

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Executive Member for Education
Date:	30 July 2014
Title:	Review of Hampshire's Boarding Provision at Kings' School, Winchester
Reference:	6011
Report From:	Director of Children's Services

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1. Executive Summary

1.1. This paper reports on the outcome of the public consultation regarding the proposal to bring forward the closure of the Kings' School boarding provision from 31 August 2017 to 31 August 2015.

2. Contextual information

2.1. On 23 March 2012 approval was sought to consult on the closure of the boarding provision at both The Westgate School and Kings' Secondary School. The consultations on the closure of both the girls boarding provision at The Westgate Secondary School and the boys boarding provision at Kings' Secondary School were held between March and July 2012.

2.2. Following these consultations a public notice was published on 6 September 2012 setting out the County Council's intention to close the boarding provision at The Westgate School on 31 August 2013 and to close the boarding provision at Kings' School on 31 August 2017.

2.3. The governing body of Kings' School has asked that Kings' boarding house be closed at the end of August 2015 as it considers the number of pupils likely to be in the boarding house after that date will be too small to provide a socially rewarding community within the house and is concerned about the financial viability of the boarding provision as the number of boarders continues to decline.

2.4. The Executive Member for Education authorised consultation to be undertaken on the proposed earlier closure of the boarding facility at his decision meeting on 26 March 2014.

- 2.5. Parents of boarders were alerted to the governing body's request to consult on the earlier closure of the Kings' boarding provision via a letter from the school at the end of the autumn term 2013.
- 2.6. Consultation took place between 27 March 2014 until 22 May 2014 in the form of letters to all statutory consultees (Appendix 1), with the consultation document being placed on the County Council website together with a drop-in session at Kings' School on 23 April 2014 allowing consultees to engage with County Council Officers and make comments on the proposal. There was also the opportunity for consultees to make their views known either through the website or direct to a named officer.
- 2.7. One objection was received to the proposal. Issues raised are set out below together with officer comments.

3. Issues raised by consultees (consultees comments shown as R and County Council response shown as C):

- 3.1. R – We have two sons boarding at Kings' and we would wish them to continue to board until they finish their education at Kings' School.

C – The two boys are currently in Years 10 and 12. Both boys will have completed their statutory mainstream education at Kings' School at the time of the proposed closure.

- 3.2. R – Some boarders entered the boarding house on the understanding that it would remain open long enough to allow them to complete their education at Kings' School.

C – The decision to close the boarding in August 2017 was predicated on the number of boarders anticipated up to that time. In the event numbers in the boarding house are falling more quickly than anticipated which has led to the governing body's request to consult on earlier closure of the boarding provision.

There is a contract in place between Kings' School and the parents of boarders whereby the boarding place may be withdrawn with one terms notice. Should the County Council decide to proceed with the earlier closure of the boarding provision parents will have one years notice.

The number of boarders likely to be affected by an earlier closure of the boarding house is four. Two boarders are currently in Year 8 and two currently in Year 9. The existing nine boarders currently in Year 10 will be able to complete their mainstream education as will the eight current boarders in Year 11. The house also has three boarders in Year 12 attending a post-16 college and these could complete their second year of post-16 education whilst remaining in the boarding house.

- 3.3. R – Concerns have been raised about the impact of the earlier closure of the facility on the house staff including loss of income, pension contributions and, for the Houseparents, a home.

C – The closure of the boarding provision will impact upon all existing boarding staff. As a responsible employer the County Council would manage

the situation sensitively and every effort would be made to redeploy staff into appropriate alternative posts and to avoid redundancies.

- 3.4. R – A further comment suggested that the decline in the number of boarders, as forecast, is as a result of conjecture based on a worst case scenario and that, with continued marketing, there would be sufficient numbers during the last two years to make boarding at Kings' School House a rewarding and valuable experience for boarders,

C – The potential to attract sufficient numbers into the boarding house for one or two years is likely to diminish as parents are likely to want to see their children through all their mainstream education, rather than a one or two year placement, which will not be able to be offered. It is also likely that a number of pupils seeking a one or two year placement will be post-16 pupils and boarding places may well be available in the boarding provision at Peter Symonds College.

