

CONSULTATION ON THE FUTURE GOVERNANCE ARRANGEMENTS FOR TWO SCHOOLS SERVING THE PRIMARY SECTOR IN MARCH

To: **Children and Young People's Committee**

Meeting Date: **10th March 2015**

From: **Executive Director for Children, Families and Adults**

Electoral division(s): **March North, March West and March East**

Forward Plan ref: **N/a** *Key decision:* **No**

Purpose: **In response to Maple Grove Infant School being placed in special measures by the Office for Standards in Education (Ofsted) to;**

- (a) advise the Committee on the outcome of local consultation on a proposal to close Maple Grove Infant School and extend the age range of Westwood Junior School in March to become an-all through primary school; the Westwood Primary School; and**
- (b) seek the Committee's agreement to publish the requisite statutory public notices to give effect to this proposal; and**
- (c) seek the Committee's further agreement to increase the size of the resulting Westwood Primary School, March to enable the Council to meet its statutory duty to provide a sufficient number of primary school places in the town and, in particular, within the catchment area to be served by this school.**

Recommendation: **The Committee is recommended to:**

- a) note and comment on the consultation responses;**
- b) agree publication on 13th March 2015 of the statutory notices required to give effect to the proposal to close Maple Grove Infant School and extend the age range of Westwood Junior School, March to become an all-through primary school;**
- c) make an exception to the Council’s current policy on the maximum size of primary schools and publish a second statutory notice to increase the published admission number (PAN) of the resulting Westwood Primary School from 90 (3 forms of entry (FE)) to 120 (4FE) with effect from September 2016; and to**
- d) delegate final approval for the implementation of the proposals following expiry of the statutory notices in (b) and (c) above to the Executive Director for Children, Families and Adults, in consultation with the Chairwoman and Vice Chairman of the CYP Committee.**

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1. BACKGROUND

- 1.1 The northern part of March is served by the following schools providing education for pupils aged 4-11;
 - Maple Grove Infant School (ages 4-7);
 - Westwood Community Junior School (ages 7-11); and
 - All Saints Inter-Church Academy Primary School (ages 4-11)
- 1.2 All Saints Inter-Church Academy Primary School is a 1FE, or 210 place school. It admits up to 30 children into Reception each year of which, a maximum of 15 are admitted on the basis of the religious criteria set by the school.
- 1.3 Maple Grove Infant School and Westwood Community Junior School are “partner” schools. Almost all of the pupils attending the Infant School transfer to the Junior School at the end of Year 2. The published admission number (PAN) for both schools is 90 (3 forms of entry (FE)), which means that the Infant School currently provides 270 pupil places and the Junior School 360 places; a total of 630 places across the two schools. They are, therefore, the most significant providers of primary school places in the north of March.
- 1.4 At the time of Ofsted’s inspections of both schools in autumn 2014 the Council was at an advanced stage in its planning for the expansion of the two schools by an additional form of entry (3FE to 4FE) to meet the rising demand for places from within their catchment area.
- 1.5 Maple Grove Infant School was inspected by Ofsted between the 24th and 25th September 2014. The inspection was extended by one day with a further visit taking place on 12th November 2014. The Inspection report was published on 3rd December 2014. The overall effectiveness of the school was judged as inadequate and that it required special measures.
- 1.6 A school that requires special measures is considered to be failing to give its pupils an acceptable standard of education. In these circumstances, the local authority is required to submit a statement of action to Ofsted that includes a consideration of the future governance arrangements for the school, including the option of closure, taking into account the number of better-performing local schools. The requirement for a rapid response to secure educational improvements in such cases has been reinforced in the most recent Department for Education (DfE) guidance on schools causing concern.
- 1.7 Westwood Community Junior School was inspected by Ofsted between 9th and 10th December 2014. The final report was published on 9th January 2015. The overall effectiveness of the school was judged to be good across all areas. The school has improved considerably under its present leadership team since its previous inspection in December 2012 when it was judged as requiring improvement.
- 1.8 The DfE wrote to the Chair of Governors at Maple Grove Infant on 1st December setting out the Secretary of State’s expectation that all schools that go into special measures and stay open should become sponsored academies.

