

Executive Decision Report

Determination of Statutory Proposals – Proposed reorganisation of Braunstone Frith Infant and Junior Schools

Decision to be taken by: Assistant Mayor and Executive
Lead Member for Education and Children’s Services

Decision to be taken on: 2nd April

Lead director: Rachel Dickinson



City Mayor

Useful information

- Ward(s) affected: New Parks
- Report author: Rob Thomas, School Organisation Manager, Young People's Services, Education and Children's Services Department
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- Report version number: 3.0

1. Summary

To seek a determination to statutory proposals to change the age range of Braunstone Frith Infant School, from its current age range of 4 through to 7, to an age range of 4 through to 11 to become an 'all through' primary school and enlarge the school's capacity and a related proposal to close Braunstone Frith Junior School.

2. Recommendations

1. Scrutiny is invited to consider this matter and advise the Executive accordingly;
2. The Executive (Assistant Mayor) is recommended to review the information provided within this report and agree that the proposals as published be approved, namely;
 - i. that Braunstone Frith Infant School will change its age range from its current age range of 4 through to 7, to an age range of 4 through to 11 with effect from 1st September 2013
 - ii. that Braunstone Frith Infant school will enlarge its capacity from its current capacity of 225 to 525 pupils with effect from 1st September 2013.
 - iii. that Braunstone Frith Junior School will close with effect from 31st August 2013.

3. Supporting information including options considered:

The Local Authority published a statutory notice and detailed proposals to change the age range of Braunstone Frith Infant School to an 'all through' primary school and enlarge the school's capacity and a related proposal to close Braunstone Frith Junior School on 2nd February 2013. A six week period of representation followed, during which no representations have been received.

The role of the LA as Decision Maker:

Decisions on School Organisation are taken by the City Council as the relevant Local Authority or by the schools adjudicator dependent on the decision required. As this proposal is for a change of status at an existing school and closure of a school, then in this instance, the decision falls to the City Council and not the Schools Adjudicator.

Statutory Guidance – Factors to be considered by the LA as Decision Maker in

making changes to maintained mainstream school and closing a maintained mainstream school

Effect on Standards and School Improvement

A system shaped by Parents, Standards & Schools Causing Concern

The Government wishes to see a dynamic system in which:

- weak schools that need to be closed are closed quickly and replaced by new ones where necessary; and
- the best schools are able to expand and spread their ethos and success.

Braunstone Frith Junior School was inspected in February 2012 and judged to be 'inadequate'. In addition the Headteacher at that time secured a headship at another school and left the school at the end of the spring term.

The school has since made good progress towards the required improvements and is jointly being led by an LA appointed Executive Headteacher and the Headteacher of Braunstone Frith Infant School. Many of the Infant School systems to improve learning have been introduced to the Junior School and are now common across both schools.

Special Education Needs

All pupils with SEN will continue to receive education to meet their needs at the new 'all through' primary school.

Diversity

There would be no impact on the diversity of educational provision in the area. The 'all through' primary school will offer the same capacity of provision as the combined Infant and Junior Schools current capacity.

Every Child Matters

The pupils in Braunstone Frith Junior School will be 'transferring' to the new 'all through primary school which is a 'good' school with good leadership and management so outcomes of Every Child Matters would be achieved effectively.

Provision for Displaced Pupils

There will be no displaced pupils. The enlargement of the Infant School to an 'all through' primary school will be able to accommodate all pupils in Braunstone Frith Junior school. The Admission Number of 75 will be maintained by the new primary school.

Surplus Places

The City has a year on year birth rate rise leading to increased annual admissions to reception year. The new primary school will allow pupils to remain in the school for all of their primary education and over time all year groups will be full.

Impact on the Community

There will not be any impact on the community. The new primary school will serve the same community and all extended services will continue to be offered.

Community Cohesion and Race Equality

There are no direct impacts as part of the proposals. The new primary school will continue to serve the same community.

Travel and Accessibility for All

The new primary school will utilise the sites of both Braunstone Frith Infant and Junior schools therefore there will be no change in the travel journey to school.

Equal Opportunity Issues

There are no direct impacts as part of the proposals. The new primary school will continue to serve the same community. The enlargement of Braunstone Frith infant School to an 'all through' primary school and closure of Braunstone Frith Junior School will ensure that all pupils attending the primary school will have access to a 'good' school.

Funding and Land

No new or additional site is required for these proposals. Some additional building work and/or remodelling of existing buildings may be required within the existing sites. This will be phased in agreement with the school, be subject to the normal planning process and funded from the Local Authority.

Views of Interested Parties

There were no comments received by the Local Authority during the representation stage of the proposals.

Decision Making Options

In considering prescribed alteration proposals, the Decision Maker (LA) can decide to:

1. reject the proposals;
2. approve the proposals;
3. approve the proposals with a modification (e.g. the implementation date); or
4. approve the proposals subject to them meeting a specific condition

Conclusions

On the basis that there have been no representations to the statutory notice and detailed proposals, the commentary set out in this report, and statutory considerations, the Executive is invited to determine the proposals by approving the change of age range and enlargement of Braunstone Frith Infant School with effect of 1st September 2013 and the related proposal to close Braunstone Frith Junior School with effect from 31st August 2013.

