

**BIRMINGHAM CITY COUNCIL**

**JOINT CABINET MEMBER AND CHIEF OFFICER**

**FRIDAY, 29 MARCH 2019 AT 00:00 HOURS**  
**IN CABINET MEMBERS OFFICE, COUNCIL HOUSE, VICTORIA**  
**SQUARE, BIRMINGHAM, B1 1BB**

**A G E N D A**

**3 - 128**

- 1 **PROPOSAL TO DISCONTINUE WILKES GREEN INFANT SCHOOL AND TO ALTER THE LOWER AGE RANGE AND EXPAND WILKES GREEN JUNIOR SCHOOL BY ENLARGEMENT**

Item Description



# Birmingham City Council

## Report to Cabinet Member for Education Skills and Culture, jointly with the Director of Education & Skills

Date: 29 March 2019



**Subject:** PROPOSAL TO DISCONTINUE WILKES GREEN INFANT SCHOOL AND TO ALTER THE LOWER AGE RANGE AND EXPAND WILKES GREEN JUNIOR SCHOOL BY ENLARGEMENT

**Report of:** Assistant Director for (Safeguarding)

**Relevant Cabinet Member:** Cllr Jayne Francis, Cabinet Member Education Skills and Culture

**Relevant O &S Chair(s):** Cllr Mariam Khan, Learning, Culture and Physical Activity

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Are specific wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s): Handsworth		
Is this a key decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, add Forward Plan Reference		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential :		

### 1 Executive Summary

1.1 To seek the determination of two statutory proposals:

- Discontinue Wilkes Green Infant School

- Alter the lower age limit of Wilkes Green Junior School from 7 – 11 to 3 – 11 years and expand by enlargement the premises of Wilkes Green Junior School.

These proposals are related. The alteration of the age range and the expansion of the junior school to include the infant school buildings will enable pupils from the infant school to be accommodated thus amalgamating the two existing schools with effect from 1<sup>st</sup> May 2019.

## **2 Recommendations**

That the Cabinet Member for Education, Skills and Culture jointly with the Director for Education & Skills;

- 2.1 Approve, having taken into account the statutory guidance, the two statutory proposals to amalgamate Wilkes Green Infant and Junior Schools through the discontinuation of the infant school and the alteration to the lower age limit and expansion of the junior school.

## **3 Background**

- 3.1 Wilkes Green Infant and Junior Schools are community schools. Wilkes Green Junior School was inspected by OFSTED in April 2015 and received a judgement of “Good”.

Wilkes Green Infant school was inspected by OFSTED in December 2016 and was placed in Special Measures and the overall effectiveness of the infant school judged to be “Inadequate”. Wilkes Green Infant School was issued with a Directive Academy Order in February 2017; the Governing Body of the infant school was replaced with an Interim Executive Board (IEB).

- 3.2 The Governing Board of the junior school, the IEB of the infant school and Birmingham City Council have been working collaboratively and agreed to move forward with proposals to amalgamate the two schools. In January 2018 a letter was sent to the Regional Schools Commissioner (RSC) setting out the junior school’s commitment to work with the infant school to drive forward the required improvements.

On behalf of the Secretary of State, the RSC agreed to revoke the directive academy order for Wilkes Green Infant School to allow for a single primary school on the site.

- 3.3 Wilkes Green Infant School has an admission number of 90 at Reception. Should the amalgamation be approved, the admission number for Reception and Birmingham City Council’s admission policy for community and voluntary controlled schools will continue to apply to the amalgamated school:

1. Looked after or previously looked after children.
2. Siblings (brother or sister who will still be in attendance in September 2019)



3. Distance (children who live nearest the school measured in a straight line.)

Should the amalgamation be approved, the two schools will become an all through primary school with an age range of 3 – 11 years. It will be necessary to submit an in year variation request to the Office of the School's Adjudicator (OSA) to change and establish the admission arrangements for the single primary school. After 1<sup>st</sup> May 2019 there will be no Year 3 transfer applications required as children will automatically progress from Year 2 into Year 3 of the newly amalgamated school.

- 3.4 In compliance with DFE guidance and best-practice, a statutory pre-publication consultation was completed for the proposal between 5<sup>th</sup> November 2018 and 14<sup>th</sup> December 2018 (six weeks) to engage stakeholders before the publication of the statutory notice and the full proposal. A total number of 104 responses were received during the statutory pre-publication consultation phase, of which 97 were in favour and 3 were opposed and 4 either didn't know or didn't specify.

An analysis of the statutory pre-publication consultation responses can be found in the full proposal document in Appendix 1.

- 3.5 In compliance with DFE guidance, a statutory notice and proposal were published and the representation period was between 10<sup>th</sup> January 2019 and 7<sup>th</sup> February 2019 (four weeks). The representation period commenced with the publication of a statutory notice in the Birmingham Post for the following:

- Discontinuation of Wilkes Green Infant School
- Alteration to the age range from 7 – 11 years to 3 - 11 years and expand by enlargement the premises of Wilkes Green Junior School (expand the junior school to include the infant school buildings).

During the four week representation period, comments on the proposal could be submitted in writing to Education Infrastructure, via the BeHeard webpages, email or letter. A copy of the full proposal and public notices can be found within Appendices 1 & 2.

- 3.6 Education Infrastructure Officers and members of the Schools' Leadership Team held meetings for the Infant and Junior School parents and staff on Wednesday 30<sup>th</sup> January 2019. One parent attended and two members of staff, all of whom were in favour of the proposal and did not have any concerns regarding the amalgamation.
- 3.7 At the close of the representation period, 55 responses were received regarding the proposals. Of the 55 responses received 53 were in favour, 1 was against and 1 was not indicated. The full quantitative and qualitative analysis and copies of the comments received can be found in Appendix 3 of this report.
- 3.8 Details of both the internal and external stakeholders consulted and the means by which both consultations were carried out are detailed in section 5 of this report.
- 3.9 The Education and Inspections Act 2006 and Regulation 7 of the School Organisation (Prescribed Alterations to Maintained Schools) (England)

Regulations 2013 (the Prescribed Alterations Regulations) state that the Local Authority must have regard to any guidance issued by the Secretary of State when making a decision on such proposals. The relevant extract of the statutory guidance is attached (Appendix 4). The Education and Inspections Act 2006, the School Organisation (Establishment and Discontinuance of Schools) Regulations 2013 (the Establishment and Discontinuance Regulations) and Paragraph 5 of Schedule 3 to the Prescribed Alterations Regulations allows for the proposals to be approved, approved with modification, approved subject to meeting a prescribed condition, or rejected.

- 3.10 If the proposals are approved, the junior school will change their name to reflect the amalgamation of the two existing schools.

#### **4 Options considered and Recommended Proposal**

- 4.1 Should the proposals be rejected, Wilkes Green Infant and Junior Schools will remain as separate schools with a separate Governing Body at the junior school and the IEB at the infant school. Alternative action will be required to address the “Inadequate” judgement at the infant school and there is a possibility that the Secretary of State will reinstate the Directive Academy Order. The IEB will need to recruit a new Infant School Head Teacher and any plans for restructuring resulting from an all through primary school will not be able to go ahead. Pupils will continue to apply to transfer from Year 2 at the infant school to Year 3 at the junior school. The non- amalgamation may affect the opportunity for career development and the sharing of best practices with two separate schools.
- 4.2 To allow Wilkes Green Infant and Junior Schools to become an all through primary school, the DFE number and OFSTED Judgement of the junior school will relate to the amalgamated school. The newly amalgamated school will be able to drive forward the required improvements and also allow greater continuity across key stage 1 and 2, with no requirement for pupils to make the transition from one school to the other at Year 3. It will allow the Governing Board to appoint a single head teacher and to restructure the leadership team to create a more efficient leadership and management system with finances and resources being shared more easily. The new all through school will be able to achieve economies of scale, putting the school in a much stronger position financially.

#### **5 Consultation**

- 5.1 Internal
- 5.1.1 During the pre-statutory and statutory consultation periods, information about the proposal was sent to the Ward Councillor for Handsworth together with officers from services across Birmingham City Council including Admissions, Finance, School and Governor Support, Human Resources, Legal, Planning, Research and Statistics Information Officers for Education and Skills. Details of the responses received and outcome of the statutory consultation is set out in Appendix 3. The names of the Ward Councillor and the date and method of consultation is set out in Appendix 5.

## 5.2 External

5.2.1 The proposal has been fully consulted upon in line with the requirements set out in both the statutory guidance “Making significant changes (‘prescribed alterations’) to maintained schools” (October 2018) and “Opening and closing maintained schools – statutory guidance for proposers and decision-makers” (November 2018) published by the Department for Education (DfE). A copy of the guidance for decision makers can be found in Appendix 4.

5.2.2 During the pre-statutory consultation period, information about the proposal was publicised to the parents, teaching staff, non-teaching staff, Local Councillor for Handsworth and the Member of Parliament for Ladywood.

During the statutory consultation period, information about the proposal was publicised to all stakeholders consulted during the pre-statutory period and the following additional consultees:

- Birmingham Schools;
- Neighbouring Local Authorities;
- The Archdiocesan and The Anglican Diocese of Birmingham;
- Professional Associations and Trade unions

5.2.3 The information was publicised in the following ways:

- Public notice in Birmingham Post newspaper;
- On Birmingham City Council BeHeard webpage;
- On the schools’ webpages;
- On the Birmingham City Council School Notice Board.

5.2.4 A copy of the full proposal document can be found in Appendix 1 and the Public Notice in Appendix 2. The outcome of the external consultation is set out in Section 3 of this report and in Appendix 3.

## 6 Risk Management

Wilkes Green Infant School was identified as a school causing concerns following an inspection by OFSTED in December 2016 when the school was placed in Special Measures and the overall effectiveness of the infant school judged to be “Inadequate”. The Local Authority identified the amalgamation of the two schools as the solution. This was discussed and agreed with the IEB of the infant school and the Governing Body of the junior school. The Secretary of State agreed to revoke the directive academy order (DAO) based on the proposal that the two schools amalgamate. Should the proposal not be agreed there is a risk that the infant school will be left without a solution to the governance arrangements and a possibility that the DAO will be reinstated.

## 7 Compliance Issues:

7.1 **How are the recommended decisions consistent with the City Council’s priorities, plans and strategies?**

- 7.1.1 These proposals are consistent with the Council's current Amalgamation Policy (modified 25th October 2004) which states in Section 2 that the only triggers for the amalgamation of separate infant and junior schools, is through
- i) Falling rolls
  - ii) A request from the governing bodies of a pair of schools.

## **7.2 Legal Implications**

- 7.2.1 This report exercises powers contained within sections 15 and 19 of the Education and Inspections Act 2006; the School Organisation (Establishment and Discontinuance of Schools) Regulations 2013; and Schedule 2 and Schedule 3 to the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, by which the Local Authority has the power to make statutory proposals affecting schools in its area and to determine them.

## **7.3 Financial Implications**

- 7.3.1 From 1 April 2019, the new school will have the entire budget for both schools to fund all of the costs associated with the closing schools and the new school costs during the 2019/20 financial year. There will not be a separate budget notification for the new school.

In 2019/20 each school will also receive an amount of £110,364 as part of their overall delegated budget to help fund management costs and fixed overheads in line with the national funding formula lump sum.

The net effect of the loss of one lump sum of £110,364 in 2020/21 should not be an issue as the corresponding expenditure will also be significantly reduced as the newly amalgamated school will only require one Head Teacher and potentially less administrative support. 2019/20 is effectively a transitional year which provides for the changes to take place.

The Governing Board have been made fully aware of these budget implications.

## **7.4 Procurement Implications (if required)**

- 7.4.1 Not applicable.

## **7.5 Human Resources Implications (if required)**

- 7.5.1 Should the amalgamation be approved, it will be the Governing Body's decision as to whether any restructure is required having considered any duplication of shared roles. This will be done with the relevant consultation with staff and professional associations as required. The Head Teacher of the infant school has retired. The Head Teacher of the junior school is currently carrying out the acting role of Head Teacher over both schools. If the amalgamation is approved this role will be made permanent and it is proposed that the Head teacher of the junior school will become the Head teacher of the newly amalgamated school.

## **7.6 Public Sector Equality Duty**

- 7.6.1 An updated Equality Assessment initial screening was carried out in December 2013(EA000088) against the School Organisation Change process, which identified that a full impact assessment was not required. No events have occurred since then which would require the preparation of a fresh screening in respect of these recommendations.

## **8 Background Documents**

### **8.1 Documents:**

- Education and Inspections Act 2006
- Making significant changes ('prescribed alterations') to maintained schools: "Statutory guidance for proposers and decision makers" published by the Department for Education (DfE) October 2018.
- Opening and Closing maintained schools. "Statutory guidance for proposers and decision makers" published by the Department for Education (DFE) in November 2018.
- Cabinet Report for Amalgamation policy 2004

### **8.2 List of Appendices accompanying this Report (if any):**

- 1. Full Proposal Document
- 2. Public Notice
- 3. Statutory Consultation Results
- 4. Excerpt of Guidance for Decision Makers
- 5. Ward Councillors Consulted.





# Final Proposal Document

## Wilkes Green Infant School & Wilkes Green Junior School

***Proposal to:***

- ***Discontinue Wilkes Green Infant School***
- ***Alter the Age Range of Wilkes Green Junior School from 7 – 11 years to 3 - 11 years***
- ***Enlarge the Premises of Wilkes Green Junior School (to include the Infant School buildings).***

***These proposals will result in a single all-through primary school.***

## Introduction

The informal consultation on the following proposals closed on 14th December 2018;

- Discontinue Wilkes Green Infant School
- Alter the age range from 7 – 11 years to become 3 - 11 years and enlarge the premises of Wilkes Green Junior School (to include the Infant School buildings and pupil places).

Birmingham City Council would like to thank all those parents, who sent us their views and comments.

Birmingham City Council, as the Local Authority has considered all comments received and is moving to the next stage, which is the formal statutory consultation (also known as the representation period).

This final consultation document is an updated version of the draft proposal document. We are now inviting you to make your comments and views known on this final proposal. Any views you submit during this formal consultation are forwarded to the decision makers, who for this proposal are the Cabinet Member for Education, Skills and Culture and the Director for Children and Young People. Comments from the informal consultation stage were for consideration by the Local Authority, and will not be included in the final report.

**If you wish to make your views known to the decision makers it is important that you submit these during this formal consultation period in writing. Please see the section entitled “How can I make my views known?”**

These proposals will result in a single all-through primary school, through the joining or amalgamating of the two schools. This process will be referred to as “amalgamation/amalgamate/amalgamated” throughout this document.

## School Information

<b>Type:</b>	Community		
<b>Name:</b>	Wilkes Green Infant School	<b>DFE:</b>	3302276
<b>Address:</b>	Antrobus Road, Handsworth, Birmingham B21 9NT.		
<b>Ward:</b>	Wilkes Green	<b>District:</b>	Perry Barr
<b>Age Range:</b>	3 – 7 years	<b>Net Capacity:</b>	270
<b>Last Ofsted:</b>	7.12.2016	<b>Ofsted Judgement</b>	Inadequate

<b>Type:</b>	Community		
<b>Name:</b>	Wilkes Green Junior School	<b>DFE:</b>	3302293
<b>Address:</b>	Antrobus Road, Handsworth, Birmingham B21 9NT.		
<b>Ward:</b>	Wilkes Green	<b>District:</b>	Perry Barr
<b>Age Range:</b>	7 – 11 years	<b>Net Capacity:</b>	360
<b>Last Ofsted:</b>	29.4.2015	<b>Ofsted Judgement</b>	Good



### **Why do we want to do this?**

In order for the schools to amalgamate the criteria must meet The Local Authority's current policy on amalgamation of separate infant and junior schools (amalgamation policy approved October 2004) which states that the only triggers for amalgamation are:

- (i) Falling pupil numbers on the school roll
- (ii) A request from the governing bodies of a pair of schools

Following discussions between the Interim Executive Board (IEB) of Wilkes Green Infant School and the Governing Body of Wilkes Green Junior School, both schools agreed to consult on a proposal to amalgamate the two schools. Both the IEB and the Governing Body believe that the proposal is in the best long-term interests of the children and their families and have written to the Local Authority to request that the necessary changes are made to amalgamate the two schools. The Local Authority is in full support of the amalgamation.

The Infant School received an OFSTED judgement of "Inadequate" in their last full OFSTED inspection on 7th December 2016.

The Junior School was rated "Good" at its last OFSTED inspection on 29th April 2015. If the proposal to amalgamate is approved, the Department for Education (DfE) number and OFSTED judgement of the Junior School will carry forward to the amalgamated primary school.

The IEB and Governing Body agree that an amalgamation of the two schools is currently the preferred option in order to support the Infant School on its improvement journey.

The Head Teacher post at the Infant School has been vacant since the end of May 2018. The IEB of the Infant School and the Governing Body of the Junior School have already agreed that the Head Teacher of the Junior School should carry out the role of Executive Head Teacher across both schools until a decision on the amalgamation is reached.

The two schools would become one single school of primary phase for pupils aged 3 to 11 years. All pupils and staff from the Infant School would transfer to the primary school. If parents want to seek other arrangements at this stage they would need to apply for other schools through the normal in-year admissions process.

There would no longer be a year 3 admission round at the school with the pupils on roll in year 2 having automatic right of entry into year 3. Pupils would continue naturally through the school from reception to year 6.

The nursery provision at the Infant School would become the nursery provision of the primary school. No other changes are being proposed for the nursery provision.

Wilkes Green Junior School would propose to change its name, if the amalgamation is approved, to reflect that it will now be a primary school.

**What are the benefits of an all through primary school?**

Below are some further examples of potential benefits that schools may experience by amalgamating, these have been evidenced in previous successful amalgamations.

- An all-through primary school enables a consistent ethos, vision and approach, driven by a holistic and ambitious single leadership team.
- Simplified communication between school and parents, especially for parents with children in both schools and ensures a joined up approach for events, training, pastoral care and other areas of school life.
- Transition from year 2 to year 3 will better reflect transition arrangements between other year groups.
- Continuity and consistency for pupil's learning and progress and strengthened tracking procedures.
- The National Curriculum seeks to structure the seamless development of pupils' knowledge, skills and understanding across all subjects during a child's time at primary school. A combined primary school is in a better position to provide continuity because of the structure and management it can put in place and greater consistency for pupils with one set of policies and procedures.
- Strengthened pastoral systems, supporting children and families through their entire primary education.
- Further opportunities for pupils to work together across the age ranges, building on the school's existing good work in this area.
- The relationship between families and the school can build over a longer period of time, allowing the school to better understand the needs of each pupil.
- There is strong evidence that continuity of learning culture has a significant impact on a pupil's progress. Research shows that the fewer moves children have during their school career, the better they perform.
- Greater flexibility in deploying teachers and support staff, and using curriculum resources, including buildings, more effectively.
- Having a greater continuity across Key Stage 1 and 2 could also benefit the members of staff at each school. Staff would have greater opportunities for professional development and shared training and the chance to work more closely across the curriculum. Staff could have the opportunity to work in or gain greater understanding of the full range of the primary school year groups.
- There is no need for parents to apply for a junior school place. There are also benefits in terms of the children's personal and social development, which can be supported throughout the primary school years without a change of school at age seven.
- A more efficient school leadership and management system enabling leaders to have the required overview to make the best decision for the school as a whole with finances and resources being shared more easily.
- A single Senior Leadership Team would be able to drive through change and improvement and take a truly whole school approach.

- The school will be better able to achieve economies of scale, putting the school in a much stronger position financially, and more able to withstand the buffeting by central funding decisions and changes.

**How will this affect pupils at the school?**

All current Infant School pupils would automatically transfer to the newly amalgamated school. The potential benefits for pupils on their journey through an all-through school are listed under the previous section of this proposal.

There would no longer be a requirement for parents to apply for a junior school place for their child. The school will remain in the existing buildings and the members of staff they come into contact with are likely to be the same as before.

**How will this affect parents at the school?**

Parents would apply for a primary school place before Reception and would not need to apply for a year 3 place. This enables consistent engagement with parents across the primary phase; with no need to transfer information at the end of Key Stage 1. It would also mean more consistent policies and procedures providing more continuity for parents.

**How will this affect the staff at the school?**

The Governors of each school and The Local Authority recognise that change can be unsettling and that there may be challenges along the way. The Local Authority is committed to supporting the school to achieve and maintain the best outcomes for children.

The Local Authority would still be the employer and would manage the transition of staff to the primary school. The change to become one primary school would not constitute a break in service or affect staff terms and conditions in any way.

The proposed changes would consider duplication of shared roles. Any staff reductions would be with full consultation with the trade unions and teaching associations.

A school offering both infant (Key Stage 1) and junior (Key Stage 2) provision may offer staff the opportunity for career development with potential opportunities for staff who wish to teach across Key Stages, and this will be for the school to decide.

**When will these changes happen?**

If the proposal is approved by the decision makers, who for these types of proposal are The Cabinet Member for Education, Skills and Culture and the Director for Children and Young People (following full consultation), it is intended that the proposal will be implemented from **1<sup>st</sup> May 2019**.

**Will there be any effect on other schools, academies and educational institutions within the local area?**

There should be no effect on other schools, academies or educational institutions within the area. The admission number and capacity of the school will not change. The proposed amalgamation would not affect the supply of places in the local area.

