

CABINET

DETERMINATION OF BSF STATUTORY PROPOSALS: PROPOSED DISCONTINUANCES OF BREEZE HILL AND COUNTHILL SCHOOLS

REPORT OF THE EXECUTIVE DIRECTOR PEOPLE, COMMUNITIES AND SOCIETY

1. PURPOSE OF REPORT

- 1.1 This report seeks final determination of the proposals to discontinue Breeze Hill and Counthill Schools with effect from 31 August 2010 to enable the proposed establishment of an Academy, sponsored by The Oldham College, on 1st September 2010 as part of the Building Schools for the Future (BSF) Programme.

2. EXECUTIVE SUMMARY

- 2.1 Following a statutory consultation process, reported to Cabinet in EDRS 8120058, a Notice was published on 8 January 2009. This formalised the Council's intention to discontinue Breeze Hill and Counthill Schools with effect from 31 August 2010.
- 2.2 The regulatory six-week Representation Period closed on Wednesday 18 February 2009 and the proposals must now be determined.
- 2.3 The Local Authority (LA) is the Decision Maker (DM) for these proposals, in accordance with powers conferred by the Education & Inspection Act 2006. Under certain circumstances such decisions may be delegated. It was agreed through EDRS 8120058, however, to reserve such decisions to Cabinet because of the size and scale of the BSF Programme.
- 2.4 Both proposals are related and therefore must be considered together to ensure that the decisions are compatible.

3. RECOMMENDATIONS

- 3.1 The recommendation is to conditionally approve the proposals to:
- Discontinue Breeze Hill School with effect from 31 August 2010.
 - Discontinue Counthill School with effect from 31 August 2010.
- 3.2 Both these approvals should be conditional upon the making of an agreement under section 482(1) of the 1996 Act for the establishment of The Oldham College Academy which will provide for the pupils currently at the schools which are the subject of the proposals to transfer to the Academy.
- 3.3 This condition must be met by 30 June 2009. If it is not met by the specified date,

the proposals must be referred back to Cabinet for fresh consideration or modification of the condition date before the date expires.

3.4 The reason for this recommendation is that the conditional approval will protect the Council's position and that implementation of these proposals will enable realisation of the corporate BSF vision to bring about 'regeneration through education' and deliver educational transformation through:

- Improving choice, diversity and access
- Addressing underperformance
- Personalising learning
- Improving 14-19 provision
- Improving SEN and inclusion
- Better integrating Children's Services and extended school provision

These are detailed in full in section 7.2 below.

3.5 Cabinet is further recommended to exempt the decisions flowing from this Report from Call-in so that BSF and statutory timescales can be met.

3.6 DMs must take account of Statutory Guidance for Decision Makers issued by the Secretary of State. All decisions must include the reasons for reaching them. To inform this, a summary of representations received and an Officer commentary on each of the statutory decision making factors are attached as Appendices.

DETERMINATION OF BSF STATUTORY PROPOSALS: PROPOSED DISCONTINUANCES OF BREEZE HILL AND COUNTHILL SCHOOLS

4. INTRODUCTION/BACKGROUND

4.1 The BSF Programme contains a wide range of proposals for Oldham's secondary schools, some of which require a statutory process to reach decisions on whether or not they should proceed.

4.2 This report is concerned with the proposed discontinuances of Breeze Hill and Counthill Schools with effect from 31 August 2010 to enable the proposed establishment of an Academy, sponsored by The Oldham College, on 1 September 2010.

4.3 A formal consultation was undertaken in the Autumn of 2008 as reported in EDRS 8120058, which approved the publication of a Notice to progress the proposals.

4.4 Following publication of the Notice, there then follows a statutory six-week Representation Period. This is to enable interested parties to submit any comments either in favour of or against the proposals. The Decision Maker (DM) must consider any representations received when determining the proposals.

4.5 The DM for this proposal is the LA, in accordance with powers conferred by the Education & Inspection Act 2006. Where no objections are received, such decisions may be delegated. It was agreed, however, through EDRS 8120058 to reserve such decisions for proposals arising from BSF to Cabinet, given the size and scale of the Programme.

4.6 The DM has to take account of statutory guidance laid down by the Secretary of State when considering such proposals. This guidance is available from the DCSF School Organisation website:

[http://www.dcsf.gov.uk/schoolorg/data/guidance Documents/ClosureGuide%20DM%20ONLY%202008-01-18.pdf](http://www.dcsf.gov.uk/schoolorg/data/guidance_Documents/ClosureGuide%20DM%20ONLY%202008-01-18.pdf)

4.7 DMs must consider:

- The completeness of the proposals
- Compliance of the Notice with statutory requirements
- Whether statutory consultation has been carried out prior to publication of the Notice
- Whether the proposals are related to other published proposals

Commentary on each of these is provided in Appendix B.

4.8 All proposals should be considered on their individual merits. The statutory guidance contains a range of factors to be considered by DMs. The factors applicable to these discontinuance proposals are:

- Effect on Standards and School Improvement
- Need for Places
- Impact on Community and Travel

- Specific Age Provision
- SEN Provision
- Views of Interested Parties

Commentary on each of these is provided in Appendix B.

- 4.9** Where the LA is the DM, it must reach its decision within 2 months of the end of the representation period. If this is not possible, the proposals must be passed onto the Schools Adjudicator for a decision. In this case, the last date by which the LA must have determined this proposal is 18 April 2009. Furthermore, in order to comply with conditions of approval of Oldham's BSF Outline Business Case (OBC) these proposals must be determined before the end of March 2009. It is for these reasons that approval is requested for these decisions to be exempted from Call-in.
- 4.10** The two discontinuance proposals are related therefore the decisions must be taken together to ensure they are compatible.
- 4.11** DMs must give reasons for their decisions, irrespective of whether the proposals are rejected or approved. A copy of the decision and reasons must be forwarded to:
- The person or body who published the proposals (where this is not the LA)
 - Any objectors to the proposals
 - The Secretary of State
 - The local C of E Diocese
 - The local RC Diocese
 - The LSC (where the school includes provision for 14-16 education)
 - The Schools Adjudicator (where determined by the LA)
- 4.12** The LA has no role in the establishment of Academies. Such decisions are taken by the Secretary of State for Children, Schools and Families by the signing of a Funding Agreement at the end of the Academy feasibility stage. Any decisions to discontinue schools to enable the establishment of an Academy must, therefore, be made conditional upon the signing of the related Funding Agreement.
- 4.13** Cabinet, as DM, must set a date by which any conditions of approval should be met but is able to modify the date if the LA, as proposer, confirms, before the date expires, that the condition will be met later than originally thought. The LA should inform both Cabinet, as DM, and Department for Children, Schools and Families, via the School Organisation Unit, when a condition is met. If a condition is not met by the date specified, the proposals must be referred back to Cabinet for fresh consideration.

5. CURRENT POSITION

- 5.1** A combined Notice summarising both proposals was published on 8 January 2009 and the regulatory six weeks Representation Period closed on 18 February 2009.
- 5.2** Copies of the Notice were also displayed in school entrances, post offices within one mile of the schools and public libraries. Full proposals were circulated to prescribed bodies and are available for viewing on Level 6 of the Civic Centre.

5.3 There have been seven representations received in response to these proposals. These are summarised in Appendix A which also contains comments from the BSF Programme Team.

6. OPTIONS/ALTERNATIVES

6.1 There are four options available to Cabinet with regard to these proposals.

6.2 **Option 1:** Approve the proposals unconditionally. This would require the Council to implement the proposals as published, whatever the future circumstances.

6.3 **Option 2:** Approve the proposals subject to specific conditions as provided for within regulations occurring by a set date. There is one permitted conditions applicable to this proposal as detailed in section 7.1 below.

6.4 **Option 3:** Approve the proposals with a modification such as to the implementation date. No modifications are considered appropriate in this case.

6.5 **Option 4:** Reject the proposals. This could jeopardise access to BSF Programme funding and the LA would still be presented with problems in relation to:

- Significant and growing surplus places and the declining viability of some schools in terms of student numbers
- The condition of our secondary school stock and the ongoing need for capital investment to address those condition issues
- The sustainability of aging schools, as the curriculum and teaching and learning styles change significantly
- The government challenge for radical intervention in schools falling below the 30% target for 5 A*-C GCSEs including English and Maths
- Maintaining the rate of improvement at those schools which are improving but borderline in terms of the Government target
- A lack of alternative funds for capital investment should these changes not be delivered through BSF

7. PREFERRED OPTION

7.1 The preferred option is to approve the proposals subject to the making of an agreement under section 482(1) of the 1996 Act for the establishment of The Oldham College Academy which will provide for the pupils currently at the schools which are the subject of the proposals to transfer to the Academy.

7.2 The reasons for recommending this option are that the condition will protect the Council's position and the implementation of the proposals will enable realisation of the corporate BSF vision to bring about 'regeneration through education' by recognising the critical link between attainment/learning and participation in the knowledge industries/service economies that is the strength of the Greater Manchester city region. BSF serves as a catalyst for a fundamental transformation of secondary education in the Borough, including the full range of formal and informal learning opportunities offered to young people and the wider community. The following priorities reflect the objectives of Oldham's BSF programme to deliver education transformation through:

Improving choice, diversity and access by:

- Removing surplus places whilst also addressing the need to create more de-segregated schools as part of Oldham's community cohesion strategy
- Embracing the driver of BSF to carry forward changes in school governance as part of the wider strategy for improvement, including replacing five closing schools with 3 Academies (sponsored by Oasis, Edutrust, and Oldham College) and supporting schools with other changes of governance, including trusts, foundations, and federations
- Ensuring fair access to high quality schools for all parts of the community, whilst meeting the needs of individual learners and their families within a diversity of provision
- Creating high attaining schools of the appropriate size in the right locations to meet the needs of local and Borough-wide communities
- Creating de-segregated schools, welcoming to all pupils, of whatever faith or social background, and sensitive to their individual needs
- Establishing an educational trust attached to the family of secondary schools, with the aim of extending the benefits of new Academy innovations and partnerships across the sector, and to developing the regional and sub-regional role of the LA to forge stronger public and private partnerships designed to support school improvement, learning and innovation

Addressing underperformance by:

- Using the delivery of new school environments to inspire students, staff, governors, parents and other stakeholders to deliver 21st Century learning that transforms opportunities for students and communities
- Delivering a secondary system where all schools exceed national targets (by 2015)
- Ensuring the current gaps in performance between all groups are reduced
- Improving attendance rates and reducing the number of days lost by exclusions
- Raising aspirations among all sections of the community, particularly those underachieving

Personalising learning by:

- Utilising evidence-based practice to ensure teaching and learning methodologies deliver the highest outcomes and meet the needs of all learners
- Providing every individual with a rich range of opportunities for informal learning, sport, leisure and social education and personalised support
- Providing environments that enable the delivery of a more personalised model of learning and service delivery that meet the needs of all learners and their learning styles, thus ensuring better outcomes for all young people
- Fully harnessing the potential of modern Information and Communications Technology (ICT) to deliver this transformation of formal and informal learning across the Borough, within the school and across the wider community

Improving 14-19 provision by:

- Delivering the full 14-19 entitlement to all students, giving every individual the opportunity to progress successfully to employment, training, further and higher education as appropriate
- Exploring options for enhanced collaboration, focusing on post-16 partnerships, and the development of links between schools and between schools and the two FE colleges in the Borough
- Providing a focal point for partnership work, innovation and enterprise among the

whole secondary learning sector, Further Education and Higher Education sectors, and other public and private partners in transforming learning.

