



DETERMINATION

Case reference: STP620

Proposal: To discontinue Dovedale Infant School and Dovedale Junior School and establish Dovedale Primary School.

Proposer: Liverpool City Council

Date of Determination: 27 March 2015

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 Dovedale Infant School and Dovedale Junior School, two community schools, with effect from 31 August 2015; and to establish Dovedale Primary School, a community school, on 1 September 2015.

The referral

1. On 13 February 2015, Liverpool City Council, the local authority, (the LA) wrote to the Office of the Schools Adjudicator (OSA) referring its own proposal made under sections 15 and 11 of the Education and Inspections Act 2006 (the Act) for consideration under Schedule 2 to the Act. The proposal is to close two community schools, Dovedale Infant School (the infant school) and Dovedale Junior School (the junior school) on 31 August 2015 and to establish Dovedale Primary School, as a community school for pupils aged 4-11, on 1 September 2015.

Jurisdiction

2. Under section 15 of the Act, local authorities may publish proposals to discontinue schools. Under section 11 (A3) a local authority may publish proposals for the discontinuance of an infant and junior school (the schools) and the establishment of a new primary school to replace those schools. When local authorities use these powers, the admission authority is the LA and the Schools Adjudicator is the decision maker.

3. On 9 January 2015, having carried out the appropriate consultation, the LA formally published statutory notices. The notices were in the form required by the Act, to discontinue the schools on 31 August 2015 and to establish a new community primary school on 1 September 2015. The notice met the requirements of Schedule 1 and 2 to the School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2013, (the Regulations). Representations were received and following the statutory four week statutory consultation period, the LA forwarded the information specified in sections 15 and 11 of the Act to the OSA for a decision.

4. 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

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

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

- the formal request by the LA for a decision on the proposal, dated on 13 February 2015;
- prescribed information from the proposer as set out in the Regulations;
- the minutes of eight consultation meetings for parents, pupils, staff and governors held at Dovedale Infant and Junior Schools, on 3, 4 and 19 November 2014;
- a copy of the presentations used by the LA at consultation meetings for parents, staff and governors on 3 and 4 November 2014;
- Liverpool City Council's cabinet papers EDCS/08, 'Proposal to amalgamate and expand Dovedale Infant and Junior Schools from 1st September 2015', dated 19 December 2014;
- copies of feedback on the consultation and the LA's response as published in Liverpool City Council's cabinet papers EDCS/08, Annex B, dated 19 December 2015;
- Liverpool City Council's Pupil Place Planning Strategy, Primary School Investment Plan (2014), and School Organisation Policy (2007);
- the LA's written confirmation, of 13 February 2015, that four representations were received in response to the statutory proposal;
- the most recent Ofsted inspection reports for both of the schools;
- a letter from the chair of governors of the junior school and executive headteacher of both schools dated 26 February 2015; and
- an email from the LA to the OSA to confirm that the LA had approved its own proposal for expansion dated 20 March 2015.

The Background and the Proposal

7. The infant and junior schools have a well-established and successful working relationship. Hence, when the headteacher of the infant school decided to retire at the end of the spring term 2014, both governing bodies agreed that, from April 2015 onwards, the headteacher of the junior school would become the executive headteacher of both schools. In their view, this arrangement would build on the good practice and progress that the schools had already achieved by working together.

8. The LA's school organisation policy (2007), states that *"where separate infant and junior schools share a site, and where numbers on roll permit, the Authority will facilitate the creation of an all through primary as and when the opportunity presents itself."* Consequently, following discussions instigated by the LA, both governing bodies agreed that the LA should consult all members of the school community on a proposal to 'amalgamate' the schools. After the consultation, the governing bodies agreed to support a statutory proposal to discontinue the existing schools and establish a community primary school for pupils age 4-11.

9. The infant and junior schools admit 90 pupils per year. However the LA is facing a growing demand for primary school places in the city of Liverpool, where the schools are situated. It decided to fulfil its duty to ensure sufficient places by expanding seven primary schools. Hence, during October and November 2014, the LA held a joint consultation on the proposals to 'amalgamate' the schools and to expand Dovedale Infant and Junior School or the new Dovedale Primary School. In January 2014 the LA published, separate, statutory notices for both proposals.

10. In accordance with regulation 5 of The School Organisation (Prescribed Alterations to Maintained Schools) (England), Regulations 2013 and paragraph 4 of the Guidance for Decision Makers, the LA decided to use its powers to determine the outcome of its proposal for expansion. After due process, on 20 March 2015, the LA approved its proposal to increase the published admission number (PAN) of either the infant and junior schools or the proposed new school. The PAN of 120, allows 30 more pupils, than previously, to be admitted into reception Year (YR) from September 2015.

11. The proposed new school would occupy the same site and use the same buildings as those currently used by the infant and junior schools. However, the expansion requires a major building project and needs planning permission, which the LA expects to be granted in April 2015. The LA confirms that funding is available for any agreed works. Costs will be met through the LA's Basic Need grant via the LA capital programme. A children's centre is located on the infant school's site and the LA confirms that, although a review of children's centres is underway, the existing organisational arrangements are expected to continue in the proposed new school.

