

WIRRAL COUNCIL

CABINET

3RD FEBRUARY 2011

SUBJECT:	REVIEW OF PRIMARY SCHOOL PLACES: OUTCOME OF CONSULTATIONS ON OPTIONS PUT FORWARD FOR THE PHASE 6 PLANNING AREA
WARD/S AFFECTED:	SEACOMBE
REPORT OF:	INTERIM DIRECTOR OF CHILDREN'S SERVICES
RESPONSIBLE PORTFOLIO HOLDER:	CLLR SHEILA CLARKE
KEY DECISION	YES

1.0 EXECUTIVE SUMMARY

- 1.1 This report advises the Cabinet of the outcomes of the consultation process which has taken place in the South Wallasey planning area, agreed at Cabinet on 24th June 2010. This report describes the responses to the various options put forward for discussion, including additional suggestions put forward during the consultation process, and makes recommendations with regard to statutory proposals in this area.
- 1.2 School re-organisation fits into the Council's Corporate Objectives: "to help children and young people achieve their full potential"; and "create an excellent Council". The outcomes of school re-organisation meet the Council's Aim to "Close the attainment gap where poverty and disadvantage affect achievement" by removal of surplus places to ensure public money is spent to maximum effect in all our schools.

2.0 RECOMMENDATION/S

- 2.1 1) That statutory proposals be published in respect of the following option:
Option A1, closure of Kingsway Primary School from August 2012.
- 2) That the Director of Children's Services be authorised to take all necessary steps to publish these proposals, ensure the prescribed procedures are followed, including requesting permissions from the Secretary of State and proposals for the re-zoning of schools, in furtherance of the proposals.
- 3) That Brentwood Early Years Centre be monitored in terms of numbers and viability and that the governing body be supported in considering

alternative options for shared governance arrangements as opportunities allow.

- 4) That a scheme be drawn up for the replacement of mobile accommodation at Somerville Primary School with permanent accommodation on a phased basis.

3.0 REASON/S FOR RECOMMENDATION/S

- 3.1 The consultation options for schools were within the context set out by the Director of Children's Services, of the need to reduce the growing number of primary school surplus places and took account of Audit Commission guidance on surplus places against a continuing fall in the number of primary age pupils, and issues identified in the Joint Area Review.

In addition to removing unnecessary surplus places, the options were intended to make more effective use of resources, take account of patterns of parental preference, reflect the additional challenges of maintaining small schools in an urban area and contribute to the wider standards agenda through the more efficient use of resources.

- 3.2 There two legal routes to achieve a reduction by one school in an area. Amalgamation involves the closure of both existing schools, with the opening of a new school on an existing site (7.13-7.23). Prior to changes to the regulations, this was the Authority's preferred route where a pair of closely located schools were reduced to a single institution on a single site. However, following the implementation of the Education and Inspections Act 2006, all new primary schools are now subject to a "competition" where the Authority invites bids to establish the best provider for the new school, which would be a Foundation school. The Authority has not yet operated a competition, however guidance, as well as experience from other authorities shows that reaching a decision under the statutory competition process is likely to take at least 6 months longer than would be the case without a competition. It is unlikely that approval to establish a new school without a competition would be granted in this case. This means that the Authority would have to apply to the Secretary of State for permission to submit a proposal for a community school within the competition.

3.3

- 3.4 The benefits of a single closure are legal and organisational simplicity. The staff of one school only are made technically redundant and available for redeployment. Disruption to pupils can be further minimised by guaranteeing all the pupils from the closing school a place at the retained school, which provides the same benefits of an amalgamation in terms of pupils moving with their friendship groups. The retained school can occupy its existing site, although it could be relocated.

- 3.5 Riverside Primary School has the largest capacity, on the larger of the two existing sites, with the least capital expenditure required to accommodate the pupils from both schools if required. The most vulnerable children, those in the Special Needs Unit, would have continuity of provision on the same site.

- 3.6 Option A1 for the closure of Kingsway Primary School (7.1-7.12) is recommended to proceed as a statutory proposal with effect from August 2012, with a proviso to guarantee all former Kingsway pupils on roll at the time of the school's closure a place at Riverside Primary School.

Former Kingsway parents who did not wish to take up the guaranteed place at Riverside Primary would be offered the opportunity to express a preference for an alternative primary school. Places at these schools would then be allocated based on the admission criteria published in the Authority's booklets for parents, within the limitations of the Infant Class Size limit.

- 3.6 Brentwood EYC has a 2011-2012 budget which the governing body believe can support the school without loss of quality, based on current numbers on roll. On this basis, it is recommended to continue to maintain the school whilst the impact of the funding change is monitored. The number of 0 to 4 year olds in South Wallasey is expected to fall from 2011. Should the viability of Brentwood change significantly the position of the school will need to be reconsidered.
- 3.7 In conjunction with Option A1 and in line with the priorities of the Primary Capital Strategy, replacement of the temporary mobile accommodation at Somerville Primary School with permanent build should be considered as a high priority project for future capital funding.

4.0 BACKGROUND AND KEY ISSUES

4.1 Context of the School Organisation Plan

Until March 2005, School Organisation Committees (SOC) were required by law to have regard to the School Organisation Plan (SOP) when considering statutory proposals for changes to schools' provision. The plan itself was approved on a regular basis by the SOC. However the SOP was one of seven statutory plans repealed by the Children Act 2004. The SOC itself has now been abolished by the Education and Inspections Act 2006 with effect from 25th May 2007. Nevertheless the policies and principles set out in the SOP remain an important context in which the Wirral Primary Review was set, and continue to be key guidance for the consideration of statutory proposals.

4.2. DCSF guidance on the School Organisation Plan stated that

"The key purpose of the School Organisation Plan is to set out clearly how the Local Education Authority (LEA) plans to meet its statutory responsibility to secure sufficient education provision within its area in order to promote higher standards of attainment. It should be designed to help the key stakeholders – LEA, schools, promoters, parents and local communities, understand what school places are needed at present and in future, and how they are provided. Importantly it will be the starting point... in considering statutory proposals for changes to schools".

- 4.3 As indicated above, the plan contains the policies and principles proposed by the LA and agreed by the former SOC for the planning of school provision. It will be seen that the intention (prior to the abolition of the requirement to

consider the plan) was that any proposal should be considered within the context of the principles set out in paragraphs 3 to 5 of the Policies and Principles. There is an over-riding requirement that overall provision is effective and efficient, i.e. that there should be an appropriate balance between school places and the following principles/criteria:

- parental preference
- delivering the curriculum
- meeting statutory and desirable goals on class sizes
- maintaining or promoting diversity
- SEN
- standards
- accessibility
- (secondary schools only) post 16 provision
- contribution to the community.

Paragraph 4 of the Policies and Principles adds the issue of overall school size within the primary sector and paragraph 5 deals specifically with the objectives of the Diocesan authorities.

