

Name of meeting:	Cabinet
Date:	22 September 2020
Title of report:	Potential reorganisation in Dewsbury West school place planning area outcome report

Purpose of report: To present Cabinet with the outcomes from the 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 affects more than 1 ward
Key Decision - Is it in the <u>Council's Forward Plan</u> (key decisions and private reports)?	Key Decision - Yes Private Report/Private Appendix - No
The Decision - Is it eligible for call in by Scrutiny?	Yes If no give the reason why not
Date signed off by <u>Strategic Director</u> & name	Mel Meggs - 10.09.20
Is it also signed off by the Service Director for Finance?	Eamonn Croston - 08.09.20
Is it also signed off by the Service Director for Legal Governance and Commissioning?	Julie Muscroft - 08.09.20
Cabinet member portfolio	Cllr Carole Pattison - Learning & Aspiration Cllr Viv Kendrick - Children

Electoral wards affected: Dewsbury West, Dewsbury South and may affect other surrounding wards

Ward councillors consulted: YES

Public or private: Public

Has GDPR been considered? YES

1. Summary

On 14 January 2020 Cabinet members approved officers to undertake a non-statutory consultation on school led proposals for the potential reorganisation of school places at St John's CE(VC) Infant School and Westmoor Primary School. This report details the findings from the non-statutory Consultation and officer recommendation. St John's CE(VC) Infant School wish to becoming a 30 place all through primary school over time and complementary changes to the pupil numbers at Westmoor Primary School were also proposed. The Proposal was:

- St John's CE(VC) Infant School to reduce its PAN from 60 to 30 and 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

2. Information required to take a decision

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 admission change, not a prescribed alteration.

This means the proposals to change the PANs (Published Admission Number) 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:

Table 1. 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	

The regulations state that the governing body of St John's CE(VC) Infant School are the proposer as a Voluntary Controlled school. 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. As long as published proposals are determined within 2 months of the end of a statutory representation period, the Council is the decision maker.

The LA would need to apply to the Office of the Schools Adjudicator if the proposed changes to PAN are to be implemented from 2021/22. This is because the admission arrangements for 2021/22 have already been consulted upon and determined.

2.7 The four-stage statutory process set out below.

The DfE Guidance explains that, as the proposer, the LA must follow the four-stage statutory process set out below;

Table 2. The	Table 2. The four-stage statutory process					
Stage	Description	Timescale	Comments			
Stage 1	Publication (statutory proposal/notice)					
Stage 2	Representation (formal consultation)	Must be 4 weeks	As set out in the 'Prescribed Alterations' regulations			
Stage 3	Decision	LA should decide a proposal within 2 months otherwise it will fall to the Schools Adjudicator	Any appeal to the adjudicator must be made within 4 weeks of the decision			
Stage 4	Implementation	No prescribed timescale	It must be as specified in the published statutory notice, subject to any modifications agreed by the decision-maker			

The DfE Guidance states that '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 consider all relevant considerations.'

It was agreed that a non-statutory consultation would take place with key stakeholders to enable them to have the opportunity to engage with, and comment on, the proposals. At the meeting on the 14 January 2020, members requested that officers report the outcomes of the non-statutory consultation to Kirklees Council Cabinet for further consideration of the next steps.

Consultation Strategy and Methodology. A four-week non-statutory consultation on the potential reorganisation of school places at St John's CE(VC) Infant School and Westmoor Primary School took place between 27 January 2020 and 24 February 2020, to seek the views of parents/carers, school staff, professionals, governors, pupils, other schools in the area, ward members, wider community stakeholders and other interested parties.

The 'Digital by Design' approach was adopted to bring processes into line with current council policies. Responses to the consultation could be made online via the council website, where the full details of the consultation were also available to view. Letters from the school were sent to the families of pupils at St John's CE(VC) Infant School and Westmoor Primary School with a link to the web page. Letters with the link to the web page were also sent to school staff, school governors, ward members, MPs, the Church of England Diocese, and other key stakeholders. Copies of the consultation document were sent to Trade Union representatives, early year providers, community centres/groups, libraries and health centres in the area. A brief outline and a link to the consultation was

published on HeadsUP! and in the weekly governors' bulletin and on Involve. A complete distribution list is attached at Appendix A.

