

COPY OF DEVELOPMENT PROPOSAL SUBMISSION

Cover Note

DP No.	312	
School(s)	Clintyclay Primary School (503-1080)	
Proposal	Closure	
Permanent Secretary's Decision	Not Approve	
Date of Decision	03/07/2018	
Permanent Secretary's Comments	<p><i>"This is a complex case, which has been complicated and drawn out by Judicial Review proceedings.</i></p> <p><i>I appreciate that the evidence available demonstrates a number of sustainability issues, which clearly need to be addressed. On the other hand, the passing of time since the origins of this Development Proposal, and in particular subsequent changes to relevant procedures and to context, pose questions about the Department's ability to reach a sound decision on this Development Proposal.</i></p> <p><i>Consequently I accept the recommendation at paragraph 92 of your submission, namely that the Development Proposal should not be approved".</i></p>	
Additional notes		
Information redacted	Some information and personal data may have been removed in line with the principles of the Freedom of Information and Data Protection Act.	
	Key	Details
	■	redaction
	*	refers to less than five cases where data is considered sensitive
	#	means figure has been suppressed to prevent disclosure of sensitive information under rules of disclosure

From: **BILL STEVENSON**
Area Planning Policy & Shared Education Campuses Team

Date: **2 July 2018**

To: **Derek Baker**
Permanent Secretary

Copy distribution below:

**CLINTYCLAY PRIMARY SCHOOL (PS), DUNGANNON
 DEVELOPMENT PROPOSAL (DP) 312 - CLOSURE**

<p>Issue:</p>	<p>To retake the decision on DP 312: <i>Clintyclay Primary School, Dungannon will close with effect from 31 August 2015 or as soon as possible thereafter.</i></p>
<p>Timescale:</p>	<p>Routine.</p>
<p>Financial / Resource Implications:</p>	<p><u>Capital:</u> None. <u>Resource:</u> There are potential redundancy costs in the event of closure. These would be met from the funding available for Voluntary Exit Schemes provided under the Department's 2018/19 allocation of Public Sector Transformation Funding.</p>
<p>FOI Implications:</p>	<p>The content of this submission is likely to be fully disclosable.</p>
<p>Statutory Duty Implications:</p>	<p>The Rural Needs Act (NI) 2016 places a duty on Government Departments to have due regard to rural needs when developing, adopting, implementing or revising policies, strategies and plans and when designing and delivering public services.</p> <p>Section 75 of the Northern Ireland Act 1998 requires public authorities designated for the purposes of the Act to comply with two statutory duties. The first duty is the equality of opportunity duty. The second duty requires that public authorities have regard to the desirability of promoting good relations between persons of different religious belief, political opinion and racial group.</p>

<p>Presentational Issues:</p>	<p>It is likely that there will be media interest in your decision due to the history of this proposal. Should any queries arise the Press Office can refer to this submission and liaise with officials.</p>
<p>Recommendation:</p>	<p>It is recommended that you:</p> <ul style="list-style-type: none"> (i) Do not approve DP 312: <i>Clintyclay Primary School, Dungannon will close with effect from 31 August 2015 or as soon as possible thereafter.</i> (ii) Agree that this submission (with appropriate redactions) can be made available on the Department's website once the school (through the Proposer, the Council for Catholic Maintained Schools) and the Education Authority (EA) have been notified.

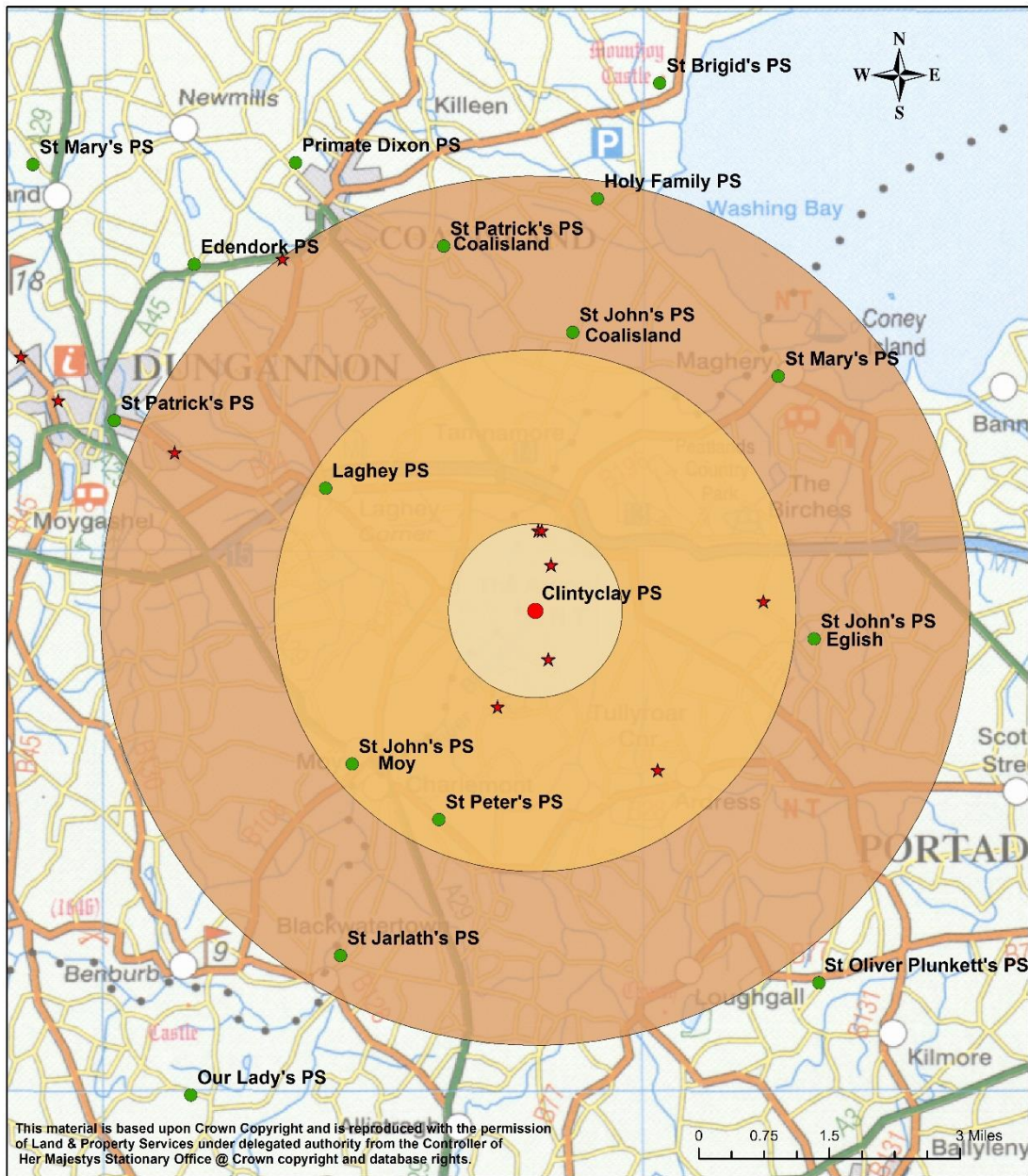
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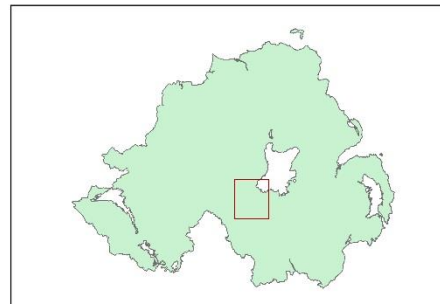
Appendix A:	Copy of DP 312 (2014)
Appendix B:	Board of Governors - comments on DP 312 (2014)
Appendix C:	CCMS - information provided in support of DP 312 (2014)
Appendix D:	Supplementary information provided (2018) (CCMS, Board of Governors)
Appendix E:	Annual Area Profile (2017)

Clintycly Primary School - Pupil Locations (1, 3, 5 miles)

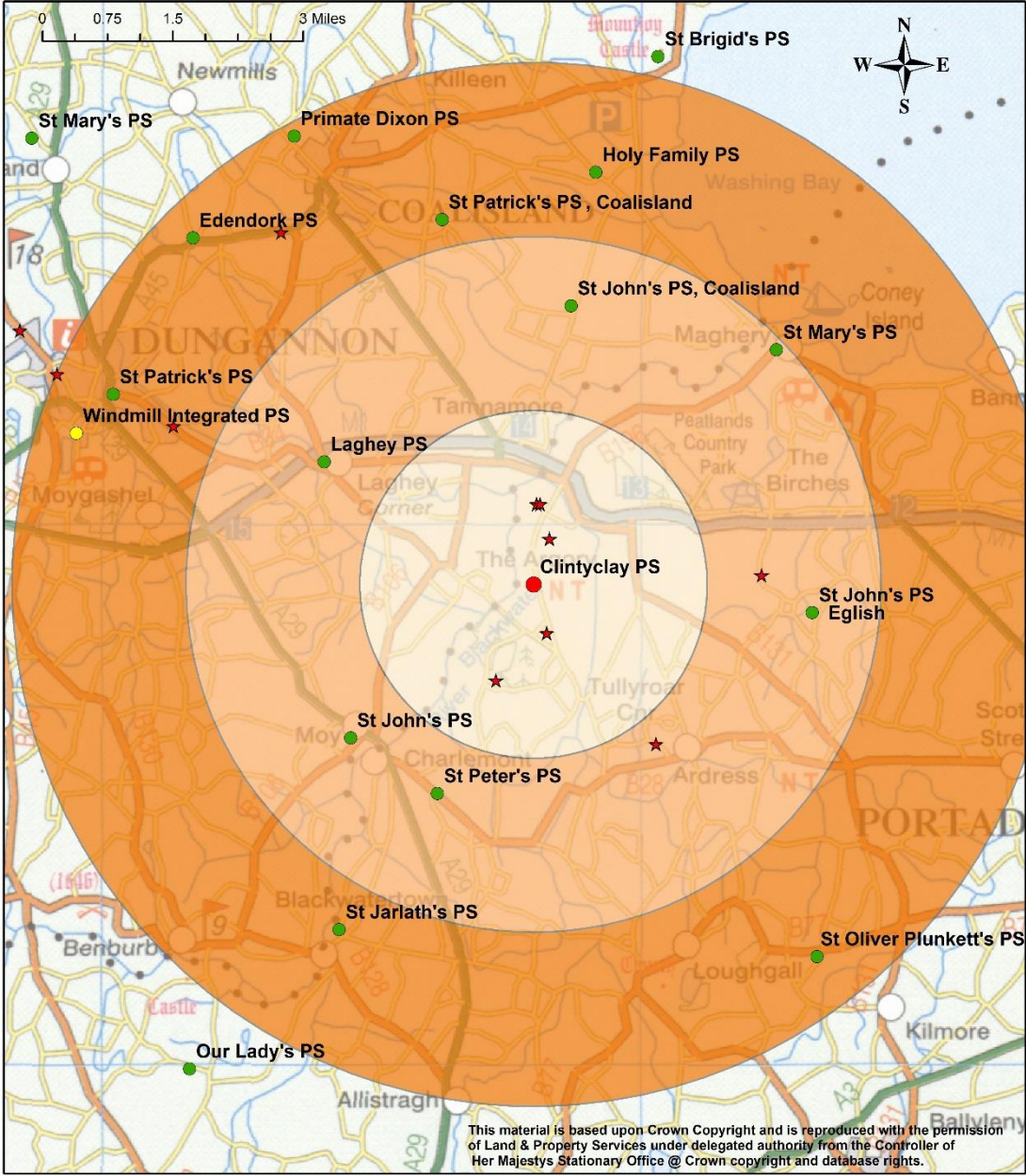


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- Clintycly PS
- ★ Clintycly PS - Pupil locations
- Catholic Maintained Primary Schools
- 1 Mile Buffer
- 3 Mile Buffer
- 5 Mile Buffer

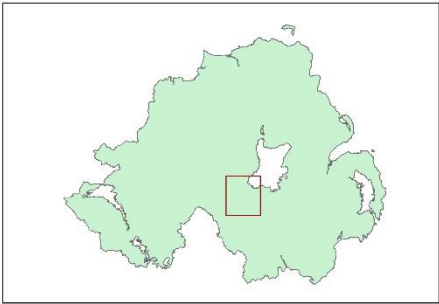


Clintycly Primary School - Pupil Locations (2, 4, 6 miles)

