

## **DETERMINATION**

**Case reference: STP/000552**

**Proposal: To discontinue Penwith School and Meadfurlong School with effect from 31 August 2012, and to establish a new community primary school with effect from 1 September 2012**

**Proposer: Milton Keynes Council**

**Date of decision: 28 June 2011**

### **Determination**

**Under powers conferred on me in paragraph 8 of Schedule 2 to the Education and Inspections Act 2006, I hereby approve the proposal to discontinue Penwith School and Meadfurlong School with effect from 31 August 2012 and to establish a new community school on the two existing sites with effect from 1 September 2012.**

### **The referral**

1. On 23 May 2011 Milton Keynes Council (“the Council”) wrote to the Office of the Schools Adjudicator (“the OSA”) referring to their own proposal made under sections 15 and 10 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, Meadfurlong School and Penwith School (“the Schools”) on 31 August 2012 and to establish a new community primary school on the existing sites on 1 September 2012.

### **Jurisdiction**

2. A proposal for a new community primary school would normally trigger the publication of a notice inviting proposals from promoters interested in providing a new school. However, the Council sought consent from the Secretary of State to publish its own proposal without holding a competition. The Secretary of State granted consent by letter dated 21 March 2011 and the Council, having carried out the appropriate consultation, published a public notice in the form required by the Act, on 31 March 2011. Following the six week consultation period the Council forwarded the information specified in sections 10 and 15 of the Act and regulations made there under, to the OSA.

3. I am satisfied that this proposal has been properly referred to me in accordance with Schedule 2 of the Act and Regulations made thereunder and that; therefore, I have the jurisdiction to determine this matter.

## **Procedures**

4. I have considered this proposal as required by the Act and have had full regard to the guidance provided by the Secretary of State and to all relevant legislation and guidance.

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

- Prescribed information from the Council as set out in the relevant School Organisation Regulations
- Minutes of the Children and Young People's Select Committee meetings on 15 June and 20 July 2010
- Cabinet minutes and decision sheets of the meetings on 27 July and 21 December 2010
- Policy document "*Milton Keynes World Class Primary Programme*"
- Pupil projections for all schools within 2 miles and a map of the locality;
- Consultation Paper on the proposal and minutes of public meetings with staff, parents and governors;
- Minutes of the Penwith School Council Meeting on October 19<sup>th</sup> 2010
- Correspondence from the Schools
- Letter from the Department for Education dated 21 March 2011, in which the Secretary of State granted his consent for the Council to publish a statutory notice without a competition.
- A copy of the statutory notice as published in the local press
- Proposed admission arrangements for September 2012
- Trend data for Milton Keynes Council for Key Stages 1 and 2
- Most recent Ofsted reports for both schools

## **The Proposal**

6. The proposal is to close two community schools on 31 August 2012, Penwith School for pupils aged 4-7 years and Meadfurlong School for pupils aged 7-11 years; and to establish a new community primary school utilising the two existing school sites on 1 September 2012, in order to improve outcomes for children in the area.

7. These re-organisation proposals have been made as part of the Council's strategic policy designed to secure significant improvements in targeted schools. One of the priorities of the programme is a primary re-organisation programme to reduce the number of separate junior and infant schools and to open new combined schools to provide sufficient primary school places at effective schools, in the right locations.

8. At its meeting on 27 July 2010, the Cabinet gave approval for the commencement of the formal consultation and statutory processes related to the proposed school organisation changes. It subsequently agreed on 21 December 2010 that a statutory notice be published for the closure of Penwith School and Meadfurlong School on 31 August 2012 and opening of a new primary school in their place, on the existing sites of the Schools on 1 September 2012.

### **Views on the proposals**

9. The Council undertook a consultation on this proposal between 11 October 2010 and 26 November 2010 sending out 650 consultation documents and holding 4 meetings for stakeholders which included children, parents, staff and governors. A total of 31 responses were received with a small majority in favour of the proposal i.e. 15 compared to 13 who were opposed.

