

## **DETERMINATION**

**Case reference:** STP000609

**Proposals:** To discontinue Madginford Park Junior School Maidstone with effect from 31 August 2014; and

To make a prescribed alteration to extend the age range of Madginford Park Infant School Maidstone to become a community primary school with effect from 1 September 2014

**Proposer:** Kent County Council

**Date of decision:** 7 July 2014

### **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 Madginford Park Junior School with effect from 31 August 2014 and extend the age range of Madginford Park Infant School to become a community primary school with effect from 1 September 2014.**

### **The referral**

1. On 3 June 2014 the Area Schools Organisation officer wrote to the Office of the Schools Adjudicator (OSA) on behalf of Kent County Council, the local authority, (the LA), applying for a decision on its proposals to discontinue (close) Madginford Park Junior (the junior school) with effect from 31 August 2014 and extend the age range of Madginford Park Infant School and to form a community primary school with effect from 1 September 2014.

### **Jurisdiction**

2. On 14 March 2014, the LA's Education Cabinet Committee approved the publication of statutory notices to close the junior school on 31 August 2014, and to extend the age range of the infant school and to become a community primary school on 1 September 2014. On 3 May 2014, 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:
  - a) the agenda and supporting papers, including a copy of the statutory notice, for the meeting of the LA held on 14 March 2014;
  - b) prescribed information from the proposer as set out in the relevant School Organisation Regulations;
  - c) information on standards at the schools;
  - d) Ofsted reports on both schools.

## **The Proposals**

5. The proposals are:
  - I. in accordance with section 15(1) of the Education and Inspections Act 2006, to discontinue Madginford Park Junior School with effect from 31 August 2014;
  - II. in accordance with section 19(1) of the Education and Inspections Act 2006, to extend the age range of Madginford Park Infant School to become a community primary school with effect from 1 September 2014.
6. The proposer contends that the potential benefits of this proposal are:
  - strong leadership and governance;
  - promotion of high educational standards;
  - high quality good teaching;
  - consistency of approach to learning policies, curriculum planning and behaviour management;
  - stability of staffing and improved staffing structures and opportunities for staff development ; and
  - improved use of facilities.

## **The Objection**

7. No objections or comments were received in response to the statutory notice.

## **Background**

8. The schools serve the Bearsted Ward in Maidstone. Both schools have three forms of entry. At the time of the proposals in March 2014 the infant school had 270 pupils on roll and the junior school had 377. The schools occupy adjacent sites.
9. The infant school was found to be 'outstanding' when inspected by Ofsted in 2008. An interim assessment conducted by Ofsted in 2011 confirmed that the performance of the infant school had been sustained. The junior school was

inspected in October 2013 and was found to be 'inadequate' and requiring special measures.

10. The head teacher of the junior school resigned on 24 September 2013. The head teacher of the infant school was appointed as interim head teacher of the junior school from 4 November 2013.

11. The proposals are in line with the LA's policy set out in the Kent Commissioning Plan for Education Provision 2013-2018 which states "when the opportunity arises, the local authority will consider the possibility of either amalgamation of separate infant and junior schools into a single primary school; or federation of the schools."

### **Consideration of Factors**

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

### **Standards**

13. The view of the LA on the current standards at the schools I summarise as follows:

14. The infant school:

- Early years' outcomes are consistently above Kent averages and significantly above national averages;
- In 2013 the proportion of pupils with a good level of development was significantly above national averages;
- Attainment has consistently been significantly above average in all subjects;
- The proportion of pupils achieving 2b+ in tests at the end of key stage 1 in 2013 was significantly above average in reading, writing and mathematics;
- The proportion of pupils achieving level 3 in those same tests was significantly above average in all subjects; and
- Predicted attainment for 2014 is above average.

The junior school:

- Attainment in individual subjects has improved over time, was in line with national averages in 2012 and above national averages in 2013;
- Combined attainment has improved over the last 3 years to above national averages in 2013;
- Level 5 attainment in tests at the end of key stage 2 was broadly in line with national averages in writing, below in mathematics and above in reading;

- The proportion of pupils making expected and above expected progress is below national averages; and
- Rates of progress have improved rapidly over the last year so that in year progress is now good.