4.4 View of the Wirral Schools Forum

Members should note that in June 2005 the Schools Forum passed the following resolution:

“Resolved - That Wirral Schools Forum recognises that the local education authority has a duty to maintain and fund schools in an efficient and effective manner. This implies that the number of schools should reflect the pupil population and the needs of Wirral communities, which could mean the amalgamation or closure of schools for the efficiency and effectiveness of the service.”

4.5 Primary Capital Programme

The PCP was the sister programme to the secondary Building Schools for the Future (BSF) programme. It shared many similarities in terms of aims and objectives in that it sought the transformation of education leading to increased attainment, the development of state of the art modern learning environments and extended schools. However, the PCP differed in that it was not a competitive bidding programme and local authorities received an annual allocation of capital investment.

On 22nd May 2008, Council's Cabinet approved the Primary Capital Strategy. The aims of the Strategy reflect those of the Children and Young People's Plan. These include *“Public money is spent to maximum effect in all our schools”*, and *“Best match of provision to need is achieved by reviews of primary place provision continuing on a small planning area basis, once the first four year cycle of reviews is completed in Summer 2008. Focus to be on those small planning areas with the highest number of surplus places and those individual schools with more than 25% surplus places”*.

4.6 The funding priorities for the first four years of the PCP were:

- Major schemes arising from the on-going Wirral Primary Review, involving the building of new schools and refurbishment as part of a rationalization process to remove surplus places, achieve a better match between provision and need, both overall and at individual school level and provide high quality, flexible environments for learning.
- Replacement of the final three 1940's HORSAs kitchen dining units (one now remaining)
- Replacement of temporary accommodation at schools which are predicted to remain at or near capacity alongside additional provision as required and agreed.
- Projects resulting from changes in special needs provision in mainstream and special schools.

4.7 The 2011/2012 schools capital funding programme was announced on 13th December 2010. The vision, aims and priorities established by the PCP remain Council policy in prioritising major capital works in primary and special schools.

5.0 Primary Places Review Phase 6

At its meeting of 16th October 2008, Cabinet instructed that Phase 6 of the Primary Places Review should comprise South Wallasey, North Wallasey, Leasowe, Moreton, Upton and Greasby. At its meeting of 19th March 2009 Cabinet made an allowance for an amendment to Phase 6:

(404, item 4) Should the Joint Church school be approved and implemented as in (2), the Leasowe area be moved from Phase 6 of the Primary Places Review to Phase 8 accordingly.

5.1 As in previous phases, the first stage of the Review was to conduct a process where, on a confidential basis, meetings have taken place with key stakeholders in each of the areas under review. These stakeholders included Ward Councillors as well as officers of the Diocese of Chester and Shrewsbury, headteachers and chairs of governors of schools potentially affected by the Reviews.

5.2 Following these confidential discussions, recommendations were made for options for consultation in the next stage of the review process in the Cabinet report of 24th June 2010.

Following consideration of that report, Cabinet agreed that no options would be brought forward for the North Wallasey, Moreton, Upton and Greasby small planning areas at this time, although numbers and place provision would be kept under review. A number of options for consultation were proposed in respect of the South Wallasey area.

5.3 In relation to community school provision in South Wallasey, the options were:

- A – Closure of Kingsway Primary School
- B- Closure of Kingsway Primary School and Riverside Primary Schools in order to open a new establishment on the Riverside site (B1) or on the Kingsway site (B2)
- C – Closure of Brentwood Early Years Centre, to be converted to Early Years provision governed by Somerville Primary School either in situ on the Brentwood site (C1), or in new accommodation on the Somerville site (C2).

These options were approved for consultation. In the final documentation, the options were renamed as follows: A became A1, B1 became A2 and B2 became A3. As a result, C1 became B1, and C2 became B2.

5.4 The consultation process and the presentation of LA, small planning area and school data to this wider audience does appear to have persuaded most people of the need to reduce the number of school places, though understandably people wish to advocate the case for their school in respect of closure or amalgamation options.

5.5 In addition to the detail set out below, analysis of the comments received and further records of views put forward during the consultation period are attached as Appendix 1. Feedback is set out school by school. The record for each school brings together the responses from the meeting held at the school, together with any points raised in written or e-mail submissions to the Authority. The full text responses received have been provided to members on an accompanying CD-ROM.

Outcome of the Consultation

6.0 Further suggestions in relation to school provision in the South Wallasey area were made as part of the consultation process:

- Close Riverside Primary School
- Close Brentwood EYC and move Foundation 1 pupils to Kingsway

Further discussion of these suggestions is given with the related consultation options below.

6.1 There were several key themes in the combined responses from consultees:

- General understanding of the falling rolls situation
- Effect of proposed housing and demographic changes on pupil numbers
- Respect for school staff in their skills and relationships with pupils and parents
- Educational standards and quality of provision
- Concern for the fate of closed buildings and sites
- Travel distance to school and the effect on traffic and road safety
- Disruption to pupils' education and confidence

- Class sizes
- Importance of small schools
- Effect of any change on children with special educational needs
- Importance of out of hours facilities, such as adult learning and breakfast clubs
- Importance of early years provision, including day care facilities
- Relationship between school and community
- Keeping friends and siblings together
- Staff redeployment
- Continuity of school over several generations.

7.0 **Commentary on options**

The next section of the report comments on the agreed options, discussing individual schools separately where appropriate. Numbers on roll are from the January 2010 School Census.

A1 Closure of Kingsway Primary School

- 7.1 Kingsway Primary is a small school with 99 pupils on roll, almost half the number on roll just 10 years ago (189). This is largely the result of the falling population. Although 64% of potential community school parents living in the catchment zone choose to send their children elsewhere, principally to Riverside Primary School (24%, 28 pupils) and Somerville (21%, 24 pupils), 62% of pupils on roll in Summer 2010 came from outside the school's catchment zone, which meant that overall "outflow" was almost net neutral (-1%, 1 pupil).

Despite reducing the overall capacity of the school from 210 to 177 places, there are a large number of surplus places (44%, 78). This is predicted to fall slightly to 37% (66 surplus places, 111 pupils) by 2016, but remaining well above 25% surplus. In 2010-2011, expenditure per pupil was £4,538 compared with the Wirral average of £3,169. This was the third highest expenditure per pupil in Wirral.

- 7.2 The contextual value added score (100.6) for Key Stage 2 in 2010 shows that pupils at Kingsway Primary School are making progress in line with similar pupils in other schools (see Appendix 2). A three year average of the overall contextual value added score (2008 to 2010) shows that Kingsway, Somerville and Riverside Primary schools are making the expected rate of progress (100.3, 100.8 and 100.9 respectively) with no significant difference in performance.
- 7.3 Respondents from Kingsway Primary praised the school's good standards, the small "family" environment and the quality of the relationships between parents, pupils and staff. Pupils particularly liked trips and extra-curricular activities. There were concerns about standards at other schools (see Appendix 2), disruption to children's education, and about additional travel distance.

