

Determination of the Statutory Proposals to clarify the age range of Priestmead Primary School and Nursery

Decision Makers Guidance

The decision maker for these statutory proposals is the local authority, and this report presents the proposals to the Portfolio Holder for Schools and Children's Development for determination. If the local authority fails to decide proposals within two months of the end of the representation period the local authority must forward proposals, and any received representations, to the Office of the Schools Adjudicator for decision. This two month period will end on 22 April 2010.

Decision Makers are required to have regard to guidance issued by the Secretary of State when they take a decision on proposals. The guidance documents are available on the School Organisation & Competitions Unit website at <http://www.dcsf.gov.uk/schoolorg/> and in Background Papers.

The format of this Annex follows the framework of the guidance. The text in italics at the start of each section contains extracts from the guidance to assist the Portfolio Holder for Schools and Children's Development to understand the context.

Compliance with statutory requirements

There are 4 key issues which the Decision Maker should consider before judging the respective factors and merits of the statutory proposals:

1. Is any information missing?

If so, the Decision Maker should write immediately to the proposer/promoter specifying a date by which the information must be provided.

In order to make the nature of the proposals explicit and clear for all stakeholders, as full information as possible was stated in the statutory consultation, the notices and the complete proposals.

2. Does the published notice comply with statutory requirements?

The Decision Maker should consider whether the notice is valid as soon as a copy is received. Where a published notice does not comply with statutory requirements it may be judged invalid and the Decision Maker should consider whether they can decide the proposals.

Statutory Proposals were published on 11 January 2010 that if approved would establish the age range of Priestmead Primary School and Nursery to be 4-11 years plus nursery from 1 September 2010 with a planned admission number of 90.

The statutory notice was developed using the School Organisation & Competitions Unit 'Build a Statutory Notice' facility. This facility is designed to help local authorities, governing bodies and other proposers who will be publishing statutory proposals, to construct a statutory notice which contains all the information required by law.

The draft statutory notice was sent to the School Organisation & Competitions Unit for checking, and their comments were incorporated in the final notice.

3. Has the statutory consultation been carried out prior to the publication of the notice?

Details of the consultation should be included in the proposals. The Decision Maker should be satisfied that the consultation meets statutory requirements. If some parties submit objections on the basis that consultation was not adequate, the Decision Maker may wish to take legal advice on the points raised. If the requirements have not yet been met, the Decision Maker may judge the proposals to be invalid and should consider whether they can decide the proposals. Alternatively the Decision Maker may take into account the sufficiency and quality of the consultation as part of their overall judgement of the proposals as a whole.

A statutory consultation was held from Thursday 19 November 2009 until Friday 11 December 2009. The local authority has had regard to the Department for Children, Schools and Families (DCSF) School Organisation & Competitions Unit guidance and the consultation document was sent to all interested parties in accordance with the guidance.

The consultation responses and outcomes (see 'Other issues' below) were reported to the Director of Schools and Children's Development on 17 December 2009, and the Director agreed to publish statutory proposals.

4. Are the proposals linked or "related" to other published proposals?

Any proposals that are "related" to particular proposals must be considered together. Generally, proposals should be regarded as "related" if they are included on the same notice (unless the notice makes it clear that the proposals are not "related"). Proposals should be regarded as "related" if the notice makes a reference to a link to other proposals. If the statutory notices do not confirm a link, but it is clear that a decision on one of the proposals would be likely to directly affect the outcome or consideration of the other, the proposals should be regarded as "related". Where proposals are "related", the decisions should be compatible e.g. if one set of proposals is for the removal of provision, and another is for the establishment or enlargement of provision for displaced pupils, both should be approved or rejected.

A joint statutory notice was published in two parts on the advice of the School Organisation & Competitions Unit. Part 1 is a notice to revoke an earlier statutory proposal, thereby relieving Harrow Council of the duty to implement. Part 2 is a notice to change the age range of Priestmead Primary School and Nursery to 4-11 years plus nursery from 1 September 2010 with a planned admission number of 90.

Factors to be considered by decision makers

The factors contained in the Secretary of State's guidance should not be taken to be exhaustive. Their importance will vary, depending on the type and circumstances of the proposals. All proposals should be considered on their individual merits.

