

Decision Maker: EDUCATION PORTFOLIO HOLDER

Date: Wednesday 21 August 2013

Decision Type: Non-Urgent Executive Non-Key

Title: BROMLEY ROAD – DETERMINATION OF STATUTORY NOTICE

Contact Officer: Dr Tessa Moore, Assistant Director Education
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Chief Officer: Executive Director of Education, Care & Health Services

Ward: Copers Cope;

1. Reason for report

This report seeks approval to a change in age range at Bromley Road Community Infant School from 4-7years to 4-11 years, with effect from 1st September 2014. This was the subject of a statutory notice procedure which is now complete. It is linked to a proposal to change the age range at Worsley Bridge Community Junior School also on this agenda.

2. **RECOMMENDATION(S)**

That the Education Portfolio Holder approves a statutory notice set out at Appendix A to this report to change the age range at Bromley Road Community Infant School from 4-7 to 4-11 with effect from 1 September 2014, the school be known as Bromley Road Community Primary School.

Corporate Policy

1. Policy Status: Existing: There is also a commitment to investigate the potential for amalgamation of infant and junior schools whenever the opportunity arises. In this case, as the schools are on separate sites, the proposal is to create two free standing primary schools.
 2. BBB Priority: Children and Young People
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Financial

1. Cost of proposal: Estimated Cost Minor alterations and improvements are required to make the alteration from a 3 form entry Infants to a 1 form entry all though primary school. These changes are estimated at £150,000 and have been provided within the Basic Need capital programme 2013-15.
 2. Ongoing costs: Recurring Cost The recurring costs will be met through the school's delegated budget. The total, taken together with the linked proposal for Worsley Bridge Junior School, is expected to be broadly the same as the two schools in their present form of organisation.
 3. Budget head/performance centre: Basic Need Capital Programme
 4. Total current budget for this head: £19.73m
 5. Source of funding: DfE Basic Need Grant
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Staff

1. Number of staff (current and additional): 4 staff in the ECS Department were involved in the consultation process to varying degrees
 2. If from existing staff resources, number of staff hours: approx. 40 hours in total
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Legal

1. Legal Requirement: The change in age range is proposed under S19 (1) of the Education and Inspections Act 2006 to make a prescribed alteration to the relevant school.
 2. Call-in: Applicable
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): at present the capacity of the school is 270 children although the roll is 233. When the proposal is fully implemented the planned capacity will reduce to 210.
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes – All Councillors were circulated with the statutory notice by circular 45/13.
2. Summary of Ward Councillors' comments: None received.

3. COMMENTARY

On 6 November 2012, following consideration by the Education Policy Development and Scrutiny (PDS) Committee, the Education Portfolio Holder authorised the Director of Education and Care Services to undertake consultation with schools and other key agencies on a number of changes to primary schools, one of which one was to alter the age range at Bromley Road Infants and Worsley Bridge Junior Schools in order to create all schools, and with the potential to expand for Worsley Bridge to expand to 3 FE.

This consultation was undertaken informally during January to March 2013, and following a successful outcome the Portfolio Holder on 20 March 2013 resolved to proceed with formal statutory proposals to implement these changes, again after pre decision scrutiny by the Education PDS Committee. The consultation was on the basis that both schools would become all through from September 2014.

Subsequently it became necessary to identify additional reception class places in the area for the academic year 2013/14 to ensure that all on time applicants received a valid offer. In consultation with the Portfolio Holder it was agreed to open two reception classes at Worsley Bridge School in September 2013 offering 60 places. The effect is this is to bring forward the date on which Worsley Bridge becomes an all through school to September 2013. It is not necessary to make the same change at Bromley Road.

On 12 June 2013 a statutory notice was published in the News Shopper (copy attached as Appendix A) setting out the proposal to change the age range from 7-11 to 4-11 from 1 September 2014. This was displayed as required on the school gates, in local libraries and circulated to the same audience as was consulted at the informal stage, for a six week period ending on 24 July 2013. It was also placed on the Bromley Council website.

A copy of the Statement of Case on the DfE template is also attached at Appendix B.

No objections were received, although one comment in support has been via the web site.

