

DETERMINATION

Case references:	STP/000589
Proposal:	To discontinue Seely Infant and Nursery School and Seely Junior School and establish a new community primary school
Proposer:	Nottingham City Council
Date of Decision:	28 February 2013

Determination

Under the powers conferred on me in paragraph 10 of Schedule 2 to the Education and Inspections Act 2006, I hereby approve the proposal to discontinue Seely Infant and Nursery School and Seely Junior School with effect from 29 August 2013 and to establish a new community primary school with effect from 30 August 2013.

The referral

1. On 16 January 2013 the project manager for the School Organisation team of Nottingham City Council, the local authority (the LA), wrote to the Office of the Schools Adjudicator (OSA) on behalf of the council seeking a decision on its proposal to close Seely Infant and Nursery School and Seely Junior School and to establish a new community primary school.

Jurisdiction

2. On 18 September 2012, the Portfolio Holder for Children's Services gave approval for a public consultation on a proposal to close both the Infant and Nursery and Junior Schools on 29 August 2013 and to open a new community primary school on 30 August 2013. On 5 December 2012, having carried out the appropriate consultation, the proposer formally published the proposal. The notice was in the form required by the Education and Inspections Act 2006 (the Act).

3. I am satisfied that this proposal has been properly referred to me in accordance with Schedule 2 to the Act and that, therefore, I have jurisdiction to determine this matter.

Procedures

4. In considering this matter I have had regard to all relevant legislation and guidance.

5. I have considered all the papers put before me including the following:

- the supporting papers and the record of the decision taken by the Portfolio Holder of the LA on 18 September 2012;
- copies of the reports of the most recent Ofsted inspections of the Infant and Nursery and Junior Schools;
- pupil number projections for the area served by the existing schools and for immediately neighbouring areas;
- net capacity calculations for the designated premises for the new school;
- the published proposals and prescribed information from the proposer as set out in the relevant School Organisation Regulations, and
- the responses made during consultation on the proposal.

The Proposal

6. The proposal is to discontinue Seely Infant and Nursery School and Seely Junior School and to establish a new community primary school using the existing sites, which are adjacent to each other.

7. The proposer contends that benefits will result from the following aspects of the proposal:

- no change of school during the primary years, providing greater stability for pupils;
- a simpler admissions process, requiring only one application instead of two;
- improved curriculum continuity;
- children get to know all staff from an early age;
- a single set of policies and practices instead of two;
- a single school uniform;
- staff have greater career development opportunities, and
- better use for pupils of the available funding.

8. I have carried out the checks listed in statutory guidance required of the Decision Maker on receipt of statutory proposals. It is worth noting here that the consultation prior to the publication of the statutory notice took place between 1 and 28 October, and therefore lasted for four weeks. Regulations

do not specify a minimum period for this consultation, but strongly advise that six weeks is allowed. However, the formal requirement is that the consultation should allow sufficient time for responses to be made, and I am satisfied that that has been the case.

9. Section 176 of the Education Act 2002 requires proposers to have regard to any guidance about consulting with pupils in connection with any decisions affecting them. Although guidance concerning good practice is available, the LA has not provided me with any evidence of such consultation having taken place concerning this proposal. Nevertheless, I am satisfied that the consultation which has been carried out met the requirements of the Act.

Background

10. The LA has an objective that all children in the city should attend all-through primary schools, and has amalgamated infant and junior schools for a number of years. Seely Infant and Junior Schools are one of three remaining separate paired infant and junior schools.

11. The LA reports that the leadership arrangements at Seely Junior School have been unsettled for two years and looks to the amalgamation to provide greater stability and counter the trend of pupils moving to a neighbouring school at the end of Key Stage 1. It also believes that aligning the Planned Admission Numbers (PANs) of the two schools (currently 70 for the infant school and 75 for the junior school) will increase efficiency and contribute to the raising of standards. A single governing body operates across both schools in a federated arrangement, and it was this body that approached the LA concerning the recent instability of the leadership arrangements for the junior school, prior to these proposals being made.

Objections

12. No comments or objections were received in response to the statutory notices.

Consideration of Factors

13. I have considered the proposal afresh, taking careful account of the arguments put to me by the proposer and the relevant statutory guidance.

Standards

14. Seely Infant and Nursery School was inspected in July 2011. At that time, inspectors noted that there was a high proportion of children attending the school who were entitled to free school meals, an above average proportion with special educational needs and/or disabilities, and an above average proportion who spoke English as an additional language. The school was

judged to be good, with many good features. Inspectors noted the co-headteacher arrangements which were in place, which they considered to be effective.