**Will there be any changes to the Admission Criteria of the School?**

If the proposals are approved the school would become an all-through primary school and there would no longer be any need for pupils to transfer from the Infant School to the Junior School at year 3.

The admission number is set for the intake year group. Reception would be the intake point at the newly amalgamated school and the admission number would be 90 (which is the same as the admission number into Reception year in the current Infant School).

The primary school would continue to adopt the Local Authority admission criteria for community and voluntary controlled schools for entry into Reception, as follows;

1. Looked after or previously looked after children.
2. Siblings (brother or sister who will still be in attendance in September 2019).
3. Denominational claims (in the case of voluntary controlled Church of England schools).
4. Distance (children who live nearest the school measured in a straight line).

**To establish admission criteria and arrangements for the newly amalgamated primary school, an application would be sent to the Office of the Schools Adjudicator.**

**Will there be changes to the school building?**

There will be no building work resulting from the amalgamation. It would be the responsibility of the amalgamated primary school to maintain the combined buildings and land of the previous two schools.

**Will this definitely happen?**

No.

There is a statutory process we must follow to make these sorts of changes to schools.

We have completed the six week informal consultation stage during which we asked to hear your views on the proposal. During the six week period we received a total of 104 responses. An analysis of the results can be found in Annex 1 of this document. Birmingham City Council as the Local Authority has considered the views received and has decided to continue to the next and formal stage. We are publishing this full proposal document and are allowing four weeks for people to formally comment on them (representation period).

Within two months of the end of the representation period a report will be produced with all of the comments received and this will be passed for consideration by the decision makers (Cabinet Member for Education, Skills and Culture jointly with the Corporate Director for Children and Young People) Should the decision makers not come to a unanimous decision the proposal will be passed to the Office of the Schools Adjudicator for a final decision. It is only at that point

that we will be able to say with certainty that the two schools will be amalgamated.

### **What will happen if this proposal is rejected?**

If a decision is taken that the two schools should **not** be amalgamated, then the existing infant and junior schools will continue to be separate schools. A course of action will need to take place to address the improvements needed at the infant school.

### **How can I make my views known?**

We invite all interested parties to give us their views and comment on this proposal. Any comments must be received no later than **7<sup>th</sup> February 2019**.

You can comment online via BeHeard:

<https://www.birminghambeheard.org.uk/people-1/wilkesgreenijfinal>

You can write to the Local Authority:

- By email: [eds.enquiries@birmingham.gov.uk](mailto:eds.enquiries@birmingham.gov.uk)
- By letter, or by completing the attached comments form to:  
The Local Authority,  
School Organisation Team,  
PO Box 15843,  
Birmingham, B2 2RT.

### **What happens next?**

The dates set out below meet the government requirements for us to consult fully with the people affected by the proposal. Key dates

Action	Date
Start of 6 week Pre – Statutory Consultation	Week commencing 5 <sup>th</sup> November – Week ending 14 <sup>th</sup> December 2018 CLOSED
Public Notice Published	10 <sup>th</sup> January 2019
Start of 4 week Statutory Consultation	10 <sup>th</sup> January 2019
End of 4 week Statutory Consultation	7 <sup>th</sup> February 2019*
Final decision to be made no later than	7 <sup>th</sup> April 2019
Changes implemented	1 <sup>st</sup> May 2019
* date for comments to be received by	

## Proposal to Amalgamate Wilkes Green Infant School and Wilkes Green Junior School

We are formally consulting on the proposal for four weeks from **10/01/2019 to 07/02/2019**

You can make your views known by visiting:

<https://www.birminghambeheard.org.uk/people-1/wilkesgreenijfinal>

Or alternatively complete and return the form below to the following address:  
School Organisation Team, Education and Skills Infrastructure, PO Box 15843,  
Birmingham, B2 2RT.

Thank you for taking the time to send us your thoughts on these proposals.

## Consultation Response Form

Please help us to analyse your response by completing the following:

Your name (optional):

Your contact details (optional, if you would like a reply)

Your interest in the proposal (please indicate one of the below):

Pupil	
Parent	
School Governor	
School Staff	
Local resident	
Local Councillor	
Member of Parliament	
Other (please specify)	

Please provide your comments to the proposal.

[illegible]

**Annex 1.****Wilkes Green Infant and Wilkes Green Junior School****Analysis of Informal Consultation Responses at 14th December 2018**

Summary Table					
Total number of responses					
104					
Method of Response					
BeHeard		Letter		Email	
6		97		1	
Type of respondent					
Parent	Pupil	Staff	Local Resident	Other	Not Answered
43/104	1/104	52/104	6/104	1/104	1/104
Response Analysis					
	In favour	Opposed	Don't Know	Not Answered	
Parent	38/104	3/104	1/104	1/104	
Pupil	1/104	0/104	0/104	0/104	
Staff	50/104	0/104	2/104	0/104	
Local Resident	6/104	0/104	0/104	0/104	
Other	1/104	0/104	0/104	0/104	
Not specified	1/104	0/104	0/104	0/104	

Comment Themes	
The two schools amalgamating is best option for the community staff and children	1/104
Very good that the schools are amalgamating	1/104
Leadership is good	2/104
Team work within the school is positive	1/104
Staff are very helpful and pleasant	1/104
Good to have the playgroup with the school so we can have stability	1/104
Want to see the Junior school carry the current infant school and build it up to the same "Good" standard rating, if not better.	1/104
Would like to see permanent employment of long term-staff.	1/104
Would like see good leadership, management and providing excellent education from all the educators (from the Head to qualified teachers through to the staff) from the Junior school striving to commit to bring the Infant school to a "Good" rated standard.	1/104

Analyst notes:

Of the 104 responses received three responses (all in favour of the proposal) included comments. The above themes are extracts from the responses received.





## Proposal of Birmingham City Council

### **Wilkes Green Infant School**

Notice is given in accordance with section 15(1) of the Education and Inspections Act 2006 that Birmingham City Council intends to discontinue Wilkes Green Infant School (community school), Antrobus Road, Handsworth Birmingham B21 9NT with effect from 1st May 2019.

### **Wilkes Green Junior School**

Notice is given in accordance with section 19(1) of the Education and Inspections Act 2006 that Birmingham City Council intends to make a prescribed alteration to Wilkes Green Junior School, (community school) Antrobus Road, Handsworth Birmingham B21 9NT namely;

- To alter the lower age range of Wilkes Green Junior School to accommodate pupils of Infant school age and thus amalgamate Wilkes Green Infant School and Wilkes Green Junior School with effect from 1<sup>st</sup> May 2019.
- The proposals for both schools in this notice are related and would result in Wilkes Green Junior School becoming an all through primary school for pupils aged 3 – 11 and expanding to accommodate the buildings and pupils of Wilkes Green Infant School.
- Pupils currently attending Wilkes Green Infant School would automatically transfer to Wilkes Green Junior School from 1<sup>st</sup> May 2019.
- The published admission number in Reception for the amalgamated school will remain at 90. There will be no Year 3 transfer applications required after 1<sup>st</sup> May 2019 because children will automatically progress from Year 2 into Year 3 of the newly amalgamated school.
- Wilkes Green Junior School will also be proposing to change its name to reflect the change in age range and the amalgamation.

This notice is an extract from the complete proposal document. Copies of the complete proposal can be found at;

[www.birminghambeheard.org.uk/people-1/wilkesgreenijfinal](http://www.birminghambeheard.org.uk/people-1/wilkesgreenijfinal)

If you require a hardcopy this can be obtained by writing to: School Organisation Team, Education Infrastructure, and PO Box 15843, Birmingham B2 2RT. Within four weeks from the date of publication of this proposal, any person may object to or make comments on the proposals. Anyone who wishes to make representation about these proposals should do so through the above web site or by writing to the School Organisation Team at the above postal address. The date by which objections or comments must be received is 7th February 2019.

Signed: Anne Ainsworth, Director for Children and Young People.

Dated: 10<sup>th</sup> January 2019



## School Org: Statutory Consultation Results – Wilkes Green Infant and Wilkes Green Junior School – Amalgamation

### Summary Table

Total number of responses:	55
Number in favour or against the proposal:	
In favour	53
Against	1
Not indicated	1
Method of response:	
BeHeard (website)	9
Email	1
Letter	45
Respondent by type:	
Pupil	1
Parent	51
Parent/Pupil	1
Parent/Local Resident	1
Not Answered	1

### Analyst Notes

Of the 55 responses received only 5 included comments.

A response was sent to the individual who sent an email asking if there would be changes to the uniform etc. The response stated that should the proposal be approved the newly amalgamated school would possibly be considering changing the uniform, however the Governing Body and Management Team will be mindful to any potential cost to parents when making their decision.

Wilkes Green I & J Amalgamation 2019 (SOT10116) :  
Statutory Consultation: BeHeard Responses

Type of respondant	In Favour / Opposed	Your Comments	Response ID
Parent	Yes	no comments	ANON-HRA2-F3DS-W
Other, please specify	Yes	no comments	ANON-HRA2-F3DP-T
Parent	Yes	no comments	ANON-HRA2-F3DX-2
Parent	Yes	no comments	ANON-HRA2-F3D3-W
Parent	Yes	no comments	ANON-HRA2-F3DV-Z
Parent	Yes	no comments	ANON-HRA2-F3DJ-M
Parent	Yes	no comments	ANON-HRA2-F3D5-Y
Parent	Yes	The junior school is very strong compared to how the infant school started of. I feel the both sides coming together will make a positive outcome and is a good way forward. Thank you	ANON-HRA2-F3DW-1
Parent	Yes	no comments	ANON-HRA2-F3DN-R

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**From:** [REDACTED]  
**Sent:** Wednesday, January 23, 2019 10:15 AM  
**To:** Edsi Enquiries  
**Subject:** Aspected changes

Hi what kind of changes will be occur when wGIS turn into primary school ?

Is there any chance to change uniform logo , colour and teaching process and teachers?

Sent from my Samsung device



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Please help us to analyse your response by completing the following:

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Your interest in the proposal (please indicate one of the below):

Pupil	
Parent	
School Governor	
School Staff	
Local resident	
Local Councillor	
Member of Parliament	
Other (please specify)	

Are you in favour of the proposal? (Please tick one answer)

Yes ☐ No ☒ Don't know ☐

Please use the box on the next page to provide any comments you have on the proposal.



## Your comments:

with the running of all this amalgamation process, I feel both schools are suffering. The Infants school has not seen any improvement, they are in fact worse off. They have a different teacher each morning and afternoon of each day of the week ~~and~~ at an important stage in their lives with their SATs taking place. They have no equipment or facilities in the playground, they are currently neglected. Education in Juniors is also affected.

Too much focus and attention is drawn to wanting the schools to amalgamate. The infants school deserves a head teacher that cares about it's children, it should not be used as a means of trial and error, it's children have suffered enough, and focus should be on and in their interest in finding for them a headteacher who is passionate and dedicated in improving the school, and not someone who looks to increasing his paycheck. I hope my comments will be noted and careful consideration is given to the children's needs and interest.

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Parent	<input checked="" type="checkbox"/>
School Governor	
School Staff	
Local resident	
Local Councillor	
Member of Parliament	
Other (please specify)	

Are you in favour of the proposal? (Please tick one answer)

Yes ☒

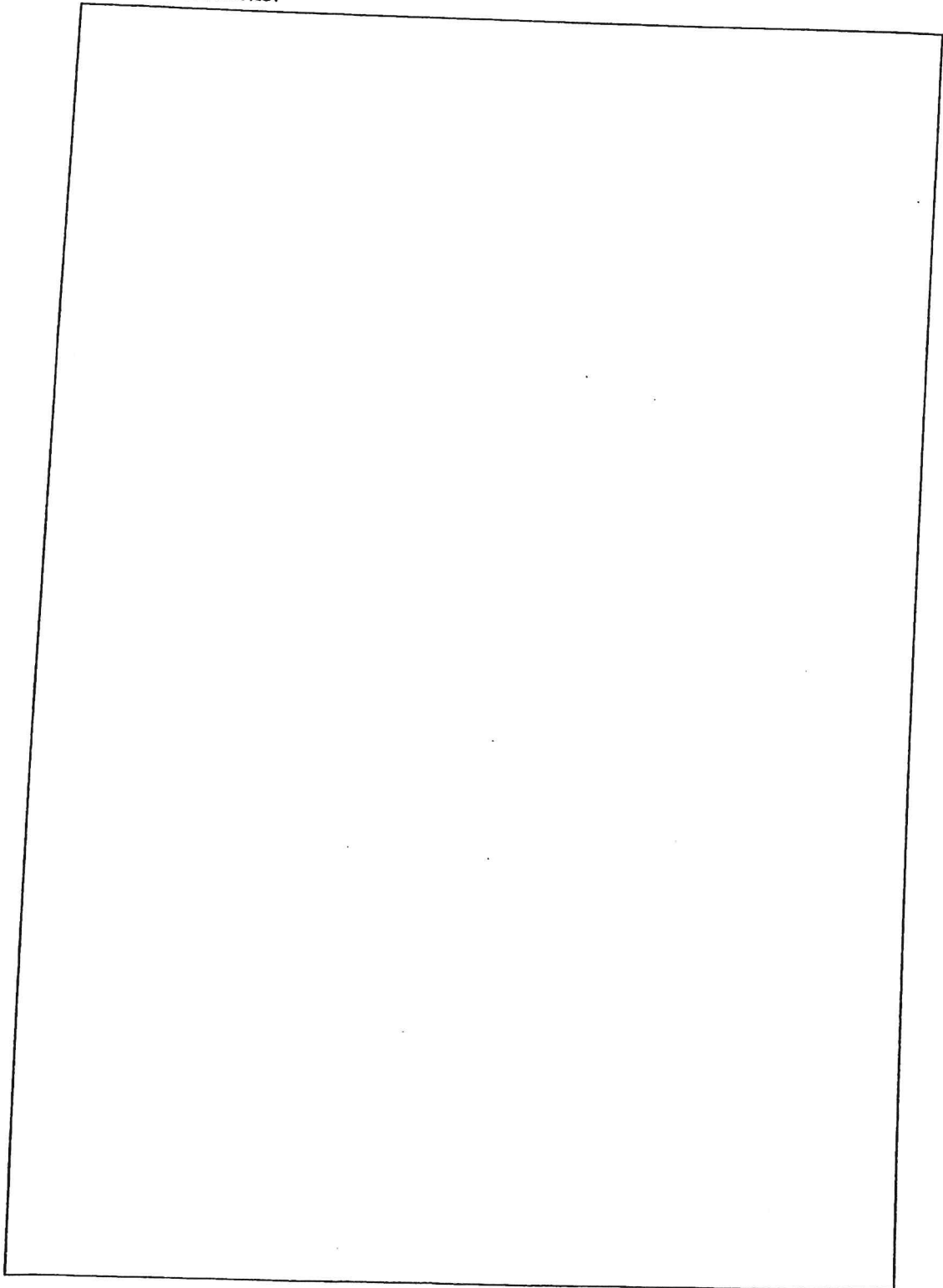
No ☐

Don't know ☐

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Your comments:

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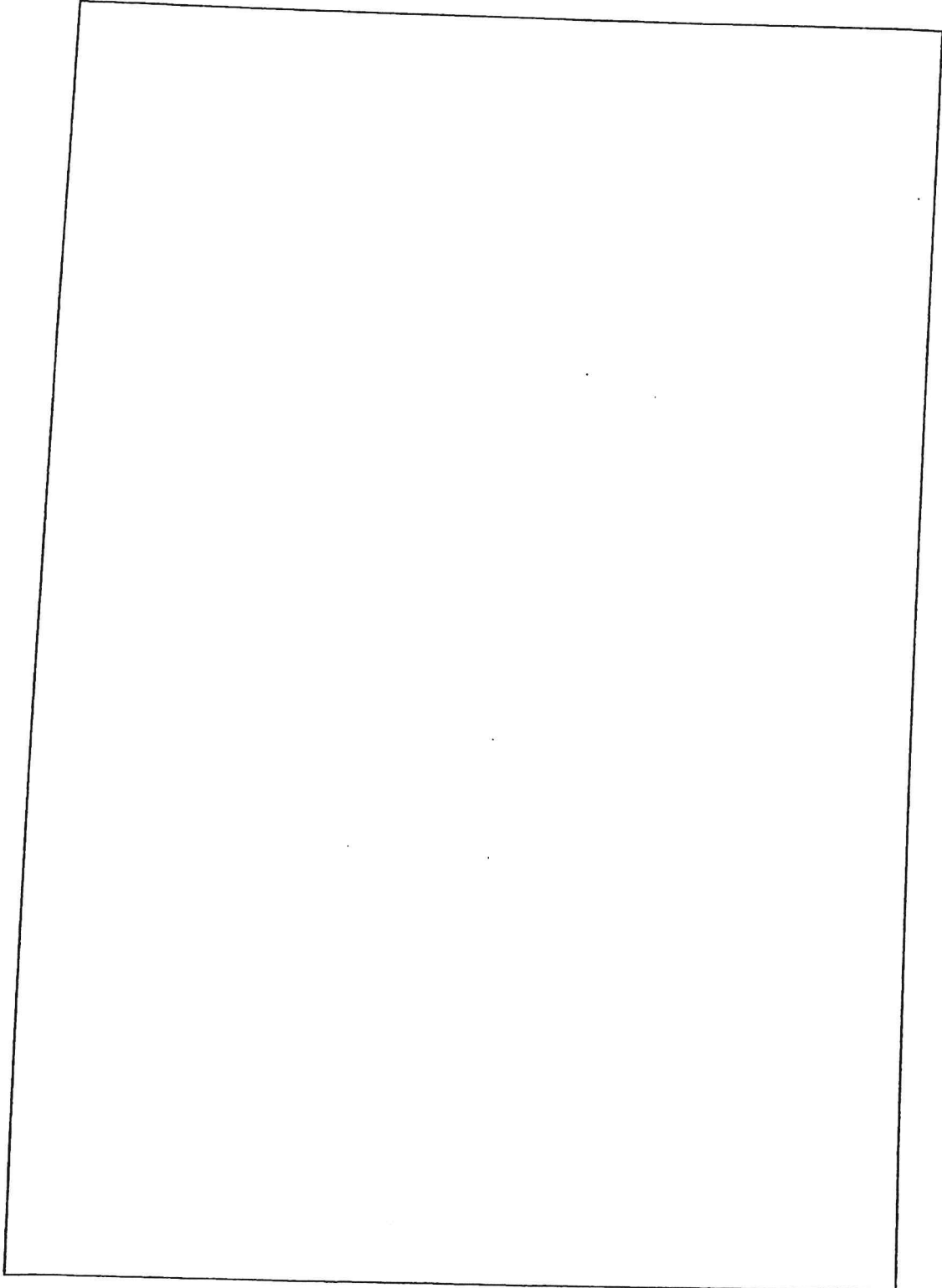
Pupil	
Parent	<input checked="" type="checkbox"/>
School Governor	
School Staff	
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Other (please specify)	

Are you in favour of the proposal? (Please tick one answer)

Yes ☒ No ☐ Don't know ☐

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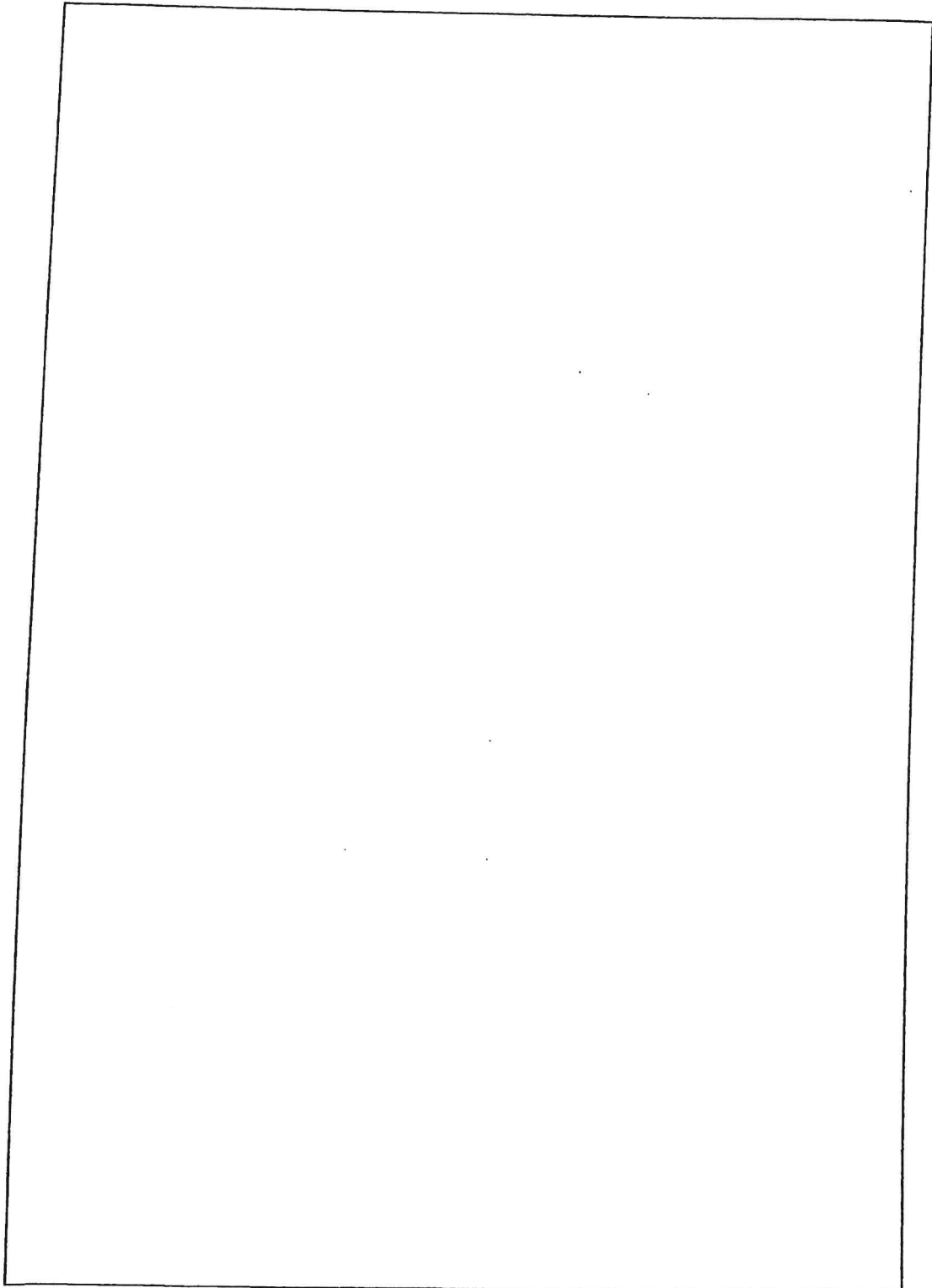
Pupil	
Parent	<input checked="" type="checkbox"/>
School Governor	
School Staff	
Local resident	
Local Councillor	
Member of Parliament	
Other (please specify)	