10. The Council's view, expressed at consultation meetings, is that proposals were brought forward because evidence nationally indicates that education standards improve when there is better continuity of learning for pupils. In a single combined school the ethos would be consistent and familiar as children progress from the Reception class through to Year 6 and there would be a wider range of staff expertise than in either of the two current small schools.

11. A small majority of respondents expressed concern about the viability of the opening date of September 2011 initially proposed for the new school account of these views the Council then proposed that the reorganisation should take effect a year later, from September 2012.

12. The Penwith Governing Body did not support the proposal and expressed a number of concerns at a meeting in November 2010. These related to the operation of a single school on two separate sites, the safety of pupils moving between sites and the potential for disruption of any major building work. The Governing Body expressed the desirability of retaining a small community school which cares for and nurtures young children.

13. The head teachers in both schools gave their full support to the proposed re-organisation, and the Council decided to proceed to publish statutory notices on 12 January 2011. By the end of the public notice period the Council had received no formal objections to the proposal.

## **Consideration of the Factors**

14. I have considered the proposal and have taken careful account of the guidance provided by the Secretary of State.

### *Standards*

15. The Council states that standards in the Schools have been below national and local averages in all subjects for several years. The most recent inspection reports which provide an assessment of provision and standards at the Schools indicate that Penwith School was inspected in September 2008 and judged to be providing a satisfactory standard of education with strengths in the care, guidance and support provided, and in pupils' personal development. The capacity for further improvement was judged to be good. Meadfurlong School had a full inspection in May 2010 and was judged to provide a satisfactory standard of education with areas of significant strength, including the outstanding care and support provided for pupils. The school is considered to be well placed to improve further.

16. The Council believes that amalgamating the Schools will enable a single governing body to act in the interests of children throughout the full primary age range. In its view a larger combined school would be more likely to attract a strong field of leadership candidates for the headship and would also provide a broader range of opportunities for professional development for staff, enabling them to improve further, the quality of teaching and learning. It would also reduce the sometimes negative impact on learning that can occur when pupils change schools at the end of Key Stage 1. Pupils and their families would benefit from knowing the staff in Key Stage 2 and by being familiar with whole school procedures and teaching staff would be able to plan together to secure pupils' progress from Reception to Year 6.

17. Since the retirement of the headteacher of Penwith in August 2010 there has been an acting headteacher in place and the current headteacher of Meadfurlong has confirmed his intention to retire in summer 2012. In my view this proposal provides the potential to recruit a high quality leader for a new larger school and to retain a majority of staff from the current schools. I am therefore persuaded that a new primary school would be well placed to secure the further improvement in standards that the Council wishes to achieve.

### *Need for Places*

18. Penwith is a co-educational school for children aged 4-7 years of age with a published admission number (PAN) of 45 and 136 on roll on January 1 2011 and Meadowfurlong is a co-educational school for children from 7 to 11 years of age with a PAN of 90 and 271 on roll on January 1<sup>st</sup> 2011. The proposal is for a new 450 place community primary school for boys and girls aged between 4 and 11 years of age, serving part of Woughton, with a PAN for September 2012, of 30 for Reception and a further 60 pupils in Year 3. If the proposal goes ahead, the new school will open in the current accommodation being used by Penwith and Meadfurlong schools.

19. An amalgamation would have the effect of reducing the number of places available in Year R from 2012; however with the current net capacity of 123 at Penwith School, retaining the current PAN of 45 would make it more likely that there would be a need for vertically grouped classes which could impact on teaching and learning. To maintain the supply of places in the local area, the PAN in two other local schools have been increased providing an additional 30 places. The proposed reduction in the new school is therefore being balanced elsewhere. Both Schools are currently undersubscribed and pupil projections for the locality indicate that demand in coming years can be met within the 450 places available.

