

DETERMINATION

Case reference: STP 598

Proposals: To discontinue Springhead Infant and Nursery School and Knowsley Junior School and establish a new community primary school.

Proposer: Metropolitan Borough of Oldham

Date of Adjudicator's Determination: 26 February 2014

Determination

Under the powers conferred on me in Paragraph 10 of Schedule 2 to the Education and Inspections Act 2006, I hereby reject the proposals to discontinue Springhead Infant and Nursery School and Knowsley Junior School with effect from 31 August 2014 and establish a new community primary school with effect from 1 September 2014.

The referral

1. On 12 December 2013, the Office of the Schools Adjudicator (OSA) received a referral from the Head of Access on behalf of the Metropolitan Borough of Oldham, the local authority (the LA), applying for a decision on its proposals to close Springhead Infant and Nursery School (the infant school) and Knowsley Junior School (the junior school) (the schools) with effect from 31 August 2014 and establish a new community primary school with effect from 1 September 2014.

Jurisdiction

2. On 19 August 2013, the LA Cabinet Member for Education, Employment and Skills and the Executive Director-Commissioning approved the publication of statutory notices to close the infant school and the junior school on 31 August 2014, and to open a new community primary school on 1 September 2014. On 13 September 2013, having carried out the appropriate consultation, the proposer formally published the proposals. The notice was in the form required by the Education and Inspections Act 2006 (the Act). I am satisfied that these proposals have been properly referred to me in accordance with Schedule 2 of the Act and that, therefore, I have jurisdiction to determine this matter.

Procedures

3. In considering this matter I have had regard to all relevant legislation and guidance.
4. I have considered all the papers put before me including the following:

- the agenda and supporting papers for the meeting of the LA's Cabinet held on 18 November 2013;
 - prescribed information from the proposer as set out in the relevant School Organisation Regulations;
 - copies of objections received after publication of the proposals;
 - the proposer's response to the objections and comments received;
 - the views and information submitted by the objectors;
 - comments made by the proposer in response to the objection;
 - additional information from the schools; and
 - the most recent Ofsted reports on both schools.
5. On 29 January 2014 I visited the schools directly affected by the proposals, to view at first hand the accommodation and locality. On the same day I held a meeting attended by representatives of the schools and the LA at Oldham Civic Centre. Later that day I held a public meeting at the same venue. I have considered information and the representations put to me at those meetings and subsequently.

The Proposals

6. The proposals are to discontinue the infant school and the junior school with effect from 31 August 2014 and establish a new community primary school with effect from 1 September 2014 in the same premises.

The Benefits identified by the proposer

7. The proposer contends that the potential benefits of these proposals are:
- there will be greater consistency and continuity for pupils across the key stages;
 - greater value for money will be provided;
 - there will be increased opportunities for staff to have career progression and professional development;
 - any future bids for capital funding for a new build would have a greater likelihood of success if the schools were amalgamated;
 - it will ensure a consistent approach to teaching and learning;
 - it will improve the tracking of how well children make progress from year to year;
 - it will improve the planning of the curriculum across all classes;

- further enhancement of the learning experience as children will be able to benefit from the input of a wider range of professionals across the school; and
- there would be consistent policies and procedures across the full age range.

The Objection

8. The objectors argue that:

- an outstanding (the infant) school should not be closed;
- the substantive head teacher should not lose her position;
- the buildings are on different sites some distance apart;
- the primary school budget will be less than the schools' combined budgets; and
- there will be a drop in pupils' progress due to the disruption of the process.

Background

9. The LA is in the north east part of Greater Manchester. There are 86 primary schools in the LA of which three are junior schools, three are infant and the remaining 80 are all through primary schools. The LA reports that it has, for a number of years, had a programme to amalgamate infant and junior schools. Generally, amalgamations have followed the resignation or retirement of the head teacher of one of the schools. The programme was originally based on the LA's primary capital programme which enabled it to renew, extend or remodel amalgamated schools.

