



Office of
the Schools
Adjudicator

Determination

Case reference: STP643

Proposals: To discontinue Sparrow Farm Infant and Nursery School and Sparrow Farm Junior School, Hounslow and to open a new primary school and nursery on the same site

Referred by: London Borough of Hounslow

Date of decision: 2 June 2020

Determination

1. Under the power conferred on me by Paragraph 17 of Schedule 2 to the Education and Inspections Act 2006 and The School Organisation (Establishment and Discontinuance of Schools) Regulations 2013, I have considered the proposals to discontinue Sparrow Farm Infant and Nursery School and Sparrow Farm Junior School, two community schools in the London Borough of Hounslow, with effect from 31 December 2020, and to establish a new community primary school on the same site and in the existing buildings on 1 January 2021. I hereby approve the proposals.

The proposals

2. On 4 March 2020, the London Borough of Hounslow (the local authority) published a statutory notice to discontinue Sparrow Farm Infant and Nursery School (the infant school) and Sparrow Farm Junior School (the junior school), two community schools in the London Borough of Hounslow, with effect from 31 December 2020, and to establish a new community primary school on the same site and in the existing buildings on 1 January 2021. The local authority wrote to the Office of the Schools Adjudicator (the OSA) on 8 April 2020 seeking a decision on these proposals made under sections 15 and 11 of the Education and Inspections Act 2006 (the Act) for consideration under Schedule 2 to the Act. This process of closing an infant school and its linked junior school and then opening a single school in their place can be described as “amalgamating” the two schools.

Jurisdiction

3. The proposals were published under section 15 and section 11 of the 2006 Education and Inspections Act 2006 as amended by the Education Act 2011. Under section 15 of the Act, local authorities may publish proposals to discontinue schools. Under section 11(A3), a local authority may publish proposals for the establishment of a new primary school which is to replace an infant and a junior school. When local authorities use these latter powers, the Schools Adjudicator is the decision maker by virtue of Schedule 2 to the Act. Because the proposal to discontinue the infant and junior schools are related to the proposal to establish a new school the decision on the discontinuance also falls to the adjudicator by virtue of Schedule 2 to the Act.

4. Having carried out the appropriate consultation, the local authority formally published statutory notices on 4 March 2020 to discontinue the schools on 31 December 2020 and to establish a new community primary school on 1 January 2021. The notices were in the form required by the Act, and the notices met the requirements of Schedules 1 and 2 to the School Organisation (Establishment and Discontinuance of Schools) Regulations 2013 (the Regulations). A supportive comment from a neighbouring London borough was the only comment received during the statutory four week period for representation to be made, and the local authority forwarded the information specified in the Act and Regulations to the OSA.

5. I am satisfied that these proposals have been properly referred to me in accordance with Schedule 2 to the Act and the Regulations and that I have jurisdiction to determine this matter.

Procedure

6. In considering this matter I have had regard to all relevant legislation including “Opening and Closing maintained schools”- Statutory Guidance for Proposers and Decision Makers, November 2019. The documents I have considered in reaching my decision include:

- a) the formal request by the local authority on 8 April 2020 for a decision on the proposal;
- b) the local authority’s “Schools Amalgamation Policy” dated January 2017;
- c) a copy of the complete proposals;
- d) a copy of the documentation used during the consultation stage;
- e) notes of the consultation meetings held with governors, parents, pupils and staff of the schools;
- f) copies of responses made to the consultation;

- g) the report made to the local authority's Cabinet following the consultation;
- h) notification of the Cabinet decision made on 11 February 2020 to issue statutory notices in connection with the proposal and to make certain financial provisions;
- i) a copy of the statutory notice published in the local newspaper on 4 March 2020;
and
- j) a copy of the statutory notice displayed on the schools' premises.

Background

7. The infant and junior schools are two separate community schools serving part of the North Feltham area in the London Borough of Hounslow. Each school has a published admission number (PAN) of 90 and children attending the infant school are given the highest priority for admission to the junior school, after looked after and previously looked after children. The schools are located on a shared site but they are two fully self-contained buildings with their own separate entrances and facilities. The capacity of the infant school is 270 with additional places in its nursery. The capacity of the junior school is 360 pupils.