- 3.5. R – Should there be a financial shortfall the County Council has agreed to set aside finances to meet this contingency.

C – This is still the case and discussions are continuing with Kings' School about the amount and timing of the funding based on the projected boarder numbers.

4. Actions following initial consultations

- 4.1. Following consultation, and in keeping with due process, a statutory notice was published setting out the County Council's intention to close the Kings' School's boarding provision on 31 August 2015. The notice ran for a period of four weeks during which time representations were invited.
- 4.2. One representation was received objecting to the proposal. The issues raised in the representation and officer comments are set out below..

5. Issues raised by consultees following the publication of the Public Notice (consultees comments shown as C and County Council response shown as R):

- 5.1. C – The only explanation offered to explain this proposal appears to be that it has been requested by the school's Board of Governors this request made a vague reference to financial viability and suggests that there would not be a socially rewarding community within the house after 2015.

R – It is the case that the consultation was based on those two points and in the case of the financial viability of the boarding facility this was shown in the report seeking approval to consult on the 26 March 2014. The tables within that report are reproduced below for ease of reference.

Table 1 gives the actual and forecast number of boarders in a mixed gender boarding facility (as reported by The Westgate and Kings' School in January 2012):

Table 1

	Y7	Y8	Y9	Y10	Y11	Y12	Y13	Total
2013/14		2	9	11	8	4	1	35
2014/15			2	9	11		4	26
2015/16				2	9			11
2016/17					2			2

- 5.2. The actual number of boarders at Kings' School has declined more rapidly than forecast. Currently there are 24 boarders within the boarding facility rather than the 35 forecast for the 2013/14 academic year.
- 5.3. Table 2 below gives the forecast boarder numbers based on actual boarder numbers for the 2013/14 academic year. Future year numbers are the worst case scenario and on the basis of these figures the governing body asked the local authority to consult on the earlier closure of the boarding house. These numbers were provided by Kings' School in July 2014.

Table 2

	Y7	Y8	Y9	Y10	Y11	Y12	Y13	Total
2013/14		2	2	9	8	3		24
2014/15	3	2	1	3	7	3	3	22
2015/16		1	2	1	3	3*	2*	12
2016/17			1	2	1	0*	3*	7

* Boarder numbers for Y12 and Y13 are difficult to predict as they relate to post-16 provision pupils attending colleges outside mainstream (11-16) secondary education. Peter Symonds College is able to offer boarding places and it is possible that some of the post-16 students shown in the table above will opt to move to that provision rather than remain in the Kings' facility.

- 5.4. It is also the case that the school could, in the very best case, sustain these numbers (22 in total) through the short term take up of places in Year 7 and 8 despite these pupils having no expectation of continuing their education at Kings'. However, no guarantees can be given that this number of pupils will be attracted to the boarding facility as it gets closer to closure.
- 5.5. As set out in the financial section below (section 6 of the report) the financial exposure for the County Council could increase if the boarding house is kept open until 31 August 2017 and if the school is unable to attract a total of 22 boarders until that date.

5.6. C – From my own informal enquiries I have found that the boarding provision continues to flourish despite the proposed closure and Ofsted has recently provided an excellent report and testimonial.

R – The school has continued to seek to retain a higher than forecast number of boarders in order to keep to a minimum the financial exposure of the County Council in the run up to closure.

The recent Ofsted report is for the school rather than the boarding facility and shows the school is outstanding. The Kings' School boarding provision was inspected in November 2012 and was judged to be good.

5.7. C – I have been told that 7/8 new additions (for boarding) have been accepted for the 2014/15 year and that these children are all from the Hampshire area. All this seems to contradict the claim by the Board of Governors that a socially rewarding community within the house would be lacking after 2015.

