

TO: EXECUTIVE MEMBER, CHILDREN, YOUNG PEOPLE & LEARNING
DATE: 2 JANUARY 2019

**PROPOSAL TO CLOSE ASCOT HEATH CE JUNIOR SCHOOL AND EXTEND THE AGE RANGE
OF ASCOT HEATH INFANT SCHOOL**
Assistant Director: Education and Learning

1 PURPOSE OF DECISION

- 1.1 Following formal consultation, to consider the proposal to close Ascot Heath CE Junior School and extend the age range of Ascot Heath Infant School.

2. RECOMMENDATIONS

- 2.1 **The outcomes of the formal consultation, both for and against the proposal, are noted.**
- 2.2 **The proposal to close Ascot Heath CE Junior School and extend the age range of Ascot Heath Infant School is agreed.**
- 2.3 **Once the Primary School is established, the Council will work with the Governing Body and the Diocese to undertake another consultation with the local community to ensure that all parents have an opportunity to express their thoughts about potential Voluntary Controlled church status**

3. REASONS FOR RECOMMENDATION

- 3.1 92% of respondees to the initial consultation supported an amalgamation. 85% of respondees to this subsequent formal consultation agreed with the proposal to close Ascot Heath CE Junior School and extend the age range of Ascot Heath Infant School.
- 3.2 It is recognised that there are continuing, strong opinions regarding whether or not a primary school should have a church status. These views were considered fully in coming to the recommendations.
- 3.3 The proposal is to extend the age range by adding Years 3 to 6 to the Infants School, therefore creating a school with all primary phase years. The Council's view is that a primary school would:
- Enable better continuity of education and progression for all pupils and parents, in particular from Key Stage 1 to Key Stage 2.
 - Enable more stability for children and parents by avoiding the need for a change of school at a young age.
 - Enhance the safeguarding needs of all pupils, for example by being aware of the needs of children of all ages in the same family.
 - Provide scope to achieve higher educational outcomes.
 - Provide opportunities to develop the curriculum across all key stages, and enhance the delivery of the National Curriculum.
 - Allow better use of educational resources, including both teaching and support staff.

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- Enable the successful recruitment and retention of a headteacher to support the vision of a future, larger, combined Primary school.
- Provide opportunities to increase the range, expertise and experience of teaching and support staff, provide opportunities and development for staff, and opportunities in the deployment of staff.
- Allow improvement and greater flexibility in management and organisation, for example in specialist teaching.
- Provide greater opportunities for staff to work across a Primary school and better promote and support the recruitment and retention of all staff.
- Provide scope to achieve better value for money, for example by a rationalisation of some administrative and leadership posts in the school.
- Clearer, single local community presence.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1 Other amalgamation options were considered at earlier stages of the consultation, including to close the Infant School and extend the age range of the Junior School, and to close both schools and open a new primary school.
- 4.2 Earlier stages of the consultation also considered not progressing with amalgamation proposals, meaning that both current schools continue as separate organisations.

5. SUPPORTING INFORMATION

Background

- 5.1 The Ascot Heath schools were created as separate Infant (ages 4-7 years) and Junior (ages 7-11 years) schools, and they occupy adjacent sites in North Ascot.
- 5.2 There are however positive educational benefits for children to be educated in all-though primary schools (ages 5-11 years). The majority of schools in the Borough are primary schools, and any new school would be a primary school.
- 5.3 The Executive Member agreed on 29 June 2018 to consult on the possible amalgamation of the schools. The consultation period ran from 5 July to 26 September 2018, and outcomes were reported to the Executive Member on 26 October 2018.
- 5.4 At this time it was agreed that the option to close the Junior School and extend the age range of the Infant School be progressed through formal consultation ('representation'). The proposal would be progressed through the DfE's 'prescribed alterations' process.
- 5.5 Formal consultation was therefore undertaken between 5 November and 2 December 2018 on the proposal *'To close Ascot Heath CE Junior School and extend the age range of Ascot Heath Infant School by adding Years 3 to 6 to the existing school, so creating a school that will provide education for nursery and all primary-phase years from Reception to Year 6 (ages 4 to 11). The Primary School will come into effect on 1 September 2019'*.
- 5.6 34 responses were made - 29 supporting the proposal and 5 against. 4 of the 5 responses against the proposal were in favour of a primary school – but achieved through closing both schools and opening a new school.
- 5.7 Overall, 10 responses expressed a preference for the new primary school to have a church status. One response was passionately in favour of a secular education.

