

**From:** Patrick Leeson  
Corporate Director Education and Young People's Services

Roger Gough  
Cabinet Member for Education and Health Reform

**To:** Education and Young People's Service Cabinet Committee Meeting -  
15 December 2015

**Subject:** Secondary Provision in the South Kent Area

**Key decision** – The decision would affect pupils and families living in more than one division **and** (if closure were approved and implemented) expenditure would exceed £1 million in respect of closure costs and the transfer of the school's deficit balance to the Dedicated Schools Grant (DSG) held by Kent County Council.

Classification: **Exempt – Not for publication – Paragraph 4 of Part 1 of Schedule 12a of the Local Government Act 1972**

**Future Pathway of Paper:** Cabinet Member for Education and Health Reform

**Electoral Division:** Folkestone West, Folkestone North East, Folkestone South

**Summary:** In the context of a significant reduction in pupil numbers to date, indicating a lack of parental confidence in the school, projected falling numbers for the future, poor performance in GCSE results with a declining trend over three years and a growing deficit budget which makes the school unviable, it is proposed that the Local Authority consults on the closure of Pent Valley Technology College. This consultation may result in a public notice and Cabinet Member decision to close the school.

**Recommendation(s):**

1. The Cabinet Committee for Education and Young People's Services is asked to consider the report and recommend that a public consultation be undertaken on the proposal to close Pent Valley Technology College to Years 7, 8, 9, 10, 12 and 13 with effect from 31 August 2016, and close to all pupils from 31 August 2017.

## **1. Introduction**

1.1 Pent Valley Technology College is a non-selective co-educational Secondary Foundation School in West Folkestone with a Published Admission Number (PAN) of 180 pupils in each year group for September 2016. In recent years Key Stage 4 GCSE results have fallen well below the national floor target of 40% of pupils that achieve 5 or more A\*-C grades (including English and

Maths) and in 2015 only 15% of pupils achieved this outcome. At the same time the number of parents seeking places for their children has fallen significantly year on year, so that in September 2015 only 40 pupils joined the school in Year 7. The school has a large and growing deficit budget, expected to be over £500,000 this year and increasing to £2.5m by 2017-18. Pent Valley is now significantly smaller than the 600 pupils aged 11-16 recommended as the minimum size for Secondary schools in the Kent County Council Commissioning Plan.

- 1.2 To ensure the quality of education for young people in Folkestone is assured, it is necessary to consider options for the future of Pent Valley, including the possibility of closure. This report sets out the context of the school and explains why closure must now be considered.

## 2. Background

2.1 Pent Valley is a Foundation School maintained by Kent County Council. This means that the Council has the power to make and determine proposals for organisation of the school, including the potential of closure. Pent Valley receives revenue funding from the DSG via Kent County Council, although as a Foundation school the staff are employed, and the site and premises are owned, by the governing body.

2.2 After a period during which GCSE results improved from a low base to a peak of 48% 5 A\*-C including English and Maths, the last two years have seen a large decline at Pent Valley. The 2015 results were extremely poor.

	% achieving 5+ A*-C GCSEs (or equivalent) including English and maths GCSEs												
	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
LA Average	45.4%	45.1%	46.9%	46.7%	48.3%	50.0%	52.0%	56.8%	59.4%	61.3%	63.1%	58.0%	57.4%
Pent Valley	18%	13%	17%	22%	24%	27%	33%	38%	40%	48%	40%	21%	15%

2.3 At its most recent Ofsted inspection in January 2013 Pent Valley was graded “good”. A review by the Local Authority in 2014 indicated that the school would be likely to be judged inadequate by Ofsted at its next inspection, unless immediate action was taken to improve the school. Consequently the Local Authority issued a Formal Warning Notice to the Governing Body requiring specified actions to bring about improvement. This included the requirement to commission new executive leadership to improve the school.

2.4 In response to the growing problem of falling standards at Pent Valley and concerns about the quality of teaching, an Executive Headteacher and leadership team were appointed earlier in the year, provided by the Swale Academy Trust. This new leadership team have made significant improvements to behaviour and the quality of teaching, but it will take a longer period of time to improve pupil outcomes and regain parental confidence. Whilst parental reactions have been positive to the recent changes it has become increasingly apparent to the governors, the interim leadership of the school and the Local Authority that more radical and structural changes would be needed to enable the school to recover.