Are you in favour of the proposal? (Please tick one answer)

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Don't know	<input type="checkbox"/>
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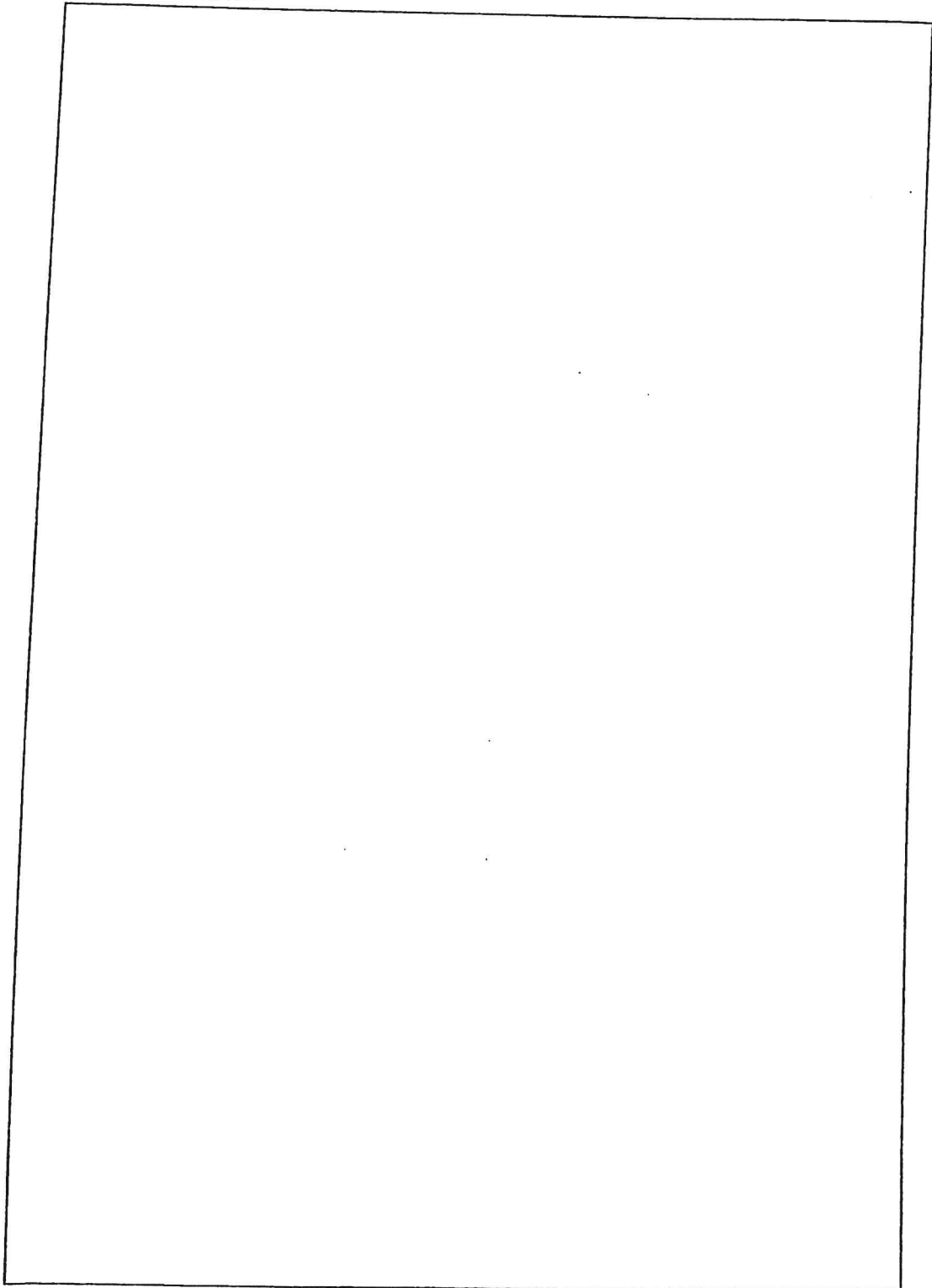
Yes ☒

No ☐

Don't know ☐

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Yes ☒

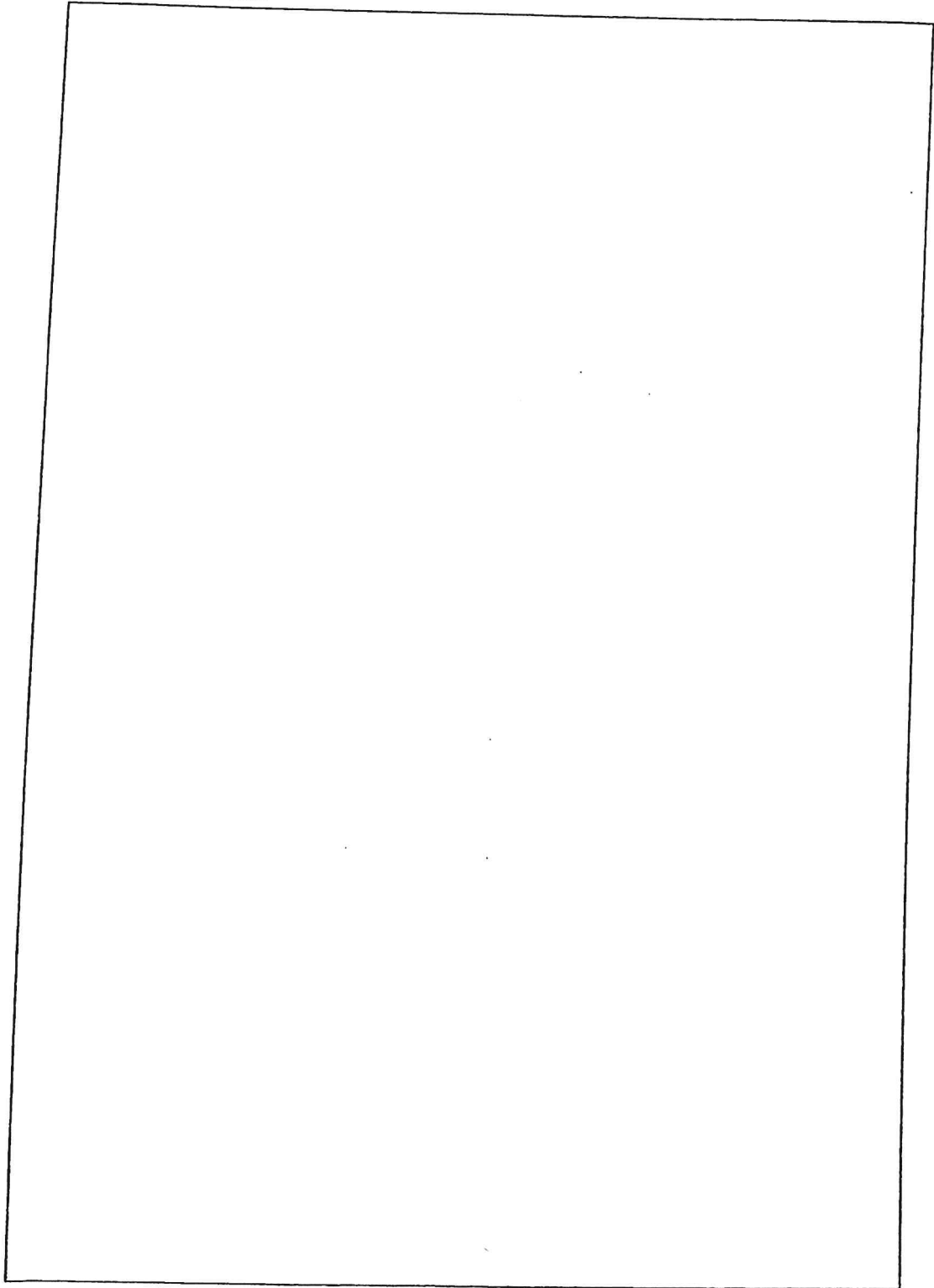
No ☐

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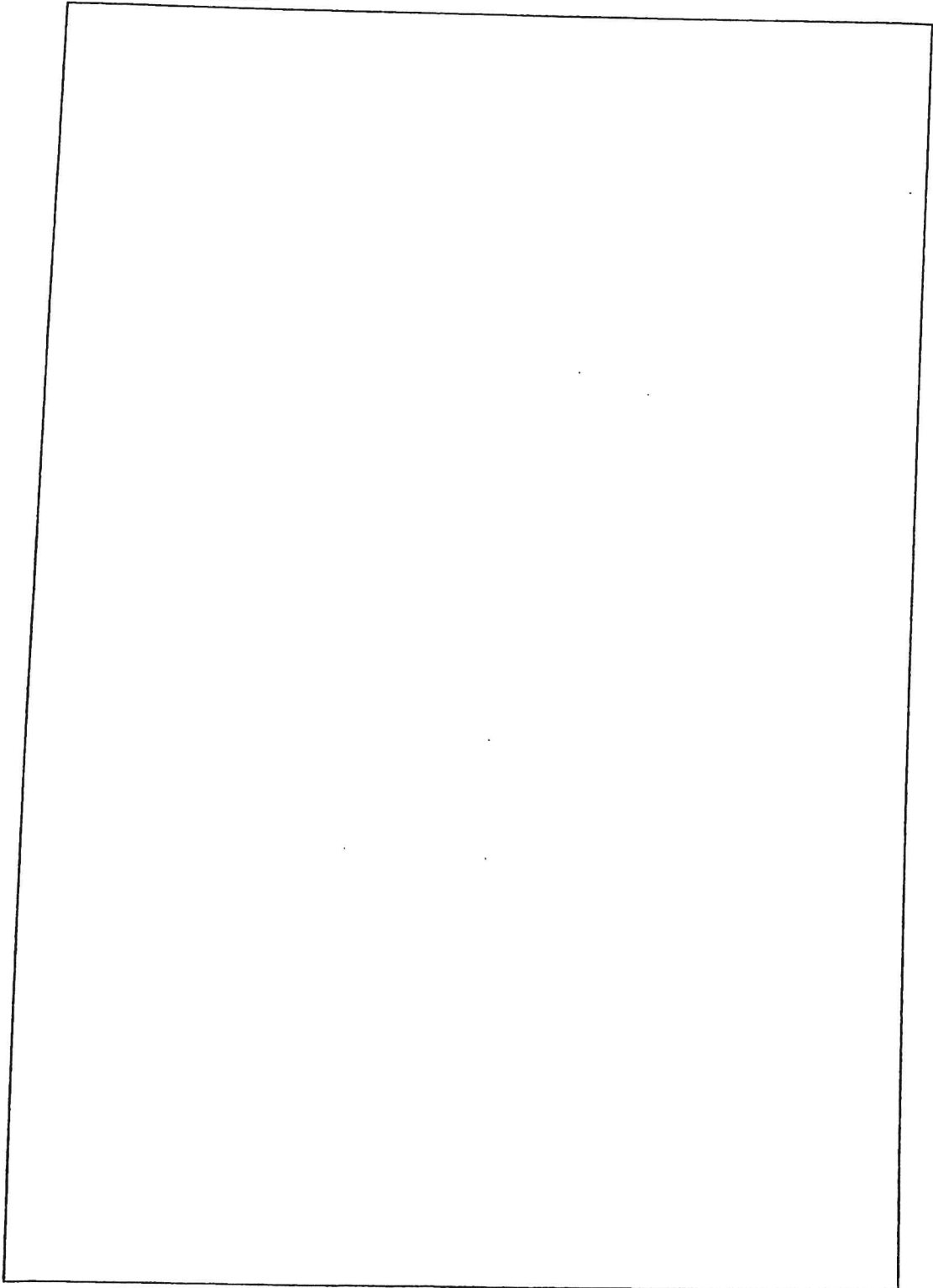
Yes ☒

No ☐

Don't know ☐

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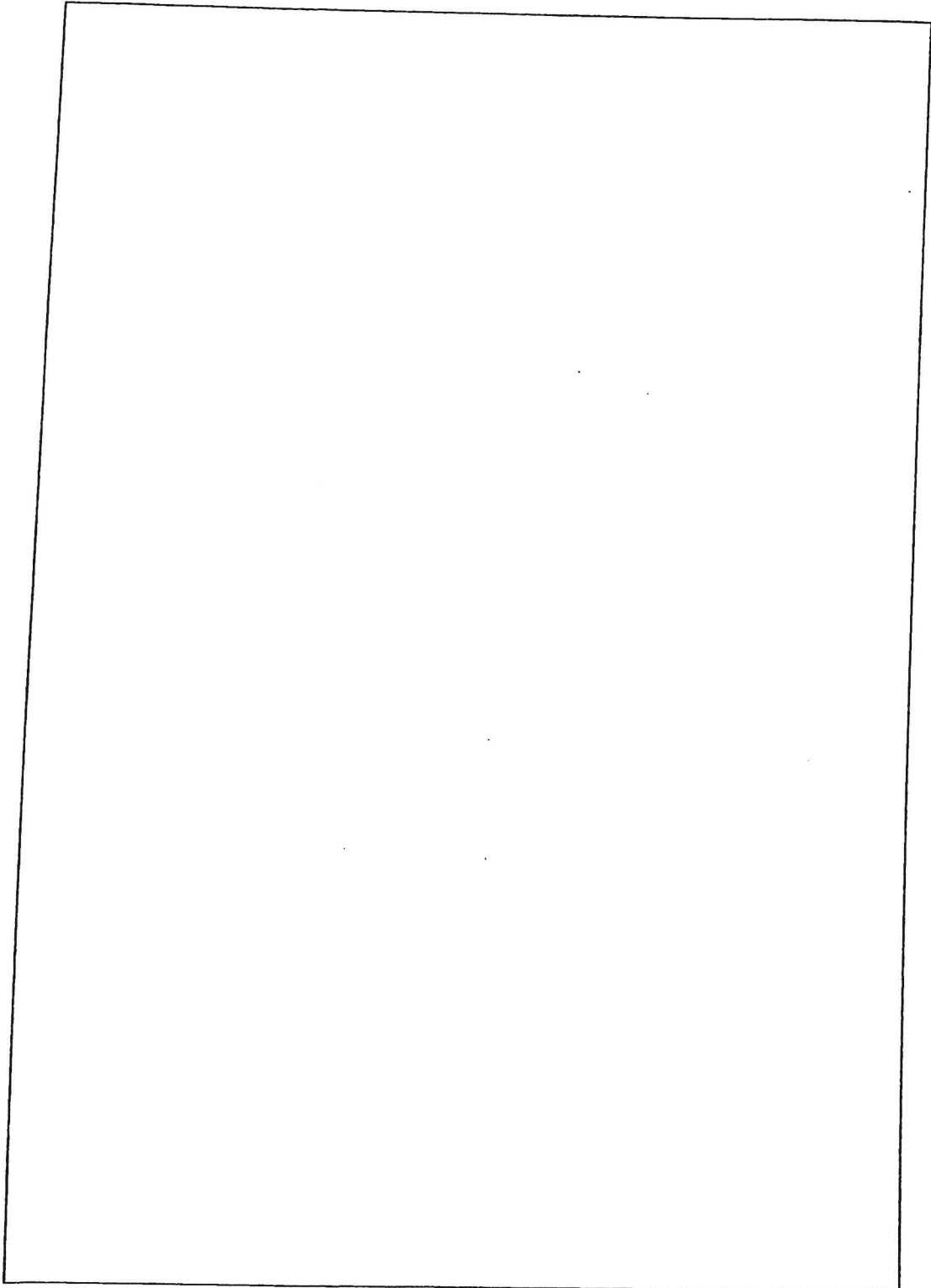
Yes ☒

No ☐

Don't know ☐

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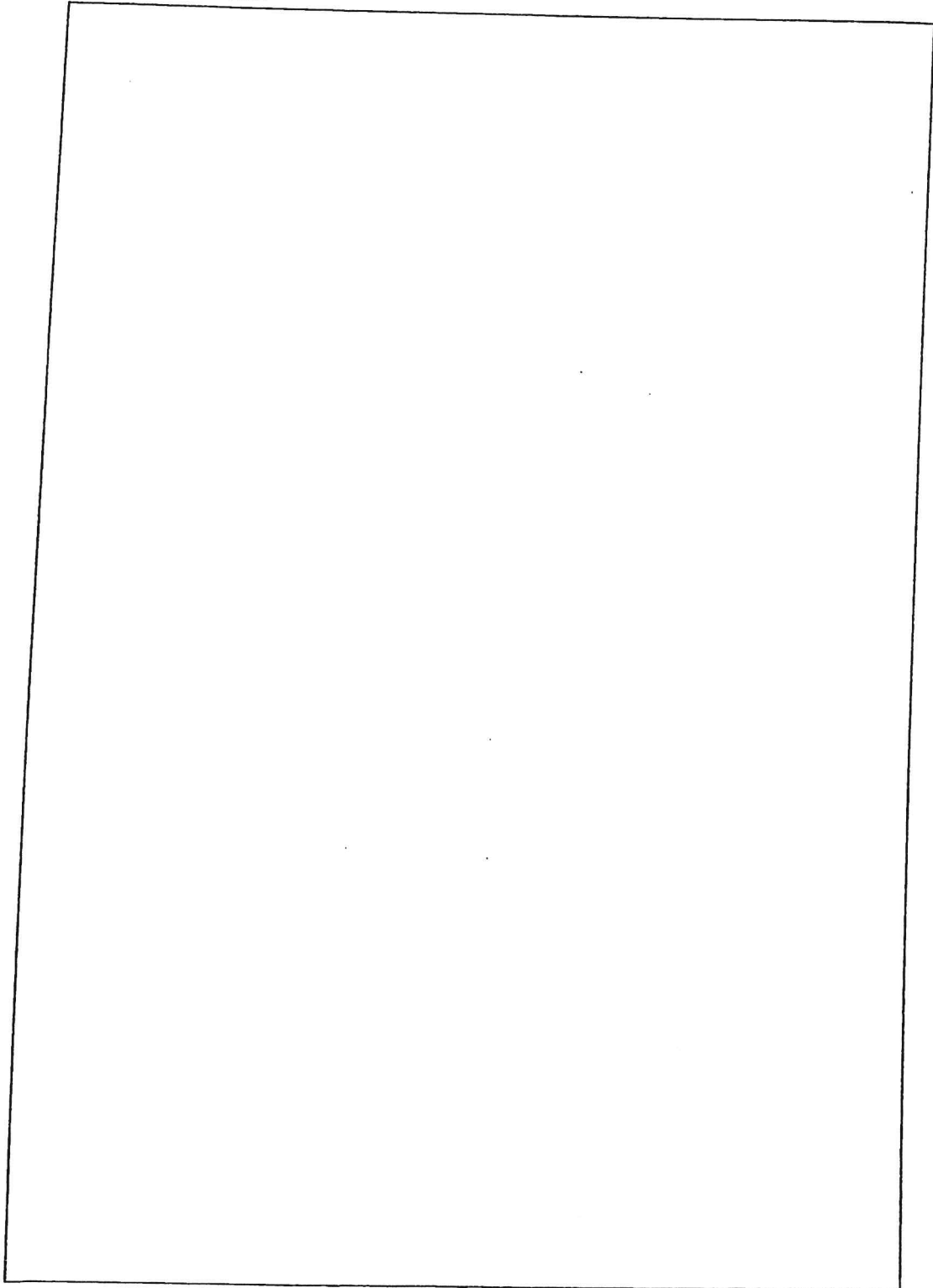
Yes ☒