4. POLICY IMPLICATIONS

The proposal to change the school to an all through is in line with the Council's policy to amalgamate infant and junior schools where the opportunity arises. In this case, as the two schools are on separate sites, it was agreed that each school would become an all through primary to secure its own recruitment from the age of 4 to 11. At present, for children from Bromley Road Infants there is a linked arrangement to move to Worsley Bridge at the age of 7.

All through status avoids the need for children to change schools at 7 which can be disruptive to learning and cohesion. It will also be easier for parents who at present have children in both schools to manage travelling and collection arrangements, as well as enabling them to build relationships with the school for the whole primary career of their children.

Transitional admissions arrangements are being made for children who will still need to transfer from Bromley Road into year 3 up to September 2016, with priority being given to those who are not able to secure a place in year 3 in Bromley Road. These transitional arrangements, based on the normal admissions criteria for primary schools, are subject to separate approval from the Schools Adjudicator.

5. FINANCIAL IMPLICATIONS

The school's delegated budget will increase in proportion to the additional numbers on the roll, determine by the formula funding mechanism under the Delegated Schools Grant.

The capital cost for the additional classrooms is subject to the outcome of a feasibility study currently being prepared although outline provision of £150,000 has been made in the Basic Need Capital Programme approved on 19 March 2013. The proposal is for a multi use games area to meet the needs of the junior age group and other minor adaptations.

6. LEGAL IMPLICATIONS

The statutory notice was issued in accordance with the requirements as set out in the relevant legislation above. Section 21 of the Education and Inspections Act 2006 provide for regulations to set out who must decide proposals for any prescribed alterations, and Schedules 3 and 5 of the same Act make detailed provision for these to be approved by the Local Authority.

If the LA fails to decide proposals within two months of the end of the representation period the LA must forward proposals, and any received representations (not withdrawn in writing) to the schools adjudicator for decision.

The LA has the right to determine the decision making process. Appeals may be made against the decision within four weeks, to be decided by the adjudicator. It has a duty to implement the proposals once they have been decided.

7. PERSONNEL IMPLICATIONS

In the event that the proposal to restructure the school is progressed, Bromley Road will require support on an individual basis tailored to their specific staffing structure.

Staffing implications may arise as the school develops. Dependent on pupil numbers, the number of teaching Full-Time Equivalent (FTE) staff required to facilitate the curriculum and support the infrastructure may increase or decrease which could give rise to a potential redundancy situation. In this event detailed consultation with staff and Trade Union representatives would be undertaken with a view to mitigating the impact of any potential redundancy. Further considerations may include the grading for the Head Teachers as the Individual School Range may be affected.

Non-Applicable Sections:	
Background Documents: (Access via Contact Officer)	6 November 2013 ED 12058 Review of Primary School Development Plan: outcomes 20 March 2013 ED13028 Consultation Outcomes: Proposals to Restructure Bromley Road and Worsley Bridge Schools 19 March 2013 ED13034 Basic Need Programme Update 5 30 January 2013 Bromley Road Infant School Consultation meeting

PUBLIC NOTICE
LONDON BOROUGH OF BROMLEY
BROMLEY ROAD INFANT SCHOOL: CHANGE OF AGE RANGE

Notice is given in accordance with section 19(1) of the Education and Inspections Act 2006 that London Borough of Bromley intends to make a prescribed alteration to Bromley Road Community Infant School St. George's Road Beckenham BR3 5JG from 01 September 2014. The effect of this proposal is to make the school into an all through primary by changing the current age range from 4-7 to 4-11.

The current capacity of the school is 263 and the proposed capacity will be 263. The current admission number for the school is 90 and the proposed admission number will be 30.

This Notice is an extract from the complete proposal. Copies of the complete proposal can be obtained from the address below.

Within six weeks from the date of publication of this proposal, any person may object to or make comments on the proposal by sending them to Iain Johncock, Head of Strategic Place Planning, London Borough of Bromley, Civic Centre, Bromley BR1 3UH.

