

## **DETERMINATION**

**Case reference:** STP/000588

**Proposal:** To discontinue Berridge Infant and Nursery School and Berridge 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 Berridge Infant and Nursery School and Berridge 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 wrote to the Office of the Schools Adjudicator (OSA) on behalf of Nottingham City Council, the local authority (the LA) seeking a decision on its proposal to close Berridge Infant and Nursery School and Berridge 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 proposals 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, under section 11(A3) of the Education and Inspections Act 2006 (the Act). The notice was in the form required by 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 Proposals**

6. The proposal is to discontinue Berridge Infant and Nursery School and Berridge Junior School and to establish a new community primary school using the existing sites, which are approximately 0.25 miles apart.

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 will get to know all staff from an early age;
- a single set of policies and practices instead of two;
- a single school uniform;
- staff will 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 on the proposal 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. Berridge Infant and Junior are one of three remaining separate paired infant and junior schools.

11. Both headteachers at the Berridge Schools retired at the end of the 2011-12 school year, and the schools currently have acting headteachers.

## **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 of the relevant statutory guidance.

## **Standards**

14. Berridge Infant and Nursery School was inspected in July 2010 when Ofsted inspectors reported that the proportion of pupils attending the school who were entitled to free school meals was well above the national average, that the majority spoke English as an additional language and that the proportion of pupils with special educational needs and/or disabilities was higher than in most schools. They found it to be a good school, with a good capacity for further improvement.

15. In February 2011 Ofsted found Berridge Junior School, which had a similar

profile, and where significantly more pupils than average were joining or leaving the school at times other than the normal starting or leaving points, also to be a good school, also with a good capacity for further improvement. At both schools, the inspection reports noted concerns arising from levels of pupil attendance, although this was broadly average and gradually improving at the infant school.

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. 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.

18. Although both existing schools are currently regarded as good by Ofsted, 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

19. The existing Infant and Nursery School has a published admission number (PAN) of 70, providing 210 school places, and a nursery providing 52 full-time-equivalent places. The existing Junior school has a PAN of 90 and 360 places. The proposed replacement primary school is to have a PAN of 90 (and to provide 630 places) and to provide 78 full-time -equivalent nursery places. In other words, an additional 20 places in each of the infant age groups and 26 full-time-equivalent places in the nursery will result.

20. Although the intended overall capacity of the proposed new school was stated in the consultation, an increase in numbers was not pointed to and the record of discussions with the interested parties contains no reference to this having been discussed.

21. I have obtained projected pupil numbers for Berridge 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 Berridge schools reaching 587 by September 2015. While there is sufficient capacity in the local schools, there is no doubt as to the strong trend of rising numbers, 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.

22. Building works are taking place at Berridge Infant and Nursery School in line with a prescribed alteration previously approved and determined by the authority to increase the capacity of the school. Extensions and remodelling will provide five new classrooms and will relocate the Nursery adjacent to the

reception classes to form a Foundation Unit. Work is being funded from the authority's approved capital programmes for 2012/13 and 2013/14, and is expected to be completed by June 2013.

### 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-four parents and three staff members responded, with 27 in favour of the proposal and three against. Seven expressed no opinion either way. Of those opposed, two were parents and one was a member 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 acting headteachers 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 Berridge Infant and Nursery School and Berridge 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 Berridge Nursery will need to apply for a place in the new community primary school under those arrangements, while pupils on roll in N2 of Berridge 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, and 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 Berridge Infant and Nursery School and Berridge 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