

Report to the Cabinet Member for Children, Young People and Schools
Report submitted by: Interim Executive Director for Children and Young People
Date: 9 October 2014

Part I

Electoral Division affected:
Preston Central North;

Proposal to Close Deepdale Junior School and Expand Deepdale Infant School by Extending the Age Range
(Appendices 'A' and 'B' refer)

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Executive Summary

This report aims to provide sufficient information on the linked proposals to:

- formally close Deepdale Junior School, with effect from 31 December 2014, and
- to expand Deepdale Infant School by extending the age range from 3 – 7 years to 3 – 11 years to become a primary school with a capacity for 630 pupils, with effect from 1 January 2015; and
- includes the responses received during the statutory notice period in order for the decision maker to make a determination in respect of these proposals.

Previous reports to the Cabinet Member for Children, Young People and Schools in respect of this proposal were dated 3 April 2014, when approval was given to commence consultation; and 14 July 2014, when the consultation responses received were considered and approval was given to publish statutory notices.

The authority published a statutory notice on 15 July 2014. In accordance with the statutory process, the notice invited Representations (objections or comments) within the statutory 4 week notice period, i.e. from 15 July 2014 to 12 August 2014.

Under the statutory procedures, a decision should now be taken about the proposals. If the authority fails to decide the proposals within two months from the end of the representation period, the proposal and any representations about the proposal must be passed to the schools' adjudicator for decision.

The constitutional arrangements of the County Council provide for the decision to be taken by the Cabinet Member for Children, Young People and Schools.

This is deemed to be a Key Decision and Standing Order 25 has been complied with.

Recommendation

The Cabinet Member for Children, Young People and Schools is recommended to:

- (i) consider the information in this report;
- (ii) approve the linked proposals to formally close Deepdale Junior School, with effect from 31 December 2014, **and** to expand Deepdale Infant School by extending the age range from 3 – 7 years to 3 – 11 years to become a primary school with a capacity for 630 pupils, with effect from 1 January 2015;
- (iii) approve that an appropriate statutory decision letter be sent out as specified under legal requirements to give the reasons for the decision to those who are to be informed of them.

Background and Advice

Deepdale Infant School and Deepdale Junior School are separate establishments with separate governing bodies and separate budgets. The two schools are on adjoining sites and both have a published admission number of 90. Traditionally, the vast majority of pupils on roll at the infant school go on to attend the junior school.

In September 2013, Deepdale Junior School was inspected and was graded 4 - 'inadequate'. At that time, Deepdale Infant School had an Ofsted grade of 2 – 'good' and this was confirmed at a full Ofsted inspection in November 2013.

The local authority is under a statutory duty to secure high quality education provision in its area. Since September, local authority officers have been in discussion with the governing bodies of both schools as to finding a sustainable means of improving standards at the junior school. The discussions focussed on 'merging' the two schools to become a primary school, thus securing continuity of education and raising standards. In a legal sense, there are two ways of achieving this:

- To close both schools and establish a new primary school; or
- To close one school and enlarge the other school by expanding the age range.

As Deepdale Infant School is performing well, the recommendation from officers was to follow the latter process – to close Deepdale Junior School and enlarge Deepdale Infant School by expanding the age range. The local authority subsequently

received resolutions from both Governing Bodies that they wished to pursue such proposals.

The legal process involves the consultation on, and publication of, two separate but linked notices. This effectively means that the enlargement/expansion of the age range of the infant school should not be approved unless the closure of the junior school is also approved, and vice versa.

The Proposed Closure of Deepdale Junior School

There are a number of concerns in relation to Deepdale Junior School that now require the local authority to consider its future. Lancashire County Council's 'Strategy for School Places and School's Capital Investment 2014/15 to 2016/17' identifies concerns around educational and financial viability as being reasons for making a closure proposal and the school's most recent Ofsted inspection places some urgency around the consideration of the school's future.

Deepdale Junior School currently has a published admission number of 90. The capacity of the school is 347 and there are currently 338 pupils on roll.

Educational Standards

At an Ofsted Inspection visit in September 2013 Deepdale Junior School received an overall effectiveness rating of 'inadequate'. There were a number of issues that led to this rating. The school was rated as 'inadequate' in terms of achievements of the pupils; quality of teaching; and leadership and management. In terms of behaviour and safety of pupils the school was considered to 'require improvement'. The inspection report stated that "Frequent staff and leadership changes have resulted in a considerable decline in the quality of education provided by the school" and the inspection report also stated that "Leaders including governors are unable to bring about the necessary improvements to teaching and achievement. They are too heavily dependent on external support".

Following the 'inadequate' Ofsted rating, in December 2013 a special measures monitoring inspection was conducted. Although it was observed that "Since the inspection the acting head teacher and her deputy have been highly effective in stabilising the school and providing the leadership the school needed", the monitoring report went on to observe that a lack of stability in the teaching staff and leadership was a significant barrier to the school's progress.