15. The LA's experience of successful amalgamations has been that high standards are promoted because of strong leadership and governance and consistency of approach to learning policies, curriculum planning and behaviour.

16. The current executive head teacher has resigned but her successor has been appointed and the leadership team for the infant school restructured to take into account the needs of the junior school. There is a governing body improvement board with representative governors from both schools and plans for a single governing body from September.

17. I am satisfied that the factors identified by the LA, the positive progress already identified and the preparation for effective leadership and management of the schools should lead to improvement in standards if the schools are reorganised to become a single school.

### **Need for places**

18. The proposal provides for an all-through primary school that would offer 90 places (630 places in total) from reception to year 6. There would be exactly the same number of places available in the single school as are 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 admissions as they do at present.

19. The LA's long term primary age population forecast shows that Maidstone needed 11,900 places in 2011 and will need 12,600 places in 2016, demonstrating the need to continue with the places available in the schools. I am satisfied therefore that these school places are required.

### **Finance**

20. There is no capital funding attached to this project. The LA asserts that the proposals can be implemented without the need for significant capital expenditure as the primary school could operate as an all-through primary school on the existing schools' sites.

### **Traffic and Travel**

21. No change in site or location is involved in these proposals; there should therefore be no impact on present travel arrangements or traffic conditions. I am

satisfied that there will be no impact on current traffic and travel arrangements as a result of these proposals.

### **Special Educational Needs**

22. The LA states that no changes will result from these proposals to the provision for children with special educational needs in the schools. The view of the LA is that bringing together staff of both schools would enhance the quality of education through the sharing of skills and expertise in the single school. I have no reason to doubt this.

### **Consultation and the view of interested parties**

23. The LA carried out a public consultation from 13 January 2014 to 28 February 2014.

24. Consultation on the proposals took the form of a consultation document issued to all parents, staff and governors of both schools and other interested parties. The document included a response form, details of the public meetings and information on how to respond by email. There were two public meetings, on 23 January and 5 February 2013.

25. Responses to the consultation were clearly shown in the supporting papers. 1000 copies were issued; there were 91 responses to the consultation. These responses included 86 parents' responses (85 in favour). There was one response from staff (in favour). One governor responded and was in favour; two other interested parties were in favour and one was against. A survey was taken out in classes to find children's views, 82% were in favour, 12% did not know and 6% were against.

26. I consider that the LA undertook an appropriate consultation with the required parties, meeting all necessary statutory obligations. It has provided clear minutes of the meetings and the individual comments made. I see from the minutes of meetings that the LA sought to explain the advantages and address any concerns raised.

27. I note the number of responses from parents was comparatively small and 85 out of 86 were in favour of the proposals.

28. The governing body of the schools met independently to consider the proposals and agreed they should support the move to become one school; the chair of governors of the infant school confirmed this by letter dated 25 October 2013 and the junior school chair of governors by letter dated 24 October 2013.

29. The consultations were carried out within the required timescale. I consider these consultations appropriate and that they met all requirements.

30. I have considered whether I should visit the school to meet with the parties. There were no responses to the statutory consultation and of the 91 responses to

the initial consultation, only two were against the proposal. I have therefore concluded that there would be little purpose to such a visit.

### **Conclusion**

31. I note that the school has been working under a single head teacher for six months and the junior school is showing improvement. The monitoring visit by Ofsted to the junior school found that the head teacher and senior team had made a good start to tackling the issues raised during the inspection. There will be no impact on the number of places available and the LA has identified significant ways in which standards should continue to rise at the school if these proposals are agreed. I therefore conclude that that I should approve these proposals for these reasons and those given above.

### **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 Madginford Park Junior School with effect from 31 August 2014 and extend the age range of Madginford Park Infant School to become a community primary school with effect from 1 September 2014.

Dated: 7 July 2014

Signed:

Schools Adjudicator: Jill Pullen