

Name of meeting: Cabinet

Date: 27 July 2021

Title of report: St John's CE (VC) Infant School governing body statutory proposal to change the upper age limit of the school – decision report

Purpose of report: To present Cabinet with the representations received following the publication of statutory proposals by St John's CE (VC) Infant School's governing body to change the upper age limit of the school and reduce the published admission number (PAN) of the school from 60 to 30, to create an all-through primary school in order that Cabinet can determine the proposals. This is a school-led proposal with support from the Church of England Diocese of Leeds and Kirklees Cabinet are the Decision Maker.

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 one 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	Mel Meggs, Strategic Director Children & Families 14 July 2021
Is it also signed off by the Service Director for Finance?	Eamonn Croston 19 July 2021
Is it also signed off by the Service Director for Legal Governance and Commissioning?	Julie Muscroft 18 July 2021
Cabinet member portfolio	Cllr Carole Pattison – Learning, Aspiration & Communities 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 29 April 2021 the governing body of St John's CE (VC) Infant School ("the Proposer") published a statutory proposal to change the age range of the school from 4-7 years to 4-11 years from September 2022 because they wish to become an all-through primary school.

This report sets out the statutory process that has been undertaken by the Proposer and their rationale for the proposal. It details the representations received during the formal consultation period and gives Officer recommendations.

2. Information required to take a decision

2.1 Background information

Prior to 2013, St. John's CE(VC) Infant School and Knowles Hill Infant and Nursery School shared the same priority admission area as Westmoor Junior School, and feeder school arrangements were in place for admission purposes. Following concerns about outcomes for children at Knowles Hill I & N School, the Local Authority (LA) led a statutory process which proposed a structural solution to address these challenges. In February 2013, Kirklees Cabinet made the decision to discontinue Knowles Hill I & N School and extend the age range of Westmoor Junior School. Following a change of name, Westmoor Primary School offered a Published Admission Number (PAN) of 40 for pupils aged 4-7 and a PAN of 90 for pupils aged 7-11 across two sites half a mile apart, one of which being the former Knowles Hill I & N School site.

In 2018, Westmoor Primary School's governing body decided to consolidate their provision onto a single school site, handing back the former Knowles Hill I & N School site to the LA.

In January 2020, the LA led a non-statutory consultation based on a schools-led proposal:

- 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 key stage 1 PAN from 45 to 60

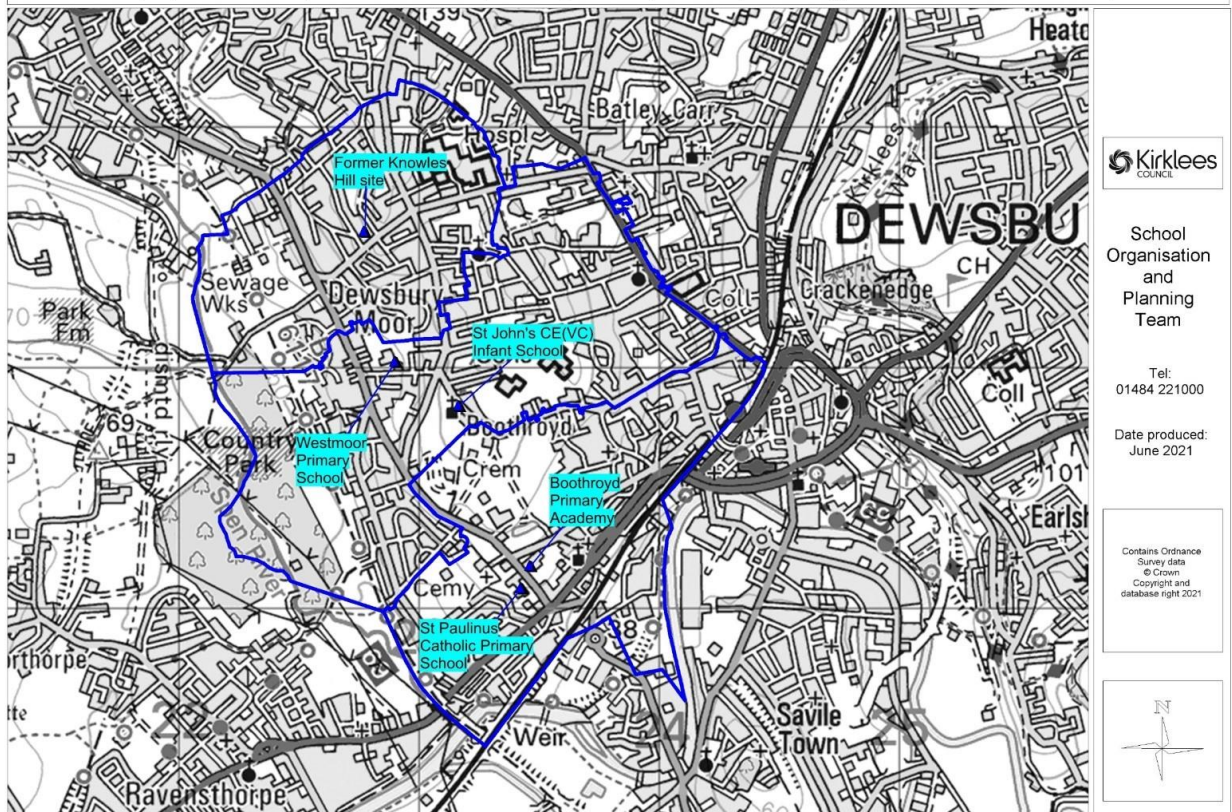
The outcomes of this consultation were presented to Kirklees Cabinet in September 2020. A decision was made to not proceed with the proposal as the consultation had revealed:

- *'The proposals were not a whole system solution with a long-term sustainable model for each school*
- *'There was a risk of reducing parental preference in the future'*

Kirklees Cabinet requested that officers facilitated engagement of all parties to discuss the outcome of the consultation and explore opportunities for other options or proposals. Collaborative work was undertaken between St. John's CE(VC) Infant School and Westmoor Primary School. Unfortunately, no school system-wide solution could be agreed upon.

The September 2020 Cabinet report made clear the rights of St. John's CE(VC) Infant School, with permission from the Church of England Diocese of Leeds, to publish their own statutory proposals.

The following map shows the location of the current schools in the immediate area and the former Knowles Hill site:



School Organisation and Planning Team

Tel: 01484 221000

Date produced: June 2021

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2.2 The statutory process

In law, as stipulated in The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, the governing body of a voluntary controlled school, as the Proposer, can bring forward this statutory proposal. The Decision Maker for the proposal is the LA.

The governing body of St John's CE (VC) Infant School in Dewsbury wish to extend the age range from 4 to 7 years to 4 to 11 years to become a through primary school offering key stage 2 provision from September 2022. A governing body, LA or the Schools Adjudicator must have regard to the Department for Education (DfE) guidance when exercising functions under The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 ('the Prescribed Alteration Regulations').

The guidance explains that a governing body of a voluntary controlled school can propose to change the age range by 3 years or more by following a statutory process.

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 is 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 DfE Guidance explains that, as the Proposer, the governing body of St John's CE (VC) Infant School must follow the four-stage statutory process set out below:

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

2.3 Publication

On 29 April 2021 the governing body of St. John's CE (VC) Infant School published a statutory notice in the Dewsbury Reporter newspaper (School Organisation Advisory Group (SOAG) supporting document 2.3b). Copies of the notice were posted at the entrances to the school (SOAG supporting document 2.3c). The complete statutory proposal was published by the Proposer as part of a consultation document, which was distributed to interested parties (see Appendix A and SOAG supporting documents 1.3b, 1.3c, 1.3f, 1.3h and 1.3j(i) to 1.3j(iii)).