Signed: Terry Parkin, Executive Director, Education Care and Health Services

Publication Date: 12 June 2013

Explanatory Notes

- 1 This proposal is linked to a parallel notice for the change in age range of Worsley Bridge Community Junior School to take effect in September 2013. Under these proposals both schools become all through primaries.
- 2 Specific admissions arrangements are being put in place to provide for the transition period, and these are the subject of separate consultation with the Schools Adjudicator.
- 3 Although the original consultation was on the basis that implementation for both schools would be in September 2014, it is proposed to make the change at Worsley Bridge in September 2013 to provide additional reception class places to meet local demand.
- 4 Provision has been made in the Council's capital budget to carry out improvements to the school to support these changes.
- 5 The school would be known as Bromley Road Community Primary School.

Civic Centre
 Stockwell Close,
 Bromley BR1 3UH



Department for Education

PROPOSALS FOR PRESCRIBED ALTERATIONS OTHER THAN FOUNDATION PROPOSALS: Information to be included in a complete proposal

Extract of Part 1 of Schedule 3 and Part 1 of Schedule 5 to The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended):

In respect of a Governing Body Proposal: School and governing body's details

1. The name, address and category of the school for which the governing body are publishing the proposals.

In respect of an LEA Proposal: School and local education authority details

1. The name, address and category of the school .

Bromley Road Community Infant School, St. George's Road, Beckenham, BR3 5JG
Local Authority: London Borough of Bromley, Civic Centre, BR1 3UH

Implementation and any proposed stages for implementation

The date on which the proposals are planned to be implemented, and if they are to be implemented in stages, a description of what is planned for each stage, and the number of stages intended and the dates of each stage.

1 September 2014

This notice is linked to a proposal to change the age range of Worsley Bridge Community Junior School to make it an all through school with effect from September 2013. Admissions arrangements will be put in place to provide for continuity of the existing transfer arrangements for a limited period until the changes have fully taken effect.

Objections and comments

A statement explaining the procedure for making representations, including —

- the date prescribed in accordance with paragraph 29 of Schedule 3 (GB proposals)/Schedule 5 (LA proposals) of The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), by which objections or comments should be sent to the local education authority; and
- the address of the authority to which objections or comments should be sent.

Objections should be made in writing to: Iain Johncock, Head of Strategic Place Planning, Education and Care Services, London Borough of Bromley, Civic Centre, Bromley BR1 3UH, to be received by 24 July 2013

Alteration description

A description of the proposed alteration and in the case of special school proposals, a description of the current special needs provision.

Change of age range from 4-7 to 4-11 to make the school into an all through primary

School capacity

—(1) Where the alteration is an alteration falling within any of paragraphs 1 to 4, 8, 9 and 12-14 of Schedule 2 (GB proposals)/paragraphs 1-4, 7, 8, 18, 19 and 21 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), the proposals must also include —

details of the current capacity of the school and, where the proposals will alter the capacity of the school, the proposed capacity of the school after the alteration;

The current capacity is 263 and will be unchanged although the planned number of pupils will not exceed 210 on full implementation of the proposal

details of the current number of pupils admitted to the school in each relevant age group, and where this number is to change, the proposed number of pupils to be admitted in each relevant age group in the first school year in which the proposals will have been implemented;

The current Planned Admission Number (PAN) is 90, and from September 2014 it will change to 30

where it is intended that proposals should be implemented in stages, the number of pupils to be admitted to the school in the first school year in which each stage will have been implemented;

n/a

where the number of pupils in any relevant age group is lower than the indicated admission number for that relevant age group a statement to this effect and details of the indicated admission number in question.

n/a

Where the alteration is an alteration falling within any of paragraphs 1, 2, 9, 12 and 13 of Schedule 2 (GB proposals) /paragraphs 1, 2, 8, 18 and 19 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), a statement of the number of pupils at the school at the time of the publication of the proposals.

n/a

Implementation

Where the proposals relate to a foundation or voluntary controlled school a statement as to whether the proposals are to be implemented by the local education authority or by the governing body, and, if the proposals are to be implemented by both, a statement as to the extent to which they are to be implemented by each body.

n/a

Additional Site

—(1) A statement as to whether any new or additional site will be required if proposals are implemented and if so the location of the site if the school is to occupy a split site.

n/a

(2) Where proposals relate to a foundation or voluntary school a statement as to who will provide any additional site required, together with details of the tenure (freehold or leasehold) on which the site of the school will be held, and if the site is to be held on a lease, details of the proposed lease.

