Response to Leeds City Council’s consultation on secondary school provision in the Outer North East

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Introduction

It is the desire of my constituents to retain two secondary schools in the Outer North East, both delivering outstanding education and supporting parental choice. It is the desire of Leeds City Council to close Boston Spa High School and relocate pupils to Wetherby.

Boston Spa High School

Boston Spa High School has applied to become an academy sponsored by The Gorse Academy Trust (TGAT), following consultation with parents, staff and pupils. Boston Spa High School was rated ‘Good’ by Ofsted at its last inspection, but to avoid coasting and to achieve ‘Outstanding’ in its next inspection, the Governing Body believes Boston Spa High School will access better school improvement working with The Gorse Academies Trust than it is currently receiving from Leeds City Council.

I voted for the Academies Act (2010) in Parliament and fully support the right of schools in my constituency to convert to academies. It is therefore my belief that Boston Spa High School should be granted its academy order to become Boston Spa Academy.

Wetherby High School

Wetherby High School is a fantastic school in the heart of the vibrant market town. Under its current leadership the school is improving and it recorded strong results in 2017. I am confident that if Wetherby High School was to be judged by Ofsted today it would be rated as ‘Good’. The Governing Body of Wetherby High School has been in discussions with a number of Multi-Academy Trusts (MATs) and is actively considering academy status.

The Governing Body and leadership of Wetherby High School have made clear to me that they would not consider joining The Gorse Academy Trust under any circumstance, therefore they continue to investigate options to convert to an academy with other Multi-Academy Trusts, specifically ones with stronger links into North Yorkshire.

As a community hub at the heart of the town, Wetherby High School plays a pivotal role as an educational establishment and a community facility. The Wetherby Neighbourhood Plan firmly establishes a plan to retain a secondary school in Wetherby town and I fully support this position.

Summary

The way in which Leeds City Council has acted to date seeks to pitch one community against the other. As a Member of Parliament it is my role to bring communities together, not to drive them apart.

The Council’s argument focusses little on education standards and outcomes for pupils. Its proposal is a plan to manage decline, rather than one that sets a proactive vision to improve outcomes. Both Boston Spa and Wetherby High Schools are already improving schools and further improvement, alongside a positive approach to retain and attract more pupils, should be the Council’s focus.

On behalf of my constituents I therefore oppose Leeds City Council’s plan to close schools in my constituency and submit that two secondary schools, both delivering outstanding education and supporting parent choice, is the desire of those I represent.
Local authority decision making

In Leeds City Council’s ‘Community Engagement Survey’ the following statement sets out the Council’s proposal:

“The council believes that the best long term option is to close both schools, demolish Wetherby and rebuild it to open a new school on that site” (page 4).

I am deeply concerned about the legality of this statement. No formal report including this proposal has been shared with Elected Members representing the relevant Council Wards, nor has a formal report been presented to the Council’s Executive Board or any vote of the Executive Board taken place.

How can it therefore be the case that the Council has adopted a position when no consultation with Elected Members has taken place? It appears to be the case that Leeds City Council, in a rush to prevent a school from academising, has quickly put together a rough plan and presented it as the Council’s agreed position.

Indeed, the way in which this plan came into the public domain seems to support this observation. I am informed that the Council’s Director of Children’s Services recently visited Boston Spa High School and, with no paperwork, verbally informed the school’s leadership that the Council’s intention was to close Boston Spa High School and relocate pupils to Wetherby. Concurrently, the same Council official then visited Wetherby High School and informed its leadership that the Council’s intention was to build a new school in Wetherby, utilising funds from the sale of land at Boston Spa High School.

In turn, this generated scaremongering and false hope in the communities I represent. Boston Spa parents were informed by the school’s leadership that the Council intends to close their school and Wetherby parents were informed by the school’s leadership that the Council were going to build them a new school.

This has caused much distress to parents and residents in my constituency and I remain exasperated by the unprofessional approach adopted throughout. As the Member of Parliament for the area I had no communication whatsoever from the ruling administration of the Council. The only correspondence I have received on this matter was when the Council’s Chief Executive kindly copied me into a letter he sent to the Parliamentary Under-Secretary of State on 19th February 2018.

Format of the consultation

In a letter to Leeds City Council the Parliamentary Under-Secretary of State asked the authority to undertake a formal consultation on “all options for the provision of secondary education in the Outer North East”, including academy options, and have it completed before the Council goes into “Purdah” for elections. A number of conditions were attached to this request.

