at meal times etc.

Whilst a number of the above issues may be resolved with additional resources to build an extension or to pay staff to assist with integration of the King Edward's pupils, there is still a point of principle regarding the large increase in pupil numbers being imposed on John Ferneley and which the Governing Body opposes. The statutory notice does not address the wishes of parents for small, local schools. It does not support the vision of education which we have developed in the College which is expressed in the learning zones approach to study.

John Ferneley College has worked hard to be a full partner in the new arrangements for secondary education in Melton. We have agreed to the reduction of our admissions limit, to changes in the catchment areas and other measures designed to promote the partnership concept.

The College accepts that if King Edward VII is closed their pupils will have to be accommodated within the local school system. We have agreed to guarantee current all their current Year 9 pupils a place at John Ferneley. As to the other pupils we will accommodate as many as possible given the constraints above. We will welcome them, look after them and work speedily to integrate them fully into the College. However we give notice to the local authority that additional resources will be necessary and this will have an impact on the smooth running of the College and its results. We would welcome further discussions on these issues in addition to discussions on staff and buildings needed to support the extra pupils. We note the local authority has gone back on the protocol to fund ring fenced staff over three years. We would hope that the Local Authority reopens discussions with Long Field regarding their taking additional pupils with the proviso that proper provision, staff and buildings is given to support them.

### **The Post 16 Centre**

The decision and decision making process regarding the Post 16 Centre has further compounded our lack of confidence and trust in the Local Authority. The refusal to allow the Partnership schools to present their case and the arbitrary decision to appoint Belvoir High School to be responsible for the Post 16 Centre Staff and Premises, with the proposal to transfer post 16 pupils on the roll of John Ferneley to that of Belvoir High is opposed by the Governors of the College.

Ever since the final round of consultation on the three school model of secondary education in the Melton Area it had been agreed that the Post 16 Centre would be managed by all participating schools. Unfortunately it is only recently that the Local Authority has come up with a working document as to how this might be realised in practice. The Local Authority has recommended one school employ the staff and manage the premises on behalf of the others. It also recommended that the pupils of all the schools be on the roll of the host school. The Local Authority's initial view appeared to be that only a local authority school, (John Ferneley) could manage the staff and the premises. At the meeting of the Programme Implementation Board held on 16th March 2010 the Local Authority invited representations from schools interested in the staff and premises to be submitted before the end of the Spring Term. The day before the end of term, the schools were summoned to County Hall to be told by the officers that it had been decided to ask Belvoir High School to run the post 16 Centre, no explanation was given on educational grounds. This decision

and the manner in which it was reached have shocked the Governing Body. We understand that the unions were not fully consulted on the decision beforehand.

We oppose the proposal on educational grounds and with regard to the retention of staff at John Ferneley as implied in the proposal is the transfer of pupils from the roll of John Ferneley to that of Belvoir High School.

Our argument on the transfer of our pupils to the roll of Belvoir High School is that parents voted for John Ferneley to be a 11-19 school with a continuum of care and education and for our staff to be directly involved in the teaching and pastoral care of our students. The transfer of our pupils off our roll would in effect render the College 11-16. At the moment the College is focussed on delivering high quality education at all levels from Post 16 downwards and we are allocating our resources; teaching staff etc, in line with these priorities. Were the school in effect to become 11-16 we would then focus almost entirely on GCSE to the detriment of post 16 education. Being responsible for the whole age range ensures the curriculum and teaching methods are compatible and supportive through out the whole age range. This is beneficial for the individual pupil as they are monitored and evaluated throughout their career at the College and their progress followed by staff with whom they will be in constant contact until they leave secondary education. Being responsible for post 16 education raises the whole level of teaching throughout the school including the lower age ranges.

Of particular concern also is the fact that we have employed new staff on the basis of 11-19 teaching and a significant number of our current staff now look forward to the expectation of teaching at post 16. Not only will we have breached our contract in letter or spirit to the new recruits but this will affect retention and morale amongst staff.

We object to the way this decision was taken arbitrarily by the local authority. All the schools in the Partnership were promised the opportunity to put their case for this role. Without notice the Local Authority called a meeting of heads to inform them that notwithstanding the agreement at the PIB for a process of decision making, they had decided to offer Belvoir the opportunity. We believe the reasons given in the paper accompanying the decision are spurious and not based on educational principles. We understand also that there was little if any consultation with the unions on the decision.

Belvoir High is some 13 miles from Melton. It is sending fewer pupils to the post 16 centre. The school is a trust school and as such has the possibility of different terms and conditions from local authority schools. We do not believe the school has the capability to absorb the part time staff at the post 16 centre into their staffing structure in contrast to John Ferneley which can.

In conclusion we believe we have more to offer the post 16 centre than Belvoir High School and would be willing to explain this in greater detail. Parents voted for three 11-19 schools to provide a continuum of care and education. The College has contracted staff who have expertise in post 16 education and who came to the College with that in mind. We do not wish to have our pupils on another school's rolls and so will oppose this move. We also believe that the decision for Belvoir High School to employ the staff and run the premises of the Post 16 Centre should be set aside and all the schools be invited to resubmit their interest.



## **Appendix.**

### **The Reform of Secondary Education in the Melton Area**

#### **The original system**

The secondary education system in the Melton Area was based on primary schools up to year 6 Key Stage 2 (year 6) followed by high School to Key Stage 3 and the rest Key Stage 4 and Post 16 at the Upper School, King Edward VII. The Vale of Belvoir had a variation whereby primary schools taught to year 6 when transfer would take place to Belvoir High School ages 10-16.

#### **The Vale Proposals**

The reform of secondary education in Melton started with parents in the Vale of Belvoir who wanted their children to complete their Key Stage 2 (year 6) at the primary school instead of transferring at the age of 10 years old to Belvoir High. This had a knock on effect at Belvoir high which was a 10-14 school, so it was suggested that pupils would also complete their Key Stage 4 at Belvoir High which would become an 11-16 school. In 2005 the administration of the County Council declared their support for the move but resisted similar requests for 11-16 secondary schools in Melton Mowbray itself.

#### **The Melton Review**

Lobbying by schools and parents in Melton Mowbray and the arrival a new Director of Education led to district-wide review of secondary education and which proposed a reform of the system. There was no county wide vision for secondary education developed at the time, rather an ad hoc response to pressure from parents in one corner of the county. The Government however offered funding to rebuild and or refurbish schools as part of its Building Schools for the Future programme.

#### **The Proposed Model**

The first consultation on the reform of the secondary education system proposed in the town an option of two 11-19 schools of equal size. John Ferneley Governors supported this option, however parents at other schools wanted a three school model and so a second round of consultation proposed an option in the town of three 11-19 schools of equal size and a post 16 centre to be run in partnership by all the schools. The three schools would have roughly 800 pupils each. John Ferneley Governors had doubts at the time whether there were enough pupils to sustain such a model but after assurance from the local authority that there were enough pupils the Governors supported the three school principle. No forecasts of numbers were forthcoming from the local authority to support their view.

As far as the BSF programme went, the initial proposal for John Ferneley was refurbishment and extension of the old school, the bulk of the funding being spent elsewhere in Melton. A structural survey of John Ferneley, however, revealed serious weaknesses and the Local Authority was forced to consider a complete rebuild of John Ferneley. Work got underway in Spring of 2008 for a £17m new building for John Ferneley. The design of the building was innovative and supported a vision developed by the head teacher staff and governors for a school divided into 5 zones around themes of learning where pupils would spend their entire day before

moving on to another zone the following day. Each Zone would be self sufficient and would accommodate a year group of 160 pupils. This would retain the small school ethos even though the school overall was accommodating larger numbers by retaining Years 10 and 11. Long Field £5m and Belvoir High £6m also received funding for extension buildings.