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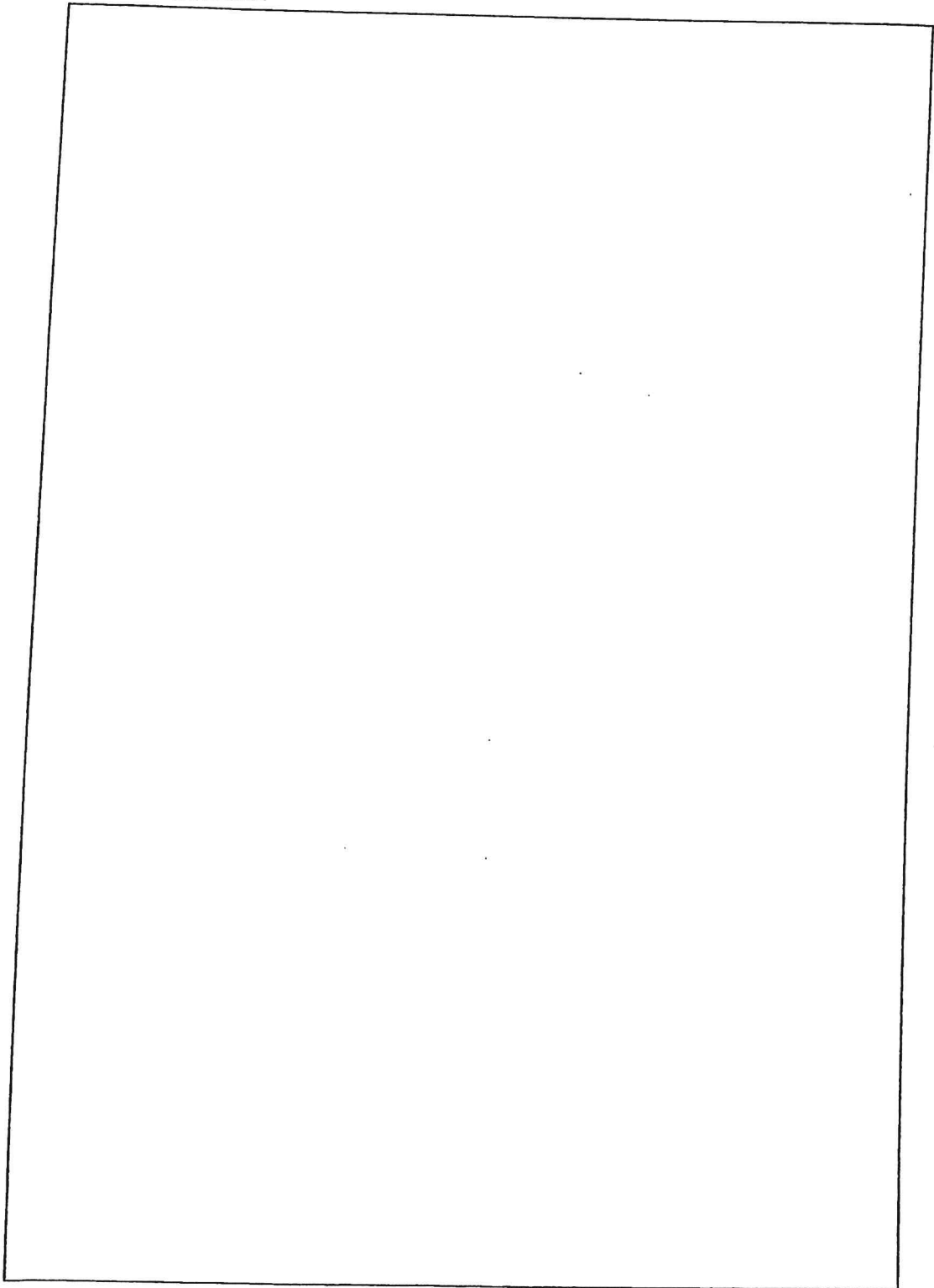
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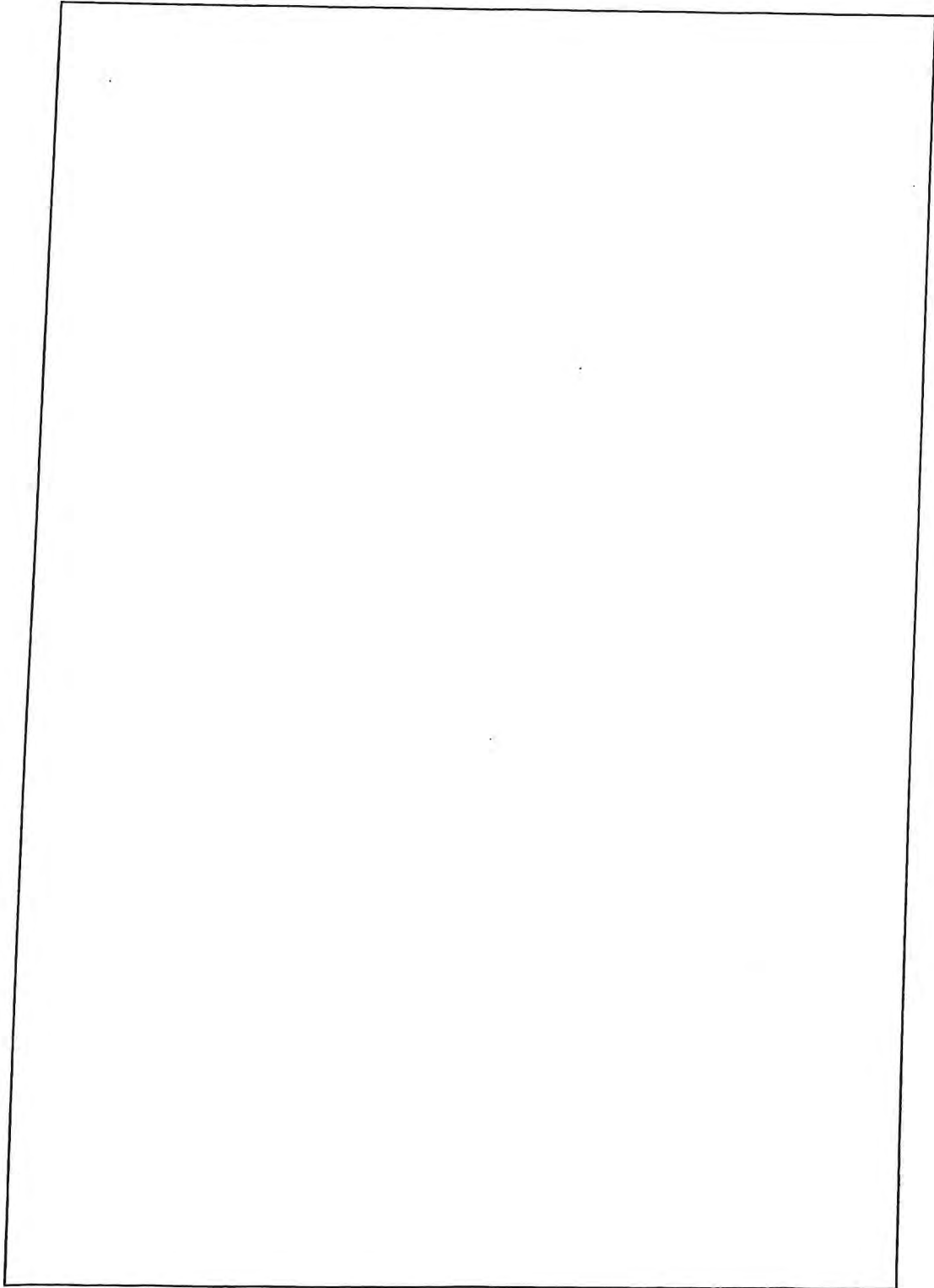
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School Staff	<input type="checkbox"/>
Local resident	<input type="checkbox"/>
Local Councillor	<input type="checkbox"/>
Member of Parliament	<input type="checkbox"/>
Other (please specify)	<input type="checkbox"/>

Are you in favour of the proposal? (Please tick one answer)

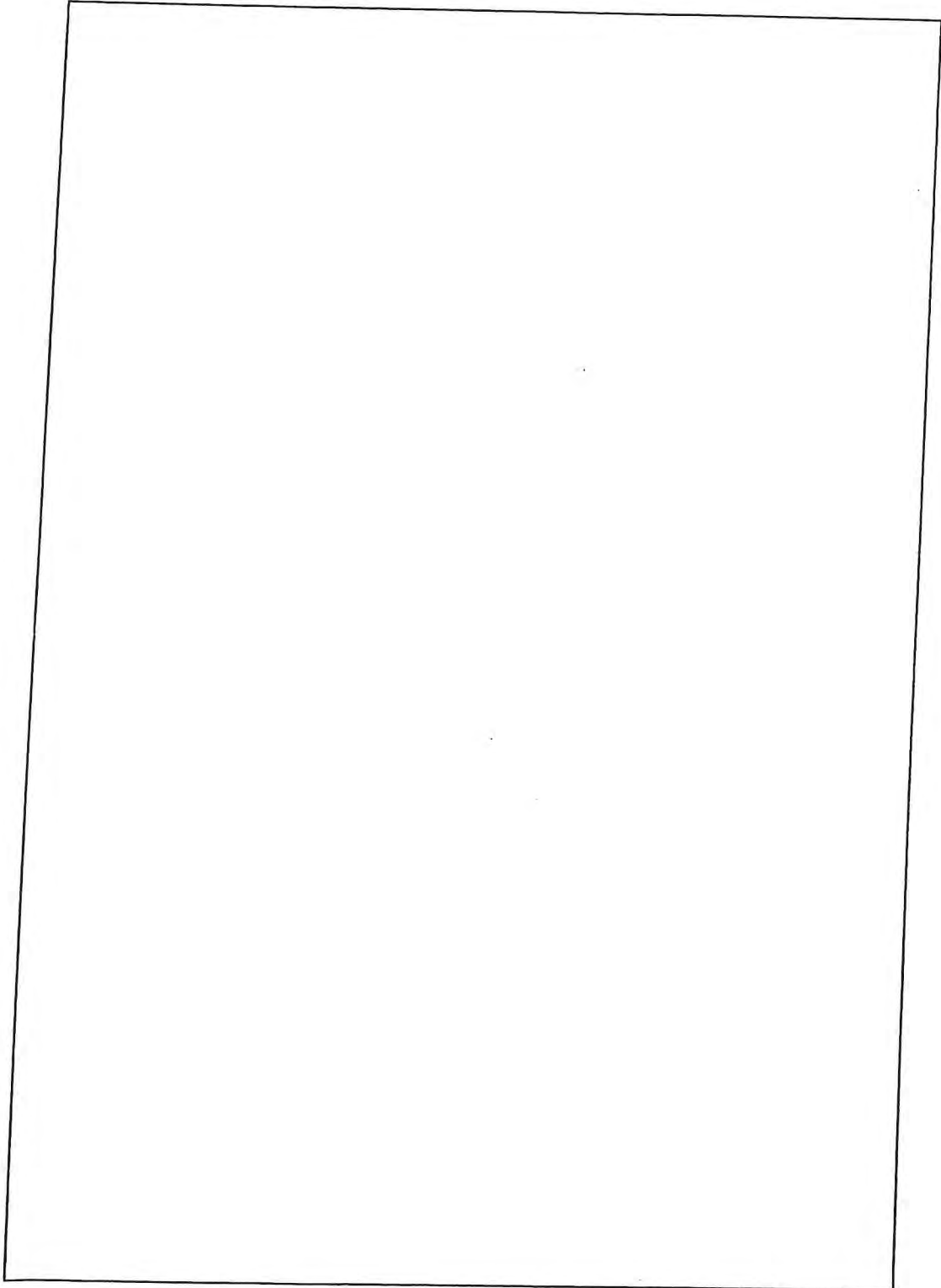
Yes ☒

No ☐

Don't know ☐

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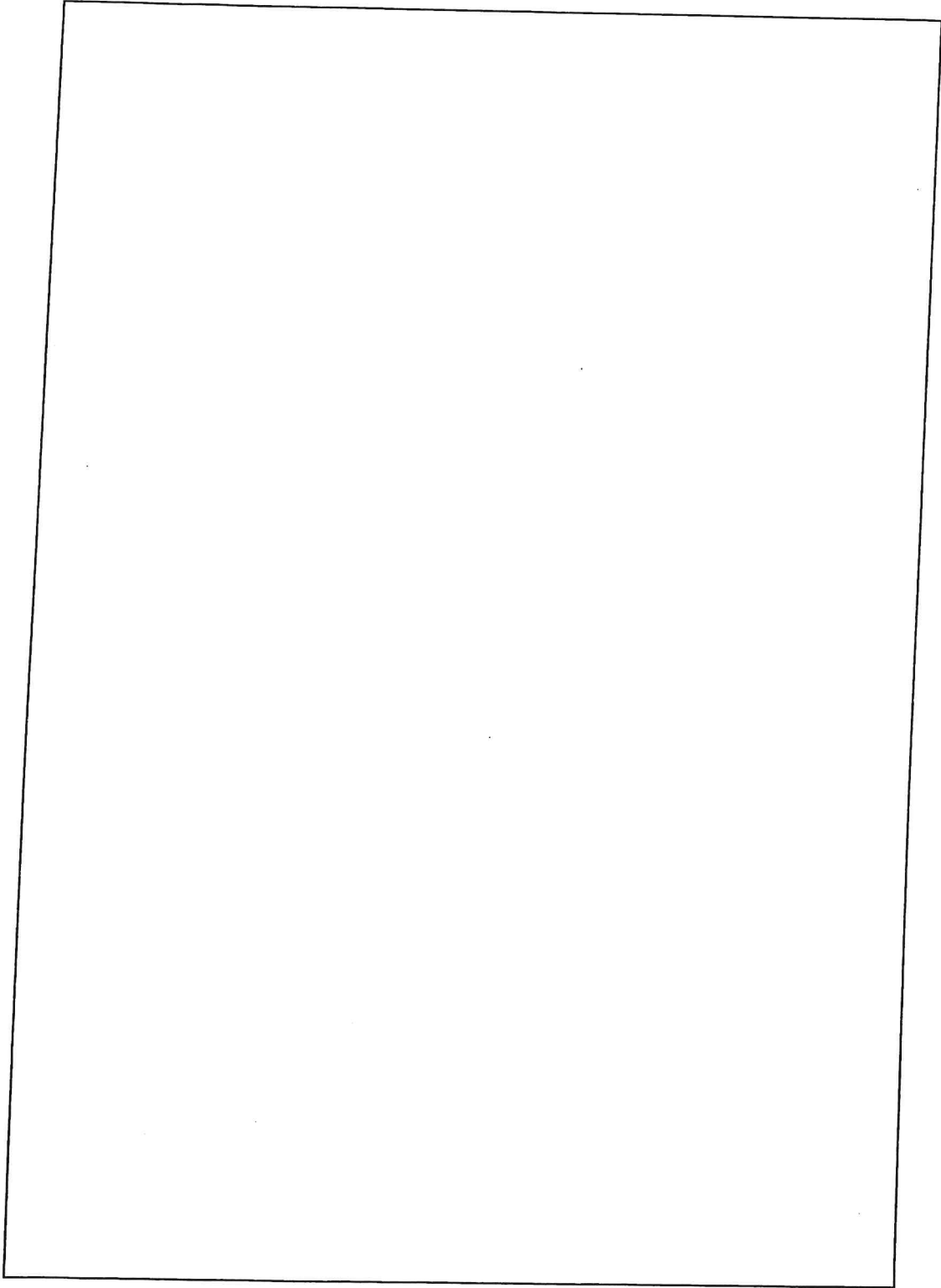
Pupil	
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School Governor	
School Staff	
Local resident	
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Other (please specify)	

Are you in favour of the proposal? (Please tick one answer)

Yes ☒

No ☐

Don't know ☐

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Pupil	
Parent	✓
School Governor	
School Staff	
Local resident	
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Member of Parliament	
Other (please specify)	

Please provide your comments to the proposal.

I agree to the amalgamation



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I agree to this amalgamation.

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[REDACTED]

Your contact details (Optional, if you would like a reply: Your contact information is only used for the purpose of this consultation and is not shared with any other companies or organisations.):

Your interest in the proposal (please indicate one of the below):

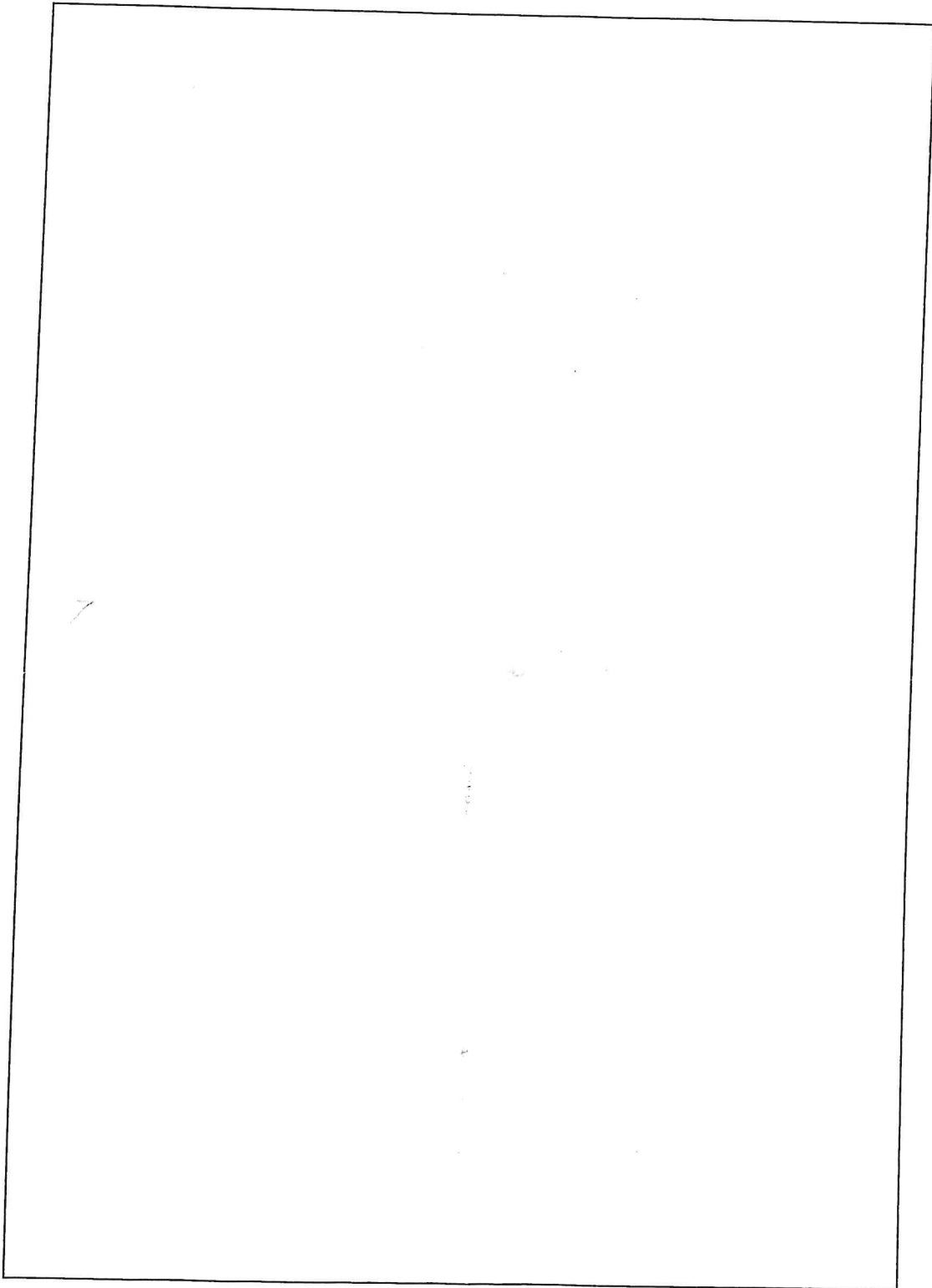
Pupil	
Parent	<input checked="" type="checkbox"/>
School Governor	
School Staff	
Local resident	
Local Councillor	
Member of Parliament	
Other (please specify)	

Are you in favour of the proposal? (Please tick one answer)

Yes ☒ No ☐ Don't know ☐

Please use the box on the next page to provide any comments you have on the proposal.

Your comments:

A large, empty rectangular box with a thin black border, intended for the user to provide comments. The box is oriented vertically and occupies most of the page below the 'Your comments:' label.

### Proposal to Amalgamate Wilkes Green Infant School and Wilkes Green Junior School

We are formally consulting on the proposal for four weeks from **10/01/2019 to 07/02/2019**

You can make your views known by visiting:

<https://www.birminghambeheard.org.uk/people-1/wilkesgreenijfinal>

Or alternatively complete and return the form below to the following address:

School Organisation Team, Education and Skills Infrastructure, PO Box 15843, Birmingham. B2 2RT.

Thank you for taking the time to send us your thoughts on these proposals.