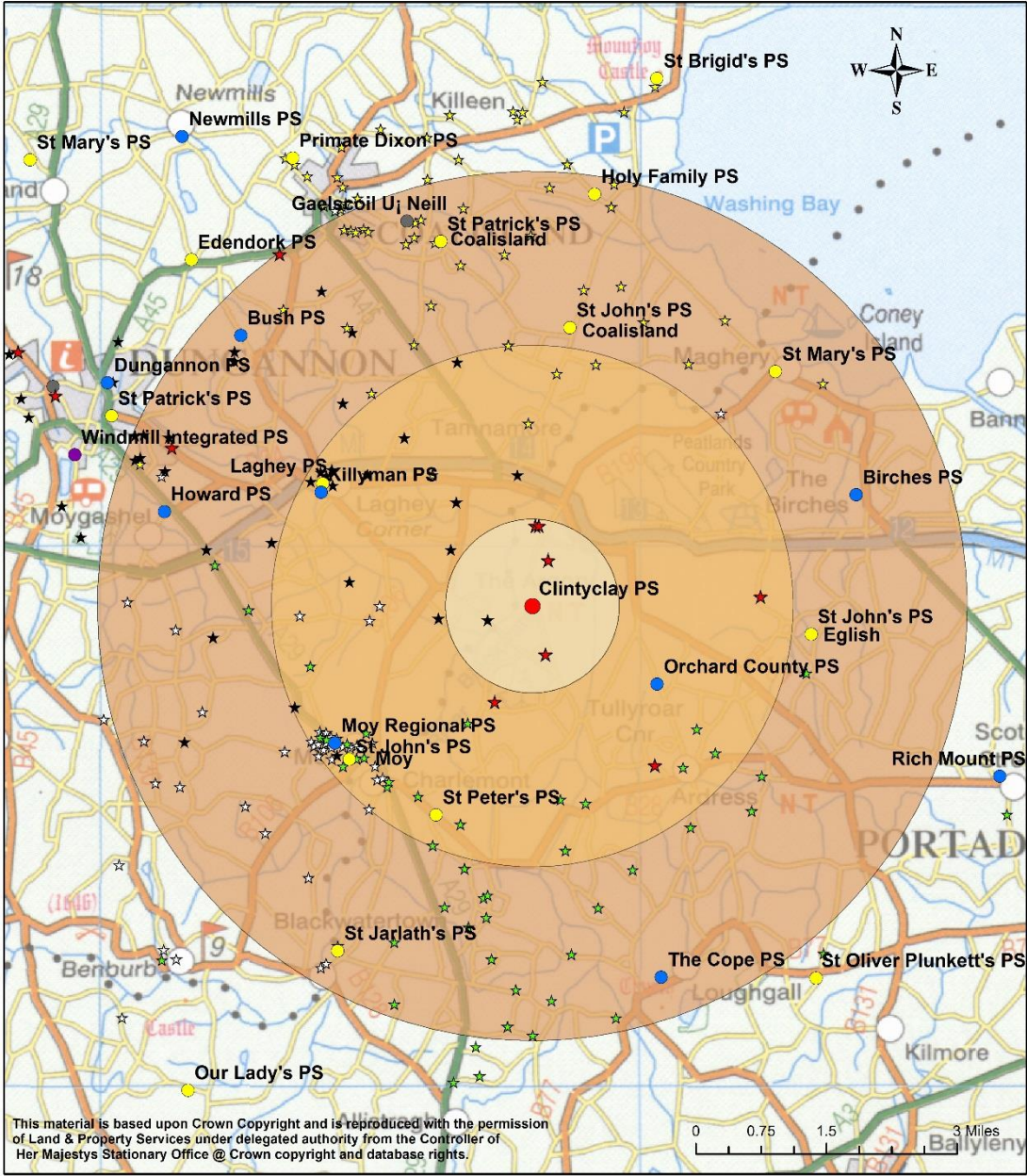


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- Clintycly PS
 - ★ Clintycly PS - Pupil locations
 - Catholic Maintained Primary Schools
 - Controlled Integrated Primary Schools
 - GMI Primary Schools
- Buffer Distance in Miles**
- 0.00 - 2.00
 - 2.00 - 4.00
 - 4.00 - 6.00

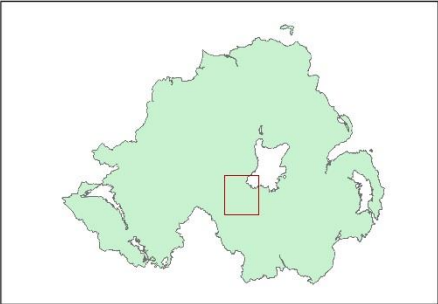


Clintyclay Primary School - Pupil Locations (1, 3, 5 miles)



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- Clintyclay PS
- ★ Clintyclay PS - Pupil locations
- Controlled Primary Schools
- Voluntary Primary Schools
- Catholic Maintained Primary Schools
- Other Maintained Primary Schools
- Controlled Integrated Primary Schools
- GMI Primary Schools
- ★ St Peter's PS - Pupil locations
- ★ St John's PS, Coalisland - Pupil locations
- ★ Laghey PS - Pupil locations
- ★ St John's PS, Moy - Pupil locations
- 1 Mile Buffer
- 3 Mile Buffer
- 5 Mile Buffer



INTRODUCTION AND HISTORY

1. Development Proposal (DP) 312 originates from a 'Review of Primary Education in the Parish of Dungannon, Diocese of Armagh' carried out by the Council for Catholic Maintained Schools (CCMS) in 2012. The Review recommended that the Trustees consider the closure of Clintyclay Primary School (PS).
2. DP 312 was originally published by the former Southern Education and Library Board (SELB), on behalf of the CCMS on 19 May 2014. A copy of the published DP is attached at Appendix A.
3. On 15 October 2014, the then Minister, John O'Dowd MLA, approved the proposal for closure, however, on 1 December 2014 the Department of Education (the Department) received a pre-action letter on behalf of a pupil at the school (the Applicant) challenging the Minister's decision on DP 312 for closure together with that for DP 315 for the transformation of the school to Grant-maintained Integrated (GMI) status. An application for leave to apply for a Judicial Review and also interim relief was filed by the Applicant at the High Court on 22 December 2014.
4. When the Judicial Review proceedings brought in relation to this matter were first heard (24-25 March 2015) the trial Judge found against the Department, essentially on procedural matters with particular reference to how the school's financial position was described. The decisions were quashed leaving the DPs extant and requiring determination, dependent on the outcome of any appeal.
5. This decision was appealed to the Court of Appeal and following a full hearing (7 December 2015) the Court of Appeal remitted the case back to the trial Judge (14 March 2016) for further consideration. The case was eventually listed for hearing on 15 December 2017. On that date following exchanges with the Judge (who queried whether, given the passage of time, it might be better to reconsider the decision in light of updated circumstances in any event) counsel for the Department, having taken instructions, confirmed to the Court what the Department now proposed to do, namely re-take the decisions on the DPs following the provision of updated information from the CCMS and the school's Board of Governors (BoG), which said information should be provided within six weeks of the hearing. In that light, the Judge was satisfied that the case had been rendered academic and the proceedings were dismissed with no order as to costs.
6. The school's BoG and CCMS both submitted supplementary information on 26 January 2018. This submission sets out the most up to date evidence available to enable you to re-take a decision on DP 312, in the knowledge that the re-taking of a decision is a contested matter.

BACKGROUND

7. Clintyclay PS is a rural co-educational Catholic Maintained primary school situated on the Clonmore Road, Dungannon as illustrated by Map 1. The school is located in the Moy ward of the Armagh, Banbridge and Craigavon Local Government District area.

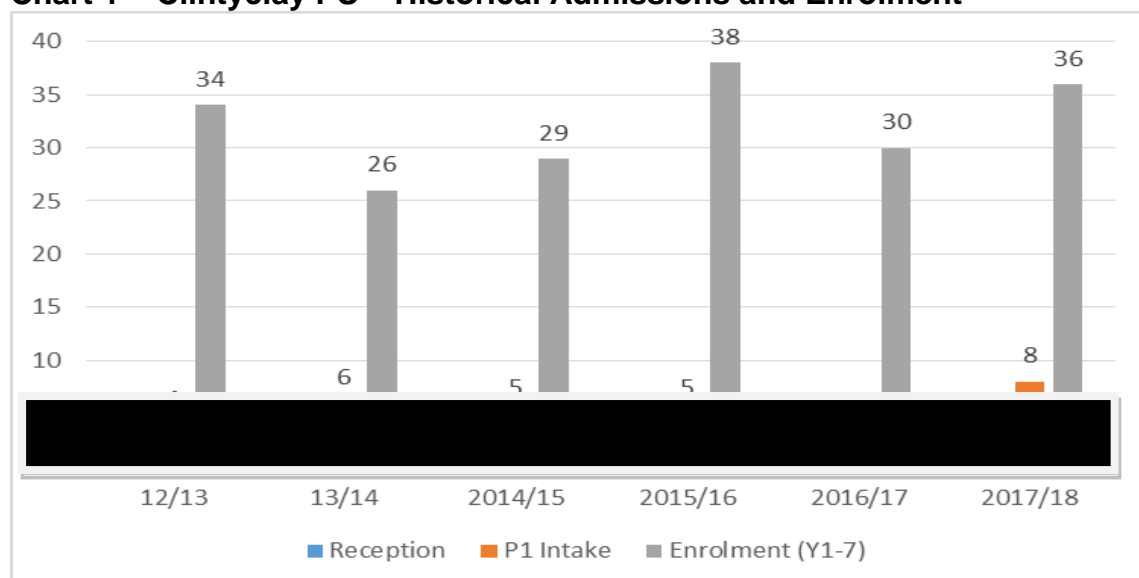
8. In 2017/18 a significant number of pupils enrolled live within a three mile radius of the school, as illustrated on Maps 1 and 2.

Admissions and Enrolment

9. Clintyclay PS has an approved admissions number of 7 (but may admit up to a maximum of 9 pupils) and an approved enrolment number of 47. In 2017/18 the school has 36 pupils enrolled across Years 1-7 plus [REDACTED] in reception. Eight pupils were admitted to Year 1. There were eight available places that children could apply for through the competitive admissions process, taking account of reception pupils.

10. Chart 1 illustrates the pattern of admissions and enrolment at Clintyclay PS. In the last six years the school's total enrolment has fluctuated although the admission of eight pupils to Year 1 in 2017/18 represents the highest intake. Until 2017/18 the number of pupils admitted each year was consistently below the approved admissions number (7) and the school's overall enrolment is significantly below the 'Schools For The Future: A Policy for Sustainable Schools' (SSP) minimum recommended enrolment of 105 for a sustainable rural primary school. Statistics for 2017/18 show that five pupils (13.9%) at Clintyclay PS are entitled to free school meals.

Chart 1 – Clintyclay PS – Historical Admissions and Enrolment



Area Context

11. On the Northern Ireland Multiple Deprivation Measure 2017 the Moy area, in which Clintyclay PS is situated, is placed 558 out of 890 (1 being most deprived and 890 least deprived).

Education Authority (EA) "Providing Pathways" Strategic Area Plan for School Provision 2017-2020

12. The EA Strategic Area Plan 2017 – 2020 (the Area Plan) identifies a number of key emerging issues from analysis of current provision in the Armagh, Banbridge and Craigavon LGD area. Issues relevant to Clintyclay PS are as follows:

- Ensure that school places are located as required; and
- Address school provision where sustainability is an issue.

13. The Area Plan states that the population within the age range of 0-15 years in the Armagh Banbridge and Craigavon District Council area is projected to increase by 9.6% by 2024.

Former SELB's Area Plan for Primary Provision - June 2014

14. Clintyclay PS featured in the former SELB's Area Plan for Primary Provision June 2014 which stated that CCMS had published a DP in May 2014 to close the school with effect from 31 August 2015, or as soon as possible thereafter.

Alternative Primary Provision

15. The maps above show the location of Clintyclay PS and the nearest alternative primary provision, including pupil locations. The statistical data set out in the snapshot at Table 2 below includes all Catholic Maintained schools within a five mile radius as illustrated on Map 1, the nearest integrated provision (Windmill Integrated PS) and the closest three Controlled primary schools.

Alternative Catholic Maintained Provision

16. The nearest alternative Catholic Maintained primary schools to Clintyclay PS are St Peter's PS, Collegelands, Laghey PS, Dungannon and St John's PS, Moy followed by St John's PS, Coalisland.

17. The catchment areas for these four closest schools are illustrated on Map 3 and statistics for these schools are shaded on the snapshot. The map shows that not only is there a significant overlap in the catchment areas of these schools but that many pupils are not attending their closest school and are instead travelling further afield. A number of Clintyclay PS pupils are travelling past other schools to attend Clintyclay PS.

18. Three of these four schools are well above the minimum recommended enrolment of 105 for a sustainable rural primary school under the SSP with only Laghey PS falling just below (an enrolment of 104 [REDACTED] with a statement of educational needs). However, the snapshot also shows that in the four

closest Catholic Maintained schools, in 2017/18 there are only 43 available places with enrolments in this sector increasing year on year. The quality of education being provided in these schools has been assessed by the Education and Training Inspectorate (ETI) as ranging from good to outstanding.

19. The CCMS 2012 Review indicated at that time that '*the remaining parish schools Edendork PS and Laghey PS (as the nearest school) would have surplus pupil places available*', however, in 2017/18, Edendork PS has no available places and Laghey PS only has seven available places.

20. Enrolments in the nine Catholic Maintained schools in the area as set out in the snapshot below have been increasing year on year since 2014/15, rising from 1,127 in 2014/15 to 1,231 in 2017/18 with population projections for the area indicating a further increase of 9.6% by 2024.

21. The number of available places in Catholic Maintained schools in the area (including Clintyclay PS) has fallen from 284 in 2014/15 to 213 in 2017/18 as set out in Table 1 below. Table 1 also shows that in 2017/18 there are only seven available places within four miles of Clintyclay PS.

Table 1: Catholic Maintained Schools in the Area – Available Places

School & Ref No	Distance in miles by road (per Google maps)	Approved Enrolment Numbers 2017/18	2014/15 Available Places	2015/16 Available Places	2016/17 Available Places	2017/18 Available Places
Clintyclay PS 503-1080	-	47	16	8	14	8
St Peter's PS, Collegelands 503-6595	3.5	138	0	0	0	0
Laghey PS 503-2558	3.8	109	30	27	19	7
St John's PS, Moy 503-2715	4.2	198	12	17	11	6
St John's PS, Coalisland 503-2729	4.3	191	88	86	61	30
St Mary's PS, Maghery 503-1164	4.6	124	50	49	61	58
St Patrick's PS, Coalisland 503-6047	5.4	259	28	18	31	53
St John's PS, Eglish 503-0958	5.6	50	6	0	0	0
St Jarlath's PS 503-6121 *	5.6	205	22	25	15	27
Holy Family PS, Aghamullan 503-2714	6.1	92	32	31	30	24
			284	261	242	213

* DP 284 - St Jarlath's PS - Approved 20/8/2013. Approved increase to enrolment and admissions numbers of 205/29 (to be phased). 2014/15 Approved Enrolment No – 185, 2015/16 & 2016/17 Approved Enrolment No - 190

Alternative Controlled Provision

22. The three closest Controlled schools to Clintyclay PS are illustrated on the maps above and detailed on the snapshot below. Orchard County PS and Killyman PS are well above the minimum recommended enrolment of 105 for a sustainable rural primary school under the SSP, however, Moy Regional PS has an enrolment significantly below 105. The quality of education provided by these schools has been assessed by the ETI as very good.