1.9 The Authority has considered this option, but took the decision to develop an alternative option which, if implemented, would secure all-through primary provision in place of the existing separate Infant and Junior schools in line with the Council's long-established policy preference for such schools. This would be achieved through closing Maple Grove Infant School and extending the age range of Westwood Junior School to become an all-through primary school (The Westwood Primary School), providing places for children aged 4-11 from 1st September 2015. The resulting Westwood Primary School would operate over the sites currently occupied by the separate Junior and Infant Schools. These sites are opposite one another separated by Maple Grove Road.

2. MAIN ISSUES

2.1 Potential Future Governance Options

2.1.1. The DfE's stated expectation would be for the Authority to consider either:

- the closure of Maple Grove Infant School and the loss of the places within it if there are sufficient places available in other good schools within the area. This option is not being considered in this case as there is a need to expand the number of primary school places available in the town (see paragraph 2.3), or
- inviting an education provider/Trust to sponsor the infant school and the school to then convert to academy status. The DfE would identify and recommend potential sponsors to the Authority and the school's governors in these circumstances.

2.1.2. However, there are alternative options available. These include:

- closer partnership working between the two schools (e.g. Federation or Collaboration),
- the closure of both schools prior to their amalgamation and re-opening as a new all through primary school; or
- the closure of the Infant School and the extension of the age range of the Junior School so that it becomes an all through primary school operating on a split site.

2.1.3. Having considered these alternatives, officers concluded in favour of the latter option because:

- The Governing Body of Westwood Juniors has voted against becoming an academy and/or joining a multi-academy trust. Therefore, if Maple Grove Infants became a sponsored academy the Authority's policy preference of an all-through primary school would not be achieved. The Junior School would continue to be maintained by the Authority while the Infant School would become an independent state funded school run by a multi-academy trust.

- Federation does not create an all-through primary school; each school would retain its DfE number and be subject to separate inspections
- Collaboration is not a permanent solution and will not bring the structure and rigour needed for Maple Grove Infants to move out of special measures
- Amalgamation would not deliver a solution quick enough for the Maple Grove's school improvement requirements and would not be acceptable to the governors of Westwood Junior School
- The proposed solution retains the strong leadership involvement of Westwood Junior School. The headteacher of the Junior School is currently supporting (two days a week) the improvement of the Infant School through the implementation of the plan agreed by the Local Authority Implementation Group (LAIG).

2.1.4. The DfE was informed of the Authority's intention to consult on this proposal and discussed it with officers on 11th February. The DfE has not raised any objection to the proposal and officers believe that this is because it is a robust structural solution that sees the closure of a school judged to require special measures.

2.1.5. If approved, from 1st September 2015 Westwood Primary School would operate as an all-through primary school providing 630 places for children aged 4-11 years. The school would be led by a single governing body with one senior leadership team under a single headteacher (the current headteacher of Westwood Community Junior School). The primary school would also have a single budget (see paragraph 4.1). The school would operate over two sites occupying the buildings used by the former Maple Grove Infant School and Westwood Junior School. The sites are on opposite sides of the Maple Grove Road to one another.

2.2 Educational Standards

2.2.1 The Council's long held policy preference for all-through primary schools over separate junior and infant schools results from a number of advantages they offer for leadership teams, staff and pupils, which include:

- Consistent leadership and management across the key stages through one head teacher and one governing body.
- Consistency of policy and whole school planning across the key stages.
- Continuity and consistency for teaching, learning and achievement across key subject areas such as English, mathematics and science.
- Strengthened tracking of pupil learning and achievement as common methods of assessment are deployed.
- No transition to a new school at age 7. School transition can be associated with a dip in educational attainment as it is a worrying time for some children who then have to learn different routines and behaviour policies.

- The relationship between pupils, parents and the school can build over a longer period of time, allowing the school to better understand the needs of each pupil.
- Better staff retention and recruitment opportunities arising from the broader curriculum range and enhanced opportunities for professional development.

2.2.2. The Authority's preference does not mean that separate junior and infant schools cannot be successful in their own right. However, recent experience in Cambridgeshire, and particularly in the Fenland area, suggests that the risks of junior and infant schools encountering difficulty are higher than for all-through primary schools. This further supports the case for the organisational change proposed.