12. The LA contends that an all through primary school will benefit pupils and the community by:

- building on the collaborative ethos of the existing schools;
- enabling continuity of tracking, assessment and target setting, as the staff would know children for a longer period of time, and therefore the quality of education and standards would improve;
- ensuring continuity of planning, teaching and curriculum methodologies and consistency in following policies;
- enhancing children's opportunities for academic, social and moral development and creating a greater sense of 'togetherness' across the school community;
- deploying teaching, support staff and resources effectively to meet

children's needs and to support consistently the school's stance on equality of opportunity and personal development;

- reducing stress; as parents will not have to re-assess their choice of school at the end of Year 2 and parents and children will not have to start a new school from Year 3; and
- the larger staff group will reduce teachers' range of responsibilities, provide opportunity to work across the primary age range and allow for more career opportunities.

Consideration of factors

Standards of Education

13. The LA and governing bodies expect the new primary school to sustain and enhance the quality of education and collaboration which already exist in the infant and junior schools. They assert that opportunities for continuity in planning, curriculum, teaching methodology and assessment will be greater in an all through primary school and, therefore, that there will be opportunity to improve further children's learning and standards of attainment.

14. The infant school was last inspected by Ofsted, five years ago in March 2010. The report says *"This is a good school...The headteacher and governors have successfully steered the school...Standards have risen...Pupils are active, well cared for and happy...Lively and imaginative teaching results in pupils being enthusiastic and eager to get on...They behave sensibly and responsibly...All staff are ambitious to get the best for and from each pupil... Parents appreciate the priority given to looking after pupils."* The school was not judged to be outstanding because improvements were considered necessary in writing, supporting children who speak English as an additional language, attendance and in monitoring the progress of pupils.

15. The junior school was inspected in October 2013. Ofsted judged it to be a good school, and said, *"Pupils achieve well. The headteacher has successfully improved teaching by inspiring staff and pupils...Parents are highly positive about the school's work and particularly about the level of care it provides... Pupils' very positive attitudes contribute well to their successful learning. Governors know and support the school well"*. The report said that the school was not outstanding because teaching was not yet outstanding overall and because some elements of middle leadership and planning needed development.

16. More recent data, published by Ofsted in 2014, indicates that, by the end of Key Stage 2 attainment in mathematics and writing have improved and compare well against schools nationally and against schools in similar circumstances. However, comparisons for attainment in English grammar, punctuation, spelling and reading are slightly less favourable.

17. My view is that replacing the existing schools with an all through primary school has the potential to improve further children's learning and help raise standards in all subjects by securing continuity and consistency across the primary age range.

Pupil Numbers and Admissions

18. In September 2014 there were 268 pupils, age 4-7, on roll at the infant school and 345 pupils, age 7-11, on roll at the junior school, making a combined total of 613 pupils. Following the LA's decision to increase the PAN by 30, to admit up to 120 pupils in YR, the proposed new school would, after seven years, offer 840 places for pupils aged 4 to 11. This is 210 more places than are available currently.

19. The LA argues that expansion is necessary because, by 2016, an additional 384 primary places will be needed within the city of Liverpool to meet a projected nine per cent increase in the school population. The LA's calculation is based on data collected nationally, the number of registrations at doctors' surgeries and the increased demand for places at nurseries and schools in the city. The LA states that it has recently experienced difficulties in making 'reasonable' offers of places to parents whose children have not been allocated a place in a preferred school.

20. Pressure on places is evident in the existing schools. Between 2010 and 2014, the number of pupils on the schools' rolls increased by 42 overall. In 2014 there were 252 applications for the infant school's 90 places and the last pupil to be allocated a place, under the oversubscription criteria of distance, lived just 0.342 miles from the school. Places were unable to be accessed by 20 children who live less than half a mile away and 30 children who live less than a mile away. By September 2014, the infant school had only two vacant places across all year groups.

21. It is expected that pupils already attending the infant and junior schools would transfer automatically to the proposed new primary school, unless parents decide to seek a place in a different school. As for all community schools, the LA would continue to be the admissions authority; determining the admissions arrangements. It is not anticipated that overall admissions arrangements would change from how children are currently admitted to the infant school however, because the PAN has increased, more children would be able to be admitted. Displacement is not expected.

22. I am satisfied that the proposed primary school places are needed and that the admission arrangements are sound. The proposed new school would have sufficient places for all the children on roll in the current schools to be accommodated and, importantly, more local children would be able to obtain a place in the expanded school.

Community Cohesion and Travel to School

23. The impact of the closure of these two schools on the community is expected to be minimal, since it is envisaged that the majority of pupils would transfer onto the roll of the new community primary school. The proposal says that the school will be inclusive, operate at the heart of the local community and offer a consistent vision and ethos to benefit pupils, staff, parents and carers. The school would ensure that curriculum provision and the use of resources support the school's stance on issues of equal opportunity in terms of race, gender and special educational needs and secure children's educational entitlement as outlined in the LA's vision for children and young people.