In reply to this Ministerial request, Leeds City Council agreed in principle to undertake a consultation but argued that the content of the consultation should only be about the Council’s belief that there should be one school serving the area.
I believe a broad consultation on all options, as requested by the Minister, would have been the most balanced way to collect parental views. Instead, the Council’s consultation is weighted significantly towards the outcome it wants, i.e. to close a local school and prevent it from academising. For example, when completing the consultation online respondents are first asked the following question:

“The population data indicates that only one school is necessary. If you agree would you prefer to see this in Wetherby or Boston Spa?”

This is not so much a question but a suggested statement of fact. There is no option at this stage for consultees to favour a ‘two school’ option or indeed to state that they disagree with the premise of the question.

**School finances**

The Council has presented only headline data related to school finances and consultees are therefore unable to properly comment on this important consideration.

Current and predicted budget deficits at both Boston Spa High School and Wetherby High School are presented as actual sums (£391,000 and £699,000 for 2017/18 respectively), which means nothing without knowing the overall school budgets.

In financial terms, any professional would consider a budget deficit by calculating it as a percentage of income and expenditure. This data should have been presented in full so consultees could properly understand the wider financial context.

In the absence of this additional information I think it appropriate to set out the context in which Leeds City Council discusses budget deficits.

I submitted the following Parliamentary Written Question to the Parliamentary Under-Secretary of State for Education on 7\(^{th}\) February 2018:

“To ask the Secretary of State for Education, what estimate he has made of the amount held in reserves by maintained schools in the Leeds City Council local authority area in for 2017/18?”

The Minister of State, the Rt Hon, Nick Gibb MP, replied on 21\(^{st}\) February 2018:

“The Department trusts schools to manage their own budgets and the great majority have a cumulative surplus of funds, built up over a number of years. In 2016/17 206 local authority maintained schools in Leeds recorded a cumulative surplus, which totalled £31,553,748.”
**Pupil numbers**

**Presentation of data**

Charts A and B (featured on pages 6 and 7 of the Community Engagement Survey) present census data indicating in which Wards children attending both Wetherby High School and Boston Spa High School reside.

The Council’s presentation of data is misleading. The Council has, seemingly purposefully, presented data in pie charts without detailing the raw data, or indeed annotating the pie chart with percentage data. It may be that the Council is attempting to present its data in a child-friendly manner, but this is simply insulting to my constituents and only gives the impression that the Council is purposefully attempting to withhold useful data.

Furthermore, commentary on the data from both pie charts suggests that the primary purpose of both Wetherby High School and Boston Spa High School is to serve the Wetherby Ward. This is not the case. The catchment area of both schools is much larger than just the Wetherby Ward. For example, for many of my constituents residing in the Harewood Ward, Boston Spa High School is their nearest school. If the Council had chosen to present the actual data, or indeed simply annotated the pie charts with the percentage figures for each constituent part, I’d be able to include the actual total percentage of pupils this represents, alas I am unable to do so as the Council has chosen not to furnish consultees with this information.

The Council states: “just over 25% of the pupils who attend Boston Spa High School come from the local area, with a significant proportion travelling in from other areas”. Yet, for many residents in the Harewood Ward, their nearest school is Boston Spa High School and in this sense the Harewood Ward must also be considered part of the “local area”. Looking from this perspective it is clear that around 65% of pupils attending Wetherby High School reside in the Wetherby and Harewood Wards, compared to around 60% of pupils attending Boston Spa High School.

**Closing schools whilst building new ones**

My constituents find it baffling that the Council is proposing the closure of a school in the Outer North East, citing an undersupply of pupils, whilst actively supporting plans to build up to three new secondary schools near to the area, citing need for new school places.
It should be noted that whilst the Council has now commenced a consultation process on its desire to close one school in the Outer North East, driven partly by the Council’s own plan to build new schools in the Inner East, there are no concrete plans in place for the construction of these new schools. As far as I am aware the Education Funding Agency has not agreed plans for the delivery of these new schools. Indeed, many of these proposals are dependent on the construction of new homes in those areas as they are to be funded in part by a Community Infrastructure Levy. The Local Plan, in which these plans are included, is still emerging and has not yet been examined by Inspectors or approved by the Secretary of State for Housing, Communities and Local Government.

Figures in Charts A & B, referenced above, show that a significant number of pupils attending both Wetherby High School and Boston Spa High School reside in the Cross Gate & Whinmoor Ward. The Council’s own Local Plan proposes to develop over 3,500 new dwellings (East Leeds Extension) on the border of the Cross Gates & Whinmoor and Harewood Wards, abutting the A58 Wetherby Road. As part of these plans, and to meet demand, the Council proposes the construction of a number of new secondary schools, including one at Red Hall off the A58. A further c.7,500 dwellings are proposed for the East Leeds Housing Market Characteristic Area (HMCA).