A copy of the consultation document 'non-statutory consultation on the potential reorganisation of school places at St John's CE(VC) Infant School and Westmoor Primary School' can be found at Appendix B.

The consultation document outlined the proposals and a proposed timeline for developments. A comprehensive paper and online response sheet was available on the Council website. The response sheet asked for feedback using three questions relating to the proposal. The consultation document had a feedback form that was designed to enable qualitative and quantitative feedback by asking respondents to explain why they had selected an answer. In addition, questions were asked to ascertain the type of stakeholder responding. The questions that were in the consultation document were;

- Q1) Do you support or oppose the proposals for St John's CE(VC) Infant School to reduce its PAN from 60 to 30 and to increase its upper age range from 4-7 to 4-11 years old.
- Q2) Do you support or oppose the proposals for Westmoor Primary School to increase its KS1 PAN from 45 to 60?
- Q3) If the other proposals are approved, do you support the current priority admission areas (PAAs) remaining unchanged?

Response forms could be completed electronically on the Council website. In addition, individuals were encouraged to feedback views either via email or letter. A 'Freepost' address was available for returning paper forms and/or letters to maximise the opportunities for receiving feedback to the proposals.

There were public consultation 'drop-in' session, which took place at St John's CE(VC) Infant School and Westmoor Primary School. The table below shows the number of parents that attended each event

Table 3. number of people who attended drop-in session				
Date	Venue Time		Number of	
			people attended	
3 rd February	Westmoor Primary School	2:45pm to 3:45pm	4	
11 th February	St John's CE (VC) Infant	2:45pm to 3:45pm	8	
_	School	6:00pm to 7:00pm	3	
	Total	15		

The purpose of the meeting was for officers to support and advise groups and individuals about matters relating to the proposals.

Bespoke meetings for staff at Westmoor Primary School were held on the 3 February and on the 11 February at St John's CE(VC) Infant School. Learning and Human Resources officers attended both meetings to answer any questions about the proposal. Notes of this meeting can be found at Appendix C.

Response to Consultation

The Council received 79 responses to this consultation. Two responses were received shortly after the closing date. All responses are included in full in Appendix D and a note indicates where they were late responses. The types of stakeholders responding to the

consultation are detailed in the table below. In addition to this there were two full governing body responses from St John's CE (VC) Infant school and Westmoor Primary School. Appendix C these have been included in the table below for full transparency.

Table 4. Responses received broken down into Stakeholder			
Type of respondent	Number received	Stakeholder	
Parent/carer	59	56 St John's CE (VC) Infant school	
		1 Westmoor Primary School	
		2 Unknows	
Governor	4	1 Governing Body of Boothroyd Primary Academy	
		2 (1) individual Governor at St John's CE (VC) Infant School (1) Full Governing Body of St John's CE (VC) Infant School	
		1 Governing Body of Westmoor Primary School	
Member of staff	10	10 St John's CE (VC) Infant School.	
Local resident	1	1 resident	
Other	3	1 Grandmother	
		1 professional working in Kirklees	
		1 Nursery teacher	
Not stated	2	2 Unknown	
Total	79		

*some stakeholders identified them self's as more than one stakeholder.

Key Themes from the Consultation Responses

The responses have been analysed to identify key themes and these have been summarised along with an officer commentary on the issues raised. Responses received from Governing Body of St John's CE(VC) Infant School, Westmoor Primary School and Boothroyd Primary Academy were letters these have been included in the responses and key themes but will not appear in the analysis section.

The responses have been analysed to identify key themes and these have been summarised along with an officer commentary below:

Q1) Do you support or oppose the proposals for St John's CE(VC) Infant School to reduce its PAN from 60 to 30 and to increase its upper age range from 4-7 to 4-11 years old.