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5.8 All stakeholders in the school – including parents, staff, governors and the wider community - were able to respond; this means that 34 is not a high response rate. Comments reflected a range of views, positive and negative, and are shown in detail in Annex 1. Note that some respondees did not make any comments, and the comments of some respondees have been split into separate points.

5.9 Included in the points supporting the proposal were:

- The new primary school should have a CofE status.
- Linking to the church would mainly benefit those that are CofE but would not benefit other religions and those of no-religion. A CofE school does not reflect the local community. A secular school is needed.
- Expanding the infants is the best way forward for the children.
- Expanding the Infants is the right way forward based on the data available from the school and Ofsted scores.
- It would remove uncertainty by needing to apply for a new school for Year 3.
- The strong leadership and governors of the infants will be able to spread rapid and much needed improvements to the juniors
- Will give the greatest continuity and provide the best environment for the children.
- It would help financially, in terms of staffing, and equipment.
- Building concerns.
- Concerns regarding school uniform.

5.10 Included in the points made against the proposal were:

- The preferred option would be for both schools to close and a new primary school open.
- A new primary school governing body would mean there is no bias carried forward from the existing governing bodies.
- The new primary school should have a church status.
- The infants school do not have the experience of supporting a school in need of such demanding change.

5.11 The Council has taken legal advice from the DfE regarding the ownership of the hard surfaces and buildings of the CE Junior School. The land is owned by the Council but the statutory transfer has not taken place. For this reason there was a concern that the Diocese would have a legal entitlement to the land. The DfE's advice is that, as the Junior School is closing and the land is continuing in education use, the Diocese have no entitlement to it. Furthermore, no compensation is payable as the land was originally publicly-funded and would, if the statutory transfer had taken place, have transferred at nil value. It would then be transferring back for use as a maintained school and so the DfE would expect that transfer also to be at nil value.

5.12 The Diocese have expressed in writing their understanding and agreement to this situation. To ensure land transfer issues are addressed smoothly the Council and Diocese will continue working on the detail of the transfer and ensure that appropriate safeguards are put in place.

If the recommendation is agreed

5.13 The Council will support the schools with amalgamation into a primary school, which would likely open on 1 September 2019. A Working Group will be established including the headteachers, Chairs of Governors and service leads, including those for the areas below.

5.14 Issues to be addressed during the implementation phase will include:

- Governance
- Admission matters

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- School Name
- Confirming the appointment of the headteacher using the organisational change staffing protocol and School Staffing regulations.
- Consideration of revenue funding and spending implications. Whilst National Funding reforms are currently taking place, it is estimated that an amalgamated school would receive around £0.16m less funding than the separate Infant and Junior Schools. An amalgamation would also present opportunities for substantial cost savings, depending on how a new primary school is organised by the governors. All other amalgamations in Bracknell Forest have successfully transitioned to the new level of funding which reflects the allocation basis used to finance all other primary schools in Bracknell Forest and is therefore considered sufficient to manage the school.
- Agree staffing structure - by 31 May 2019 - and implement organisational change staffing protocol.
- Agree Instrument of Government of substantive Governing Body
- Consider options for building works. The Capital budget for works in 2019/20 is scheduled to be agreed by the Council's Executive in February 2019 with draft proposals currently including £0.45m in 2019-20. The scope of the amalgamation works will be agreed following a feasibility study to be completed by the Council's managing partner Atkins.
- Implementation of any significant building works will be subject to the outcome of the Marplace planning application for the possible future reconstruction of the school buildings. If the Marplace proposal goes ahead the Council would not wish to spend significant amounts of funding on the existing school buildings which would be scheduled to be replaced under the Marplace proposal.
- Establish / review school policies
- Practical issues e.g. uniform
- Communications.

5.15 An updated timeline is attached as Annex 2.

5.16 The existing Junior School would continue until the school ceased to be maintained. This is anticipated to be 31 August 2019.

5.17 In the Executive Member's agreement to progress to Representation of 26 October it was also agreed that once the Primary School is established, the Council will work with the Governing Body and the Diocese to undertake another consultation with the local community to ensure that all parents have an opportunity to express their thoughts about potential Voluntary Controlled church status.