- 7.4 The possibility of raising the school's roll by extending the Foundation 1 class from part-time places to full-time places was raised, presumably because those children would then be expected to stay on into Foundation 2. In January 2010 the nursery class at Kingsway was attended by 10 part-time 2 and 3 year olds (5 FTE). School nursery classes offer free part-time places to three year olds – full time places are offered only under exceptional circumstances. In addition, there is no guarantee of places for F1 pupils in F2 at that school, nor that those parents will continue to F2 in the same school that their child attended nursery.
- 7.5 A suggestion was made that the Authority should “cap” the number of children attending other local schools so that more would be forced to attend Kingsway. The admission number at a school is indicated by the Net Capacity of the school's building. The admissions authority for a school cannot set an admission number lower than that indicated by the Net Capacity without consulting and publishing formal notices. If oversubscribed, this lays the school open to appeals on the grounds that they have space, and makes it difficult to demonstrate at appeal how prejudice to efficient education or efficient use of resources will be caused by admitting additional pupils.
- 7.6 Travel distance to alternative schools was raised. The distances between schools in this area are not great. Analysis of current Kingsway pupils indicates that on average, children travel 0.6 miles to school, with 94% of pupils travelling less than 1 mile to school. The same average and percentage applies to these pupils travelling to nearby Somerville Primary School. For the same group of pupils to travel to Riverside, the average distance is 0.8 miles, with 91% travelling less than 1 mile to school. A difference of 0.2 miles between the average travel distance to Kingsway/Somerville, and the average travel distance to Riverside, equates to about 320 metres, or an additional 3-4 minutes walk. Individual walking distances will depend on the pupil's home address.

For 100% of pupils currently attending Kingsway, travel to one or more alternative primary schools would be shorter or similar in length to their current journey. Appendix 3 is an aerial photograph of the South Wallasey planning area showing schools.

- 7.7 A concern was raised about whether there would be places for pupils at their chosen school if Kingsway were to close, and whether children would be separated from their friends. The Authority's policy says that pupils aged under 8 can travel up to 2 miles to school before being entitled to free transport. There are currently 22 alternative primary schools within a 2 mile radius of Kingsway, at which in September 2010 there were 1,074 surplus places, compared to the number on roll at Kingsway of 99 pupils. Excluding those schools in the Birkenhead planning areas, there were 534 surplus places at Wallasey primary schools within 2 miles.

At alternative Wallasey primary schools within just 1 mile, there were 426 surplus places in September 2010.

In terms of catchment zone changes, just a third of the children currently on roll at Kingsway actually live in Kingsway's catchment zone – two-thirds are already in-zone for a different community primary school. If the catchment zone is divided between local schools as indicated in the consultation documents, for these 29 pupils, 18 would subsequently be newly in-zone for Riverside, and 11 would be in-zone for Somerville.

If the event of closure being approved, parents/carers would be asked to express a preference, and the Authority would try its utmost to fulfil those preferences. Places would then be allocated using the admissions criteria, which include "in-zone" status, and keeping brothers and sisters together at the same school wherever possible, subject to the Infant Class size limit. In previous proposals, for example, the closure of Poulton Primary School, the issue of friendship groups moving together has been accommodated by including a proviso in the statutory notice so that all pupils are guaranteed a place at one local school, in order that all pupils have the opportunity to move together to the same school if they wish to do so.

- 7.8 The Authority's definition of a "small" school was questioned, and some respondents while recognising that small schools were expensive, felt that small schools or classes were better for some children.

Commentary on small schools

- 7.9 The Authority funds its schools through the operation of its local funding formula. The formula is designed so as to ensure that sufficient resources are made available to schools for the pupils they have to teach. The formula ensures that, however small a school, it will have sufficient resources. One would not therefore expect any school, simply through smallness, to become financially unviable. What does happen is that small schools draw in a greater share of the resource per pupil from the total available for distributing among all schools.

Since the total sum available for spending on all our children does not increase if we choose as an Authority to organise our children in more schools than is necessary for the efficient and effective delivery of education, it follows that the maintenance of small schools, where this is not necessary, comes at the expense of all other children.

The key questions therefore in terms of use of resources are:

- i) How small does a school need to be within the context of Wirral before it would be considered as contributing to an ineffective use of resource?
 - ii) Are there reasons in specific cases why individual schools although "small" by Wirral standards should continue to be maintained even though they are relatively expensive?
- 7.10 With regard to Wirral's policy on small schools, the School Organisation Plan (agreed in 2003) contained the proposal that the LA "should consider the implications of an increasing number of primary schools with less than one form of entry – 30 pupils and therefore primary schools with fewer than 210

pupils i.e. 7 x 30". That review was carried out in great detail and with the involvement of a wide range of Headteachers, and culminated in the policy document "The Pursuit of Excellence". This policy adopted in 2004 suggests that a school should have at least 180 pupils in order to be viable. The guidance to Decision Makers makes no mention of school size. DfE guidance says that "Schools with fewer than 150 pupils may be educationally and financially sustainable only through substantial subsidies via their local authorities funding formula":

www.teachernet.gov.uk/management/fallingschoolrolls/schools/educational_decisions

One problematic issue is the potential difficulty of mixed age teaching, especially across key stages.

- 7.11 With regard to organisational viability there can be no question that small schools face greater challenges. This of course does not mean that at any one time a particular small school cannot produce excellence through having outstanding teachers. Furthermore it is often the case when small schools are considered nationally that many small schools enjoy a number of advantages as a result of their location and are attractive to staff. In many parts of the country it is a clear necessity to maintain small schools because the alternative would be that children be transported, perhaps for a number of miles, to the nearest school. Authorities who have such schools receive additional sparsity funding from the government which enables them to spend more on these schools without it being at the expense of others, in order for them to be organisationally viable. Wirral does not receive this element of grant.
- 7.12 Our experience in Wirral, has been that while overall until quite recently we have had few primary schools that have fallen into one of the Ofsted categories of concern, those that have done so have generally been among our smaller schools. We do not believe that this is coincidence: it arises because of the inevitable requirement on individual staff in small schools to take on wider burdens of responsibility and from the disproportionate impact which one weaker member of staff will have on the school as a whole.

A2/A3 Amalgamation of Riverside Primary School and Kingsway Primary School at either site

- 7.13 The two schools taken together have a combined roll of 284 pupils, which is not large in Wirral terms. The pattern of parental preference in this area indicates a high level of mobility between catchment areas facilitated by high levels of surplus places, as well as overlap between the pupil populations of the two schools, with more children from Kingsway's zone attending Riverside Primary School than making the reverse journey.
- 7.14 CVA scores for the two schools indicate that at Kingsway in 2010 pupils made progress in line with similar pupils at other schools (100.6), while at Riverside pupils made more than the expected rate of progress (101.7). Good standards were cited by some respondents as a reason not to amalgamate the two schools, on the basis that the ensuing disruption would impact upon

the quality of education and threaten standards. A minority of parents indicated that they would not want their children to be educated with children from the other school due to a perceived difference in background; however geographical analysis of where parents live indicates that there is an overlap between the pupil populations of the two schools.