24. As children would travel to the same site as they did previously, it is envisaged that they would continue to use the same patterns of transport and walking pathways as currently. The new school is committed to adopting a school travel plan setting out how it would encourage a reduction in car use and notes that as most children live in very close proximity to the school, walking to school is already a popular option. The LA has committed to work in partnership with the school to support parents, carers and children through the change process; ensuring that, where necessary, appropriate transitional arrangements are put in place. I am satisfied that the proposed new school would be committed to supporting its community.

Premises, Costs and Planning Permission

25. The proposed new school would remain on the current site and use the buildings of the existing infant and junior schools. Internal remodelling to link the school building had been the only work considered necessary. However, because of the decision to increase the PAN, substantial building work would be essential to provide the additional classrooms and ancillary space. The LA has committed to using some of its Basic Need grant of approximately £15.5 million to fund the agreed capital costs of the expansion. The work requires planning permission and the LA reports that it is expected to be obtained in April 2015, which would allow sufficient time to ensure that all pupils can be properly accommodated in September 2015.

26. The LA has committed to supporting the schools through the period of closure, establishment and expansion. This includes setting up a change management group to help the school to plan and manage the challenges of 'amalgamation' and year on year expansion. I am satisfied that arrangements are in place to ensure that the premises of the proposed new school are fit for purpose and that there is a strong commitment to supporting the school through the changes as well as minimising disruption to children's learning.

Extended Services

27. The LA has committed to continuing the varied range and level of extended services that exist currently across the schools. At present, parents are able to use the wraparound child care services of a breakfast club and after school club and children can access several activities in the schools' before and after school clubs. A children's centre which is housed on the school site and is considered integral to the school, provides a wide variety of services to local families. Mentors are employed to engage with the school community and to sign-post parents to extra services and support. The local community are encouraged to engage with and use the school beyond the school day, for example, in the evenings football clubs use the site for playing and practising football.

28. The governing bodies have said that they intend to build on the current good practice in the proposed school and in my view there is no reason to envisage any reduction in the current commitment to extended services.

Consultation

29. Consultations on the proposal to discontinue the infant and junior schools and establish a new primary school began on 20 October 2014. The LA used the same consultation to propose expanding the existing schools or the new school if its establishment is approved. The appropriate stakeholders were consulted and leaflets were distributed to the parents of every child and all stakeholders. Meetings involving parents, pupils, staff, trade union representatives and governors were held at the schools.

30. The LA received 71 written responses to the consultation, which were mostly about the proposal to expand. The proposed new school is mentioned in less than a third of the responses and the majority of those were in favour of the 'amalgamated' new school. Where respondents expressed reservations, their reasons almost always concerned the potential size of an 'amalgamated' and expanded school. After considering the consultation evidence both governing bodies confirmed their agreement to move forward to publish statutory proposals.

31. On 19 December 2014, relevant paper work, including the minutes of meetings, correspondence from individuals and the LA's responses were presented to a cabinet meeting at Liverpool City Council which agreed to publish statutory proposals. On 9 January 2015 a statutory notice was published, in the required form, to close the existing schools and establish a new primary school. During the four week period for representation, the LA received four responses. All four were in favour of the proposal, however, one respondent was only in favour if the expansion did not go ahead and two of the other three respondents expressed concern about 'amalgamation' alongside expansion. On 20 March 2015, the LA approved its own proposal to expand either the infant and junior schools or the proposed new school and immediately notified the OSA of its decision.

32. I am satisfied that the consultation process met requirements and demonstrated some good practice in having a pre-publication consultation. Comments and criticisms were recorded and answered. Indeed, the LA replied to every written response to the consultation. In my opinion it was sensible to ensure that parents and the public could consider both proposals at the same time. The LA followed the Guidance for Decision Makers in deciding to have separate decision makers for the two proposals but it recognised the proposals were linked and kept the Schools Adjudicator properly informed about its proposal for expansion.

Conclusion

33. The LA and governing bodies support this proposal. An all through primary school is considered the next logical step in the development of the two schools. Parents and carers are overwhelmingly in favour of the 'amalgamated' school but a minority express worries about the size of the school following expansion. The new school, with four forms of entry, would be larger than most primary schools but the expansion is to be phased in gradually, over seven years, and in my view this should provide ample time to establish effective leadership arrangements and appropriate strategies for the management and organisation of large school.

34. I am convinced that the LA conducted a thorough and comprehensive consultation and met all requirements expected of the proposer. Moreover, the proposal has the potential to build on the strengths of these two successful schools and improve further children's learning and outcomes. The proposal includes a firm commitment to maximising the opportunities offered by an all through primary school to enhance children's experiences. The proposed transition arrangements are straightforward and admission numbers in the proposed new school match the capacity of the current schools and cater for the increasing numbers of children needing a primary school place in the vicinity of the school. The LA has secured the capital funding which is essential to the expansion and associated ancillary work and there is a strong commitment to supporting the transition and minimising any disruption to children's learning. I am satisfied that I should approve the proposal.

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 Dovedale Infant School and Dovedale Junior School, two community schools, with effect from 31 August 2015 and to establish Dovedale Primary School, a community school, on 1 September 2015.

Dated: 27 March 2015

Signed:

Schools Adjudicator: Ms Christine Herring