Stakeholder	Strongly support	Support	Neither support nor oppose	Oppose	Strongly oppose	Don't know	Total
Parent/carer	40	11	5	1	-	1	58
Governor	1	-	-	-	2	-	3
Member of staff	9	1	-	-	-	-	10
Local resident	-	1	-	-	-	-	1
Other	3	-	-	-	-	-	3
Not Stated	2	-	-	-	-	-	2
Total	55	13	5	1	2	1	77

The feedback from the consultation features the following themes: -

Key Theme: Transition	
Summary response	Officer commentary
Many parents did not want their child to move to another school at the end of KS1. Several respondents expressed that having continuation longer in one school would benefit the child as they would have the same staff and be in the same environment. A few responded expressed that their children who had moved to the Junior school found it hard and did not settle. Some respondent stated that if the school was to become an all through primary school this would benefit parents as all siblings would be in one site, be easier for parents to pick up children and parents don't have to buy different uniforms.	 There are potential benefits to all-through primary schools including: evidence to suggest that the reduction in the number of transition points can improve educational outcomes for children and young people the removal of the requirement for parents to apply for a new school at the end of key stage 1. For these reasons Kirklees Council is generally supportive of such proposals where there is school system solution which can be self-funded.
Key Theme: Staffing	
Summary response	Officer commentary
Many of the responded praised the staff at St John's School with its nurturing environment.	It is recognised that many parents and children have expressed their satisfaction and happiness with St John's CE(VC) Infant School and value the staff who work to educate and support their children
Some respondents believed that small class size offer a better learning environment for children.	Small class sizes are likely to be as a result of the school being undersubscribed at this time. If the proposals are approved there will be less places available in the school and classes are more likely to be full.
Key Theme: Admissions	
Summary response	Officer commentary
A few respondents ask how the admissions policy would work and if the children were in the school would this give siblings more priority with the reduction in the PAN, and concerns were raised that if the PAN was to be reduced to 30 would all the children in the area get a place?	The average intake of pupils into St. Johns over the last 3 years has been around 49 pupils (54 in 2017, 52 in 2018 and 41 in 2019). Based on this history, if the proposal is approved this would mean an average of 19 pupils who have received a place in the past would not do so in the future. Whilst not necessarily meeting parental preference,

Key Theme: Impact on other Schools				
Summary response	Officer commentary			
Response received from the Governing Body of Boothroyd Primary Academy raised a question about the impact on local schools if the proposal was implemented. They highlighted that over the past few years numbers of pupils have been falling and believe that there are sufficient places in the area. Concern was raised that if the proposal was to be implemented this would result in excess places at their school and could lead to staff implication including possible redundancies.	Evidence indicates that a small number of pupils who leave Key Stag 1 of St John's CE(VC) Infant School currently join Boothroyd Primary Academy. Introducing 30 additional Key Stage 2 places at St John's CE(VC) Infant School is likely to have an impact on the intake at other schools.			
Response received by the Governing Body of Westmoor Primary School raised concern that increasing the PAN does not create additional children to fill these places. The Governing Body undertook additional analysis which highlighted potential financial risks if places were not filled. They concluded that they should strongly oppose the current proposals as a result.	These proposals have been School led. Both schools and the LA have been in discussions for some time. It is acknowledged that during the non-statutory consultation Westmoor Governing Body undertook further analysis about their financial risk and as a result responded to the consultation by strongly opposing the proposal. The Local Authority recognises the potential risk.			

Q2) Do you support or oppose the proposals for Westmoor Primary School to increase its KS1 PAN from 45 to 60?							
Stakeholder	Strongly support	Support	Neither support nor oppose	Oppose	Strongly oppose	Don't know	Total
Parent/carer	21	17	12	4	-	2	56
Governor	-	1	-	-	-	-	1
Member of staff	8	2	-	-	-	-	10
Local resident	-	-	1	-	-	-	1
Other	3	-	-	-	-	-	3
Not Stated	1	1	-	-	-	-	2
Total	33	21	13	4	0	2	73