### Consultation Response Form

Please help us to analyse your response by completing the following:

Your name (optional):

Your contact details (optional, if you would like a reply)

Your interest in the proposal (please indicate one of the below):

Pupil	
Parent	<input checked="" type="checkbox"/>
School Governor	
School Staff	
Local resident	
Local Councillor	
Member of Parliament	
Other (please specify)	

Please provide your comments to the proposal.

*I agree to the two schools becoming one.*





## Proposal to Amalgamate Wilkes Green Infant School and Wilkes Green Junior School

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Pupil	<input checked="" type="checkbox"/>
Parent	<input checked="" type="checkbox"/>
School Governor	<input type="checkbox"/>
School Staff	<input type="checkbox"/>
Local resident	<input type="checkbox"/>
Local Councillor	<input type="checkbox"/>
Member of Parliament	<input type="checkbox"/>
Other (please specify)	<input type="checkbox"/>

Are you in favour of the proposal? (Please tick one answer)

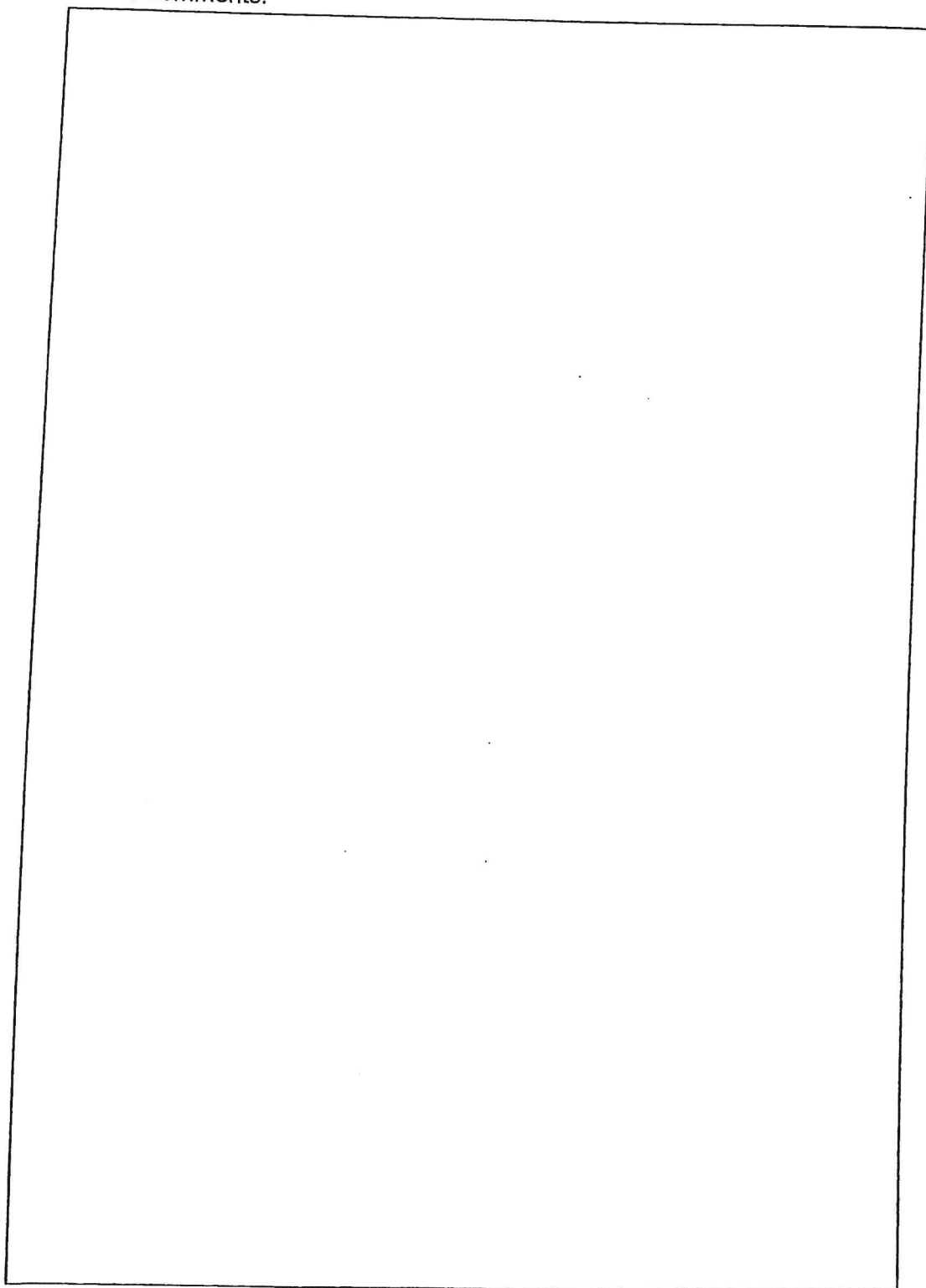
Yes ☒

No ☐

Don't know ☐

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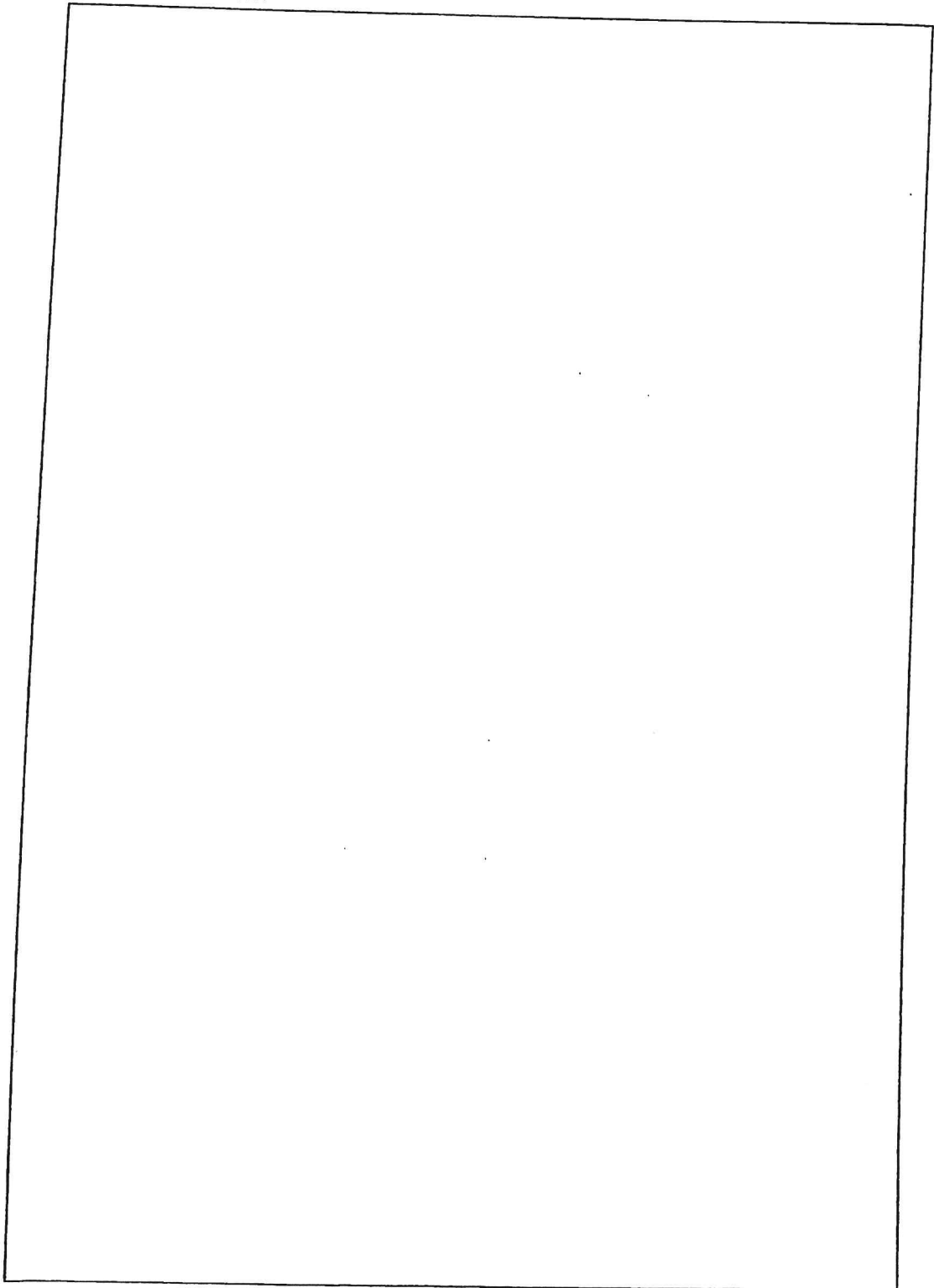
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Don't know ☐

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Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Don't know	<input type="checkbox"/>
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Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Don't know <input type="checkbox"/>
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Other (please specify)	

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Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Don't know <input type="checkbox"/>
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Parent	<input checked="" type="checkbox"/>
School Governor	
School Staff	
Local resident	
Local Councillor	
Member of Parliament	
Other (please specify)	

Are you in favour of the proposal? (Please tick one answer)

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Don't know	<input type="checkbox"/>
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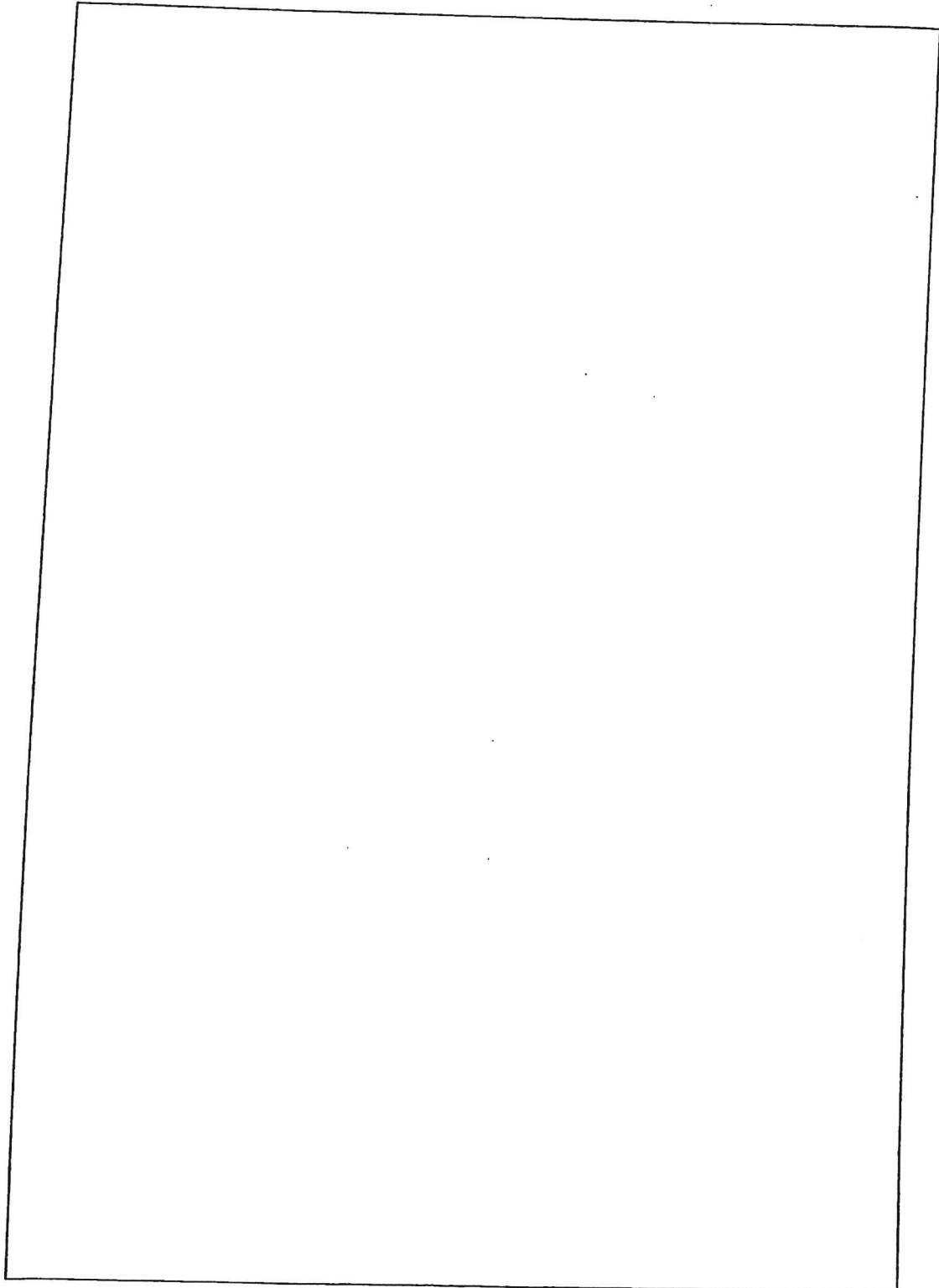
Yes ☒

No ☐

Don't know ☐

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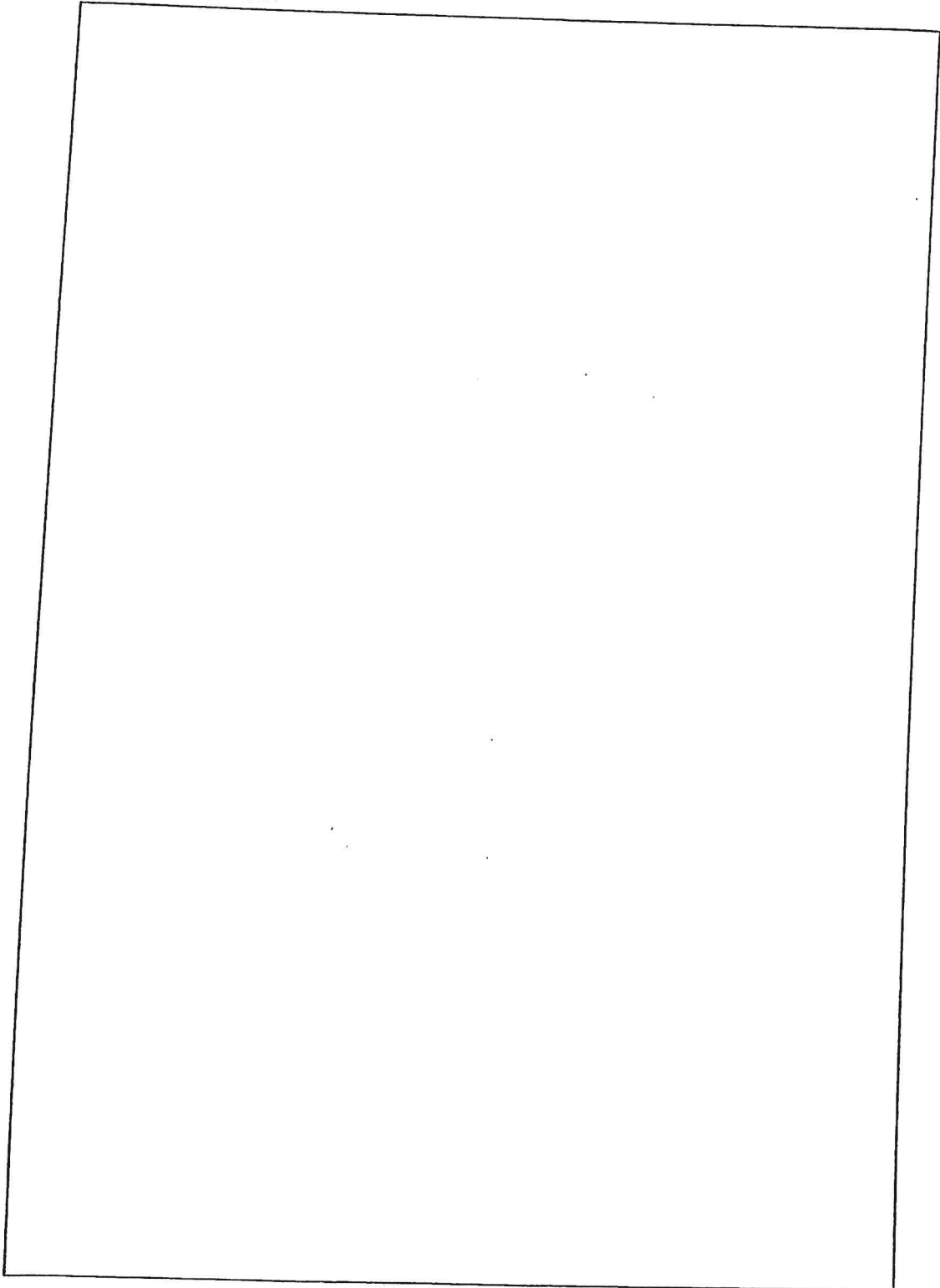
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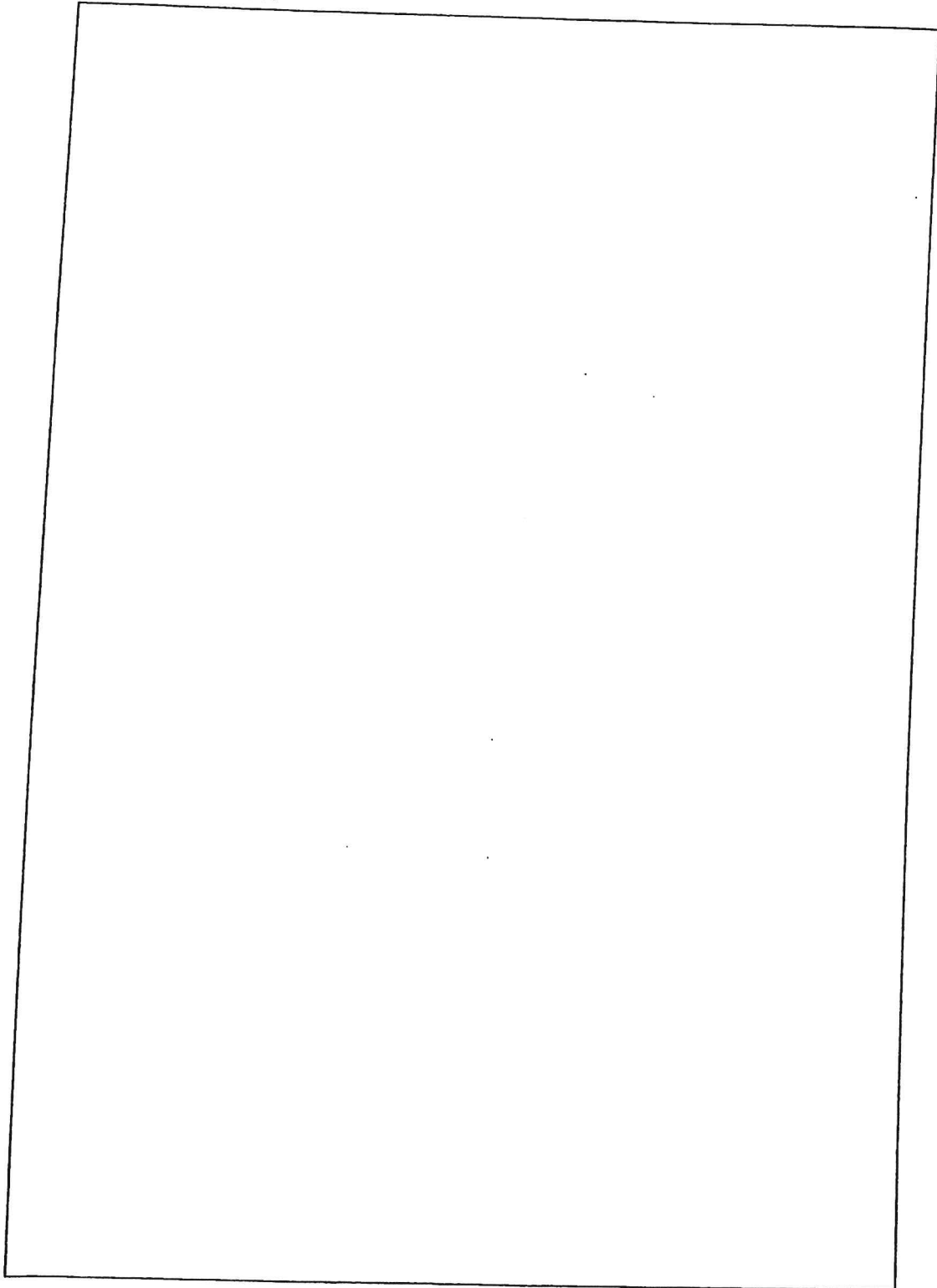
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Yes ☒