23. Moy Regional PS and St John's PS, Moy are involved in a Shared Education Campuses (SEC) project. The Moy SEC project proposes an 11 class base school

building on a new site to accommodate both primary schools. Each school will retain its own distinct ethos and identity and will share facilities such as the multi-purpose hall, play areas, library and ancillary accommodation.

24. This SEC was one of three projects approved to proceed in planning from the First Call in July 2014, with funding for construction of the projects later secured under the Fresh Start Agreement announced in March 2016. The Moy SEC project is currently estimated to cost around £7m with the business case at an advanced stage.

Alternative Integrated Provision

25. The closest integrated provision to Clintyclay PS is Windmill IPS in Dungannon, as illustrated on Maps 2 and 3 above. This school is almost eight miles away from Clintyclay PS and is unlikely to be a viable alternative for Clintyclay PS pupils if DP 312 is approved.

Table 2: Clintyclay PS – Snapshot of Alternative Provision

School & Ref No	Postcode and Distance in miles by road (as per Google Maps)	Approved Enrolment Numbers 2018/19	2014/15 Actual Enrolment (incl. SEN pupils)	2015/16 Actual Enrolment (incl. SEN pupils)	2016/17 Actual Enrolment (incl. SEN pupils)	2017/18 Actual Enrolment P1-P7 (incl. SEN pupils)	SEN 2017/18	Available Places 2017/18	Approved Admissions Numbers 2018/19	Actual Y1 Admissions 2017/18(incl. SEN pupils)	2018/19	2018/19 Total Y1 Applications Accepted	2018/19 Variance (over/under subscribed at 1st Pref.)	ETI Reports publication date / assessment
											Total Y1 1st Preference Applications			
Clintyclay PS 503-1080	/ BT71 6HX	47	29	38	30	36	0	8	7	8	*	*	U-3	March 2010 - Very Good
Catholic Maintained														
St Peter's PS, Collegelands 503-6595	3.5 BT71 6SW	138	146	145	150	153	*	0	20	21	20	20	O	January 2013 - Very Good
Laghey PS 503-2558	3.8 BT71 6RJ	109	79	83	91	104	*	7	16	15	9	9	U-7	March 2012 - Good
St John's PS, Moy 503-2715	4.2 BT71 7SQ	198	187	182	188	192	0	6	28	31	30	30	O-2	September 2010 - Very Good (May 2017 Action Short of Strike)
St John's PS, Coalisland 503-2729	4.3 BT71 4QN	191	108	111	134	167	6	30	27	28	28	28	O-1	February 2013 - Outstanding
St Mary's PS, Maghery 503-1164	4.6 BT71 6PA	124	75	76	64	67	*	58	18	13	10	10	U-8	November 2011 - Very Good
St Patrick's PS, Coalisland 503-6047	5.4 BT71 4QZ	259	234	244	233	209	*	53	37	16	18	18	U-19	March 2012 - Very Good
St John's PS, Eglish 503-0958	5.6 BT62 1NL	50	44	51	52	54	0	0	7	8	15	15	O-8	April 2014 - Very Good (May 2017 Action Short of Strike)
St Jarlath's PS * (DP284) 503-6121	5.6 BT71 7HH	205	164	166	176	179	*	27	29	24	18	19	U-11	September 2015 - High level of capacity for sustained improvement
Holy Family PS, Aghamullan 503-2714	6.1 BT71 5DR	92	61	63	64	70	*	24	13	13	13	13	O	February 2012 - Very Good
Sub-total (incl Clintyclay PS)		1413	1127	1159	1182	1231	18	213	202	177	165	166		
Integrated														
Windmill Integrated PS 506-6554	7.7 BT71 7BE	210	224	220	222	220	11	1	30	31	39	29	O-9	January 2015 - Very Good
Sub-total		210	224	220	222	220	11	1	30	31	39	29		
Controlled**														
Orchard County PS 501-6658	3.4 BT62 1NH	145	146	152	159	165	*	0	21	21	23	21	O-2	November 2010 - Very Good
Killyman PS 501-6680	3.7 BT71 6RL	165	168	172	178	179	*	0	24	28	27	27	O-3	May 2013 - Very Good
Moy Regional PS 501-2636	4.3 BT71 7SN	133	75	66	75	76	*	58	19	5	17	17	U-2	March 2013 - Very Good
Sub-total		443	389	390	412	420	8	58	64	54	67	65		
Grand Total		2066	1740	1769	1816	1871	37	272	296	262	271	260		

* DP 284 - St Jarlath's PS - Approved 20/8/2013. Increase in approved numbers to 205 / 29, with effect from September 2014 or asap thereafter

** The closest three Controlled schools are included

SPECIAL CONSIDERATIONS

Rural Needs Act (NI) 2016

26. Rural proofing has been a requirement for all Government Departments in Northern Ireland since 2002 and has been an integral part of the policy development process. In 2016 the commitment to rural proofing was strengthened with the introduction of the Rural Needs Act (NI) 2016. The Act places a duty on Government Departments to have due regard to rural needs when developing, adopting, implementing or revising policies, strategies and plans and when designing and delivering public services. It came into operation for Government Departments and District Councils on 1 June 2017 and applies to public authorities from 1 June 2018. Clintyclay PS is located in a rural area outside Dungannon.

Section 75 of the Northern Ireland Act 1998

27. Section 75 of the Northern Ireland Act 1998 requires public authorities designated for the purposes of the Act to comply with two statutory duties. The first duty is the equality of opportunity duty, which requires public authorities in carrying out their functions relating to Northern Ireland to have due regard to the need to promote equality of opportunity between the nine equality categories of persons of different religious belief, political opinion, racial group, age marital status or sexual orientation; men and women generally; persons with a disability and persons without; and persons with dependants and persons without. The second duty requires that public authorities have regard to the desirability of promoting good relations between persons of different religious belief, political opinion and racial group. In its supplementary information CCMS has confirmed that a number of Syrian refugee children have enrolled in Clintyclay PS and this was also reiterated by the BoG in their letter of 26 January 2018, thereby engaging Section 75.

Developments in Area Planning since 2014

28. DP 312 was published in May 2014 and there have been significant changes to how the SSP is implemented through Area Planning since then.

29. Area Planning structures and processes have been revised with the planning authorities and the sectoral bodies now represented at a strategic, operational and local level. An Area Planning cycle has been developed which includes a three year Area Plan published for 2017-2020 together with a supporting Annual Action Plan for each year of the planning cycle.

30. Guidance on the DP process has also been revised. Circular 2014/21 on the 'Publication of a Development Proposal', which included the requirement for an agreed specified format for a Case for Change in support of a DP, was published on 26 September 2014 and superseded by Circular 2017/09 'Guidance on the Publication of a Development Proposal' on 7 July 2017.

STATUTORY DP PROCESSES

Original 2014 Consultation

Pre-publication Consultation

31. CCMS confirmed and provided evidence that stakeholder consultation meetings were conducted with staff, governors and parents on 18 November 2013.

32. Parents, school Governors and staff raised the following points:

- Some statistics were queried;
- School is currently financially viable;
- Proposal has had a negative impact on enrolments;
- Positive educational value of small composite classes – no research to state otherwise;
- Possibility of inter-parish amalgamation options to allow the retention of the Clintyclay site;
- Exploration of further options with steering group;
- Possibility of school on two sites – Laghey and Clintyclay – one for Foundation Stage / Key Stage 1 and one for Key Stage 2;
- Request for assurance that CCMS would seriously consider any alternative proposals;
- Minister's statement on not closing schools based on enrolments and finances alone;
- Employment issues;
- Transport costs to alternative schools;
- How had DARD guidelines on rural issues been incorporated in the Parish Review?
- Anger at CCMS proposing the closure of the local community school - keen to keep Clintyclay PS.

33. The former SELB confirmed that it fulfilled its statutory obligations in relation to the proposal. On 16 April 2014 it wrote to all schools which it considered may be affected by the proposal. The consultation ran until 13 May 2014 and two responses were received. The BoG of St John's PS, Eglishe indicated that it would look favourably upon a school federation in the area and the BoG of St Peter's PS, Collegelands indicated that it would welcome pupils from Clintyclay PS if a closure decision resulted.

Two Month Statutory Objection Period

34. The former SELB published DP 312 on 19 May 2014. The statutory two month objection period ended on 21 July 2014. During the objection period the Department received thirteen letters of objection and one letter suggesting that a federated model of provision should be further explored. No letters of support were received. The Board of Governors of Clintyclay PS also submitted a response during this period, reproduced at Appendix B, and followed this up with

further background information, including letters of support for the school from pupils, past pupils, parents, staff, community groups etc.

Meeting with the Minister

35. On 17 June 2014 Bronwyn McGahan MLA wrote to the then Minister, John O'Dowd MLA, requesting a meeting in relation to Clintyclay PS. The meeting took place on 7 July 2014 and was attended by Michelle Gildernew MP, Dominic Molloy, Dungannon and South Tyrone Borough Councillor, Gerard Cunningham, Chair of the BoG and James Casey, Treasurer of the BoG. Inaccuracies in the parish review were asserted and the issue of other possible area solutions raised.

FORMER SELB VIEW

36. An extract from the former SELB Board minutes of 14 May 2014 advised that the board noted that it was required to publish the proposal setting out the intention of CCMS to close the school with effect from 31 August 2015, or as soon as possible thereafter. No SELB view was provided on the merits of the proposal.

SUSTAINABILITY ASSESSMENT

37. The Department's Sustainable Schools Policy (SSP) sets out six criteria supported by quantitative and qualitative indicators which provide the framework for consideration of a school's longer-term sustainability. The primary objective of this policy is to ensure that all children and young people get a high quality education in schools that are educationally and financially viable. Given the time lapse since initial consideration of this proposal, the following is an assessment of Clintyclay PS against the six criteria of the SSP in the format currently used for all DPs, based on the most up to date information available.

CRITERION 1: Quality Educational Experience

38. ETI carried out an inspection of Clintyclay PS in March 2010 and found that the quality of education provided by the school was 'very good'. The report stated that 'the school was meeting very effectively the educational and pastoral needs of the learners; and has demonstrated its capacity for sustained self-improvement'.

39. The ETI Inspection Report noted that the arrangements for pastoral care were outstanding.

Composite Classes

40. Census data for 2017/18 show that at the time of the census, Clintyclay PS was operating two composite classes as set out in Table 3 below:

Table 3 – Clintyclay PS - Composite Classes

Year Group	R	P1	P2	P3	P4	P5	P6	P7	Total
Pupils	*	8	*	*	7	*	5	7	39
TOTAL	24					#			

41. From 1 November 2017, however, the school employed one further teacher on a temporary basis. The supplementary information provided by CCMS on 26 January 2018 shows that further pupils were enrolled in the school with the result that the classes were reconfigured as set out in Table 4 below.

Table 4 – Clintyclay PS – Current Composite Classes

Year Group	R	P1	P2	P3	P4	P5	P6	P7	Total
Pupils	*	8	*	*	8	*	6	8	45
TOTAL	16			#		#			

Teaching Staff

42. 2017/18 census data for Clintyclay PS show two full-time and one part-time teacher employed by the school which equates to 2.2 full-time equivalent teachers. CCMS previously advised that the part-time teacher was employed on a temporary basis working one day per week as principal release. The SSP recommends a minimum of four teachers at primary school level. In its supplementary information CCMS confirms that additional temporary teaching hours have been sourced through short term supplementary funding.

43. The SSP states that there should be no more than two composite year groups in a single classroom at primary school level and that there should be a minimum of four teachers which recognises both the needs of pupils and the demands on teachers. As detailed above, Clintyclay PS currently has three composite classes with two catering for three year groups (one class includes reception).

Special Educational Needs

44. Clintyclay PS does not have any pupils enrolled with a statement of special educational needs.

Curricular/ Extra-curricular

45. The ETI Inspection Report of March 2010 notes that ‘there are good opportunities for the children to take part in sporting and leisure activities; for example, excellent use is made of the expertise from external coaching bodies including the Gaelic Athletic Association and the Irish Football Association and an adviser from the (former) Southern Education and Library Board is promoting physical education and dance’. The supplementary information provided by CCMS on 26 January 2018 also points out that the pupils have access to a range of after school clubs including cookery, homework, transfer and basketball and that a breakfast club was established in 2017/18.

Physical Environment

46. The ETI Report states that ‘the bright and attractive displays in the classrooms, and in other areas, celebrate the children’s achievements and enliven the school environment. The internal and external environments of the school are well maintained’.

CRITERION 2: Stable Enrolment Trends

47. As stated previously in this submission, Clintyclay PS has an approved enrolment number of 47. Table 5 sets out the school’s total enrolment for P1-P7 for the last five years according to the October 2017 census data. It shows that historically the school’s enrolment has been well below its approved enrolment. Enrolments for P1-P7 peaked in 2015/16 but almost returned to this level in 2017/18.

Table 5: Clintyclay PS – P1-7 Enrolments – Census Data

Year	2013/14	2014/15	2015/16	2016/17	2017/18
P1-P7	26	29	38	30	36
Reception	*	*	*	*	*
Total	#	#	#	#	#

48. Table 5 also shows that Clintyclay PS operates a reception class and the enrolments in this class have been three pupils or fewer in the last five years. Including the reception pupils, 39 pupils were enrolled in 2015/16 and 2017/18.

49. Clintyclay PS has an approved admissions number of 7 (but may admit up to a maximum of 9 pupils). Table 6 below sets out the school’s P1 intakes from 2013/14 to 2017/18. It shows that actual admissions were consistently below the school’s approved admissions number until 2017/18 when the intake was eight pupils (including those previously in the reception class).