n/a

Changes in boarding arrangements

—(1) Where the proposals are for the introduction or removal of boarding provision, or the alteration of existing boarding provision such as is mentioned in paragraph 8 or 21 of Schedule 2 (GB proposals)/7 or 14 of Schedule 4 to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended) —

the number of pupils for whom it is intended that boarding provision will be made if the proposals are approved;

n/a

the arrangements for safeguarding the welfare of children at the school;

n/a

the current number of pupils for whom boarding provision can be made and a description of the boarding provision; and

n/a

except where the proposals are to introduce boarding provision, a description of the existing boarding provision.

n/a

Where the proposals are for the removal of boarding provisions or an alteration to reduce boarding provision such as is mentioned in paragraph 8 or 21 of Schedule 2 (GB proposals)/7 or 14 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended) —

the number of pupils for whom boarding provision will be removed if the proposals are approved; and

n/a

a statement as to the use to which the former boarding accommodation will be put if the proposals are approved.

n/a

Transfer to new site

Where the proposals are to transfer a school to a new site the following information—

the location of the proposed site (including details of whether the school is to occupy a single or split site), and including where appropriate the postal address;

n/a

the distance between the proposed and current site;

n/a

the reason for the choice of proposed site;

n/a

the accessibility of the proposed site or sites;

n/a

the proposed arrangements for transport of pupils to the school on its new site; and

n/a

a statement about other sustainable transport alternatives where pupils are not using transport provided, and how car use in the school area will be discouraged.

n/a

Objectives

The objectives of the proposals.

To improve the quality of education by providing continuity from the age of 4 to 11 avoiding the need for children to change schools at the age of 7, and in addition:

- strengthened leadership and management across key stages
- consistency of policy and planning
- continuity of curriculum organisation, teaching and learning across key stages;
- continuity in pupil assessment and pupil tracking;
- more efficient deployment of staffing expertise and enhancement of the curriculum range
- opportunities for professional development;

Consultation

Evidence of the consultation before the proposals were published including—

a list of persons who were consulted;

minutes of all public consultation meetings;

the views of the persons consulted;

a statement to the effect that all applicable statutory requirements in relation to the proposals to consult were complied with; and

copies of all consultation documents and a statement on how these documents were made available.

These documents are available on the Council's web site

Project costs

A statement of the estimated total capital cost of the proposals and the breakdown of the costs that are to be met by the governing body, the local education authority, and any other party.

The costs of alteration, estimated at £150,000, will be met from the local authority's capital programme

A copy of confirmation from the Secretary of State, local education authority and the Learning and Skills Council for England (as the case may be) that funds will be made available (including costs to cover any necessary site purchase).

n/a

Age range

Where the proposals relate to a change in age range, the current age range for the school.

4-7

Early years provision

Where the proposals are to alter the lower age limit of a mainstream school so that it provides for pupils aged between 2 and 5—

details of the early years provision, including the number of full-time and part-time pupils, the number and length of sessions in each week, and the services for disabled children that will be offered;

n/a

how the school will integrate the early years provision with childcare services and how the proposals are consistent with the integration of early years provision for childcare;

n/a

evidence of parental demand for additional provision of early years provision;

n/a

assessment of capacity, quality and sustainability of provision in schools and in establishments other than schools who deliver the Early Years Foundation Stage within 3 miles of the school; and

n/a

reasons why such schools and establishments who have spare capacity cannot make provision for any forecast increase in the number of such provision.

n/a

Changes to sixth form provision

(a) Where the proposals are to alter the upper age limit of the school so that the school provides sixth form education or additional sixth form education, a statement of how the proposals will—

- (i) improve the educational or training achievements;
- (ii) increase participation in education or training; and

(iii) expand the range of educational or training opportunities for 16-19 year olds in the area;

n/a

(b) A statement as to how the new places will fit within the 16-19 organisation in an area;

n/a

(c) Evidence —

- (i) of the local collaboration in drawing up the proposals; and
- (ii) that the proposals are likely to lead to higher standards and better progression at the school;

n/a

(d) The proposed number of sixth form places to be provided.