2.4 Representation

The statutory four-week period of representation began on the day of publication 29 April 2021 and ran until 27 May 2021. During this period, written comments were to be sent to FREEPOST, Kirklees Council, St. John's CE School Proposal or via email to school.organisation@kirklees.gov.uk. The consultation document included a paper form that people could complete to support them in responding. In addition, the Proposer held five consultation meetings. Consultation meetings were held in the playground at St. John's CE (VC) Infant School on:

- Tuesday 18 May 2021 8am-9.30am (Parents/Carers)
- Tuesday 18 May 2021 2.45pm-3.45pm (Parents/Carers)
- Wednesday 19 May 2021 3.30pm-4.30pm (Staff)

Consultation meetings were also held remotely via Zoom by following a link on:

- Tuesday 18 May 2021 6pm-7pm (All members of the public including parents/carers)
- Wednesday 19 May 2021 1pm-2pm (All member of the public including parents/carers)

2.5 Representations received about the proposal

During the four-week representation period, 193 written responses were received. Full details of the responses received can be found in SOAG Appendix 1.

2.6 Decision - the role of the Kirklees School Organisation Advisory Group (SOAG)

The LA is the primary Decision Maker for school re-organisation proposals and, under Kirklees arrangements, the Cabinet of Kirklees Council is the decision-making body. Under School Organisation Regulations, if the Cabinet of Kirklees Council is unable to make a decision within 2 months of the end of the statutory representation period, then the decision passes to the Schools Adjudicator. The Kirklees School Organisation Advisory Group (SOAG) was established by Cabinet on 12 September 2007 to advise the Cabinet on school organisation decision-making matters. The constitution and purpose of SOAG is attached at Appendix H. SOAG exists to provide advice to Cabinet, but Cabinet is the Decision Maker

2.7 Review of the statutory process

Kirklees SOAG met on 22 June and 25 June 2021 to consider the statutory process and representations on the proposals and to formulate advice for Cabinet as Decision Makers. The notes of the meetings are attached at Appendix E, along with the SOAG checklist (Appendix A) and DfE decision-making factors document (Appendix B) which were completed by the Proposer. All appendices and supporting documents provided by the Proposer for SOAG are also included with this report.

2.7.1 Statutory process check by SOAG

The Proposer submitted a completed checklist, which was provided by Kirklees Council, in relation to the process they had undertaken (Appendix A). At the meetings, the processes that were followed in relation to the proposals were checked alongside appropriate evidence that each aspect of the process had been completed.

2.7.2 SOAG conclusions about the statutory process

Following the process check, it was concluded that the statutory notice, statutory proposal, and statutory process were valid and within time limits.

- The published notice complied with statutory requirements.
- The statutory consultation was carried out.
- The statutory four-week period was allowed for representation. 193 representations were received by the LA during this period, all of which were shared with the Proposer.

Officers would, therefore, prepare a Cabinet report within 2 months of the end of the statutory four-week representation period, which ended on 27 May 2021, for Kirklees Council Cabinet to make a decision about the proposal.

2.8 SOAG review of the proposal and representations using the DfE Statutory Guidance for Decision Makers.

2.8.1 Factors to be considered in making the decisions about the statutory proposal.

To support decision making by Cabinet, a range of factors have to be considered. These factors are derived from the guidance issued by the Department for Education. 'Making significant changes ('prescribed alterations') to maintained schools - Statutory guidance for proposers and decision-makers, October 2018' (SOAG supporting document 2.7).

The factors can vary depending upon the nature and type of proposal. A template provided by the LA was completed by the Proposer and included responses to the representations received. In addition, Officers reviewed the template and added commentary to support discussion and seek clarification on a number of aspects at the SOAG meetings. The completed template, including Officer comments, can be found at Appendix B.

The relevant factors for Decision-Making in relation to this proposal are:

- Consideration of Consultation and Representation Period
- Related Proposals
- Conditional Approval
- Education Standards and Diversity of Provision
- Equal Opportunity Issues
- Community Cohesion
- Travel and Accessibility
- Funding
- Right of Appeal Against a Decision
- Implementation
- Modification Post-Determination
- Revocation of Proposals
- School Premises and Playing Fields

At the SOAG meetings, each factor was examined. Several points of clarification were sought, and additional information was requested from the Proposer. These are detailed in the notes of the meeting (Appendix E). Following the meetings of SOAG, the Proposer has submitted further supporting information for each of the points raised by SOAG, detail of which are provided below under the relevant Decision-Making factor.

2.8.2 Officer review and recommendation about the proposal alongside the Factors for Decision-Making

Following the SOAG review, and taking into account the statutory proposal, all submissions made by the Proposer and the representations received for each factor have been assessed by officers to support Cabinet as Decision Makers in their considerations.

2.8.3 Consideration of Consultation and Representation Period

Decision-makers will need to be satisfied that the appropriate fair and open local consultation and/ or representation period has been carried out and that the proposer has given full consideration to all the responses received. Decision-makers should not simply take account of the number of people expressing a particular view. Instead, 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).

Officer Advice: The Proposer has evidenced that a fair and open consultation process has been undertaken. It is clear that the Proposer has reviewed and given consideration to the responses received.

Key points made by those supporting the proposal included:

- Continuity of education for children attending St John's, and the reduction of a transition point for children at age 7
- Choice for parents of a smaller all-through primary school
- Convenience for parents in not having to travel between two different schools
- Continuity of a faith-based provision with associated values and ethos
- Happy with sense of community and family feel of the school

Key points made by those opposing the proposal included:

- There are already sufficient places locally, with church school places for those who prefer them.
- The detrimental impact on neighbouring provision, particularly Westmoor Primary School, in terms of financial sustainability and, potentially, staff reductions
- Concerns about increased traffic around the school and parking issues.

SOAG did note a lack of evidence of engagement with Trade Union bodies. Although the school has supported its own staff to access advice from Trade Union representatives, there had been no direct engagement with Trade Unions. This is particularly relevant given the potential impact of the proposal on other schools. Since SOAG, the Proposer has provided evidence of communication with Trade Union bodies to share the statutory proposal. This communication took place after the end of the representation period.

The range of comments made as part of the representation period is relevant when balancing the impact of their decision making. Members are recommended to pay particular attention to the DfE Guidance which states:

The purpose of this guidance is to ensure that good quality school places can be provided quickly where they are needed; that local authorities (LAs) and governing bodies (GBs) do not take decisions that will have a negative impact on other schools in the area; and that changes can be implemented quickly and effectively where there is a strong case for doing so. In line with these aims it is expected that, where possible, additional new places will only be provided at schools that have an overall Ofsted rating of 'good' or 'outstanding'. Schools which do not fall within the above categories should only be expanded where there are no other viable options.

These aspects will be addressed in the sections below.

2.8.4 Related Proposals

Where proposals appear to be related to other proposals, the decision-maker must consider the related proposals together. A proposal should be regarded as related if its implementation (or non-implementation) would prevent or undermine the effective implementation of another proposal.

Officer Advice: These proposals do not relate to other proposals.

2.8.5 Conditional Approval

For many types of proposal, decision-makers may make their approval conditional on certain prescribed kinds of events. The decision-maker must set a date by which the condition should be met but can modify the date if the proposer confirms, before the date expires, that the condition will be met later than originally thought.

The proposer should inform the decision-maker when a condition is met. If a condition is not met by the date specified, the proposal should be referred back to the decision-maker for fresh consideration.

Officer Advice: Conditional approval remains an option available to Cabinet as Decision-makers as explained above.

2.8.6 Education Standards and Diversity of Provision

Decision-makers should consider the quality and diversity of schools in the relevant area and whether the proposal will meet or affect the needs of parents, raise local standards and narrow attainment gaps.

Officer Advice: St John's CE (VC) Infant School sits within the Dewsbury West primary school place planning area. The schools located within this planning area are:

- Boothroyd Primary Academy
- Carlton J & I School
- Diamond Wood Community Academy
- Flatts Nursery School
- Ravensthorpe CE(VC) Junior School
- St John's CE(VC) Infant School
- St Joseph's Catholic Primary School (Dewsbury)
- St Paulinus Catholic Primary School
- Westmoor Primary School

The schools listed above are indicative of a broad and diverse range of provision available for parents to preference that are located within a reasonable distance. It is the nearest school, Westmoor Primary School, where there is particular potential for the proposal to have a significant impact. This is because under current arrangements the majority of pupils leaving St John's CE (VC) Infant School at the end of year 2 transfer to Westmoor Primary School for their key stage 2 education.