Improved Special Educational Needs (SEN) and inclusion by:

- Improving practice and facilities in mainstream schools to ensure the needs of greater numbers of pupils are met within that environment
- developing a continuum of provision to meet the needs of groups of learners with additional needs
- Improving provision for behaviour support

Better integration of children's services and extended school provision by:

- Ensuring secondary schools play a leading role in the Council's approach in delivering community cohesion across the Borough, through the delivery of excellent services in neighbourhoods and communities and through supporting the full development of services around all the Local Authority's secondary schools and as focal points for health, social and educational/learning services
- Working with regeneration partners to deliver and expand the wider strategy of programmes designed to develop prosperity and economic vibrancy within the Borough, linked to the wider city region
- Driving forward collaborative working across schools and other providers with particular reference to planning, funding and service delivery including provision of specialist learning programmes, integrated children's services, health, sport, culture and leisure opportunities
- Using BSF as a driver to join up funding streams to increase the efficiency and effectiveness of service delivery

7.3 The date by which this condition should be met should be set at 30 June 2009 which is the date by which the Academy OBC must be finalised.

8. CONSULTATION

8.1 All statutory requirements to consult prior to the publication of the Notice have been complied with during the progression of these proposals.

8.2 Two previous Cabinet Reports, references EDRS 7060018 and 8120058, provide full details of the processes and outcomes. A comprehensive report on the recent formal consultation is available on the Internet through the following link:
http://www.oldham.gov.uk/transforming_secondary_education_statutory_consultation_report_dec_08.pdf

8.3 The Representation Period, which has just closed, is the final opportunity for interested parties to submit comments on the proposals.

8.4 Appendix A summarises the representations received in response to the discontinuance Notice together with comments from the BSF Programme Team.

8.5 In total, seven representations have been received in response to these proposals:

- One from the Oldham NUT objecting to the proposed discontinuances of any Oldham community schools to enable the establishment of Academies
- Five from individuals objecting to the proposed discontinuances of both Breeze

Hill and Counthill Schools

- One from an individual objecting only to the proposed discontinuance of Breeze Hill.

The DM is required to take account of representations received when determining the outcome of any proposals.

9. FINANCIAL IMPLICATIONS

- 9.1** There are no financial implications arising directly from this report. Funding issues associated with the Building Schools for the Future programme, of which this forms a part, have been the subject of previous reports and approvals. (RL)

10. CORPORATE HUMAN RESOURCES COMMENTS

- 10.1** No Corporate HR comments are relevant however the BSF Strategic HR Adviser has provided the following:

- 10.2** All staff and Trade Unions have been consulted and informed at each key stage of the process thus far with regard to the staffing implications of school closures and the establishment of Academies. The BSF Strategic HR Adviser was present at all closing school and primary school statutory consultation meetings to offer advice and guidance.

- 10.3** The Governing Body of the proposed Academy will be responsible for appointing staff. Oldham's proposed Sponsors have all committed to retaining national pay and service conditions for all staff in Oldham's Academies.

- 10.4** Transfer of Undertakings (Protection of Employment) regulations (TUPE) will be applied where appropriate to preserve the continuity of employment terms and conditions of all employees who transfer to the Academies. (JR)

11. LEGAL SERVICES' COMMENTS

- 11.1** The statutory framework for school reorganisation is complex and diversely sourced. The report summarises those issues to which the Cabinet, as Decision Maker, must have regard in reaching a determination of the proposal, and makes reference to statutory and non-statutory Guidance where necessary.

- 11.2** The discontinuance of the two schools is dependent upon the establishment of an Academy in their place. If the proposals are approved by the DM therefore, the approval should be made conditional upon the Secretary of State entering into an agreement for the establishment of the Academy. The DM must state a date by which the condition is to be met although this can be modified if it proves not to be achievable by that date.

- 11.3** There is a time limit of 2 months from the end of the representation period within which the DM must decide the proposals. Failing this, the proposals and any representations not withdrawn must be forwarded to the school adjudicator for a decision within a week from the end of the 2 month period.

12. TREASURER'S COMMENTS

12.1 See Section 9 above. (RL)

13. IT IMPLICATIONS

13.1 There are no IT implications directly flowing from this report. BSF funding will incorporate significant investment in ICT provision across the whole of the secondary school estate to enable the transformation of learning.

14. PROPERTY IMPLICATIONS

14.1 There are 3 existing sites involved in this part of the BSF programme, Breeze Hill School, Counthill School and the Orb Mill.

14.2 It is proposed that the Academy Sponsor (The Oldham College) has a short-term lease, for a period to be determined, for them to manage Breeze Hill and Counthill Schools on the existing school sites until the new Academy is built on the Orb Mill site.

14.3 On completion of the new build, it has been agreed that the existing playing fields at Counthill be retained for use by the Academy as a detached playing field provision.

14.4 The sports facilities and pitches at the Breeze Hill School will also be retained as part of the Council's wider sports and playing field strategy and for community use.

14.5 The remainder of the Breeze Hill and Counthill sites will then be surplus to operational requirements and disposed of on the open market for residential or other development. (TE)

15. ENVIRONMENTAL AND HEALTH & SAFETY IMPLICATIONS

15.1 There are none directly flowing from this report. Planning applications for all building projects arising from the BSF Programme will include environmental and travel impact assessments.

16. COMMUNITY COHESION IMPLICATIONS (INCLUDING CRIME AND DISORDER IMPLICATIONS IN ACCORDANCE WITH SECTION 17 OF THE ACT)

16.1 Subject to the proposed Academy being established in September 2010, the next stage in realising the BSF vision will be the proposed relocation of the Academy to its new site. An intended outcome of the re-location of secondary schools is that they will in the future be characterised by a more diverse intake. This is a major step forward in the aspiration to arrive at greater diversity across all schools in Oldham. This is an issue that is central to intentions around community cohesion and an important building block in socio-economic integration as well as the continual drive to increase the achievements and opportunities for all children and young people.

16.2 An Equalities Impact Assessment of the proposals has been undertaken (See Appendix C). The equalities implications do not raise fundamental problems that would provide a reason not to proceed with the proposed closures. However, the Assessment makes recommendations for actions which would mitigate potential adverse impacts of the closures on particular groups. These are:

1. To develop a long-term Compact between the local authority and school governing bodies with agreements on:
 - Community cohesion outcomes relating to broad targets for the composition of student populations;
 - Admissions arrangements;
 - Collaboration on curriculum development including e.g. delivery of the 14-19 entitlement and the inclusion of curriculum materials which reflect the diversity of Oldham;
 - In-year arrangements for fair access (e.g. for excluded pupils);
 - Reporting and responding to hate incidents and community tensions;
 - A data sharing protocol including providing pupil level attainment data to the local authority, which will enable it to have oversight of patterns of differential attainment;
 - Community access to school facilities at fair prices;
 - Good practice on equalities issues e.g. relating to a range of policies (such as Equal Opportunities, Sex & Relationships Education and Behaviour) and including the needs of a range of vulnerable groups (such as LGBT people and disabled people);
 - Other issues relating to participating as a family of schools working together across Oldham.
2. Ensure student and staff, parent/carer and wider community input into the programme around specific schools including involvement on issues including: design of buildings; curriculum; uniform; transport/travel; faith and cultural issues; food/diet; co-existence of schools and local communities.
3. That a change management programme be developed for each school addressing preparation for change including:
 - Work with pupils and parents including: primary school linking; joint work between merging schools; and phasing arrangements for merging schools (what years come together when and where);
 - Work with staff and governors including: curriculum development; school design; cultural awareness/meeting the needs of students from diverse communities; behaviour management and ensuring harmonious relationships between students from different cultural backgrounds;
 - Work with communities to build understanding of issues and including: input into planning the design, facilities and use of the school (including community access policies, parking arrangements etc)
4. Work with Greater Manchester Passenger Transport Executive, bus operators and others to prepare a co-ordinated BSF transport plan which takes account of: the changing locations of schools in relation to where students live; transitional arrangements as new schools are established; arrangements for travel during the school day as well as students' journeys to and from school; the specific needs of students (such as disabled students); community impacts;

student well-being; and costs for families.

5. Ensure that the BSF communications plan meets the needs of parents and communities both in relation to the issues it covers (e.g. in relation to admissions and other issues of concern to students, parents and communities such as how the needs of students with specific needs will be met and the work to ensure the well-being of students during a period of transition) as well as being delivered in a way that makes the information accessible to communities.
6. Develop the role of the BSF Stakeholder Forum as a group that can review equalities issues on an ongoing basis.
7. Work with faith schools to influence the detailed development of their admissions criteria, with the aim of ensuring that faith schools are able to contribute to achieving schools with a greater level of social and cultural diversity.
8. Ensure that equalities issues form part of the ongoing evaluation of the Transforming Secondary Education programme. The Council will help ensure that there is a focus on equalities and community cohesion issues within this, by collating and analysing information about progress in individual schools and across the Borough as a whole and, to the extent it is able, providing support and challenge to schools. (BP)

17. RECOMMENDATIONS

17.1 The recommendation is to conditionally approve the proposals to:

- Discontinue Breeze Hill School with effect from 31 August 2010.
- Discontinue Counthill School with effect from 31 August 2010.

17.2 Both approvals should be conditional upon the making of an agreement under section 482(1) of the 1996 Act for the establishment of The Oldham College Academy which will provide for the pupils currently at the schools which are the subject of the proposals to transfer to the Academy.

17.3 This condition must be met by 30 June 2009. If not met by the specified date, the proposals must be referred back to Cabinet for fresh consideration or modification before the date expires.

17.4 The reason for this recommendation is that the condition/s will protect the Council's position and implementation of the proposals will enable realisation of the Corporate BSF vision to bring about 'regeneration through education' and deliver educational transformation through:

- Improving choice, diversity and access
- Addressing underperformance
- Personalising learning
- Improving 14-19 provision
- Improving SEN and inclusion
- Better integrating children's services and extended school provision

These are detailed in full in section 7.2 above.

17.5 Cabinet is further recommended to exempt the decisions flowing from this report from Call-in so that BSF and statutory timescales can be met.

17.6 DMs must take account of Statutory Guidance for Decision Makers issued by the Secretary of State. All decisions must include the reasons for reaching them. To inform this, a summary of representations received and an Officer commentary on each of the statutory decision making factors are attached as Appendices A and B.