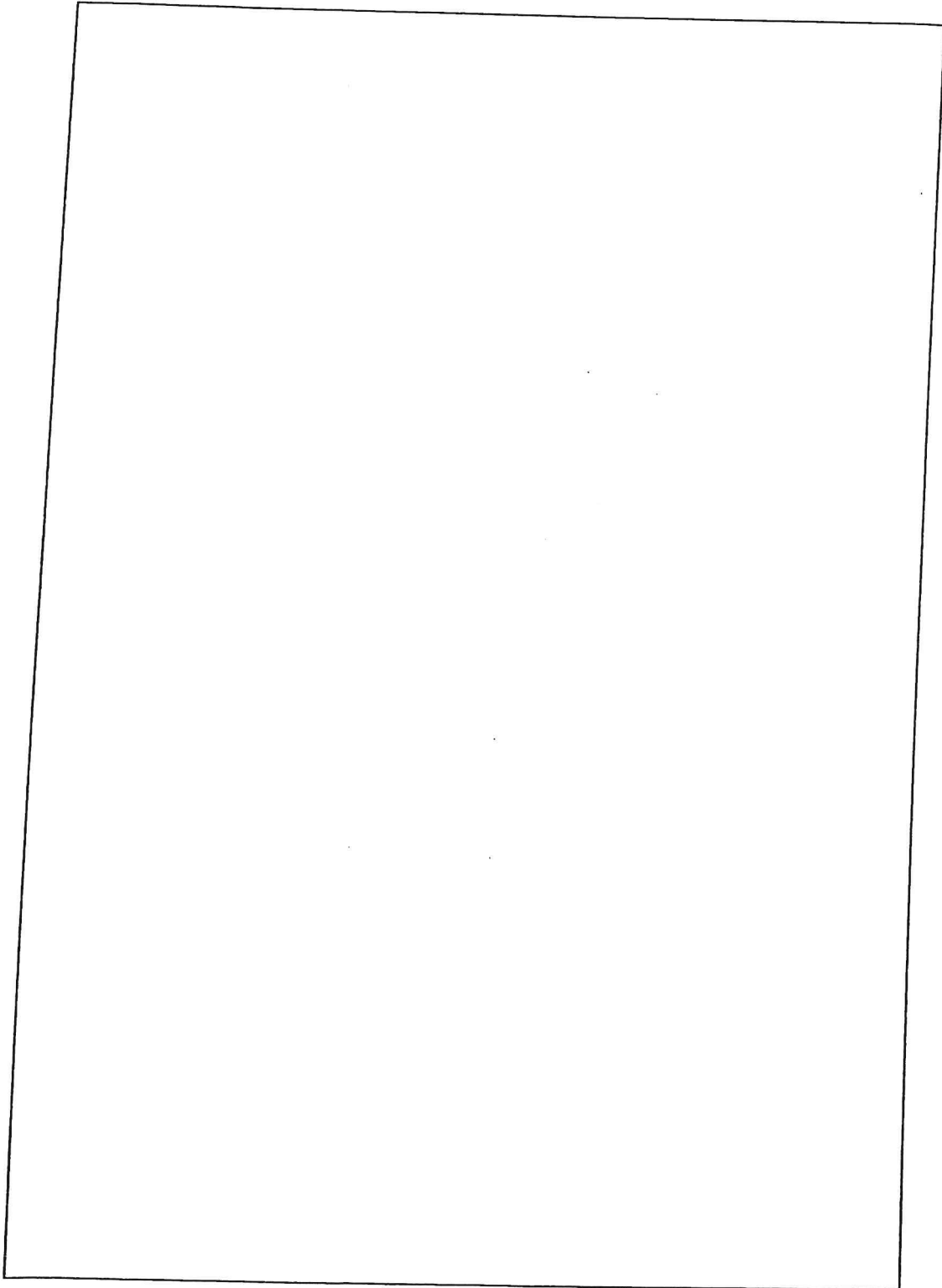
No ☐

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Other (please specify)	

Are you in favour of the proposal? (Please tick one answer)

Yes

☒

No

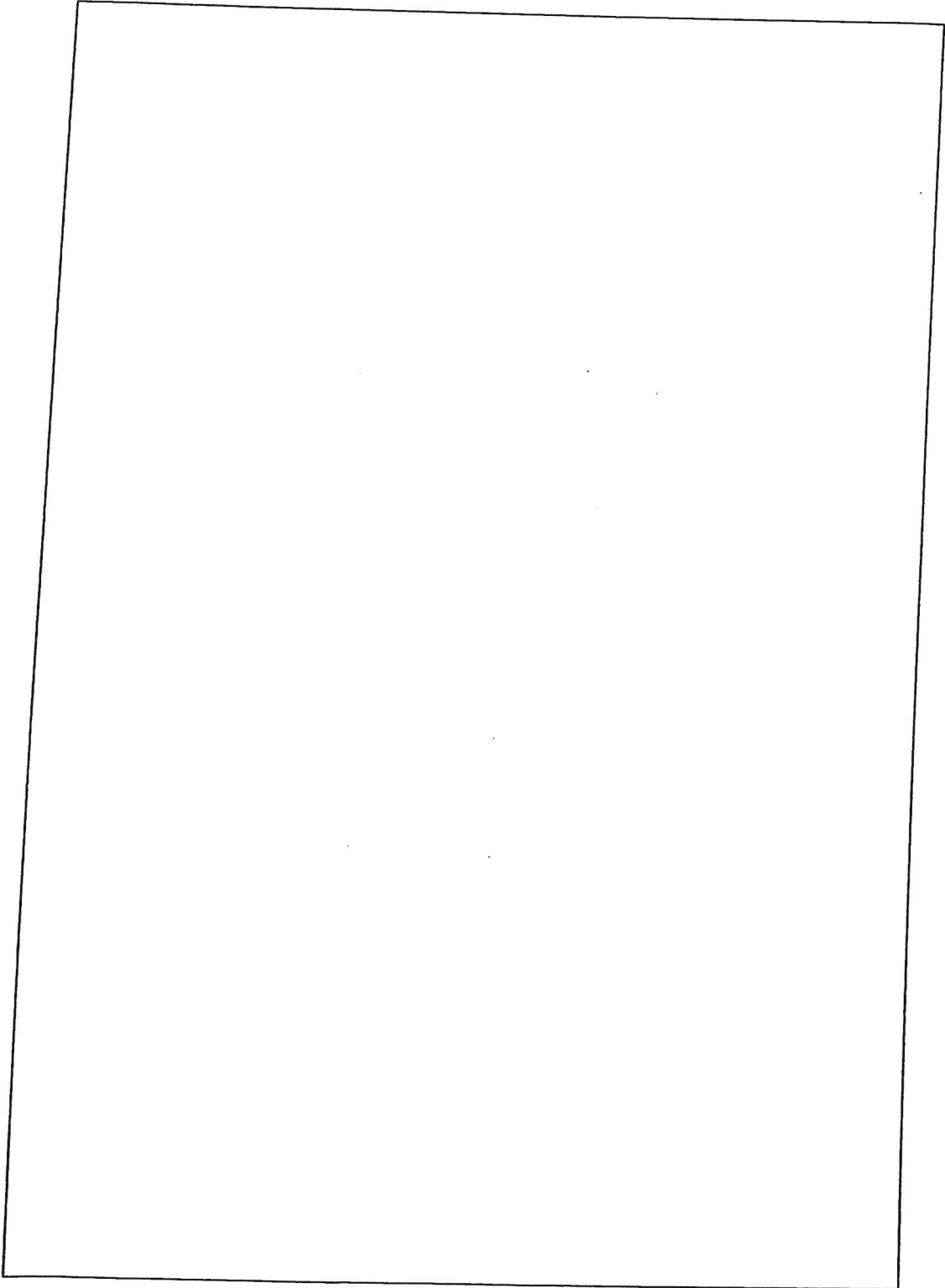
☐

Don't know

☐

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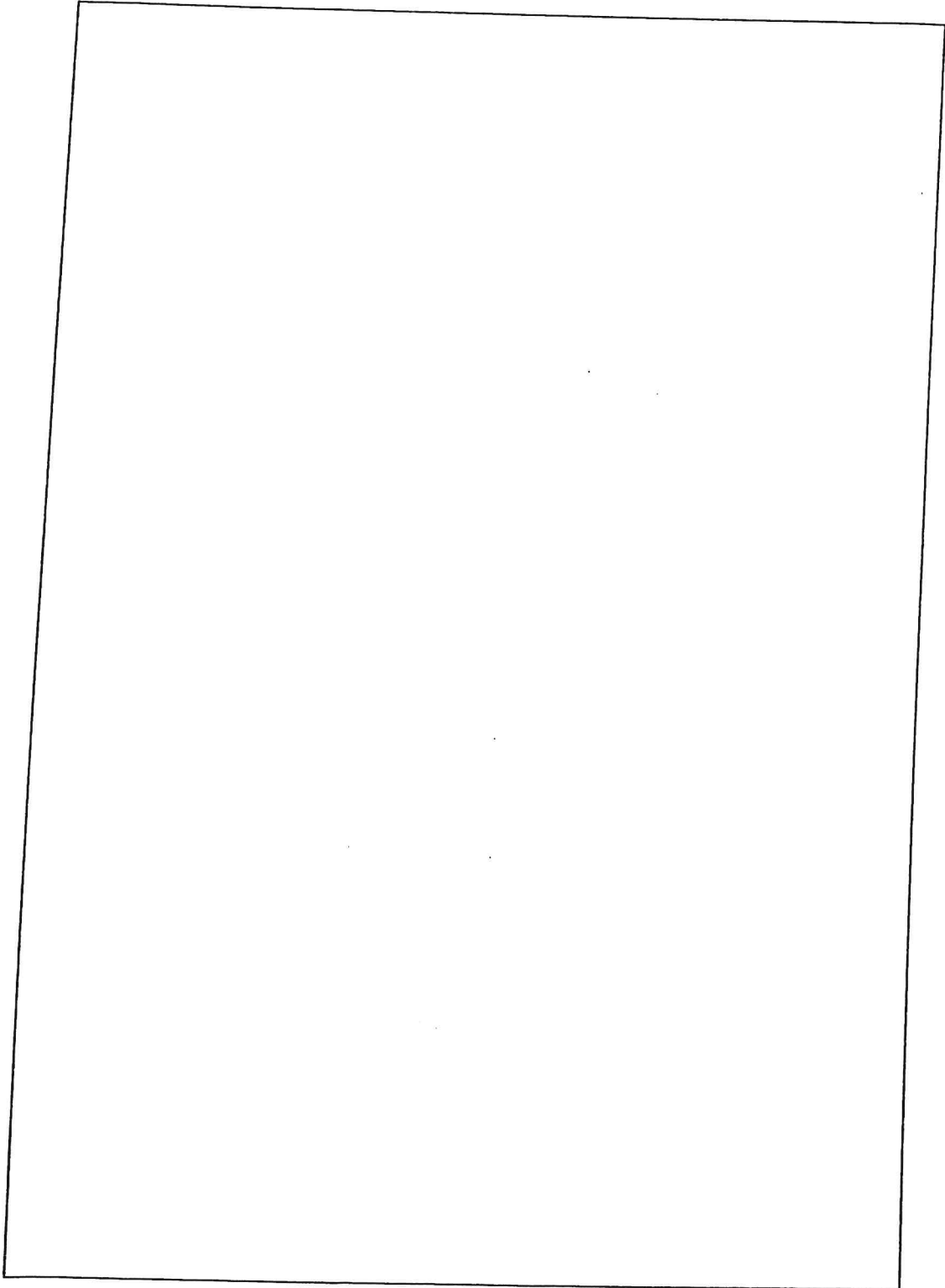
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Please help us to analyse your response by completing the following:

Your name (Optional):

Your contact details (Optional, if you would like a reply: Your contact information is only used for the purpose of this consultation and is not shared with any other companies or organisations.):

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Your interest in the proposal (please indicate one of the below):

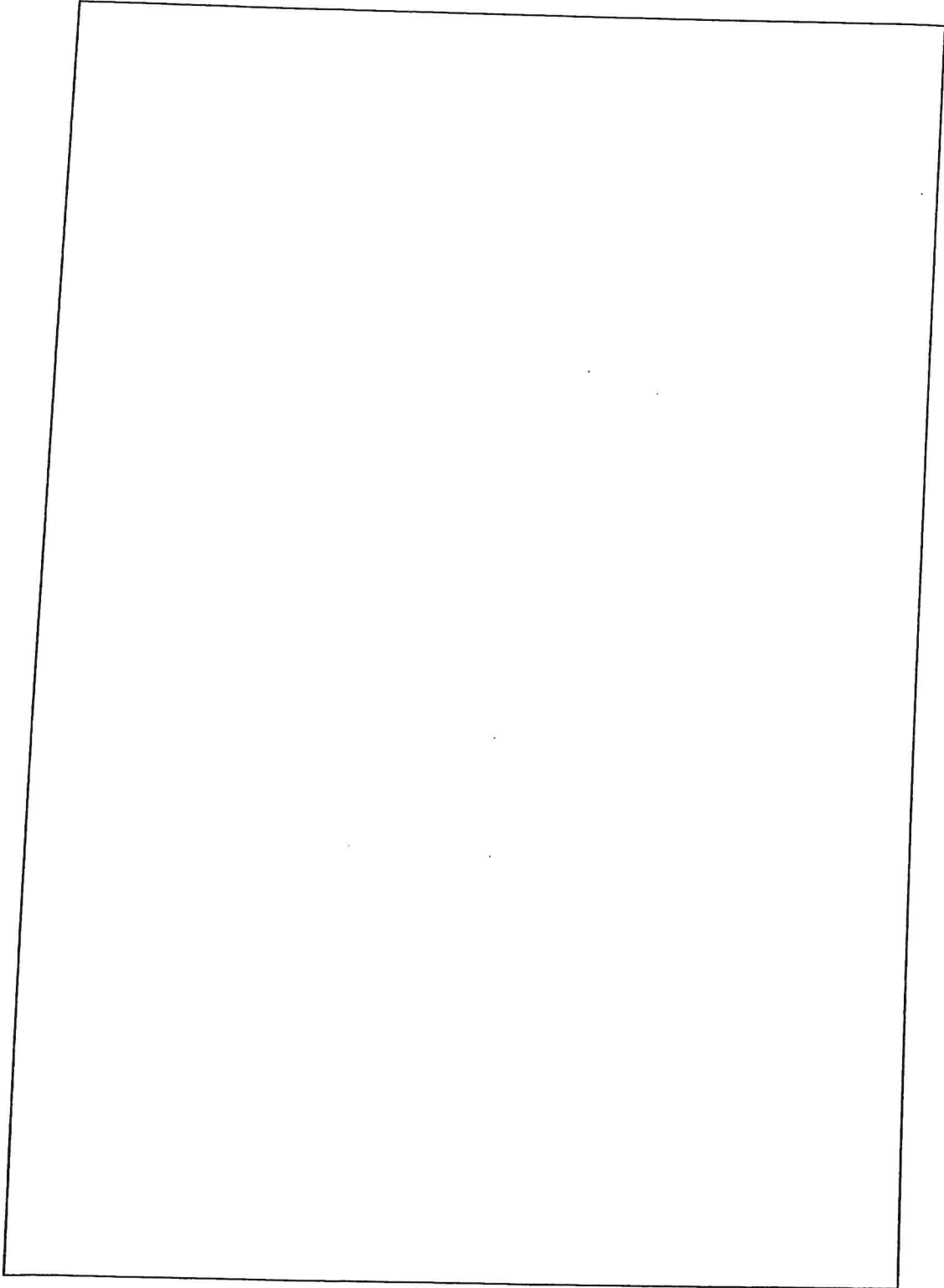
Pupil	
Parent	<input checked="" type="checkbox"/>
School Governor	
School Staff	
Local resident	
Local Councillor	
Member of Parliament	
Other (please specify)	

Are you in favour of the proposal? (Please tick one answer)

Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Don't know <input type="checkbox"/>
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Please use the box on the next page to provide any comments you have on the proposal.

Your comments:

A large, empty rectangular box with a thin black border, intended for the user to provide comments. It occupies the majority of the page area below the 'Your comments:' label.



## Proposal to Amalgamate Wilkes Green Infant School and Wilkes Green Junior School

The formal consultation is for four weeks from **10/01/2019 to 07/02/2019**.

You can make your views known by visiting:

<https://www.birminghambeheard.org.uk/people-1/wilkesgreenijfinal>

Or alternatively complete and return the form below to the following address:  
School Organisation Team, Education Infrastructure, PO Box 15843,  
Birmingham, B2 2RT.

Thank you for taking the time to send us your thoughts on this proposal.

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Your name (Optional):

\_\_\_\_\_

Your contact details (Optional, if you would like a reply: Your contact information is only used for the purpose of this consultation and is not shared with any other companies or organisations.):

\_\_\_\_\_  
\_\_\_\_\_

Your interest in the proposal (please indicate one of the below):

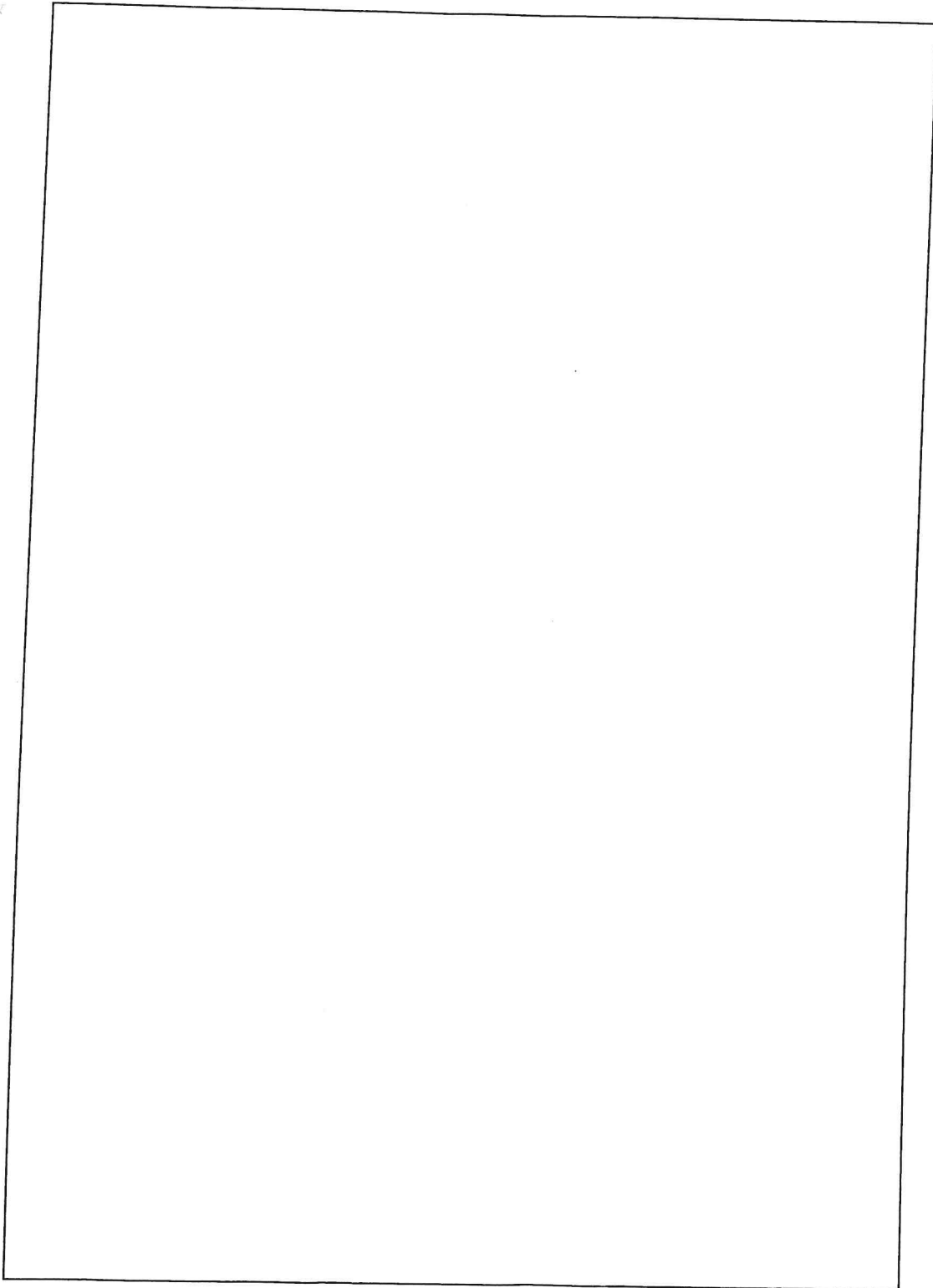
Pupil	
Parent	<input checked="" type="checkbox"/>
School Governor	
School Staff	
Local resident	
Local Councillor	
Member of Parliament	
Other (please specify)	

Are you in favour of the proposal? (Please tick one answer)

Yes ☒ No ☐ Don't know ☐

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Pupil	
Parent	<input checked="" type="checkbox"/>
School Governor	
School Staff	
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Local Councillor	
Member of Parliament	
Other (please specify)	

Are you in favour of the proposal? (Please tick one answer)

