



Cabinet Member Education & Children's Services

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28th January 2022

Ref: MPE-██████████

Mrs Joy Morrissey MP
Houses of Parliament
London
SW1A 0AA

Dear Joy

MPE ██████████ - New Secondary School in Burnham (Case Ref: ██████████)

I write in respect of the enquiry from your constituent, Ms ██████████

The closure of the Burnham Park Academy was the decision of the Secretary of State due to falling numbers on roll and the failure of the sponsor to improve the educational provision at the school. Concerns were also raised by the Local Authority (LA) during the consultation to close Burnham Park academy on sufficiency and transport grounds. Accordingly, in its response to the consultation – the Council requested that the Secretary of State re-broker the site to identify a new sponsor for the school or work with key stakeholders to identify a suitable and sustainable secondary school option for Burnham residents. Despite the LAs concerns the Secretary of State took the decision to close the school.

It is accepted that the significant majority of secondary aged children from the Burnham area currently attend a Maidenhead school due to parental choice as well as the good transport links. This trend is well established – and, while there can be no guarantees, the projections for Maidenhead indicate there will be sufficient capacity to accommodate the current level of pupil movement from Burnham to Maidenhead secondary schools for the foreseeable future. Further, ONS birth data shows that there has been a recent fall in the pre-school aged population in the Burnham area which will affect future secondary cohorts. Moreover, based on current trends, the two closest Buckinghamshire secondary schools to Burnham Park (i.e. Khalsa Academy and Bourne End Academy) have capacity to admit additional children. Irrespective of the school that they attend, the Council believes in children receiving the best education and as such, the destination of secondary school for pupils should not be a determining factor in their outcomes.

It is also acknowledged that Burnham Park Academy had to rely on attracting pupils from Slough to remain viable. The Slough projections show that there are sufficient secondary school spaces available in Slough for the foreseeable future and more recently there has been a significant fall in Slough births. There is therefore no guarantee that if Burnham Park were to re-open, they would decide to go there instead of a Slough school and we cannot model our projections on assumptions that it might attract from Slough, particularly when Slough has provided no indication that current trends will change.

The decision to establish a new secondary school in Burnham is out of the hands of the Local Authority. There are two routes available to opening a new school:

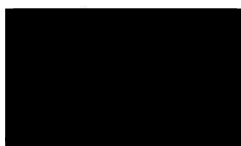
1. Where a Local Authority (LA) identifies the need for a new school, specifically to meet increased basic need in their area, section 6A of Education and Inspections Act 2006 places them under a duty to seek proposals to establish an academy (free school) via the 'free school presumption' process. The Department for Education (DfE) published non-statutory guidance updated in November 2019, on the procedures that a Local Authority must follow when opening a new school through this route. In order to take forward such a proposal, LAs are required to hold a School Competition which must justify the need and viability for the proposed new school. The School Competition seeks to identify a preferred bidder to run the school and this proposal is put forward to the Regional Schools Commissioner (RSC). The Headteacher Board (HTB) advised by the RSC and DfE, make the final decision on the successful bidder on behalf of the Secretary of State.

As part of this process a bidder would have to demonstrate that there are sufficient pupils within the area to ensure the school is viable such that the DfE would be prepared to enter into a Funding Agreement with them – at a time when rolls are projected to fall. Moreover, the Council would not be able to justify the use of limited capital resources (i.e. it would be responsible for providing the site for a new school and meeting all associated capital and pre-/post-opening revenue costs) to re-establish a secondary school in Burnham when there is no evidence of increased basic need in the area.

2. Proposers wishing to establish a new school may also be able to apply via the Government's 'free school wave' programme. The last bidding round (Wave 14) was in November 2019 and targeted areas with the lowest educational standards where there is also enough basic need for additional school places to merit establishing a whole new school. Any bidder seeking to submit a bid to the DfE would therefore need to justify that there is demand for a new school in the area in order to ensure that any new proposal could demonstrate that it is a viable proposition. The "Wave" route is managed entirely by the DfE although input is requested from Local Authorities in terms of the need/demand for places in an area. There have been no new announcements since November 2019 on future wave programmes.

In the case of Burnham Park, given that it was the DfE who took the decision to close the school, and in light of the fact pupil numbers in the area have continued to fall, it is doubtful that they would support any proposal put forward through either route. The argument that wherever there is a selective school there should be a non-selective school is not justification of basic need. However, if you wish to make any further enquiries to support your campaign you will need to contact the DfE on MINISTERS@education.gov.uk.

Yours sincerely



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