Table 6: Clintyclay PS - Intakes (2017/18- Approved 7)

2013/14	2014/15	2015/16	2016/17	2017/18
*	*	*	*	8

50. The supplementary information provided by CCMS on 26 January 2018 shows that additional pupils have enrolled in Clintyclay PS since the census data was collected in October 2017 and updated statistics are set out in Table 7 below.

Table 7: Clintyclay PS – 2017/18 Post-Census Data

Year Group	R	P1	P2	P3	P4	P5	P6	P7	Total
Pupils	*	8	*	*	8	*	6	8	45

51. An update on applications to Clintyclay PS for the 2018/19 academic year shows five children moving from reception into P1 (and therefore not counted as admissions) [REDACTED] have applied to P1 and five children have applied to reception. With eight pupils leaving P7 at the end of 2017/18, the school will therefore be at its admissions and enrolment limit, however, the school's enrolment is substantially below the recommended minimum enrolment of 105 for a sustainable rural school as set out in the SSP.

CRITERION 3: Sound Financial Position

52. For 2018/19 Clintyclay PS is receiving a delegated budget of £166,764 based on 36 pupils (October 2017 census) which equates to £4,632 per pupil. This is £1,654 or 56% more than the average for all primary schools of £2,978 in the 2018/19 financial year. Within the overall delegated budget, Clintyclay PS is receiving Small Schools Support Factor funding of £45,183 and Primary Principal Release Time funding of £16,420. These two Small Schools Support Factors are the maximum small schools support available and represent 37% of the school's budget.

53. At 31 March 2018, Clintyclay PS held a cumulative deficit of -£8,690. This figure is based on the EA's provisional outturn return and may be subject to change. The school's 2017/18 budget was allocated on the basis of 30 pupils (October 2016 census) and its deficit represents slightly more than 5% of its available delegated budget, exceeding the +/- 5% range for budget surpluses/deficits stipulated by the Department. That the school is in deficit despite receiving a significant level of small schools support funding is directly related to the small and unsustainable size of the school.

54. To date, the EA has borne the cost of the school's cumulative deficit. In the event of closure, any additional deficit incurred by the school until closure will also be incurred by the EA Block Grant.

55. CCMS has advised that the school has also received an allocation of £28,350 from the Vulnerable Person Resettlement (VPR) Programme as a result of Syrian refugee children who have enrolled at the school. This funding has been allocated for seven pupils for one year and is additional to the school's delegated budget.

CRITERION 4: Strong Leadership and Management by Boards of Governors and Principals

56. The ETI Inspection Report of March 2010 listed the 'effective and dedicated leadership of the Principal ably supported by a hard-working and committed teaching and support staff' as a strength of the school.

57. The report advises that the Chairperson of the BoG expressed a strong appreciation for the work of the principal and staff. The updated information from CCMS dated 26 January 2018 advises that a new principal was appointed on 1 September 2017.

CRITERION 5: Accessibility

58. The maps above show the location of the pupils enrolled at the school in October 2017, at the census date. The majority of the pupils live within a three mile radius of the school but others live up to and above six miles away and in proximity to alternative schools. These pupils are bypassing other schools to attend Clintyclay PS.

59. The BoG has advised that it is the accessibility of the school to families that drives their choice. They state that Clintyclay PS is located on the edge of a growing hamlet within a wider area predicted to experience population growth.

CRITERION 6: Strong Links with the Community

60. The supplementary information provided by CCMS advises that there is a parent representative on the BoG. Parents and the local community are involved in raising the profile of the school, the provision of resources for the school and fundraising events. The BoG has advised that the school has been central to the community for 125 years.

Sustainability Summary

61. The quality of education at Clintyclay PS was assessed as 'very good' by the ETI in March 2010 - over eight years ago. Current information indicates that the school does not comply with two of the indicators which underpin the Quality Educational Experience criterion of the SSP as it has composite classes with more than two year groups in a single classroom and less than the recommended four teachers in a primary school.

62. The school's approved enrolment and historical actual enrolment numbers have been significantly below the recommended minimum enrolment of 105 for a sustainable rural school under SSP despite a recent modest upturn.

63. The school's budget deficit represents slightly more than 5% of its available delegated budget, exceeding the +/- 5% range for budget surpluses/deficits stipulated by the Department, leadership and management at the school was listed as a strength in the ETI Inspection Report and the school has close links with the local community. The ETI's assessment of Leadership

and Management in 2010 clearly can take no account of the appointment of a new Principal in 2017.

64. The 2010 ETI Inspection Report commented on the sustainability of the school by stating that it was “important that the employing authority, school governors and the staff plan for, and manage, issues related to the sustainability of the school provision and school budget, in order to address the current and future needs of the children and the staff”.

65. In summary, Clintyclay PS does not fully comply with all of the SSP criteria by having composite classes catering for more than two year groups, less than four teachers and an approved and actual enrolment significantly below the recommended minimum enrolment of 105 for a sustainable rural primary school. The school also falls short of meeting the Sound Financial Position criterion despite receiving a significant amount of funding directly related to the small and unsustainable size of the school.

66. The sustainability assessment is characterised by the use of inspection evidence that is dated (a full cohort of pupils has passed through the school since 2010) and a scheduled inspection in May 2018 has not yet had a report issued.

ANALYSIS OF SPECIAL CONSIDERATIONS

Rural Needs Act (NI) 2016

67. The Rural Development Council’s (RDC) “Striking the Balance” report highlights the importance of rural proofing so that regard is given to the impact of a particular policy on rural populations (in comparison to those living in urban areas) and to help identify adjustments which might be made to reflect rural needs and ensure that services are accessible to rural communities on a fair basis. A central concern is the quality of education provided to pupils.

68. The SSP policy was assessed against the RDC rural proofing checklist (contained in the Striking the Balance report at Annex 1) and no adverse impact was identified. The SSP recognises the needs of rural communities and this is reflected in the lower enrolment threshold for rural primary schools, the accessibility criterion which provides guidance on home to school travel times and the criterion strong links with the community also recognises the central place a school has for many communities (rural and urban).

69. The Government’s commitment to rural proofing was strengthened with the introduction of the Rural Needs Act (NI) 2016 (“The Act”). The Act requires public authorities to have ‘due regard’ and to consciously consider the needs of people in rural areas when developing policies, strategies and plans and when designing and delivering public services. It defines ‘rural needs’ as “the social and economic needs of rural areas”. Although the Rural Needs Act did not apply when DP 312 was brought forward, the SSP was in place at that time and the Department’s consideration of DP 312 is referenced to the SSP which has been rural proofed.

70. Responses submitted as part of the statutory consultation in relation to the proposal stressed the important role that Clintyclay PS plays in the Clonmore rural community.

71. Should DP 312 be approved resulting in the closure of Clintyclay PS, access to education, one of the services covered by the Rural Needs Act, would not be removed completely. There are other Catholic Maintained schools in the area with places available. Many pupils are not attending their closest school and a number of Clintyclay PS pupils are travelling past other schools to attend Clintyclay PS.

Section 75 of the Northern Ireland Act 1998

72. In its supplementary information CCMS has confirmed that a number of Syrian refugee children have enrolled in Clintyclay PS and this was also reiterated by the BoG in their letter of 26 January 2018, thereby engaging Section 75. This could not have been envisaged when DP 312 was being constructed, consequently there is no evidence to draw upon from which an equality impact assessment could be conducted.

73. As DP 312 has the potential to remove some Catholic Maintained provision, this could also be a Section 75 consideration, however, the availability of alternatives addresses any potential detriment, and this point is made in the supplementary information provided by CCMS which states that if the school were to close, a number of other schools in the area would be able to accommodate pupils from Clintyclay PS.

Developments in Area Planning since 2014

74. DP 312 was published on 19 May 2014 and pre-dated the requirement to prepare a supporting Case for Change in the current format which includes an assessment against the SSP criteria and commentary on how the proposal supports delivery of the EA's Area Plan. The information provided in support of DP 312 instead took the form of a background paper provided by CCMS consisting of a number of slides used at consultation meetings with the BoG, staff and parents on 18 November 2013. This is attached at Appendix C.

75. The rationale for the proposed closure of Clintyclay PS is not set out specifically in the slides although they do set out the policy background and Clintyclay PS's position following a Viability Audit which assessed the school against the SSP criteria of Quality Educational Experience, Stable Enrolment Trend and Sound Financial Position. These slides were developed following the CCMS 2012 Review.

76. On 26 January 2018, at the request of the Department and consistent with the outcome of the court hearing on 15 December 2017, both CCMS and the BoG provided supplementary information updating evidence pertinent to DP 312. This supplementary information is reproduced in full at Appendix D. CCMS's update assesses Clintyclay PS against the SSP criteria and considers the availability of alternative provision. The BoG's letter sets out the school's

position in relation to DP 312 and also DP 315 for the transformation to GMI status and describes 'Clintyclay PS today'.

OTHER CONSIDERATIONS

Financial Implications

Staffing

77. Statistics for 2017/18 show that the school employs 2.2 full-time equivalent teachers. CCMS's 2014 background paper states that employment issues for teaching staff would be dealt with by CCMS and non-teaching staff by the former SELB.

78. If the DP is approved, costs will be met from the funding available for Voluntary Exit Schemes provided under the Department's 2018/19 allocation of Public Sector Transformation Funding, provided by the Department of Finance.

Transport

79. In its supplementary information CCMS includes a table of the distances that the 41 pupils currently enrolled in P1-P7 would have to travel from their home address to their nearest alternative Catholic Maintained school:

Table 8: Distances to alternative schools

Distance	Number of Pupils
0.85 – 2.00 miles	12
2.00 – 4.00 miles	25
4.00 – 4.16 miles	*

80. CCMS also advises that it is currently commencing a review of enrolment at St Patrick's PS, Dungannon and if appropriate would intend to bring forward a DP to increase the admissions/ enrolment numbers if long term demand is evidenced. If this school requires a temporary variation to enable it to accommodate any additional pupils arising from a closure decision, CCMS indicates that it would work closely with the school and the Department.

81. The snapshot at Table 2 details the number of available places in the nearest alternative schools to Clintyclay PS. This shows that up to four miles from Clintyclay PS, in the Catholic Maintained sector, there are only seven available places at Laghey PS. However, up to approximately 4.3 miles away there are 43 available places which corroborates the data provided by CCMS. The two closest alternative schools with the highest number of available places are St Mary's PS, Maghery (58 places) and St Patrick's PS Coalisland (53 places), however, these schools are approximately 4.6 and 5.5 miles away from Clintyclay PS respectively.

82. At the time of the original decision no home to school transport issues were identified.

CONCLUSION

83. The SSP, implemented through Area Planning, is clear that the core issue for a school's sustainability must be the continuing provision of a high quality education for the children.

84. Although the quality of education provided by Clintyclay PS was assessed as 'very good' by the ETI in March 2010, the school does not comply with some of the associated indicators of the Quality Educational Experience criterion by having composite classes with more than two year groups and less than four teachers. The ETI inspection was carried out in March 2010 and a more current assessment is not available on which to base consideration of the current quality of education provided at Clintyclay PS.

85. The school does not meet the Stable Enrolment Trends indicators, one of which states that ideally a primary school should have at least seven classrooms (one for each year group). The school's approved and actual enrolment is significantly below the recommended minimum enrolment of 105 for a sustainable rural school. Based on the EA's provisional outturn return which may be subject to change, the school also falls short of meeting the Sound Financial Position criterion.

86. DP 312 has its origins in 2012 through the Review of Primary Education in the Parish of Dungannon, Diocese of Armagh and there has been a significant time lapse since this was completed. The school's enrolment has been increasing since 2016/17, with newcomer pupils providing a more diverse intake in a manner not envisaged at the time of the Review, consequently there is no evidence to draw upon from which an equality impact assessment could be conducted.

87. Also, the Rural Needs Act did not apply when this proposal was originally developed, so there is no evidence available to assess against that statutory duty either.

88. There is no structured Case for Change in support of this proposal as would be the case under current DP guidance and practice. Consultation on the proposed closure was carried out in 2013 and 2014 and the design of education provision in the area has changed in the interim period with enrolments increasing year on year and projected to rise further.

89. During Judicial Review proceedings Clintyclay PS highlighted inaccuracies in the Parish Review, particularly around references to the school's financial position. The school asserts that flawed information was present from the early stages of DP 312's construction and this has contaminated every step of the DP process thereafter. The school further asserts that a decision on DP 312 could not be considered safe if it relies upon the updating of evidence that is referenced to a DP with built-in vulnerabilities exposed during Judicial Review.

90. In summary there are a number of issues associated with DP 312 that question the Department's ability to make a sound and reasonable recommendation on this proposal:

- A dated and therefore unreliable evidence base – starting with CCMS's 2012 review, consultation on the proposal that completed in 2014, ETI inspection evidence dating back to 2010, and supplementary information that cites unverified changes in enrolment since the October 2017 school census;
- A dated area context – the arrival of newcomer pupils was not envisaged in 2012 so no consideration was given to this in terms of equality impact assessment, nor was there any need to consider a Rural Needs Act at the time;
- A dated procedural context – Area Planning and DP guidance and procedures have changed, notably the absence of a detailed Case for Change in the format now required to support DPs.

91. The current Area Plan clearly identifies the need to address the sustainability of primary schools with more than two composite classes as a priority and this remains the case. Concerns about the sustainability of Clintyclay PS remain, alongside concerns about the ability of the school to become sustainable in the future. However, given the issues listed above, re-assessment is needed to ensure an area solution is identified that evidentially serves the educational interests of children in the area seeking access to a Catholic Maintained education.

Recommendation

92. It is recommended, based on available information and taking account of the concerns expressed above, that you:

- (i) Do not approve DP 312 that:

Clintyclay PS will close with effect from 31 August 2015, or as soon as possible thereafter.

