

DETERMINATION

Case reference: STP 596

Proposals: To discontinue Annie Holgate Infant and Nursery School and Annie Holgate Junior School and to establish a new community primary school

Proposer: Nottinghamshire County Council

Date of Decision: 6 November 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 proposals to discontinue Annie Holgate Infant School and Annie Holgate Junior School with effect from 31 August 2014 and to establish a new community primary school with effect from 1 September 2014.

The referral

1. On 29 July 2013, an officer of the Support to Schools Service, Children, Families and Cultural Services Department of Nottinghamshire County Council, the local authority (the LA), sent an email to the Office of the Schools Adjudicator (OSA) seeking a decision on the LA's proposal to close Annie Holgate Infant and Nursery and Annie Holgate Junior Schools, Hucknall, Nottinghamshire, and to establish a new community primary school including nursery provision.

Jurisdiction

2. On 10 June 2013, having carried out the appropriate consultation, Nottinghamshire County Council's Children and Young People's Committee gave approval for the publication of proposals to close Annie Holgate Infant and Nursery and Annie Holgate Junior Schools and to establish a new community primary school. The statutory notice was published on 14 June 2013. The notice was in the form required by the Education and Inspections Act 2006 (the Act).
3. 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 these matters.

Procedures

4. In considering these matters I have had regard to all relevant legislation and guidance.

5. I have considered all the papers put before me including the following:
 - The report of the Service Director, Education Standards and Inclusion, to the Children and Young People's Committee dated 10 June 2013 which recommended the publication of proposals to close the infant and junior schools and establish a new school;
 - the record of the decision taken by the Children and Young People's Committee as recorded in the minutes of the meeting of 10 June 2013;
 - the published proposals and the prescribed information from the proposer as set out in the relevant School Organisation Regulations;
 - copies of the reports of the most recent Ofsted inspections of the infant and junior schools;
 - pupil number projections for the area served by the existing schools; and
 - the minutes of a number of consultation meetings held on 18 April 2013 and the LA's summary of other responses to consultation.
6. I have also visited a website image of the location of each of the existing schools and their environs.

The Proposals

7. The proposals are to discontinue Annie Holgate Infant and Nursery School and Annie Holgate Junior School and to establish a new community primary school to provide 420 full-time places for pupils aged 4 – 11 years and 39 full-time equivalent early years places. The notice states that the new school will be established initially in the premises of the existing schools, which are adjacent to each other on High Leys Road, Hucknall. The full proposals state that it is intended that a new primary school building will in due course be provided on the site of one of the existing schools to house the new school.
8. The proposer contends that the following benefits will result from the proposals:
 - continuity across the key stages enabling the school to have one coherent set of policies;
 - continuity for parents;
 - an increase in the shared expertise across the curriculum;
 - common expectations and standards; and
 - more flexible and cost effective use of resources and management responsibilities.
9. I have carried out the checks listed in the statutory guidance required of

the Decision Maker on receipt of statutory proposals.

10. The consultation which was carried out prior to the publication of the proposals took place between 25 March 2013 and 10 May 2013 and I am satisfied that it met the requirements of the Act.

Objections

11. The representation period for responses to the statutory notices closed on 26 July 2013. No comments or objections were received by the proposer.

Consideration of Factors

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

Standards

13. Annie Holgate Infant and Nursery School was inspected by Ofsted in June 2010 and found to be a good school. An interim assessment carried out by Ofsted in January 2013 showed that the school's performance had been sustained.
14. Annie Holgate Junior School was inspected in November 2010 and was placed in special measures. The school had a monitoring visit in May 2011 which found satisfactory progress and a further monitoring visit in October 2011 which found good progress. In March 2012, Annie Holgate Junior School was found no longer to require special measures. Ofsted reported that the school was now satisfactory and that while much of its provision was good, its overall effectiveness was satisfactory as it had only been like this for a relatively short time.
15. Both schools have a higher than average proportion of pupils known to be eligible for free school meals.
16. As indicated above, the LA believes that the replacement of the existing infant and junior schools with an all through primary school will lead to improved standards. The proposal will not affect the current range of extended services which are provided or the current early years provision.
17. I am satisfied that the creation of a single primary school is likely to have the benefits envisaged and as a result that it is likely to lead to the raising of standards. The new school will serve a high proportion of children who come from groups whose attainment levels are most likely to benefit from such a change.
18. The intention is that the new school will initially occupy the existing schools' sites which are side by side on the same road and with easy access from one to the other. The proposals state that the LA has made a successful bid to the Department for Education via the Priority

Schools Building Programme to replace the existing premises with a new building. I have received further information from the LA that the intention is that the new school building should be constructed in 2014 and 2015. The new building will be built on one of the existing school's sites and the LA advises again that the sites are large enough to allow for the construction of the new building while the school continues to operate from the existing buildings. The new building will of course be subject to any necessary planning consents.