The sections that follow contain information to assist the Portfolio Holder for Schools and Children's Development to determine how the proposals meet the factors the decision maker must have regard to in reaching a decision. Not all of the factors contained in the decision makers guidance are relevant to these proposals. For example: the proposals do not make changes to early years provision or nursery schools; there are no issues of poor performance; there are no post-16 implications; there is no change to school category; and there is no special educational needs reorganisation. The effect of the proposals is to establish the age range of Priestmead Primary School and Nursery to be 4-11 years plus nursery from 1 September 2010 with a planned admission number of 90. The following sections, therefore, focus on relevant factors of the guidance.

A system shaped by parents

The Government's aim is to create a schools system shaped by parents which delivers excellence and equity. The Education and Inspections Act 2006 amends the Education Act 1996 to place new duties on local authorities to secure diversity in the provision of schools and to increase opportunities for parental choice when planning the provision of schools in their areas. In addition, local authorities are under a specific duty to respond to representations from parents about the provision of schools, including requests to establish new schools or make changes to existing schools. The Government's aim is to secure a more diverse and dynamic schools system which is shaped by parents. The Decision Maker should take into account the extent to which the proposals are consistent with the new duties on local authorities.

Strategic Approach to School Organisation

In 2002, the council undertook a debate on School Organisation in Harrow, the outcome of which was a consensus from stakeholders on three issues: to increase opportunities for early years; to increase choices and opportunities at post-16 including provision on school sites; and to change the age of transfer. The council has secured the provision for early years and post-16 and will implement changes to the ages of transfer in September 2010.

In October 2007, Cabinet agreed its strategic approach to school organisation and reaffirmed its commitment to change school organisation. Cabinet established a Stakeholder Reference Group (SRG) to consider issues arising from school reorganisation and agreed a revised amalgamation policy. The council's amalgamation policy contributes to maintaining and improving the educational performance of Harrow schools and their pupils, and also to preparations for a change in the age of transfer. In October 2008 Cabinet agreed a clarified amalgamation policy and implementation guidance.

In April 2009, Cabinet agreed statutory proposals to implement school reorganisation in Harrow through changes in the ages of transfer. Statutory proposals were published following a statutory consultation on school reorganisation held in Autumn 2008, which indicated support for the school reorganisation proposals.

Priestmead Schools Proposals

Parents and stakeholders have had the opportunity to contribute and shape the proposals for the Priestmead Schools.

A statutory consultation about amalgamating the two schools was held from 23 February 2009 until 23 March 2009. The written responses to the consultation showed 77% of the responses from parents and staff of both schools were in support of the proposals, 6% were opposed, and 17% were not sure (percentages rounded to nearest % point). 75% of parents and 90% of staff were in support of the proposals. Statutory proposals to combine the two schools were subsequently published and approved, and the combined school was established on 1 January 2010.

The statutory consultation about the current proposal to establish the age range of the combined school from September 2010 was held from Thursday 19 November 2009 until Friday 11 December 2009. Information about the responses to this consultation is given under 'Other issues' later in this Annex.

The local authority received no representations during the representation period.

Standards

The Government wishes to encourage changes to local school provision where it will boost standards and opportunities for young people, whilst matching school place supply as closely as possible to pupils' and parents' needs and wishes. Decision Makers should be satisfied that proposals for changes to a school's provision will contribute to raising local standards of provision, and will lead to improved attainment for children and young people. They should pay particular attention to the effects on groups that tend to under-perform including children from certain ethnic groups, children from deprived backgrounds and children in care, with the aim of narrowing attainment gaps.

Priestmead First School and Priestmead Middle School combined on 1 January 2010, and the educational benefits identified arising from amalgamation are stated below. The current proposals to establish the age range of Priestmead Primary School and Nursery to be 4-11 years plus nursery from 1 September 2010 with a planned admission number of 90 will ensure the combined school is aligned with the National Curriculum Key Stages to improve standards in line with all the other maintained schools in Harrow.