Proposal to Extend the Age Range and Expand Deepdale Infant School

After discussions with local authority officers, the Governing Body of Deepdale Infant School is proposing to extend the age range of Deepdale Infant School from 3 – 7 years to 3 – 11 years and to expand the capacity of the school from 270 primary aged pupils to 630 pupils, by utilising the current Junior School building, with effect from 1 January 2015. The proposal is being made in conjunction with the proposal made by the Governing Body of Deepdale Junior School, in order to provide alternative local provision, should the proposal to close Deepdale Junior School be approved. This is a school led proposal and the proposal has the full support of the head teacher and Governing Body.

Deepdale Infant School has a published admission number of 90. The current capacity of the school is 259 and there are currently 269 primary aged pupils on roll.

Since 2001 Deepdale Infant School has been inspected by Ofsted on 4 occasions, with the last inspection conducted in November 2013. In each of these Ofsted inspections the school has received an overall effectiveness rating of 'good', with achievement of pupils; quality of teaching; behaviour and safety of pupils; and leadership and management all receiving a 'good' rating.

The Consultation Process

Closing a Maintained Mainstream School: Guidance and Process

The School Organisation (Establishment and Discontinuance of Schools) Regulations 2013 (“Establishment and Discontinuance Regulations”) stipulate that a prescribed statutory consultation must be undertaken in order to consider the merit of a proposal.

There is a defined statutory process which must be followed before making a decision on the closure of a maintained school. This is supplemented by further guidance on the process published by the Department for Education. There are 5 statutory stages for a proposal as set out below:

Stage1	Stage 2	Stage 3	Stage 4	Stage 5
Consultation	Publication	Representation	Decision	Implementation
Likely to be no longer than 12 months and a minimum of 6 weeks during school term time is recommended	This requires publication of the full proposal on a website (local authority and/or school) and brief notice in an appropriate local newspaper	4 weeks	LA should determine proposals within 2 months, if longer it is referred to the schools adjudicator	No prescribed timescale but must be specified in the published notice

The Expansion Proposal

The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 (“Prescribed Alterations Regulations”) stipulates that a prescribed statutory consultation must be undertaken in order to consider the merit of a proposal.

The decision on this proposal is reliant on the decision on the proposal to close Deepdale Junior School, as these proposals are intrinsically linked.

There is a defined statutory process which must be followed before making a decision on making significant changes to a maintained school. This is supplemented by further guidance on the process published by the Department for Education. There are 4 statutory stages for a proposal to make significant alterations to a maintained school. These are shown below. Although there is no longer a prescribed ‘pre-publication’ consultation period for prescribed alterations, the local authority believes that it is good practice to continue to include pre-consultation in the process.

(Pre-Stage1)	Stage 1	Stage 2	Stage 3	Stage 4
Consultation	Publication	Representation	Decision	Implementation
Not prescribed	This requires publication of the full proposal on a website (local authority and/or school) and brief notice in an appropriate local newspaper	4 weeks	LA should determine proposals within 2 months, if longer it is referred to the schools adjudicator	No prescribed timescale but must be specified in the published notice

Consultations

On 14 July 2014, the Cabinet Member for Children, Young People and Schools approved the publication of public notices in relation to the linked proposals to close Deepdale Junior School, with effect from 31 December 2014; and to expand Deepdale Infant School, with effect from 1 January 2015.

Details of the proposals to be considered are in Appendix 'A' and Appendix 'B'. The information contains the published notices and complete proposals.

Checks on receipt of Statutory Proposals

Before considering the merits of a statutory proposal, DfE guidance advises that there are four key issues which the Decision Maker must consider:

- Is any information missing?
- Does the published notice comply with statutory requirements?
- Has statutory consultation been carried out prior to the publication of the notice?
- Are the proposals 'related' to other published proposals (and should therefore be considered together)?

There is no information missing. The information is provided in the published notices and complete proposals at Appendix 'A' and Appendix 'B'.

The published notices comply with statutory requirements.

Statutory consultation was carried out prior to the publication of the notices. Cabinet report dated 14 July 2014 provides details of the stage 1 consultation and responses received.

The decision on the proposal to expand Deepdale Infant School is reliant on the decision on the proposal to close Deepdale Junior School, as these proposals are intrinsically linked. The legal process involves the consultation on, and publication of, two separate but linked notices. This effectively means that the enlargement/expansion of the age range of the infant school should not be approved unless the closure of the junior school is also approved, and vice versa.

Representations

By the close of the statutory notice representation period on 12 August 2014, the local authority had received no written responses.

Factors that the Decision Maker must take into consideration when determining the proposal:

Effect on standards and school improvement: decision makers should be satisfied that proposals will contribute to raising standards and improved attainment.