6. **ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS**

Borough Solicitor

6.1 The relevant legal issues have been addressed within the report. Work is ongoing in respect of the land transfer.

Director of Finance

6.2 The anticipated financial implications are set out in the supporting information. School governors will need to manage the reduction in revenue budget arising from an amalgamation, most significantly through the saving arising from employing one less head

teacher. Any capital works will need to be approved by the Executive and these can be properly considered when options have been identified and costed.

Human Resources

6.3 Human Resources will support the governing body to appoint a headteacher, and through the process of appointments to the new staffing structures.

Equalities Impact Assessment

6.4 Issues were addressed in the Consultation Plan of the consultation, reported as part of the paper agreed by the Executive Member on 29 June.

6.1 The Council has given due regard to the Public Sector Equality Duty on the needs to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it; and
- foster good relations between people who share a relevant protected characteristic and people who do not share it.

6.2 Amalgamating the schools will not be to the detriment of any of these aspects, and the new Primary school can work on enhancing the requirements through their work in the local community.

6.3 The current schools serve a largely homogeneous community and no impact on local community cohesion is foreseen. The Primary school can work on enhancing cohesion through their teaching, and an understanding of, and respect for, other cultures, faiths and communities.

6.4 The Primary school will be based around the existing Infant and Junior sites so there will be no changes in journey times or transport costs that would adversely impact on disadvantaged groups. Current walking and cycling routes will be maintained. The Primary school can continue to promote the use of sustainable travel and transport to school.

Strategic Risk Management Issues

6.5 Issues are addressed below.

ISSUE		RISK	RISK SEVERITY	COMMENT
1	School standards	Standards will fall when schools amalgamate into a primary school	Low	The evidence is that better continuity for pupils, opportunities for enhanced delivery of the National Curriculum and better use of resources are more likely to lead to higher standards. LA support will be provided to the primary school to maintain and improve standards. The period of disruption and uncertainty will be minimised as much as possible.

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2	Recruitment and retention	Staff retention may be a concern on amalgamation	Low	<p>Opportunities will be presented to increase the range, expertise and experience of teaching and support staff, provide opportunities and development for staff, and enhanced opportunities in the deployment of staff. In the long term these should aid recruitment and retention.</p> <p>Effective communication can mitigate this risk.</p>
3	Financial	Running costs following an amalgamation may exceed the reduced funding allocation due from the Schools National Funding Formula.	Low	<p>Governors will need to carefully consider the required staffing structure and other budgets and satisfy themselves that the financial consequences of amalgamation can be managed. All other amalgamations in Bracknell Forest have successfully transitioned to the new level of funding.</p>
4	Diocese	If the Diocese have concerns about the process or outcome they can refer any decision to the Schools Adjudicator	Medium	<p>Discussions with the Diocese will continue but any referral would create a delay, additional work and could negate decisions taken.</p>
5	Site	Detailed work on land ownership highlights an issue.	Low	<p>Currently the Diocese have a legal entitlement to the land occupied by the Junior School (excluding playing field). Necessary detailed work on land transfer is progressing, including liaising with the DfE's solicitors. Neither the Council or Diocese see any issues with the land transfer, and will work together to resolve any issues that do arise.</p>

7. CONSULTATION

Principal groups formally consulted

- 7.1 Stakeholders in the school and the wider community were consulted.

Method of Formal Consultation

- 7.2 Through consultation materials on the Council's website. These were promoted to interested parties and a notice placed in the Bracknell News on 7 November 2018.
- 7.3 The consultation period was from 5 November to 2 December 2018.

Representations Received

- 7.4 34 responses were made - 29 supporting the proposal of which 7 responses wanted a Church status for the new primary school.
- 7.5 5 responses were against the Proposal of which 4 wanted a primary school to open through both schools closing. 3 of these 4 responses expressed a preference for the new primary to have a Church status.
- 7.6 Overall, 10 responses expressed a preference for the new primary school to have a church status. One response was passionately in favour of a secular education.
- 7.7 For those supporting the Proposal (29), 22 were parents, 3 members of staff, 1 governor and 3 living or working in the local community. For those not in support of the Proposal (5), 4 were parents and 1 was a staff member.
- 7.8 The number of responses, 34, was not high in the light of the potential number.
- 7.9 Comments reflected a range of views, positive and negative. See Annex 1.