The feedback from the consultation features the following themes: -

Key Theme: Westmoor Support St John's CE (VC) Infants School				
Summary response	Officer commentary			
Many respondents felt that if St John's CE(VC) infant school was to reduce its PAN they would support the increase at Westmoor Primary School to ensure that all the children in the area would get a place at their local school.	The proposals were developed in a partnership approach where both schools have been working together. The consultation document provides information about the mismatch of key stage 1 places to key stage 2 places at present and the change if the proposals were agreed. Kirklees Council have been clear that there is no evidence of the basic need for additional school places in the area.			
Key Theme: Impact on Westmoor				
Summary response	Officer commentary			
Some responses believed that increasing the PAN at the school would result in more pressure being put on the school.	Westmoor Primary School is confident it could manage the pupil numbers associated with the proposals with sufficient time to plan for any agreed changes.			
Key Theme: Financial impact on Westme				
Summary response	Officer commentary			
Response received by the Governing Body of Westmoor Primary School raised concern that increasing the PAN does not create additional children to fill these places. The Governing Body undertook additional analysis which highlighted potential financial risks if places were not filled. They concluded that they should strongly oppose the current proposals as a result.	These proposals have been School led. Both schools and the LA have been in discussions for some time. It is acknowledged that during the non-statutory consultation Westmoor Governing Body undertook further analysis about their financial risk and as a result responded to the consultation by strongly opposing the proposal. The Local Authority recognised the potential risk.			
Key Theme: traffic				

Summary response	Officer commentary
A respondent highlighted that traffic and congestion in the area would be an issue.	The Governing Body and school leadership continue to explore a range of strategies as part of the planning and implementation process for the management of traffic, safe walking and congestion.

Q3) If the other proposals are approved, do you support the current priority admission areas (PAAs) remaining unchanged?							
Stakeholder	Strongly support	Support	Neither support nor oppose	Oppose	Strongly oppose	Don't know	Total
Parent/carer	12	22	10	-	1	8	53
Governor		1	-	-	-	-	1
Member of staff	4	4	1	-	-	1	10
Local resident	-	-	-	-	-	1	1
Other	1	2	-	-	-	-	3
Not Stated	1	1	-	-	-	-	2
Total	18	30	11	0	1	10	70

The feedback from the consultation features the following themes: -

Key Theme:	
Summary response	Officer commentary
Some respondents wanted the PAA	The national school admission system is
to remain the same	complex and highly regulated. Parental
	preferences change from year to year so it is
There was some confusion about	impossible to predict accurately who will be
the PAA and the impact this would	allocated a place at a specific school.
have on them.	
	The number of available places is a factor and
A respondent wanted to know about	given the admissions over subscription criteria
the effect of getting a school place	detailed above, those lower down the priority
for those living outside the PAA who	list are most at risk of not receiving the offer of
have a sibling at one of the schools.	a school place at a particular school.
	Femilies with eightings of a school respire and
A respondent wanted to know if	Families with siblings at a school receive are
sibling would have a school place.	priority but those living in the PAA without a sibling at the school receive a higher priority
	than those living outside the PAA with a sibling
	at the school.

Summary of the consultation responses

At least 90% of respondents who responded to the consultation were existing parents, staff or governors from St John's CE(VC) Infant School and their support for the proposals is strong. This is also reflected in the collective governing body response from

St John's CE(VC) Infant School who state the benefits of an all through primary school on educational outcomes, the opportunity of greater choice for local parents and the opportunity for greater financial security for the school (see appendix C)

Some concerns were raised about the impact of reducing 30 places at St John's CE(VC) Infant School and the how pupil admission policies would work in this context. The officer commentary highlights previous admission numbers and the likely impact on an average of 19 families (11 to 24 based on the previous 3 years) who have been able to secure a place at St John's CE(VC) Infant School but would no longer be able to if the proposals are agreed. There were also references to the potential for improved popularity of St John's CE(VC) Infant School if it were to become an all through primary school which could lead to the school becoming further oversubscribed. It should however be noted that there would be sufficient school places in the area, so these points relate to the possible success of parents securing a place at their preferred school rather than not having a reasonable offer of a school place.

