

Title of meeting:	Cabinet Member for Education
Date of meeting:	25 th March 2020
Subject:	Proposal to amalgamate Wimborne Infant and Wimborne Junior Schools - outcome of pre-statutory consultation
Report from:	Alison Jeffery, Director of Children, Families and Education
Report by:	Chris Williams - School Place Planning and Capital Strategy Manager
Wards affected:	Central Southsea and Milton
Key decision:	No
Full Council decision:	No

1. Purpose of report

- 1.1 This report sets out the findings from a pre-statutory consultation in relation to a proposal to amalgamate Wimborne Infant and Wimborne Junior Schools. The consultation was undertaken between 14th February 2020 and 9th March 2020.
- 1.2 This report carefully considers the responses and determines whether the proposal should be amended.
- 1.3 In conclusion, the proposal remains unchanged. Approval is sought to proceed to the publication and representation stages of the statutory process.

2. Recommendations

2.1 It is recommended that the Cabinet Member:

- **considers the responses to the pre-statutory consultation carried out on the proposal to amalgamate Wimborne Infant and Junior Schools; and**
- **authorises the Director for Children, Families and Education to proceed to the publication and representation stages of the statutory process to amalgamate Wimborne Infant and Junior Schools.**

3. Background

- 3.1 Wimborne Infant and Junior Schools are maintained schools that operate from separate buildings on a shared site in Wimborne Road, Southsea. The majority of the pupils attending Wimborne Infant school will progress to Wimborne Junior School on junior transfer.
- 3.2 In December 2018 the Governing Boards of Wimborne Infant and Junior Schools consulted on a proposal to federate the two schools as an initial step towards the amalgamation of the two schools from September 2020. On 23rd April 2019 the two schools formally federated forming The Wimborne School's Federation. The two schools, although still separate schools are now governed by a single Governing Board and led by an Executive Headteacher.
- 3.3 Amalgamation of the two schools would provide the following benefits
- i. All through primary schools support parents and carers by automatically allowing their children to continue through their primary education to the end of Key Stage 2 without the need for making an application during Year 2 for a place in a Junior School.
 - ii. The security of a guaranteed place in Year 3 would be attractive for parents and carers if the two schools were to amalgamate. Portsmouth has had a growing school population and there are fewer spare school places in the City and less options for parents and carers, particularly in the primary phase. An amalgamated school would therefore be of significant benefit to parents and carers of pupils attending the schools providing them with the certainty of a place at the school for their child throughout the primary phase.
 - iii. An amalgamation will mean just one financial audit and one Ofsted inspection.
- 3.4 As Wimborne Infant and Junior schools are both community maintained schools, the amalgamation process proposed is to close the two maintained schools and open a new community maintained primary school on the same site. The Schools Adjudicator would be the decision maker for this amalgamation process, with the Local Authority being the proposer. The prescribed alteration is required to follow the five stage statutory process set out in Table 1 below.

Table 1. Statutory process for the closure of a maintained school

Stage	Description	Timescale	Comments
Stage 1	Pre-statutory consultation	No required timescale	
Stage 2	Publication (statutory proposal / notice)		
Stage 3	Representation (formal consultation)	Must be at least 4 weeks	As prescribed in the 'Prescribed Alteration' regulations.
Stage 4	Decision		The Schools Adjudicator is the decision maker for an amalgamation of two or more maintained schools proposed by the LA.
Stage 5	Implementation	No prescribed timescale	However it must be as specified in the published statutory notice, subject to any modifications agreed by the decision-maker.

3.5 On 14th February 2020, the Council commenced a pre-statutory consultation on the proposal to amalgamate the two Wimborne schools. The consultation document (attached as Appendix 1) was sent to the parents and carers of all children attending both of the Wimborne schools. The consultation document was also circulated to Ward Councillors, Portsmouth MPs, colleagues in neighbouring Local Authorities, the Portsmouth Anglican and Roman Catholic Dioceses.