R – As explained above the school is seeking to minimise the cost to the County Council by recruiting short-term boarders to help cover the costs of the boarding house as it gets closer to closure. The quote that the additional boarders are all from the Hampshire area underlines the reason why the boarding facilities were proposed for closure in March 2012, i.e. the boarding house was originally set up for the children of service personnel but as the numbers from the armed forces declined the reason for the facility was re-examined. At that time the majority of the boarders were from outside the armed forces and, therefore, the boarding facility was no longer serving its original function.

5.8. C – As regards the financial viability where are the details of this?

R – In the report in July 2012 the capital and revenue costs associated with the closure of the boarding establishments at The Westgate and Kings' School were set out. This identified the following in respect of Kings' School boarding :

A decision to close the boarding provision at Kings' School with effect from the end of the summer term 2017 would have both revenue and capital implications. As the number of boarders declines over time the boarding provision at both schools would become increasingly financially unviable and there would be a need to use existing Schools Forum mechanisms to cover the resultant revenue shortfalls at the school.

The number of boarders as forecast at that time, and taking into account staff costs, running costs and income from boarding fees, the anticipated overall shortfall in revenue funding for Kings' School was calculated to be £146,000.

5.9. C – I would have liked a better understanding of this proposal before making an objection, perhaps the lack of clarity explains why there are so few queries from the public.

R – The consultation complied with all statutory requirements, including being displayed on the County Council's website. A copy of the Public Notice was displayed at the school and the Carroll Centre in Winchester. The content of

the consultation documentation followed a request of the governing body to consult based on the points outlined in 2.3 above.

5.10. C – I would like to know what plans have been made for this land after the boarding house closure and if this has any influence on the new closure date.

R – The site will remain a County Council asset and, at present, there are no firm proposals for its use.

5.11. C – I note that the 6 week period to make representation has now been reduced to 4 weeks as stated on the formal notification dated 13 June 2014.

R – Four weeks is the statutory timescale for formal consultation as detailed in the public notice. The earlier consultation ran for six weeks commencing on 27 March 2014 to ensure that the consultation ran for four weeks during term time and allowing for the two week Easter break.

6. Finance

6.1. Provision has been made to meet the deficit balance on the Kings' School boarding house accounts. This is estimated at £50,000 at August 2015. The estimated provided in July 2012 was £146,000, which was based on a closure date of August 2017. Should the closure be delayed beyond August 2015, this will add to the deficit position.

7. Recommendation(s)

It is recommended:

7.1. That the Executive Member for Education approves the closure of the boarding provision at Kings' School with effect from 31 August 2015.

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

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

Other Significant Links

Links to previous Member decisions:		
<u>Title</u>	<u>Reference</u>	<u>Date</u>
Review of Hampshire's Boarding Provision at Kings' School, Winchester	5613	26 March 2014
Review of Hampshire's Boarding Provision at the Westgate and Kings' Secondary Schools, Winchester	3902	17 July 2012
Review of Hampshire's Boarding Provision at the Westgate and Kings' Secondary Schools, Winchester	3675	23 March 2012
Direct links to specific legislation or Government Directives		
<u>Title</u>	<u>Date</u>	

Section 100 D - Local Government Act 1972 - background documents

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

<u>Document</u>	<u>Location</u>
None	

IMPACT ASSESSMENTS:

1. Equality Duty

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

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

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

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

1.2. Equalities Impact Assessment:

1.2.1 There will be some impact on those boarders wishing to remain at the school until the completion of their education at the end of Y11 and what boarding accommodation will be available to them. The school places of the boarders are, however, secure until the completion of their education should they wish to remain on the school roll.

1.2.2 There will be a loss of cultural diversity for the school that boarders bring from their different backgrounds.

2. Impact on Crime and Disorder:

2.1. The proposals have no impact on crime and disorder

3. Climate Change:

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

No impact has been identified

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

No specific measures have been identified