

**From: Patrick Leeson, Corporate Director for Education, Learning and Skills**

**To: Roger Gough, Cabinet Member for Education and Health Reform**

**Subject: Amalgamation of Loose Infant School and Loose Junior School, Maidstone: Proposal to discontinue Loose Infant School and Loose Junior School and establish a single, three form of entry community primary school.**

**Classification: Unrestricted**

**Past Pathway Paper: Education Cabinet Committee – 14 March 2014**

**Future Pathway of Paper: Cabinet Member decision**

**Electoral Division: Maidstone Rural South, Eric Hotson**

**Summary:** This report sets out the results of the public consultation on the proposal to amalgamate Loose Infant School and Loose Junior School by closing the current Infant and Junior Schools and establishing a three form entry, single community primary school for children aged 4 to 11 years and asks the Cabinet Member to take the decision set out in the recommendations below

*Recommendation(s):*

The Cabinet Member for Education and Health Reform is asked to take the decision to:

- (i) Issue a public notice to discontinue Loose Infant School and Loose Junior School and establish a single, three form of entry community primary school by September 2014.

And, subject to no objections being received to the public notice

- (ii) Make recommendation to the Schools Adjudicator for determination for implementation by September 2014.

Should objections be received that were not considered during the notice period a separate decision will be required in order to continue the proposal.

## **1. Introduction**

- 1.1 Kent County Council, with the support of the Loose Schools' Federation Governing Body, are proposing to amalgamate Loose Infant School and Loose Junior School to become a three form entry, single community primary school for children aged 4 to 11 years.
- 1.2 Loose Infant School and Loose Junior School are two separate schools serving the Loose Ward of Maidstone. Both schools are popular community schools. Currently Loose Infant School has 270 pupils on roll and the Loose Junior School has 368 pupils on roll.
- 1.3 Loose Infant School and Loose Junior School have been federated since 2011 and share a Governing Body and an Executive Headteacher. The schools

occupy the same site with a single vehicular entrance point and both schools have pedestrian entrances.

- 1.4 Loose Junior School was judged as good by Ofsted on 9 June 2011.
- 1.5 Loose Infant School was judged to require improvement following the section 5 inspection in June 2013. The subsequent monitoring assessment conducted by Ofsted on 8 November 2013 confirmed that decisive action had been taken to ensure that the school will progress rapidly to an Ofsted judgment of good. However, the report recognised the need for a more effective model of leadership to underpin the necessary improvements at the school.
- 1.6 The Governing Body of The Loose Schools' Federation view this proposal as a natural progression, which will further secure benefits for staff and pupils. The Kent Commissioning Plan's recommendation for linked Junior and Infant schools is "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."
- 1.7 The Executive Headteacher notified the Governing Body of her intention to retire by the end of the academic year. Due to this change, the Governors believe that there is an opportunity to review the leadership and governance arrangements.
- 1.8 Following receipt of a letter of support from the Governing Body of the two schools, the Cabinet Member for Education and Health Reform agreed to proceed to public consultation on these proposals.
- 1.9 This report sets out the results of the public consultation, which took place between 10 January 2014 and 26 February 2014. A public meeting was held at Loose Infant School on 28 January 2014 and Loose Junior School on 30 January 2014.

### **3. Financial Implications**

#### **a. Capital**

- i. The proposals can be implemented without the need for significant capital expenditure as the new primary school could operate as an all-through school on the existing Infant and Junior school sites.

#### **b. Revenue**

- ii. As a result of an amalgamation the two predecessor schools will become one school and consequently this would result in the removal of one of the lump sum funding allocations (£120,000). The amalgamated school would continue to be funded at 100% of the two lump sums for the remainder of the 2014/15 financial year from September 2014 to March 2015. The School and Early Years Finance (England) Regulations 2013 provide funding protection for amalgamating schools for the first academic year. Therefore, it is proposed that protection will be provided on the lump sums at 85% from April 2015 to March 2016. ( $2 \times £120,000 \times 85\% = £204,000$ ). From April 2016 the amalgamated primary school would receive one lump sum, currently £120,000.

c. Human

- iii. It is proposed that all teachers and support staff employed at Loose Infant School and Loose Junior School (at the time of the proposed amalgamation) will transfer to the primary school.

#### **4. Bold Steps for Kent and Policy Framework**

- 4.1 The 'Kent Commissioning Plan for Education Provision, 2013-2018 sets out KCC's ambition "to ensure every child will go to a good school where they make good progress and can have fair access to school places" as set out in 'Bold Steps for Education'.
- 4.2 This proposal is also aligned to Kent County Council's commitment to maximising the educational opportunities for children as set out in the Kent Commissioning Plan 2013-2018 which recommends the consideration of the amalgamation of separate infant and junior schools to provide all-through primary schools where appropriate because of the benefits they offer.

#### ***Legal Implications***

- 4.3 The new School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations and (Establishment and Discontinuance of Schools) Regulations 2013 came into force on 28 January 2014. However, proposers who have published proposals before 28 January 2014 are required to follow the process set out in the 2007 Prescribed Alterations and Establishment and Discontinuance Regulations until they have been implemented.
- 4.4 The legal process for the discontinuance of a school is described in sections 15 to 17 and Schedule 2 of the Education and Inspections Act 2006 and Parts IV and V and Schedule 4 of the School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007. Therefore, the proposal to establish a new school outside of academy presumption and competitions, is proposed as a Section 10 special case as described in Section 10 of the Education and Inspections Act 2006.
- 4.5 Section 15 of the Education and Inspections Act 2006 (EIA) requires a Local Authority to publish statutory proposals where it is considering discontinuing a maintained school. Section 16 of the Act requires the local authority to consult such people as they feel to be appropriate and to have regard to Guidance published by the Secretary of State, before publishing such proposals
- 4.6 The process for publishing statutory proposals is set out in the School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007. Those Regulations only apply to schools maintained by a local authority, and not to Academies which are independent of the local authority.
- 4.7 The Guidance, referred to in 4.5 above, sets out requirements for consultation in paragraphs 1.1 – 1.8. At Stage One the local authority is required to consult interested parties and in so doing must have regard to the Secretary of State's guidance.

