

Name of meeting: Cabinet
Date: 14 Jan 2020
Title of report: Reorganisation in Dewsbury West school place planning area – permission to consult

Purpose of report:

The report requests approval to undertake a non-statutory consultation on the potential reorganisation of school places at St John’s CE(VC) Infant School and Westmoor Primary School.

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Yes Expenditure exceeds more than £250k and affects more than 1 ward
Key Decision - Is it in the <u>Council’s Forward Plan (key decisions and private reports)?</u>	Key Decision – Yes Private Report/Private Appendix –No
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by <u>Strategic Director</u> & name Is it also signed off by the Service Director for Finance? Is it also signed off by the Service Director for Legal Governance and Commissioning Support?	Mel Meggs (Jo-Anne Sanders) 3rd January 2020 Eamonn Croston 23rd December 2019 Julie Muscroft (John Chapman) 23rd December 2019
Cabinet member portfolio	Cllr Carole Pattison – Learning & Aspiration Cllr Viv Kendrick - Children

Electoral wards affected: Dewsbury West

Ward councillors consulted: Yes

Public or private: Public

Has GDPR been considered? Yes

1. Summary

- 1.1 There is a school led opportunity to reorganise school places in Dewsbury West school planning area resulting in St John's CE(VC) Infant School becoming a 30 place all through primary school over time and complementary changes to the pupil numbers at Westmoor Primary School. This has the opportunity to reduce transition points for pupils and ensure sustainable delivery models for the two schools.
- 1.2 Approval is requested to undertake a non-statutory consultation to seek a wider view of the proposals from key stakeholders including: parents and carers, Governing Bodies, school staff, schools in the local area, ward members, wider community stakeholders and other interested parties.

2. Information required to take a decision

- 2.1 On 26th February 2013 Cabinet agreed to discontinue Knowles Hill Infant and Nursery School and to change the age range of Westmoor Junior School from 7-11 years to 4-11 years (with nursery provision) and physically expand the school from 360 to 480 pupil places, thereby becoming an all through primary school on split sites. Westmoor Primary School has since consolidated onto the original junior school site.

As a result of the above reorganisation, Westmoor Primary School has a Key Stage one PAN (Published Admission Number) of 45 and a Key Stage 2 PAN of 90. St John's CE(VC) Infant School has a Key Stage 1 PAN of 60. A significant proportion of pupils attending St John's CE(VC) Infant School move to Westmoor Primary School for their Key Stage 2 education. This is supported by linked infant and junior school arrangements for admissions purposes.

Taking account of these two schools only there is an existing mismatch of 15 places between Key Stage 1 and Key Stage 2 (see illustrations below)

- 2.2 The Governing Body of St John's CE(VC) Infant School has for some time had the aspiration to become an all-through primary school. The school feels this would have great benefits for their sustainability, as well as educationally, by enabling them to support children and families through the entire primary phase, rather than only for the 3 years at present. Following a series of collaborative discussions, between the governing bodies, school leaders', Church of England Diocese of Leeds and the LA, and an exploration in outline of what is technically possible to support the best educational outcomes for children, the following proposals have been shaped.

St John's CE(VC) Infant School to become an all through primary school with a PAN of 30 and Westmoor Primary School to make complementary changes where it's Key Stage 1 PAN would be 60 and its Key Stage 2 PAN would be 90.

Illustration of the proposals:

Current arrangements	Key stage 1 places	Key stage 2 places
St.Johns CE(VC) Infant School	60	-
Westmoor Primary School	45	90
Total	105	90

Proposed arrangements	Key stage 1 place	Key stage 2 places
St.Johns CE(VC) Infant School	30 (-30)	30 (+30)
Westmoor Primary School	60 (+15)	90
	90	120

The proposals would result in a reduction of 15 Key Stage 1 places and a gain of 30 Key Stage 2 places. Taking account of these two schools in isolation the proposals would result in a mismatch of 30 places between Key Stage 1 and Key Stage 2

- 2.3 The basic need for school places are not planned at a school level, they are planned in local areas agreed with the Department for Education. The illustration below shows the impact of the proposal at Dewsbury West school place planning area level:

Dewsbury West planning area	Key stage 1 place	Key stage 2 places	Mismatch KS1 to KS2
Current	435	413	-22
Future	420 (-15)	443 (+30)	+23

This demonstrates a similar scale of mismatch to that which already exists but a reversed situation where more Key Stage 1 places switches to more Key Stage 2 places.

A mismatch between Key Stage 1 and Key Stage 2 places also exists in the neighbouring school place planning area of Dewsbury South as illustrated below:

Wider planning areas	Key stage 1 place	Key stage 2 places	Mismatch KS1 to KS2
Dewsbury South planning area	301	252	-49
Combined Dewsbury West and South	721	695	-26

Taking the school planning areas together, the proposals would reduce the existing mismatch by 23, resulting in a combined difference of 26 less Key Stage 2 places.