10. The infant school was built in 1903; it takes three forms of entry with 78 nursery places (39 in the morning and 39 in the afternoon). There is a Children's Centre on site. The most recent inspection report in January 2007 provided an assessment of provision and standards at the school and it was judged to be an outstandingly effective school. This finding was confirmed by an interim assessment in July 2010. On my visit to the school the ethos and approach to learning so valued by parents was apparent as was the shortage of teaching space within the school building identified by the LA.

11. The junior school was built in the 1970s; it too has three forms of entry. The most recent inspection report in March 2011 provided an assessment of provision and standards at the school and it was judged to be a good school. On my visit to the school I noted the school benefitted from a large area of additional land. The schools are just under half a mile apart (.44 miles). Additional funding for split sites in the LA is provided for schools at least half a mile apart or divided by an 'A' road which these are not.

12. In February 2013 the governors of the junior school informed the LA that their

head teacher would retire in August 2013. The LA took this opportunity to consider the re-organisation of the primary educational provision in the area.

13. The LA, on 1 March 2013, discussed with the governing body of the junior school, proposals to create an all through primary school by closing the junior school and extending the age range of the infant school from 3-7 to 3-11 years.
14. The LA then had a similar discussion with the infant school governing body on 5 March 2013. The view of the LA in the briefing document was *“Although it may appear that one school ‘takes over’ the other, the impact of the amalgamation and the outcomes for governors, staff, parents and pupils would be similar to the creation of a new school. The existing governing body of the expanding school would remain, but would be increased to reflect the size of the expanded school.”*
15. In the documents provided and the discussions I held, the intention to combine the infant school and the junior school into one all through primary school is referred to as a proposal to amalgamate. In law the ‘amalgamation’ of schools does not exist. Schools are discontinued (closed), existing schools may have the age range extended and new schools may be established (opened). So the intention to form a new primary school in this determination is not one proposal but the proposal to discontinue the infant school, another to discontinue the junior school and a third proposal to establish an all through primary school. While I think this lack of specificity has led to some misinterpretations during the process I am going to use the terms used by the parties where possible, thus as a related set of proposals I shall refer to them hereafter as a proposal and generally will use the term amalgamation to mean combining the two schools into one regardless of approach.
16. Following these governing body briefings, the LA received information that Section 11 of the Education Act 2011 permitted it to establish (create) a new maintained school by the discontinuance (closure) of the two schools. This was put to a meeting of representatives of both governing bodies on 16 April 2013 and they were asked to go back to their constituent groups and inform the LA of their preferred approach. The LA found that both schools agreed that amalgamation should be considered, but disagreed over the approach to be taken. The LA wrote a note of the points made to the chairs of governors on 23 April 2013. This note is not entirely clear to me whether it intends the governing bodies to consider all the options as it refers to amalgamation and options in the first paragraph but the rest of the briefing note explains the process as if it is discontinuance and establishment, for example the appointment of a head teacher, that is being considered. No minutes of this meeting were available so I cannot rely on the note as a full account.
17. The minutes of the meeting of the infant school, dated 23 April 2013 indicate that neither proposal was accepted. While the discussion shows that the governors would prefer expansion of the infant school rather than its closure, the resolution states that the governors were not in favour of amalgamation with the junior school. The chair of governors wrote to the LA on 26 April 2013 putting forward the decision.
18. On 1 May 2013 the meeting of the junior school governing body supported the

proposition to close both schools and open a new primary school.

19. On 10 May 2013 the LA wrote to the chair of governors of the infant school noting that the governing body did not wish to amalgamate with the junior school and explaining that *“the Local Authority policy is always to explore opportunities to remove the break in transition from an Infant to a Junior School. The retirement of the head teacher of Knowsley Junior School presents such an opportunity. For that reason, we feel if appropriate to seek the views of all stakeholders through a process of statutory consultation prior to any further consideration of amalgamating the two schools”*

20. The LA decided to proceed with a proposal to discontinue the two schools and establish a new all through primary school. A full statutory consultation process began on 17 June 2013. The consultation complied with the statutory timescales and list of those who must be consulted. Consultation meetings and events, though no public meetings, were held.