Staff from both schools have strongly expressed their commitment to ensure that all pupils would be welcomed in any setting, whatever the outcome of the consultation.

- 7.15 Respondents allied to both schools were concerned that the site for any amalgamated school should be carefully chosen. Issues around traffic and parking were raised around both sites.
- 7.16 If all pupils from both former schools attended an amalgamated school, it is estimated that the Riverside site could accommodate pupils from both schools with little capital expenditure, whereas the Kingsway site would require more extensive capital works. Whichever site were chosen, the other building could potentially be utilised to accommodate pupils whilst construction work was underway.
- 7.17 Respondents from Kingsway believed that Kingsway has scope for expansion and redevelopment if chosen as the site for a combined school, possibly expanding into Oakdale Park to the rear of the school. Oakdale Park is designated Urban Greenspace under Wirral's Unitary Development Plan (GRE1, GR1). Recent renovations were mentioned as a reason to continue to use the building. Wirral's schools have benefitted from significant investment in recent years, and this is not unique to Kingsway.
- 7.18 Consultees allied to Riverside Primary School were largely in favour of the closure of Kingsway with parents able to apply for any local school, rather than amalgamation. Those respondents who were in favour of an amalgamation preferred the Riverside site, citing the larger size of the building and site, and the location of the building in particular the proximity to Guinea Gap Baths and views over the Mersey. The importance of minimising disruption to the vulnerable pupils in Riverside's SEN inclusion base was raised by a number of respondents.
- 7.19 Those who expressed opposition to an amalgamation at the Kingsway site felt that the Kingsway building would require more expenditure in order to accommodate all the pupils from both schools, and cited Kingsway's proximity to the Wallasey tunnel entrance, local "hostel" accommodation (Ash Villas) and Oakdale Park as negative points.
- 7.20 Air pollution at the Kingsway site due to the Wallasey tunnel was raised. The Council's Pollution Control team monitors air quality at locations across Wirral. The pollution levels in streets in the Kingsway area have been monitored over several years and have met the 2005 National Air Quality Standard. Ash Villas is operated by Forum Housing Association, providing 54 units of 24 hour supported furnished accommodation for 16 to 25 year olds.

- 7.21 Comparison of the two sites indicates that Riverside is the larger of the two sites, at 8,631 m², compared with 5,556 m² at Kingsway. The proportion of “green” space is similar – 40% at Kingsway and 47% at Riverside. The main buildings of both schools are similar in age. Riverside also has a two storey Edwardian annexe building.

Foundation and Community schools

- 7.22 In an amalgamation, both existing schools close and a new school opens. Under the Education and Inspections Act 2006, all new primary schools, as has been the case for some time in secondary schools, are subject to a “competition” where the Authority invites bids to establish the best provider for the new school. The Authority can enter its own proposal into the competition, and in many cases, particularly in primary school competitions, is likely to be the only entrant. Other possible proposers could include faith organisations, businesses, universities, colleges or a charitable organisation. A new school would be a Foundation school, not a community school. The Secretary of State can, however, decide to grant permission for Wirral LA to propose a new community school within a competition. The criteria that would be used are given in Appendix 4. An application could also be made to the Secretary of State for permission to establish a new school without holding a competition. While each case is different, examples in the guidance do not appear to apply if Riverside and Kingsway were to amalgamate. Reaching a decision under the statutory competition process is likely to take at least 6 months longer than would be the case without a competition.

- 7.23 The differences between community and Foundation schools are as follows:

- In a community school, the Local Authority owns the land, buildings and all the other assets of the school, employs the staff, and decides the admission criteria for the school. The running of the school is delegated to the governing body.
- In a Foundation school, as well as running the school, the governors own the land and buildings, employ the staff, and decide the admission criteria. The governors have greater freedom to spend money on building projects, and can choose to set their own term dates.

Pupils at Foundation schools follow the same national curriculum as those in community schools, and staff are employed on the same nationally agreed terms and conditions. Funding for Foundation schools comes from the Authority in exactly the same way as for community schools. While the governing body of a Foundation school could decide to have different admission criteria, the school still has to follow the same admissions code as community schools.

Other than the land and buildings, which must be conveyed from the Authority to the Foundation governing body or Trustees, other assets within the school (books, equipment etc.) remain the Authority’s property. Excellent relationships continue to be maintained with Wirral’s Foundation secondary schools, and there is no reason to believe that this position would differ in the case of a Foundation primary school.

- 7.24 Options A2 and A3 do not fall into any of the categories that would be highly likely to receive an exemption from the Secretary of State to hold a competition, e.g. an Infant and Junior amalgamation or reorganisation of schools with the same religious nature. Holding a competition will add 6 months to the decision making process, with extended levels of uncertainty about the future of primary schools in the local area which could have a destabilising effect on primary school rolls, and a case could be made for the need for expediency to resolve community uncertainty, however, it seems unlikely that approval to establish a school without a competition would be granted in this case.

Amalgamation, whilst offering an opportunity for the staff in particular, but also the pupils of both schools to start afresh in a “new school”, albeit in existing buildings, may not be the most appropriate solution in this instance.

Other suggestions raised during consultation for these schools

7.25 Closure of Riverside Primary School

A small number of respondents felt that the consultation should have included the closure of Riverside Primary School.

Riverside Primary School has 194 pupils on roll, having experienced a decline in pupil numbers over recent years. 10 years ago, there were 302 pupils on roll. Surplus places at the school are high (113 places, 37%) and projected to rise further by 2016 (136 places, 44%), at which point there are projected to be 171 pupils on roll. This is only just below the 180 mark at which schools become financially and organisationally more difficult to manage. The school has a successful SEN inclusion base. It is also the most northerly school in the South Wallasey planning area (nearest to the Mersey).

This suggestion is not recommended for further consideration.

7.26 Close Brentwood EYC and move Foundation 1 to Kingsway

This is effectively a variant on the B options where Brentwood would be closed, and F1 pupils moved to Kingsway Primary School, the intention presumably being that these children would then stay on to F2 and boost the school's roll.

Kingsway Primary School already has an F1 class, which in January 2010 was attended by 10 pupils (5 FTE). Parents in this area already have a choice whether to attend Kingsway's F1 class, or one of the other maintained, private and voluntary early years settings in the area.

Somerville Primary School, whilst hosting a private preschool, does not have a maintained F1 class – the only primary school in South Wallasey not to do so. If Brentwood were to close without a direct replacement in terms of F1 places locally at Somerville, parents of future F1 children may choose Kingsway's F1 class, however they could equally choose any of the other settings in the area at which there are available places. Pupils attending a maintained F1 class are also not guaranteed a place in the school's F2, neither are they obliged to take up a place in the school's F2.