- (ii) Agree that this submission (with appropriate redactions) can be made available on the Department's website once the school (through the Proposer, CCMS) and the Education Authority have been notified; and

93. The following appendices are attached for your consideration:

- Appendix A: Copy of DP 312 (2014)**
Appendix B: Board of Governors - comments on DP 312 (2014)
Appendix C: CCMS - information provided in support of DP 312 (2014)
Appendix D: Supplementary information provided (2018)
(CCMS, Board of Governors)
Appendix E: Annual Area Profile (2017)



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THE SOUTHERN EDUCATION AND LIBRARY BOARD

DEVELOPMENT PROPOSAL AS TO PRIMARY (INCLUDING NURSERY) AND SECONDARY EDUCATION No 312

In pursuance of Article 14 of the Education and Libraries (Northern Ireland) Order 1986, as amended by Article 145 of the Education Reform Order 1989, and by Article 89 of the Education Order 1998, and by Article 24 of the Education and Libraries (Northern Ireland) Order 2003, the SELB has been requested by the Council for Catholic Maintained Schools (CCMS) to publish a development proposal. Notice is hereby given that the Proposal detailed below has been submitted to the Department of Education for approval:

It is proposed that Clintyclay Primary School, Dungannon will close with effect from 31 August 2015 or as soon as possible thereafter.

A copy of the Proposal may be inspected at the Headquarters of the Southern Education and Library Board, 3 Charlemont Place, The Mall, ARMAGH, BT61 9AX during normal office hours.

Any comments or objections to the Proposal should be made in writing, within a period of two months from the date of publication to the Department of Education, as detailed below.

Area Planning and Policy Team
Department of Education
Rathgael House
43 Balloo Road
Bangor
BT19 7PR

The Department of Education and the Education and Library Boards operate a regime of openness under the Freedom of Information Act and letters of objection and information supplied to the Department of Education or the Southern Education and Library Board are open to disclosure under the Freedom of Information Act (A fee may be charged for supplying the information).

Mr Gavin Boyd
CHIEF EXECUTIVE (INTERIM)
Southern Education and Library Board
3 Charlemont Place
The Mall
Armagh
BT61 9AX

BOARD OF GOVERNORS - COMMENTS ON DP 312 (2014)

As our responses to the development proposal have fallen during the Summer break I have requested that submissions made earlier to the CCMS proposal for closure be resubmitted to the area planning policy team as part of the consultation process.

Due to the onset of the holidays we have found it extremely difficult to contact all those who submitted to the earlier consultation and ask them to resubmit.

I have spoken with various officers in the dept and they have ensured me that this is in order. The Board of Governors response has been e mailed to you and I hope you find all in order. In the case of any difficulty arising please contact Mr Gerard Cunningham Chairperson Board Of Governors Clintyclay P.S.

I trust you will find all in order.

Chairperson Clintyclay Board. Of. Governors.

Clintyclay Steering Group, response to CCMS recommendations

TITLE: *Clintyclay Steering Group, response to CCMS recommendations*

DATE: *20th April 2013*

AUTHOR: *Clintyclay Steering Group*

Rationale

- The purpose of the survey paper is to examine current provision and explore options for primary provision in the Parish of Dungannon. within the context of demographic downturn, the appropriateness of the current accommodation in delivery of a revised primary curriculum and budgetary parameters.

We would challenge this statement on demographic downturn as the rationale for carrying out this report because the CCMS document states in two different places “an extra 320 places need to be planned for”. This can be seen in 7.4 and 14.3.

Recommendations

- The closure of Clintyclay Primary School no later than 31 August 2013 or as soon as possible thereafter.

Within the CCMS report the date 31 August 2013 has been used incorrectly. This has caused undue stress and upset to pupils, parents, staff and the wider Clonmore community.

1.2 Background

- Under Article 4 of the Education Reform (NI) Order 1989 the Boards of Governors of all schools have a legal duty to ensure that pupils in their care are provided with a broad and balanced curriculum which promotes their spiritual, moral, cultural, intellectual and physical development.

Clintyclay more than meets these requirements as all of the current and past pupils demonstrate. All pupils transfer to secondary schools and a large proportion pursue third level education which is evidence that pupils are receiving an excellent education which allows them to do this.

- The introduction of the Revised Northern Ireland Curriculum and Local Management of Schools (LMS) where a school's budget share is determined by its pupil enrolment has placed almost insurmountable problems on small schools and particularly those with very small enrolments. Attention has focused on such matters as educational opportunity, curriculum entitlement and extra-curricular activities. This focus has particular relevance for very small schools such as Clintyclay Primary School and Laghey Primary school.

Clintyclay has overcome "these almost insurmountable problems" which CCMS suggest exist especially the financial and budgetary issues as can be seen in 10.1 and 10.2 which show Clintyclay to have the largest percentage surplus and be at stress level 4 which is the best stress level to have.

2. Scope of the Survey

2.2 The rationale for focusing upon Clintyclay Primary School and Laghey Primary School is two-fold,

- (i) The ongoing decline in admissions and enrolments in one of the schools and neither school will achieve the minimum LTE recommended in the "Schools for the future" document by George Bain of 105 for rural schools and there is a need for some level of rationalisation of schools in the parish.
- (ii) The small enrolment determines the LMS budget. Schools are only permitted to operate within a +1-5% surplus/deficit. One school, Clintyclay Primary has been deemed to be potentially financially unviable in the February 2012 Viability audits and the other school Laghey PS has been deemed to be potentially financially unviable in the longer term

In 2.2(i) the language is vague and unclear as the CCMS document refers to one school but does not state whether it is Clintyclay or Laghey being referred to.

2.2(ii) states that Clintyclay has been deemed to be potentially financially unviable in the *February Viability Audits of 2012*. This is untrue as Pg 111 of the *Viability Audit* clearly states that Clintyclay has a "stable enrolment trend" and a "sound financial position". This is also evident in the table of 10.1 which shows Clintyclay to have the largest percentage surplus of their budget expenditure.

3. The Present Situation: Challenges Facing Small Primary Schools

- 3.1** Before considering options for future education provision it is important to consider the challenges which DE identified in relation to small schools in its document; 'Small Schools - A Policy to Ensure the Most Effective Education Provision for Pupils, Teachers and Parents'.
- 3.2** The main areas issues identified were:
- Teachers having responsibility for several age groups at once
 - Teachers having to take lead responsibility for a wide range of the subjects contained in the Northern Ireland Curriculum
 - Ensuring appropriate levels of differentiation in teaching and learning
 - Less scope for professional interaction and mutual support
 - The school is unlikely to be able to provide a wide programme of extra curricular activities
 - Lack of opportunities for social interaction with age appropriate peer groups.

In 3.2 bullet point 1, there does not appear to be a report proving that this is a major issue but there is a Canadian paper called *Teaching and Learning in Multigrade Settings* that was prepared for the *UNESCO 2005 EFA Monitoring Report* which suggests that composite classes is a very positive educational experience for children. The recent Inspection report does not suggest that the teachers in Clintyclay have any problems teaching composite classes. In fact the word "composite" does not even appear in the Inspection report.

In 3.2 bullet point 5, the CCMS document states that Clintyclay are unlikely to be able to provide a wide programme of extra-curricular activities. We would like to point out that the pupils with the help of a very strong PTA have a great extracurricular experience. The children go swimming for a six week block every term, they have football coaching both soccer and gaelic, camogie/hurling, French lessons every week, have recently began chess lessons and there is an annual Christmas play in which all pupils take part.

In 3.2 bullet point 6, the students have ample opportunity for social interaction with age appropriate peer groups as there are no year groups with only one child in it. The Clintyclay pupils interact with pupils from other schools, both Controlled and Maintained, by taking part in shared outings and inter-school sporting events. The children also participate in the Dissolving Boundaries Programme in which they work with pupils from schools in Counties Cavan and Wicklow.

In 3.3 Clintyclay has recently gained an "outstanding Inspection report" and does not have any difficulty delivering a high standard and quality of education. In INCAS tests scores reflect the fact that students are achieving high standards in these Statutory Tests indicating a very high standard of teaching and learning.

4. Catholic Maintained Primary Provision within the Parish

4.2.3 Laghey Primary School is located within the village of Killyman approximately 3 miles from Dungannon. The school was opened in 1985. The majority of children come from the village and surrounding area. Current enrolment is 72

The statement that the children attending Laghey “mainly come from the village” is not accurate as the map in the CCMS document clearly shows. The map of Laghey PS catchment covers a much greater area than the catchment for Clintyclay since there are two different scales used and therefore an accurate comparison is impossible.

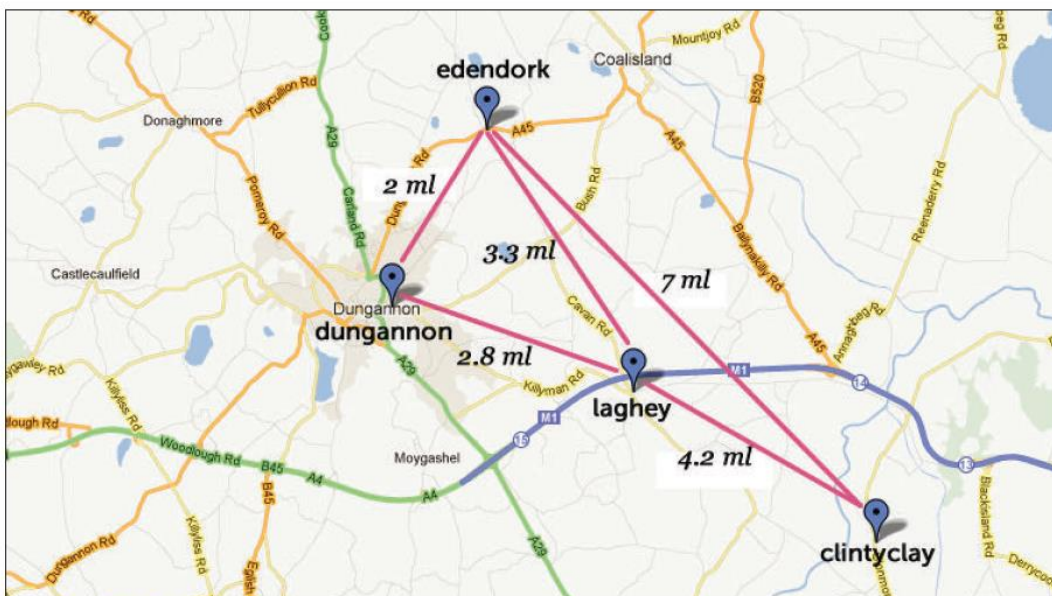
The catchment area contradiction needs addressing again in 5.3 where the CCMS document now states the “Laghey receives pupils from a wide catchment area”. This is another example of the many inaccurate facts presented in this CCMS document

5 Overall Maintained Primary Provision/Capacity within the parish

The table is not labelled correctly; column 3 contains actual enrolments for 12/13

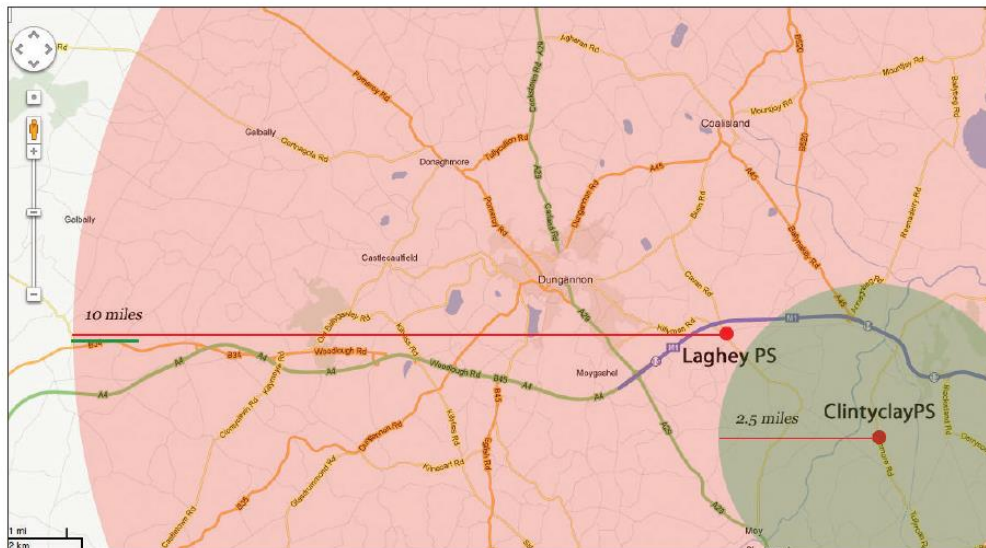
5.2 Relative distances between schools (Source Google maps)

This diagram in the report neither reflects the location or scale and the distances quoted are not accurate, an accurate diagram can be found below.



5.4 & 5.5 Clintyclay and Laghey catchment area

In both maps the scale has been omitted and it is impossible to make a fair comparison and is misleading. The information has been imposed onto one map which can be seen below, this gives a more balanced representation of the data. Placing each school at the centre and drawing a radius to the pupil farthest away we can now see that Laghey draws its pupils from approx. 10 mile radius, Clintyclay from approx. 2.5 miles. As can be seen from the map Clintyclay is truly a rural school drawing pupils from the immediate townland and not ‘from the surrounding rural hinterland’ as stated in the report. In comparison the vast majority of pupils attending Laghey PS are from outside ‘the village and surrounding areas’ not as stated in the report.



7 Enrolments in Dungannon Parish

School enrolment trends				
	Clintyclay PS	Laghey PS	Edendork PS	St Patrick's PS
School Year				
02/03	37	41	285	542
03/04	35	37	287	536
04/05	34	44	272	536
05/06	30	40	262	599
06/07	34	42	249	601
07/08	31	49	247	622
08/09	30	57	249	656
09/10	29	62	259	681
10/11	32	62	256	695
11/12	33	64	274	699
Physical Capacity	47	109	310	687

7.1 Distribution of children over the four schools dungannon parish - ENROLMENT STATISTICS 2009-12 7.1.1

	2009-10 No of pupils:	2010-2011 No of pupils:	2011-2012 No of pupils:
Clintyclay PS (503-1080)			
Reception (if applicable):			-
Primary 1:			7
Primary 2:			
Primary 3:			
Primary 4:	8		
Primary 5:		8	
Primary 6:			7
Primary 7:		5	
Total (P1-P7 only):	29 (P1-P7)	32 (P1-P7)	33

What can be clearly seen from a detailed examination of the figures is that Clintyclay does not have falling numbers. It has consistent numbers, in fact, Table 7.1.1 shows a growth in numbers from 2009-10 to the year 2011-2012. It may be small growth but it is growth rather than a falling roll which the CCMS document repeatedly suggests.