Comment: In 2013 Deepdale Junior School received an Ofsted overall effectiveness rating of 'inadequate'. The school was rated as 'inadequate' in terms of achievements of the pupils; quality of teaching; and leadership and management.

Since 2001 Deepdale Infant School has been inspected by Ofsted on 4 occasions, with the last inspection conducted in November 2013. In each of these Ofsted inspections the school has received an overall effectiveness rating of 'good', with achievement of pupils; quality of teaching; behaviour and safety of pupils; and leadership and management all receiving a 'good' rating.

The aim of these proposals is to improve standards for the junior aged pupils.

Every child matters: the decision maker should consider how proposals will help every child and young person be healthy; stay safe; enjoy and achieve; make a positive contribution; and achieve economic well-being.

Comment: The 2013 Ofsted report stated that 'at Deepdale Junior School the safety of pupils 'requires improvement.' Whereas the 2013 Ofsted report for Deepdale Infant School stated that the safety of pupils received a 'good' rating.

The aim of these proposals is to improve the safety and achievements of the junior aged pupils.

Equal Opportunity Issues: the decision maker should consider the impact of the proposal on equal opportunity issues.

Comment: It is not considered that there are any equal opportunity issues associated with the proposals. The proposals will not disadvantage any group.

Need for places: the decision maker should consider whether there is a need for expansion by considering the evidence presented.

Comment: The reduction of places resulting from the closure of the junior school will be offset by the increased number of places resulting from the expansion of the infant school.

Expansion of popular and successful schools: places should be allocated where parents want them and at schools with strong educational performance in absolute and relative terms. There is a strong presumption that proposals to expand popular and successful schools should be approved.

Comment: Deepdale Infant School has current capacity of the school is 259 and there are currently 269 primary aged pupils on roll. However, the capacity will be increased by addition of the junior building to provide sufficient capacity for the 630 pupils. Traditionally, the vast majority of pupils on roll at the infant school go on to attend the junior school. Therefore, the places will accommodate parental preference whilst, at the same time, improving standards.

Travel and accessibility: the proposed changes should be accessible and should not adversely impact on disadvantaged groups.

Comment: Not applicable.

Funding and land: the Decision Maker should be satisfied that any land, premises or capital required to implement the proposals will be available.

Comment: There will be requirement for some remodelling of the accommodation to bring the adjoining sites together and establish the newly phased primary school. LCC are confident that funding is available to address these costs in the current Capital Programme.

Special Educational Needs Provision: the guidelines for consideration relate mainly to a full system review of SEN provision within a LA.

Comment: The proposals should have no impact on SEN provision.

Views of interested parties: These should be taken into account.

Comment: No views were expressed during the public notice period from 15 July 2014 to 12 August 2014. At stage 1 consultation, the results of which were reported to this Cabinet Member on 14 July 2014: 50 responses were received in total. Of these responses, 42 were in support, 4 responses were neutral and 4 responses expressed objection to the proposals.

Implications:

This item has the following implications, as indicated:

Risk management

The Authority has a statutory duty to secure high quality school places for its residents. A failure to address the future educational viability of Deepdale Junior School runs the risk of the Authority being seen by the Department for Education and Ofsted to be failing in its statutory responsibilities. Alternative school places can be provided at the significantly enlarged and re-phased Deepdale Infant School for children affected by the proposed closure.

There are implications for staff employed in Deepdale Junior School but the Authority has experience in staff redeployment and retraining and a good record in avoiding compulsory redundancies.

Legal and Financial Implications

The legal process involves the consultation on, and publication of, two separate but linked notices. This effectively means that the enlargement/expansion of the age range of the infant school should not be approved unless the closure of the junior school is also approved, and vice versa.

When a school closes, any balance (whether surplus or deficit) reverts to the Authority. The Authority will continue to receive Dedicated School Grant funding for the pupils if they relocate to Deepdale Infant School. Deepdale Junior School will receive 9/12ths of its budget up to the closure date. The Authority has an agreed growth fund criterion which determines that Deepdale Infant School will receive funding for each pupil admitted into any year group from the date deemed by the authority to be the date of transfer of all pupils due to the closure of a school or academy to the end of the financial year at the equivalent rate per pupil as applied within the primary and secondary growth fund.

There will be requirement for some remodelling of the accommodation to bring the adjoining sites together and establish the newly phased primary school. LCC are confident that funding is available in the Directorate for Children and Young People's Capital Programme to address these costs. A feasibility study is currently underway to determine costs and details will be reported to the Cabinet Member at a later date, as necessary. If the proposals are agreed, officers will work with the school to develop a brief for the required works.

Land and Property

The infant and junior schools currently operate on adjoining sites. Some remodelling will be required to facilitate the smooth operation of the future primary school.

List of Background Papers

Paper	Date	Contact/Directorate/Tel
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N/A

Reason for inclusion in Part II, if appropriate

N/A