This suggestion is not recommended for further consideration.

RECOMMENDATION

- 7.27 Taking into account the factors involved and the outcome of the consultation, it is recommended to proceed to the next stage of the process in relation to option A1, the closure of Kingsway Primary School, with an implementation date of 31st August 2012. The proposal is to include a proviso that all former Kingsway pupils are guaranteed a place at Riverside Primary School, should parents wish to take it up.
- 7.28 All current and projected pupils from Kingsway Primary could be accommodated at primary schools within a reasonable distance without requiring any new build classroom provision, dependant on patterns of parental preference. In September 2010, including only primary schools in the Wallasey area, there were 534 surplus places within 2 miles of Kingsway, and 426 surplus places within just 1 mile of Kingsway. As stated in 7.1 above, many parents living within Kingsway's zone already choose Riverside Primary School and Somerville Primary School.
- 7.29 The catchment zone of Kingsway Primary School would principally be divided between Riverside Primary School and Somerville Primary School, with a small area to Park Primary School. Parents currently in-zone for Riverside, Somerville and Park would continue to be in-zone and would be unaffected by this change.
- 7.30 The capacity of the Riverside building as it is currently organised is 307 pupils, and at Somerville Primary is 525 pupils. In the event that the new capacity at either school following any required internal adaptations and building works increases the building's capacity by 25% or more, a statutory expansion notice would be required.

B - Options involving Brentwood Early Years Centre

- 7.31 Brentwood Early Years Centre is an LA maintained nursery school with 40 full-time equivalent early years places for three and four year olds. This will reduce to 39 full time equivalent F1 places from April 2011. In January 2010 there were 52 part-time pupils attending the school (26 FTE). The school is also registered with Ofsted to provide 20 full day care places for children aged birth to 5 years, 48 weeks of the year from 8 am to 6 pm, 10 out of school places for 3 to 5 year olds attending the "main" F1 provision, and 12 term-time only crèche places.
- 7.32 In 2000, the Foundation Stage curriculum was introduced nationally as a distinct phase of education for children aged 3 to 5, with six statutory areas of learning: creative development; physical development; personal, social and emotional development; mathematical development; knowledge and understanding of the world; and communication language and literacy. Guidance makes it clear the importance of continuity and progression across the Foundation stage between F1 (nursery) and F2 (Reception). Across Wirral, just over half of all infant and primary schools have an LA designated F1 class, which allows this continuity to be managed, and eases the transition for pupils into "big school". Some schools have private pre-school provision

on site, which while not part of the school, often allows a close working relationship to develop.

- 7.33 There are three maintained Early Years Centres in Wirral. Two of these, Ganney's Meadow in Woodchurch, and Leasowe Early Years and Adult Learning Centre, are now designated as Children's Centres for their respective areas. Brentwood is now the only Early Years Centre not to have become a Children's Centre. The site of the Children's Centre in the South Wallasey area is Seacombe Family Centre.

The review and falling rolls

- 7.34 A minority of consultees were concerned that Brentwood EYC had been included in a review of primary schools, and felt that the school had been "picked on". To clarify why Brentwood EYC has been included in the review; nursery school provision forms part of the primary phase of education. Somerville Primary School excepted, every other primary school in the South Wallasey area has a nursery class as part of the school. More than half of Wirral primary and infant schools have a nursery class – the remainder do not have a maintained nursery class purely for historical reasons. Were these schools to be newly opening today, they would include a nursery class.
- 7.35 Primary school reviews in the two other areas with a nursery school have included that nursery school in the review from the beginning, and South Wallasey is no exception. The primary review would be incomplete if it did not take into account the maintained nursery school in the South Wallasey area.
- 7.36 Similarly, a minority of consultees expressed concern about the inclusion of Brentwood in a review that is perceived as principally about reducing surplus or empty places, and about the usage of those two terms. Brentwood has been operating below capacity for many years. Regardless of how the capacity of a school is determined, there are empty or surplus places in a school if the number of pupils on roll is below the capacity. The only difference is in the methodology that determines the capacity of a school.

- The "Net Capacity" method defines the capacity of primary and secondary schools. For primary schools, the net capacity is calculated on the basis of the number and size of spaces designated as 'class bases'. For secondary schools, it is based on the number, size and type of teaching spaces and the age range of the school.
- For nursery and special schools, the capacity is determined by the number of places.

The Government uses the words "surplus places" in an official sense in relation to an annual collection from local authorities which applies only to primary and secondary schools. This is the sense in which nursery schools do not form part of the Authority's surplus place calculation, as they are not required to be reported to the Government, nevertheless, these empty places do exist in nursery and special schools and must be considered when these schools are reviewed as part of school reorganisation.

7.37 The governing body and heads submissions stated that the birth rate is rising, including a Office for National Statistics (ONS) sourced graph showing numbers of 0 to 4 year olds rising until 2008, however the ONS has also produced data indicating that the number of 0 to 4 year old children in Wirral and Seacombe will continue to rise until 2011, but is then expected to fall again as far as 2033. There was a suggestion by some respondents that Seacombe does not follow the Wirral trends. Analysis of F2 pupil data over the past 20 years does not support this. There is a very strong positive correlation between the overall Wirral pupil population and the South Wallasey pupil population – that is, as the value of one goes down, the value of the other also goes down.

7.38 The governing body suggested that the presence of Somerville Community Scheme on the Somerville Primary School site was the reason for fewer children attending Brentwood, as it also provides F1 and day care facilities. Brentwood has for many years operated in a competitive market, promoted by government policy, where parents in Seacombe ward now have a choice of school nursery classes, a nursery school and various private and voluntary providers. Parents have choices, and will operate those choices according to their own needs and expectations. Parental choice also supports the relative popularity of continuity of F1 and F2 provision. In the Seacombe ward in 2010, 48% of F1 pupils attended a nursery class attached to a school, while 13% attended a “school based” private preschool. 16% attended Brentwood, the remainder (23%) attending a private preschool not associated with any particular primary school. This means that 61% of parents opted for “school based” early years settings, with 39% opting for “stand alone” early years provision independent of any particular school.

7.39 The recent announcement of a national scheme to extend free part-time childcare to two year olds from deprived families has been suggested by the governing body as a way to fill empty space and improve the viability of the school. This stems from a pilot scheme begun by the previous Government. On November 16th 2010 more details of the current Government’s scheme were announced.

- 15 hours free early education a week for disadvantaged two year olds from 2013
- Sure Start children’s centres in the 30% most deprived areas will no longer have to offer full day care if there is low take up
- Sure Start children’s centres in the 30% most deprived areas will no longer have to hire someone with both Qualified Teacher and Early Years Professional status (to free up resources).