8. The proposals are to discontinue the infant and junior schools on 31 December 2020 and to establish, on 1 January 2021, an all-through primary school providing places for children aged 3 to 11 years. The new primary school would have a PAN of 90 for Reception year, providing for a total roll of 630 children, plus those in the nursery. The new school would open in the existing accommodation of both schools. One of the issues raised during the consultation was how the schools could be physically linked given the separation across a playing field and the LA has decided to allocate funding of £155,000 to provide a lit and covered walkway between the school buildings to facilitate safe pedestrian routes around the whole of the new school. Funding has also been agreed for new shared communications, IT and security systems.

9. These proposals are in accordance with the local authority's policy as set out in the "Hounslow Council Schools Amalgamation Policy", issued in January 2017, which states,

The policy identifies several "triggers" for a discussion with the governing bodies of separate infant and junior schools about the possibility of amalgamation. One of these is when a headteacher vacancy occurs in one or both schools. There is such a vacancy at the junior school, which is currently being filled on an interim basis by the head of the infant school. Following meetings with the two governing boards of the two schools in the summer of 2019, the local authority commenced the statutory process for closing and opening maintained schools by undertaking a consultation exercise, which took place between 20 September and 8 November 2019.

10. Having considered the responses received during the consultation period, the local authority's Cabinet decided on 21 February 2020 to issue statutory notices for the closure of the infant and junior schools and the opening of a new primary school. These were

published on 4 March 2020 and the notice period ended on 3 April 2020. A single supportive comment was received from a neighbouring London Borough; no other representations or objections were received by the local authority.

Consideration of factors

11. I have considered the proposals taking account of the relevant statutory guidance and of the arguments put to me by the local authority as proposer.

Demand, Need, Suitability and Size

12. There are no proposals to change the overall number of pupils who attend the new schools which will continue to serve the same community that the existing infant and junior schools currently serve. For the new school there are no issues in respect of demand and need which are created by the amalgamation of two schools. The schools currently provide for the needs of children and since the existing buildings are going to be used in their entirety, there are no additional issues in respect of their suitability to provide for the needs of the children with the exception of the concern raised about ease of pedestrian access between the two school buildings if they are to operate as one unit. The local authority has addressed this concern by undertaking to fund and provide a lit and covered walkway between the buildings.

13. The local authority outlined what it saw as the benefits of establishing a primary school. These included:

- the removal of the risk of “lost learning” when children have to change schools at the age of seven;
- a removal of the need for parents to apply for a new school place for Year 3;
- consistent leadership and management across key stages with one school, one headteacher and one governing board to provide clear accountability.
- a single primary school enables consistency of policy and planning across key stages and a continuous approach to the curriculum, such as single policies for handwriting, reading, maths and behaviour;
- more stable transition for vulnerable pupils and children with special educational needs up to Year 6; and
- staff retention and recruitment opportunities within a larger school.

14. The new primary school that is proposed would provide a total of 630 places across the primary age range, plus 90 places for nursery children. The new school would be the same size as some other primary schools in this local authority and elsewhere. I consider this to be appropriate and do not see that there would be any issues of capacity as a result of the proposals.

The Admission Arrangements

15. The infant and junior schools are community schools, and as the proposed primary school would also be a community school, the local authority would continue to be the admission authority and would set the admission arrangements for the primary school, as it does for the existing schools. The generic admission arrangements for primary schools in the local authority are the same as those currently used for infant and junior schools so there would be no change. Parents and carers would benefit from not having to make a separate application for admission to the junior school when children are seven years old.

The National Curriculum and School Standards

16. The infant school was inspected in November 2016 and judged as good by Ofsted.

The inspection found that,

“the headteacher has been the driving force behind the school’s rapid improvements”;

“Governors have a clear understanding of the school and take their responsibilities seriously. They are unafraid to challenge the school about improvement”; and

“Standards at the end of key stage 1 are now above those seen nationally and there has been a rapid improvement in outcomes in early years.”

17. The Junior School was inspected in November 2017 and judged by Ofsted to be a good school. The inspector reported,

“The focused and effective leadership of the headteacher and her deputy has led to clear improvements across the school”;

“The quality of teaching, learning and assessment is good. Lessons are carefully planned and are purposeful. Pupils respond well to the good guidance they receive from their teachers and from skilled teaching assistants“;

“A rich curriculum develops pupils’ spiritual, moral, social and cultural awareness. Pupils enjoy the subjects they are taught and are motivated to learn well“; and

“ The governing body provides a good balance of support and challenge. Regular checks are made on how well the school is doing to help pupils achieve the best they can.”

