

## DETERMINATION

**Case reference:** STP/000539

**Proposals:** To discontinue Whitley Park Infant and Nursery School and Whitley Park Junior School and to establish Whitley Park Primary and Nursery School.

**Proposer:** Reading Borough Council

**Date of Determination:** 25 March 2011

### **Determination**

**Under the powers conferred on me in Paragraph 8 of Schedule 2 to the Education and Inspections Act 2006, I hereby approve with modification the above proposals.**

**Whitley Park Infant and Nursery School and Whitley Park Junior School shall both close on 31 March 2011. Whitley Park Primary and Nursery School shall open on 1 April 2011.**

### **The referral**

1. On 17 February 2011 Reading Borough Council (the Council) wrote to the Office of the Schools Adjudicator (OSA) referring related proposals which it had published to discontinue Whitley Park Infant and Nursery School and Whitley Park Junior School and to establish Whitley Park Primary and Nursery School.

### **Jurisdiction**

2. On 5 January 2011, having carried out the appropriate consultation, the Council formally published the proposals. The notice was in the form required by the Education and Inspections Act 2006 (the Act).

3. The Council had received, on 15 November 2010, a letter giving the approval of the Secretary of State to publish without a competition that part of the proposals which would establish a new primary school. The Department's guidance "Establishing a New Maintained School" states that where there is a proposal to amalgamate schools and the new school is proposed by the Council, the proposal must be decided by the Schools Adjudicator (Part B, paragraph 6), together with any related proposals (Part A, paragraph 5.6).

4. I am satisfied that these proposals have been properly referred to me in

accordance with Schedule 2 to the Act and that, therefore, I have jurisdiction to determine this matter.

## **Procedures**

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

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

- the report to the Council's Cabinet dated 15 March 2010 seeking approval to carry out statutory consultations on the proposals, which had come forward from the Governing Bodies of the two Schools;
- prescribed information from the proposer as set out in the relevant School Organisation Regulations;
- a letter from the Council dated 17 February 2011 stating that there were no responses to either the consultation on the proposals concerning amalgamation or as a result of the publication of the proposals;
- a letter received by the Council on 15 November 2010 giving the approval of the Secretary of State to publish without a competition that part of the proposals which would establish a new primary school;
- pupil forecast data for primary schools in Reading provided by the Council at my request;
- reports of Ofsted section 5 inspections of Whitley Park Infant and Nursery School (dated June 2009), and Whitley Park Junior School (dated May 2010);
- comments on the proposals provided by the Chair of the Whitley Park Federation, and of the Vice-Chair who was previously the Chair of the Governing Body of the Junior School.

## **The Proposal**

7. The proposal is for the establishment of Whitley Park Primary and Nursery School with the related discontinuation of Whitley Park Infant and Nursery School and of Whitley Park Junior School. The Council's letter of referral draws the attention of the Schools Adjudicator to an error in its published notice in which the dates on which these proposals would be implemented is given as 18 April for the closures but 1 April for the establishment of the replacement school. I shall deal with this issue below.

8. The proposer contends that the potential benefits of this proposal are:

- the creation of educational provision without a transition point leading to the raising of educational standards;

- the formalisation as a single management entity of the existing Federation between the two schools which is under an executive Headteacher and single governing body.

## **Background and Consideration of Factors**

9. I have considered the proposal afresh taking careful account of the arguments put to me by the proposer.

10. Following local consultation carried out by the Governing Bodies of the two existing Schools in late 2009, a “hard” Federation was established in February 2010 under an Executive Headteacher and with a single governing body. The intention of moving towards the establishment of a single school was explicit from the outset in these proposals, and the Council took this forward during 2010, carrying out consultations locally before seeking the approval of the Secretary of State to publish proposals for a new primary school outside a competition. These proposals were published on 5 January 2011 in the form of a combined notice covering the proposed new School and the related closure of the existing Schools.

11. In giving its approval for the publication of proposals to establish a new school without holding a competition, the Department for Education (DfE) noted that standards at the two Schools are currently below the national average in all subjects, but that the Infant School is currently rated by Ofsted as outstanding and that the Junior School, which has previously been in need of special measures, is now making steady progress in raising standards. The Headteacher of the Infant School became the Executive Headteacher of the Federated schools in February 2010, and I have noted that the report of the Ofsted inspection of the Junior School carried out in May 2010 found that the arrangement was already having a beneficial impact. I have no reason to disagree with the Department’s view that if the two Schools are amalgamated, standards will continue to rise. I also agree with the Council’s own assessment that provision for children who have special educational needs is likely to benefit from easier access to a wider range of specialist staff, facilities and activities. Similarly, while the intention is that the new single School will provide the same extended services as the two separate Schools, I would expect access for parents, and the provision of longitudinal support for those in need of it, to be improved by amalgamation.

12. The existing Infant School provides 270 full-time places together with 78 FTE Nursery places, and the existing Junior School 360 full-time places. The proposed new School will continue to provide the existing number of Nursery places and the existing 3 forms per year group, with a proposed admission number of 90. Year R pupil number projections supplied to me by the Council show a small current surplus of places across the Borough which is projected to rise in 2011/12 but thereafter decline rapidly as a result of a significant increase in the birth rate in recent years. By 2014/15 the Council expects there to be a balance between the available year R places and demand, and this picture is mirrored by projections of the need for year R places at the Whitley Park site. I am therefore satisfied that the proposed places are needed.

13. The new School will operate within the revenue funding envelope available to the two existing Schools, using the premises currently occupied by them. The Council informs me that building works which will facilitate the amalgamation are already nearing completion.

14. As noted above, no objections or representations have been received by the Council following publication of the proposals. Letters which I have received from the Chair of the Whitley Park Federation, and of the Vice-Chair (who was previously the Chair of the Governing Body of the Junior School) are strongly in favour of the proposals, and cite the overwhelming support during consultations carried out amongst interested parties in 2010 for the existing Federation and in favour of progress towards a single school.

15. A remaining issue is the date on which it is proposed that the two existing Schools should close (see paragraph 7 above). The Council has informed me that it wishes to see a new Whitley Park primary school open on 1 April 2011 (in order to facilitate budget management) and for the date of implementation of the related proposals to be set accordingly. That date would therefore be 31 March 2011.

### **Conclusion**

16. I have concluded that the proposals taken together are likely to lead to improved educational standards, provide an appropriate number of school places, are broadly welcomed locally and are not compromised by any financial issues. I therefore approve the proposals, but for the reasons given in the preceding paragraph, with the modification that Whitley Park Infant and Nursery School and Whitley Park Junior School shall both close on 31 March 2011.

### **Determination**

17. Under the powers conferred on me in Paragraph 8 of Schedule 2 to the Education and Inspections Act 2006, I hereby approve with modification the above proposals.

18. Whitley Park Infant and Nursery School and Whitley Park Junior School shall both close on 31 March 2011. Whitley Park Primary and Nursery School shall open on 1 April 2011.

Dated: 25 March 2011

Signed:

Schools Adjudicator: Dr Bryan Slater