The definition of “disadvantaged” is yet to be determined. Claiming free school meals, the standard indicator of deprivation for school age children, does not apply to preschool aged children. A new mechanism for establishing eligibility will have to be devised which can be operated across all early years providers and be administered by the Authority. Brentwood’s staff have the expertise to deal with two year olds, however it must be borne in mind that parental choice will continue to operate, and as it stands these free part-time

2 year old places will be accessible at any early years setting. Only 16% of South Wallasey parents of a three year old child chose Brentwood for early years education in 2010. Take up of the free two year old places is also likely to be less than 100%, based on uptake for three year old places.

- 7.41 A suggestion was made that the reason for the shortfall in take up of places was that the school was not allowed to advertise, unlike the private and voluntary sector. It is true to say that there is a protocol whereby maintained schools do not advertise their F1 provision, however Brentwood's day care service can be advertised as it is a separate business. There was some suggestion that the Authority had not worked hard enough to fill places at the school.

General responses

- 7.40 Respondents praised the good work carried out by staff at Brentwood, particularly in relation to placements for children with special needs, and the quality of the outdoor play provision at the school.
- 7.41 Some respondents were concerned about the future of the existing staff at Brentwood, and about potential loss of quality resulting from the change from a nursery school to a nursery class. As a nursery class with daycare and wraparound care, the staffing levels would almost certainly be the same as current levels. This because there are national standards for the staff to pupil ratios in all early years settings. Staff would not be lost, and their specialist expertise would be retained. It should be noted that any member of school staff can leave at any time – a new post, retirement, absence for various reasons, just as in any school. There is no reason to expect any member of staff to be made redundant. The exception to this would be the headteacher. If an option for change was approved, the headteacher would be supported in finding an alternative position by the Authority's human resources team, who have extensive experience in this area.
- 7.42 There has been concern expressed by various respondents about the future of Somerville Community Scheme within the options for change. Somerville Community Scheme is a non-profit making registered charity which has operated for the last 15 years. The mobile it occupies on the Somerville Primary site was provided by Wirral City Lands in the 1990's, part of a £37 million 5 year City Challenge project aimed at turning around the decline of inner city areas through public and private partnership. The Scheme has successfully survived the withdrawal of the initial funding, and provides a service that is obviously valued by local families, going beyond early years day care and education to include before and after school provision for children up to the age of 14. There is absolutely no intention to close Somerville Community Scheme as part of any of the consultation options, and this has been confirmed in writing to the management of the Scheme.

Early Years Funding Formula and financial considerations

- 7.43 The Authority has an obligation to ensure that educational provision is efficient and effective, and funding empty places through the schools budget represents a waste of resources that would be otherwise better spent directly on children's education. In relation to nursery schools, the guidance clearly

says that one of the factors in deciding whether a nursery school could be closed is that the Authority is consistently funding empty places. This is certainly the case in Brentwood, and must be taken into account.

- 7.44 Up until April 2011, the school was place funded on 80 AWPU, regardless of the actual number on roll at any point in the year. The AWPU is the sum of money allocated to the school for each pupil according to age. This is the main source of funding to any school. The point made in the June Cabinet report is that in order to maintain nursery schools which are intrinsically more expensive, they must receive a higher AWPU than a pupil in a nursery class of the same size, which raises considerations of fairness and value for money. From April 2011, the school will be funded termly for the actual number attending, up to a maximum of 78. Although the number attending grows over the academic year, on average Brentwood is 67% full across the year.
- 7.45 One respondent expressed concern about the maintenance of Brentwood EYC as a high cost school at the expense of other Wirral children in nursery classes, and asked how a small nursery school justified a headteacher in comparison to much larger primary schools.
- 7.46 The Governing body gave their view that Brentwood is the only local maintained setting to offer fully flexible 15 hour early years provision. However, the 15-hour flexible free entitlement was universally established in all early years settings from September 2010.

Specific to the B1 and B2 options

- 7.47 The B1 option as outlined in the June Cabinet report (then C1) suggested consulting on also relocating Somerville Community Scheme to the Brentwood site, which in January 2010 would have meant the Brentwood building was attended by 106 part-time F1 age children (53 FTE) between the maintained and voluntary provision. This variation to the option was not consulted upon in the final documentation.

During the consultation, the management of Somerville Community Scheme and the headteacher of Somerville Primary have been clear in their responses that they would prefer the pre-school to remain on the Somerville Primary site, and the headteacher of Brentwood EYC has raised concerns about how a co-location would operate in terms of leasing, accommodation and competition for places.

- 7.48 A major outcome of the 2007 consultation was the high value placed by parents on the extended facilities provided at Brentwood, such as affordable day care and crèche places enabling parents to work or attend college, and these views were raised again. The consultation options retain that provision.
- 7.49 Referring to option B1, one respondent was concerned about the impact of the primary headteacher being off-site at a "remote" location. The distance between Brentwood and Somerville is about 500 metres (0.3 miles), which is about five minutes walk. St George's Primary School in Wallasey operates successfully on a split site with twice that distance between the two.

- 7.50 Regarding option B2, despite advantages in terms of Foundation stage continuity, which are backed up by the response of the headteacher of Somerville Primary School, respondents felt that the quality of the grounds at Brentwood would not be replaceable at the Somerville site. Somerville has three mobile classrooms on site (two in use by the school) which are in relatively poor condition, and take up a disproportionate amount of the schools site. Consolidating these into a new permanent extension to the school is likely to free up more of the grounds.
- 7.51 The likelihood of capital expenditure being available to establish a Foundation 1 classroom and daycare at the Somerville site was also raised. In previous years, the Council has set aside £250,000 of central funding annually for projects arising from the Primary Places Review, and these projects continue to be a high priority. Whilst the national Primary Capital Programme has been restructured, the 2011/2012 capital funding allocation for Wirral was announced on 13th December 2010. There are also other funding sources that could be used, if required.
- 7.52 Concerns have been raised about the difference between the B1 option in the consultation document, and that given in the June Cabinet report (C1), in particular, about the implications of accommodating additional Foundation 1 children on the Brentwood site, and potential competition between early years providers. In the June Cabinet report, it was originally suggested that the consultation should include the possibility of the Foundation 1 provision for Somerville Primary School being located at Brentwood alongside (co-located with) Somerville Community Scheme. This suggestion was subsequently not included in the final consultation documents because in the intervening time, it had become clear that such a co-location would not be supported. In particular, Somerville Community Scheme, a PVI preschool, has expressed their view that they wish to remain on the Somerville Primary School site. The official consultation documents are correct, and the consultation has been carried out properly.

Decision Makers Guidance

- 7.54 The guidance indicates that there are four criteria to be considered before deciding whether a nursery school should close (See Appendix 4).

Option B1 fulfills three of these criteria – the school cannot be developed into a Sure Start Children’s Centre (b); the quantity and quality would be maintained with no loss of expertise or specialism (c); and the replacement provision (a nursery class) is no less accessible or convenient (d).