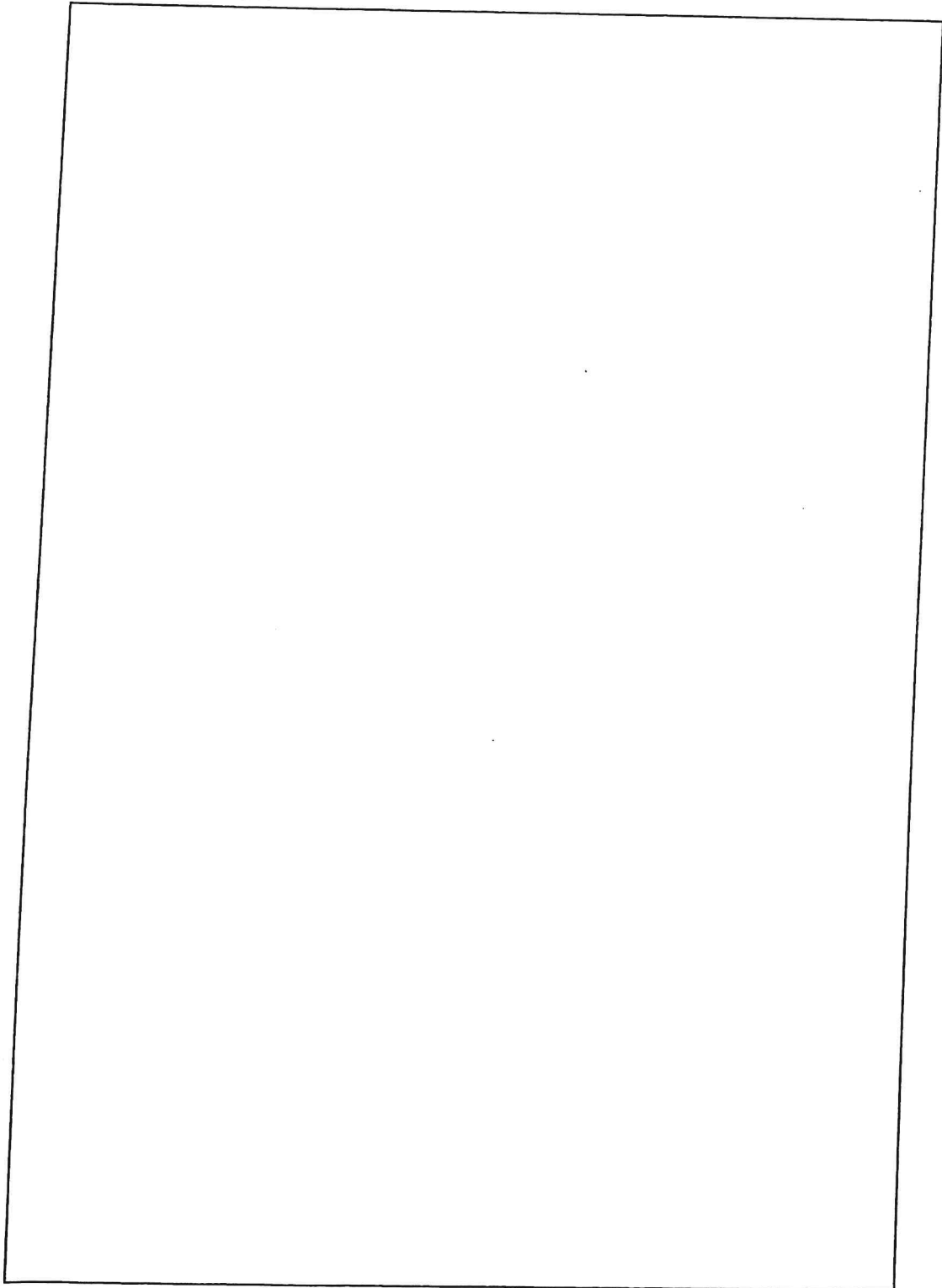
Yes ☒

No ☐

Don't know ☐

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[Redacted]

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[Redacted]

Your interest in the proposal (please indicate one of the below):

Pupil	
Parent	<input checked="" type="checkbox"/>
School Governor	
School Staff	
Local resident	
Local Councillor	
Member of Parliament	
Other (please specify)	

Are you in favour of the proposal? (Please tick one answer)

Yes ☒

No ☐

Don't know ☐

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Your comments:

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Pupil	
Parent	<input checked="" type="checkbox"/>
School Governor	
School Staff	
Local resident	
Local Councillor	
Member of Parliament	
Other (please specify)	

Are you in favour of the proposal? (Please tick one answer)

☒ Yes

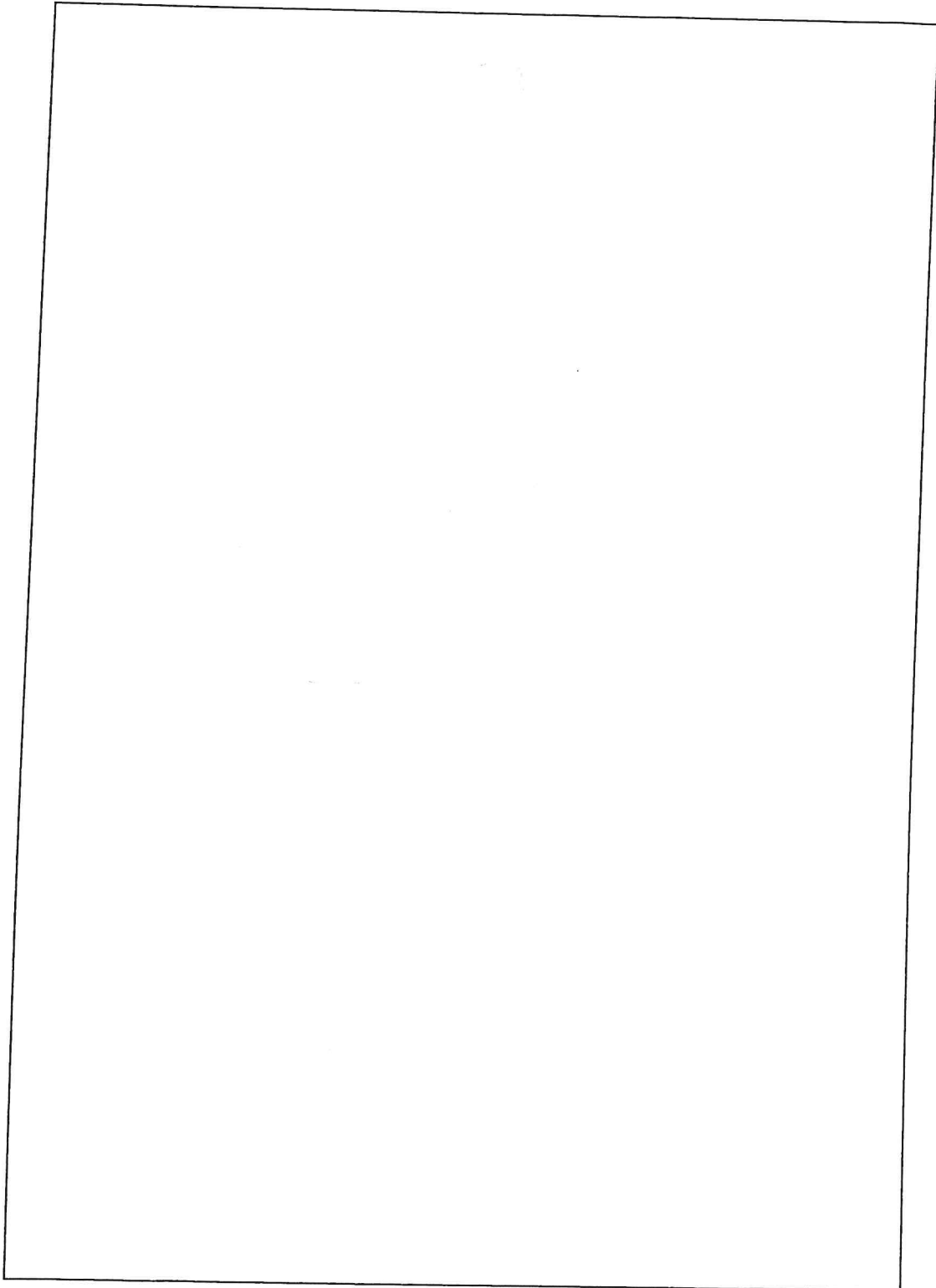
☐ No

☐ Don't know

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Your interest in the proposal (please indicate one of the below):

Pupil	
Parent	✓
School Governor	
School Staff	
Local resident	
Local Councillor	
Member of Parliament	
Other (please specify)	

Are you in favour of the proposal? (Please tick one answer)

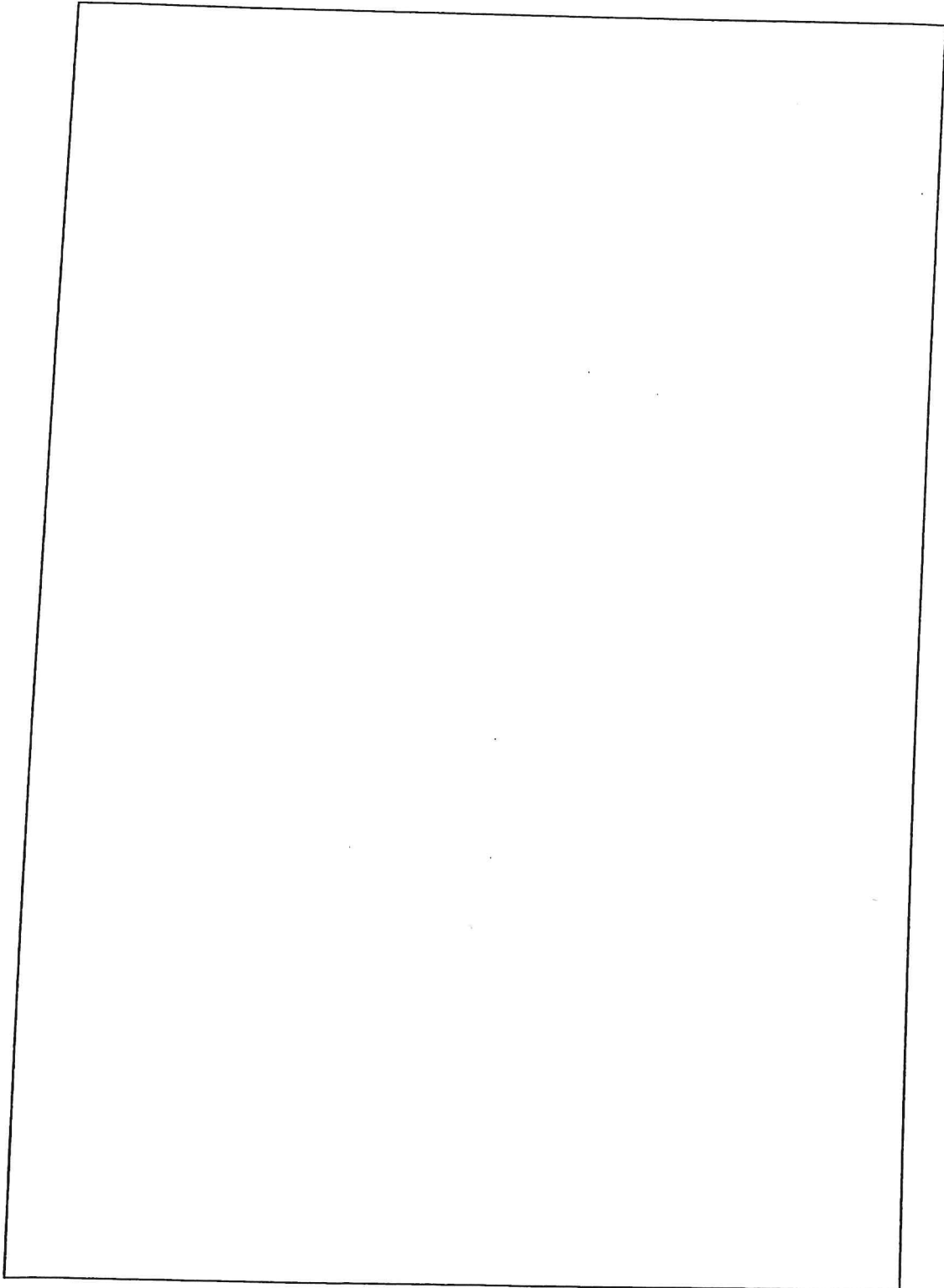
Yes☒

No☐

Don't know☐

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Your name (Optional):

[Redacted Name]

Your contact details (Optional, if you would like a reply: Your contact information is only used for the purpose of this consultation and is not shared with any other companies or organisations.):

[Redacted Contact Details]

Your interest in the proposal (please indicate one of the below):

Pupil	<input checked="" type="checkbox"/>
Parent	<input checked="" type="checkbox"/>
School Governor	<input type="checkbox"/>
School Staff	<input type="checkbox"/>
Local resident	<input type="checkbox"/>
Local Councillor	<input type="checkbox"/>
Member of Parliament	<input type="checkbox"/>
Other (please specify)	<input type="checkbox"/>

Are you in favour of the proposal? (Please tick one answer)

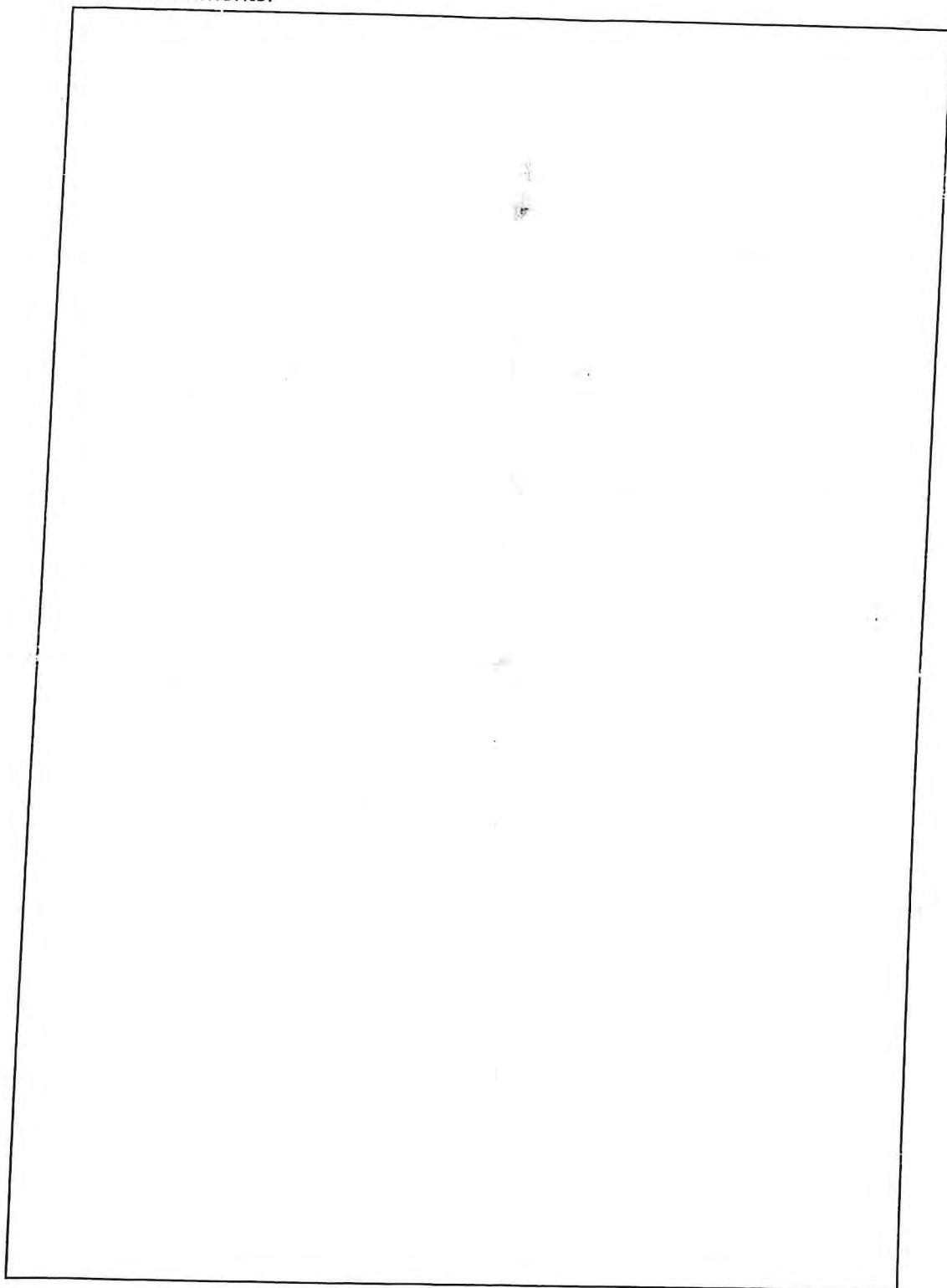
Yes ☒

No ☐

Don't know ☐

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Pupil	
Parent	<input checked="" type="checkbox"/>
School Governor	
School Staff	
Local resident	
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Member of Parliament	
Other (please specify)	

Are you in favour of the proposal? (Please tick one answer)

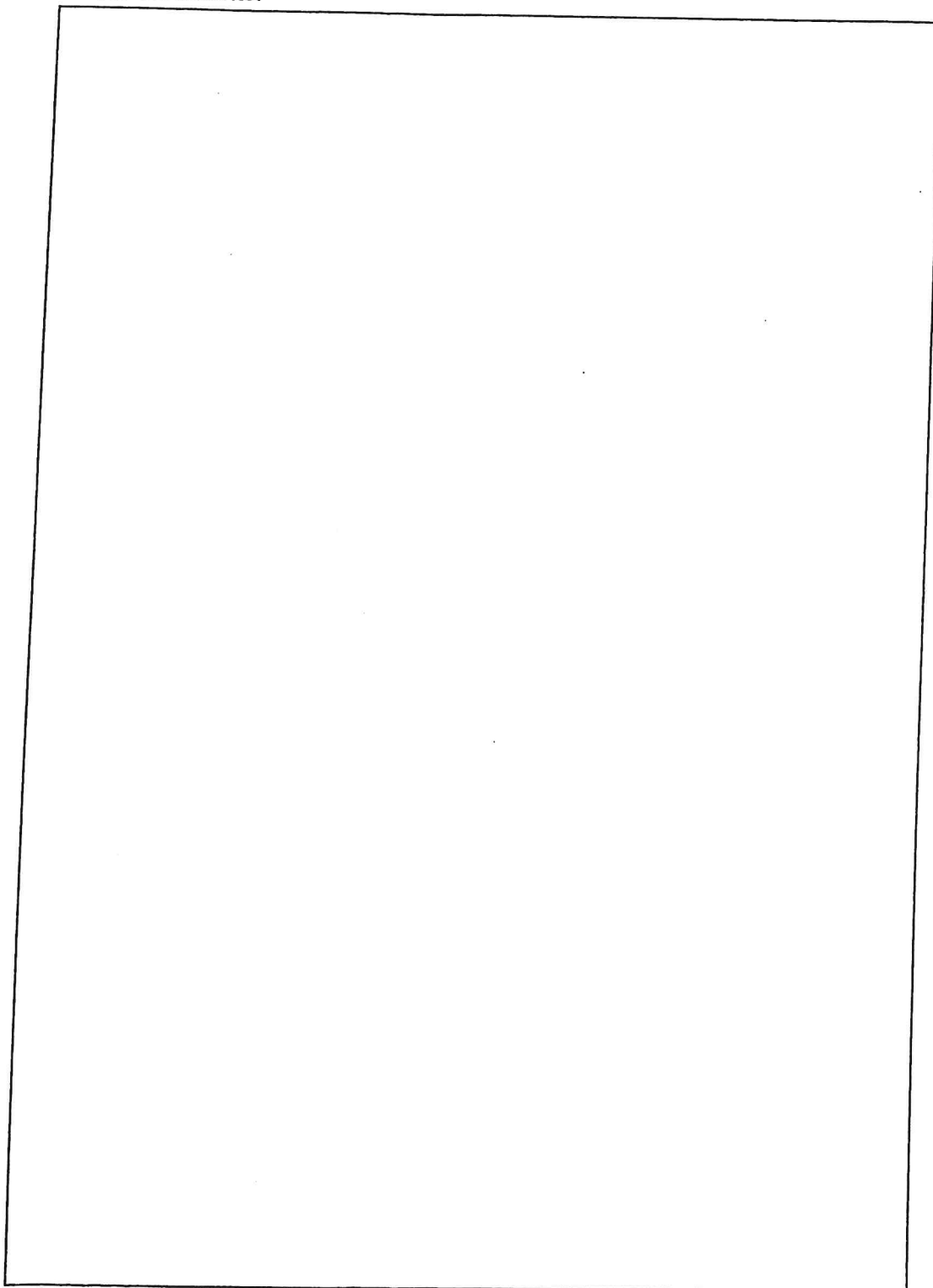
Yes ☒

No ☐

Don't know ☐

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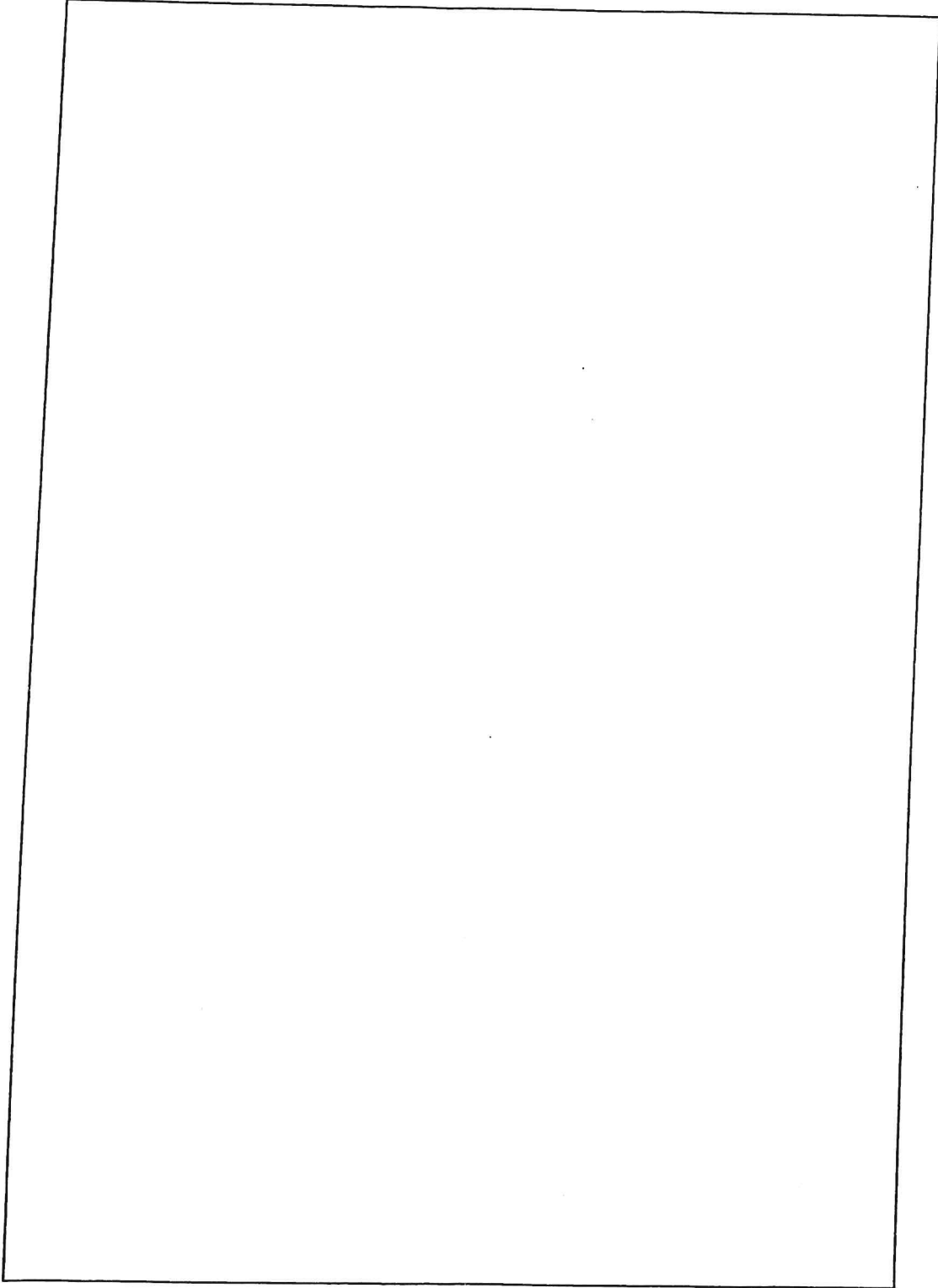
Pupil	
Parent	<input checked="" type="checkbox"/>
School Governor	
School Staff	
Local resident	
Local Councillor	
Member of Parliament	
Other (please specify)	