18. FORWARD PLAN REFERENCE PCS 23-08

18.1 Key Decision: YES

19.0 SUPPORTING PAPERS

N/A

BACKGROUND PAPERS

The following is a list of background papers on which this Report is based in accordance with the requirements of Section 100D(1) of the Local Government Act 1972. It does not include documents which would disclose exempt or confidential information as defined by that Act.

| DOCUMENT | DATE | FILE OR OTHER REFERENCE | PLACE OF INSPECTION |
|---|------------------|---|--|
| DCSF Guide for LAs and Governing Bodies on closing a maintained mainstream school | February 2008 | School Organisation Guidance and Regulations | Level 6, Civic Centre or available from DCSF School Organisation website: http://www.dcsf.gov.uk/schoolorg/index.cfm |
| DCSF Guidance for Decision Makers on School Organisation Proposals | January 2008 | School Organisation Guidance and Regulations | Level 6, Civic Centre or available from DCSF School Organisation website: http://www.dcsf.gov.uk/schoolorg/index.cfm |
| BSF Report on the initial phase of consultation | 11 June 2007 | EDRS 7060018 | Internet |
| BSF Key Decisions prior to submission of Outline Business Case | 15 December 2008 | EDRS 8120058 | Internet |
| Transforming Secondary Education Statutory Consultation | December 2008 | http://www.oldham.gov.uk/transforming_secondary_education_sta | Internet |

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|--|----------------|--|-----------------------|
| Report | | tutory consultation report dec 08.pdf | |
| Complete proposal to Discontinue Breeze Hill School | 8 January 2009 | BSF RC and Mainstream proposals Full Packs Jan 2009 | Level 6, Civic Centre |
| Complete proposal to Discontinue Counthill School | 8 January 2009 | BSF RC and Mainstream proposals Full Packs Jan 2009 | Level 6, Civic Centre |
| Representations received in response to the published Notice of the proposals to discontinue Breeze Hill and Counthill Schools | Jan/Feb 2009 | BSF: Representations received in response to Notices published in January 2009 | Level 6, Civic Centre |

| AUTHOR OF THE REPORT | TEL NO | DATE | ID NUMBER |
|---|---------------|---------|-----------|
| Lynne Taylor BSF School Re-organisation Workstream Lead | 0161 770 3126 | 19/2/09 | |

| | |
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| Signed <hr/> EXECUTIVE DIRECTOR | Dated <hr/> |
| Signed <hr/> CABINET MEMBER | Dated <hr/> |

Ref: Document8

REPRESENTATIONS RECEIVED IN RESPONSE TO NOTICE OF PROPOSALS TO DISCONTINUE BREEZE HILL AND COUNTHILL SCHOOLS

| ORIGINATOR | SUMMARY | BSF PROGRAMME RESPONSE |
|---|---|---|
| REPRESENTATIONS RECEIVED IN RESPONSE TO BOTH PROPOSALS | | |
| <p>1 Oldham NUT</p> | <p>Objection to all closure proposals to enable the establishment of an Academy on the basis of:</p> <ul style="list-style-type: none"> (a) Loss of local accountability (b) Potential loss of staff conditions and losing our best staff from schools in Oldham (c) Increased social and cultural segregation is possible (d) False consultation on false premises and information (e) The site chosen are restrictive and smaller than the original schools' sites | <ul style="list-style-type: none"> (a) Oldham's proposed Academy Sponsors are committed to working with the LA to help deliver our local priorities. Academies are fully accountable for their performance and the Council can intervene if their performance is not good enough. (b) Staff in Oldham's Academies will have the same national pay and conditions as staff at all other Oldham Schools. TUPE will be applied for all staff who transfer to the Academies. (c) Oldham's Academies will accept children of all abilities and their proposed admissions arrangements will be agreed with the LA and be in line with admissions arrangements for all other Oldham community schools. Improved Community Cohesion is one of the aims of BSF in Oldham. All closing schools will be supported through the transition period and beyond with a tailored Action Plan developed with the school and its community. (d) The recent formal consultation followed statutory guidance and was the culmination of a process which has been ongoing since early 2007. During this time, we have been responsive to feedback received which has led to the development of the Oldham Academies model. Consultation is not a vote or ballot. It is an opportunity for all interested parties to give their views on the proposals which are taken into account when deciding whether or not to proceed. All information has been provided in good faith and according to guidance received, tailored to Oldham's local circumstances. If Academies were taken out of the proposals, it would mean a significant reduction to the funding available. Our current plans provide for substantial investment in every secondary school. If the funding was reduced, some schools would have to miss out and the implications of this are significant. Decision Makers must follow |

| ORIGINATOR | SUMMARY | BSF PROGRAMME RESPONSE |
|---------------------------|--|---|
| | | <p>statutory guidance when determining the proposal, consultation process and outcomes being just one of the many considerations they have to balance</p> <p>(e) The sites we are proposing for the three Academies have been chosen carefully, based upon a number of factors including: pupil forecasts and residency; neutrality of location; geographic accessibility; size compliant with latest school building regulations and to provide sufficient play areas and sports facilities to ensure pupils do not have to leave the site during the day; and be both technically and financially deliverable. Partnerships for Schools would not allow us to propose building on unsuitable sites.</p> |
| <p>2 OL4 Resident</p> | <p>Objection to both closure proposals on basis of:</p> <p>(a) No clear rationale why this should happen</p> <p>(b) Consultation responses ignored</p> <p>(c) Will not aid school improvement</p> <p>(d) Size of proposed new site insufficient</p> | <p>(a) The rationale for these proposals has been clearly and consistently articulated.</p> <p>(b) See 1 (d) above</p> <p>(c) See 1 (a) above.</p> <p>(d) See 1 (e) above.</p> |
| <p>3 OL4 Resident</p> | <p>(a) Small site</p> <p>(b) Privatisation of Schools</p> <p>(c) Traffic</p> <p>(d) Impact on local residents</p> <p>(e) Parking</p> <p>(f) Social Engineering</p> | <p>(a) See 1 (e) above.</p> <p>(b) See 1 (a) above</p> <p>(c) (d) and (e) These are Planning Application issues and should be dealt with through that process.</p> <p>(f) See 1 (c) above</p> |
| <p>4 OL4 Resident</p> | <p>(a) Geographic separation and integration concerns when schools come together</p> <p>(b) Loss of playing fields and effect on sporting achievement</p> <p>(c) Traffic and transport concerns including pupil safety, access, transport costs for parents and parking re new site</p> <p>(d) Impact on local community</p> | <p>(a) See 1 (c) above</p> <p>(b) See 1 (e) above</p> <p>(c) and (d) These are Planning Application issues and should be dealt with through that process.</p> |

| ORIGINATOR | SUMMARY | BSF PROGRAMME RESPONSE |
|-------------------|---|---|
| | and Strinesdale Park of new academy building | |
| 5 OL4 Resident | <ul style="list-style-type: none"> (a) Traffic congestion (b) Lack of sports facilities (c) Impact on local communities of large numbers of pupils (d) Should be investing in existing schools (e) Lack of consideration of number of objections to Academy in statutory consultation | <ul style="list-style-type: none"> (a) and (c) These are Planning Application issues and should be dealt with through that process (b) See 1 (e) above (d) Some schools can be refurbished but for others this is not possible due to the current condition of the buildings so we need to completely rebuild. The only investment that will allow us to do this is BSF. BSF resources are only awarded if we transform learning which means we can't just replace like with like. If academies were taken out of the proposals, it would mean a significant reduction to the funding available. Our current plans provide for substantial investment in every secondary school. If the funding was reduced, some schools would have to miss out and the implications of this are significant. (e) See 1 (d) above |
| 6 OL4 Resident | <ul style="list-style-type: none"> (a) Should support existing schools to improve rather than close them (b) Results of consultation ignored (c) No evidence that academies improve standards (d) Social cohesion concerns in bringing 2 schools together (e) Concerns about sports facilities on new site (f) "Unelected" sponsors reducing effectiveness of local democracy (g) Should not open academy on existing sites (h) Negative impact of academies on other schools (i) No guarantees that agreements (eg admissions) will be adhered to (j) Loss of ability to intervene | <ul style="list-style-type: none"> (a) See 5 (d) above (b) See 1(d) above (c) Academies are monitored very closely by DCSF and inspected by Ofsted, the same as other schools. We have always been open about the uneven progress of Academies. Many have replaced failing schools and it will take time for improvements to be evidenced. Although it is early days, according to DCSF official data, academies are improving faster than the national average. The introduction of Academies is only one element of Oldham's BSF Programme, the sum total of which will transform learning across the secondary sector and beyond to deliver the improvement in standards we are determined to achieve. Our sponsors are all committed to this. (d) All closing schools will be supported through the transition period and beyond with a tailored Action Plan developed with the school and its community. (e) See 1(e) above (f) Oldham's proposed Academy Sponsors have been chosen very carefully to ensure they are all committed to working with us to help deliver our local priorities. |

| ORIGINATOR | SUMMARY | BSF PROGRAMME RESPONSE |
|------------|---------|--|
| | | <p>(g) See 1(e) above</p> <p>(h) Oldham's Academies will work in partnership with other Oldham secondary schools, all of whom are also receiving significant investment via the BSF Programme.</p> <p>(i) We have every confidence that our proposed sponsors will adhere to local agreements.</p> <p>(j) Academies are fully accountable for their performance and the Council can intervene if their performance is not good enough.</p> |

REPRESENTATION RECEIVED IN RESPONSE TO BREEZE HILL PROPOSAL ONLY

| | | |
|--|--|--|
| <p align="center">7 OL2 Resident</p> | <p>(a) Breeze Hill is a good school and should not be closed and replaced with an Academy.</p> <p>(b) Proposed Academy site is too small and inferior to existing school sites.</p> <p>(c) Concerns about sports facilities</p> <p>(d) Concerns about traffic implications and safety.</p> <p>(e) Notice does not make clear that there will be a need to travel between sites</p> | <p>(a) Whilst overall attainment at Breeze Hill School is good, it is not in line with national targets of expectations for pass rates of GCSEs at grades A* - C including English and Maths which stood at 26% in 2008. Breeze Hill School is being supported already to raise attainment through the Greater Manchester Challenge. If academies were taken out of Oldham's plans, we would not receive anything like the same amount of investment. Academies will help us to bring in new expertise, skills and resources.</p> <p>(b) See 1(e) above.</p> <p>(c) See 1 (e) above</p> <p>(d) These are planning issues and should be dealt with through that process.</p> <p>(e) No firm plans are yet in place to inform whether or there will be a need to travel between existing sites until the proposed Academy moves onto its proposed new site. The Notice is an extract of the full proposals. The full proposal for Breeze Hill School explains as follows: "A detailed transition plan will be developed in preparation for the establishment of the proposed Academy and parents and pupils will be fully consulted if it is envisaged there would be a need for pupils to move between sites". The Notice invited requests for copies of the full proposals which contained a great deal of additional information not possible to include in the Notice. Only 3 such requests were received.</p> |
|--|--|--|

OLDHAM NUT REPRESENTATION

OLDHAM, YOUNG PEOPLE
AND PARENTS

13th Feb 2010

To Lynne Taylor BSF School Reorganization Work stream Lead, Level 6 Civic centre
West street Oldham OL1 1XJ

From Oldham Branch of the National Union of teachers on behalf of 1300 Teachers employed in Oldham.

We object to the reorganisation which includes closing 5 schools and their replacing them with 3 academies for a number of reasons.

The consultation was flawed in that the material and presentations carried misleading and biased material and failed to address the issues objectively.

Despite this the statutory consultation which ran from 18th September to the 15th November resulted in a clear majority opposed to closure of the schools and replacement by Academies. The following figures show clearly how strong that opposition was and yet the majority view has been rejected

| | Grange | Kaskenmoor | South Chadderton | Breeze Hill | Counthill |
|-------------------|--------|------------|------------------|-------------|-----------|
| % Against Closure | 46% | 55% | 59% | 75% | 73% |
| % Against Academy | 52% | 50% | 67% | 73% | 78% |

The Council has consistently said that BSF funding would not be available the plans did not include Academies. We believe this is false: "BSF funding is not dependent on local authorities having Academies. Where LEAs don't propose Academies, we would expect them to have a robust alternative strategy for driving up standards that is equally good." DfES spokesman (www.news.bbc.co.uk, 25.08.06.) "Our BSF funding is not linked to finding sponsors for Academies. We are not proposing any Academy for this Authority." James Hodgson, BSF Project Director, Barking and Dagenham, in response to AAA question 17/04/08.

Several LA's have received BSF without academies.

The local authority has now refined its arguments by saying that under new national challenge regulations when closing schools that are "under achieving" in terms of GCSE results these must be replaced by Academies. This is not true. It is a myth that national challenge schools must be national challenge trusts. In meetings with the NUT nationally civil servants have been at pains to say that structural changes were not automatically necessary. They wanted a dialogue with the LAs about how to improve/turn around schools. There is flexibility in the system.

It is true that the LA does have to actively consider a variety of types of schools but it does not necessarily have to have academies. It is up to the LA to have sufficient confidence in itself that it can help the schools turn around. We call on Oldham LA to have this confidence and rewrite its bid without Academies.

This claim that without taking an academy BSF would be withdrawn is clearly false and therefore the consultation is invalid.

Academies have no proven record and will not necessarily improve results

The fifth, most recent, Price Waterhouse Coopers report concluded that there is "insufficient evidence to make a definitive judgement about the Academies as a model for school improvement".

Whilst the report acknowledges that many academies have improved attainment at some level it calls for further research on the impact of academies on the wider school system. Serious concerns about changes to the intake of academies through admissions and exclusion policies remain. Yet when considering a proposal to move towards Academy status, school governors and local councillors receive plenty of information – often from potential sponsors themselves. The information is almost always from a pro-Academies standpoint.

Academies' improvement exaggerated

Despite the favourable presentation of improved GCSE results by the government there are plenty of reasons to be concerned. There is no independent evidence that Academies are delivering significantly improved results at a faster rate than other maintained schools. Of the 838 'National Challenge' schools announced by Ed Balls in June 2008, 26 of these were Academies. This was 31% of the existing Academies, a larger proportion than in the maintained sector. Of the oldest Academies, nine out of 36 (25%) saw their GCSE results fall in 2008. Again a larger proportion than in the maintained sector. (*The Guardian*, 30th August 2008.) Clearly academies are no magic bullet. The hard work of school improvement depends, as it always has done, on improving a range of factors. The claims about the effects of sponsorship and other features of independence are almost worthless. There was no control group created when the experiment began – where similar funding etc was made available on a level playing field – in order to provide real comparisons. So whilst there are some extravagant claims of improvement, there is no hard evidence. The most common measure of attainment is 5 A*-C grades at GCSE. Research has shown that these figures have been inflated by the inclusion of certain GNVQ courses in which passes allow for accreditation of 4 GCSEs. But the proportion of pupils attaining five or more A*-G grades (level 1) in the 21 Academies open in 2006 hardly changed. 19% of pupils did not achieve level 1, up from 18% in the predecessor schools. (Dr Terry Wrigley, University of Edinburgh.) It is too early to judge whether there is a significant institutional effect on performance. And no adequate judgment can be made unless there is a

direct comparison, eg between a similar LEA-maintained comprehensive school that enjoys funding at the same level as an Academy." (www.aif.org.uk)

We have consistently opposed academies because local democratic control ends.

Academy governors are responsible for: appointing the Principal; employing the staff; administering the finances; authorising appointments and changes to terms and conditions; approving the curriculum, personnel policies and procedures. It is worrying then that "The sponsors of the Academy jointly appoint the majority of its governors". Instead of one third of the governors being elected parents, alongside teacher representatives, you will now have: "Where there would often be several parent governors at a school, Academies are only required to have one. They may also include a teacher and a staff governor." (References: DCSF Academies, Trusts and Higher Education prospectus.)

"The NGA has serious concerns that, on the basis of minimal financial investment and with potentially little or no previous experience of education, Academy sponsors are given the responsibility for running state schools. We believe it is wrong for sponsors to be granted the right to appoint the majority of governors in perpetuity." (National Governors Association: www.nga.org.uk/pol-academies.aspx)

Staff terms and conditions

Whilst sponsors may sign up to the national pay and conditions for all staff this can be changed completely. All Unions involved with education oppose academies as does the TUC, joining the NUT, NASUWT, ATL, UCU and UNISON in opposing academies.

Many Academies employ teachers and other staff on privately negotiated conditions of service and pay. In some Academies, there is a secrecy clause, which prevents employees from openly discussing their pay and conditions.

Teachers are also being expected to work an extended day and for more days in each academic year. Also, in many Academies, teacher and support staff Trade Unions are not recognised, and there have been problems with "TUPE" transfer. UNISON, the UK's largest public sector trade union, awarded United Learning Trust (ULT), the biggest Academy sponsor in the country, a badge of shame for its poor employee relations. "The Academies group is undercutting what is already the lowest pay offer in the public sector. It has imposed the bare minimum pay offer of 2.45% that is currently the subject of arbitration." (UNISON press release, 13th October 2008.)

"Reports of high turnover among staff in some of the Academies already in operation seems to be an indication that retention of teachers, and thus the destabilizing effect on pupils' education, is a cause for concern." (ACADEMIES - Information for Teachers from the National Union of Teachers.)

Impact on other schools and cultural cohesion.

One of the main driving forces claimed in Oldham is to enhance cultural cohesion but the opposite can be the case as experience shows that academies start to change admissions policy, and the LA would be powerless to stop this. Again therefore academies could undermine and not help social and cultural cohesion. "The School Admissions Code came into force on 28 February 2007. The admission authorities for all maintained schools and Academies are required to comply with the new Code's mandatory provisions and to take account of its guidelines in setting their admission arrangements." (*Academy Principal Handbook*.)

Sir Phillip Hunter, chief schools adjudicator, released figures for appeals in 2007/2008. "Hunter identified no apparent breaches of the code in the vast majority of community schools but found around half of faith, foundation and Academy schools have breached the rules in some way." (*The Guardian*, 4th November 2008.)

If Academies can find overt or covert methods of selecting pupils, this will have an impact on other local schools. Walsall Academy is just over a mile away from Sneyd Community School. When Walsall Academy opened in 2004 it had 27.1% of children on Free School Meals (FSM), an indicator of deprivation. It now has 12%. (Parliamentary written answers, 10th January 2008.) Where have the FSM children gone? Sneyd Community school FSM has increased from 15% in 2004 to 20% in 2007. "Academy schools are based on a flawed premise that standards will be raised and disadvantage tackled by passing to private sponsors the ownership of a school building, its grounds and facilities, taking these assets from the local community, investing in sponsors the power to hire and fire staff, set their own pay levels and conditions of service and apparently seeking to replicate the independent sector, which has itself many difficulties and inadequacies." (www.nasuvf.org.uk)

"We don't need to worry about the priorities of local government." Sir Ewan Harper, United Schools Church Trust Chief Executive. (USCT runs United Learning Trust, the biggest Academy chain in Britain.)

This area of concern was highlighted in the recent PWC report. It is the "known unknown" of the academies programme. The long term impact on our education system has never been properly considered. The impact of privatisation and deregulation has had dramatic consequences elsewhere in the economy. What can we expect from deregulation in education? It is hard to assess the situation properly. However since the role of local authorities was changed from being the provider to the commissioner of education services, the processes of deregulation and privatisation have accelerated rapidly. There is now a wider diversity of types of school. OECD research has shown that the "greater the diversity of types school the greater the social segregation". The engineering of intake through admissions and exclusions hint that this process is occurring. In some areas – such a Southwark – local authorities have handed over the entire secondary provision to academies. Others have opted for one or two. But

whatever the model, the impact on strategic planning of education will be considerable. The needs of society are constantly changing. The number, location and capacity of schools needs strategic planning. Yet sitting outside the maintained sector and only accountable to the DCSF, academies will be beyond LA control and able to assert their own needs. Academies exclude disproportionately high numbers of students. In the school year 2006/2007 they excluded nearly 10,000 pupils. They were responsible for 2% of all temporary exclusions and 3% of permanent exclusions, despite making up only 0.3% of state schools in England. (*The Guardian*, 25th June 2008.) Academy 360 in Sunderland excluded 40 pupils in its first two weeks in September 2008. (*The Times*, 18th September 2008.)

Academies use 'fair banding' procedures to re-engineer their school population. Where an Academy is proposed for a lower attaining school 'fair banding' will make it harder for less able children to gain access. Academies are allowed to apply Criterion Referenced Banding – to achieve an intake representative of the national ability profile. A nationally representative sample of the results of the 2006 QCA optional Year 5 tests in reading shows that:

- _ 19% of children achieved Level 5 (Band 1);
 - _ 40% of children achieved Level 4 (Band 2);
 - _ 24% of children achieved Level 3 (Band 3);
 - _ 17% of children achieved below Level 3 (Band 4).
- ([www.dcsf.gov.uk/sacode/information note on banding.](http://www.dcsf.gov.uk/sacode/information%20note%20on%20banding))

The new sites of the academies are not suitable
In all the consultation the issue of the sites of the proposed academies have been controversial. Without doubt those replacing Counthill / Breeze Hill and South Chadderton / Kaskenmoor are inferior sites to the existing schools. The new schools will have less space and more traffic congestion. Neither will they be able to offer full PE and extra curriculum games facilities.

In summary, our objections to the proposals are:

1. Loss of local accountability;
2. potential loss of staff conditions and losing our best staff from schools in Oldham;
3. Increased social and cultural segregation is possible;
4. False consultation on false premises and information;
5. The sites chosen are restrictive and smaller than the original schools sites.

REPRESENTATION 2

Oldham Council
Civic Centre
West Street
Oldham
OL1 1XJ



7th January 2009

Lynne Taylor
School Re-organisation Workstream Lead
Level 6
Civic Centre
West Street
Oldham
OL1 1XJ

Dear Lynne

PROPOSED DISCONTINUANCES OF BREEZE HILL AND COUNTHILL SCHOOLS

Further to the announcements in the Oldham Advertiser regarding the above I would be grateful if you could send me a copy of the complete proposals at your earliest convenience.