It is my view that there is already sufficient capacity across Boston Spa High School and Wetherby High School to retain the pupils from Cross Gates & Whinmoor, who currently attend both schools, and to accommodate future increases in population as a result of new homes planned on the border of my constituency.

**Housing growth and population projections**

Leeds City Council’s adopted Core Strategy and emerging Local Plan proposes the construction of 5,000 new dwellings in the Outer North East, some of which are already under development. The Council’s revised draft Site Allocation Plan for the Outer North East, as submitted to the Secretary of State pending an Examination in Public, proposes over 1,000 new dwellings on land East of Wetherby and up to 5,000 new dwellings near Aberford (in the Harewood Ward), within and beyond this plan period.

Additional dwellings will generate additional pupils and in both these cases Boston Spa High School and Wetherby High School will be local schools nearest to the developments, as they are now for pupils from those areas.

Notwithstanding that Leeds City Council’s revised draft Site Allocation Plan is subject to approval following an Examination in Public – and that I believe sites included within it will be judged unsound – it remains the case the Leeds City Council will have to find sites for 5,000 new dwellings within the Outer North East, as that is what it has approved in its Core Strategy. These new homes will generate demand for school places in the area and it is therefore short-sighted of Leeds City Council to close a school today that will be needed in the future.

Furthermore, the Council’s proposal does not seem to take into consideration what is happening in North Yorkshire. Reference is made to the fact that a significant number of pupils (over 50%) residing in Wetherby choose to attend school in North Yorkshire, but little reference is given to the number of pupils from the neighbouring Harewood Ward who also attend school in North Yorkshire. Given that I have already established that the Harewood Ward is considered the “local area”, these pupils should not be dismissed as possible returning pupils to Wetherby High School or Boston Spa High School.
More alarmingly, there appears to be no reference or understanding of future population growth in North Yorkshire itself. As part of Harrogate Borough Council’s Local Plan process, proposals have been put forward for 3,000 new dwellings near to Cattal, North Yorkshire, which is 6 miles (10 minutes) drive from Wetherby town. This will result in one of two scenarios: a) children from the new North Yorkshire developments will be registered nearer to existing secondary schools in North Yorkshire and will therefore gain first preference, thereby leaving fewer or no places for the children living near to Wetherby High School or Boston Spa High School who currently travel to North Yorkshire; or b) children from the new North Yorkshire development 6 miles from Wetherby High School will attend secondary school in Wetherby.

Appraisal of Leeds City Council's proposal

Leeds City Council’s plan is not financially viable. There has been no formal report to the Council’s Executive Board and no opportunity for Elected Members to scrutinise the financial viability of it.

The entire business case is largely financed by the sale of the Boston Spa High School site for development, which would require the Secretary of State to remove an existing protection order on the school playing fields in order to realise the maximum predicted financial benefit. There is no guarantee this will ever happen.

Furthermore, there is a significant funding shortfall in the Council’s plan. Within the Council’s consultation there is no reference or detail on a business case for their plan. However, I do have in my possession a copy of a presentation document that Leeds City Council presented to the Regional Schools Commissioner at the Department for Education offices in Manchester on 29th November 2017.


(i)  Funding

The Council’s own document outlines the following funding options/shortfalls:

- Approximate cost of a new 10 form entry secondary school is c.£24million (not including the relocation of Wetherby Sports Hall).
- Leeds City Council’s Plan accounts for £19.5million based on an assumption that the Council could sell the protected playing fields for development and realise capital from other Council-owned facilities in Wetherby. The full asset list for the costing is:
  - Sale of Barleyfields Scout Hut - £100,000
  - Sale of The Shambles - £500,000 (but leases don’t run out until 2020)
  - Sale of Wetherby Area Office - £600,000
  - Sale of Wetherby Library - £300,000
  - Sale of brownfield land at Boston Spa school - £8,000,000 (assuming planning permission could be acquired for new housing)
  - Sale of protected playing fields at Boston Spa school - £10,000,000 (assuming the protection order could be overcome and planning permission could be acquired for new housing).
(ii) Challenges still to overcome

The Council’s own document sets out challenges it is still to overcome and which would have a material impact on its ability to deliver a new school in Wetherby:

- The Department for Education’s position in relation to the 8 year rule for disposal for any part of the Boston Spa site.
- Implications for the Council with regards to the use of its capital receipts for the delivery of a facility that has Trust/Academy status.
- Securing planning approval for the redevelopment of the whole of the Boston Spa site for housing development.
- Mitigation measures required for the potential loss of N6 protected playing fields and capital funding requirement.
- Consideration for highways impact mitigation need to be assessed.
- Post 16 provision has not been factored into these proposals.