7.3.1 The average number of baptisms in the parish per year over the last seven years is 160 and has increased steadily in the last 4 years. These baptisms indicate the number of pupils likely to enter year 1 over the four maintained primary schools in the parish is rising year on year. It is likely therefore that the Parish Primary school population will rise in the next 5 years.

Clonmore is part of the Dungannon parish separated from County Tyrone by the physical barrier of the Blackwater River. As the figures above (Table 7.3 of CCMS document) show Baptisms are rising and they will rise throughout the parish, not just in Dungannon - so in Clonmore there will be children to become future pupils of Clintyclay school. It begs the question why suggest closing a school which has a good projected future

7.5 Conclusions from enrolment statistics.

The figures in the tables above indicate that neither Clintyclay PS or Laghey PS will reach their capacity enrolment and both fall short of the Bain recommendations of 105 pupils in rural schools.

The minister of Education has stated in Stormont “...I am perhaps one of the only people who is not fixated on numbers, numbers do carry weight in the Sustainable Schools Policy but there are six criteria in total...quality of education, sustainable enrolment, leadership of the school, finances and strong link within the community.”

10. Financial Position of each school in Dungannon Parish

Based on the February 2012 financial viability audits conducted by SELB / CCMS, the schools have been assessed as shown in 10.1

10.1 Financial Trends: projected financial deficit by end of Year 3 [2014/15]

School	% Surplus/ deficit	£ Surplus/ deficit	Stress Level
Clintyclay PS	4.84%	8,602	FOUR
Laghey PS	4.31%	11,381	FOUR
St Patrick's PS	0.54%	14,810	FOUR
Edendork PS	0.79%	5,816	FOUR

10.2 Financial Summary

All four schools have been deemed to be financially stable for the foreseeable future.

Clintyclay has the largest percentage surplus and has a stress level 4 which is the best to have regarding finance.

10.2 States that Clintyclay is financially stable for the foreseeable future which contradicts what was stated in 2.2(ii), yet another example of the many errors and misrepresentations in this CCMS document.

11.1 Clintyclay PS

The school was opened in 1865 and currently comprises 3 permanent classrooms of 33m², 11m² and 13m² and a temporary classroom of 54m². Children are taught in two composite classes Key Stage 1 and Key Stage 2. Improvement work has been restricted to works in office/staffroom in 1975 and replacement of septic tank in 2006.

The word “restricted” in this context has a negative connotation – “undertaken” would be a more neutral word.

11.2 Laghey PS

The School was opened in 1990 and comprises 2 permanent classrooms of 42m², 1 of 57m² and a temporary classroom of 42m². The school is well equipped with stories toilets, assembly/dining hall and staff accommodation.

Laghey School was re-built after an arson attack and reopened in 1990. No reference has been made to composite classes in Laghey. The ‘temporary classroom’ is used by Little Acorn Playgroup and not by Laghey PS.

12.2 Laghey Primary School

Laghey PS had a short focussed inspection in April 2012

In the areas inspected the quality of education provided is good. The report highlighted important strengths in in most of its educational and pastoral provision. These included

- The exemplary behaviour of the children
- The quality of the teaching observed was good and often very good
- High expectation of teachers for the pupils and the valuable contribution of the classroom assistants to the children’s learning.
- The high level of commitment of the Principal to the school and to improving the learning experiences of the children
- The very good quality of pastoral care

The report identified one area for development which the school has demonstrated a capacity to address.

The CCMS document omitted to state that the area for improvement was a classroom based issue that required monitoring by the Inspectorate.

12.4 Clintyclay Primary School

Clintyclay PS was last inspected in March 2010. In the areas inspected the quality of education provided by the school is very good. The school is meeting very effectively the educational and pastoral need of the learners and has demonstrated its capacity for sustained self-improvement. The strengths of the school included

- The outstanding quality of the pastoral care
- The excellent behavior of the children and their motivation to learn
- The good quality of teaching observed including the setting of high expectations and the very effective use of ICT
- The very good standards achieved in both Literacy and Mathematics
- The effective and dedicated leadership of the Principal ably supported by the hardworking and committed teaching and support staff

“The very good standards” mentioned above actually could alternatively be stated that Clintyclay has the highest scores of all four of the Parish schools in terms of Literacy and Numeracy.

Reviewing the Sustainability of a Primary School – Structure of a Review Paper
The brief was not followed in relation to section 6(a) Quality of the Educational Experience with particular reference to the attainment levels of the pupils at key stage 1 & 2 over last 4 years and range of extra-curricular activities

13 Feasibility Options to be considered

In the summary the option to close Laghey School has not been listed.

13.1 Option 1

It is encouraging to read that option 1 highlights the advantage of maintaining the Catholic education ethos which CCMS strongly purports, however it is disappointing and alarming to read that the huge significance of this has been ignored throughout the rest of this document.

13.2 Option 2

(a) assumption is incorrect, even if a majority i.e. 51% transfer to Laghey (which is unlikely), this will not bring Laghey up to the Bain threshold level of 105..

13.3 Option 3 Close Clintyclay Primary School

Advantages

- (a) Pupils will be taught in more age appropriate class sizes with more resources and facilities,
- (b) The pupils will have more opportunities for peer interaction.
- (c) The significant financial difficulties would be removed and the receiving school(s) would have their budget increased
- (d) specialist facilities and teachers would be available to support the delivery of the NI Curriculum
- (e) Disruption in terms of moving schools is limited to the smaller of the two schools under consideration
- (f) Retention of the rural aspect to the pupils education

Point (c) mentions significant financial difficulties. There are none – see our responses to 2.2 and 10.2 above.

Point (d) mentions specialist facilities and teachers would be available to support the delivery of the NI Curriculum. The NI Curriculum is currently being delivered to a very high standard. See the inspection report mentioned in 12.4.

Point (e) talks about limited disruption. Our children are as important as the pupils of other schools and shouldn't be treated less favourably for the sake of "limited disruption".

Disadvantages

- (a) Removal of the school will decimate the community, could have an impact on the local Chapel.
- (b) Longer travelling distance will be for majority not for some.

14.1 The continuing very low enrolments at Clintyclay Primary School, and with no indication of any significant increase over time despite growth in the other three parish schools in recent years, will lead to inevitable further financial difficulties and constraints on meeting the legal demands of the statutory curriculum and the new revised curriculum to all the children.

Clintyclay Primary School enrolment numbers have remained consistent over the last ten years as highlighted by the data in section 7.

How can Clintyclay have "further" financial difficulties when it has the highest percentage surplus at present? See our responses to 2.2 and 10.2 above. There are no problems in "meeting the legal demands of the statutory curriculum and the new revised curriculum to all the children" – see the inspection report mentioned in 12.4.

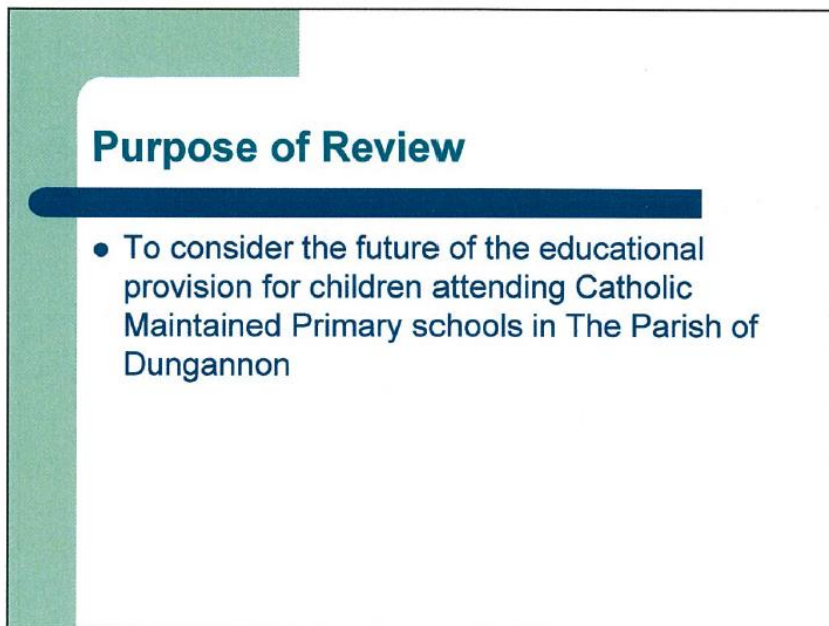
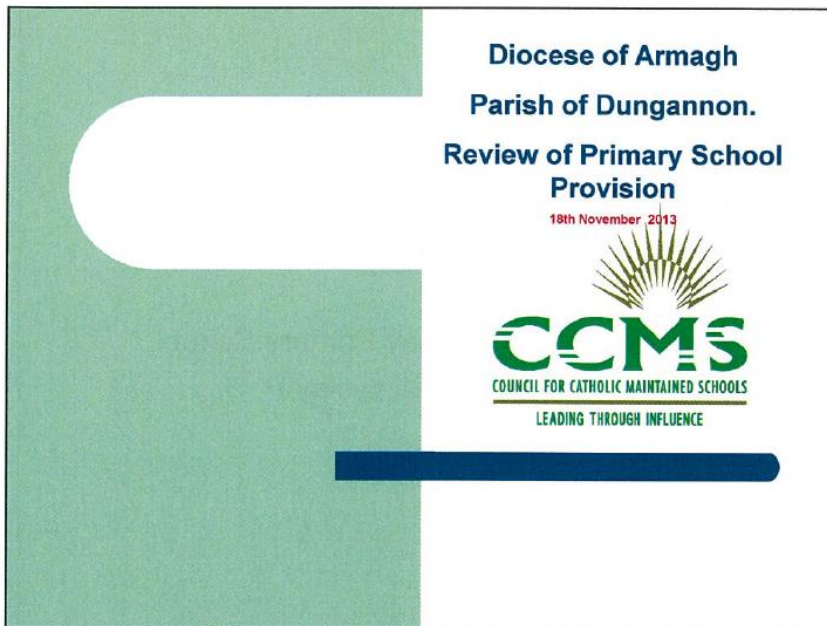
14.2 The three key criteria for viability identified by the Minister in September 2011 in 'Putting Pupils First - Shaping Our Education', namely, standards, future enrolment and financial viability, point to significant pressures on the school. Considering this, together with the holistic educational needs of the pupils and the well-being of the staff, CCMS would recommend that the Trustees consider closure, by 31 August 2013 or as soon as possible thereafter, of Clintyclay PS, following the Councils Procedures for School Reorganisation. These protocols provide a time-frame for closure and allow for discussions with the Trustees, Board of Governors, the school staff and the parents of the pupils of the school as well as scrutiny by the Armagh Diocesan Education Committee and by the Education Provision Committee of Council.

Clintyclay School has no current problems in terms of standards (see the inspection report mentioned in 12.4 and the viability audit of February 2012), future enrolment (the figures in Section 7 (and Viability Audit) show stable enrolment trends)- also Clonmore is zoned for future housing development and developers are using the close proximity of Clintyclay School as a positive marketing factor) and financial viability (see our responses to 2.2 and 10.2 above and the viability audit).

14.3 Laghey may benefit from the closure of Clintyclay as pupils may move into it. Significant growth is expected in the local population over the next number of years (320).

This is misleading – the figure of 320 is the projected growth figure for the entire Dungannon Parish (not Laghey). Since this is the figure for Dungannon, Clintyclay may benefit as much as Laghey.

CCMS - INFORMATION PROVIDED IN SUPPORT OF DP 312 (2014)



Agenda

- Welcome and introductions
- Background
- Enrolments at Clintyclay Primary School
- Financial Position at Clintyclay P. S.
- Proposal
- Possible Next Steps
- Open Forum

Background



- BAIN REPORT – Strategic Review of Education 2006
- SCHOOLS FOR THE FUTURE – A policy for the Sustainability of Schools 2009
- VIABILITY AUDITS - (Minister for Education) 2012
- SALISBURY REPORT – 2013

Bain Report 60 + Recommendations

- **Recommendation 8a..**

“the minimum enrolment for a new primary school should be 140 in urban areas and 105 in rural areas. When the enrolment in an existing school falls below the relevant level, the future of the school should be reviewed.”

Sustainable Schools Policy January 2009

“ The demographic downturn being experienced in recent years presents the education system with a major challenge of ensuring schools remain educationally and financially viable.”

Sustainable Schools Policy – 6 Criteria for Sustainability

1. Quality educational experiences
2. Stable enrolment trends
3. Sound financial position
4. Strong leadership (by Principal and (B.o.G.)
5. Accessibility
6. Strong links to the community

Education Minister's statement 26 September 2011

- The Minister stipulated that the work undertaken by CCMS and the boards must reflect and support the implementation of the Department of Education policies with respect to Bain report ("Schools for the Future" 2009

MINISTER'S VIABILITY AUDITS

- Methodology – data collected on the first three indicators identified in the Sustainable Schools Policy, i.e.

1. Quality Educational Experiences
2. Stable Enrolment Trends
3. Strong Financial Position

Data was obtained for all schools and used to identify VIABILITY STRESSES

The Audit of Clintyclay P.S.

- **Quality Educational Experiences –**
No Stress
- **Stable Enrolment Trend –**
Stress
- **Sound Financial Position –**
3 Year plan spread underspend from 2011 to ensure budget surplus until 2014. it is unlikely that such levels of underspend can be repeated.