21. The LA identifies the key concerns emerging from the consultation as

- the closure of an outstanding school;
- identification of a head teacher for the amalgamated school;
- potential loss of the teaching and learning style currently in place at Springhead School;
- the fact that there would still be two separate buildings; and
- the potential disruption to children and staff.

22. The results of this consultation are shown as follows;

DESIGNATION	YES	NO
PARENT	18	20
STAFF MEMBER	35	13
GOVERNOR	5	7
TRADE UNIONS	0	2
WARD COUNCILLOR	0	0
OTHER	0	0
Total	58	42

23. The LA's position remained unchanged; permission to publish the statutory notice was sought from the Executive Director - Commissioning and the Cabinet Member for Education, Employment and Skills following presentation of a paper to the Commissioning Senior Management Team at its meeting on 19 August 2013. A Notice was published in the Oldham Chronicle on 13 September 2013; the Notice and a copy of the full proposal were also published on the Oldham Council website. A total of eight representations were received. Following discussion on 18 November 2013 the LA's Cabinet gave permission for the

proposal to be submitted to the OSA for determination.

Consideration of Factors

24. I have considered the proposal taking careful account both of the arguments put to me by the proposer and those who have objected and of the statutory guidance that applies when making such a decision.

Standards

25. The LA argues that amalgamation will lead to an improvement in standards by *“offering greater continuity and consistency across all key stages.”*

26. The LA’s commentary on standards at the schools is as follows;

“At Springhead, 89% of year one pupils reached the required level in Year One Phonics Screening tests in 2013, 20 percentage points above the national mean, with a relative performance between boys and girls and between FSM and non-FSM that broadly mirrors national outcomes. Pakistani-heritage pupils attain particularly well on this measure. Year Two end of Key Stage One teacher assessments are significantly above national levels in Reading, Writing and – although less so – Mathematics, and have been so consistently over the past five years.

At Knowsley the percentage of children gaining at least level four in national Curriculum tests in 2013 is significantly above the national mean in Reading, Mathematics and Grammar. The percentage is above the national mean also for level 4b in all three, significantly so in Reading. Teacher assessments in Writing are above the national mean, but not significantly so. The percentages attaining level five, however, are below the national mean in all four areas. Value-added measures are significantly below national levels, and have been consistently so in the past three years for many groups of learners and all subjects except Reading. The percentage of children making expected progress in both KS2 Reading and KS2 Mathematics is above the national mean, and is so for all ability levels except those with a KS1 teacher assessment of level three. Progress in Writing is significantly below national levels however. In all subjects, the percentage making more than expected progress is below the national mean for all ability groups except the lowest.”

27. The LA argues that a particular issue is the transition between year 2 and year 3, that is when the children move from the infant school to the junior school. It says that schools should concern themselves not just with pupils’ attainment during and at the end of each key stage *“but also for how they are preparing pupils for the next stage of their education”*. The LA considers this more difficult when a pupil’s primary education is split between two schools unless the *“two schools have arrangements in place for feeding back from the higher key stage to the lower, including joint data analysis, teacher ‘swaps’ between key stages, co-ordination of subject progression between the two, and so on. There are no such arrangements between Springhead and Knowsley.”* The LA argues that use of different approaches, methods and routines impacts on children’s learning after the transition point. *“Thus the impact of the Knowsley-Springhead split appears*

in Knowsley, not in Springhead.”