- 2.4 Currently, there is no basic need evidence to drive the creation of additional places in either planning area. Significant house building is expected from the Dewsbury Riverside strategic development in the future which is likely to change this position. The first pressure from this housing development is likely to be experienced for Key Stage 2 places and this proposal could help delay the timing of this pressure.
- 2.5 Generally, the council has been supportive of opportunities to explore options for reducing transition points and has worked with school leaders, governing bodies and, where applicable, the Church of England Diocese of Leeds to establish all-through primary schools. The establishment of all-through primary schools is intended to improve the educational standards attained by children through better and more flexible management of learning, without a change of school at age 7. Single all-through institutions can establish longer term relationships with pupils and families, provide more opportunities for staff development and better manage resources to support learning and smooth transition to each stage of learning.

The sustainability of schools is an important factor in any school re-organisation proposals. The views of Westmoor Primary School and St John's CE(VC) Infant School about sustainable models have helped form these proposals. It is important that the views of other local schools are considered in a consultation phase.

There are no proposals to change priority admission areas at this time although there would be an opportunity for stakeholders to express their views on this matter through a consultation process.

If the proposals were to be approved they would need to be introduced over a period of years as children move through the schools. Further details illustrating the phasing will be provided in consultation documents should approval to consult be granted.

2.6 The statutory process required to make the proposed changes

Whilst the proposals are not made in isolation there are different processes for each. The Department for Education guidance 'Making significant changes (prescribed alterations) to maintained schools', October 2018 states:

If an admission authority of a mainstream school wishes to increase or decrease PAN, without increasing the overall physical capacity of the buildings, this would be classed as an admissions change, not a prescribed alteration.

This means the proposals to change the PAN at Westmoor Primary School and St John's CE(VC) Infant School do not require a statutory process. The Council is the admission authority for both schools and such changes must be made in accordance with the Schools Admission Code.

A statutory process is however required for the proposed change of age range at St John's CE(VC) Infant School.

The table below is extracted from the 'Making significant changes (prescribed alterations) to maintained schools' guidance and illustrates the decisions required, who is able to propose and who the decision maker is:

St John's CE(VC) infant school				
Proposer	Type of proposal	Process	Decision-maker	Right of appeal to the adjudicator
GB of voluntary and foundation	Alteration of upper or lower age range by 3 years or more	Statutory process	LA	CofE Diocese RC Diocese GB/Trustees

In this case the governing body of St John's CE(VC) Infant School are the proposer as a Voluntary Controlled school and the Council is the decision maker. As a school designated as having a religious character St John's CE(VC) Infant School must seek approval to make such a proposal from the Leeds Diocesan Board of Education.

Whilst the Council is the decision maker for all the outlined proposals, an application will be required to the Office of the School Adjudicator if the proposed changes to PAN are to be implemented from 2021/22. This is because the admission arrangements for 2021/22 will already have been consulted upon and determined by the time the associated statutory process commences.

2.7 The four stage statutory process set out below.

- Publication
- Representation (statutory consultation)
- Decision
- Implementation

The new regulations removed the statutory requirement to carry out a 'pre-publication' consultation for altering voluntary controlled schools, however the LA proposes to carry out a 4 week non-statutory consultation on the proposals with interested stakeholders. This would provide any opportunity for stakeholders to review the proposals and comment on them.

'Although there is no longer a statutory "pre-publication" consultation period for prescribed alteration changes there is a strong expectation that schools and LAs will consult interested parties, in developing their proposal prior to publication, to take into account all relevant considerations.'

Making significant changes "prescribed alterations" to maintained Schools, Statutory guidance for proposers and decision-makers (October 2018)

The purpose of this report is to seek Kirklees Council Cabinet approval to undertake a 4 week period of non-statutory consultation from January 2020.

To seek the views of stakeholders on the following:

- St John's CE(VC) Infant School to reduce its PAN from 60 to 30
- St John's CE(VC) Infant School to increase its upper age range from 4-7 to 4-11 years old
- Westmoor Primary School to increase its KS1 PAN from 45 to 60

3. Implications for the Council

3.1 Working with People

The LA intends to undertake a four-week non-statutory consultation to ensure that a wide range of stakeholders can express their views. LA officers would work closely with families and with staff ensuring they are aware of the proposals at the earliest opportunity and advising how they could participate in the consultation process.

3.2 Working with Partners

The Diocese of Leeds Board of Education welcomes and supports the collaborative way in which the proposals have been developed between St John's CE(VC) Infant School, Kirklees Council and the Diocese. Members look forward to continuing to secure the best progress and outcomes for pupils of the new all through 4-11 primary school.