18. The local authority has compared the performance at key stage 2 in its six schools that were junior schools and have subsequently become primary schools. The local

authority states that the improvement in these results is greater than the average for other schools in the local authority. The local authority also confirmed that all the new primary schools that have been established from a pair of infant and junior schools have been judged to be good.

19. I consider that the good current performance of the two schools and the local authority's statement about the performance of junior schools becoming primary schools suggest that these proposals have the potential to improve the standards of education. The schools already work together, but a single management structure will allow coordination and consistency across all aspects of school life.

Equal opportunities, community cohesion, travel and accessibility

20. It is likely that families will benefit from the improved continuity of schooling and will only need to develop a relationship with one school, rather than two, for their children aged four to eleven. Children with additional needs will benefit from a transition from key stage 1 to key stage 2 with a single set of policies and practice in place and no requirement to review their placement as there would be if they transfer to a new school.

21. I do not identify any issues related to the Public Sector Equality Duty and none has been drawn to my attention. It is not anticipated that these proposals would have a direct impact on the community and no particular issues have been raised during the consultation process.

22. There will be no displacement of pupils because places at the primary school would automatically be offered to children on roll at the schools and, as the primary school would operate from the same premises, there would be no impact on the length of journeys between home and school as a result of the implementation of these proposals.

23. Some parents perceived that the creation of a single school might mean that there would be a single school entrance. This is not being proposed as the two school buildings are physically separate and will continue to be so, albeit with a covered walkway linking them. Staff raised the concern about how safe transit from one building to the other could be achieved without the need to walk out of the respective buildings and round the access road which borders the school site and the houses on the local estate. The LA has acknowledged this concern and has allocated the funding to provide a covered walkway between the two buildings. I am satisfied that the local authority has taken account of these concerns in its planning and that the proposals will not have a detrimental effect on the other matters in this section.

Funding

24. It is intended that the proposals could be implemented without the need for substantial capital expenditure because the new primary school would use the same premises as those of the infant and junior schools. I have already referred to the funding allocated to provide a covered walkway. The local authority has also allocated a sum to

provide a coordinated telephone and communications system across the two buildings. In total, £252,000 has been allocated to pay for the walkway, new telephone, IT and security systems, and new signage and website.

25. The main funding change following the opening of the new school would be the change to the lump sum that is given to each school as part of the funding formula. Hounslow has chosen to give a lump sum of £125,728 to each primary phase school for 2021 in addition to the age weighted elements of the funding. This is in line with the national guidance referred to below. The current schools each receive a lump sum but the proposed new school would only receive one lump sum leading to an overall reduction in budget in comparison to the previous two schools. The local authority has acknowledged this clearly and points out that a single school will have the opportunity to make savings by only appointing one headteacher and by rationalising elements of the two predecessor schools' administration. In addition, there will be a transition period. The Education and Skills Funding Agency's operational guide "Schools revenue funding 2020 – 2021" updated in September 2019 provides that where schools have amalgamated after 1 April 2020, in the first year of the amalgamation the lump sum funding the new school should be the same as that received by the predecessor schools. This means that the new primary school would receive for the remaining three months of the year from January 2021 up to March 2021 the same lump sum funding as the two schools would have received separately for that period up to 31 March 2021. After the first 3-month period, the lump sum provision for the next financial year (2021/22) would reduce to 85 per cent of the predecessor schools' lump sums. The guidance also provides some discretion as to the level of lump sum that can be paid to an amalgamating school in the third financial year of its operation. This would require an application by local authority to the Education and Skills Funding Agency giving an explanation for the level of discretionary protection being requested by the local authority with an expectation that the request would not exceed 70 per cent of the combined lump sums.

26. The loss of the £125,000 lump sum is significant but although they have not been quantified, I accept the local authority's explanation that there are savings to be made by appointing one headteacher rather than two and by implementing other economies of scale across the single larger school. The local authority has also reported that the two schools had significant balances in their budgets that will be carried forward to the new school totalling £521,000. In these circumstances and with the transitional arrangements that will be put in place I am satisfied that these proposals are financially viable.