- 2.5 The number on roll at the 2015 Autumn Term school census is set out in the table below.

Year Group	Number of pupils
Year 7	43
Year 8	63
Year 9	79
Year 10	110
Year 11	122
Total Y7-11	417

- 2.6 Each year group is smaller than the one above, a trend that has been ongoing since 2007, when the Year 7 cohort numbered 242 pupils. This reflects declining parental preference for places in the school. With only 417 pupils in the statutory secondary age range, Pent Valley is significantly smaller than the minimum size recommended for Secondary schools in the Kent Commissioning Plan for Education Provision.
- 2.7 The following table shows how parental preferences for the school have declined in recent years:

	September 2011	September 2012	September 2013	September 2014	September 2015
1st	77	99	73	53	31
2 <sup>nd</sup>	148	121	97	88	75
3 <sup>rd</sup>	105	96	76	88	75
4 <sup>th</sup>	63	42	56	57	43
Tot	393	358	302	282	243

- 2.8 There are currently only 57 first preference applications for 180 places at Pent Valley in September 2016 (as of November 2015). A first preference generally means that this is the school where a parent would most like a place for their child. Whilst this is an improvement on 2015 it is still the case that if those numbers proved to be the only pupils admitted and all the current year groups moved up a year without change, there would be 352 Year 7 to Year 11 pupils on roll in September 2016.
- 2.9 Falling rolls lead to a falling budget. Pent Valley's budget has declined from £6.5 million in 2012/13 to £4.4 million in the current year. It is forecast to drop to £3.5 million in 2017/18.
- 2.10 The following table shows a breakdown of Pent Valley's budget share for the past three financial years, and forecast for the next two years:

Pent Valley Technology College						
	Actual				Forecast	
	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18
Funds delegated by LEA	£4,918,866	£4,278,727	£3,566,996	£2,943,145	£2,353,361	£2,048,479
6th form students (EFA)	£1,353,777	£1,281,732	£1,200,375	£1,166,940	£1,166,940	£1,166,940
SEN funding	£4,439	£71,500	£79,375	£0	£0	£0
Pupil premium	£230,050	£355,600	£333,505	£243,958	£243,958	£243,958
Total	£6,507,132	£5,987,559	£5,180,251	£4,354,043	£3,764,259	£3,459,377
Capital income	£25,836	£23,456	£21,820	£21,213		

2.11 The school has prepared a three year budget for 2015/18 showing deficits of £552,487, £1,318,707 and £2,524,027 respectively. These figures assume that no management action is taken over that period, when actually the Local Authority would work with the school to initiate action which would be in place for September 2016. However to reduce such a deficit to zero would require very radical action, and would impact adversely on pupils' educational experience and opportunities – including reductions in the staffing levels and the scope of the curriculum.

2.12 Pent Valley has a Loan Agreement from KCC for £1,500,000 repayable by August 2025. This was agreed with the school to address some deficiencies in the school building and to improve learning resources for students. In the event of closure any unrepaid debt would be part of the final balance which would transfer back to the Council's to be funded from its DSG allocation.

2.13 The Council's powers to assist the school are very limited within current legislation governing the formula funding of maintained schools. Kent County Council has lobbied the DfE for greater flexibility but so far the Department for Education has not shown any willingness to enable this. It is not within the power of the Council to provide additional funding over and above that delivered by the funding formula, which is mainly driven by pupil numbers. Therefore the school is likely to be unable to deliver an effective education within its available resources.

2.14 In the event of the closure of the school any closing balances (debit or credit) would transfer to the DSG. In the event of closure (but not academy conversion) the cost of redundancy would be met by the Local Authority from the redundancy budget as the cause is financial difficulty. Other costs would be charged to the school and as stated above the deficit balance would transfer to the DSG held centrally by KCC.

2.15 Normally on closure (subject to the decision of the Secretary of State for Education) a Foundation school's site and buildings would revert to the

ownership of the local authority. Pent Valley School includes the main site (2.9 ha approx.) and a detached playing field (1.9 ha approx.).

