

Executive Decision Report

Determination of Statutory Proposals – Proposed changes to St Mary’s Fields Infant School

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

Decision to be taken on: tbc

Lead director: Elaine McHale



City Mayor

Useful information

- Ward(s) affected: Braunstone Park & Rowley Fields
- Report author: Rob Thomas, School Organisation Manager, Young People's Services, Education and Children's Services Department
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- Report version number: 2.0

1. Summary

To seek a determination to statutory proposals to change the age range of St Mary's Fields Infant School, from its current age range of 3 through to 7, to an age range of 3 through to 11 to become an 'all through' primary school and enlarge the school's capacity.

2. Recommendations

1. 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 St Mary's Fields Infant School will change its age range from its current age range of 3 through to 7, to an age range of 3 through to 11 with effect from 1 September 2014;
 - ii. that St Mary's Fields Infant School will enlarge its capacity from its current capacity of 236 to 420 pupils with effect from 1 September 2014.
2. Scrutiny is invited to consider this matter and advise the Executive accordingly

3. Supporting information including options considered:

The Local Authority published a statutory notice and detailed proposals to change the age range of St Mary's Fields Infant School to an 'all through' primary school and enlarge the school's capacity on 21 January 2014. 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, 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

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.

St Mary's Fields Infant School was inspected in April 2010 and judged to be 'good'. An interim assessment was made in January 2013 and the school's performance was found to have been sustained, leading to the next full inspection to be deferred.

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 increase capacity in Key Stage 2 in the area, helping to address increased need for school places.

Every Child Matters

St Mary's Fields Infant School is a 'good' school with good leadership and management so outcomes of Every Child Matters would be achieved effectively.

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

A positive community impact may be achieved through the removal of the need for the 'Junior transfer' process for St Mary's Fields pupils at Y2-Y3. Families with multiple children may benefit through KS1 and KS2 children being able to attend the same school. 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 current site of the Infant School therefore there will be no change in the travel journey to school.

Equal Opportunity Issues

The school will continue to meet its equality duties. The new primary school will continue to serve the same community. The enlargement of St Mary's Fields Infant School to an 'all through' primary school will ensure that all pupils attending the primary school will have access to a 'good' school.

Funding and Land

Some additional building work will be required on the adjacent playing field and some

remodelling of existing buildings may be required within the existing site. This will be phased in agreement with the school, be based on the Council's inclusive design principles, and will be subject to the normal planning process. Funding has been committed by 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 St Mary's Fields Infant School with effect of 1 September 2014.

4. Details of Scrutiny

The statutory notice was published in the Leicester Mercury on 21 January 2014. Copies of the notice were also posted at all entrances to the school and also at a local community centre (Manor House Neighbourhood Centre).

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

- The Governing Body;
- 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/stmarysinfant

5. Financial, legal and other implications

5.1 Financial implications

The additional revenue funding required by the school will be provided through a combination of the school funding formula and exceptional cost pressures until such time as the school reaches full capacity. The cost of mobile classrooms is being funded from the capital programme until a permanent solution is completed as part 2 of the Basic Need works.

Martin Judson, Head of Finance

5.2 Legal implications

The expansion of St Mary's Fields Infant School will be regarded as an "alteration to the upper age limit" under the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007, Schedule 4, Part 1, S 3. The decision is one for the Authority to take.

There is a staged process to follow of consultation, publication (of the prescribed information at the schools main entrance and in one local newspaper; closely followed by forwarding a complete set of the proposals and details of the information published to the Secretary of State within one week of publication), allowing for a period of representation (six weeks), decision making (to be made within the period of 2 months from the end of the representation period) and implementation (if approved, implementation to be in the form that the proposals were approved to be carried out by the Governing Body).

If the process is followed this will prevent challenge on procedural grounds from being successful.

Legal advice was sought as to the content of the prescribed information to be published and the remaining procedural steps have been identified within this report up to the decision making stage.

Once the decision to implement is made, there is a process to follow to revoke the proposal should it not prove feasible or in the event of post decision modifications.

Caroline Woodhouse, Supervisory Solicitor

5.3 Climate Change and Carbon Reduction implications

Increasing the size of the school will increase energy use and carbon dioxide emissions. However, the new parts of the 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

5.4 Equality Impact Assessment

The proposal to extend the age range of children attending the school will impact on the protected characteristics of age, gender and disability (reflecting the equality duties the school is responsible for meeting). There are no anticipated negative impacts arising for either children attending the school or their families.

Families with young children who would otherwise have children attending two different primary schools would positively benefit in having easier access to one school site, thereby benefiting family life.

Irene Kszyk, Corporate Equalities Lead, ext. 374147

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

6. Background information and other papers:

Previous reports:

- Executive Briefing –
- Education & Children’s Services Scrutiny – 6 January 2014

Previous Decision Sheets:

- 7 January 2014

Copies of statutory notice and complete proposals:

- www.leicester.gov.uk/stmarysinfant

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

The decision regards the change of status of a school.