28. The Ofsted report on the junior school comments in the main findings *“Although pupils' attainment on entry to the school is above average overall, a significant minority have difficulties in transferring their confident oral skills into the recording of work in a more formal way.”* Later in the same report Ofsted comments *“When pupils enter Year 3 they take time to adjust to the new learning environment and the organisation of lessons, both of which are significantly different from their previous experiences. Additionally, a significant minority have relatively weaker skills in spelling, punctuation and handwriting”* and further in the report *“The school works hard to support pupils in the transition from the infant school through induction meetings, visits and joint projects. Staff are continuing to explore ways of developing a smoother continuity in the learning journey.”*
29. The Ofsted report on the infant school found *“The quality of teaching and learning is outstanding and results in pupils achieving outstandingly during their time at the school and Pupils' achievement is outstanding because they enter Nursery with average standards and leave at the end of Year 2 with standards that are well above average.”*
30. Both schools argue that they undertake a range of activities to support the transition between the schools. The evidence provided shows that detailed information about pupils, their abilities and learning styles is passed from the infant school to the junior school. In addition there are various activities to familiarise pupils with the junior school and staff.
31. The objectors argue that amalgamation in Oldham almost always *“results in a downgrading of ratings at the subsequent Ofsted inspection”*. In addition, they argue that standards at the infant school may drop if the substantive head teacher is not appointed to the primary school post and that regardless of who is appointed standards will drop *“as pupil progress becomes less a focus and time and effort is focussed on the amalgamation process”*.
32. An objector has produced evidence that recently amalgamated school in the LA have declined in standards when inspected subsequently by Ofsted. I accept the evidence does indeed demonstrate this though it does not show this causal link that is, that the decline was because of amalgamation.
33. I recognise that, while standards are at least good in both schools, there is an issue about transition between year 2 and year 3. This is not a matter of familiarisation or the transfer of pupil information but rather of difference in learning styles and about pupils' levels of attainment on transfer. The infant school argues that the teacher assessments are accurate and moderated. Ofsted said that pupils take time to adjust to the new learning environment and that *“a significant minority have relatively weaker skills in spelling, punctuation and handwriting.”* The LA furthers comments that there have been long running issues between the two schools involving the questioning of assessment outcomes from the infant school, which have on at least one occasion entered the public domain.
34. Generally, I would accept the LA's view that a single leadership team and

governing body would be more likely to ensure that progress was supported by *“the approaches, methods and routines which they are used to at one phase are built upon in the next.”* However, I am not convinced in this case that this would necessarily be achieved as the schools are on separate sites nearly half a mile apart and there is considerable resistance to the change by those who would need to work together to make the new school successful for the children.

35. I do consider this to be a risk in this situation; the infant school in particular has a learning style and ethos which may not translate easily into what is required as part of Key Stage 2 practices. Similarly parents, staff and governors at the infant school are most anxious that there should be no change to this which they believe would follow from a change in the school leadership.

36. The relationship between the two schools which was already uneasy has worsened and become more public. While I see the LA's argument on standards has merit I am concerned that it may be outweighed by the particular effort it would take to bring together staff with differing views about each other's schools, in buildings quite far apart, within the existing and potentially greater distraction of amalgamation at this time.

Staffing

37. This discussion of standards is made more difficult by the matter of appointment of head teacher and staff to the new primary school. I have tried to avoid this specific consideration as far as possible as it clearly identifies an individual. However, I find that the supporters of the infant school value the head teacher's leadership very highly. She clearly has the confidence of the LA as, when I visited, she was also the executive head teacher of a primary school in special measures.

38. The junior school want a new head appointed to the new school. The junior staff's response to the consultation was expressed as follows; *“There was a collective response from the Knowsley staff who are in favour of creating a through primary, but feel it is essential to have a neutral head teacher”* and *“such a large school would require a dynamic, forward thinking, experienced primary head teacher”*

39. The LA's advice on this matter is that a temporary governing body, made up of four governors from each governing body would decide on the appointment of the head teacher; the post of head teacher would be *“ring fenced”* to the infant head teacher, that is, she would be the only initial candidate and *“if successful assume the role of Headteacher for the new school. If not successful the post will be advertised nationally. Once an appointment is made the Headteacher and GB will draft a structure for the school.... The vast majority of staff will either be slotted into equivalent roles in the new school or ringfenced for any new posts. Any member of staff not placed in a post will be helped to find an alternative role in another school as per the redeployment policy. Every effort will be made to avoid redundancies.”* This gives confidence to neither party as one school fears their head teacher will be lost and the other that the head teacher will bring methods and approaches they do not share and staff are concerned that their own jobs will be lost.