The Proposer says 'As a governing body, we firmly believe that St John's becoming an all-through primary school will have strong educational benefits. This view is based on rationale and previous experience or views. We fully support the Headteacher's philosophy that educating a child is about developing the whole child – academically, socially, emotionally, morally, spiritually and physically.'

The Proposer articulates that the implementation of their proposal would meet the aspirations of parents and carers with children at the school. 100% of parents and carers who made a representation strongly support or support the proposal. Those in favour of the proposal cite the supportive and nurturing atmosphere at St John's CE (VC) Infant School and the removal of a transition point at the end of key stage 1 among their reasons for wanting it to become a through primary where their children can remain until the end of key stage 2.

The Proposer notes that St John's CE (VC) Infant School feeds into a through primary school, rather than a standalone junior school. They confirmed they have a good working relationship with Westmoor Primary School and a robust transition process is in place. On entry to Westmoor Primary School, pupils transferring from St John's CE (VC) Infant School are integrated into classes with existing pupils at the school for key stage 2.

The Proposer highlights research around the benefits of children attending all-through primary schools as opposed to separate infant and junior schools:

'FFT, which is an organisation highly recommended by Kirklees Council (Kirklees have subsidised the costs of accessing the system for a third year running in an attempt to get all schools in Kirklees to use it), have reported that pupils who attended an infant school achieved on average 2-3 points lower, equivalent to 2-3 grades, across the total 10 subjects counted in Attainment 8 at the end of Key Stage 4. It also reports that on average, pupils in all through primary schools achieve one scaled point more in both reading at Maths at the end of KS2

compared to their counterparts (1 scale point is a significant difference despite it not sounding like it).

This is further enhanced by work carried out by Northamptonshire Council, 2021, who state that 'Every school must provide a curriculum which is broad and balanced in content and relevant to all learners needs. The child's learning journey should be seamless throughout their time in school, building on experiences, skills, knowledge and understanding as they progress.' A primary school is in a stronger position than separate infant and junior schools to plan for both continuity and progression in learning; delivering the curriculum in a continuous and coherent way from the Foundation Stage through to the end of Key Stage 2.' In addition to the curriculum and achievement benefits described above, the report continues to describe other benefits for children, parents, staff and governors in depth.'

For clarity, FFT stands for the Fischer Family Trust.

Kirklees Council recognises that the establishment of all-through primary schools is intended to improve the educational standards attained by children. 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. The LA does not have a specific policy to reorganise schools into all-through schools, but is generally supportive of exploring options for reducing transition points when proposals are self-funded by schools, provide a whole school system solution and a long-term sustainable model for each school.

Observations from the Learning Service about St John's CE (VC) Infant School's proposal:

Whilst the headteacher has experience of leadership and teaching across the entire primary phase, the consultation highlights that staffing has been relatively stable in school with little movement, which suggests that the staff may not have had recent experience of teaching, planning and assessment against the KS2 curriculum. In recent years, in response to but not limited to the new Ofsted Education Inspection Framework, schools have been reviewing their entire curriculum. This has impacted on all teachers and leaders. Given the emphasis on the role of the subject leader in the creation of an appropriately sequenced scheme of learning from Reception through to Year 6 for all subject areas in the school curriculum, we would be interested to understand what capacity the school have in place to ensure that:

- teachers have the appropriate access to CPD to ensure their own subject knowledge and skills enables the delivery of a high quality KS2 curriculum;*
- all leaders including subject leaders (and therefore teachers) have the level of expertise, knowledge and skills to create a subject curriculum that is appropriately sequenced and sufficiently challenging to meet age related expectations and that the pressure on staff workload is considered in this process;*
- whilst the school is intending to grow a year at a time, the curriculum offer for each subject must be planned in advance (reception to Year 6) to ensure appropriate progression through the years and key stages (the subject intent, planning, delivery, assessment) will need to be developed for every subject area;*
- the KS2 curriculum allows the school to address the gaps and learning loss experienced during the Covid pandemic and further reduce the academic gaps seen amongst learners from historic data. Within the next few years the progress measures by which schools are measured will change to measure from Reception*

base line to KS2. Most schools will have access to historic data to support this change in metric and will use this to support target setting and high aspirations for children.

The Proposer states *'The majority of staff have worked at the school for 5 or more years, with a large proportion working here for 10 years or more'*.

SOAG requested further information be made available on how the school will plan for key stage 2 provision and the Proposer has since responded:

We know that with the experience of the Headteacher, the dedication of our staff, the willingness of all staff wanting to continue their professional development, the budget, by guaranteeing to upgrade the KLP (Kirklees Learning Partners) package for 3 visits per year (Local Authority) and the purchasing of the enhanced Diocese learning package, we have the ability to be an outstanding Key Stage 2 provider. In addition we have good links with other schools and leaders as we are active member of the DLP (Dewsbury Learning Partnership) and the Church Schools Partnership, which are valuable for school improvement.

In addition to this, further budget forecasts have been provided which contain some details about future teaching staff recruitment and a future non-teaching staff expenditure.

The Proposer states *'Children at St John's make exceptionally good progress in the short time that they are with us, despite entering with very low baseline assessments'*. In the context of the school's own internal assessment, children make good progress. However, as the school has not previously provided key stage 2 education, no evidence is available around key stage 2 progression at St John's CE (VC) Infant School. SOAG discussed the dip in attainment that occurred between key stage 1 and key stage 2, even in all-through primary schools. The Proposer stated that parents' comments were from the perspective of children's social and emotional development, rather than their academic attainment.

The Proposer highlights that *'Parental voice clearly states frequently that, 'children face the challenge of a new environment and have to adjust' and that if their children had stayed with us there would have been 'an educational benefit.'* This means that these individual children did not make the progress the parents would have hoped in their Key Stage 2 provision.' These are the views of parents, but there is limited available evidence to suggest that children do not make good progress in the key stage 2 provision they transfer to from St John's CE (VC) Infant School. The current head teacher does, however, have experience of leadership and teaching across the entire primary phase, which the Proposer describes:

'In April 2019, the governing body of St John's C E (C) Infants, with the support of the diocese and the Kirklees Learning Partner, appointed a new headteacher with a wealth of Key Stage 2 experience as well as Key Stage 1 and Early Years. The headteacher trained as a Key Stage 2 practitioner and successfully led a one-form entry primary school as Acting Headteacher by leading a school heading for requires improvement to achieving a Good rating at OFSTED. We therefore firmly believe that we have the necessary leadership in place to support the introduction of effective Key Stage 2 provision.'

St John's CE (VC) Infant School is in a unique position in that it is the only infant school in Kirklees that feeds into a through-primary school at key stage 2. The Proposer's view is that *'this is a very unusual transition point with very limited benefits. This is exactly what our parents report'*. SOAG noted this but, at an individual level, lots of pupils

transition from infant schools to all-through primary schools and it was felt that this was not a significant factor because transition could be successfully managed by the relevant schools.

The Proposer highlights pupil voice: *'Pupils also said an all-through primary school is better than two schools; 'In the infants they learn what to do in this school, they can make friends and then when they come to Westmoor they won't be scared and they will know what to do.'* This is a powerful message. Change, whatever the context, tends to draw out fear of the unknown. In an education context this is one of the reasons why high-quality transitional support is so important at any stage and these particular arrangements are within the gift of the schools involved to manage effectively.