In terms of the fourth criteria, funding empty places (a), the guidance has not yet caught up with national changes to the way that early years provision is funded. The Authority has been funding empty places at Brentwood EYC for many years – this will cease from April 2011, with the introduction of a new funding formula based on actual pupil numbers. The Governing body believe that the Authority’s funding formula will allow them to maintain the current quality of provision and staffing levels if places continue to be taken up at the same level as now, and they are also expecting uptake of places to increase through the introduction of free part-time places for 2 year olds, despite the

projected reduction in the number of under 4's in South Wallasey (and Wirral as a whole), and competition for those places from other early years settings.

- 7.55 It is recommended that at this time, Brentwood Early Years continues to be maintained as a separate nursery school, pending a future review of the outcome of the changes to the funding methodology and the viability of provision at the school in terms of pupil numbers.
- 7.56 There may be opportunities to reduce costs and improve viability at Brentwood through other means – for example, through hard federation with other nursery or primary schools – which could be explored. It is also recommended that the Authority be permitted to support the governing body of Brentwood Early Years in considering federation and other structural solutions as opportunities arise.

Somerville Primary School – Early Years considerations

- 7.57 An integral part of the B1 and B2 consultation options was that a nursery class would be established under the management of Somerville Primary School. This requires a prescribed alteration to extend the age range of that school. The B1 and B2 options are not recommended to proceed further.
- 7.58 However, recommended Option A1 involves the closure of Kingsway Primary School, which has a nursery class. Decision makers guidance indicates that where a school with early years provision is proposed to close, alternative provision should integrate pre-school education with childcare or other services; and consider whether the alternative early years provision with maintain or enhance the standard of educational provision and flexibility of access for parents. Alternative provision can be with maintained or private, voluntary or independent providers.
- 7.59 In January 2010, Kingsway's nursery class was attended by 7 three year olds and 3 two year olds. At the same point in the year, there were 47 vacant places at the five other maintained school nursery classes within 1 mile, plus an additional 28 vacant places at Brentwood EYC – a total of 75 vacant places. This includes 15 vacant F1 places at Riverside Primary School. In the private sector in Summer 2010, there were 256 vacant places at the 15 private and voluntary pre-school providers within 1 mile. Consequently, there are other high quality early years options locally, and closure of Kingsway Primary School's nursery class would not disadvantage future parents in finding alternative nursery placements.
- 7.60 As a result, it is not recommended to include a linked proposal alongside Option A1 to extend the age range at Somerville Primary School to include a nursery class (See Appendix 4). Members may, however, wish to consider whether in future a nursery class should be established at Somerville Primary, since Somerville is the last remaining primary school in this area without a maintained nursery class. The Headteacher at Somerville has expressed an interest in extending the schools remit to include a nursery class, whilst maintaining the school's long standing relationship with Somerville Community Scheme.

8.0 RELEVANT RISKS

- 8.1 If the proposal is not approved, Kingsway Primary will remain a small school, and both Kingsway and Riverside will continue to operate with high levels of surplus places. The Council's Primary Capital Strategy for Change (PCS) identifies four key priorities. This includes *"Improving value for money in services"*.
- 8.2 The PCS also identifies four key aims in line with the Children and Young People's Plan. The first of these is that children and young people *"attend educational settings that are viable, inclusive and cost effective"*. Indirectly, the removal of surplus spaces and school rationalisation leads to revenue savings to be redistributed amongst remaining schools. Failure to address high levels of surplus places and the issues faced by small schools results in a high risk of wasting resources; consequently less funding would be spent directly on children's education, which could impact on standards. This is at risk if the proposal is not approved.
- 8.3 The legal decisions to re-organise school provision must be made before any decisions to allocate capital funding can be taken. Failure to address surplus places may result in projects not meeting the criteria in order to draw on future central government or other funding sources.
- 8.4 Should the position of Brentwood Early Years Centre change significantly in terms of number on roll, the financial viability of the centre as a separate institution may be threatened. This could require future action to resolve this situation.

9.0 OTHER OPTIONS CONSIDERED

- 9.1 Other options arising from consultation are considered within this report.

10.0 CONSULTATION

- 10.1 In order for all stakeholders to have access to relevant background information and have the opportunity to comment and respond, the following methods of consultation have been employed:
- a) A range of documentation has been produced and distributed. This comprised:
 - (i) the full consultation document sent to all schools in the South Wallasey area; local One-Stop shops, Seacombe library and the Central Libraries; Wallasey Town Hall and relevant community centres;
 - (ii) a review pack comprising all the relevant background information sent to all the locations in (i) above;
 - (iii) parents'/carers' consultation leaflets and comments forms to all parents/carers, via the three schools named in the options;

- (iv) standard letters to all the schools in the small planning area, one format for schools named in the options and one for other schools in the small planning area.
- b) A dedicated web-site on the Wirral Learning Grid was established and advertised on the council web-site, the council Intranet, and in the parents' consultation leaflets and the standard letters to schools. This site provided access to all the information produced in paper form and allowed e-mail responses to a dedicated e-mail address.
- c) Meetings were arranged for all interested stakeholders at each of the schools named in options for closure or amalgamation. These meetings followed the same format, with a presentation on the overall position and the school specific position followed by around ninety minutes of time for audience comments, feedback and questions. The meetings were attended by parents, carers, staff, governors, Ward members and various other interested persons and bodies. Each meeting was chaired by a Cabinet member. The dates for the meetings were in the parents' leaflets and on the specific web-site and a general notice was published in the local press.
- d) Opportunities have been provided for other means of response. Submissions have been received in paper and e-mail formats – all of which will be made available before and at the Cabinet meeting, in addition to the summaries contained in this report.
- e) All of the relevant LA documentation produced for the consultation has been shared with the Diocesan Bodies.

10.2 The importance of eliciting the views of pupils is sometimes raised and this is an issue which is taken very seriously. We are sensitive to the fact that school re-organisation is by its nature upsetting and potentially stressful, particularly for children. Throughout the review, discussions with headteachers have taken place as to whether pupils should be formally consulted, and if so, how this could be carried out with minimum impact. The professional opinion of headteachers involved in this Phase of the Review was that any formal consultation would be unnecessarily distressing to children, nevertheless, the consultation may include responses received from individual children.

10.3 In the consultation leaflet and documents, it is said that the earliest any change could take place would be Summer 2011. The recommendation in this report is that proposal(s) should be implemented in Summer 2012. This change in recommended implementation date was communicated to consultees during the consultation at the consultation meetings, on the consultation website and also via a letter to parents/carers at the schools concerned.

11.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

11.1 As a voluntary group, Somerville Community Scheme has expressed their desire to remain on the Somerville Primary School site as part of the redevelopment of the site. This is an opportunity to provide enhanced

permanent accommodation for this voluntary pre-school and after school scheme.