A concern was raised by another local school about the impact of more key stage 2 places being available in the area when there was no basic need for additional places. They highlighted the potential impact on their finances given current pupil movement at the end of key stage 1 from St John's CE(VC) Infant School in recent times. There is evidence of a small amount of movement from St John's CE(VC) Infant School to schools other than Westmoor Primary School that may reduce if the proposals were agreed.

The governing body of Westmoor Primary School collective response to the consultation states their wish to be supportive of St John's CE(VC) Infant School, however following further analysis and scrutiny they have concluded that the risks to their financial stability are such that they strongly oppose the current proposals. (see appendix C)

Conclusion from the consultation responses

Generally, the council has been supportive of opportunities to explore options for reducing transition points when proposals which are self-funded by schools, provide a whole school system solution and a long-term sustainable model for each school.

The proposals appeared to offer the opportunity for this at the time Cabinet approved officers to undertake a non-statutory consultation. However, the non-statutory consultation has revealed this is no longer the case with the current proposals at this time. Questions have also been raised by a small number of parents about the impact on future parental preferences.

The officer recommendation therefore must be that the council does not support the current proposals at this time.

Implications for the Council

• Working with People

The LA has undertaken a four-week non-statutory consultation to ensure that a wide range of stakeholders could participate to express their views as part of the consultation. The LA held sessions to engage with parents, staff and Governors.

• Working with Partners

The Council continues to work closely with The Diocese of Leeds Board of Education, St John's CE(VC) Infant School and Westmoor Primary School.

• Place Based Working

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

• Climate Change and Air Quality

It is intended that by providing local school places this will improve the environment through reducing congestion, reducing pollution and CO2 emissions and improving the opportunity for walking and cycling to school.

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

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 outside the statutory school reorganisation processes described.

Financial

Any re-organisation costs will be the responsibility of the individual schools, 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)

The EIA looks at that the nine protected characteristics groups under the Equality Act 2010 and additional diversity characteristics, such as low income and Environmental Impact. An Integrated Impact Assessment has been revised following the non-statutory consultation the assessment shows that there would be no negative 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 '2020.09.15 Potential reorganisation of school places at St John's CE(VC) Infant School and Westmoor Primary School' The stage 2 report is named '2020.09.15 Potential reorganisation of school places at St John's CE(VC) Infant School and Westmoor Primary School'

3. Consultees and their opinions

As per the non-statutory consultation described in section 2 above

4. Next steps and timelines

Subject to agreement by Cabinet of the conclusions to the consultation there are no further process steps which need to be undertaken by Kirklees Council.

It should however be recognised that the governing body of St John's CE (VC) Infant School, subject to approval of the Diocese of Leeds, has the right to publish a statutory proposal to change the age range of the school. This would result in their requirement to carry out a 4-week statutory consultation as described above 2.7, and to present the findings to Kirklees Cabinet who would be the decision makers.

5. Officer recommendations and reasons

The consultation process has revealed that the current proposal does not meet the criteria the council would normally apply to support such proposals, specifically that it is not a whole school system solution with a long-term sustainable model for each school.

There remain opportunities for reducing transition point, but this must be carefully balanced against the risk of reducing parental preference in the future.

The officer recommendation therefore must be that the council does not support the current proposals at this time. Officers recommend facilitating the engagement of all parties to discuss the outcome of the consultation and explore opportunities for other options/proposals either now or in the future.

6. Cabinet Portfolio Holder's recommendations

We would like to take this opportunity to thank all those who took part in the consultation process.

Given the consultation responses we are in agreement with the conclusions drawn in this report and therefore do not support the proposals at this time.

7. Contact officer

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Background Papers and History of Decisions

Cabinet report 14 Jan 2020: Reorganisation in Dewsbury West school place planning area – permission to consult:

https://democracy.kirklees.gov.uk/documents/s33997/St%20Johns%20CEVC%20Infant %20and%20Westmoor%20Primary%20permission%20to%20consult%20-%20final.pdf

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

8. Service Director responsible

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