19. While I am certain that a new bespoke building will be an asset to the new school, I consider that the proposal would – even without this – have sufficient merit to warrant its approval. The proposed new building has not therefore been a determinative factor in my consideration and decision making in this case. In addition, the consultation documents were clear that while a new school building would not be provided without the replacement of the existing infant and junior schools with a new primary school, they also emphasised the educational benefits of a new school even in the existing buildings.

The need for places

20. The existing infant school has a published admission number (PAN) of 60, providing 180 school places and 39 full-time equivalent nursery places. The existing junior school has a PAN of 60 and 240 places. The proposed replacement primary school is to have a PAN of 60 and it will therefore provide 420 places. The proposal overall will thus have no impact on the number of places available for pupils of statutory school age or the number of nursery places available.
21. The proposals state that at June 2013 there were 157 children on roll at the infant school (excluding the nursery children) and 181 at the junior school, a combined total of 338. The LA estimates that numbers will rise over the coming years to reach 359 in the 2016/17 academic year and 366 in the 2017/18 academic year. On the basis of these figures, I am confident that there is a need for the school and that it is sensible for the new school to provide the same number of places as the existing infant and junior schools currently offer.

The Views of Interested Parties and the legal process

22. Consultation on the proposal took place between 25 March 2013 and 10 May 2013, a period of 6 and a half weeks. The consultation was on the basis that subsequent proposals would be implemented in September 2015, that is, that the infant and junior schools would close and the new all through primary school open then. However, after the consultation began but before it was concluded, the headteacher of the infant school secured a new post at a larger school. The LA decided that the proposals should specify a revised date of September 2014 for the closure of the existing schools and establishment of the new school. I am satisfied that it was lawful and reasonable for the LA to make this decision and that the proposals remain essentially those that were consulted on.

23. Around 800 copies of a consultation document were distributed to those with an interest including staff, governors and parents, other schools, the local MP and local councillors and local Diocesan Authorities. The consultation document outlined clearly what was intended and, as indicated above, gave clear advice on how responses might be submitted, whether by completing the response form attached to the document or by sending other comments to the LA by post or email.
24. The governing bodies of the infant and junior schools held an extraordinary joint meeting on 10 October 2012 at which they voted in favour of asking the LA to begin the process of consultation with a view to publishing proposals to discontinue the existing schools and establish a new school.
25. A total of 23 responses were received to the consultation document. Those who commented included parents/carers, governors, staff and the pupil councils of both schools. Both pupil councils supported the proposals. Most other responses also supported the proposals. Only one response (from a parent/carer) opposed the proposals and a total of six responses said that they did not know if they supported the proposals or not.
26. The consultation document also advertised the fact that a number of consultation meetings would be held. These duly took place on 18 April at the infant school with a number of LA officers in attendance. There were separate meetings for staff and governors of the schools, a meeting specifically for parents and carers and one open to parents, carers and those with an interest from the wider community.
27. A total of 90 people attended the meetings. They comprised 13 at the parents/carers meeting, 35 at the staff meeting, 30 at the wider community and parents/carers meeting and 12 at the governors. The minutes show support for the proposals, but with some concerns about the logistics and practicalities of implementation and that this would cause disruption to the local community.
28. The Office of the Schools Adjudicator wrote to the two governing bodies and to the two existing headteachers on 12 September 2013 seeking any further comments which they may have on the proposals. Responses were received on behalf of both schools stating they did not wish to make comments.

Pupil admissions

29. The admission arrangements for the new school will be those for the LA's community primary schools and thus the same as those for the existing schools. Pupils on roll at Annie Holgate Infant and Nursery School and Annie Holgate Junior School will be offered places at the new school on 1 September 2014. The only exception will be children on roll in the nursery in Annie Holgate Infant whose parents will have to make a separate application for them to join Reception Year at the new

school. This does not represent any change for the current arrangements which require parents of children at the nursery now to apply for a place in Reception Year at the infant school.

30. I am satisfied that no children will be disadvantaged by the proposal, which will have the benefit of removing the current need for there to be an application for a school place on the behalf of children transferring from Key Stage 1 to Key Stage 2. Currently between 83 and 93 per cent of children leaving Annie Holgate Infant and Nursery School at the end of Key Stage 1 go on to Annie Holgate Junior School.

Conclusion

31. I have concluded that the proposals are likely to contribute to the raising of standards. Parents and the governing bodies of both schools and the pupil councils all favour the proposals.

Determination

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

Signed:

Schools Adjudicator: Shan Scott

Dated: 6 November 2013