n/a

Where the proposals are to alter the upper age limit of the school so that the school ceases to provide sixth form education, a statement of the effect on the supply of 16-19 places in the area.

n/a

Special educational needs

Where the proposals are to establish or change provision for special educational needs—
a description of the proposed types of learning difficulties in respect of which education will be provided and, where provision for special educational needs already exists, the current type of provision;

n/a

any additional specialist features will be provided;

n/a

the proposed numbers of pupils for which the provision is to be made;

n/a

details of how the provision will be funded;

n/a

a statement as to whether the education will be provided for children with special educational needs who are not registered pupils at the school to which the proposals relate;

n/a

a statement as to whether the expenses of the provision will be met from the school's delegated budget;

n/a

the location of the provision if it is not to be established on the existing site of the school;

n/a

where the provision will replace existing educational provision for children with special educational needs, a statement as to how the local education authority believes that the new provision is likely to lead to improvement in the standard, quality and range of the educational provision for such children; and

n/a

the number of places reserved for children with special educational needs, and where this number is to change, the proposed number of such places.

n/a

Where the proposals are to discontinue provision for special educational needs—
details of alternative provision for pupils for whom the provision is currently made;

n/a

details of the number of pupils for whom provision is made that is recognised by the local education authority as reserved for children with special educational needs during each of the 4 school years preceding the current school year;

n/a

details of provision made outside the area of the local education authority for pupils whose needs will not be able to be met in the area of the authority as a result of the discontinuance of the provision; and

n/a

a statement as to how the proposer believes that the proposals are likely to lead to improvement in the standard, quality and range of the educational provision for such children.

n/a

Where the proposals will lead to alternative provision for children with special educational needs, as a result of the establishment, alteration or discontinuance of existing provision, the specific educational benefits that will flow from the proposals in terms of—

improved access to education and associated services including the curriculum, wider school activities, facilities and equipment with reference to the local education authority's Accessibility Strategy;

improved access to specialist staff, both educational and other professionals, including any external support and outreach services;
improved access to suitable accommodation; and
improved supply of suitable places.

n/a

Sex of pupils

Where the proposals are to make an alteration to provide that a school which was an establishment which admitted pupils of one sex only becomes an establishment which admits pupils of both sexes—
details of the likely effect which the alteration will have on the balance of the provision of single sex-education in the area;

n/a

evidence of local demand for single-sex education; and

n/a

details of any transitional period which the body making the proposals wishes specified in a transitional exemption order (within the meaning of section 27 of the Sex Discrimination Act 1975).

n/a

Where the proposals are to make an alteration to a school to provide that a school which was an establishment which admitted pupils of both sexes becomes an establishment which admits pupils of one sex only—
details of the likely effect which the alteration will have on the balance of the provision of single-sex education in the area; and

n./a

evidence of local demand for single-sex education.

n/a

Extended services

If the proposed alterations affect the provision of the school's extended services, details of the current extended services the school is offering and details of any proposed change as a result of the alterations.

n./a

Need or demand for additional places

If the proposals involve adding places—
a statement and supporting evidence of the need or demand for the particular places in the area;

n/a

where the school has a religious character, a statement and supporting evidence of the demand in the area for education in accordance with the tenets of the religion or religious denomination;

n/a

where the school adheres to a particular philosophy, evidence of the demand for education in accordance with the philosophy in question and any associated change to the admission arrangements for the school.

n/a

If the proposals involve removing places—

a statement and supporting evidence of the reasons for the removal, including an assessment of the impact on parental choice; and

n/a

a statement on the local capacity to accommodate displaced pupils.

n/a

Expansion of successful and popular schools

25A. (1) Proposals must include a statement of whether the proposer considers that the presumption for the expansion of successful and popular schools should apply, and where the governing body consider the presumption applies, evidence to support this.

(2) Sub-paragraph (1) applies to expansion proposals in respect of primary and secondary schools, (except for grammar schools), i.e. falling within:

(a) (for proposals published by the governing body) paragraph 1 of Part 1 to Schedule 2 or paragraph 12 of Part 2 to Schedule 2;

(b) (for proposals published by the LA) paragraph 1 of Part 1 to Schedule 4 or 18 of Part 4 to Schedule 4

of the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended).

n/a