4. Details of Scrutiny

The statutory notice was published in the Leicester Mercury on 2nd February 2013. Copies of the notice were also posted at all entrances to the schools and also at a local community centre (Sharman Crescent Recreation Centre).

Copies of the statutory notice and complete proposals were also sent to:

- The Governing Body of both schools.
- The Church of England Diocesan Board of Education (Leicester)
- The Roman Catholic Diocesan Board (Nottingham)
- Secretary of State for Education via School Organisation Unit

In addition, the Local Authority published copies of the statutory notice and complete

proposals and background information on its website on a dedicated page:
www.leicester.gov.uk/bfij

5. Financial, legal and other implications

5.1 Financial implications

For 2013/14 the two schools will receive separate budgets until amalgamation. The budget of the combined school will be £100k less than the sum of the existing individual school budgets. This is because schools are given a lump sum of £100k per school which is to cover fixed costs. The lump sum payments are not included in the minimum funding guarantee which caps reductions in variable funding rates to schools to 1.5% following events of this type.

In the past the local authority has, with the agreement of Schools Forum, provided transitional funding from the Dedicated Schools Grant (DSG) to allow the new school to reduce its cost base over a period of time. This was done when Queensmead Infant and Junior Schools were combined in 2006.

The size of the funding reduction in this case is more significant than would have been the case under previous funding regimes. The local authority now has much less flexibility in retaining centrally dedicated schools grant funding for specific purposes such as providing transitional relief.

Although not confirmed with DfE, we believe we will be able to use existing one off unspent DSG to fund this transitional relief. Further work is needed to establish with the school the extent of the financial assistance required. Whether unspent DSG or the fund for schools facing exceptional cost pressures is used we will need to gain approval of Schools Forum.

Capital works has been included as part of the new basic need works programme.

Martin Judson, Head of Finance

5.2 Legal implications

1. The procedures adopted for the changes highlighted in this report have followed a strict statutory process. Mandatory considerations to which the decision-maker must now have regard are highlighted in section 3.
2. In considering proposals for a school closure, the Decision Maker can decide to:
 - reject the proposals;
 - approve the proposals;
 - approve the proposals with a modification (e.g. the school closure date); or
 - approve the proposals subject to them meeting a specific condition
3. All decisions must give reasons for the decision, irrespective of whether the

proposals were rejected or approved, indicating the main factors/criteria for the decision. In addition, where proposals are decided by the LA a copy of the decision must be sent to the Office of the Schools Adjudicator

4. The proposers are under a statutory duty to implement any proposals which an LA or schools adjudicator has approved, by the approved implementation date. The proposals must be implemented as published, taking into account any modifications made by the Decision Maker

5. Appeals must be submitted to the LA within 4 weeks of the notification of the LA's decision. On receipt of an appeal the LA must then send the proposals and the representations (together with any comments made on these representations by the proposers) to the schools adjudicator within 1 week of the receipt of the appeal. The LA need to also send a copy of the minutes of the LA's meeting or other record of the decision and any relevant papers. Where the proposals are "related" to other proposals, all the "related" proposals must also be sent to the schools adjudicator.

Kamal Adatia
City Barrister & Head of Standards

5.3 Climate Change and Carbon Reduction implications

If the overall building footprint of the primary school is similar in size to the existing separate infant and junior schools then the carbon dioxide emissions will be lower. This is predominantly because the new parts of the primary building and any refurbishment to the existing building will be completed to a higher environmental standard and will produce fewer emissions per m2 floor area. If the development requires planning permission it may also be subject to planning policy CS2, incorporating retained policy BE16, which will require on-site renewable energy. The emissions could be further reduced by providing the new school with active energy management support once it has been occupied. These measures are important to ensure that the council meets its target to reduce carbon dioxide emissions to 50% of the 2008/09 level by 2025/26.

Opportunities to incorporate Sustainable Urban Drainage and other climate change adaptation measures should also be considered.

Mark Jeffcote, Environment Team (x296765)

5.4 Equality Impact Assessment

Aside from ensuring that any new building works adopt inclusive design principles, there are no equality implications to the proposed change of school status to have one primary school rather than separate infant and junior schools. The catchment areas remain the same, as does the age range of school provision for children in the catchment area. The close location of the two schools should not disadvantage pupils in terms of travel distance to school.

Irene Kszyk, Corporate Equalities Lead

5.5 Other Implications (You will need to have considered other implications in preparing this report. Please indicate which ones apply?)

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6. Background information and other papers:

Previous reports:

- Education & Children’s Services Scrutiny – 30 October 2012

Previous Decision Sheets:

- 19 June 2012
- 1 February 2013

Copies of statutory notice and complete proposals:

- www.leicester.gov.uk/bfij

7. Summary of appendices:

N/A

8. Is this a private report (If so, please indicated the reasons and state why it is not in the public interest to be dealt with publicly)?

No

9. Is this a “key decision”?

Yes

10. If a key decision please explain reason

Significant Effect on 2 or more wards.