I would also like to formally object to the proposed closures. The reasons for my objection to the closures are many however I will list the key aspects below

- The Building Schools for the Future proposals as outlined by Oldham Council do not include any coherent strategies or plans to address the performance issues which are being used as the rationale to close these schools. I have one daughter at Couthill and another two children who will reach senior school age over the next four years and I have seen nothing to address the real problems which underlie the performance levels achieved.
- The Council has undertaken a consultation, no doubt at considerable expense to the people of Oldham, and then chosen to ignore the results which clearly showed that the majority of people who responded were against the closure. The Council's formal response and that of individual Councillors to the consultation was insulting and at worst incompetent quoting information which was already public knowledge before the consultation.
- The children at these schools are achieving less with their current resources in terms of GCSE outcomes than other schools. They are now expected to give up their existing excellent sites and sports facilities, attend a far larger school with all the inherent problems associated with that and achieve racial integration. All this

is to be done on a far inferior site with limited facilities but the children involved are still expected to improve their performance. I have not spoken to anyone who believes this is achievable. The children at these schools are being short changed to facilitate the improvements elsewhere in the borough when they deserve better.

- The proposed site for the Oldham College Academy which will replace these schools is far inferior to the existing sites in terms of size, potential facilities and location. The children at the existing schools will now have to travel much further to attend the Academy. Counthill School suffers already from poor levels of attendance and the associated impact on performance. The traffic situation on Huddersfield road is extremely poor during the morning rush hour. Combining the traffic associated with 1500 children and their teachers arriving for school with the existing traffic without dealing with the resulting issues is extremely short-sighted.
- In summary the closure of these schools is a negative step for those who attend them, their communities and the future prospects of the children it is meant to benefit.

I would ask that you formally acknowledge receipt of this objection by responding to this letter.

Yours sincerely

[Redacted signature block]

REPRESENTATION 3

OLDHAM YOUNG PEOPLE
1000-1000-1000

[REDACTED]
[REDACTED]
OL4 3PR
11th January 2009

Dear Ms Taylor

I would like to **object against** the proposed building of an Academy on the Orb mill site.

1) The site is considerably smaller than the existing sites of Couthill and Breezehill, how can 1500+ pupils fit into this small area, where there will be no recreational facilities available, how can you fit 2 pints into a 1 pint jug?

The existing sites offer extremely better facilities including swimming pool, all weather pitches, rugby pitches and gymnasiums.

2) Taking education out of the hands of local education authorities and put into the hands of various private sponsors is not the best way to go, as has been proved at various academy sites across the country. **Correct education of Oldhams children should be the prime goal.**

3) No one has taken into account the extra volumes of traffic that will snarl up Huddersfield Rd in both directions, Ripponden Rd now that all short cuts have been blocked off, Stamford Rd and Greenacres Rd all this without mentioning any shortcuts that may be available, if any, has anyone seen the volume of traffic on the A62 when an accident has happened on the M62, **what about the safety of the children, who should be the prime concern**, all this when an increase in traffic will be inevitable due to the opening of Birks quarry as a tipping site.

4) Total disregard for local residents getting onto the A62 from all the various avenues and streets and never a thought about the residential home and old peoples flats

5) Parking facilities when pupils are dropped off at the proposed site, will probably not have been considered, this will create a problem in itself.

6) The social engineering aspect, will not have been borne in mind, at all, by any party.

Having been involved in various petitions against the proposed academy on the Orb mill site, **why is it** that these seem to have no credence whatsoever.

Or is this another done deal by Oldham council, **yet again** not taking any account of local public opinion.

THIS HOUSEHOLD IS AGAINST AN ACADEMY ON THE ORB MILL SITE!

Yours, an extremely concerned resident

[REDACTED]
[REDACTED]

REPRESENTATION 4

WINDLETON COMMUNITY CENTRE
WINDLETON

[REDACTED]
[REDACTED]
[REDACTED]

014252
11.1.09.

Dear Mr. Donaldson,

I am writing to state my concerns regarding the proposed discontinuance of Breeze Hill School and Crowthill School, as published in the Advertiser on Thursday 8th Jan 2009.

Breeze Hill School and Crowthill School occupy sites which are not geographically close, when they merge into a new school neither will be close to the proposed new site - and neither is on a direct bus route to the proposed new site.

Both schools cover near local, very different areas regarding intake. So how can the LEA ensure that they will integrate and work well together?

Both schools at present have large playing fields. The government states that all children need more exercise (because of childhood obesity and general inactivity) - why should Academies be allowed to restrict space for outdoor activities that other established schools cannot or will not (especially in the case of Public Schools)?

Breeze Hill School has an excellent record for including swimming, similarly Crowthill has Rugby, as well as other sports - will all this be lost for youngsters in the area? What about the children who live in the area?

• Unlike the new Academy (as in the proposal) function on separate sites, there are no problems with transport - but when the new Academy is built, there will be different problems with transport, clogging up local roads, and most children will have to travel into ^{Bilham} and back out (eg from Moorside, and Clansford, and then back to Waterhead). Of course, parents will have to pay for bus passes for all these children to transfer from Brezohill & Couthill to the new Academy, and will get no help with funding.

• It is stated that local transport will be used - what effect will this have on the general public, and the many elderly people who live in Waterhead?


• The ^{site} of the Academy at Waterhead is very small for the number of children expected there.

• The new site is on the very busy A62 Huddersfield Road - how safe will it be for all these children?

• Parking and access is already difficult in Waterhead at times - this can only be made worse at school times.

• The site of the Academy adjoins Simonsdale Country Park - will children be allowed (or just go) and what effect will that have on local people who enjoy the peaceful surroundings, and the wildlife there?

Yours sincerely

 (PLEASE SIGNATURE THIS)

REPRESENTATION 5

2009 JAN 13 11:42 AM
014 334 1111



014 334

13th January 2009

Lynne Taylor
BSF School Organisation Worksteam Lead
Level 6
Civic Centre
West Street
Oldham
OL1 1XJ

Dear Ms Taylor,

RE: CONSULTATION ON BUILDING SCHOOLS FOR THE FUTURE (BSF)

We wish to object in the strongest possible terms about the proposed siting of an Academy on the old Orb Mill site at Waterhead. We have expressed our concerns in the past to local councillors, the Planning Department, Tony Noblet, etc., and, as yet, have not had a satisfactory answer to our concerns which are:

- 1 The traffic situation on Huddersfield Road at present in the rush hours is extremely congested. The opening of the proposed Academy along with the new Tesco store complex at Hill Stores will bring Waterhead to a state of gridlock in the morning and evening rush hours. There is no way in which traffic manipulation methods (extra traffic lights, roundabouts, chicanes etc.) will solve this problem.
- 2 There are no facilities for sports and playing fields on the Orb Mill site and consequently, this will also add to traffic congestion due to the need to transport pupils to off site sporting facilities.
- 3 Each morning, lunch time and evening, the students will swamp the area around Waterhead to the detriment of people living in the area.

Why cannot the existing schools have the money available spent on refurbishment as they are already established and both have excellent sporting facilities and playing fields?

We are also concerned that the recent public consultation on these Academies, which showed 78% against, is being ignored due to the low response. However, we believe that a low response should not be a reason to ignore these results. May we point out that there was also a low response at council elections. Should these results be ignored? Judging from the way our representatives are behaving we are beginning to think so.

Yours sincerely,

A large, solid black rectangular redaction box covering the signature area.

5. Both existing schools have excellent sports and recreational facilities. These would be lost if the closure proceeds and the existing Clarksfield/Salem/Giltdwick/Groonacres/Watersheddings/Waterhead communities will lose important resources. The sports facilities at the proposed Orb Mill site will be too small.
6. Closing community schools run by Oldham Council and replacing them with an academy run by an unelected sponsor reduces the effectiveness of local democracy.
7. Even if the schools are to be closed, it would be irresponsible to open the academy on the schools' existing sites - something which Sir Cyril Taylor (one of the architects of the academies scheme) has said is to be deprecated. This would, at the very least, involve some bussing of pupils and it must have a serious limiting effect on the curriculum.
8. Recent research has shown the negative effects of academies on remaining community schools. The effect of opening an academy will probably adversely affect the education of a significant number of children.
9. Although the academy's sponsor will probably promise to abide by local admission and other practices, there can be no guarantee that the promise will be maintained for ever. The Council will be unable to intervene if the sponsor is replaced by another sponsor who is unwilling to accept local arrangements, nor will it be possible for the Council to take direct action if the sponsor becomes ineffective.

Yours sincerely,

A large black rectangular redaction box covering the signature of the sender.

REPRESENTATION 7

Oldham Education Authority
Attn: Headteacher

0300 000000
OL26UQ
8.2.09

I am writing to object most strongly to the notice of closure of Breeze Hill School. My reasons are

1 The School

- Breeze Hill School is a "GOOD" school according to its latest Ofsted Report. It should therefore not be closed and replaced with an Academy
- Four of the Oldham schools listed for change to academies, including Breeze Hill, have been listed as "Improving" in a recent government report.
- Given the ability of its pupils when they arrive at Breeze Hill, results for individuals constantly exceed their predicted grades. This is due to years of hard work and commitment by a stable, experienced and innovative staff which have begun to pay off in terms of Ofsted reports and continuously improving results across the A* to G grades.

2 The site


- The Orb Mill Site is TOO SMALL and inferior in every way to the current site of Breeze Hill and Crowthill schools because it cannot offer facilities to the pupils or to the current communities in terms of Astro Turf pitch, playing fields, swimming pool. I do not see how the council can justify spending TAXPAYERS money on a site which is known to be inferior to the two it will replace. This is simply a nonsensical decision.
- The proposal to provide additional sports facilities nearby is not a sensible option for the pupils and staff who will need time to commute. The knock on effects of lateness to other lessons on the curriculum has been ignored and the effect of additional transport on the environment has not been considered and would not be necessary if the site chosen was adequate.
- The Orb Mill site is on an already busy commuter route to Oldham and the additional traffic problems have not been properly taken into consideration.
- The proposed number of pupils at the new academy is TOO BIG. We appear to have learned nothing from the implementation of comprehensives decades ago when "Facilities" were more important than pupils and large schools were created, many of which are considered "sink" schools now. Breeze Hill is neither of these, it is a smaller community school and, though not meeting a goal post only created in 2007 (10% A*-C), it has consistently improved on the predicted results of its intake year after year. It is improving not sinking, until now that is.
- The position of the site is on the bend of a busy road and much too close to a reservoir for my liking. I confidently but sadly predict a fatality for these reasons and the people responsible will be those who have chosen this site for this academy.

3. The notice of Closure

- This states there will be no need for transport arrangements to be made as the academy will operate from current sites. THIS IS NOT TRUE and therefore, I suspect, should not have been stated in a legal notice. At a recent consultation with Alligan it was stated that decisions about which pupils would be taught on each site have not been finalised but that it was normal practice for year groups to be merged on each site as part of the transition from 2 separate schools into 1 new one. This would CLEARLY involve pupils transferring from one site to a different one as early as September 2010. Parents and the public were not made aware of this definite possibility in the notice of closure. I strongly object to the fact that this was not done. It was also admitted at the meeting that staff will commute between the 2 sites. How are they expected to do this except by some form of transport?