40. The LA suggests that there will be greater opportunities for staff for career progression and professional development in the new school; this may well be the case in the longer term. My reservations about this possible benefit in the short term are that staff are far more anxious about their keeping present posts than any future possibilities, that much energy and resource will need to be spent in building a staff team and that no resources have been identified for this.
41. A common argument for amalgamation is to obviate the difficulties of recruiting to small schools by making a larger school to offer more attractive salaries and opportunities. I consider that as both these schools are three forms of entry and each is larger than the average primary school, that argument does not apply here.

Finance

42. There is no capital funding attached to this project. The LA suggests that if any funding is available in the future it would hope to expand the junior school building so that there would be a primary school on a single site. The infant school is in need of repair and has limited space.
43. The LA's original programme for amalgamation was based on its primary capital programme when funding was available for the modernisation of schools. The LA argues that its experience is that it will more be more successful in bidding for funding a new school in the future if the schools are already amalgamated.
44. My view is that the evidence submitted by the LA does not fully support this, showing as it does expenditure on extensions and alterations to some primary schools and capital for one new special school in the period 2008-2014. It is of course difficult to prove that capital may become available in the future so I cannot give weight to this argument. Further, there is no evidence that there is any designated funding to support the process of amalgamation in either the short or long term *"The school will receive no additional funding as it is not eligible for a split site allocation as the schools do not meet the criteria for a split site allocation."*
45. The LA argues also that amalgamation provides value for money. It explains this as follows; *"The proposal represents best value as it will generate a saving of £30k to the Dedicated Schools Grant the year after amalgamation which is available for redistribution to other schools in the Borough and £102k in subsequent years when the schools receive one lump sum."*
46. I question whether stakeholders, for example, parents, governors, staff at the schools see this proposal as offering value for money but rather as a reduction in the resources available for their school.
47. The LA suggested that money could be saved by combination of services *"the school will save on traded services as there will be one cost instead of two"* but has not quantified this amount so one cannot conclude it will be £30,000 in one year or £102,000 in years after.
48. I do not consider that the LA has demonstrated that the discontinuance of the two

schools and establishment of a new school will deliver value for money.

Travel / Distance

49. The proposal would not affect pupils' present journeys to and from school. The distance between the sites I consider an impediment for the operation of an all through primary school, though not one that cannot be overcome. Pupils would not be able to move independently about the schools as they would on a single site, for example enabling year 2 children to visit a year 4 class by themselves. Also it prevents the obtaining of some economies of scale that might be available in all through primary school, for example both schools are likely to need day-to-day organisational resources such as medical/ first aid facilities and front office/reception points. In the extensive evidence the schools submitted on transition and joint working there was no indication of joint use of facilities nor did I see any on my visit.
50. Overall I do not consider travel / distance considerations would prevent amalgamation, if all parties were in support of this, as there would be no required change in day to day travel arrangements for children and their families. However, the parties are very opposed and I consider the distance between the sites to be an issue in seeking to combine the staff and approaches required.

Consultation and Community Cohesion

51. Consultation on the proposal has been more difficult to track than usual because the LA began discussions on one approach to combine the schools and then decided on another; both these approaches are called amalgamation by the parties which may have led to some misunderstandings.
52. The LA is of the view that there are no objections to amalgamation, that is the combining of the two schools, but only with the process adopted.
- "It was always our stated view that this would best be achieved by amalgamating the separate schools....."*
- "In all the responses, no-one has said that they disagree with the idea of an amalgamation in order to create a through primary school. The points being made are all in relation to how we would effect the change"*
53. When I look at the analyses of the written responses to the consultation, a total of 38 were received, of which 18 were in favour and 20 were against the proposal.
54. The LA reports that of "the 20 who stated they were against the proposal 5 gave no reason and a further 5 said there was no advantage. The reasons given by the remaining 10 parents were that the children already move quite happily from Springhead to Knowsley, that there is no point if there won't be a single school building and that they feel it is just a cost cutting exercise."
55. I accept that no consultee is reported as specifically saying they disagree with the idea of an amalgamation in order to create a through primary school. However, they are saying they are against the proposal and give reasons.