- 2.16 In this context options for the future of Pent Valley and Secondary education in the Folkestone area have been considered. In order to ensure the quality of education for pupils in the area it is recommended that the school closes over two years by August 2017.
- 2.17 The tables below show the forecast number on roll for Pent Valley and the two nearby non-selective schools, Folkestone Academy and Brockhill Park, for Year 7 and for Year 7-11. They compare the forecast numbers with the Published Admission Number (PAN) for each school. This is the number of pupils that can be admitted each year based on the capacity of the school buildings. When looking at numbers for Years 7 to 11 the PAN is multiplied by five to reflect five year groups.
- 2.18 The third line from the bottom in each of the tables shows the number of surplus places across the area if Pent Valley stays open. If Pent Valley stays open there will not be a shortage of places, but the surplus could be large and on current form it would mostly be at Pent Valley, whilst Brockhill Park and Folkestone Academy would fill to capacity.
- 2.19 The bottom line in each of the tables shows the deficit of places across the area if Pent Valley closes. There would be an immediate shortage of places, which will grow over coming years.
- 2.20 In order to deal with the immediate shortage of places in the event of the closure of Pent Valley, discussions have taken place with Brockhill Park Performing Arts Academy and Folkestone Academy. Both institutions have expressed a willingness to help place current pupils from Pent Valley. In the event of closure, current Year 10 pupils would complete their courses at Pent Valley. Current Year 11 pupils would be supported to identify and apply for 6th Form places in local schools and colleges. KCC and local schools would work with Pent Valley staff to ensure all current Year 12 pupils have onward pathways to complete their courses.
- 2.21 KCC would ensure that all pupils in Years 7 to 9 receive the offer of a school place. Parents would not have to accept the place offered, and would be at liberty to seek places at another school. However we believe it is important that parents would know their child has a place, even if they pursue an alternative. We would contact all parents who have expressed a first preference for Pent Valley for their child for September 2016 admission, affording them the opportunity to express revised preferences. The original preferences would be used if the decision is not to consult on closure, but the revised preferences would be used if consultation proceeds.
- 2.22 In order to deal with the longer term shortage of places discussions are taking place with the Regional Schools Commissioner about the commissioning of a new non-selective, technology specialist Secondary school on the Pent Valley site. The County Council would wish to see the new secondary provision on the same site from 2017 or as soon as possible thereafter. It would provide the additional future school places required for the current larger cohorts in the

Primary phase that will move into the Secondary phase from 2018 onwards. It is envisaged that the new school could have a technology specialism which would complement the creative and performing arts specialisms of the other local schools.

Year 7-11	2014-15 (A)		2015-16 (F)		2016-17 (F)		2017-18 (F)		2018-19 (F)		2019-20 (F)		2020-21 (F)		2021-22 (F)		2022-23 (F)		2023-24 (F)		2024-25 (F)		2025-26 (F)		
	Folkstone Academy	1,183	1,179	1,196	1,240	1,274	1,328	1,385	1,420	1,445	1,458	1,442	1,428	1,428	1,428	1,428	1,428	1,428	1,428	1,428	1,428	1,428	1,428	1,428	1,428
Folkstone Academy PAN x 5	1,350	1,350	1,350	1,350	1,350	1,350	1,350	1,350	1,350	1,350	1,350	1,350	1,350	1,350	1,350	1,350	1,350	1,350	1,350	1,350	1,350	1,350	1,350	1,350	1,350
Brockhill Park Performing Arts College	1,080	1,080	1,069	1,094	1,122	1,147	1,183	1,207	1,224	1,237	1,224	1,206	1,206	1,206	1,206	1,206	1,206	1,206	1,206	1,206	1,206	1,206	1,206	1,206	1,206
Brockhill Park Performing Arts College PAN x 5	1,175	1,175	1,175	1,175	1,175	1,175	1,175	1,175	1,175	1,175	1,175	1,175	1,175	1,175	1,175	1,175	1,175	1,175	1,175	1,175	1,175	1,175	1,175	1,175	1,175
Pent Valley Technology College	555	465	401	366	356	380	392	404	409	413	412	410	410	410	410	410	410	410	410	410	410	410	410	410	410
Pent Valley PAN x 5	900	900	900	900	900	900	900	900	900	900	900	900	900	900	900	900	900	900	900	900	900	900	900	900	900
Total NOR	2,818	2,724	2,666	2,700	2,752	2,866	2,960	3,031	3,078	3,108	3,078	3,044	3,044	3,044	3,044	3,044	3,044	3,044	3,044	3,044	3,044	3,044	3,044	3,044	3,044
Total PAN * 5	3,425	3,425	3,425	3,425	3,425	3,425	3,425	3,425	3,425	3,425	3,425	3,425	3,425	3,425	3,425	3,425	3,425	3,425	3,425	3,425	3,425	3,425	3,425	3,425	3,425
Total surplus/deficit places (if Pent Valley is not closed)	607	701	759	725	673	569	465	394	347	317	347	381	381	381	381	381	381	381	381	381	381	381	381	381	381
Total PAN (if Pent Valley closed)	2,525	2,525	2,525	2,525	2,525	2,525	2,525	2,525	2,525	2,525	2,525	2,525	2,525	2,525	2,525	2,525	2,525	2,525	2,525	2,525	2,525	2,525	2,525	2,525	2,525
Deficit places (if Pent Valley closed)	-293	-199	-141	-175	-227	-331	-435	-606	-653	-683	-553	-519	-519	-519	-519	-519	-519	-519	-519	-519	-519	-519	-519	-519	-519