I have tried to keep my objections to the practical but as someone who, is a born and bred Oldhamer, has given long service to the education of working class pupils in Oldham, has attended many of the farcical "consultations", had my objections on an official response form rejected, endured the about turn of the Lib - Dem council who were elected by many of my colleagues and friends on an Anti academy stance, I am sure my feelings have crept in somewhere.

I am proud to work in a school where staff are more concerned about the education prospects of our pupils rather than their own futures. This has been praised by our current leadership team. However, I am dismayed at the experimentation with the education of working class children of the borough of all ethnic backgrounds. For it is they, and not the more affluent children of the suburbs who are the true victims of misguided social engineers and a greedy council who were not wise or courageous enough to reject unproven academies out of concern for their constituents. This experimentation is Dickensian. I am very much afraid that Oldham will reap what it is sowing as it is not listening to its people



APPENDIX B
SCHOOL ORGANISATION DECISION-MAKERS' CHECKLIST
PROPOSED DISCONTINUANCES OF BREEZE HILL AND COUNTHILL SCHOOLS

| FACTORS TO BE CONSIDERED BY DECISION MAKERS FROM STATUTORY GUIDANCE | COMMENTS OF BSF SCHOOL RE-ORGANISATION WORKSTREAM LEAD |
|--|---|
| Is the information provided complete? | The full proposals contain all required information. |
| Does the published Notice comply with Statutory Requirements? | The notice is compliant and was a combined Notice summarising both proposals. |
| Has the statutory consultation been carried out prior to the publication of the Notice? | All statutory requirements to consult prior to publication of the Notice have been carried out. |
| Are the proposals related to other published proposals? | These two discontinuance proposals are related and were published on the same Notice. They must be determined together and decisions must be compatible. Any approvals must also be conditional upon the signing by the Secretary of State for children Schools and Families of the proposed the Oldham College Academy's Funding Agreement in order to protect the LA's position should the Academy not go ahead for any reason. |
| Effects on Standards and school improvement: (a) A system shaped by parents (b) Standards (c) Fresh start and Collaborative Restarts (d) Academies (e) Diversity (f) Balance of Denominational Provision (g) Every Child Matters | (a) Parents have been fully consulted about this proposal. (b) The BSF Programme aims to address underperformance by providing inspirational school environments, ensuring that all schools exceed (by 2015) national targets, addressing gaps in performance between all groups, improving attendance and reducing exclusion rates and raising aspirations. The LA has recently revised its target for the Academy proposed as replacement provision for this school which is now set at 65% of pupils achieving 5 A*-C GCSEs including English and Maths. (c) N/A (d) This proposal will enhance the diversity in Oldham's secondary school estate by discontinuing two community secondary schools and replacing them with an Academy, sponsored by The Oldham College. (e) As (d) above (f) N/A (g) This proposal will enable better integration of children's services and extended school provision to ensure that all schools are enabled to deliver the Every Child Matters agenda. |
| Need for places: (a) Provision for Displaced Pupils (b) Surplus Places | (a) No pupils will be displaced by this proposal since the proposed Oldham College Academy will open on 1 September 2010 on the existing Breeze Hill and Counthill School sites initially and all pupils on the rolls of both Breeze Hill and Counthill Schools at the time of their discontinuance will be offered a place in the |

| FACTORS TO BE CONSIDERED BY DECISION MAKERS FROM STATUTORY GUIDANCE | COMMENTS OF BSF SCHOOL RE-ORGANISATION WORKSTREAM LEAD |
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| | <p>proposed Oldham College Academy.</p> <p>(b) One of the aims of the BSF Programme is surplus place removal. Our strategy is based upon a detailed analysis of the current position in terms of projected school places and the pattern of school attendance in relation to residence. A careful assessment of pupil projections has indicated the need to rationalise the number of places across the borough and the total number of available school places will be reducing.</p> |
| <p>Impact on the Community and Travel:</p> <p>(a) Impact on the Community</p> <p>(b) Community Cohesion and Race Equality</p> <p>(c) Travel and Accessibility for All</p> <p>(d) Equal Opportunity Issues</p> <p>(e) Rural Schools and Sites</p> | <p>(a) An Equality Impact Assessment has been carried out to ensure that the needs of all groups in the community are fully considered and to inform planning for change. (Appendix C)</p> <p>(b) As part of planning for this change a team are focussing on the community cohesion aspects of the BSF Programme and a tailored plan of activity is being developed for both Kaskenmoor and South Chadderton Schools.</p> <p>(c) There are no immediate travel implications as all pupils on the rolls of Breeze Hill and Counthill Schools at the time of their discontinuance will be offered a place in the proposed Oldham College Academy which will open on the existing school sites initially. A detailed transition plan will be developed in preparation for the establishment of the proposed Academy and parents and pupils will be fully consulted if it is envisaged that there would be a need for pupils to move between sites. It is proposed that the Oasis Academy will move to a new location on the site of the former Orb Mill Land, Waterhead in 2012. The Planning Application for the new Academy buildings will include travel and transport implications which will aim to maximise the use of public transport. Pupils will be eligible for support to travel to the new location in accordance with the LA's Home to School Transport Policy in force at the time.</p> <p>(d) N/A. None of Breeze Hill and Counthill Schools or the proposed Academy are single sex schools and the proposed Academy will operate the same admissions arrangements as the LA.</p> <p>(e) N/A.</p> |
| Types of Schools | N/A Relates specifically to Boarding Schools |
| <p>Specific Age Provision (where relevant):</p> <p>(a) Early Years Provision and Nursery School closures</p> | <p>(a) N/A No early years or nursery provision is affected by these proposals</p> <p>(b) The transformation of education which the BSF programme will deliver includes improving current 14-</p> |

| FACTORS TO BE CONSIDERED BY DECISION MAKERS FROM STATUTORY GUIDANCE | COMMENTS OF BSF SCHOOL RE-ORGANISATION WORKSTREAM LEAD |
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| (b) 14-19 Curriculum and Collaboration and 16-19 Provision | 19 provision by enabling the delivery of the full 14-19 entitlement for all students and further developing the post-16 partnership to widen participation, opportunities and choices for all. |
| <p>SEN Provision (where relevant):</p> <ul style="list-style-type: none"> • Initial Considerations • The SEN Improvement Test | <p>Breeze Hill There is no provision reserved for pupils with SEN in Breeze Hill School Existing support for pupils with SEN on roll at the time the school is discontinued will be maintained, provided by the proposed Oldham College Academy with improved provision planned for the new site.</p> <p>Counthill Counthill has provision reserved for pupils with SEN. A recent review of such provision has identified the need for two such resources bases which will provide double the number of places in more strategically located settings. It is envisaged that all pupils with SEN on roll at Counthill when it is discontinued will remain there with existing levels of support, facilities and service provided by The Oldham College Academy. If relocation to one of the two new resourced bases is felt appropriate to meet the identified needs of an individual pupil that would be carried out appropriately in accordance with processes and in full consultation with parents.</p> <p>BSF Programme and SEN Improvement Test Implementation of the Oldham BSF Proposals will provide all pupils with state of the art learning environments and facilities. The Programme is built around a strong theme of inclusion and the SEN Improvement Test has been used to inform an ongoing review of SEN provision across the borough. BSF capital investment will deliver significant improvements in provision for pupils with SEN compared to what is currently available including:</p> <ul style="list-style-type: none"> • Proposing the establishment of 2 new resourced bases for pupils with complex communication difficulties on mainstream sites • Proposing the establishment of a new 60 place SEBD Special School • Enabling all secondary schools to become fully accessible, DDA compliant and well resourced with highly skilled staff who can cater for children with a wide range of additional needs • Improved facilities for individual and small group work • Enabling the delivery of a personalised curriculum • Ensuring schools are designed to eliminate bullying • Delivering enhanced ICT facilities and improving effective use of assistive technologies • Improving practice and facilities in mainstream schools to ensure the needs of greater numbers of pupils are |

| FACTORS TO BE CONSIDERED BY DECISION MAKERS FROM STATUTORY GUIDANCE | COMMENTS OF BSF SCHOOL RE-ORGANISATION WORKSTREAM LEAD |
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| | <p>met within that environment</p> <ul style="list-style-type: none"> • Developing a continuum of provision to meet the needs of groups of learners with additional needs • Improving provision for behaviour support <p>Our BSF plans have been signed off by the National Strategies SEN Adviser and Partnerships For Schools.</p> |
| <p>Other Issues: Views of interested Parties</p> | <p>Two previous Cabinet Reports, EDRS 7060018 and 8120058, provide full details of all previous consultation processes and outcomes.</p> <p>Following publication of the Notices on 8th January 2009 seven Representations have been received, all opposing the proposals:</p> <ul style="list-style-type: none"> • one objecting to the proposed discontinuances of any Oldham community schools to enable the establishment of Academies • five objecting to the discontinuances of both Breeze Hill and Counthill Schools • one objecting only to the discontinuance of Breeze Hill. <p>These are summarised in Appendix A attached. The DM is required to take account of representations received when determining the outcome of any proposals.</p> |

EQUALITY IMPACT ASSESSMENT – RELEVANCE SCREENING

| | |
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| 1. Name of the policy/project/procedure: | Proposed discontinuance of Breeze Hill School and Counthill School |
| 2. What are the main aims and objectives of the policy /project/procedure? | <p>The overarching aims for transforming Oldham’s secondary school provision of which these closures are part are:</p> <ul style="list-style-type: none"> • School improvement; and • Community cohesion. <p>To facilitate these strategic aims it is necessary to have a system-wide approach making provision for Oldham’s most vulnerable students and delivering integrated children’s services in schools that are suitable and fit for purpose. A number of underpinning principles have been developed, and these are:</p> <ul style="list-style-type: none"> • To raise achievement and attainment across the borough, eliminating underperformance in all centres of learning. • Address the recommendations from the Cantle report (2006) on community cohesion, specifically: <ul style="list-style-type: none"> ○ ‘...create more mixed intake schools in which there is a sustained programme to tackle conflict and division in addition to building bridges between schools dominated by a single ethnicity...’ ○ ‘...involve established faith schools in tackling segregation and community cohesion...’ ○ ‘...begin to break down segregation of neighbourhoods, especially in terms of housing and education, by giving individuals and families real choices...’ • Build on and enhance the current provision for the most vulnerable students. • Help deliver local, integrated and personalised children’s services in accordance with our Children and Young People’s Strategic Plan 2006-2009. • Ensure all young people and the wider community have access to high quality, sustainable centres of learning which inspire and nurture. • Provide flexible, coherent curricular provision, with a federated model of provision post-16 and a collaborative approach across the 14-19 phase. • Provide the flexibility to adapt to the needs of learners of the future. • Ensure continuous improvement. • Provide value for money. <p>(BSF – Readiness to Deliver)</p> <p>As part of delivering this wider programme it is proposed to close Breeze Hill and Counthill Schools, and to replace them</p> |