- 4.8 Decisions will be taken according to statutory procedures, including a 5 day proposed decision publication period before the decision is taken and a 5 day call-in period after the decision is taken. This proposed change is conditional on the establishment of a new school under section 10 of the EIA 2006, therefore, the proposal must be decided by the Schools Adjudicator.

## **5. Consultation Outcomes**

- 5.1 Approximately 1,000 hard copies of the public consultation document were circulated, which included a form for written responses. The consultation document was distributed to parents/carers, staff and governors of both schools, County Councillors, Member of Parliament, the Diocesan Authorities, local library, Maidstone Borough Council, and others, in accordance with the agreed County policy. The document was posted on the KCC website and the link to the website widely circulated. An opportunity to send in written responses using the response form, email and online was provided.
- 5.2 A total of 37 written responses were received with; 35 respondents supporting the proposal; 0 respondents objecting to the proposal; 2 respondents undecided.
- 5.3 Two public meetings were held during the consultation period, Tuesday, 28 January 2014 at Loose Infant School and Thursday, 30 January 2014 at Loose Junior School. Both meetings were attended by parents, governors, staff and interested parties, with approximately 22 people at the Infant School meeting and 27 at the Junior School meeting.

## **6. Views**

### *The view of the Local Member*

- 6.1 Eric Hotson the Local Member for Maidstone Rural South has been made aware of the possibility of the amalgamation for some time while having had a close interest in the two schools for many years. Having been formally consulted he is fully supportive of the proposal.

### *The view of the Executive Headteacher and Governing Body*

- 6.2 The Governing Body initiated the move to amalgamate the two schools with the LA and supports the proposal to become a through Primary school. The Governors believe this will enable the school to; raise standards, develop new leadership structures and offer children further opportunities to experience a challenging and exciting curriculum.

### *The view of the School Council*

- 6.3 The Junior School Council was consulted on the proposal to amalgamate the schools and was very positive about the changes. A summary of comments is included in Appendix 1.

### *The view of the Principal Primary Adviser for Kent*

- 6.4 The Principal Primary Adviser for Kent supports the proposal put forward by the governing body of the Loose Schools' Federation and believes amalgamation is the best approach to secure improved standards for the pupils of Loose. The benefits of considering this proposal include greater consistency of approach to teaching and learning from ages from 4 to 11; seamless monitoring of pupil progress from ages 4 to 11; increased potential for strong leadership and governance and continuity of experiences for young children.

*The view of the Area Education Officer*

- 6.5 The Area Education Officer for West Kent considers that the most appropriate solution to securing and sustaining outstanding education provision for both infant and junior age ranges at Loose Infant School and Loose Junior is to have a single all-through primary school.

## **7. Proposal**

- 7.1 An Equality Impact Assessment was completed. Changes were made to the Equality Impact Assessment following comments received during the consultation period.
- 7.2 The conclusion following the public consultation is that the presumptions made in the initial assessment still remain and that it is not necessary to initiate a further Equality Impact Assessment.

## **8. Conclusions**

- 8.1 The Governing Body of the Loose Schools Federation view this proposal as a natural progression, which will further secure benefits for staff and pupils. Furthermore, this proposal is aligned to Kent County Council's commitment to maximising the educational opportunities for children as set out in the Kent Commissioning Plan 2013-2018 which recommends the consideration of the amalgamation of separate infant and junior schools to provide through primary schools, where appropriate because of the benefits they offer.

## **9. Recommendation(s)**

**Recommendation(s)::** The Cabinet Member for Education and Health Reform is asked to take the decision to:

- (i) Issue a public notice to discontinue Loose Infant School and Loose Junior School and establish a single, three form of entry community primary school by September 2014.

And, subject to no objections being received to the public notice

- (ii) Make recommendation to the Schools Adjudicator for determination for implementation by September 2014.

Should objections be received that were not considered during the notice period a separate decision will be required in order to continue the proposal and expand the school to allow for proper consideration of the points raised.



## **11. Background Documents**

### **11.1 Bold Steps for Kent and Policy Framework**

[http://www.kent.gov.uk/your\\_council/priorities\\_policies\\_and\\_plans/priorities\\_and\\_plans/bold\\_steps\\_for\\_kent.aspx](http://www.kent.gov.uk/your_council/priorities_policies_and_plans/priorities_and_plans/bold_steps_for_kent.aspx)

### **11.2 Kent Commissioning Plan for Education Provision 2013-2018**

[http://www.kent.gov.uk/education\\_and\\_learning/plans\\_and\\_consultations/education\\_plans.aspx](http://www.kent.gov.uk/education_and_learning/plans_and_consultations/education_plans.aspx)

### **11.3 Consultation Document and Equalities Impact Assessment**

<http://consultations.kent.gov.uk/consult.ti/Loose/consultationHome>

**11.4 Report to Education Cabinet Committee – 14 March 2014 - Amalgamation of Loose Infant School and Loose Junior School, Maidstone: Proposal to discontinue Loose Infant School and Loose Junior School and establish a single, three form of entry community primary school.**

<https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=746&MId=5471&Ver=4>

## **12. Contact details**

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