2.8.7 Equal Opportunity Issues

The Decision-maker must comply with the Public Sector Equality Duty (PSED), which requires them to have 'due regard' to the need to:

- *eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;*
- *advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it: and*
- *foster good relations between people who share a relevant protected characteristic and people who do not share it.*

Officer Advice: It is recognised that the school is inclusive and supports a diverse range of families. An Integrated Impact Assessment has been carried out (see section 3.6). The Proposer states:

One of our school Christian values is Respect. At St John's we ensure that children know what this means and respect each other's beliefs and views, which is something we believe should happen regarding this proposal. We believe that the large amount of positive responses from parents should be respected and considered here, as it is clear that this is what the parents of our fully inclusive school want. The values were carefully chosen after consulting the views of all school stakeholders in the Summer Term, 2019. We strongly feel that St John's is a fully inclusive school, which welcomes families of all faiths and none. The values reflect the ethnic and cultural diversity of our local community. In the latest OFSTED report, 2017, it states that 'parents have great confidence on the work we are doing for their children' (SOAG Appendix 3).

2.8.8 Community Cohesion

Schools have a key part to play in providing opportunities for young people from different backgrounds to learn with, from, and about each other; by encouraging through their teaching, an understanding of, and respect for, other cultures, faiths and communities. When considering a proposal, the decision-maker must consider its impact on community cohesion. This will need to be considered on a case-by-case basis, taking account of the community served by the school and the views of different groups within the community.

Officer Advice: It is recognised that the school is inclusive of families of all faiths or none and the Proposer has demonstrated this in their detailed submission to the SOAG which includes the following:

'Our Church of England is very special to parents, staff, children and governors. Although a large percentage of our families are from the Muslim faith and some follow no faith, they would prefer children to be educated in a school that follows

core Christian beliefs and values that really apply to any religion or none. 61% of parents indicated it is essential that their child attends a church school in the parental survey in May 2019, with many more expressing in conversations with staff and governors how much they admire the school Christian values that underpin our curriculum and school life. Even if their main faith is not Christian they prefer for their children to attend a faith-based school rather than a non-faith-based school due the nature of the school and the principles in which the children are educated.

St John's is clearly valued by many people within the local community for many different reasons. One of these reasons is the close links that we create. We are very much about supporting the whole family, which then results in more success for the individual child. As a parent stated 'Teachers are fantastic, support the children. I also get a lot of support.' We have outstanding links with Early Years providers, the church, leaders from other religions, leaders in other church schools within Kirklees, local charities and also take every opportunity we can to work closely with local KS2 providers as well as KS1 providers within the Dewsbury Learning Partnership and Dewsbury West Community Hub. We feel that we could develop these links further with a Key Stage 2 provision to benefit the whole community...

...At St John's we also feel that our Parents and Teachers Association (PTA) could be made stronger, currently people find it hard to commit because of the short timescale that their child attends our school. We are extremely confident that a strong PTA could be formed if children attended our school for longer. This would give parents the opportunity to learn new skills from each other, develop stronger friendships and greater understanding of each other, as well as further enhance some people's emotional well-being and self-confidence as well as creating an additional source of income for the school...

...As a Church of England School, St John's believes strongly in the importance of learning from and about religion, so that children from a young age develop a deeper understanding of faiths and their importance in shaping the community and the world in which they live. The school promotes children's spiritual development and their understanding of local, national and global cultures. The school is fully inclusive and is a place where different faiths and cultures are not only respected but celebrated. St John's is also active in its local community, taking part in local events and welcoming residents into school.

St John's has adopted the local authority admissions policy and is fully committed to serving the local community, welcoming children from many different backgrounds and of all faiths and none. The school community reflects the ethnic and faith diversity of the community it serves. This is the current breakdown of faith and ethnicity for the children on roll as of 07.06.21:

FAITH

- No Religion: 19
- Christian: 7
- Muslim: 107
- Catholic: less than 5*
- Methodist: less than 5*

ETHNICITY

- Pakistani: 80

- *Black African: less than 5**
- *Any other Asian: less than 5**
- *White British: 24*
- *Any other Ethnic Group: 5**
- *Indian: 14*
- *Chinese: less than 5**
- *White and Asian: 7*
- *Any other White Background: less than 5**
- *White and Black Caribbean: less than 5**

* for GDPR compliance purposes, numbers of less than 5 are not included in the above analysis

2.8.9 Travel and Accessibility

Decision-makers should satisfy themselves that accessibility planning has been properly taken into account and the proposed changes should not adversely impact on disadvantaged groups.

The decision-maker should bear in mind that a proposal should not unreasonably extend journey times or increase transport costs or result in too many children being prevented from travelling sustainably due to unsuitable walking or cycling routes.

A proposal should also be considered on the basis of how it will support and contribute to the LA's duty to promote the use of sustainable travel and transport to school.

Officer Advice: There were some comments made about the potential impact on travel and transport in the representations. This includes the following highlighted by the Proposer:

- *Children are forced to travel further away to attend a school that is similar to St John's. Parents report this travelling as a 'hassle.'*
- *Parents remove children from St John's or do not send younger siblings because of what they describe as the 'logistics – they have older siblings and they simply cannot keep up with taking primary aged children to two different sites.*
- *Some parents think that having children at the same school, St John's, will help to 'avoid local traffic congestion' in the area.*

The Proposer has explored a number of strategies for reducing the impact of traffic. They explain:

Some residents have expressed their concerns about traffic and parking on both Church Lane (Westmoor Primary School) and Boothroyd Lane (St John's). However, we feel that in the long-term there will be less movement in the area by car and more people will travel by foot due to siblings only being at one school. This will therefore benefit both roads around Westmoor Primary, St John's and possibly other local Early Years and Primary School providers. In the periods of transition, when implementing the plans, parking and travelling outside all schools in the local area would need to be considered. At St John's we have already taken steps to consider reducing traffic in future years, which includes the following: Using Dewsbury Park turning circle as a parking area, staggering start and finishing times (this has proved to work well during lockdown), initiatives to encourage families to walk to school, using the recent purchase of 30 scooters to loan out to families on a weekly basis so children can 'scoot' to school, reinstating the walking bus (funds would be available to do so) and also the school council thinking of ways of encouraging parents to park away from school. We would be extremely happy to work with other providers to share our ideas and as a result

manage traffic better in the whole area as well as cut down on emissions, providing environmental and health benefits. Despite these concerns, many residents indicate to us that they have no problems with the traffic in the local area.

For clarity, in the longer term the proposal would introduce 30 additional places at St John's CE(VC) Infant School. During the transition period to retaining children up to Year 6, it could mean a peak of an additional 70 pupils on site for one year.

SOAG highlighted that Westmoor Primary School is based just 0.2 miles away and therefore questioned a claim that traffic would be reduced by the proposals. A SOAG member suggested the school look at the Modeshift Stars programme, which supports schools to deliver effective travel planning.

2.8.10 Funding

The Decision-maker should be satisfied that any necessary funding required to implement the proposal will be available and that all relevant local parties (e.g. Trustees of the school, diocese or relevant diocesan board) have given their agreement. A proposal cannot be approved conditionally upon funding being made available. Where proposers are relying on the department as the source of capital funding, there can be no assumption that the approval of a proposal will trigger the release of capital funds from the department, unless the department has previously confirmed in writing that such resources will be available: nor can any allocation "in principle" be increased. In such circumstances the proposal should be rejected, or consideration deferred until it is clear that the capital necessary to implement the proposal will be provided.

Officer Advice: The Proposer suggests there is a significant financial risk which could lead to the closure of the school if their proposal is not approved:

'Since 2018 St. John's C.E. (C) Infant School has suffered significant fall in roll and financial loss and has had several conversations with Kirklees and the Diocese about their options to remain open and financially viable. The option to become a J&I to prevent further falling roll numbers, loss of finances, loss of employment and eventually the loss of a church school within the area has been strongly supported by all stakeholders.'

The proposal to be come an all-through primary school is not strongly supported by all stakeholders. Objections to the proposal were received from two local schools who say it would have a negative impact on them and a local resident with concerns about traffic and parking.