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| | with a single new academy on the Orb Mill site. | | | |
| | High | Medium | Low | Don't know |
| 3.a What impact will this policy/project/procedure have on the public? | √ | | | |
| 3.b Please explain your answer | The programme is intended to transform secondary education in Oldham. It will involve replacing or substantially refurbishing every secondary school in the Borough. It therefore has a massive potential impact on the lives of children and young people in Oldham | | | |
| <p>If, for questions 3a & 3b you have answered LOW, there is no need to continue to an Equality Impact Assessment.</p> <p>If, for questions 3a & 3b you have answered MEDIUM or DON'T KNOW, you should move on to an Initial Equality Impact Assessment.</p> <p>If, for questions 3a & 3b you have answered HIGH, you should consider whether you need to move on to an Initial or Full Equality Impact Assessment.</p> | | | | |
| | Initial | Full | None | |
| 4. Based on this screening please indicate if this policy/project/procedure should proceed to an Initial or Full EIA? | | √ | | |

Service: People, Communities and Society

Officer responsible: Bruce Penhale / Bernard Phillips / Richard Gore

Date completed: 27/1/09

EQUALITY IMPACT ASSESSMENT (FULL)

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| 1. Directorate | People Communities & Society | 2. Section | |
| 3. Who is responsible for the assessment? | 4. Lead Officer | 5. Others involved | |
| Alun Francis / Cath Inchbold | Bruce Penhale | Richard Gore Bernard Phillips | |
| 6. Name of the policy, project, procedure to be assessed | Proposed discontinuance of Breeze Hill School and Counthill School | 7. Is this a new or existing policy, project or procedure? | New |
| 8. Describe the aims, objectives and purpose of the policy, project or procedure | | | |
| <p>The overarching aims for transforming Oldham's secondary school provision of which these closures are part are:</p> <ul style="list-style-type: none"> • School improvement; and • Community cohesion. <p>To facilitate these strategic aims it is necessary to have a system-wide approach making provision for Oldham's most vulnerable students and delivering integrated children's services in schools that are suitable and fit for purpose.</p> <p>A number of underpinning principles have been developed, and these are:</p> <ul style="list-style-type: none"> • To raise achievement and attainment across the borough, eliminating underperformance in all centres of learning. • Address the recommendations from the Cantle report (2006) on community cohesion, specifically: <ul style="list-style-type: none"> ○ '...create more mixed intake schools in which there is a sustained programme to tackle conflict and division in addition to building bridges between schools dominated by a single ethnicity...' ○ '...involve established faith schools in tackling segregation and community cohesion...' ○ '...begin to break down segregation of neighbourhoods, especially in terms of housing and education, by giving individuals and families real choices...' • Build on and enhance the current provision for the most vulnerable students. • Help deliver local, integrated and personalised children's services in accordance with our Children and Young People's Strategic Plan 2006-2009. | | | |

- Ensure all young people and the wider community have access to high quality, sustainable centres of learning which inspire and nurture.
- Provide flexible, coherent curricular provision, with a federated model of provision post-16 and a collaborative approach across the 14-19 phase.
- Provide the flexibility to adapt to the needs of learners of the future.
- Ensure continuous improvement.
- Provide value for money.

(BSF – Readiness to Deliver)

As part of delivering this wider programme it is proposed to close Breeze Hill and Counthill Schools, and to replace them with a single new academy on the Orb Mill site.

9. Analysis of relevant data, research and previous consultation

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| <p>What data do you have that you can draw upon to support this assessment? <i>Re impact on different equality groups</i></p> | <p>Pupil level data on attainment by age, gender, school, ethnic group Pupil populations of schools by ethnic group Results of public consultation</p> <ul style="list-style-type: none"> • Transforming Secondary Education – Statutory consultation report |
| <p>What does this data say about any of the different groups? Are there any trends that the data is showing and how do they relate to each group? What does the data say about the needs of each group?</p> | <p>Breeze Hill</p> <p>The majority of the student population are of Pakistani heritage, with much smaller numbers of White and Bangladeshi heritage pupils. The percentage of pupils of Pakistani heritage has continued to increase in recent years.</p> <p>Attainment of 5 GCSEs at A*-C is increasing year on year, but is still below 30%. Attainment of Pakistani heritage girls is particularly low.</p> <p>Counthill</p> <p>The majority of the student population are of White heritage, and the proportion from minority ethnic groups have steadily decreased in recent years.</p> <p>Attainment of 5 GCSEs at A*-C is below 30%, and attainment of boys is significantly lower than for girls.</p> |

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| | <p>The number of students from BME groups is not large enough to make meaningful comparisons.</p> <p>Issues identified in the public consultation on the Building Schools for the Future consultation are identified in the relevant parts of section 10.</p> | |
| Are there any gaps in the data? | There are no significant gaps in the data. The key data on pupil populations and educational attainment are available. | |
| If so, how do you plan to gather the data you need? | | |
| 10. Assessment of Impact | | |
| 10.a. Taking into account the information gathered: | | |
| <ul style="list-style-type: none"> • <u>Could</u> this Policy/Project /Procedure impact on any of the following groups differently? • <u>Could</u> any of the following groups experience of this Policy/Project/Procedure be different? • Could that different impact be negative in relation to any or all of the groups? | | |
| Please explain below what evidence you have to support your views | | |
| | Potential adverse impacts | Cross reference to options for mitigating impact |
| 1. Age | <p>Young people – The whole purpose of the BSF programme is to create a better future for young people.</p> <p>Community impact - Some specific parts of the programme may raise concerns for other members of local communities, and specifically older people. A specific concern relating to older people relates to the impact of locating a school on the Orb Mill site close to a residential home for older people.</p> | 1,2,3,4,6,7,9 |
| 2. Dependants/caring responsibilities | <p>Travel distances to schools – Under the BSF proposals there will be three fewer secondary schools, and there will be less schools located in the centre of Oldham. On average, the distance students need to travel to school will increase, and this may narrow the range of choices for parents/carers who wish to drop off / collect</p> | 3,5,6,7,8,9 |

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| | students from secondary schools as well as having other caring responsibilities (e.g. for younger children or other family members). It may also be more difficult for student carers, for example students who collect younger siblings from primary schools. | |
| 3. Disability | Meeting the needs of disabled students and staff – The development of new facilities provides an opportunity to replace existing older facilities which were not designed with the needs of disabled students in mind, with new facilities in which this is integral to the design process. This is a potential positive impact for disabled students. | 3,4,5,6,7,9 |
| 4. Gender | <p>Single gender schools – There is demand from some parents, particularly within Oldham’s Muslim communities, for single gender schools. Some parents currently chose to send their children to single gender schools outside the Borough. However, the Council has chosen not to develop proposals for single sex schools, as it believes that the social and educational development of Oldham’s young people are best met through mixed gender schools. This is a continuation of the existing policy, and there is not therefore an adverse impact as compared with the current position.</p> <p>Gender and cultural needs - Different communities have different cultural norms relating to what is perceived to be appropriate behaviour among young men and women. Schools need to be conscious of the issues this raises and how to manage them. Examples of this are a preference for single gender PE classes among Muslim parents, and how White boys and Asian heritage girls and White girls and Asian heritage boys interact at secondary schools when their previous experience is of attending mono-cultural primary schools.</p> <p>A positive impact of the proposals is that it will widen the curriculum offer for students, so that they have a wider range of choices of options.</p> | 1,2,3,4,6,7,8,9 |
| 5. Race | Will ethnic differentials in educational attainment be reduced? - One of the key intentions of the BSF programme is to reduce differentials in educational attainment. Groups with lower attainment are Black, Pakistani and Bangladeshi | 1,2,3,4,6,7,9 |

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| | <p>heritage boys, and Pakistani heritage girls. Improved attainment is integral to all aspects of the programme, and creating schools with more ethnically and socially diverse student populations may support this in several ways: through improving the acquisition of English language skills of students for whom English is not a first language, and through creating a school environment which raises the aspirations and motivation of all students.</p> <p>However, there is a need to manage the introduction of schools with diverse student populations to ensure that this does not have adverse consequences – such as tensions between students from different ethnic backgrounds. A poor social environment in a school would impact upon the well-being of students and consequently upon their education. Students who felt themselves to be a vulnerable minority would be particularly at risk in this process, and this could therefore adversely impact upon students from different racial groups.</p> <p>Travel distances to schools – As a result of the BSF programme, students living in the centre of Oldham will generally have to travel further to secondary schools than they do at present. This means that it will take them longer to get to school, it may cost more and it will be less easy for people in these neighbourhoods to be involved with the school and make use of community facilities there. The impact of this will be greatest upon people of Bangladeshi and Pakistani heritage, because they largely live in neighbourhoods within central Oldham. There will be a particular impact upon the Pakistani community of the replacement of Breezehill and Counthill schools with an academy at the Orb Mill site.</p> <p>Reduced number of places in Roman Catholic schools – The establishment of a single Roman Catholic school to replace the St. Augustine and Our Lady’s schools will result in a reduced number of places at Roman Catholic schools. Under the current arrangements, St. Augustine school takes a significant number of (mainly Muslim) Pakistani and Bangladeshi heritage students. The establishment of a single Roman Catholic school will reduce the number of places available to students who are not Roman Catholics, and so have a disproportionate impact upon Pakistani and Bangladeshi heritage pupils.</p> | <p>1,3,4,5,6,7,8</p> <p>1,6,7,8</p> |
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| | <p>The extent to which this is a significant adverse impact is not fully clear, and depends upon the motivation on non Roman Catholic parents in applying to St. Augustine school. If it is because they want their child to attend school locally, or are attracted by its ethnic diversity, there will not be a differential adverse impact from the proposals. However, if they are primarily motivated to send their child to a school with a faith ethos, there will be an adverse impact.</p> | |
| 6. Religion/Belief | <p>Access to faith schools for non-Christian students - Under the BSF proposals the merger of the two Roman Catholic schools will reduce the total number of places in Roman Catholic schools by 300 places. The two Church of England schools – Crompton House and Blue Coat – will both be expanded by one form of entry specifically linked to the admission of students of other faiths. The net impact of this will be an increase of 185 places in the two Church of England schools. Overall, there will therefore be a net reduction of places in faith schools, and this is likely to lead to a net reduction in the number of non Christian pupils attending faith schools (primarily as a result of fewer Muslim students attending Roman Catholic schools).</p> <p>Meeting the cultural needs of pupils – There is a risk that schools with more diverse student populations will be less able to meet the specific cultural needs of students (for example relating to acts of worship, prayer facilities and linkage of their faith into different aspects of the curriculum). Unless new schools take full account of the faith needs of their student populations (e.g. in physical design, curriculum development and staff training) the development of schools with more diverse student populations could have an adverse impact upon both Muslim and Christian pupils. (The needs of students of other faiths is also important, but the impact of change is neutral for them because they were not previously the majority population in any school).</p> <p>A further concern expressed in the consultation is that the range of choices for secular parents will be somewhat reduced, because one of the three academies (the Oasis academy) will have a faith ethos – even if this is non denominational.</p> | <p>1,3,5,6,7,8,9</p> <p>1,3,4,7,8,9</p> |
| 7. Sexual Orientation | <p>Ethos of academies – Some concerns have been expressed about the attitude of schools with a faith ethos towards students and staff who are lesbian or gay men. This may be reflected, for example, in their policies and procedures relating to equality of opportunity (relating to both students and staff), sex and relationship</p> | 2,3,4,6,7,8,9 |