Looking at the above, I come to the obvious conclusion that (a.) the Council’s proposal is not properly funded; (b.) there are some potentially very controversial disposals required and (c.) there are so many unknowns and, indeed, items outwith Leeds City Council’s direct control, that it is far from a sound basis on which to make decisions on the closure and replacement of a school or schools.

It appears to me that various parties have misled those I represent. By making false promises, which have now been shared with parents, expectations have been raised for a plan that has a significant financial shortfall and challenges that the Council is yet to overcome.

A future for two secondary schools in the area

It is my strong belief that a two-school option is viable and it is the only way to deliver the objectives of parents, school leaders and governors at both Wetherby High School and Boston Spa High School.

Leeds City Council’s pupil data is based on current data that reflect the standards and outcomes at both Wetherby High School and Boston Spa High School today and over recent years. Current projections do however show a rising pupil roll and improving standards at both schools.

A combination of the following will make a two-school option viable:

- Leeds City Council should re-evaluate its plan to build a new school (Red Hall) nearby to Boston Spa in order to accommodate expected population growth in the area;
- Both Boston Spa and Wetherby High schools should put in place a strategy to retain pupils who currently attend the school from outside of the Wetherby Ward (including the Harewood Ward and the Cross Gates and Whinmoor Ward);
- Both schools should be supported in delivering new school places for increased pupil numbers generated from the construction of thousands of new homes in the area as a result of Leeds City Council’s Local Plan;
- Both schools should be supported in preparing for increasing pupil numbers as a result of new homes planned for North Yorkshire increasing demand on existing places at North Yorkshire schools;
- Boston Spa High School should be allowed to academise and given the chance to move the school towards an ‘Outstanding’ Ofsted judgment, which will in turn make the school an attractive option for prospective parents, thereby increasing pupil numbers;
- Wetherby High School should be given the chance to continue on its current trajectory towards a ‘Good’ Ofsted judgment, which will in turn make the school an attractive option for prospective parents, thereby increasing pupil numbers;
- The Regional Schools Commissioner should initiate separate talks on a joint strategy with Boston Spa High School and Wetherby High School in order to deliver a new model for post-16 provision in the Outer North East.

**A future for Boston Spa High School**

Boston Spa High School has submitted an application to the Department for Education in order to become an academy in partnership with The Gorse Academies Trust (TGAT). This application is supported by parents, pupils and governors.

I am confident that a partnership with TGAT will allow Boston Spa High School to access the quality educational improvement and support it requires in order to prevent coasting and become an ‘Outstanding’ school. An outstanding school with great results will be an attractive option for parents looking for a school in the Boston Spa catchment area, including those who currently attend Boston Spa but reside outside of the Wetherby Ward, and those who currently disregard Boston Spa in favour of sending their children to schools in North Yorkshire.

**A future for Wetherby High School**

Leeds City Council’s plan is to close both Wetherby High School and Boston Spa High School, then build a new academy in Wetherby. The Regional Schools Commissioner (RSC) has informed me that this academy would need to be sponsored by a multi-academy trust (MAT) with a proven track record of delivering outstanding educational outcomes in order to ensure that standards are maintained. The process for selection would involve consultation, but MATs would apply to the RSC with applications to run the academy.

In these circumstances it is my belief that the result of this plan would be that The Gorse Academies Trust (TGAT) would end up sponsoring the new academy in Wetherby, despite the fact that Wetherby High School’s current leadership has made clear to me that they would not choose a partnership with TGAT.

A two-school solution is the only way to ensure that Wetherby High School retains its autonomy.

The Leeds City Council’s plan is to close both schools, merging children from both schools into one new academy, which would be sponsored by a multi-academy trust. In this scenario, by effectively merging the pupil population of two schools, there would need to be a joint steering group of
parents and governors from both Wetherby and Boston Spa as an interim measure until an academy sponsor is appointed for the academy and a new governing body is formed.

In recent weeks I have received correspondence from hundreds of parents at Boston Spa High School who want their school to convert to an academy sponsored by TGAT.