### **King Edward VII**

It was clear for some time that Year 7 admissions numbers at King Edward VII were low and would not support a 800 pupil school. In September 2006 roughly 90 pupils entered King Edward VII, this declined to around 70 in September 2007. In an attempt to boost numbers at King Edward VII the County Council reduced the admissions number for John Ferneley School down from 220 to 160. Though reluctant, John Ferneley Governors eventually voted for the change in order to support the three school model. This was reflected in a statutory notice on 28th June 2008 setting the John Ferneley admissions number at 160. Another suggested change to support King Edward VII was the adoption of a common catchment area for the three Melton Mowbray Secondary Schools in April 2008.

### **The implementation of the new model**

Neither proposal had the effect the Local Authority wanted or expected. Parents wishing to send their child to John Ferneley but were told it was full simply appealed. The independent panel agreed to an additional 18 pupils over the admissions limit to attend John Ferneley. Meanwhile at King Edward VII numbers declined dramatically to just 35 in September 2008. During this period concerns were raised constantly regarding the number of secondary pupils in the Melton Area and the sustainability of the three 800 pupil school model in the town. This was based in part on the numbers applying to the school, the size of the catchment area and an analysis of the numbers of pupils at the primary schools from year 6 down to reception year. These concerns were rejected at various meetings by the County Council with the assurance that the numbers of secondary pupils would be sufficient. Despite repeated requests, at no time did the local authority reveal its forecasts. One of the reasons given by those concerned for King Edward VII was the increased popularity of the two other schools given that substantial building programmes were underway with nothing concrete as yet being planned for King Edward VII. Year 7 entrants at King Edward for September 2009 remained below the 50 mark, less than one third the number necessary to maintain an 800 pupil school.

### **The Local Authority rethink**

It was only in the Summer of 2009 that the Local Authority in private meetings with the Heads of John Ferneley and Long Field revealed their concerns regarding the admissions levels at King Edward. Local forecasts in Melton predicted that there would be less than 300 pupils in September 2010 and less than 250 by September 2011.

In November 2009 a report was issued to the Cabinet with a proposal to end 11-16 education at King Edward VII and instead focus the school on Post 16 education. This was almost universally opposed with none of the papers submitted in response to the report supporting the proposal. On 10th November 2009 the Cabinet instead agreed to consider the proposal from King Edward governors

“For King Edward to continue to provide 11-19 education and specialist courses for Key Stage 4 for the Melton Partnership. It will retain its designation as an 11-19

school. King Edward V11 is to be the provider for post 16 education using a governance model with involvement from all partner schools. Partner schools re-designated as 11-16.”

### **The closure of King Edward VII**

The Cabinet at its meeting on 9th December 2009 resolved to consult over a short period (including the Christmas vacation) on a number of options including a preferred option of closure of King Edward VII.

On 9th March 2010, the Cabinet resolved

“That approval be given to proceed with proposals to close King Edward VII School from September 2011 and the proposed changes to Year 7 admission numbers for John Ferneley College and Long Field School to accommodate additional pupils with effect from September 2010.”

As regards the admission numbers the Cabinet Report said:

“To accommodate the transfer of students from King Edward VII School, some expansion of the other two Melton schools will be necessary to enable an admission number of 180 pupils at Long Field School and 200 pupils at John Ferneley College. Currently both schools have an admission limit of 160 pupils.”

This would set the Long Field total student population at 900 and John Ferneley College at 1,000. Neither school was consulted in advance of these proposals.

The resolution also referred to £5m of capital funding originally earmarked for King Edward VII which was still available for any additional building needed to accommodate the additional pupils at the two other schools. No mention was made of the £2.5m contribution from the LSC towards the construction of the Post 16 Centre which had been originally provide for by the County Council.

With regard to capital building discussions were held with John Ferneley for a new building to house the original 200 extra pupils. The cost of the building was estimated at £4.5m. We have now been told that there is a ceiling on capital spend for the Melton changes at £5m and this not only has to accommodate 300 extra pupils but the building of a new class block for Long Field high school for 6 classrooms. The suggestion has been made that the £2.5m funded by the LSC is needed in Loughborough to kick start their review of secondary education.

We view with interest the developments in Loughborough where no consensus has been reached on the way forward for the review of secondary education and where the preferred option includes closing three schools, one of which has been deemed outstanding twice in a row by Ofsted.