The Proposer suggests that previous school re-organisation in the area, including the amalgamation of Knowles Hill Infant & Nursery School and Westmoor Junior School to create Westmoor Primary School over eight years ago and the school-led consolidation of Westmoor Primary School onto one site, has been a significant factor in the reduction of their pupil numbers.

The Proposer notes that, in a parent survey, 61% of parents said it was essential that their children attend a faith-based school. At the SOAG meeting on 22 June 2021, the Proposer explained that parents move children out of St John's CE (VC) Infant School mid-year so that can they start attending Westmoor Primary School earlier (especially if they already have older siblings attending), or to move their children to another small faith-based provision.

The Proposer has provided some information they hold around in-year pupil movement (leavers and starters), which can be seen at Appendix I. The figures suggest that the reason given for the majority of in-year moves is that parents are moving children to a school where they already have siblings attending. However, the figures do not support the assertion that St John’s CE (VC) Infant School is losing children mid-year because their parents move them to other small or church schools. Based on the information provided, very few parents cite wanting a small school as a reason for moving their child and, over the time period covered by the figures, St John’s CE(VC) Infant School has gained as many new pupils as it has lost due to parents seeking a faith-based provision or a school with a similar ethos for their child. It should be noted that the levels of in-year movement shown at St John’s CE (VC) Infant School are by no means unusual compared to other schools.

The biggest single factor in the schools national funding formula is pupil numbers. Understanding future pupil numbers is a key factor in preparing school budget forecasts. The size of Reception cohorts across Kirklees has been declining since 2015/2016. In the Dewsbury West primary place planning area, the trend in cohort sizes has remained more stable with, however, variations in some years, such as in 2019/20 where pupil numbers dipped by around 13%. While pupil numbers in the area returned to previous levels in 2020/21, future declines of around 13% are predicted towards 2023/24

The following chart provides the available population information for Dewsbury West. Further information is available in Appendix C.

Planning Area 9 . Dewsbury West															
Table B. Number of pupils in each year cohort resident in the planning area - school year 2019-20 - (NHS Jan 2020)															
future reception year groups				infant 2019/20			junior 2019/20				secondary 2019/20				
				Early years/KS1			Key Stage 2				Key Stage 3			KS4	
Reception Sep 2023	Reception Sep 2022	Reception Sep 2021	Reception Sep 2020	Reception 2019/20	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11
431	431	459	490	426	490	469	499	501	469	482	501	458	468	476	433

Alongside population trends, parental preference is a very significant factor which influences the number of children attending each school. While previous patterns of parental preference can be tracked, over time parental preferences do change. The dynamics of this can be difficult to predict as each new cohort will have their own set of circumstances dependent on many different variables, such as sibling links, availability of transport, parents’ work locations, childcare arrangements, and perceived quality of provision.

There is no basic need for any additional primary school places anywhere in Kirklees at this time. Officers made a fact sheet on pupil admissions and school place planning available to SOAG which can be found at Appendix C. In addition to the child population trends referred to above, the following information provides some highlights:

- At National Offer Day 2021/22 there were 124 vacant reception places out of 435 in the Dewsbury West planning area.
- The average St. Johns CE(VC) Infant School intake in the last 3 years has been around 49 (52 in 2018, 41 in 2019 and 55 in 2020)

- Based on this history, if the proposal is approved this would mean an average of 19 (11 to 25 based on the previous 3 years) pupils who have received a place in the past would not do so in the future.
- There is significant pupil movement between the Priority Admission Areas (PAAs) for St. John's CE(VC) Infant School, Boothroyd Primary Academy and Westmoor Primary School.
- The impact of reducing the PAN at St. John's CE(VC) Infant School would vary if patterns for the last 3 years were followed. It would have impacted mainly on children living outside the school's PAA, but in 2020 it would have also impacted on out of area children who had siblings attending the school.

SOAG noted that the proposals do not change the number of pupils requiring a school place.

In the context of parental preference for a faith-based school and linked to the COMMUNITY COHESION decision making factor, the Proposer suggests:

The nearest all through C of E primary is situated 2.8 miles away, 10 minutes away by car and too far by foot. This school is currently 'Requires Improvement' by OFSTED. The nearest 'Good' rated C of E Primary school is situated 3.8 miles away, a 12-minute drive away. Both schools are currently full and over-subscribed. The Church of England, Diocese of Leeds, have granted their permission to support our application to publish a statutory proposal regarding becoming an all through primary school

The LA does not recognise the Ofsted judgement, nor the driving distance to the nearest all-through Church of England primary school referred to by the Proposer above. For clarity, the following table presents information about the nearest Church of England schools to St. John's CE(VC) Infant School:

School	Phase	PAN	Distance/time from St John's CE(VC) Infant School*		Ofsted
			Walking	Driving	
Staincliffe CE(VC) Junior School	Junior school	90	1.2 miles (23 min)	1.2 miles (4 min)	Good
Ravensthorpe CE(C) Junior School	Junior school	108	1.3 miles (29 min)	2.0 miles (6 min)	Good
Headfield CE(VC) Junior School	Junior school	150	1.4 miles (30 min)	1.9 miles (6 min)	Good
Bywell CE(VC) Junior School	Junior School	97	1.9 miles (41 min)	2.0 miles (7 min)	Good
Hanging Heaton CE(VC) J & I School	Through primary	20	2.2 miles (46 min)	2.4 miles (8 min)	Good
Crowlees CE(VC) J & I School	Through primary	60	2.6 miles (54 min)	3.2 miles (10 min)	Outstanding

* Shortest walking/driving distance according to Google Maps

Local Authorities have a legal duty to provide sufficient school places. The Department for Education expects local authorities to plan places at a level above the individual school so, for place planning purposes, Kirklees has been divided into 'planning areas' which are customised to fit the local geography and help to ensure a reasonable offer of a school place for every child. Parental preference is a key principle in national school admission arrangements and recognises the genuine situation of children being individuals and parents and carers preferencing very different types of schools that they feel are suitable for their children. However, the duty to provide sufficient school places cannot meet all parental preferences related to the size of a school or its religious character. It is recognised that some parents may be willing to travel outside their local community in order to access their preferred school.

Representations were received from both Westmoor Primary School and Boothroyd Primary Academy, both objecting to the proposal on the basis of the financial impact on their school budget.

The Proposer makes the case that on average fewer than two children per year transfer from St. John's CE (VC) Infant School to Boothroyd Primary Academy. While understanding the concerns raised that this pupil movement would likely cease if the proposals were approved, the Proposer highlights the possibility that Boothroyd Primary Academy could benefit from the reduction in St. John's CE(VC) Infant School key stage 1 places. The Proposer's suggested figure of 40 additional applications and 30 additional pupils was challenged by SOAG, with a more realistic figure of around 19 reception pupils per year being agreed which may benefit a number of surrounding schools if the proposal is approved.

The impact on Westmoor Primary School is not challenged by the Proposer. Although they correctly state that the PAN at St. John's CE(VC) Infant School would not increase, the proposal would result in the creation of 30 additional places per year group in key stage 2. The vast majority (on average 93%) of children who join Westmoor Primary School at key stage 2 each year transfer from St. John's CE(VC) Infant School. The impact of the proposal will, therefore, have by far the biggest impact on Westmoor Primary School. In recent years, Westmoor Primary School has been oversubscribed with applications to join its Reception year group. This means the possible gains for other schools from the proposed reduction in PAN at St. John's CE(VC) Infant School cannot benefit Westmoor Primary School at this time.

SOAG noted that the proposals do not change the number of children requiring a school place in the local area and that if St John's CE (VC) Infants School's funding increases, it means other schools will lose funding.

It is important to acknowledge the strong working relationship and the collaborative work undertaken by the Headteachers and Governors of both St. John's CE(VC) Infant School and Westmoor Primary School to try to find an alternative system-wide solution. It is regrettable that, despite this work, a mutually acceptable solution could not be found.