If Leeds City Council therefore brought about a scenario of merging pupils from both Wetherby and Boston Spa and forced a search for a multi-academy trust to sponsor the new academy in Wetherby, it is clear that the Boston Spa parents and governors would continue to support TGAT as a sponsor of their academy. Obviously, Wetherby parents (who have not yet been consulted at all on possible academy sponsors) would need to have their say but the current leadership and Governing Body at Wetherby High School have made explicitly clear to me that they would object, at all costs, to TGAT sponsoring a new academy in Wetherby.

I fully respect this position as I believe it is the right of individual schools to determine their own futures. Both Boston Spa High School and Wetherby High School have a different ethos and I do not believe Wetherby High School should be forced against their wishes into a MAT partnership.

The result of Leeds City Council’s plan will not automatically lead to Wetherby High School simply taking the Boston Spa pupils and continuing to run Wetherby as it is today. The new academy would be sponsored by a multi-academy trust and it would have a new governing body. This could mean Wetherby High School’s existing governing body would have less control over which academy sponsor it would want for the new academy in Wetherby and I do not consider this to be a desirable position for Wetherby High School.

Instead, I believe Wetherby High School should be given an opportunity to deliver its own plan for the future. Standards and outcomes at Wetherby High School are already improving and the emerging Wetherby Neighbourhood Plan sets out a clear vision for delivering a new school building in Wetherby. This plan does not mention the sale of Boston Spa High School or any other Council assets outside of Wetherby Town.

Furthermore, in recent weeks residents have been alerted to emerging plans for additional development in Wetherby town, which include options for a new school in Wetherby. In a letter to residents on 2nd February 2018, Wetherby Ward Members note: “Last Friday [26th January 2018] we were presented with a further option for a new high school by a local developer, we are referring this proposal on to the relevant decision makers”.

If Leeds City Council has been presented with further options to fund a new school building in Wetherby, then this should be an active consideration as an alternative way of funding a new school building in Wetherby, a vision established in the Wetherby Neighbourhood Plan. One of the obstacles Wetherby High School is yet to overcome in seeking sponsorship with a Multi Academy Trust is the poor state of the existing buildings. A new school building, funded without the need to capitalise assets at Boston Spa High School, would therefore allow Wetherby to overcome this obstacle and enter into formal talks with academy sponsors of its own choosing. This would result in the retention of two schools, one in Boston Spa and one in Wetherby.

It is my principal objective to see that we retain a secondary school in Wetherby and that the existing governing body has autonomy over its own future. I therefore support the Wetherby Neighbourhood Plan, which makes no reference to Boston Spa and seeks to deliver a new school building in Wetherby, consolidating in-town facilities on one site. This option will need additional work on the type of leisure services that could deliver maximum financial benefit for construction
works, as well as giving consideration to additional development proposals submitted to Leeds City Council. On balance, I consider this option to be more viable than that proposed by the Council and I support this plan because I believe it is the one that is most likely to deliver a new school building in Wetherby, whilst providing autonomy to the existing governing body.

I am confident that if Wetherby High School continues on its current trajectory, then, alongside additional support from an academy sponsor of its own choosing, the school can continue to improve standards and outcomes for pupils and secure a ‘Good’ or ‘Outstanding’ rating in the future. An outstanding school with great results will be an attractive option for parents looking for a school in the Wetherby catchment area, including those who currently disregard Wetherby in favour of sending their children to schools in North Yorkshire.

**Conclusion**

It is the desire of my constituents to retain two schools in the Outer North East, both delivering outstanding education and providing parental choice. Leeds City Council’s ‘Community Engagement Survey’ has been designed to persuade consultees that there is only need for one school in the Outer North East, it provides no discussion on alternative options. Leeds City Council’s proposal is to manage decline instead of setting a vision to attract more pupils or deal with future increases in pupil numbers as a result of the Council’s Local Plan, which aims to deliver 70,000 new dwellings across the city. The business submitted in the Council’s ‘Outer North East School Places Provision – Secondary Requirement Wetherby Assessment’ document is flawed and financially unsound.

Disappointingly, Leeds City Council’s proposal seems to avoid the issue of how the authority proposes to raised standards and outcomes for children in the Outer North East, instead the supportive documents talk mainly of financial assets and estate management.

It is my belief that both Boston Spa High School and Wetherby High School have positive futures ahead. Both schools have delivered improving standards and results. The schools must now be given time to achieve their own ambitions to become good or outstanding schools, which will in turn attract pupils back from North Yorkshire, retain pupils from the wider catchment area and attract new pupils generated from the large scale housing building programme proposed by Leeds City Council.