15. Seely Junior School was inspected recently, in June 2012. The school had an above average proportion of pupils eligible for free school meals, an above average proportion who spoke English as an additional language, and an above average proportion with special educational needs and /or disabilities. In 2011, the school had not met the floor standard of expectations for attainment and progress. Inspectors found the school to be satisfactory at the time of the inspection and noted that the acting headteacher during the federation process had recently been appointed on a substantive basis, that the benefits of federation were already evident, and that leadership and management had improved in the previous year. An acting headteacher has however again been appointed subsequent to the inspection.

16. The LA believes that improved standards will be achieved through

- continuity of curriculum planning, and
- removing the transition for pupils between Key Stages 1 and 2.

17. It had considered whether to maintain the federated status of the two Seely schools, and to create a role of Executive Headteacher, but decided that the proposal for amalgamation into a single primary school would be a more effective approach.

18. The proposal envisages that the wide range of extended services currently available to children and parents through the existing schools will continue to be available if the merger proceeds.

19. I am satisfied that the proposal for the creation of a single primary school should contribute to the raising of standards. The new school will serve a high proportion of children who come from groups whose attainment levels are likely to most benefit from such a change.

The need for places

20. The existing Infant and Nursery School has a published admission number (PAN) of 70, providing 210 school places, and a nursery providing 40 full-time-equivalent places. The existing Junior school has a PAN of 75 and 300 places. The proposed replacement primary school is to have a PAN of 75 (and to provide 525 places) and to provide 40 full-time -equivalent nursery places. In other words, the new school will provide an additional five places in each of the infant age groups.

21. The capacity of the proposed new school was discussed during the consultation period with the relevant parties and a site visit took place on 19 October 2012 when it was recognised that the existing accommodation of the infant school would be appropriate for the increased numbers, but that non-teaching rooms at the junior school would need to be brought back into use as classroom bases in both 2013 and 2014 in order to cater for the increased

numbers of children. This has been accepted by the Federated Governing Body of the schools. The current junior school is operating below capacity.

22. I have obtained projected pupil numbers for Seely and its nearest neighbouring schools. All of these show a projected increase in pupil numbers in coming years, with the projected need for places for the Seely schools reaching 557 by September 2015. There is no doubt as to the strong trend of rising numbers in the locality, and the increase proposed is modest and makes sense in terms of aligning the intake of the new school at Year R to the current PAN of the Junior school. I am of the view that, overall, there is a need for the places that the new school is intended to provide.

Views of Interested Parties

23. Consultation on the proposal took place between 1 and 28 October 2012. A consultation document was provided and the views of all parents, staff, governors and other interested groups were sought. A meeting was held at each school for staff and governors and school-gate sessions and drop-in sessions were held at both schools. Information was included in the LA's website which also made available an online consultation form.

24. The consultation document provided helpful factual information and clear means for responses to be made.

25. Thirty-seven parents, nine staff members and one governor responded, with 35 in favour of the proposal and five against. Seven expressed no opinion either way. Of those opposed two were parents and three were members of staff.

26. The proposal was brought forward following discussions with the Governing Bodies of both schools, and the report to the Portfolio Holder on 18 September 2012 states that both bodies favour the amalgamation. I wrote to both Governing Bodies and to the acting headteacher of the junior school and to the co-headteachers of the infant school on 21 January 2013 seeking any further comments that they may have on the proposal, and have received no response.

Pupil admissions

27. Pupils on roll at Seely Infant and Nursery School and Seely Junior School will be offered places at the new school, the admission arrangements for which will continue to be those for the LA's community primary schools.

28. Parents of children on roll in N1 in Seely Nursery will need to apply for a place in the new community primary school under those arrangements, while pupils on roll in N2 of Seely Nursery will transfer to the roll of the new nursery.

29. I am satisfied that no children will be disadvantaged by the proposal, which will have the benefit of removing the current need to there to be an application for a school place on their behalf at the start of Key Stage 2.

Conclusion

30. I am satisfied that the proposal is likely to contribute to the raising of standards, provides needed school places for which appropriate premises will be available. Parents and the relevant bodies of both schools favour the proposal. I believe it would have been beneficial had the opportunity been taken to allow pupils to express a view, but this is not a serious omission.

Determination

31. Under the powers conferred on me in paragraph 10 of Schedule 2 to the Education and Inspections Act 2006, I hereby approve the proposal to discontinue Seely Infant and Nursery School and Seely Junior School with effect from 29 August 2013 and to establish a new community primary school with effect from 30 August 2013.

Signed:

Schools Adjudicator: Dr Bryan Slater

Dated: 28 February 2013