600 or more places surplus
500-599 places surplus
400-499 places surplus
300-300 places surplus
1-199 places short
200-299 places short
300-399 places short
400-4999 places short
Over 500 places short

Year 7	2014-15 (A)		2015-16 (F)		2016-17 (F)		2017-18 (F)		2018-19 (F)		2019-20 (F)		2020-21 (F)		2021-22 (F)		2022-23 (F)		2023-24 (F)		2024-25 (F)		2025-26 (F)		
	Folkstone Academy	251	240	259	273	271	306	296	294	299	283	290	283	283	283	283	283	283	283	283	283	283	283	283	283
Folkstone Academy PAN	270	270	270	270	270	270	270	270	270	270	270	270	270	270	270	270	270	270	270	270	270	270	270	270	270
Brockhill Park Performing Arts College	226	220	224	236	236	251	256	247	253	249	238	238	238	238	238	238	238	238	238	238	238	238	238	238	
Brockhill Park Performing Arts College PAN	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235	
Pent Valley Technology College	58	70	71	78	74	83	81	83	82	79	82	79	82	79	82	79	82	79	82	79	82	79	82	79	
Pent Valley PAN	180	180	180	180	180	180	180	180	180	180	180	180	180	180	180	180	180	180	180	180	180	180	180	180	
Total NOR	535	530	554	587	581	640	634	625	634	610	610	610	610	610	610	610	610	610	610	610	610	610	610	610	
Total PAN	685	685	685	685	685	685	685	685	685	685	685	685	685	685	685	685	685	685	685	685	685	685	685	685	
Total surplus/deficit places (if Pent Valley is not closed)	150	155	131	98	104	45	51	60	51	75	75	85	85	85	85	85	85	85	85	85	85	85	85	85	
Total PAN (if Pent Valley closed)	505	505	505	505	505	505	505	505	505	505	505	505	505	505	505	505	505	505	505	505	505	505	505	505	
Deficit places (if Pent Valley closed)	-30	-25	-49	-82	-76	-135	-129	-120	-129	-105	-105	-95	-95	-95	-95	-95	-95	-95	-95	-95	-95	-95	-95	-95	

5 FE or more surplus
4 but less than 5 FE surplus
3 but less than 4 FE surplus
2 but less than 3 FE surplus
< 2 FE Surplus
< 1 FE short
1 but <2 FE short
2 but <3 FE short
3 but <4 FE short
Over 4FE short

- 2.23 The process for closing a maintained school is contained in statutory guidance: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/278418/School\\_Organisation\\_Guidance\\_2014.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/278418/School_Organisation_Guidance_2014.pdf). It must commence with a consultation, although the form and duration of this is not specified. Public Notices are then published, with a four week period for representations. It is then for the Local Authority to finally determine the proposal within two months of the closure of the representation period.
- 2.24 The importance of Pent Valley Leisure Centre to the local community is recognised and options for its future if Pent Valley Technology College were to close would be explored with other local partners including local schools and colleges, and Shepway District Council. The views of Leisure Centre users would be sought as part of the consultation process.