- 11.2 School re-organisation and transforming accommodation through the Primary Capital Programme and other schemes, provides opportunities to promote joint agency work to promote co-ordinated solutions for pupils and their families.
- 11.3 The Diocese of Chester and the Diocese of Shrewsbury are key partners along with the LA in making provision for the education of children in Wirral. Both Diocesan Authorities were provided with the consultation documentation with an opportunity to respond.

12.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

- 12.1 To date the Borough-wide primary school review process has generated and redistributed over £0.75 million of revenue savings into schools following closures and amalgamations. In addition, changes to the Wirral Funding Formula over the 2008-2011 period have increased funding to schools serving more deprived children and increased the proportion of expenditure in the primary phase. The resultant increases in funding at schools serving areas of high deprivation will contribute to narrowing achievement gaps.
- 12.2 The closure of Kingsway Primary School, excluding those pupil led elements which follow pupils to their destination schools, will release approximately £88,617 annually (on 2010/2011 figures) into the individual Schools Budget as a whole.

If the decision is to approve the proposal, Kingsway Primary School would be allocated a full year's budget for 2011/2012, and a 5/12^{ths} budget for 2012/2013. The remaining 7/12ths budget for 2012/2013 would then be redistributed through the Budget formula to Wirral schools.

- 12.3 If a school closes, staff would technically be redundant. However, the neighbouring schools to which pupils relocate will require additional staff, and these schools would be requested to give prior and preferential treatment to redundant staff. In previous years, Wirral has had an excellent record of finding alternative employment for school staff. When posts are advertised in Wirral, schools are requested to give redundant staff who meet the advertised criteria, either a prior and preferential interview or an interview in competition with other candidates.
- 12.4 The recommendations contained in this report have capital implications in respect of the re-location of current pupils and the re-allocation of future pupils to schools. The level of capital required will depend upon the final, approved proposals and will require further, detailed development work. An amount of £250,000 is included in the 2010/11 Schools Capital Programme for "scheme development resulting from primary reviews" which was approved at the Cabinet meeting of 22nd July 2010. This allows schemes to be drawn up, costed and tendered, with any balance contributing to build costs. The balance of the capital build costs would need to be drawn from the

following sources: DFE Basic Need and Capital Maintenance Grant, council capital including capital receipts from the disposal of surplus assets, Prudential Borrowing and capital forming part of other national initiatives. It is a requirement that funding is clearly identified when proposals are submitted to the decision maker for approval.

The total capital funding for all Wirral schools in 2011/2012 has been recently announced. This includes £2,116,706 of "Basic Need" funding intended to provide school places where needed in all categories of tax-payer funded schools (primary, secondary, special and Academy).

- 12.5 The recommendations contained in this report include the closure and amalgamation of schools, which in turn will produce revenue savings, to the benefit of other schools as the funding is re-distributed. In the short term the Authority could be required to fund any staff severance costs following closures and amalgamation but they may be partly or entirely offset by savings.

13.0 LEGAL IMPLICATIONS

- 13.1 Key points of the legal guidance and a commentary in relation to Phase 6 options for South Wallasey is included within the report at Appendix 4. Full guidance is provided on the members CD, and is available on line (See Reference Material).
- 13.2 The closure and/or amalgamation of primary schools will have implications for the Authority's admission arrangements. The DfE advise that there is no requirement to consult separately on any changes to admission arrangements as long as full details are provided to parents in the statutory public notices on the proposed alterations to the school provision. This would include details on how the Authority would propose to manage the transfer of pupils to alternative schools, and also deal with applications from parents living in the areas concerned for places in Foundation 2.
- 13.3 In the event of any reorganisation, school catchment areas would have to be reviewed. In the case of an amalgamation it might be assumed that the catchment areas of the schools involved could simply be merged but it is likely that we would take the opportunity to consider any other necessary adjustments. In the case of a school closure, zones of neighbouring schools would have to be re-drawn. Changes would need to take into account consideration of home address in relation to nearest appropriate schools, the new capacity of schools in the area, and other factors such as planned housing development.
- 13.4 If any pupil has a Statement of Special Educational Needs then the Statement would be amended to reflect the new school, and the provision specified in the Statement will be delivered appropriately. Any pupils who are currently placed in designated special provision such as a Special Needs Class would be transferred to an alternative placement according to parental preference. For all those pupils on the SEN register who are affected, the Authority would deploy an element of any savings to provide enhanced support at their new

school. Details of how such a scheme may operate would need to be developed.

- 13.5 If approved by Cabinet, the recommended proposal has already undergone consultation, and can proceed directly to statutory proposals, following which there are a further 6 weeks for representations and comments on the proposal. The outcome of the representation period would then be reported back to Cabinet for a final decision.

14.0 EQUALITIES IMPLICATIONS

14.1 There are none arising directly from this report.

14.2 Equality Impact Assessment (EIA)

(a) Is an EIA required? Not at this stage.

15.0 CARBON REDUCTION IMPLICATIONS

15.1 The removal of old, inefficient accommodation contributes to Council principles and targets in respect of Agenda 21.

16.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

16.1 The relationship between housing development policy and school place provision is a factor in considering surplus place removal.

16.2 Construction of any new classroom provision would be subject to the usual planning permissions.

16.3 Rationalisation and refurbishment of schools allow the most vulnerable accommodation to be removed and other security improvements carried out.

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APPENDICES

- 1 Analysis of Consultation and Summary of Responses
- 2 Standards – KS2 data; Value Added; Ofsted
- 3 Aerial Photograph
- 4 Commentary on Decision Makers Guidance in South Wallasey options

REFERENCE MATERIAL

Available on request from the Children and Young People's Department unless otherwise stated.

Annual Supply of School Places Return, July 2010

- <http://tinyurl.com/6h7yfa8>

Audit Commission Report: "Planning School Places in Wirral" September 2004.

- <http://tinyurl.com/35vpt3v>

Consultation Documents

- <http://www.wirral-abc.gov.uk/primaryplaces>

Decision Makers Guidance

- <http://www.dcsf.gov.uk/schoolorg/guidance.cfm?id=4>

Extract from School Organisation Plan

- <http://www.wirral-abc.gov.uk/PrimaryPlaces/CABecs050718app1a.pdf>

Extract from LA document "In Pursuit of Excellence: Primary Education in Wirral" 2004.

- <http://democracy.wirral.gov.uk/mgConvert2PDF.aspx?ID=9321>

Primary Capital Strategy 2008

- <http://www.wirral-abc.gov.uk/PrimaryPlaces/PrimaryCapitalStrat.asp>

School pupil number returns, January 2010 (Annual Census return to Government).

- <http://tinyurl.com/6jnuu9b>

Other data held in Department including that provided by Wirral Health Authority.

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Cabinet	24th June 2010
Cabinet	1st October 2009
Cabinet	19th March 2009
Cabinet	16th October 2008