56. One of the objections submitted in response to the statutory notice of the proposal was a petition on which there were 631 signatures and has as its subject ;

SUBJECT OF PETITION	<ul style="list-style-type: none"> • Closure of Springhead Infant & Nursery School and Knowsley Junior School on August 31st 1914 • Establishment of a new Community Primary School on the existing school sites with effect from 1st September 2014
ACTION REQUESTED	<p>To stop the process of the closure and amalgamation of Springhead Infant & Nursery School and Knowsley Junior School for the following reasons:</p> <ol style="list-style-type: none"> 1. Springhead is currently rated by Ofsted as Outstanding. This rating would be lost if the schools amalgamated under the current proposal. There is no guarantee that a new school would be rated as Outstanding. 2. The proposal has no advantage for parents with both infant and junior pupils as there would be two buildings operating on two sites. 3. The amalgamation process would cause disruption to the pupils. 4. The excellent teaching and learning opportunities currently available at Springhead and Knowsley could be lost.

57. I agree that the petitioners objected to the closing of the schools; however I consider they also were making broader objections to amalgamation of the schools.

58. I move to the views of the governing bodies. The LA says that both governing bodies are in favour of amalgamation;

“It became clear that the governors of both schools agreed with the LA aspiration but particular concerns were expressed by each school separately. In the case of Springhead, the governors were in favour of a proposal which would close Knowsley Junior School and expand the age range of Springhead Infant & Nursery School. Whereas the governors of Knowsley were in favour of a proposal which would close both schools and establish a new school in their place.....” I accept the junior school is in favour of the proposal.

59. With regard to the infant school, I find that representatives of the governing body attended a meeting with the LA and junior school’s governing body representatives on 16 April 2013. At that meeting the LA asked that the governing bodies should consider the proposal.

60. The infant school’s governing body met on 24 April 2013. The minutes show that there was discussion that the infant school should not be closed and that instead the governors expressed a preference for the expansion of numbers.

61. However, the proposal from the chair of governors was that he write to the LA stating that the governing body had agreed that there was no advantage to their children in any form of amalgamation. The minutes show that governors voted unanimously in favour of this proposal and the chair of governors wrote to the LA on 26 April 2013.

“A meeting of the full governing body at Springhead Infant and Nursery School was held on Wednesday 24th April, the main item on the agenda being “Future of the School”. After a lengthy discussion the governors agreed that the current proposal offered by the Local Authority, that is an amalgamation of Springhead with Knowsley School, does not have any advantages. It would not assist Springhead School to continue to provide an outstanding education for its children.

The governors therefore voted unanimously against the current proposal to amalgamate the two schools”

62. The LA argues that the letter was not explicitly against amalgamation in any form and was not agreed at a formal governing body meeting and minuted as such.

63. I do not agree with this interpretation. The letter from the chair of governors says it arose from a full governing body meeting. The minutes of the meeting have been provided and clearly record it as a full meeting. Scrutiny of the minutes shows the proposal for resolution to be against amalgamation in any form.

64. The views of consultees from the infant school are all against the proposed amalgamation. Parents of pupils at both schools and particularly at the infant school value their schools highly and are anxious that the learning environments should be continue to be provided. The infant school parents, staff and governors are anxious that the amalgamation should not result in the loss of the infant head teacher. I have seen little evidence of reassurance or support given to parents at this time about how their concerns would be addressed in an amalgamated school and that leads to heightened anxiety.

65. I must consider the concerns of parents raised during the consultation. There is some implication in the documents sent to me that the objections were in some way orchestrated by the schools. I have not seen anything to corroborate this, but accept that it is possible. The LA says that each school made representations to them that the other school was seeking to influence parents. I have considered also the comment by the LA about the petition, that of the 631 signatures, 381 were local residents, 220 were Oldham citizens and 130 were non Oldham residents. It is not simply the matter of numbers, but the substance of objections that is important and how they were motivated does not necessarily make their comments less valid.