### **3. Financial Implications**

- 3.1 The financial situation of the school has been set out above (paragraphs 2.9 to 2.15). The closure of Pent Valley would lead to significant including the cost of redundancy, the deficit balance of the school at the point of closure as well as costs associated with transferring current pupils to alternative schools, including assistance with new school uniforms. These cost would largely be a charge against the DSG budget (and therefore a cost to all schools) though some cost will fall specifically against budgets in the Directorate.
- 3.2 If pupils had to travel more than three miles to their allocated school and meet KCC's eligibility criteria, home to school transport costs would be met by the Council. A full explanation of the home to school transport implications would be provided to parents as part of the transfer process.
- 3.3 Any closing balances would transfer to the DSG. As the school is in deficit this means that the deficit would fall to the DSG held centrally by the Council. The site and buildings would normally return to the ownership of the Council, subject to the approval of the Secretary of State for Education. It is likely that these would be required for the development of new secondary provision in the medium term.

### **4. Legal implications**

- 4.1 Statutory Guidance relating to the closure of a maintained school: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/278418/School\\_Organisation\\_Guidance\\_2014.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/278418/School_Organisation_Guidance_2014.pdf)

### **5. Equalities implications**

- 5.1 Pent Valley is a mainstream Secondary school catering for a wide range of pupils, including some with special educational needs.
- 5.2 Pent Valley is described as providing specialist provision for visual impairment (VI) and physical disabilities (PD), but in practice the school does not have significant specialist resources or large numbers of such children. There are



currently two pupils with visual impairment and one with physical disabilities across the ages of 11 to 16. The parents of visually impaired children are increasingly asking for support in their preferred mainstream school rather than accessing specialist provision. The Council has taken steps to strengthen the County Sensory Services with the further devolution of the Specialised Teaching and Learning Service (STLS). Whilst the STLS has moved to a local based model of management for each district, the Sensory Services remain as a single County team. Additional resources have been put in place to recruit and retain specialists who hold the relevant mandatory qualification e.g. QTVI. (Qualified Teacher of the Visually Impaired). Kent County Council has capacity to support parent preferences at that point.

- 5.3 In addition to the three pupils mentioned in the previous paragraphs, there 11 pupils on roll at Pent Valley Technology College subject to a Statement of SEN (or the successor EHCP) of whom three are in the sixth form in Year 13 and two are in Year 12. The others are in Years 7 to 11. The parents of any child with a statement of special educational needs would be provided with individual support and advice throughout any closure process.
- 5.4 Whilst the closure of any school reduces parental choice the two main alternative schools in the area are good schools which are popular with parents. In the medium term the opportunity to create a new non-selective Secondary school which could establish a new role providing a more technical education in the Folkestone area would add to parental choice and the diversity of provision. Such a school would comply with the provisions of the Equalities Act 2010.

## **6. Other corporate implications**

- 6.1 None.

## **7. Governance**

- 7.1 The Corporate Director – Education and Young People’s Services, would be delegated responsibility to conduct the consultation, report the results and advise the Cabinet Member on the publishing of Public Notices.

## **8. Conclusion**

- 8.1 Pent Valley School has had declining results for some years, which has resulted in declining parental preference, significant falling rolls and a substantial reduction in budget. The school is reaching a point where its viability is no longer assured and its ability to provide a good quality of education is significantly impaired. In this context the Local Authority recommends closure and subsequent steps to establish new school provision in the area, on the same site. In the short term local demand will be met in the two nearest alternative non-selective good Secondary schools. In the medium to longer term it is expected to commission a new school to meet the needs of the larger cohorts of children currently in Primary schools.

## **9. Recommendation(s):**

1. The Cabinet Committee for Education and Young People's Services is asked to recommend that a public consultation be undertaken on the proposal to close Pent Valley Technology College to Years 7, 8, 9, 10, 12 and 13 with effect from 31 August 2016, and close to all pupils from 31 August 2017.

## **10. Background Documents**

10.1 There are no relevant previous reports relating to Pent Valley. The framework for the planning of school places is set out annually in the Education Commissioning Plan for School places. The 2016-20 update is on the agenda of this meeting.

## **11. Contact details**

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