Financial income models were presented to SOAG, alongside a teaching staff costing model, to underpin the Proposer's suggestion of financial pressures and risk of closure. The Proposer also highlighted budget savings they have made, including reducing from six classes to five classes, removing a half day a week school nurse service and an attendance officer service. The Proposer also suggested infant schools are disproportionately affected by the cost of SEND provision due to the time lag between assessment and receipt of additional financial support. SOAG requested further financial

information showing income and expenditure and including different models/scenarios be made available to the Decision Maker.

The Proposer has now provided two income and expenditure financial models, one for remaining as an infant school with a PAN of 60 (no change) and one for an all-through primary school with a PAN of 30 (as per the statutory proposal and the proposed change of PAN). These models can be found at Appendices F and G respectively.

Documentation provided by the Proposer and referred to under the implementation decision-making factor shows the need for alterations to the school building. The total cost of the work required to implement the proposals is approximately £218K and a further £20K if 10 classrooms were required. A carry forward surplus of £112K can be used to support this work alongside the schools available Devolved Formula Capital. There therefore remains a requirement for approximately £106k to £126K of future funding required to be invested in the school building to enable implementation, which without an identified source of Capital would need to be found from revenue. The all-through primary school budget model takes account of this with the resulting impact being a forecast budget deficit in 2023/24 of an estimated £56K. Forecasts also show a recovery from this deficit in the following financial year.

The 'no change' infant school financial model does show a position of future deficit if no remedial action is taken. With falling primary pupil numbers across Kirklees, many schools have and continue to face similar financial challenges. There is limited information available as to what mitigation and creative opportunities could be used to better match future expenditure with realistic income projections other than the proposal and the financial impact they will have on at least one other school.

The local authority schools finance team comment:

The 'no change' financial modelling assumes a worst-case scenario that avoids the key next steps whereby the finance team would be looking for early intervention to avoid the school reporting a deficit position by 31st March 2024 (reduced staffing / mixed year classes etc.). There remain opportunities for short term central intervention using contingency budgets to achieve the required school budget adjustments over time.

To summarise their finances are not too dissimilar to other schools facing falling rolls.

If the proposals were approved, more work will be required with the school to test some key assumptions in the figures and there may be other unforeseen costs associated with their preferred 'through school' model.

2.8.11 Rights of Appeal Against a Decision

The following bodies may appeal to the Schools Adjudicator against a decision made by the LA Decision-makers, within four weeks of the decision being made:

- *The local Church of England diocese;*
- *The local Roman Catholic diocese; and*
- *The governors and trustees of a foundation, foundation special or voluntary school that is subjected to the proposal.*

On receipt of any appeal, a LA Decision-maker must then send the proposal, representations received and the reasons for their decision to the Schools Adjudicator

within one week of receipt. There is no right of appeal on determinations made by the Schools Adjudicator.

Officer Advice: The Church of England diocese or the school governing body have a right of appeal to the Schools Adjudicator against a decision made by the LA Decision Makers.

2.8.12 Implementation

The proposer must implement a proposal in the form that it was approved, taking into account any modification made by the decision-maker.

Officer Advice:

The following table demonstrates theoretical implementation of the proposals with pupil numbers based on current and proposed PANs:

St John's CE(VC) Infant School	R	Y1	Y2	Y3	Y4	Y5	Y6	Total	Number of classrooms required*
	Infants (KS1)			Juniors (KS2)					
20/21	60	60	60					180	6
21/22	60	60	60					180	6
22/23 (proposed implementation)	30	60	60	60				210	7
23/24	30	30	60	60	60			240	8
24/25	30	30	30	60	60	60		270	9
25/26	30	30	30	30	60	60	60	300	10
26/27	30	30	30	30	30	60	60	270	9
27/28	30	30	30	30	30	30	60	240	8
28/29	30	30	30	30	30	30	30	210	7

A similar illustration demonstrates theoretical implementation of the proposal with pupil numbers based on current number on roll as at July 2021 and the proposed PANs:

St John's CE(VC) Infant School	R	Y1	Y2	Y3	Y4	Y5	Y6	Total	Number of classrooms required*
	Infants (KS1)			Juniors (KS2)					
20/21	54	35	43					132	5 or 6
21/22	48	54	35					137	5 or 6
22/23 (proposed implementation)	30	48	54	35				167	6
23/24	30	30	48	54	35			197	7
24/25	30	30	30	48	54	35		227	8
25/26	30	30	30	30	48	54	35	257	9
26/27	30	30	30	30	30	48	54	252	9
27/28	30	30	30	30	30	30	48	228	8
28/29	30	30	30	30	30	30	30	210	7

The 2021/22 Reception intake coloured in grey is based on allocations as at July 2021 and is likely to change.

Pupil numbers in every year group can change on a daily basis as a result of in-year pupil movement and this presents a risk regarding the number of classrooms which would be required to implement the proposals, i.e. nine or ten.

The illustration based on current pupil numbers assumes mixed year group teaching to estimate the number of classrooms required.

The following table demonstrates the Proposer’s mixed year group teaching plan for 2021/22 over 5 classes:

Class	1	2	3	4	5
Year group(s)	Reception	Reception / Year 1	Year 1	Year 1 / Year 2	Year 2

If the statutory proposal to change the age range of St. John’s CE(VC) Infant school were to be approved, a further process would be required to reduce the PAN from 60 to 30. Admission arrangements have already been determined for 2022/23 in line with the national School Admissions Code.

In order to implement the proposal from September 2022, as proposed, an application to the Schools Adjudicator for a variation to admission arrangements would be required. The LA, as the admission authority for St. John’s CE(VC) Infant School, would need to submit the application. If the request for a variation was not approved by the Schools Adjudicator, the LA could consult on making the changes for 2023/24 in the annual admissions consultation, which normally begins at the end of November in any given year.

Not reducing the PAN would present a significant risk to implementation because the opportunity to open key stage 2 provision is dependent on the Proposer being able to limit both the number of new starters in key stage 1 along with further in-year admissions to the school and, therefore, the classroom space required. This is demonstrated in the pupil numbers illustrations above.

The Proposer has provided details about implementation under other Decision-making sections including:

- Plans to develop a key stage 2 in the **Education Standards and Diversity of Provision** section.
- **School Premises and Playing Fields**, including how the required number of classrooms can be created to match the pupil number illustrations above.
- Financial forecasts in the **Funding** section, including some information about staffing arrangements and how building work to create additional classrooms can be financed.

2.8.13 Modification Post-Determination

Proposers can seek modifications from the decision-maker before the approved implementation date. However, proposals cannot be modified to the extent that new proposals are substituted for those that have been published.

Details of the modification must be published on the website where the original proposal were published.

Officer Advice: This remains an option in the future if required.

2.8.14 Revocation of Proposals

If the proposer no longer wants to implement an approved proposal, they must publish a revocation proposal to be relieved of the duty to implement, as set out in the Prescribed Alterations Regulations.

Officer Advice: This remains an option in the future if required.

2.8.15 School Premises and Playing Fields

Under the School Premises (England) Regulations 2012, all schools maintained by local authorities are required to provide suitable outdoor space in order to enable physical education to be provided to pupils in accordance with the school curriculum; and for pupils to play outside safely.

Officer Advice: The Proposer has provided annotated copies of the floorplan of the school to show how the physical space is currently being utilised and how this would change following the implementation of the proposal. These are available in SOAG Appendices 12 and 13. The Proposer explains:

'We have a clear plan of how and where we could accommodate the additional classrooms both in the long term and in the transition years. Some work has already been completed with this proposal in mind as it would be too much to undertake all in one go. An example of a possible idea for future work to be carried out can be seen in [SOAG] Appendix 12. This clearly shows we are carefully thinking through the whole project and working at it step by step so that is manageable for everyone and does not have a negative impact on learning for the children currently in school.'

As presented in the **Implementation** section, there is likely to be a need for nine teaching spaces during the implementation of the proposals, and a possibility of ten teaching spaces if in-year admissions increased significantly.