2.3 Demography and School Size

2.3.1 There is a need to provide additional Reception places from September 2016 to meet the forecast demand for places from within the catchment area served by the two schools irrespective of the outcome of the proposals for change detailed in this report. This was to be achieved under the Authority's current proposals by expanding Maple Grove Infant School from 3 FE or 270 places to 4FE or 360 places. Westwood Community Junior School would also subsequently be expanded from 3FE (360 places) to 4FE (480 places) as the larger pupil cohorts began to transfer from the Infant School. In discussions prior to the Ofsted inspection of both schools, the head teachers and governors stated their support for the proposed expansion as they wanted to meet the needs of the children and families living within their shared catchment area. Design work on the physical expansion of the Infant School is well advanced with work on site planned to start in the Autumn of 2015.

2.3.2 If the proposal to close Maple Grove Infant and expand the age range of Westwood Junior is implemented the Council would proceed with its expansion plans. This would create a 4FE (840 place) primary school split over the two sites. The Authority's current policy regarding the maximum size of primary schools is that all-through schools should be no more than 3FE (630 places) or separate junior and infant schools should be no more than 4FE which would equate to 360 places in an infant school and 480 places in a junior school.

2.3.3. When the policy was established the circumstances in which the Authority would wish to bring together separate junior and infant schools of 4FE to create an all through primary school were not foreseen. This Committee is being asked to make an exception to this policy in the circumstances which apply to this case; namely that

- Plans are well advanced for the expansion of the existing schools. The Council has a statutory duty to provide a sufficient number of school places in this part of March and has no other proposals that can be delivered by September 2016. The nearby All Saints Inter Church Primary Academy does not wish to expand at this present time. Bringing forward the opening of new schools linked to proposed major housing

development cannot be achieved within this timescale as viability issues across the Fenland area have slowed the pace at which these are likely to come forward.

- The resulting Westwood Primary School would be a split site operation and no more pupils would be educated across the two sites than previously planned. There would not be 840 pupils aged 4-11 on a single site.
- The opportunity offered by a larger school to expand the leadership team would ensure that an appropriate organisational structure could be put in place.
- The national pressure on primary school places has also meant that since this policy was last considered by the Authority there are now more examples of schools of this size and larger operating across the country.

2.4 Consultation

2.4.1 The Council's consultation was launched on 26th January 2015 with the publication of a consultation document. A copy of the consultation document can be accessed via the following link:
http://www.cambridgeshire.gov.uk/info/20059/schools_and_learning/347/school_changes_and_consultations/11

At the back of the document a comment sheet invited people to provide feedback. The document was circulated widely, distributed at two public meetings and made available on the Council's website.

2.4.2 A separate opportunity to respond via an on line survey was also provided. The detailed results of which are attached as appendix 1 to the report. The on-line survey proved to be a popular way of responding. 50 responses were received and the overwhelming majority of these (38) supported the proposal. 24 respondents identified themselves as parents, 24 as school staff, 5 as members of the local community and 1 as a school governor.

2.4.3 In addition, 38 written responses were received by the 27th February deadline. Again, the majority of respondents 32 supported the proposal with the range of comments reflecting those in the on line survey. Only three respondents were against the proposal while a further 3 did not express a view either for or against.

Those in support of the proposal put forward the following arguments:

- one or more of the benefits of an all-through primary school was mentioned by 17 respondents (paragraph 2.2.1)
- the various strengths of Westwood Community Junior School were cited by 8 respondents

Those against the proposal gave the following reasons:

- concern that large schools delivered poorer educational outcomes (1 response)
- the Infant School should be given the time and opportunity to become a good school again (1 response)

- the Authority wants to save money and was looking for an opportunity to close the Infant School (1 response)

2.4.4. Two consultation meetings were held for parents and members of the local community on Wednesday 4th February; the first at 3.30pm at Maple Grove Infant School and the second at 7.00pm at the Westwood Community Junior School. These meetings were very well attended; around 130 people in total. Two meetings were also held with the schools' staff on 2nd and 3rd February. Further details are set out in section 2.5.3)

2.4.5. These meetings provided those present with an opportunity to hear more about the proposal and ask questions rather than to express a view either in favour or against. The questions raised and the officer responses have been brought together in a single document which is attached as appendix 2 to the report.

2.5 Staffing

2.5.1. If implemented, the proposal would result in the closure of Maple Grove Infant School and require the existing Junior School to recruit a significant number of staff in order to provide for the 4-11 age range. It would need to operate the same number of classes as currently exist across the two schools. The decision on the staffing structure for the school would rest with the governors and headteacher of the Junior School. They would then recruit to the new posts resulting from that structure. The advice received from personnel professionals, based on employment legislation, is that as both schools are Community schools, there would not be a change of employer in this case and, as such, the Maple Grove Infant School staff would need to be placed at risk of redundancy. The new posts created would initially be ring fenced to them and they would receive prior consideration for any posts for which they chose to apply.