66. I do not accept the LA's interpretation of the objectors' comments that while objecting to the proposal no one was objecting to the principle of amalgamation. It is possible that some objectors would have accepted amalgamation by closure of the junior school and extension of the infant age range and others would have accepted the closure of the schools if a new building was provided; it is clear to me that there were objections to amalgamation in any form, not least of whom

was the governing body of the infant school.

67. I consider the LA did consult as required, but that the consultation process, which started with one approach and then moved to another, has had the effect of worsening the long standing difficulties between the schools.

Need for Places

68. The proposal provides for an all-through primary school that would offer 78 full time equivalent nursery places for 3 and 4 year olds and 90 places (630 places in total) from Reception to Year 6. There would be exactly the same number of places available in the new school as currently available in the two separate schools and thus would provide for all pupils from the infant and the junior school. No pupils would be displaced. Parents would have the advantage of moving from the infant to the junior stage without application for year 3 admission as they do at present. I note however that this was part of an objection by a parent who preferred to make a choice of suitable schools at key stage 2. The LA maintains and reviews pupil projections, these projections demonstrate the need for the admission of number (90) to remain at this level. I have looked at the availability of school places within two miles of the schools of which very few are available, for example in the 25 schools within this radius there was one vacant reception place and two year 3 places. No matter has been raised by objectors in relation to the number of places.

Special Educational Needs

69. I have looked at the specific special educational needs (SEN) provision at the sites. The LA describes this as follows *“All pupils including those with SEND and those who are Gifted & Talented will have consistency of support throughout the 3 key stages. Transition will be less of an issue with systems, procedures and personnel remaining the same. Both existing schools cater well for the ECM agenda. Existing expertise will be shared. Pupils and parents at KS1 & KS2 will have same access to shared outside agencies and services. There will be continuity of practice, maximising opportunity to access same sharing of information to protect children and help families in most need”*. There is no evidence or expectation that this provision would be altered by the proposal.

Conclusion

70. Amalgamation by closure of both schools was not the first proposal put to the parties and that has caused and indeed worsened some of the ill feeling that is evident between the parties.

71. On the issues of standards achieved by pupils and the possible improvement of those, I find that the LA's concerns about transition between the schools are supported by both the data available and the views of Ofsted. Although it is usual that transition between key stages is smoother and better in a primary school compared with separate infant and junior schools, I am not confident that there would be improvements in this instance. I consider the opposing views of the governing bodies, school staff and some parents, combined with the public arguments about the appointment of the head teacher may be difficult to reconcile in

the short term and that that amalgamation at this time, after this somewhat chequered process may be detrimental to standards at least in the short term.

72. My overwhelming concern is that the school community is very unsettled. The junior school does not have a substantive head teacher and the more usual situation where one of the schools being proposed for amalgamation does not have a permanent head teacher is a help towards a smooth joining of the two schools does not apply in this case. The LA recognises that there have been long-standing difficulties in the relationship between the two schools which were apparent throughout the pre and statutory consultation periods. It further reports that in previous amalgamations there have often been strong links between the two schools with many common policies and a degree of shared ethos. In this case there is a divide between the two organisations which cannot be of benefit to the children.

73. It is this concern that leads me to my decision. I have balanced the need for improved transition arrangements and that most primary schools in Oldham are all through primary with the risks at this time of seeking to combine two schools with such different views and ethos.

74. I have found throughout that although staff, parents, governors and LA all have the same desire for the best possible outcomes for the children at the heart of their arguments, there are significant differences between the schools that present a real possibility that becoming one school would jeopardise the quality of education at both schools. I consider that action needs to be taken to address the difficulties that exist and improve the relationship between the parties. For the uncertainty over standards and those other reasons above, I have concluded that I should reject the proposal.

Determination

75. Under the powers conferred on me in Paragraph 10 of Schedule 2 to the Education and Inspections Act 2006, I hereby reject the proposals to discontinue Springhead Infant and Nursery School and Knowsley Junior School with effect from 31 August 2014 and establish a new community primary school with effect from 1 September 2014.

Dated: 26 February 2014

Signed:

Schools Adjudicator: Miss Jill Pullen