Background papers

Papers for Executive Member agreement:

- 'Consultation on the amalgamation of Ascot Heath Infant and CE Junior Schools', 29 June 2018
- 'Outcome of the consultation on the amalgamation of Ascot Heath Infant and CE Junior Schools', 26 October 2018, including the 'Proposal to close Ascot Heath CE Junior School and extend the age range of Ascot Heath Infant School to become a Primary School.'

'Making 'prescribed alterations' to maintained schools: Statutory guidance for proposers and decision-makers' – DfE - April 2016 and November 2018

Contact for Further Information

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Annex 1:

Comments made by consultation respondees to the formal consultation

The essence of comments is reported, by individual point. Comments have typically been abridged and family references removed.

From those not in favour of the Proposal

Both Infant and Junior need to close and a new Primary needs to open (4 similar comments).

Prefer the primary school to remain Church of England as that is the choice we made (3 similar comments).

The infants school do not have the experience of supporting a school in need of such demanding change.

Church schools are inclusive - parents recognise this and children feel valued and included.

The connection to the local church and the Christian ethos is valued by many parents and by the children.

I want a church school for all the parents and members of the community who want their children to have the opportunities and values which a Church school offers.

Relative OFSTED rankings have featured in people's thinkings, not the merits of a Church school over a Community school.

Both schools should close and re open as one primary as it means there is no overriding Governing body, thus carrying baggage and bias.

From those in favour of the Proposal and preferring a Church status

Placing the Christian ethos at the heart of the school engenders a positive, nurturing and compassionate learning environment that is welcoming to all, as is already strongly in evidence at the Junior School.

The amalgamation should seek to build on the strengths of both current schools, including taking the opportunity to continue the strengths of the Christian ethos of the Junior School enjoyed by pupils and the wider community (3 similar comments).

Whilst the proposal is the right way forward, given the current context of the schools, it will be a huge loss to lose the distinctive Christian character, ethos and vision which is currently offered by the Junior school.

Links with the Diocese and local church are valuable to all pupils, not only those with a Church of England background.

The Junior School obtained an 'outstanding' result in its last SIAMS inspection which suggests this is a great strength of the school and it seems a shame that this additional quality and distinctiveness may be lost if just another community school was created.

I think it is important that discussions should continue with the Diocese to retain the link with the church that has been ongoing for many years.

Once the new Infant school is opened I would support a consultation to look at support for the school having Voluntary Controlled Church of England status, with no denominational criterion.

From those in favour of the Proposal

I have concerns that the large influence the diocese has will mean that the needs of the local community will be sidelined in favour of a CofE school that does not reflect the community. Christian education and ethos does not have a monopoly on good morals and behaviour which is clear from the difference between Infants and Juniors. The positive aspects that are reported for a C of E school are far from what actually happens at the Juniors, but do happen at the Infants. I feel that the church has placed its own interests ahead of the educational success of pupils at the Juniors.

The priority for any new school should be a place where children and staff are happy, learn, and create friends which is exactly what happens at the Infants but is sadly missing from the Juniors. Religious education should be balanced. We need a school that truly reflects the local community - we need a non-religious community school. We have the opportunity to create a new school that is in line with the make-up of the local community which is a mix of religions and the majority that are of no religion. We need to create an inclusive environment for all children to prosper regardless of faith - I want a secular local education for my child.

Should go ahead to provide education of a high standard

The right way to move forward based on the data available from the school Ofsted scores (2 similar comments)

The Infant school is a successful Ofsted Outstanding school, and so it makes sense to extend the school's successful model and take over the Junior school which is failing.

From a diversity and inclusion perspective it is great to see the Infant school expand its values and reach

The overall objective for this move must be what is the best outcome for the children. I believe expanding the infants is the best way forward for the children.

It would remove uncertainty by needing to apply for a new school for year 3

The best option for the community of North Ascot taking into account the excellent practice and culture in the infant school and adding Key Stage 2.

Worried about the expense if the uniforms change

The uniform should be red though. The Junior school already has red sports uniform that they use to attend Bracknell Forest Sports fixtures such as Cross county etc. which is different to other schools. Also what would be done with all the other uniform such as tracksuits that parents have already purchased.

Uniform would be the same and could be used for siblings and there would be less clashing of dates and resources.

The standards of the Infant School should be maintained by extending its age range.