2.5.2 A separate staff consultation and appointment process will commence immediately after the determination of the public notices on 16th April 2015 (paragraph 2.6.2) if the proposal goes ahead.

2.5.3 Separate staff consultation meetings took place at the Junior and Infant Schools on 2nd and 3rd February respectively. A number of Infant School staff expressed the view that:

- the school should have the chance, with local authority support, to become a good school again and then determine its own future, including whether it wished to retain its own separate identity and/or become an academy.
- closure was unnecessary and the speed at which it was taking place following the recent Ofsted inspections demonstrated that it had always been the Authority's intention to close the school
- all staff (infant school staff) should automatically transfer to the resulting Westwood Primary School.

A separate proposal has come forward from the Cambridgeshire Association of the National Union of Teachers in support of the last of these points on the basis that all staff are currently employed by the Council and will continue to be so in the resulting Westwood Community

Primary School. This proposal will be considered further as part of the separate staff consultation, even though as stated above, it would be contrary to the advice with regards to employment legislation received by officers.

2.5.4. Staff of the Junior School supported the proposal made by the local authority.

2.5.5. Individual staff have also commented via the on line survey and in writing. A summary of the consultation is provided in paragraph 2.4 and in the appendices to this report.

2.5.6 Staff and their trade union representatives will remain fully informed and involved throughout the next steps in the review process.

2.6 Implementation Timetable

2.6.1 In addition to the DfE requiring the future governance arrangements for the Infant School to be addressed immediately, there are significant benefits to be gained if the proposal can be implemented for the start of the academic year on 1st September 2015. This can be achieved only if the staff consultation and appointments process described in paragraph 2.5 commences immediately following the Easter holiday period thereby allowing its completion during the 2015 summer term.

2.6.2 It is, therefore, recommended that should the CYP Committee agree to proceed with this proposal and publish the statutory/public notices on 12 March 2015, the final decision is made after the conclusion of the statutory four week period for representations (13th March to 10th April 2015) by the Executive Director of Children, Families and Adults (CFA) in consultation with the Chairwoman and Vice Chairman of the CYP.

3. **ALIGNMENT WITH CORPORATE PRIORITIES**

3.1 **Developing the local economy for the benefit of all**

The Authority is proposing this particular organisational change as it would deliver the benefits of an all-through primary school and has, therefore, a greater potential to improve the educational outcomes for all pupils served by the current two schools. This would have a direct impact on their future life chances, including their employment prospects and their future contribution to the economy.

The Infant School has an outstanding pre-school on its site run by an independent provider. The proposed change provides an opportunity to improve outcomes across the 2-11 age range.

3.2 **Helping people live healthy and independent lives**

The expansion of a good, successful local school, Westwood Junior School, would retain the confidence of the local community and avoid a situation whereby parents seek places at schools outside their local area. Attending a local school will provide more opportunities for children and family members

to walk and cycle and makes attendance at out of school activities and sports clubs easier. Children can develop their life-long interest in such activities at this early age.

3.3 Supporting and protecting vulnerable people

The improvement in educational outcomes derived from this proposal would apply to all children within the primary school, including those with special educational needs (SEN).

One of the advantages of an all-through primary school is the longer association that children and families have with the school. This helps in understanding the needs of the most vulnerable families and putting in the appropriate support and intervention measures.

4. SIGNIFICANT IMPLICATIONS

4.1 Resource Implications

4.1.1 The existing Westwood Junior School revenue budget would be enhanced by the receipt of 7/12th of the budget of the Maple Grove Infant School (7 months being the time remaining in the 2015/16 financial year). From April 2016, the resulting Westwood Primary School would receive a new formula budget for 2016/17 based on the number of pupils on roll in October 2015 and calculated in the same way as for any other Cambridgeshire school.

4.1.2 If the Authority wants to provide additional support to Westwood Primary School throughout the transition stage it would need to make successful disapplication requests to the Education Funding Agency (EFA) in order to transfer other elements of budget/schools funding. A request can be made to:

- allocate any closing residual balance from Maple Grove Infant School at the date of closure to the budget of Westwood Primary School
- allocate an additional lump sum to Westwood Primary School to reflect the loss of the Maple Grove Infant School lump sum of £150,000. If the EFA allow the same approach to be applied as for school amalgamations, then under its financial regulations the Council could allocate an additional lump sum to reflect the difference between £150,000 (the Westwood Primary School lump sum) and 85% of the combined value of the previous two lump sums. This arrangement could only be applied for a single year or a maximum of two years.