The council's amalgamation policy identifies a number of educational benefits arising from the creation of all through primary schools:

- Organisational structure is aligned with the National Curriculum Key Stages. Planning across Foundation, Key Stages 1 and 2 as a coherent whole for the primary phase provides greater flexibility across and between the Key Stages.
- Reducing the number of changes for children in a school system strengthens continuity and progression for children and families in the primary phase, both in terms of the curriculum and pastoral experience. Research shows that the fewer moves children have during their school career the better they perform. However, currently some children change schools at the end of Year 3 in the First School, at the end of Year 7 in the Middle School and at the end of Year 11 in the High School. There can be a further change where a child attends a nursery. If there is a combined primary school, and with post-16 provision available on all high school sites, the number of imposed changes will be minimised. In general, children and their families will have just two major changes. This reduction in the number of school moves is important, and particularly for children with special educational needs.
- Greater opportunities are created for older children to take on responsibility. For younger children the presence of older children provides aspirational role models and also mentoring support.
- Teachers and classroom staff have access to the whole primary curriculum. This supports and informs whole school planning, assessment, pastoral systems, etc, and provides opportunities for wider staff development and experience across the full primary phase over time.
- Growing national evidence shows that all through primary schools create more consistency between year groups and key stages in learning, planning and assessment. There is improved use of teachers' skills, specialist teaching and improved pastoral arrangements, as well as benefits for management, leadership and financial management. The financial viability of separate infant schools with two forms of entry could be challenging.

“Where primary education is provided in separate key stages, there is generally very little effective curriculum continuity and progression. In such situations the scope for discontinuity of learning is increased, together with the attendant, wasteful, repetitive teaching of subject content and learning experiences in the receiving key stage.”
Educational Management Information Exchange at NFER

Diversity

The Government’s aim is to transform our school system so that every child receives an excellent education – whatever their background and wherever they live. A vital part of the Government’s vision is to create a more diverse school system offering excellence and choice, where each school has a strong ethos and sense of mission and acts as a centre of excellence or specialist provision. Decision Makers should consider how proposals will contribute to local diversity. They should consider the range of schools in the relevant area of the local authority and whether the expansion of the school will meet the aspirations of parents, help raise local standards and narrow attainment gaps.

Schools in Harrow offer diversity to parents both in terms of ethos and size. Harrow has a Church of England primary school, a Hindu primary school and a Jewish primary school, six Roman Catholic primary schools and two Roman Catholic high schools. Schools are organised as separate and combined first and middle schools and have a range of planned admission numbers. Increased self-governance is promoted within a collaborative whole-borough framework, for example through partnerships and soft and hard federations, and in April 2009 the two Priestmead schools established a federated governing body for the schools.

Harrow Schools are popular and successful, but the profile of Harrow’s population is changing and, to meet challenging targets to continue this status, schools need to evolve and innovate. The local authority is committed to developing a positive and proactive approach to: encourage greater self-governance in order to extend choice, diversity and fair access; raise standards as part of the transformation of education expected from Building Schools for the Future (BSF) and Primary Strategy for Change investments; listening to parents and acting to promote diversity of school provision where this is appropriate; and all schools to offer extended services by 2010.

Every Child Matters

The Decision Maker should consider how proposals will help every child and young person achieve their potential in accordance with Every Child Matters’ principles which are: to be healthy; stay safe; enjoy and achieve; make a positive contribution to the community and society; and achieve economic well-being. This should include considering how the school will provide a wide range of extended services, opportunities for personal development, access to academic and vocational training, measures to address barriers to participation and support for children and young people with particular needs, e.g. looked after children or children with special educational needs (SEN) and disabilities.

The five outcomes for Every Child Matters are central to all Harrow plans for schools so that wrap around care, support for families and a wide range of opportunities are developed in all schools. These extended services also support the Narrowing the Gap agenda, and these proposals would not impact negatively on these agendas.

The combined school is able to further promote the Every Child Matters outcomes by ensuring the most effective and coordinated extended services support to families and children, and the use of school facilities.

Equal opportunity issues

The Decision Maker should consider whether there are any sex, race or disability discrimination issues that arise from the changes being proposed, for example that there is equal access to single sex provision for the other sex to meet parental demand. Similarly there needs to be a commitment to provide access to a range of opportunities which reflect the ethnic and cultural mix of the area, while ensuring that such opportunities are open to all.

These proposals do not make changes to equal access to school provision.

Need for places

Where proposals will increase provision, the Decision Maker should consider the supporting evidence presented for the increase. The Decision Maker should take into account the existence of spare capacity in neighbouring schools, but also the quality and popularity with parents of the schools in which spare capacity exists and evidence of parents' aspirations for places in particular schools. The existence of surplus capacity in neighbouring less popular or successful schools should not in itself prevent the addition of new places.