3.3 Place Based Working

The planning of school places is based upon local clusters of schools. Local evidence and local views inform decision making.

3.4 Climate change & Air Quality

N/A

3.5 Improving outcomes for children

This proposal is intended to improve the outcomes for children. By taking a strategic approach Kirklees Council wants to ensure that all schools in Dewsbury West will

- Offer high quality education standard and diversity of provision to all
- Provide a full, broad curriculum
- Be financially viable and therefore have future security
- Promoting equality of opportunity
- Strengthen community cohesion
- Use sustainable travel and transport for school

3.6 Other (eg Legal/Financial or Human Resources)

Human Resources Implications

There are likely to be Human Resource implications resulting from these proposals. Kirklees HR officers will provide technical advice and support any processes where required.

Legal

There are no legal matters arising from this proposal.

Financial

Whilst generally supportive of opportunities to reduce pupil transition points the council does not hold specific budgets to provide financial assistance for proposals of this nature. Any re-organisation costs will be the responsibility of the individual schools. There are therefore no significant financial implications for the council other than the use of existing school re-organisations resources to provide technical support with the statutory and decision making processes.

The Dedicated Schools Grant schools funding formula is responsible for directly funding the two schools for the changing pattern of pupil numbers implied by this proposal.

Equality Impact Assessment (EIA)

An initial Integrated Impact Assessment has been undertaken, this looks at that the nine protected characteristics groups under the Equality Act 2010 and additional diversity characteristics, such as low income and Environmental Impact. The assessment shows that there would be no Environment impact due to the reorganisation of the schools. This proposal is intended to have a long term positive impact for local families and the educational outcomes of their children. The Integrated Impact Assessment can be found by following the link below;

<https://www.kirklees.gov.uk/beta/delivering-services/integrated-impact-assessments.aspx>

Then select 2019/20 and 'Children' The stage 1 report is named '2020.01.06 Potential reorganisation of school places at St John's CE(VC) Infant School and Westmoor Primary School'

The stage 2 report is named '2020.01.06 Potential reorganisation of school places at St John's CE(VC) Infant School and Westmoor Primary School'

4. Consultees and their opinions

- 4.1 The specific proposals have been shaped by the governing bodies and school leaders in the schools working together with the LA. The Leeds Diocesan Board of Education and its officers have had regular discussions with St John's CE(VC) Infant School and officers of Kirklees Council about the proposals.
- 4.2 It is intended to carry out a full consultation about the proposals involving all key stakeholders including parents and carers, Governing Bodies, school staff, schools in the local area, ward members, wider community stakeholders and other interested parties. The responses received as part of this consultation would be reported to members to inform a decision on the next steps.

5. Next steps and timelines

It is intended to carry out a 4-week non-statutory consultation as described above and present an outcomes report for consideration by Kirklees Cabinet.

6. Officer recommendations and reasons

For Kirklees Cabinet to approve a 4-week non-statutory consultation.

Subject to decisions made by Cabinet, note an indicative timeline for the next stages of the statutory process set out below:

Activity	Date * <i>These dates are indicative and may change; they are also subject to Cabinet approval.</i>
Consultation and engagement (non-statutory)	22 Jan 2020 till 21 Feb 2020
Report back to cabinet on the non-statutory consultation and seeking cabinet approval to move to next stage	24 March 2020*
Publication of Statutory notices and proposals and period of representation (formal consultation on statutory proposals)	20 April 2020 till 17 May 2020*
Kirklees Council Cabinet take a final decision regarding the proposals	16 June 2020*
Application to the schools Adjudicator for PAN variation for 2021/22	23 June 2020*
Implementation would begin	1st September 2021*

7. **Cabinet Portfolio Holders recommendations**

The Cabinet Portfolio Holders support LA officers to carry out a 4-week non-statutory consultation involving all key stakeholders to seek wider views on the proposals for careful consideration by Kirklees Cabinet.

8. **Contact officer**

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9. **Background Papers and History of Decisions**

Cabinet Report 26th February 2013 - Report on the related proposals to discontinue Knowles Hill Infant and Nursery School and to change the age range of Westmoor Junior School from 7-11 years to 4 to 11 years (with nursery provision) and physically expand the school from 360 to 480 pupil places, thereby becoming an all through primary school.

Cabinet Report 17th July 2012 - Report in relation to proposals affecting Knowles Hill Infant and Nursery School and Westmoor Junior School

Cabinet Report 4th December 2012 - Report on the outcomes of the statutory consultation about proposals affecting Knowles Hill Infant and Nursery School and Westmoor Junior School

10. Service Director responsible

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