The strong leadership and governors of the infants will be able to spread rapid and much needed improvements to the juniors.

Please allow the school to become a community school free of unhelpful religious influence.

Building concerns - space and timescales

The school will struggle to function effectively in its crumbling buildings. The teachers & pupils deserve a new fit for purpose building.

I support this proposal but do have concerns that the possible re-build may cause disruption and therefore it may be to the benefit of the schools, staff and pupils to defer until the new school is complete.

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This option will give the greatest continuity and provide the best environment for the children.

The most sensible way forward to guarantee quality education for children in the community

As an Infant School parent I shall no longer feel obligated to look at alternatives if the amalgamation (and this specific option) had not been agreed; but feel optimistic enough with this proposal not to have to now do that.

The proposal is absolutely in the best interests of all children in the catchment area.

The leadership and ethos' in place at the infant school will make a positive Impact on the children in Y3-6.

I think the school would be stronger as a combined school.

It would fit better with the other schools in the area.

It would help financially, in terms of staffing, equipment etc

A combined PTA.

It would help parents who have children at both schools.

I understand there has been a change of leadership in the Junior school which is having a positive effect and is moving the school forward. This is not reflected or mentioned in your Executive Member Report.

Reflects my personal experience of both schools where my children thrived at the Infants but when in the Juniors we were forced to move then to another school.

Linking to the church would mainly benefit those that are CofE but would not benefit other religions and those of no-religion.

62% of respondees voted for the primary school to have a community status and this percentage/fact is critical in deciding the ethos of the new school.

I am cynical of the real reasons behind dropping the denominational admissions criterion and see this as an attempt to appease those responding and making decisions about the schools future - why have they not removed this criterion in the past and only done so now?

Happy for merge if it improves the junior school but do not want any more housing estates in north Ascot, as it is already over stretched, plus the potential negative effect it could have on the catchment for Charters School.

Concerned about effect on green spaces / Wildlife, also unsuitable expensive houses.

Annex 2: Ascot Heath schools – Possible amalgamation – consultation and approval process

<i>Stage</i>	<i>Any guidance?</i>	<i>Period; End date</i>
Initial written agreement from both Governing Bodies to consider amalgamation		COMPLETE
Preparation <ul style="list-style-type: none"> • Planning • Decision on approach • Initial approval by Executive Member on 11 June • Preparation of materials 		14 May – 4 July COMPLETE
Consultation <ul style="list-style-type: none"> • Leaflets/Posters • Website • Meetings • etc 	'A minimum of 6 weeks; school holidays should be avoided.' 'Consult individuals, groups and organisations'	5 July to 26 Sept COMPLETE
Consider consultation outcomes and report to Executive Member		26 October COMPLETE
Prepare and publication of Formal Notice		
Stand-still period for appeals	5 clear working days	
Formal consultation / Representation	'Must be 4 weeks, or more.' 'Must cover the specific proposal'	Monday 5 November to Sunday 2 December COMPLETE
The statutory proposal and notice are sent into the DfE notifications mail box.	Within one week	COMPLETE
Consider consultation outcomes and final determination of proposal by Executive Member.	'Must be within 2 months' of end of period of representation (else proposal is referred to Schools Adjudicator)	By Wed 2 January 2019
Stand-still period for appeals	'4 weeks'	By 30 January 2019
The decision record is sent to the DfE Notifications email address.	Within one week	
Implementation		By 31 August 2019
<ul style="list-style-type: none"> • Land ownership issues are progressed, with necessary safeguards being put in place if appropriate. • Admission issues 		

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• School Name		
• GB confirms/ recruits (depending on option) a Headteacher		Anticipated by 31 January 2019
• Address financial issues		By 31 December 2018
• Agree staffing structure	Organisational change protocol to be used	By 31 May 2019
• Agree Instrument of Government of any temporary changes to GB, and of substantive GB		
• Consider options for building, IT and telephony works.	Various options will be possible of different scales. Funding of these works to be determined.	
• Establish / review school policies		
• Communications	Within school, with parents and with wider stakeholders	
• Practical issues e.g. uniform, website, email addresses		
Primary school opens		1 September 2019

* Guidance on 'prescribed alteration' of schools

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/514548/16-04-06_FINAL_SO_Guidance_PA_Regs.pdf

<http://www.legislation.gov.uk/uksi/2013/3110/contents/made>