Are you in favour of the proposal? (Please tick one answer)

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Don't know	<input type="checkbox"/>
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## 2: Factors relevant to all types of proposals

### Related proposals

Any proposal that is 'related' to another proposal must be considered together. A proposal should be regarded as 'related' if its implementation (or non-implementation) would prevent or undermine the effective implementation of another proposal. Decisions for 'related' proposals should be compatible.

Where a proposal is 'related' to another proposal to be decided by the [Regional Schools Commissioner](#) (RSC) (e.g. for the [establishment of a new free school established under the presumption route](#)) the decision-maker should defer taking a decision until the RSC has taken a decision on the proposal, or where appropriate, grant a conditional approval for the proposal.

### Conditional approval

Decision-makers may give conditional approval for a proposal subject to certain prescribed events<sup>1</sup>. The decision-maker must set a date by which the condition should be met but can modify the date if the proposer confirms, before the date expires, that the condition will be met later than originally thought.

The proposer should inform the decision-maker (and the Secretary of State via [schoolorganisation.notifications@education.gsi.gov.uk](mailto:schoolorganisation.notifications@education.gsi.gov.uk) for school opening or closure cases) when a condition is modified or met. If a condition is not met by the date specified, the proposal should be referred back to the decision-maker for fresh consideration.

### Publishing decisions

All decisions (rejected and approved – with or without modifications) must give reasons for such a decision being made. **Within one week** of making a decision the decision-maker should arrange (via the proposer as necessary) for the decision and the reasons behind it to be published on the website where the original proposal was published. The decision-maker must also arrange for the organisations below to be notified of the decision and reasons<sup>2</sup>:

- the LA (where the [Schools Adjudicator](#) or governing body is the decision-maker);
- the governing body/proposers (as appropriate);

<sup>1</sup> under paragraph 8 of Schedule 3 to the Prescribed Alterations Regulations (for prescribed alterations), regulation 16 of the Establishment and Discontinuance Regulations (for closures and new schools) and paragraph 16 of Schedule 1 to the Prescribed Alterations Regulations (for foundation and trust proposals).

<sup>2</sup> In the case of proposals to change category to foundation, acquire / remove a Trust and / or acquire / remove a Foundation majority the only bodies the decision-maker must notify are the LA and the governing body (where the Schools Adjudicator is the decision-maker).

- the trustees of the school (if any);
- the local Church of England diocese;
- the local Roman Catholic diocese;
- for a special school, the parents of every registered pupil at the school;
- any other organisation that they think is appropriate; and
- the Secretary of State via [schoolorganisation.notifications@education.gsi.gov.uk](mailto:schoolorganisation.notifications@education.gsi.gov.uk) (in school opening and closure cases only).

## Consideration of consultation and representation period

The decision-maker will need to be satisfied that the appropriate fair and open local consultation and/or representation period has been carried out and that the proposer has given full consideration to all the responses received. If the proposer has failed to meet the statutory requirements, a proposal may be deemed invalid and therefore should be rejected. The decision-maker must consider **ALL** the views submitted, including all support for, objections to and comments on the proposal.

## Education standards and diversity of provision

Decision-makers should consider the quality and diversity of schools in the relevant area and whether the proposal will meet or affect the needs of parents; raise local standards and narrow attainment gaps.

## A school-led system with every school an academy,

The 2016 White Paper [Education Excellence Everywhere](#), sets out the department's aim that by the end of 2020, all schools will be academies or in the process of becoming academies. The decision-maker should, therefore, take into account the extent to which the proposal is consistent with this policy.

## Demand v need

Where a LA identifies the need for a new school, to meet basic need, section 6A of EIA 2006 places the LA under a duty to seek proposals to establish a free school via the '[free school presumption](#)'. However it is still possible to publish proposals for new maintained school outside of the competitive arrangements, at any time, in order to meet demand for a specific type of place e.g. places to meet demand from those of a particular faith.

In assessing the demand for new school places the decision-maker should consider the evidence presented for any projected increase in pupil population (such as planned



housing developments) and any new provision opening in the area (including free schools).

The decision-maker should take into account the quality and popularity of the schools in which spare capacity exists and evidence of parents' aspirations for a new school or for places in a school proposed for expansion. The existence of surplus capacity in neighbouring less popular schools should not in itself prevent the addition of new places.

Reducing surplus places is not a priority (unless running at very high levels). For parental choice to work effectively there may be some surplus capacity in the system as a whole. Competition from additional schools and places in the system will lead to pressure on existing schools to improve standards.

## School size

Decision-makers should not make blanket assumptions that schools should be of a certain size to be good schools, although the viability and cost-effectiveness of a proposal is an important factor for consideration. The decision-maker should also consider the impact on the LA's budget of the need to provide additional funding to a small school to compensate for its size.

## Proposed admission arrangements

In assessing demand the decision-maker should consider all expected admission applications, not only those from the area of the LA in which the school is situated.

Before approving a proposal that is likely to affect admissions to the school the decision-maker should confirm that the admission arrangements of the school are compliant with the [School Admissions Code](#). Although the decision-maker cannot modify proposed admission arrangements, the decision-maker should inform the proposer where arrangements seem unsatisfactory and the admission authority should be given the opportunity to revise them.

## National Curriculum

All maintained schools must follow the [National Curriculum](#) unless they have secured an exemption for groups of pupils or the school community<sup>3</sup>.

## Equal opportunity issues

The decision-maker must have regard to the Public Sector Equality Duty (PSED) of LAs/governing bodies, which requires them to have 'due regard' to the need to:

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<sup>3</sup> Under sections: 90, 91, 92 and 93 of the Education Act 2002.

- eliminate discrimination;
- advance equality of opportunity; and
- foster good relations.

The decision-maker should consider whether there are any sex, race or disability discrimination issues that arise from the changes being proposed, for example that where there is a proposed change to single sex provision in an area, there is equal access to single sex provision for the other sex to meet parental demand. Similarly there should be a commitment to provide access to a range of opportunities which reflect the ethnic and cultural mix of the area, while ensuring that such opportunities are open to all.

## Community cohesion

Schools have a key part to play in providing opportunities for young people from different backgrounds to learn with, from and about each other; by encouraging, through their teaching, an understanding of, and respect for, other cultures, faiths and communities. When considering a proposal, the decision-maker must consider its impact on community cohesion. This will need to be considered on a case-by-case basis, taking account of the community served by the school and the views of different sections within the community.

## Travel and accessibility

Decision-makers should satisfy themselves that accessibility planning has been properly taken into account and the proposed changes should not adversely impact on disadvantaged groups.

The decision-maker should bear in mind that a proposal should not unreasonably extend journey times or increase transport costs, or result in too many children being prevented from travelling sustainably due to unsuitable walking or cycling routes.

A proposal should also be considered on the basis of how it will support and contribute to the LA's duty to promote the use of sustainable travel and transport to school.

Further information is available in the statutory [Home to school travel and transport guidance](#) for LAs.

## Funding

The decision-maker should be satisfied that any land, premises or necessary funding required to implement the proposal will be available and that all relevant local parties (e.g. trustees or religious authority) have given their agreement. A proposal **cannot** be approved conditionally upon funding being made available.

Where proposers are relying on the department as the source of capital funding, there can be no assumption that the approval of a proposal will trigger the release of capital

### 3: Factors relevant to prescribed alteration proposals:

#### Enlargement of premises

When deciding on a proposal for an expansion on to an additional site (a ‘satellite school’), decision-makers will need to consider whether the new provision is genuinely a change to an existing school or is in effect a new school (which would trigger the free school presumption in circumstances where there is a need for a new school in the area<sup>4</sup>).

Decisions will need to be taken on a case-by-case basis, but decision-makers will need to consider the following non-exhaustive list of factors which are intended to expose the extent to which the new site is integrated with the existing site, and to ensure that it will serve the same community as the existing site:

- **The reasons for the expansion**
  - What is the rationale for this approach and this particular site?
- **Admission and curriculum arrangements**
  - How will the new site be used (e.g. which age groups/pupils will it serve)?
  - What will the admission arrangements be?
  - Will there be movement of pupils between sites?
- **Governance and administration**
  - How will whole school activities be managed?
  - Will staff be employed on contracts to work on both sites? How frequently will they do so?
  - What governance, leadership and management arrangements will be put in place to oversee the new site (e.g. will the new site be governed by the same governing body and the same school leadership team)?
- **Physical characteristics of the school**
  - How will facilities across the two sites be used (e.g. sharing of the facilities and resources available at the two sites, such as playing fields)?
  - Is the new site in an area that is easily accessible to the community that the current school serves?

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<sup>4</sup> Or require an proposal under section 11 of the EIA 2006 for a new maintained school.

## 5: Factors relevant to discontinuance (closure) proposals

### Closure proposals (under s15 EIA 2006)

The decision-maker should be satisfied that there is sufficient capacity to accommodate displaced pupils in the area, taking into account the overall quality of provision, the likely supply and future demand for places. The decision-maker should consider the popularity with parents of the schools in which spare capacity exists and evidence of parents' aspirations for those schools.

### Schools to be replaced by a more successful/popular school

Such proposals should normally be approved, subject to evidence provided.

### Schools causing concern

In determining proposals decision-makers must ensure that the guidance on [schools causing concern](#) (Intervening in falling, underperforming and coasting schools) has been followed where necessary.

### Rural schools and the presumption against closure

There is a [presumption against the closure of rural schools](#). This does not mean that a rural school will never close, but the case for closure should be strong and the proposal clearly in the best interests of educational provision in the area<sup>6</sup>. Those proposing closure should provide evidence to show that they have carefully considered the following:

- alternatives to closure including the potential for federation with another local school or conversion to academy status and joining a multi-academy trust or umbrella trust to increase the school's viability;
- the scope for an extended school to provide local community services; and facilities e.g. child care facilities, family and adult learning, healthcare, community internet access etc.;
- the transport implications; and
- the overall and long term impact on local people and the community of closure of the village school and of the loss of the building as a community facility.

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<sup>6</sup> Not applicable where a rural infant and junior school on the same site are closing to establish a new primary school on the same site(s).

## 2: Prescribed alteration changes

### Enlargement of premises

Details of how [special schools can increase their intake](#) are covered below.

**Local authorities** are under a statutory duty to ensure the sufficiency of school places in their area. They can propose an enlargement of the premises of community foundation and voluntary schools. When doing so they must follow the statutory process as set out in the [Prescribed Alterations Regulations](#) (see [part 5](#)) if:

- the proposed enlargement of the premises of the school is permanent (longer than three years) and would increase the capacity of the school by:
  - more than 30 pupils; **and**
  - 25% or 200 pupils (whichever is the lesser).
- the proposal involves the making permanent of any temporary enlargement (that meets the above threshold).

Where a proposal seeks to increase the school's pupil number to over 2,000 or would result in an increase of over 50% of the school's current capacity, the LA should copy the proposal to [schoolorganisation.notifications@education.gsi.gov.uk](mailto:schoolorganisation.notifications@education.gsi.gov.uk) for monitoring purposes.

**Governing bodies of all categories** of mainstream schools and LAs can propose smaller expansions that do not meet the thresholds above without the need to follow the formal statutory process in [part 4](#). In many cases this can be achieved solely by increasing the school's published admissions number (PAN); please see [the School Admissions Code](#).

The table below sets out who can propose an enlargement of premises and what process must be followed:

Proposer	Type of proposal	Process	Decision-maker	Right of appeal to the adjudicator
LA for community	Enlargement of premises	Statutory process	LA	CofE Diocese RC Diocese
LA for voluntary or foundation	Enlargement of premises	Statutory process	LA	CofE Diocese RC Diocese GB / Trustees

governing body in the case of voluntary aided (VA) and foundation schools) must consult on the proposed change in accordance with [the School Admissions Code](#). Community and VC schools have the right to object to the Schools' Adjudicator if the PAN proposed is lower than they would wish.

## Change of age range

For changes that are expected to be in place for more than 2 years (as these are considered permanent increases):

**Local authorities** can propose:

- a change of age range of up to 2 years (except for adding or removing a sixth-form) for voluntary and foundation schools by following the non-statutory process, see [part 4](#).
- a change of age range of 1 year or more for community schools (including the adding or removal of sixth-form or nursery provision) and community special schools or alter the upper age limit of a foundation or voluntary school to add sixth-form provision by following the statutory process, see [part 5](#).

**Governing bodies** of foundation and voluntary schools can propose

- an age range change of up to 2 years (except for adding or removing a sixth-form) by following the non-statutory process, see [part 4](#).
- an age range change of 3 years or more or alter the upper age limit of the school to add or remove sixth form provision by following the statutory process, see [part 5](#).

**Governing bodies** of community schools can propose the alteration of their upper age limit to add sixth-form provision following the statutory process, see [part 5](#)

**Governing bodies** of community special and foundation special schools can propose a change of age range of 1 year or more following the statutory process, see [part 5](#).

Where a proposed age range change would also require an expansion of the school's premises, the LA or governing body must also ensure that they act in accordance with the requirements relating to proposals for the [enlargement of premises](#).

Where a proposal seeks to change the age range of a primary school to make it an all-through (cross phase) school the proposer (as set out below) should copy the

proposal to [schoolorganisation.notifications@education.gov.uk](mailto:schoolorganisation.notifications@education.gov.uk) for monitoring purposes.

The table below sets out who can propose a change of age range and what process must be followed:

Proposer	Type of proposal	Process	Decision-maker	Right of appeal to the adjudicator
LA for voluntary and foundation	Alteration of upper or lower age range of up to 2 years (excluding adding or removing a sixth form)	Non statutory process	LA	NA
GB of voluntary and foundation	Alteration of upper or lower age range by up to 2 years (excluding adding or removing a sixth-form)	Non statutory process	GB	N/A
GB of voluntary and foundation	Alteration of upper or lower age range by three years or more	Statutory process	LA	CofE Diocese RC Diocese GB / Trustees
LA for community and community special	Alteration of upper or lower age range by 1 year or more (for community school including the adding or removal of sixth form or nurse provision)	Statutory process	LA	CofE Diocese RC Diocese
GB foundation special	Alteration of upper or lower age range by one year or more	Statutory process	LA	CofE Diocese RC Diocese GB / Trustees

Proposer	Type of proposal	Process	Decision-maker	Right of appeal to the adjudicator
GB community special	Alteration of upper or lower age range by one year or more	Statutory process	LA	CofE Diocese RC Diocese
LA for community	Alteration of upper age range so as to add or remove sixth-form provision	Statutory process	LA	CofE Diocese RC Diocese
LA for voluntary and foundation	Alteration of upper age range so as to add sixth-form provision.	Statutory process	LA	CofE Diocese RC Diocese GB / Trustees
GB of voluntary and foundation	Alteration of upper age range so as to add sixth-form provision	Statutory process	LA	CofE Diocese RC Diocese GB / Trustees
GB of community	Alteration of upper age range so as to add sixth-form provision	Statutory process	LA	CofE Diocese RC Diocese
GB of voluntary and foundation	Alteration of upper age range so as to remove sixth-form provision	Statutory process	LA	CofE Diocese RC Diocese GB / Trustees

NB: the LA must make a decision within a period of two months of the end of the representation period or they must be referred to the [Schools Adjudicator](#).

## Adding or removing a sixth-form

The department wants to ensure that all new provision is of the highest quality and provides genuine value for money. There is a departmental expectation that proposals for the addition of sixth-form provision will only be put forward for secondary schools that are rated as 'good' or 'outstanding' by Ofsted. Proposers should also consider the supply of other local post-16 provision in the area and assess if there is a genuine need for the proposal.



When deciding a proposal for the closure of a rural primary school, there is a legal requirement<sup>2</sup> that the decision-maker must refer to the [Designation of Rural Primary Schools \(England\) Order](#) to confirm that the school is a rural primary school.

Secondary schools are identified on the EduBase system using the Office for National Statistics' [Rural and Urban Area Classification](#). Decision-makers should consider this indicator when deciding a proposal for the closure of a rural secondary school.

The [free school presumption](#) will not apply in cases where a rural infant and junior school on the same site are being closed to establish a new primary school.

In order to assist the decision-maker, the proposer of a rural school closure should provide evidence to show that it has carefully considered:

- alternatives to closure including: federation with another local school; conversion to academy status and joining a multi-academy trust; the scope for an extended school to provide local community services and facilities e.g. child care facilities, family and adult learning, healthcare, community internet access etc.;
- transport implications i.e. the availability, and likely cost of transport to other schools and sustainability issues; and
- the overall and long term impact on local people and the community of the closure of the village school and of the loss of the building as a community facility.

## Amalgamations

There are two ways to amalgamate two (or more) existing maintained schools:

- The LA or governing body (depending on school category) can publish a proposal to close two, or more, schools and the LA or a proposer other than the LA (e.g. diocese, faith or parent group, Trust) depending on category, can publish a proposal to open a new school or presumption free school (see [part 2](#)). This results in a new school number being issued.
- The LA and / or governing body (depending on school category) can publish a proposal to close one school (or more) and enlarge / change the age range / transfer site (following the statutory process as / when necessary) of an existing school, to accommodate the displaced pupils. The remaining school would retain its original school number, as it is not a new school, even if its phase has changed.

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<sup>2</sup> Section 15(7)(b) of EIA 2006



## Appendix 5 – Public Report

### SCHOOL ORGANISATION PROPOSAL:

#### Wilkes Green Infant and Wilkes Green Infant School

- **Alteration to the Lower Age Limit and Expansion by Enlargement  
of Wilkes Green Junior School**

#### Consultation with Councillors

Councillor Name	Date	Method of Consultation	Comments
Cllr. Hendrina Quinnen Ward Councillor Handsworth	11 <sup>th</sup> January 2019	E Mail	No comments received
Cllr. Kate Booth Cabinet Member Children's Wellbeing	11 <sup>th</sup> January 2019	E Mail	No comments received
Cllr. Jayne Francis Cabinet Member Education Skills & Culture	11 <sup>th</sup> January 2019	E Mail	No comments received
Cllr. Ian Ward Leader	11 <sup>th</sup> January 2019	E Mail	No comments received
Cllr. Brigid Jones Deputy Leader	11 <sup>th</sup> January 2019	E Mail	No comments received
Cllr. Mariam Khan Learning, Culture & Physical Activity Overview & Scrutiny Committee	11 <sup>th</sup> January 2019	E Mail	No comments received