Enrolment Stress

- Enrolment trends at Clintyclay P.S.

09/10 – 29 Children

10/11 – 32 Children

11/12 – 33 Children

12/13 – 34 Children

13/14 - 29 Children

Financial Stress

Note: A school's budget is based on the number of pupils at the school. (L.M.S.)

Clintyclay P.S. 3 year plan indicates a surplus of £8602 by the end of the 14/15 school year – a surplus of 4.84%. This is within the +/- 5% levels allowed by DE

Salisbury Report January 2013

Recommendation 25

“Small school support factors should be removed from the Common Formula Funding.”

The Minister has decided not to implement this proposal for 2013/14, however he stated that there is no guarantee that the support will remain beyond that year.

Quality Educational Experiences - Sustainable Schools Policy

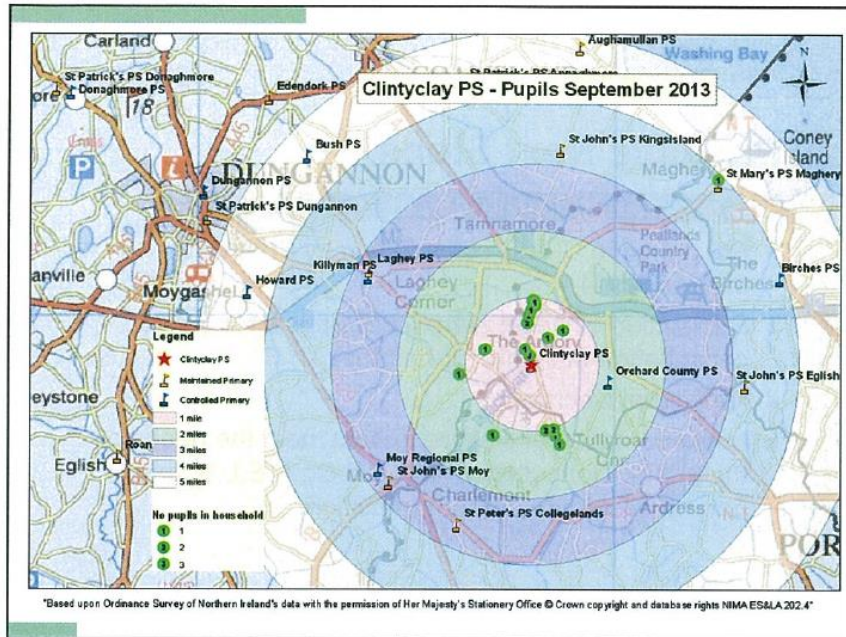
- **Indicator 1.2.** *“No more than **two** composite year groups in a single classroom at primary level.”*
- **Indicator 1.3.** *“A minimum of **four** teachers at primary school. This recognises both the needs of pupils and the demands on teachers.”*

Timeline of events Clintyclay PS

- August 2012 School informed of outcome of viability audit
- December 2012 Review completed
- January 2013 Review paper submitted to Education Provisions Committee, Diocesan Education Committee
- May 2013 proposed dates for consultation with governors, parents and staff-- Deferred on request by Trustee
- August 2013 further deferred on request by Archbishop Martin to allow for further options to be considered
- October 2013 Governors, staff and parents notified of agreed date for consultation

Further consideration of options

- Request from Archbishop Martin
- Interparish options
- Amalgamate Clintyclay PS and St John's PS Eglish
- Amalgamate Clintyclay PS, St John's PS Eglish & St Mary's Maghery



Proposal

- **To cease education provision at Clintyclay Primary School with effect from August 2015 or as soon as possible thereafter**

Children will transfer to the school of the parents' choice (Transport will be the responsibility of S.E.L.B)

Employment issues will be dealt with by C.C.M.S. for teaching staff and by S.E.L.B for non teaching staff.

Possible Next Steps

- Response to CCMS consultation by Friday 10 January 2014.
- Publication of Developmental Proposal for public consultation (minimum 2 months)
- Ministerial Decision
- Implementation of closure to best meet the needs of the pupils. Consultation with B.o.G., S.E.L.B. and parents to ensure smooth transition.

Responding to consultation

- If you wish to make comment on the proposal to close Clintyclay PS by August 2015, or as soon as possible thereafter, please do so as follows:
- Postal returns to: Area Planning Office, CCMS, 160 High Street, Holywood, Co Down, BT18 9HT
- E-mail responses to: Consultation.clintyclayps@ccmsschools.com
- Please indicate in your response if you are a:
 - Parent of a child currently attending Clintyclay PS
 - Member of the Board of Governors of Clintyclay PS
 - Member of Staff of Clintyclay PS
- All responses to be returned by Friday 10th January 2014.

Clintyclay Primary School

**OPEN
FORUM**

SUPPLEMENTARY INFORMATION PROVIDED (2018)

(1) – CCMS UPDATE

At the court hearing on 15th December 2017 it was agreed that the parties should resubmit updated information to the Department on the extant Development Proposal.

The information below provides an update in relation to the school.

Table 1- Historic Enrolments at Clintyclay PS (excluding Reception pupils)

2012/13	2013/14	2014/15	2015/16	2016/17	2017/18 (provisional)
34	26	29	38	30	41

Table 2 - Details of admissions and enrolment against approved enrolment/admissions

School	Approved Enrolment Number	2017/18 Enrolment (provisional)	Surplu s	Approved Admissio n Number	2017 Admissions (provisional)	2018/19 P1 Application s (TBC)
Clintycla y PS	47	41	6	9	8	9

➤ **Current accommodation/site**

Clintyclay PS was opened in 1865 and currently comprises of 2 permanent classrooms. A resource room is being used as a third classroom.

The school has also secured a mobile building from the local parish which will house a library, computer suite and a fourth classroom.

➤ **Current capital proposals/minor works applications with the Department.**

There are currently 3 applications for minor works:

1. Access control
2. Security gates and fencing
3. Energy efficiency works to convert oil heating to gas

They are also in the process of completing works to provide off road parking facilities.

Composite Groups

There are currently 3 composite year groups. The first class has 16 pupils from Reception class to Year 2 (covering pre-school and foundation levels). The second class has 12 pupils in Years 3 and 4 pupils (covering Key Stage 1) and the third class has 17 pupils in Years 5 – 7 pupils in it (covering Key Stage 2).

Table 3 - Number of Pupils in Each Year Group

Yr1	Yr2	Yr3	Yr4	Yr5	Yr6	Yr7	Total
8	*	*	8	*	6	8	41

The teaching complement is 2.2. Additional temporary teaching hours have been sourced through short term supplementary funding.

Table 4 – Enrolment figures for the last 3 years

2015/16	2016/17	2017/18 (provisional)
38	30	41

Financial Position

The school has indicated that at October 2017 they have 2.6% (almost £5,000) of a budget surplus. By October 2018 it is anticipated that the budget deficit will be 0.4% (£641), improving to an anticipated surplus of 1.6% (just over £3,000) by October

2019. The figures would indicate that the school is operating within the Department's allowance of +/- 5% of their overall budget.

The school has received an allocation of £28,350 from the Vulnerable Person Resettlement (VPR) Programme which has been allocated as a result of a number of Syrian refugee children who have enrolled at the school. This funding has been allocated for 7 pupils for one year.

The budget for the 2017/18 year has been allocated on a pupil enrolment number of 32 but the actual enrolment figure is 41. This would indicate that there are currently more pupils in the school than the 3 year financial plan has accounted for.

Composition of Board of Governors – skills and experience of Board members and number of vacancies.

The Board of Governors benefits from a wide range of skills and includes representation from parents, teachers, trustees, and the school principal.

Management of staff attendance and absenteeism.

A part-time teacher is currently off on sick leave. CCMS is not aware of any other staff attendance or absentee issues.

Levels and nature of staff turnover and unfilled staff vacancies.

There are currently no teaching vacancies within the school and staff turnover has not been an issue to date.

A new Principal has been recently appointed on 1st September 2017.

Management of curricular and organisational demands on the principal and staff.

In a school of this size there is an increased demand on the principal and teachers to coordinate and lead curricular provision of more than one core subject. In addition, the principal has a teaching responsibility for a composite class with only one day release available. This places an increased workload, in particular in administration, and the monitoring and evaluation of the School Development Plan.

Ensuring that the resource allocated is available so that the principal has at least 1 day per week to attend to leadership and management duties.

There is a member of teaching staff employed on a part-time basis to enable the Principal to be released from teaching commitments to tend to the leadership and management duties of the school one day per week.

There is a school development plan in place and progress is being made to achieve the plan's aims and objectives.

A school development plan is in place. 2017/18 is year one of this new plan.

Home to school transport travel times of less than 30 minutes for primary pupils (i.e. 1 hour per day in total) and 45 minutes for post primary pupils (i.e. 1.5 hours per day in total).

There are a number of other local schools located close to Clintyclay PS as noted, for example, in the table below.

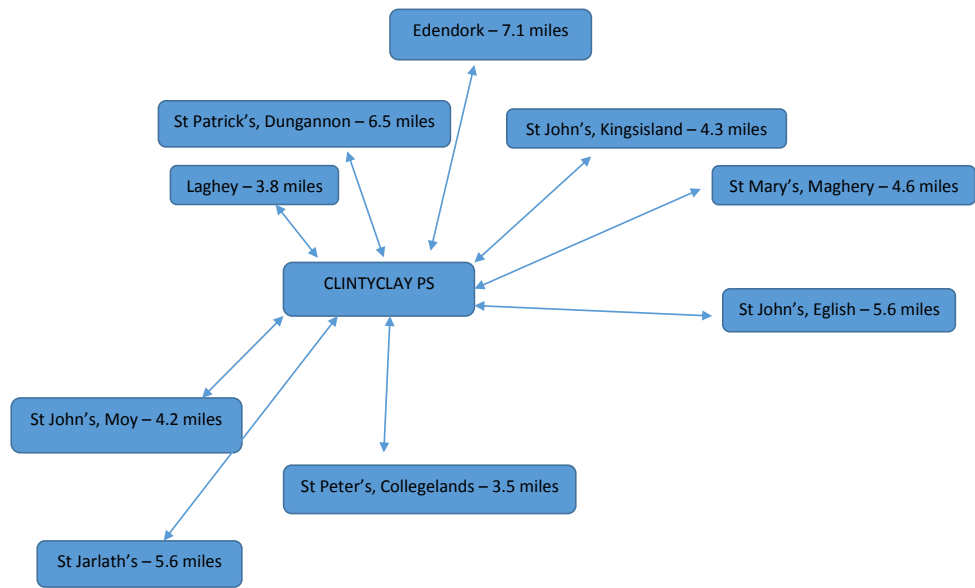
Distance to another suitable primary school.

The table below details the number of miles pupils of Clintyclay would have to travel to access their next nearest school.

Table 5

Distance to Another School	Number of Pupils
0.85 – 2.00 miles	12
2.00 – 4.00 miles	25
4.00 – 4.16 miles	*

Map of Surrounding Primary Schools



Capacity in nearest schools

Table 6 (excludes Statemented Pupils)

School	P1's	Total	Spare Capacity in the School	App Adm No.	App Enrol No.	Statemented Pupils
St Peter's PS, Collegelands	21	150	-12	20 (24)	138	*
St John's PS, Moy	31	192	6	28 (30)	198	0
Laghey PS	14	102	7	16 (19)	109	*
St John's PS, Kingsisland	26	161	30	27 (30)	191	6
St Mary's PS, Maghery	13	66	58	18 (22)	124	*
St Patrick's PS, Dungannon	109	718	-31	98 (103)	687	15
St John's PS, Eglis	8	54	-4	7 (9)	50	0
St Jarlath's PS, Blackwatertown	24	178	27	29 (30)	205	*
Edendork PS	43	328	-8	46 (51)	320	*

If Clintyclay closes, a number of the other schools in the area would be able to accommodate the pupils from Clintyclay. However, parents would have choice on where to apply and CCMS, or other, schools would have to manage admissions on a case by case basis. CCMS is currently commencing a review of enrolment at St Patrick's PS in Dungannon and if appropriate would intend to bring forward a development proposal to increase the admission/enrolment numbers if long term demand is evidenced. CCMS is in discussions with the Trustee of St Patrick's PS, Dungannon in regard to the need for appropriate spaces for 9 pupils who live in Dungannon but are currently travelling more than 5.5 miles from Dungannon to Clintyclay PS. Should the school require a temporary variation to enable them to accommodate any additional pupils CCMS will work closely with the school and the Department on this matter.

Degree and quality of parental involvement (schools will be asked to provide evidence on this).

There is a parent representative on the Board of Governors. Parents are also involved when there are ongoing matters which need to be addressed with their children. Parents are encouraged to report any concerns they have to the school.

Parents and the local community are involved in raising the profile of the school, provision of resources for the school and fundraising events.

Number of children in the vicinity attending (and not attending) the school.

The majority of pupils living within 2 miles of the school attend the school.

Contribution of the school to the community (schools will be asked to provide evidence on this).

The school is very closely connected to the community. It receives strong support from parents, grandparents and the local community at school events such as the Christmas show.

The school and local community are currently preparing for the "125 years" celebrations at the school.

Presence of other features of provision, e.g. nursery or specialist unit.

There are no nursery or specialist units at the school.

Multi-functional use of buildings outside formal education, for example, for sport, voluntary and community use.

The school currently does not have access to any Extended Schools funding. Pupils have access to a range of after schools clubs including cookery, homework, transfer and basketball. A breakfast club was also established in Term 1 of the 2017/18 school year. It is also hoped that an after schools dance club will be introduced soon.