3.6 The consultation closed on 9th March. A public drop-in consultation meeting was held at Wimborne Junior School on Wednesday 26th February to allow any interested party the opportunity to ask questions or comment on the proposal.

4. Outcome of consultation

4.1 Details of the responses received to date are set out in Appendix 2. There were a total of 35 responses with 97% of respondents supporting the proposal.

4.2 The comments from respondents have been carefully considered and are included in Appendix 2.

4.3 Therefore, it is concluded that the proposal should move to the next stages in the process, publication and representation.

5. Reasons for recommendations

- 5.1 The two Wimborne schools federated in April 2019 as an interim step towards amalgamation to allow the schools management, leadership and practice to be aligned over the two Wimborne schools. The full amalgamation of the two schools was expected to take place in September 2020.
- 5.2 The amalgamation of Wimborne Infant and Wimborne Junior schools would benefit the school and the parents/carers of the children attending the school as described in paragraph 3.3.

6 Integrated impact assessment

- 6.1 An integrated impact assessment is not required as the recommendations do not have a positive or negative impact on communities and safety, regeneration and culture, environment and public space or equality and diversity.

7. Legal implications

- 7.1 Statutory proposals relating to the amalgamation of community maintained infants and junior schools are subject to the relevant provisions in the Education and Inspections Act 2006 and the School Organisation (Establishment and Discontinuance of Schools) Regulations 2013. The local authority must also have regard to the DfE's 'Opening and closing maintained schools: statutory guidance for proposers and decision-makers' November 2019.
- 7.2 As set out in this report and the above legislation, prior to the publishing of any statutory proposals, the local authority must consult such persons as appear to them to be appropriate before making a decision to publish proposals to establish a new school and/or discontinue an existing school. If the local authority then decides to proceed with the proposal, it must publish statutory proposals under section 11 and section 15 of the Education and Inspections Act 2006 in the manner prescribed in the Act and Regulations. The final decision on the proposals will be made by the Schools Adjudicator.
- 7.3 In considering the recommendations in this report, the decision maker must be satisfied that adequate pre-statutory consultation has been carried out. The regulations leave it to the local authority to decide how consultation is carried out and for how long the consultation lasts.
- 7.4 It is within the Cabinet Member's powers to approve the recommendations set out in paragraph 2, once full consideration of the pre-statutory consultation responses has taken place.

8. Director of Finance's comments

- 8.1 The costs of publishing statutory proposals will be met from within the existing Education Department Budget.
- 8.2 Should the Schools amalgamate in September 2020, under the current funding arrangements, the new primary school will continue to receive funding to the equivalent of the infant and junior budgets (including two Lump sums) until 31 March 2021. From the financial year following that in which the schools amalgamate the new school would only be eligible for one lump sum allocation, however the Schools and Early Years Finance (England) Regulations 2020 provide transition arrangements for schools amalgamating. This would enable the new primary school to retain 85% of the two lump sums in the financial year following the year of amalgamation. Based on the national fair funding lump sum value of £114,400 the amalgamated school would see a funding reduction of approximately £34,300 in the 2021-22 financial year.
- 8.3 In future years, the amalgamated schools budget share will be recalculated to determine whether the school is eligible for 'minimum funding guarantee' protection based on the combined 'per pupil' funding rate.
- 8.4 Any balances remaining on the closure of the maintained infant and junior schools must be transferred back into the Dedicated Schools Grant. The regulations allow the authority to allocate an equal and opposite amount to the successor school via the schools specific contingency fund.

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Signed by:
Director of Children, Families and Education

Appendices:

- APPENDIX 1: Consultation Document
- APPENDIX 2: Consultation Responses

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
Statutory Guidance - "Making 'prescribed alterations' to maintained schools"	https://www.gov.uk/government/publications/school-organisation-maintained-schools

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

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Signed by: