

Individual Cabinet member Delegated Decision

COUNCILLOR Laura Mayes

CABINET MEMBER FOR Children's Services

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REFERENCE: CS-02-14

Closure of St Sampson's Infant school Cricklade and change of age range of St Sampson's CE Junior school Cricklade to become St Sampson's CE Primary school.

Purpose of Report: to ask the Cabinet Member to approve the statutory proposals published by the governing bodies of St Sampson's Infant School and St Sampson's CE Junior School on 13 March 2014.

Consultation: a period of statutory consultation in January and February 2014 preceded the publication of the linked statutory proposals. The public notice period has been four weeks.

Options Considered: the option of closure of the infant school and its conversion into an academy was considered during the consultation process, as well as the option put forward in the statutory proposals.

Reason for Decision: the linked proposals published by the local governing bodies have secured significant backing from the community of parents, are supported by the DfE and the Diocese of Bristol and will help to secure the future of primary education in the community of Cricklade.

INTENTION TO MAKE DECISION

Following consultation with officers I give notice that I intend to make the decision set out in the attached report. If you would like to make any representations to me on this issue please do so by 23 April 2014.

The following supporting documents are attached: statutory proposal published on 13 March 2014 by the two governing bodies.

The following supporting documents are available from the officer named above: consultation document circulated to parents, staff, governing bodies and others in January and February 2014.

Cabinet member: Laura Mayes

Cabinet member contact details: laura.mayes@wiltshire.gov.uk

Date: 11/04/14

Wiltshire Council

Cabinet

Date of meeting

Subject: **Closure of St Sampson's Infant school Cricklade and change of age range of St Sampson's CE Junior school Cricklade to become St Sampson's CE Primary school.**

Cabinet member: **Councillor Laura Mayes – Children's Services**

Key Decision: **No**

Purpose of Report

1. The purpose of this report is to ask the Cabinet Member to determine the statutory proposals involving St Sampson's Infant School and St Sampson's CE Junior School, both in Cricklade. The Cabinet Member is recommended to approve the proposals.

Background

2. In June 2013 St Sampson's Infant School was inspected by Ofsted. In the report published by Ofsted in September the Infant school was judged to be overall Inadequate and therefore to have serious weaknesses, with the following individual judgements shown as:
 - Achievement of pupils – Inadequate
 - Quality of teaching – Inadequate
 - Behaviour and safety of pupils – Requires improvement
 - Leadership and management – Requires improvementThe inspection report can be found at: <http://www.ofsted.gov.uk/inspection-reports/find-inspection-report/provider/ELS/126273>.
3. Following the inspection report, the Governing Body of the Infant school kept parents up to date with details of changes and action plans. In addition, there were several meetings involving officials from the Department for Education (DfE), officers from Wiltshire Council and the Infant school Governing Body to determine the best way to secure rapid and sustained improvements in the quality of education provided.
4. A follow-up visit from Ofsted confirmed that improvements had been made since the inspection in June – a letter from Ofsted is available from the Ofsted website at the same address as given above.
5. Discussions with DfE officials have emphasised that the Secretary of State did not, and will not, regard the current position as a viable long-term option - there will have to be a change to the way the school is governed, managed, led and run. The strong presumption at central government level is that such schools would become

academies – state-funded independent schools – in effect being taken over by a multi-academy trust with the capacity to bring about the improvements needed, backed by a track record.

6. Discussions in November 2013 between the DfE, Wiltshire Council, the Diocese of Bristol and the Headteacher and the Governing Body of St Sampson's Junior school concluded that an alternative solution is viable for the Cricklade schools (i.e. in these particular circumstances): changing the age range of the Junior school so that it covers the full primary school age range, and closing the Infant school.
7. If this proposal is implemented, responsibility for making the improvements required following the Ofsted inspection of the Infant school last summer will become the responsibility of the Headteacher and the Governing Body of the Junior school.
8. The Governing Bodies of the Infant school (on 11 December 13) and of the Junior school (on 10 December 13) both agreed that their preferred way forward was this proposal - to extend the age range of the Junior school and to close the Infant school as a separate school.
9. The Governing Body of the Junior school is very keen to combine and build on good teaching and learning practice from both schools – so that the foundations of the Primary school are built on the best of both existing schools.
10. Consultation with parents, governing bodies, staff and others with an interest in the proposed changes took place in January and February 2014. 500 copies of the consultation document were distributed to: parents of current pupils at both schools, parents of children attending pre-schools within the designated area, governors of both schools, staff of both schools, Cricklade Children's Centre, Cricklade Town Council, the local councillor, the local MP, the County Secretaries of the relevant unions and professional bodies, the Primary Heads Forum, the North Wiltshire Learning Trust, Heads and Chairs of Governors of nearby schools and Bristol Diocese Board of Education. Further copies were available at Cricklade Library. In addition, the document was available on the Wiltshire Council website and responses could be made online if preferred. Meetings were held for staff, the governing bodies and parents at both schools.
11. The alternative of closure of the Infant school and conversion into a sponsored academy was considered as part of the consultation with parents, staff, governing bodies and others.
12. In summary, the outcomes of the consultation were (answering the question if respondents agreed with the governing bodies' preferred way forward - based on pro-forma responses returned to Wiltshire Council using both the reply-paid envelopes and the online form):

	Infant - yes	Infant - no	Infant and Junior - yes	Infant and Junior - no	Junior - yes	Junior - no	Other - yes	Neither yes nor no
Parent	20	3	15	1	22	7		1
Parent for admission in September 2014	16	1						1
Governor	4				1			
Staff	7	2	2		10			

Other – neighbouring school							6	
Other - resident							1	
Other - Town Councillor							1	
Totals	47	6	17	1	33	7	8	2
Letter from Cricklade Town Council							1	

Total “yes” = 105 plus letter from Cricklade Town Council

Total “no” = 14

Undecided or both = 2

Total responses: 121 plus letter from Cricklade Town Council

A copy of all the responses received has been placed in the Member’s Room. The main comments put forward by those opposed to the proposal concerned the timing of the proposed change and the capacity of the Junior to implement the change.

Main Considerations for the Council

13. There have been no responses to the statutory notice.
14. The local authority, as decision maker, has two months in which to make a decision, starting from the end of the notice period. As the proposed implementation date is 1 September 2014, an early decision will be very helpful in allowing the governing bodies the maximum time to plan for and implement the changes required by September.
15. The Junior School had a routine Section 5 inspection on 25 and 26 March 2014, during the public notice period. The report is expected to be published on or about 22 April 2014, but this is in the hands of Ofsted and not entirely predictable. The Cabinet Member may wish to take the Ofsted report, when published, into account when reaching a decision. The Cabinet Member may consider if the report raises any significant new matters not discussed as part of the consultation process, as well as considering any direct comment on the primary school proposal.
16. The DfE does not prescribe the decision making process, commenting that the factors listed in the guidance “are not exhaustive and the importance of each will vary depending on the type and circumstances of the proposal. All proposals must be considered on their individual merits.” Decision makers are further advised that “they should give the greatest weight to responses from those stakeholders likely to be most affected by a proposal – especially parents of children at the affected school(s).”

Safeguarding Considerations

17. There are no safeguarding implications of implementing the change proposed – the services offered to children at these schools will continue under one headteacher and governing body.

Public Health Implications

18. There are no public health implications of implementing the proposed change.

Environmental and Climate Change Considerations

19. There are no environmental implications of implementing the proposed change as the same site and the same buildings will be used.

Equalities Impact of the Proposal

20. There are no equalities implications of implementing the proposed change as the same locations and the same entitlements remain in place after the change.

Risk Assessment

Risks that may arise if the proposed decision and related work is not taken

21. If a decision on this matter is not taken within two months of the end of the notice period (ie by 10 June) then the matter will be automatically transferred to the Schools Adjudicator for decision.
22. Delay in determining the proposal would put implementation of the change from 1 September 2014 at risk, jeopardising the school improvement processes implicit in the proposal.

Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks

23. If the proposal is approved then the governing body of the Junior school will be responsible for implementing changes (including application of TUPE legislation), with the support of specialist Council staff.

Financial Implications

24. Funding for running schools (paying staff, energy costs etc) is allocated by a formula set by central government, with the biggest part of any school's funding being based on the number of pupils. Schools also receive some funding as a lump sum, allocated to each separate school. The current Infant and Junior school each receive a lump sum payment (projected to be £85,000 per school per annum) whereas a Primary will receive only one such lump sum. The reduction in this lump sum element of funding would be phased in over two years, and needs to be seen in the context of the expected lower costs of a single management and staff structure.
25. Wiltshire Council will make available funding to allow for some building works that would help the site and buildings to work as one school rather than as separate schools. £300,000 has been allocated from earmarked schools capital funding in the financial year 2014/15.

Legal Implications

26. The Cabinet member, as decision maker, is required to have regard to a list of factors included in the DfE publication: School Organisation Maintained Schools Annex B Guidance for Decision Makers, particularly paragraphs 10 to 78. A copy has been placed in the Members Room. The DfE does not prescribe the decision making process, commenting that the factors listed in the guidance "are not exhaustive and the importance of each will vary depending on the type and

circumstances of the proposal. All proposals must be considered on their individual merits.”

27. Consideration has been given to whether or not there are any ethical or governance issues or any Human Rights implications, and none have been identified.
28. The Infant school site is owned by the North Wiltshire Learning Trust (as the school is in the Foundation category), and on closure the site would be expected to transfer to the Diocese of Salisbury (as the primary school will be in the Voluntary Controlled category). The Council has no property interest in the Infant school site. If necessary, an application can be made to the Secretary of State for Education for an order to transfer the site.

Options Considered

29. The main alternative option considered before and during the consultation process was the closure of the infant school and its transfer to a multi-academy trust so that it would become an academy.

Conclusions

30. Given the Ofsted judgement on the adequacy of education provided at the Infant school, closure of the school and transfer of responsibility for Year R and Years 1 and 2 was always going to be required by the Secretary of State. The DfE failed to locate a local academy sponsor with the track record and capacity to take over the Infant school. The DfE, the Council, the Bristol Diocesan Board of Education and the governing bodies of both schools believed that the Junior school has the necessary capacity to sustain the improvements in education already started.
31. The consultation in January and February revealed overall support for the proposed changes.
32. The proposals were published by the governing bodies of the two schools, indicating that the proposal has local support and is seen as a good way forward for the community of Cricklade. As there have been no objections received in relation to the published proposals, the overall level of support expressed in the consultation period is seen to have remained in place.

Proposal

To approve the statutory proposals published by the governing bodies of St Sampson’s Infant School and St Sampson’s CE Junior School on 13 March 2014.

Reason for Proposal

The proposed changes have secured widespread support within the community of Cricklade and are judged by the DfE, the Diocese of Bristol and the Council as being necessary to sustain improvements in primary education in that community.

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14 April 2014

Background Papers

The following unpublished documents have been relied on in the preparation of this report:

None

Appendices

Copy of statutory proposal published 13 March 2014.