These statutory proposals do not lead to the creation of additional places or to the loss of any places, and no pupils would be displaced by the proposals.

The statutory proposals for Priestmead Middle School, agreed by Cabinet in April 2009 as part of the school reorganisation proposals, included changing the planned admission number of the school from 93 places to 90 places from September 2010 (this modest reduction in the planned admission number of the middle school aligns it with the planned admission number of the first school).

Harrow prepares pupil projections and manages the supply of places across the Borough and within Planning Areas. Through this process proposals are brought forward to increase or reduce the supply of places accordingly. Pupil projections suggest that there will be an increase in pupil numbers in Harrow by 2015. Although the economic climate is affecting proposed housing developments, if they are completed they could generate child yield which would further increase the pupil projections. Additionally, in common with many other local authorities Harrow has experienced an unexpected increase in level of applications for Reception places. To accommodate additional applications for September 2009, four additional Reception classes at community schools were created as bulge years. The situation is being monitored closely and planning for September 2010 has commenced. Harrow considers a range of options to manage the supply of school places, including temporary expansion, bulge year groups, and permanent expansion. Should additional places be required, then options would be considered for all schools in a relevant area.

Travel and Accessibility for All

In considering proposals for the reorganisation of schools, Decision Makers should satisfy themselves that accessibility planning has been properly taken into account. Facilities are to be accessible by those concerned, by being located close to those who will use them, and the proposed changes should not adversely impact on disadvantaged groups. In deciding statutory proposals, the Decision Maker should bear in mind that proposals should not have the effect of unreasonably extending journey times or increasing transport costs, or result in too many children being prevented from travelling sustainably due to unsuitable routes e.g. for walking, cycling etc. Proposals should also be considered on the basis of how they will support and contribute to the local authority's duty to promote the use of sustainable travel and transport to school.

As there are no proposals to change the overall size of the school or to change the site, these proposals would not affect journey times or lead to increased transport costs.

School category changes

No changes to school categories (e.g. no changes to become voluntary aided, foundation body, trust or academy) arise from these proposals.

Funding and land

The Decision Maker should be satisfied that any capital required to implement the proposals will be available. Normally, this will be some form of written confirmation from the source of funding on which the promoters rely (e.g. the local authority, DCSF, or Learning and Skills Council). In the case of a local authority, this should be from an authorised person within the local authority, and provide detailed information on the funding, provision of land and premises etc. Proposals should not be approved conditionally upon funding being made available, except for proposals being funded under the Private Finance Initiative or through the Building Schools for the Future programme.

The statutory proposals are not dependent on capital funding being available. There are no capital receipts, new sites or playing fields, or land tenure arrangements arising from these proposals.

Special educational needs provision

When reviewing SEN provision, planning or commissioning alternative types of SEN provision or considering proposals for change local authorities should aim for a flexible range of provision and support that can respond to the special educational needs of individual pupils and parental preferences, rather than necessarily establishing broad categories of provision according to special educational need or disability.

These statutory proposals do not involve a review of special educational needs provision.

Other issues

The decision maker should consider the views of all those affected by the proposals or who have an interest in them. The decision maker should not simply take account of the numbers of people expressing a particular view when considering representations made on proposals. Instead the decision maker should give the greatest weight to representations from those stakeholders likely to be most directly affected by the proposals.

The local authority received no representations during the representation period.

The statutory consultation was held from Thursday 19 November 2009 until Friday 11 December 2009. The responses to the consultation from parents, staff and governors of both schools showed 77% of the responses from parents and staff of both schools were in support of the proposals, 3.5% were opposed, and 19.5% were not sure. Two comments were recorded on the return slips: one in support stating this is the best thing ever, and also it should have been done many, many years ago; and another stating not sure because of concerns about some children's ability to cope with high school environment at the age they are.

Harrow Association of Disabled People responded that it is happy with the proposal. It commented that it is not clear whether it will make a difference to disabled children though if anything it will give a stronger likelihood of continuity in education for them, which is generally positive.

The London Diocesan Board for Schools responded that it is pleased to support the proposal.

The Priestmead Schools Federated Governing Body met on 3 December 2009 to consider its response to the consultation. The Governing Body voted unanimously in favour for the proposed new age range of the school from September 2010. The Governing Body has representation across both schools, which ensures that the interests of stakeholders across both schools are properly considered.