The Proposer's plans to provide additional teaching spaces can be summarised as follows:

- The school already has 6 existing classrooms. Having already completed Phase 1 and 2 of the building work, an additional classroom space is available which needs equipping with key stage 2 furniture (Phase 3), providing 7 classrooms.
- An additional class base to be created by a partition wall in Reception (Phase 4), providing 8 classrooms (and additional toilets),
- An additional class base to be created in an old caretaker's house (now vacant) (Phase 6), providing 9 classrooms
- If required, a further class base to be created upstairs in the old caretaker's house (Phase 7), providing the possibility of 10 classrooms

As illustrated in the **Funding** section, a carry forward balance is available to the Proposer to undertake the first five phases of this planned work. However, over £100,000 of revenue funding will need to be generated to complete Phase 6 (the ninth classroom), and a further £20,000 for Phase 7 if a tenth classroom is required to implement the proposal.

The Proposer has provided evidence of planning permission obtained in 2019 for the change of use caretaker's house to classrooms. Quotations from building companies all dated in 2021 have been provided for each planned building phase detailed above and collectively they match the building costs quoted in the **Funding** section.

Approval is required from the Diocese to undertake the planned building work described above and this is not in place at this time with an application only recently been made. Planning permission is likely to be required for the toilet block in Phase 4 of the proposed building work which is not in place at this time but could be is required to implement the proposals. Fire regulations will need to be considered particularly if a 10th classroom is required on a first floor.

The potential cost of removing asbestos and other unforeseen work which could arise is not included in the available quotations which presents a degree of risk to the final cost. Existing asbestos surveys suggest only small pockets present in the caretaker's house where the major refurbishment is planned. Prices for building work are increasing at this time and delays are being experienced due to challenging building material supply chains. The risk of unforeseen work and price increases is not easy to mitigate, but early procurement of building work will help mitigate the risk of delay. With the work already completed, seven classroom spaces are available immediately. If the proposal were to be approved and implementation date remained 2022/23, then the eighth classroom would be needed in time for 2024/25 unless there is a significant increase in pupil numbers. This can remain under review by the Proposer.

3. Implications for the Council

3.1 Working with People

LA Officers have provided technical advice and support to St John's CE (VC) Infant School around the four-week representation period following the publication of the statutory proposal. This ensured that a wide range of stakeholders could participate to express their views as part of the consultation. The school held sessions to engage with parents, staff and other stakeholders.

3.2 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 other schools in the local area.

3.3 Place Based Working

The planning of school places is based upon primary and secondary school place planning areas. Local evidence and local views inform decision making.

3.4 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. On balance there is no evidence to suggest the proposals will have anything other than a neutral impact.

3.5 Improving outcomes for children

By taking a strategic approach Kirklees Council wants to ensure that our schools will work collectively and in partnership to serve their local communities in order to:

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

3.6 Other (e.g. Legal/Financial or Human Resources)

Legal

There are no legal matters arising from this proposal outside the statutory school re-organisation processes described.

Financial

Any re-organisation costs would be the responsibility of St John's CE (VC) Infant School, therefore, there are no significant financial implications for the council other than the use

of existing school re-organisation and planning 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 school for the changing pattern of pupil numbers implied by this proposal. With a progression towards a national funding formula, there are fewer opportunities for discretion in local funding arrangements. However, there remain some mechanisms within the local funding formula contingencies to provide temporary support to school in certain circumstances. This does not undermine the expectations that schools plan for realistic expenditure within their means.

Human Resources

There could potentially be Human Resource implications resulting from these proposals. Kirklees HR officers would provide technical advice and support any processes where required. Whilst Trade Unions were not directly engaged during the representation period evidence has been provided of the statutory proposals being shared just after the SOAG meeting.

Integrated Impact Assessment

An Integrated Impact Assessment has been carried out and can be found by following the link below:

[Integrated impact assessments | Kirklees Council](#)

Then select 2020/21 and 'Children and families'. There are two reports named 'Potential change of upper age limit at St John's CE(VC) Infant School', Stages 1 and 2.

4. Consultees and their opinions

Information about the consultation process described in section 2.8.3 above.

The Church of England Diocese of Leeds provided approval for the governing body of St. John's CE(VC) Infant School to undertake a statutory consultation to become an all through school stating:

In giving their approval, the Board expects that the Governing Body of St John's C E (C) Infant School are seeking to become an all-through primary school in order to provide continuity of provision to the children in their school by removing a transition point at the end of Key Stage 1. This would also provide a more sustainable model of education and meet the needs and expectations of parents at the school who have consistently asked for the school to provide Key Stage 2 provision.

It is expected that the expansion will not have a detrimental impact on the educational provision for current or future statutory aged pupils. The Diocese also expects that the Governing Body will continue to work with the Diocese to ensure we are kept abreast of any developments.

In recent correspondence with officers, Richard Noake, Director of Education, The Church of England Diocese of Leeds confirmed:

We are supportive of the work of the school in putting forward this proposal.

5. Next steps and timelines

Cabinet are required to make a decision on the statutory proposal within 2 months of the end of the representation process, i.e. no later than 27 July 2021, or the proposal must be referred to the Schools Adjudicator for determination.

The Decision Maker is able to:

- reject the proposal;
- approve the proposal without modification;
- approve the proposal with a modification, having consulted the LA and/or governing body of the school (as appropriate); or
- approve the proposal with or without modification subject to certain prescribed events (such as the granting of planning permission) being met.

In determining this proposal, the Council must have regard to the relevant statutory guidance which is annexed to this report. The DfE Decision Maker's Guidance explains *'The purpose of this guidance is to ensure that additional good quality school places can be provided quickly where they are needed; that local authorities and governing bodies do not take decisions that will have a negative impact on other schools in the area, and that changes can be implemented quickly and effectively where there is a strong case for doing so'*.

The Church of England Diocese or the governing body have a right of appeal to the Schools Adjudicator against a decision made by the Council.

6. Officer recommendations and reasons

We would firstly like to commend the professional approach taken by the Proposer in following the statutory process and engaging with the council's decision-making processes. These are not easy processes to navigate and a significant amount of work has been undertaken with diligence and integrity, which we hope is reflected in this report.

Consideration of consultation and representation

The very strong support and enthusiasm for the proposals from existing parents of St. John's CE(VC) Infant school has been clear in both the non-statutory consultation held in 2020 and during the representation period held in 2021. A similar view has been expressed by existing staff, and children have demonstrated how highly they regard their school and that they would prefer to stay there longer.

Education Standards and Diversity of Provision

The positive opportunities of reducing transition points are supported by the available evidence and the creation of all-through primary schools is one way of accomplishing this. Previous LA-led proposals in other areas have attempted to enable a system-wide solution towards achieving this, usually bringing an infant and a junior school with existing pupils and staff together for this purpose. In these examples, there is already key stage 1 and key stage 2 experience within the schools and, while the challenges should not be underestimated, there is a solid basis upon which to create an all-through primary school.

The creation of all-through primary schools is not the only way to support improved educational outcomes. Strong transition arrangements which support children and their families also have the opportunity to improve educational outcomes and support wellbeing.

Separate infant and junior schools exist elsewhere in Kirklees and across the country, many with strong transitional arrangements. It is within the gift of local schools to support the educational outcomes of children in this way. While there are positive opportunities for all-through primary schools, it is not the institution itself in that improves outcomes. Rather it is the arrangements within it that make the difference and similar arrangements could be achieved by schools working together in strong partnership.

While the view of existing parents is indisputable, should the proposal be approved there is a risk that the opportunity for parents to realise their preferences would become more limited in the future. This is because in the future there would be 30 places available in each key stage 1 year group and currently more than 30 families secure a place at St. John's CE(VC) Infant School each year. If the proposal resulted in the school becoming more popular, fewer parents would be able to secure places at the school for their children. There would remain, however, sufficient places in other local schools.