20. As with other areas of the country, the Council has seen recent growth in the demand for primary places and the relevant demographic data is kept under regular review. The sites of Penwith and Meadfurlong schools combined mean that with appropriate building work, additional places could be provided if required at some point in the future. Overall therefore, I am persuaded that the number and type of places are required.

21. Admission arrangements for the new school will continue to be those applying to community primary schools in Milton Keynes. The 'defined area' for admissions to the new school will be the same as that currently covered by the Schools.

22. As the existing schools are both community schools and the proposal is for a community primary school, the proposed change would have no effect on the diversity of provision.

#### *Community and Travel Implications*

23. The new primary school would continue to serve the same community and would contribute to community cohesion by consolidating existing links and providing a single point of contact for parents.

24. As pupils would continue to travel to the same two sites there would be no change to the current travel arrangements for those children attending the new school. However should the children need to transfer between the two sites for lessons or activities the School will need to develop procedures to secure the safety of pupils and staff as they cross the road and the cycle path between the two buildings.

#### *Finance*

25. The Council owns the freehold for both School sites and has confirmed that a provisional budget has been retained to support any required investment in the new school. In its view capital funding for the project is not deemed critical to the achievement of a successful and high quality amalgamation i.e. funding is not required to support the amalgamation in a practical sense, as both existing sites will continue to be used. Improvements to both School buildings and to external areas have been discussed but capital costs for future adaptations to the existing buildings and sites have yet

to be finalised with the temporary governing body and will need to be considered within the constraints and reduced funding for capital projects available to Local Authorities in England.

26. The new school will operate within the revenue funding envelope available to the two existing Schools, using the premises currently occupied by them. The Council considers that closing these two schools and establishing a single large all through primary school will enable governors to manage resources more flexibly across all age ranges and to obtain better value for money through more cost effective purchasing of books and equipment, avoiding duplication and reducing administrative costs.

27. I am satisfied that the appropriate resources would be provided to secure a successful amalgamation of the two schools and the provision of a new primary school.

#### *Issues raised by interested parties*

28. The Penwith Governing Body did not support the proposal and expressed a number of concerns at a meeting in November 2010. The first of these related to the operation of a single school on two separate sites and to the safety issues of pupils moving between sites. The Council has confirmed its intention to undertake an assessment of the safety issues and to agree an appropriate solution with the School.

29. Governors referred to the potential for disruption to teaching and learning of any major building work. The Council has stated that it would endeavour to schedule any large projects that might cause the greatest disruption, during school holidays but acknowledged that there could still be challenges of scheduling to deal with but that detailed plans would be drawn up with the Schools to minimise these.

30. The Governing Body expressed the desirability of retaining a small community school which cares for and nurtures young children. The Council's view, based on previous amalgamations, is that it is entirely possible to create a caring, nurturing environment within a larger school.

31. I am satisfied that during the additional year that the Council has now introduced there is ample time to allay these concerns through the assessments and discussions which are planned with the Schools.

#### **Conclusion**

32. In line with its policy to raise primary phase standards the Council has successfully implemented a number of similar re-organisations and I am therefore confident that it has the capacity to ensure that this proposal is carried through well.

33. The new School would be located on the same sites providing continuity of relationships for both pupils and parents and has the potential to make better provision for the pupils and to raise standards.

34. In coming to my decision I have taken full account of the documentation and information which I regard to be relevant and on the basis of the evidence submitted to me I am persuaded that there would be benefits for pupils and their families. I have therefore concluded that the proposal to close the two existing schools and to establish a new community primary school on the same site should proceed as proposed.

### **Determination**

35. Under powers conferred on me in paragraph 8 of Schedule 2 to the Education and Inspections Act 2006, I hereby approve the proposal to discontinue Penwith School and Meadfurlong School with effect from 31 August 2012 and to establish a new community school on the two existing sites with effect from 1 September 2012.

**Signed:**

**Schools Adjudicator: Carol Parsons**

**Dated: 28 June 2011**