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| | education, and preventing and dealing with bullying and hate incidents. This is not expected to be an issue in this case. | |
| 8. Transgender or transsexual | Ethos of academies – As for issues relating to lesbian and gay men, there is a need to ensure that school policies address the needs of transgender and transsexual staff and students. | 2,3,4,6,7,8,9 |
| 9. People on low incomes | <p>Additional costs for low income families – There are a number of potential areas of concern which relate to the impact of the BSF programme on low income families in Oldham:</p> <ul style="list-style-type: none"> • Any increase in travel costs which will result from pupils having to travel further to schools where the students do not travel far enough to qualify for free travel passes. This was particularly raised as a concern by some parents who feel that although the distance between their children’s home and school is not that far “as the crow flies”, the actual distance they will need to travel is significantly further; • the potential cost of accessing community facilities (such as for sports), particularly where these are managed under a Private Finance Initiative contract for which the local authority does not have any influence over prices; • the cost of purchasing school uniforms, particularly for existing pupils transferring into new schools who will need to purchase replacement uniforms; • low income pupils being disadvantaged or feeling stigmatised as a result of a lack of awareness of the impact of their family circumstances on full participation in school activities, which may increase as a result of the creation of schools which are more socially diverse; • an enhanced disadvantage for students without ICT access at home as computers become an increasingly important educational tool. | 2,3,4,5,6,7,8,9 |
| 10. Relationships and attitudes between different groups of people | Relationships between students from different racial and faith groups – While the BSF programme aims to achieve schools in which there is a mixed intake of pupils from different ethnic and faith backgrounds, there is a risk that unless the process is carefully managed it will have a negative impact on race and faith relations – the opposite of what is intended. This risk has wider implications beyond the BSF programme, since if there were significant problems in schools | 1,2,3,4,5,6,7,8,9 |

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| | <p>between students from different backgrounds this could spill over into the wider community.</p> <p>While some consultees expressed support for “giving communities a chance to mix” through the BSF programme, others either disagreed in principle with combining schools where the student populations have very different cultural profiles (“forced integration”), or have concerns about the practicalities of making it work – for example in relation to student safety and well-being, and whether it will impact upon educational attainment. This was also linked to concerns about the size of schools, and a concern that it would be harder to effectively manage behaviour in larger schools with 1,500 students. Consultees made constructive suggestions about the need to start with children in primary schools and also to involve parents and communities.</p> <p>Relationship between school and local communities -</p> <p>Where new schools are being created this risks becoming a source of tension with the local community as a result of, for example, increased traffic congestion, problems with parking, the presence of large numbers of students and potential anti-social behaviour by a minority of these. These concerns were all reflected in the consultation process in relation to some new schools. In addition, where students are from a different ethnic background, there is the potential for such problems to become racialised.</p> <p>There are also potential positive impacts to balance against this, such as the enhanced access of communities to extended school facilities (such as for sport) and increased income for some local businesses.</p> | |
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11. Options for mitigating adverse impacts

| Option | Title | Description of proposed mitigating action | Any potential adverse impact of proposed mitigating action? |
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| 1. | Whole system change | The BSF programme is an integrated package of changes for transforming secondary education in Oldham - not simply the | The programme is intended to reduce differentials in educational attainment. |

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| | | <p>physical replacement of individual schools. It includes changes in governance; a wider range of school choices for parents; development of personalised learning including enhanced use of ICT provision; improved 14-19 provision; better integration of children's services and extended school provision (such as sports facilities).</p> <p>To ensure that the programme is delivering reductions in differential attainment it will be necessary for the local authority and Ofsted to monitor progress. The local authority will need to have a Service Level Agreement with academies to ensure it retains access to pupil level attainment data (PLASC) to enable it to retain oversight of attainment across the Borough.</p> | <p>To ensure this is the case there will need to be ongoing monitoring of outcomes.</p> |
| 2. | <p>Compact with all schools to ensure they contribute to reducing inequality and building good race and community relations as part of a family of schools in Oldham</p> | <p>A long-term Compact will be developed between the local authority and school governing bodies with agreements on:</p> <ul style="list-style-type: none"> • Community cohesion outcomes relating to broad targets for the composition of student populations; • Admissions arrangements; • Collaboration on curriculum development including e.g. delivery of the 14-19 entitlement and the inclusion of curriculum materials which reflect the diversity of Oldham; • In-year arrangements for fair access (e.g. for excluded pupils); • Reporting and responding to hate incidents and community tensions; • A data sharing protocol including providing pupil level attainment data to the local authority, which will enable it to have oversight of patterns of differential attainment; • Community access to school facilities at fair prices; • Good practice on equalities issues e.g. relating to a range of policies (such as Equal Opportunities, Sex & | <p>One of the aims of the Compact would be to enable the local authority to monitor inequalities and ensure action is taken to address these.</p> |

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| | | <p>Relationships Education and Behaviour) and including the needs of a range of vulnerable groups (such as LGBT people and disabled people);</p> <ul style="list-style-type: none"> • Other issues relating to participating as a family of schools working together across Oldham. | |
| 3. | Ensure student and staff, parent/carer and wider community input into the programme around specific schools | <p>Input to include involvement on issues including:</p> <ul style="list-style-type: none"> • Design of buildings; • Curriculum; • Uniform; • Transport/travel; • Faith and cultural issues; • Food/diet; • Co-existence of schools and local community. | Process is likely to raise equalities issues which will then need to be addressed. |
| 4. | Change management programme for each school addressing preparation for change. | <p>Change Management Programme to include:</p> <ul style="list-style-type: none"> • Work with pupils and parents including: primary school linking; joint work between merging schools; and phasing arrangements for merging schools (what years come together when and where); • Work with staff and governors including: curriculum development; school design; cultural awareness/meeting the needs of students from diverse communities; behaviour management and ensuring harmonious relationships between students from different cultural backgrounds; • Work with communities to build understanding of issues and including: input into planning the design, facilities and use of the school (including community access policies, parking arrangements etc) | |
| 5. | Develop a joined up local transport plan to support the | Work with GMPTE, bus operators and others to prepare a co-ordinated BSF transport plan which takes account of: the changing locations of schools in relation to where students | Equalities issues would be integral to the plan. |

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| | implementation of BSF, taking account of the needs of students attending each school | live; transitional arrangements as new schools are established; arrangements for travel during the school day as well as students' journeys to and from school; the specific needs of students (such as disabled students); community impacts; student well-being; and costs for families. | |
| 6. | BSF communications plan | Ensure that the BSF communications plan meets the needs of parents and communities both in relation to the issues it covers (e.g. in relation to admissions and other issues of concern to students, parents and communities such as how the needs of students with specific needs will be met and the work to ensure the well-being of students during a period of transition) as well as being delivered in a way that makes the information accessible to communities. | |
| 7. | Develop the BSF stakeholder forum as a group that considers equalities issues | Develop the role of the BSF Stakeholder Forum as a group that can review equalities issues on an ongoing basis. | Provides an ongoing mechanism for reviewing any potential adverse impacts of the programme. |
| 8. | Work with faith schools on the detail of their oversubscription criteria for school admission | Work with faith schools to influence the detailed development of their admissions criteria, with the aim of ensuring that faith schools are able to contribute to achieving schools with a greater level of social and cultural diversity. | The extent to which the local authority is able to influence the admissions criteria for faith schools is limited. There is a difficult balance to be achieved between faith schools' objective of educating students' who belong to their faith and widening their admission to include some other students as part of helping to build understanding between communities. |
| 9. | Ensure that equalities issues form part of the ongoing evaluation of the Transforming Secondary Education programme | There are existing processes for assessing the performance of the educational system, including the Joint Area Review and Annual Performance Assessment. Individual schools are assessed by Ofsted. The Council will help ensure that there is a focus on equalities | Ongoing monitoring and evaluation of the programme will identify equalities issues which will need to be addressed. |

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| | | and community cohesion issues within this, by collating and analysing information about progress in individual schools and across the Borough as a whole and, to the extent it is able, providing support and challenge to schools. | |
| 12. Consultation | | | |
| a. How have you involved various groups and stakeholders in your assessment? | <p>The EIA draws upon the range of BSF consultation processes. This includes the statutory consultation processes which are reported in:</p> <ul style="list-style-type: none"> • Transforming Secondary Education. Statutory Consultation Report. December 2008 • Transforming Secondary Education. Statutory Consultation Report – Roman Catholic Schools. December 2008 <p>A workshop was held with members of Oldham’s Strong Communities Strategy Group, representatives of Trades Unions and officers from within the Children Young People & Families Directorate and the Strategy & Resources Directorate to discuss the equalities implications of the BSF programme. This reviewed the draft EIA for the programme and provided input. Further consultation was undertaken with other individuals on the revised draft.</p> | | |
| b. Who have you involved? | Members of Oldham’s Strong Communities Strategy Group, representatives of Trades Unions, officers from within the Children Young People & Families Directorate and the Strategy & Resources Directorate and a Governors representative. | | |
| c. How have they informed the identification of options? | As a result of consultation additional issues were identified, options were revised and additional options generated. | | |
| d. How have they informed the option (s) taken forward? | Ideas contributed are included among the options it is recommended are taken forward. | | |
| 13. EIA Outcome Summary | | | |
| a. What option(s) will be taken forward to mitigate negative impact and promote equality of opportunity? Please give a rationale for your decisions. | The issues in the EIA raise equalities issues in relation to the closure of the two schools. The issues do not raise fundamental problems that would provide a reason not to proceed with the closures. It is recommended that all the options identified are taken forward to ensure that equalities issues are fully integrated into the delivery of the work. | | |
| b. What option(s) will not be taken forward? Please give a rationale for your decisions. | None | | |

| 14. Establishing monitoring systems in relation to the policy, project or procedure | | | | | |
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| a. What data will you monitor in relation to equality groups? | Pupil level data on educational outcomes by gender, ethnicity and receipt of free school meals | Pupil populations of school by ethnicity, gender, faith and receipt of free school meals | Details of hate incidents in schools and follow up action in relation to these | Take up of community facilities | Outcome of Ofsted inspections |
| b. When will this monitoring begin? | Existing system. Need to ensure continuation under new arrangements | Existing system. Need to ensure continuation under new arrangements | Existing system. Need to ensure continuation under new arrangements | Once new schools established | Existing system |
| c. How will this monitoring data be used to improve service delivery? | To identify patterns of differential attainment, which will then be used in target setting and developing response | To monitor outcome of admissions policies and inform proposals for change | Will inform follow up action needed in relation to individual incidents, feed into wider processes for community tension assessment and inform support provided to schools in developing good practice. | Identify groups which are not accessing provision, to inform future planning of services | Will inform the local authorities support and challenge offer to schools |
| d. Who will be responsible for monitoring and analysing the data? | Children, Young People & Families Research & Information team | Children, Young People & Families Admissions Service | Children, Young People & Families Head of School Improvement | Data collection by facilities managers. Collation and | Ofsted |

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| | | | | analysis by Children, Young People & Families Research & Information team | |
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Service: People, Communities & Society

Officer: Bruce Penhale / Bernard Phillips / Richard Gore

Date Completed: February 2009