Community Cohesion

In this situation, there is clear evidence of a negative impact on at least one other school if the proposal were to be agreed and this should be seen in the context of the relevant government guidance which states '*...local authorities and governing bodies do not take decisions that will have a negative impact on other schools in the area.*' The competing opportunity of reducing a transition point which at the same time has a significant impact on the financial position of another school, makes this proposal finely balanced and therefore a difficult decision to make.

There is no basic need for any additional primary school places across Kirklees at this time. The proposals would result in a reduction of key stage 1 places but, critically, create 30 additional places per year group in key stage 2. There is clear impact on the financial position of at least one other school if the proposal were to be approved because of this increase in places. The follow-on impact this presents on the outcomes of children other schools challenging to quantify but there is a clear risk.

Cabinet considered the outcome of a non-statutory consultation in September 2020 and decided not to progress with similar proposals. Very little has changed since last September, other than the development of the statutory process has led to further scrutiny of financial impact on other schools, the Proposers rationale and implementation planning.

Implementation

The challenges of creating a new key stage 2 have been highlighted in this report: changing expectations for curriculum planning including Ofsted key stage 2 expectations; a current staff team with limited recent key stage 2 experience, apart from the Headteacher; and limited evidence about detailed implementation planning beyond the provision of classroom spaces and some basic information about the recruitment of additional teaching staff.

School Premises and Playing Fields

The Proposer's plans regarding the requirements for physical space, including classrooms, have been reviewed. They are considered to be well-developed. However, some risks relating to implementation of the proposals remain including permission from the Diocese and the likely requirement of planning permission for the new toilet block. Some of the funding will need to be provided by future revenue funding and forecasting suggest this will take the school budget into deficit for one financial year.

Funding

The risk of closure of St. John's CE(VC) Infant School due to financial pressures is considered to be overstated. There are some clear financial pressures, but these are no different from many other schools who have to look at creative solutions to manage their budget within their means in the context of a national funding formula and falling pupil numbers. For example, some smaller schools have looked towards closer partnerships, such as federations, as part of a solution.

In conclusion, while this is finely balanced, the risks associated with approving the proposal continue to outweigh the potential gains. The Officer recommendation to Kirklees Council Cabinet is, therefore, not to approve the proposals at this time.

Listening to the voices of children, which came through strongly in the representations they made, is powerful. If members do not approve the proposal, local schools should be encouraged to renew their efforts to work together, focusing their combined energies on ensuring outstanding transitions for children and their families to support their wellbeing and ambitious educational outcomes.

Under The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, decision makers are permitted make approval of proposals conditional on certain prescribed kinds of events. If members were to take the decision to approve the proposal, it is recommended that they make a conditional approval subject to:

- Planning permission being approved, where required, for all work which is needed to ensure that sufficient classrooms are available to implement the proposals.
- Approved variation of admission arrangements for 2022/23 by the Schools Adjudicator for a reduction in the PAN of St. John's CE(VC) Infant school from 60 to 30.

Both conditions should be met by 1 December 2021. This is because implementation for the proposed date of September 2022 must be assured in sufficient time for parents to make an informed admission decision for September 2022 before the primary school admission application window closes on 15 January 2022.

7. Cabinet Portfolio Holder's recommendations

I wish to place on record my sincere thanks to the parents, schools and members of the community who responded to provide their views on the proposal during the representation period.

I would also like to thank the governing body of St. John's CE(VC) Infant School, the Headteacher and his staff for their professional engagement with the Local Authority decision-making processes, including their presentation to SOAG and the information provided since.

It is important that outcomes for children are at the heart of any decision-making. This needs to be in the broadest sense of the meaning including, but not limited to, educational outcomes and the part family and the whole community play in this. A sense of place where children are at the heart of the community is really important and a strong local school system which underpins this is essential.

The proposal made by the governing body of St. John's CE(VC) Infant School presents a finely balanced choice between the opportunity to reduce a transition point, which evidence suggests can improve outcomes for children, and the risk of destabilising a local school system with the impact this could have on the outcomes for other children. Another consideration is the fine balance between improving choice for some parents by enabling their children to stay on longer at St. John's CE(VC) Infant School, while reducing opportunities for other parents to secure a place at the school in the future.

While there are risks highlighted with developing key stage 2 provision at St. John's CE(VC) Infant School, with more planning and additional support, this alone would not be a reason to reject the proposal.

Having carefully considered all the information contained in this report alongside my own recent experience of visiting all three local schools and speaking to the leadership teams, I believe there are other ways to maximise the outcomes for children in this area outside this proposal.

As difficult as it is, my recommendation is that Cabinet does **not approve** the statutory proposals put forward by the governing body of St. John's CE(VC) Infant School.

Although I recognise the right of appeal available to the Schools Adjudicator, I would also like to offer the support of officers to work with St. John's CE(VC) Infant School and other schools in this area to explore how they can work together to ensure the best possible outcomes for children and their families.

8. Contact officer

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9. Background Papers and History of Decisions

[Cabinet report 22 Sep 2020](#): Reorganisation in Dewsbury West school place planning area outcome report.

[Cabinet report 14 Jan 2020](#): Reorganisation in Dewsbury West school place planning area – permission to consult.

[Cabinet Report 26 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 4 December 2012](#) - Report on the outcomes of the statutory consultation about proposals affecting Knowles Hill Infant and Nursery School and Westmoor Junior School.

[Cabinet Report 17 July 2012](#) - Report in relation to proposals affecting Knowles Hill Infant and Nursery School and Westmoor Junior School.

10. Service Director responsible

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SOAG Appendix 2 Baseline Comparison Data
SOAG Appendix 3 St John's OFSTED Report <https://files.ofsted.gov.uk/v1/file/2680935>
SOAG Appendix 4 St John's SIAMS Report
<https://www.wyad.education//reports/107701%20-%2030.01.17%20-%20St%20Johns%20-%20SIAMS%20Report.pdf>
SOAG Appendix 5 St John's SEND Report <https://primarysite-prod-sorted.s3.amazonaws.com/stjohns/UploadedDocument/e9a632acd7e743268a6af04576c9d53d/send-report-june-2021.pdf>
SOAG Appendix 6 School Place Planning, 2020 2023
<https://www.kirklees.gov.uk/beta/schools/pdf/securing-sufficient-school-places20.pdf>
SOAG Appendix 7a St John's Parent Petition, September 2020
SOAG Appendix 7b St John's Parent Petition, September 2020
SOAG Appendix 8 St John's 2020 Data Summary, July 2020
SOAG Appendix 9 St Johns DBE Consent
SOAG Appendix 10 Funding Projections for Through School Provision
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SOAG Appendix 12 Flexit KS2 Reconfiguration of School House
SOAG Appendix 13 Provisional Plan for Building Development
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SOAG Appendix 15 Healthy Child Programme vs Attendance and Pupil Support Service

SOAG Supporting Documents

SOAG supporting document 1.2a - St John's C E (C) Statutory Proposal April 2021
SOAG supporting document 1.2c Have your Say Poster
SOAG supporting document 1.3b - Heads Up Notice of Statutory Proposal
SOAG supporting document 1.3h - St Johns DBE Consent
SOAG supporting document 1.3j(i) - Wider Community - Link to proposal on Facebook page
SOAG supporting document 1.3j(ii) - Wider Community - Proposal Advertised on school website
SOAG supporting document 1.3j(iii) - Wider Community - Zoom meeting advertised on Facebook
SOAG supporting document 2.3a - St Johns Infant School Statutory Notice
SOAG supporting document 2.3b - Statutory Notice Dewsbury Reporter 29.04.2021
SOAG supporting document 2.3c Photos of Proposal and Consultation details on the school gates
SOAG supporting document 2.3d Confirmation from the LA re proposal on their website and Heads Up

SOAG supporting document 2.7 - DfE

Maintained_schools_prescribed_alterations_guidance

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/756572/Maintained_schools_prescribed_alterations_guidance.pdf