(2) BOARD OF GOVERNORS UPDATE

Dorina Edgar
Area Planning – Primary Team
Department of Education
Rathgael House
43 Balloo Road
Rathgill
Bangor
BT19 7PR

Dorina.Edgar@education-ni.gov.uk

Dear Ms Edgar

26th January 2018

RE: CLINTYCLAY PRIMARY SCHOOL: DEVELOPMENT PROPOSALS (DPs) 312 and 315 – PROPOSED CLOSURE AND TRANSFORMATION

I am writing to you following receipt of a letter from Ms Jacqui Durkin regarding the next steps for Clintyclay Primary School following the conclusion of the legal proceedings relating to Development Proposals 312 and 315. From the outset we wish to make clear that we do not agree with this process, we believe it is unlawful to amend DP312 while bypassing the consultation stage, the only appropriate way to proceed would be to start from the beginning with a new Parish review. That said we do not want to be obstructive and so provide the following.

There are a number of inaccuracies contained in Ms Durkin's letter which the Board of Governors feel must be addressed before we go any further.

Firstly, Ms Durkin starts her letter by stating:

"I am writing to you following the dismissal of the judicial review proceedings on 15 December 2017 in relation to DPs 312 and 315 for Clintyclay Primary School."

This statement would indicate a misunderstanding of the conclusion of the legal process and we feel it is important to clarify that the Judicial Review taken against the decision of the then Minister for Education, John O'Dowd MLA, was successful. The Honourable Mr Justice Treacy found in favour of the applicant on 27th March 2015. This decision was subsequently appealed, and it was these proceedings that eventually ended on 15th December 2017. For clarity I quote the court order from December 15th 2017:

"IT IS ORDERED that:-

The previous order of The Honourable Mr Justice Treacy dated 27 March 2015 stands, with no order as to costs save the costs of the Applicant shall be taxed in accordance with the provisions of schedule 2 to the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981."

The court order is clear and concise, the 27th March 2015 decision in favour of the applicant stands. Any suggestion, intentional or otherwise, that the judicial review proceedings were dismissed would be grossly inaccurate.

Secondly, Ms Durkin continues her letter by stating:

"I understand all parties agreed that any further information or updates would be forwarded to the Department of Education (DE) within six weeks of the hearing."

Again, there appears to be a misunderstanding of the events that took place in court on 15th December 2017. No agreement as outlined by Ms Durkin was made. In fact, it was made clear in court that the applicant did not agree to this proposal. The applicant was supported in court on the 15th December by representatives of the Board of Governors, Parents Association and local community. I have discussed this matter at length with those present and the legal representatives of the applicant, all of whom have made clear to me that the proposal that the Department should simply update the old development proposals with new correct information was rejected by all parties related to Clintyclay PS.

The Department has already received correspondence from KRW Law setting out that the Board of Governors strongly disagree with the way that Department are currently progressing with DP312 and DP315 and why we believe the process to be legally flawed.

DP 312

The origins of DP312 are in the Review of Primary Education in Dungannon Parish, known as the Parish Review, carried out in 2012. As has been previously highlighted on many occasions that review contained numerous inaccuracies, including the incorrect financial information highlighted during the JR and referred to by Justice Treacy in the 27th March 2015 decision. Simply correcting these inaccuracies and providing correct up to date information will not however make DP312 valid.

It is very clear that the incorrect perceptions held by the individual conducting the Parish Review tainted the entire process. At the outset of the Parish Review the author makes clear that the review focuses only on two schools, Clintyclay PS and Laghey PS, on the basis that Clintyclay was deemed financially unviable in the February 2012 SELB audit and Laghey PS deemed financially unviable in the longer term. Neither of these statements had any basis in fact and the assertions in relation to Clintyclay PS have been proven inaccurate in Court.

By focusing the Parish Review on just two of the four catholic maintained schools in the Parish, the author of the review denied Clintyclay PS, Laghey PS and Dungannon Parish the opportunity to properly explore all the options for alternative educational solutions within the Parish. It is impossible to know what the outcome of that review would have been had the author not started the process with an incorrect perception in his mind. In fact, given the large number of Parish and Area reviews, conducted by the CCMS and ELBs, that concluded with schools recommended for Parish solution or local area solution, we have every reason to believe that had the Parish Review been conducted properly, Clintyclay PS would not have been recommended for closure.

It is also important at this point to understand that in between the author of the flawed review and the Minister making his decision, there were a number of other stages that progressed the

recommendation in the review all the way up to what is now called DP312. The Diocesan Education Committee received and approved that recommendation, the CCMS then received the DEC approval and decided to bring forward a development proposal. Again, it is impossible to know what decisions these bodies would have made had they been presented with accurate information rather than the flawed recommendation. However, what we do know is this, the flawed information was present from the very beginning and affected every single step of the process thereafter. It is therefore not enough for the final decision within the Department to be retaken with accurate information to hand, but every stage of the process must be retaken.

Only a new, accurate and comprehensive Parish review will remove the mistakes of the past from this process. The outcome of that review should then go to the Diocesan Education Committee and on to the CCMS so that the wider area plan can be updated. If out of that process the CCMS decide to make a change to primary education in Dungannon Parish they should bring forward a new development proposal(s) which would then go out for proper consultation before the Minister, or Permanent Secretary, makes the final decision.

To allow this to happen the Permanent Secretary should now reject DP 312 to finally bring the flawed process to an end.

DP 315

DP 315 originated in a community meeting held in March 2013 following the publication in regional media of schools threatened with closure in the draft area plans. As Clintyclay PS was on the list, a community meeting was held to allay fears and discuss the challenges ahead. One of the proposals from that meeting was to investigate transformation as Clintyclay PS is located within an area consisting of both the traditional communities.

A number of meetings were held throughout the following academic year involving parents, governors, the wider community, NICIE and IEF. This led to the school governors receiving a letter from parents requesting transformation and in line with the legal process we informed all parties concerned and organised a ballot. The ballot concluded on 29th April 2014, turnout was 78% and 100% of the votes were in favour of transformation.

In line with the transformation process, the school governors assisted by NICIE and IEF began working on DP315 and it was published in June 2014.

DP315 was declined by the Minister in October 2014, and the Minister decided to approve DP312. Both decisions were judicially reviewed with the decision in favour of the applicant on 27th March 2015 quashing both ministerial decisions.

On 1st April 2015, following the court's decision, the school Board of Governors received a second letter from parents seeking transformation and again in line with the transformation process arranged another ballot. The second ballot concluded on 3rd June 2015, turnout was 62% with 100% of votes cast in favour of transformation. The Department of Education refused to pay the school for the costs of this ballot while the legal proceedings were ongoing. As the legal proceedings have now been concluded we ask that the Department now reimburse the school the £924 paid to ERS for this ballot.

Given the time that has now lapsed since the first ballot, and conscious of the fact that the children that were in primaries 4 to 7 in April 2014 have now all moved to secondary education, while our current P1 to P4 children were not at the school in April 2014, we feel a new ballot is required before we can further advance along the transformation process. The 6-week period referenced in Ms Durkin's letter is insufficient for this to take place, and the Governors seek confirmation from the Department that the costs associated with a new ballot will be met by the department before instructing ERS.

While the legal proceedings were ongoing the Clintyclay Transformation Steering Group (now renamed Two Rivers Integrated Steering Group) remained in regular contact with NICIE, however they were unable to advance on the process until the legal proceedings came to an end. The school is currently in receipt of an IEF transformation grant to fund a number of public meetings in the locality and a meeting has been scheduled with NICIE and the IEF for 13th February 2018. Again, the timeline set out by Ms Durkin requiring updated information by 26th January is unrealistic and therefore prejudicial to DP 315.

The Permanent Secretary could make a decision on DP315 based on either the original ballot or the second ballot, one is 4 years out of date and the other 3 years out of date. However, making a decision on up to date information is not possible without a new ballot taking place. Should the Permanent Secretary go ahead and decide to approve DP 315 on the information currently available we would ask that the date of transformation be September 2019 to allow a full cycle of applications. In such a scenario we would most likely re-ballot our parents again anyway to ensure all of our current parent had an opportunity to vote.

Clintyclay PS today

As of today, Clintyclay PS has 41 pupils enrolled in P1-P7 with a further 5 reception pupils, totalling 46 children currently at the school. As you are aware the school's current approved enrolment number based on our accommodation is 47. Therefore, at present we have 1 empty desk which will be filled in May 2018 as we have a new P4 pupil transferring to the school following his family relocating to the area.

This month we received 9 applications forms for Primary 1 in September 2018 along with a further 5 forms for reception. With 8 pupils in the current Primary 7 we are forecast to have 43 P1 to P7 pupils in 2018/19 with 5 reception pupils. This will bring the total number of children in the school to 48 in the next academic year. Our principal is currently awaiting confirmation from the Department as to whether we need to apply for a temporary variance to our total enrolment number for next year.

Further growth over the next few years is predicted to be significant as our existing P6 and P5 classes are made up of 6 and 9 pupils respectively. As these 9 children depart the school for secondary education we are forecasting a minimum of 16 children enrolling based on the current numbers of 2 and 3 year olds in the area. This number is likely to rise as housing development continues within Clonmore, but we can confidently forecast our numbers will be in the region of 55-60 by September 2020.

Clearly the school has grown significantly since the Minister made his decisions in 2014, although the school numbers at that stage were at an all-time low as a number of children left the school following

the threat of closure. Had the school not lived under that cloud for a number of years we would today have an enrolment of approximately 57 pupils.

Our principal has also been contacted by the families of 5 protestant children seeking clarification of the school's status following the court proceedings in December, as they would enrol their children if the school was integrated. To that end the school is more diverse than ever, and we were delighted to welcome a number of Syrian pupils into our school this year.

Our school finances are also in a relatively strong position given the current economic constraints across the sector. This week our school budget was accepted by the Education Authority along with only 238 other schools while 632 schools had their budgets rejected. This information only further highlights how shockingly wrong the author of the Parish review got it when he claimed Clintyclay PS was financially unviable – we are currently more financially viable than 70% of the schools in the country.

The greatest strain on the budget at Clintyclay PS is the school's rapid growth, but our Board of Governors, the school finance committee and our principal have demonstrated their ability to work within the budget and there is no reason to believe that this will not continue to be the case as we grow the school further.

We continue to provide a high quality educational experience. Our new school principal, Ms Fiona Hampsey, joined us in September 2017, and while we the lost the experience of our outgoing principal Mr Barry Randall we gained a young and energetic principal who has wasted no time in adding to our already high-quality provision. At our latest Board of Governors meeting on 24th January Ms Hampsey updated us on our new computer suite, library, learning resource room and afterschools facility which should be up and running by term 3, well ahead of the scheduled September 2018 opening.

This new facility is only possible thanks to the support of our local community. The school has been central to the community for 125 years and the community has once again demonstrated its determination to maintain primary education within this area. We are particularly pleased to report that as Clonmore has grown due to new housing development over the past number of years, the new members of our community have also shown a commitment to sending their children to the school. This is a very positive trend as development in Clonmore appears likely to continue for some time as developers buy up zoned residential land.

Ultimately it is the accessibility of the school to these families that drives their choice. Clintyclay PS is located on the edge of a growing hamlet within a wider area predicted to experience population growth. Our new principal initiated a breakfast club in September 2017 and will commence afterschool's activities later this year. This wrap around provision from morning to evening is very attractive to the sort of families buying homes in this area.

The current growth of the school, coupled with the sound financial management and quality educational experience at Clintyclay PS should be sufficient to demonstrate that there is both room for and need for a school in this area.

To conclude, it is the opinion of the Board of Governors that any attempt by the Department to progress DP312 and close Clintyclay Primary School would be unlawful. DP 312 has been shown in court to infected by false information and we strongly object to any process which aims to simply

replace the false information with correct information without going through the full process of review and consultation that led to the formation of DP312. In essence, we believe the Permanent Secretary has no choice following the legal proceeding but to reject DP312.

The only real decision before the Permanent Secretary at this stage is whether or not to approve DP 315. While the governors would welcome a decision to approve the transformation proposal, we are also aware that a significant portion of our existing parents were not part of the ballot on which it is based. We have no reason to believe that these parents would not support the transformation and anecdotal reason to believe that they are in fact very supportive, after all Clintyclay PS's proposed transformation was well covered in the local and regional media and these parents enrolled their children in the school with that knowledge. Regardless of the Permanent Secretary's decision on DP315, the school will continue to engage with all parties on the transformation of the school as it is clearly the desire of at least 20% of our parents that we do so and with this in mind a new development proposal for transformation is highly likely should DP315 not be approved.

Following the court proceedings in December we issued a statement to parents, explaining that we understood that the Permanent Secretary would now reject both proposals due to the passage of time from their publication to now and that this would clear the way for new proposals to be brought forward. We still believe that this may provide the most sensible outcome.

Yours sincerely



Gerard Cunningham

Chairperson
Board of Governors, Clintyclay PS

Cc: Jacqui Durkin, Department of Education
Gerard Campbell, Chief Executive CCMS
Eve Bremner, CCMS

Primary School Annual Area Profile 2017

DE Ref No:	School Name:	Status:	Council Area:
5031080	Clintyclay Primary School	Catholic Maintained	ARMAGH CITY, BANBRIDGE AND CRAIGAVON

Annual Census Information			
Year	Total pupils Y1-Y7	IMU	FSME %
2013/14	26	0	*
2014/15	29	0	*
2015/16	38	0	*
2016/17	30	0	*
Approved Reception – Year 7 enrolment number			47
Approved Reception – Year 7 admissions number			7
Year 1 Pupils 2016/17			2
First Preferences Applications 2016/17			1

Formal Intervention	
In formal intervention any period 1 April 2016 – 31 March 2017	

Budgets			
Year	Available Delegated Resources £	Surplus/Deficit £	Surplus/Deficit %
2013/14	188,907	33,996	18.00%
2014/15	182,619	7,584	4.15%
2015/16	170,153	-4,238	-2.49%

KEY TO SYMBOLS & TEXT USED IN DATA ABOVE	
Symbol / Text	Definition
*	Relates to fewer than 5 cases.
#	Means that a figure greater than or equal to 5 had been treated to prevent disclosure of a small number elsewhere
-	School not open in the relevant academic year
n/a	No year 7 pupils