Early discussions have taken place with officials at the EFA with an indication given that these applications will be considered favourably.

4.1.3. The additional funding that the Authority has allocated to support improvement at Maple Grove Infant school through the delivery its plan overseen by the (LAIG) would continue and is, therefore, unaffected by this proposal.

4.1.4 Funding is already identified within the Council's capital programme for the additional accommodation required on the current Infant School site to support its expansion to 4FE by September 2016. The expansion of accommodation on the current Junior School site will need to be in place by September 2019 which is when the larger intakes of 120 pupils (4FE) will reach Key Stage 2.

An application for funding through the education capital programme will be made in next year's annual review.

4.2 Statutory, Risk and Legal Implications

4.2.1 There are five statutory stages for a proposal to close a mainstream school:

1. Consultation
2. Publication of statutory proposals for change
3. Representation
4. Decision
5. Implementation

These stages and the timeline which applies to consideration of this particular proposal are set out below:

Activity	Timescale
Consultation	26th January to 27th February 2015
CYP Committee considers the outcome of consultation and decides to proceed with publication a formal statutory notice to give effect to the proposal	10th March 2015
Publication of statutory notice and 4 week representation period	13th March to 10th April 2015
Director of CFA, in consultation with the the Chairwoman and Vice Chairman of the CYP Committee, approve the proposal unless any significant new issues are raised	16th April 2015
Both schools and all interested parties are informed of the Authority's decision, and subject to the outcome, the Westwood Junior School governing body would proceed to implement its new staffing structure following consultation with staff and their union representatives.	16th April 2015 to 31st August 2015

4.2.2 If CYP Committee approves the proposal the next stage in the process would see the publication of a statutory public notice for:

- The closure of Maple Grove Infant School effective on 31st August 2015
- The extension of the age range of Westwood Community Junior School from 7-11 to 4-11 effective from 1st September 2015
- The expansion of the resulting Westwood Primary School with effect from September 2016 when its PAN would be increased from 90 to 120.

4.2.3 If final approval of the notices is not delegated to the Executive Director, CFA, in consultation with the Chairwoman and Vice-Chairman of the CYP Committee, the decision would need to be taken by this Committee at its meeting on 19th May 2015. Conclusion of the necessary staff consultation and appointment process could not be completed during the Summer term and implementation could not be achieved on 1st September 2015. The Council would not look to implement any change part way through a term. The realistic implementation date would then become 1st January 2016.

4.3 Equality and Diversity Implications

4.3.1. There are no significant implications as this is an organisational change. Primary school places will continue to be provided in the area utilising the existing sites and buildings currently occupied by the separate Infant and Junior schools.

4.4 Engagement and Consultation Implications

4.4.1. The detail of the consultation arrangements and the outcome is set out in paragraph 2.44 of the report. In addition, copies of the Council's proposal have been sent directly to:

- Parents and carers of children on roll at both the Infant and Junior schools
- Applicants for Reception places at Maple Grove infant School for entry in September 2015
- Staff employed at both schools and their union representatives
- The governing bodies of the two schools
- Other schools within the town of March
- The Local MP
- March Town Council
- Fenland District Council

4.5 Localism and Local Member Involvement

The local County Councillor has been kept informed of the outcome of the two Ofsted inspections, the officer proposal, the consultation and the recommendation being made to CYP Committee.

4.6 Public Health Implications

4.6.1 There are no additional implications to those already set out in paragraph 3.2

Source Documents	Location
<i>Public Consultation Document</i> <i>Powerpoint presentation for public and staff meetings</i> <i>Notes of Questions and officer responses at public meetings</i> <i>Smart Survey</i> <i>Written response to consultation</i> <i>The school organisation (Establishment and Discontinuance of Schools)(England) Draft Regulations 2013</i> <i>School Organisation Maintained Schools – Guidance for Proposers and Decision Makers</i> <i>CCC Research Group – Pupil Forecasts</i>	Ian Trafford 2 nd Floor Octagon Building Shire Hall, Cambridge CB3 0AP