Views of interested parties

27. A similar proposal to create a primary school here in recent years did not proceed because it did not have the support of the local community, staff and governing boards. Following the resignation of one of the headteachers in 2019, the local re-organisation policy was triggered once again. Discussions were held with the governing boards of the two schools and following their confirmation of broad support for the plan, the local authority decided to proceed to public consultation on these proposals. A consultation document was

issued to all parents of children at the two schools and all members of staff. The consultation document included a section to be returned for written responses. In addition, the attention of appropriate stakeholders was drawn to the consultation documentation. These stakeholders included trade union representatives, diocesan authorities, local councillors and members of parliament. A series of meetings was held at both schools, for parents, members of staff, pupils and governors respectively. In addition to the points and questions raised at the meetings, which were thoroughly recorded, consultees were invited to make a written response.

28. A total of 130 individual written responses to the consultation were received. In addition, 31 responses were collected from pupils at meetings of the school councils. Support for the proposals came from the governing boards of the two schools. There was one individual governor response opposed to the proposals. 88 parents responded of whom 51 were in support of the proposals. 34 staff responded of whom 28 were opposed to the proposals.

29. Those who were opposed to the proposals raised concerns around three broad areas of school life. The first concerned the budget which has been dealt with above. The second concerned the difficulty of using the existing buildings as one school when there are two entrances, two offices, two staff rooms and no hall big enough to accommodate all the staff and pupils. It was also pointed out that the walk from one school to the other involved walking along a narrow road behind local houses. There were concerns that children would not be able to mix across the two key stages. The third area of concern was largely raised by staff who were concerned about possible staff redundancies and the ability of the headteacher and management team to be able to manage effectively across two buildings.

30. The local authority responded to these concerns and pointed out that the two existing buildings have the capability to operate independently as schools and have all the facilities that they require to operate as a primary school. In some respects there would be duplication rather than insufficiency of provision. It acknowledged that the access from one building to the other could be improved by the provision of a walkway which it has agreed to fund. The local authority said that other schools within the local authority had amalgamated using different buildings and experience has shown that this can be made to work well as demonstrated by improved outcomes for children. It recognised that there was not a hall large enough for all the pupils but commented that many other schools also did not have a single hall big enough to accommodate all pupils and that in large primary schools it is often the practice to hold year group or key stage assemblies rather than whole school assemblies given the number of people involved. It said that it would be up to the new headteacher and the new governing board to set the staffing levels and that in previous similar amalgamations there had not been the job losses that staff had feared.

31. I am satisfied that the local authority met the requirements relating to consultation and representation and that appropriate stakeholders had the opportunity to find out about the proposals and to express their views. I have read all the responses made to the consultation and the local authority's responses to all the comments which formed a part of

the committee report that was taken to the local authority's Cabinet Meeting in February 2020. There have been comments in opposition to the proposals, but I am satisfied that the local authority has provided satisfactory responses to all the comments. There were also responses giving positive support for the proposals.

Conclusion

32. These proposals are consistent with the policy of the local authority that the replacement of separate infant and junior schools with all-through primary schools should be considered when certain "triggers" occur. In this case the trigger was the resignation of the headteacher of the junior school. The local authority held meetings with the infant and junior school governing boards to ascertain their views. Learning that the two boards supported the proposal, the local authority launched its consultation and followed the procedures set out in the statutory guidance referred to in paragraph five above. A majority of those consulted expressed support for the proposals. Some parents formed the view that there would be one school entrance but the local authority was clear that this would not be the case. Staff were broadly opposed to the proposal with understandable concerns about whether their jobs would be secure and how a new management team would bring changes so that the policies and procedures across the two schools are unified into one. The major practical concerns about access from one building to the other and new shared communications and security have been acknowledged by the local authority and financial provision has been made to ameliorate these matters. There were no objections to the proposals during the representation period. I am satisfied that the requirements relating to consultation and representation have been met.

33. I consider that the proposals have the potential to have a beneficial effect of standards of education and that the related financial and practical implications have been addressed satisfactorily. There are no issues relating to travel, admissions or the demand for school places. I therefore approve the proposals.

Determination

34. Under the power conferred on me by Paragraph 17 of Schedule 2 to the Education and Inspections Act 2006 and The School Organisation (Establishment and Discontinuance of Schools) Regulations 2013, I have considered the proposals to discontinue Sparrow Farm Infant and Nursery School and Sparrow Farm Junior School, two community schools in the London Borough of Hounslow, with effect from 31 December 2020, and to establish a new community primary school on the same site and in the existing buildings on 1 January 2021. I hereby approve the proposals.

Dated: 2 June 2020

Signed:

Schools Adjudicator: David Lennard Jones