



## Democratic Services

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**To: COUNCILLOR SUSAN O'BRIEN  
CABINET MEMBER FOR FAMILIES, EDUCATION  
AND WELLBEING**

c.c. All Members of Executive Scrutiny Committee  
c.c. Dan Kennedy, Director - Housing, Environment,  
Education, Performance, Health & Wellbeing  
c.c. Chairman of the Residents, Education and  
Environmental Services Policy Overview Committee  
c.c. Ward Councillors for Hillingdon East  
c.c. Conservative and Labour Group Offices  
(inspection copy)

**Date:** 16 March 2021

## Non-Key Decision request

## Form D

### Amalgamation of Oak Farm Junior School and Oak Farm Infant and Nursery School

Dear Cabinet Member

Attached is a report requesting that a decision be made by you as an individual Cabinet Member. Democratic Services confirm that this is not a key decision, as such the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 notice period does not apply.

You should take a decision **on or after Wednesday 24 March 2021** in order to meet Constitutional requirements about publication of decisions that are to be made. You may wish to discuss the report with the Corporate Director before it is made. Please indicate your decision on the duplicate memo supplied, and return it to me when you have made your decision. I will then arrange for the formal notice of decision to be published.

Steve Clarke  
Democratic Services Officer

**Title of Report:** Amalgamation of Oak Farm Junior School and Oak Farm Infant and Nursery School

**Decision made:**

**Reasons for your decision:** (e.g. as stated in report)

**Alternatives considered and rejected:** (e.g. as stated in report)

Signed .....Date.....

*Cabinet Member for Families, Education and Wellbeing*

# Amalgamation of Oak Farm Junior School and Oak Farm Infant and Nursery School

<b>Cabinet Member(s)</b>	Councillor Susan O'Brien
<b>Cabinet Portfolio(s)</b>	Cabinet Member for Families, Education and Wellbeing
<b>Officer Contact(s)</b>	Dan Kennedy, Residents Services
<b>Papers with report</b>	<p>Appendix 1 - The Department of Education's opening and closing maintained Schools statutory guidance (November 2019)</p> <p>Appendix 2 – Consultation Document</p> <p>Appendix 3 – Statutory Notice</p>

## HEADLINES

<b>Summary</b>	<p>The Cabinet Member for Families, Education and Wellbeing approved the amalgamation consultation for Oak Farm Junior and Infant and Nursery Schools on 25 November 2020. Full stakeholder consultation has now concluded with a positive agreement for amalgamation.</p> <p>The Local Authority is now required to make a final decision to proceed with amalgamation formally through the Department of Education.</p>
<b>Putting our Residents First</b>	This report supports the following Council objectives of: <i>Our People</i> .
<b>Financial Cost</b>	HR additional expenditure is expected to progress this decision. In the long-term the two schools will benefit from economies of scale efficiency savings.
<b>Relevant Policy Overview Committee</b>	Residents, Education and Environmental Services Policy Overview Committee
<b>Relevant Ward(s)</b>	Hillingdon East

## RECOMMENDATIONS

**That the Cabinet Member for Families, Education and Wellbeing approves the amalgamation of Oak Farm Junior School and Oak Farm Infant and Nursery School.**

## **Reasons for recommendation**

The Federated Governing Body of Oak Farm Junior and Infant and Nursery Schools met on Wednesday 7 October 2020 to discuss the future of Oak Farm Junior School and Oak Farm Infant and Nursery School. Reviewing various options, the Governing Body agreed to amalgamate both schools.

As they are Foundation Maintained schools, the Governing Body is the employer for all staff along with owning the buildings. The Council is the decision maker and the Governing Body is able to appeal the Council's decision to the adjudicator.

The Cabinet Member approved amalgamation consultation for Oak Farm Junior and Infant and Nursery Schools on 25 November 2020. Full stakeholder consultation has concluded with a positive agreement for amalgamation.

The statutory consultation with key stakeholders was conducted from Friday 11 December 2020 to Thursday 21 January 2021. Details of the consultation is contained in Appendices 2 and 3. Whilst queries were presented by staff, there was no objections to the proposal to amalgamate Oak Farm Junior and Infant and Nursery Schools.

The Local Authority is now required to make a final decision to proceed with amalgamation formally through the Department of Education. The Cabinet Member has delegated authority to approve school organisation proposals where no objections have been received.

## **SUPPORTING INFORMATION**

### **Current school Ofsted inspection judgements**

- Oak Farm Junior School – Second Ofsted Judgement as Requires Improvement, Interim Headteacher;
- Oak Farm Infant and Nursery School – Ofsted Judgement is Outstanding, Deputy Headteacher is acting up as the previous Headteacher resigned;
- A new shared Headteacher has been recruited for both schools to start on 01 September 2021.

### **School Improvement options considered**

The Governing Body explored three options, reviewing the benefits and challenges:

1. Convert both schools to academies and join a multi-academy trust;
2. Amalgamate the two schools by closing the Junior School and extending the age range of the Infant school;
3. Leave the schools in their current status.

The Governing Body voted unanimously in favour of option 2 - to amalgamate the two schools.

## **Reasons for selected decision**

- Economies of scale in all aspects including the cost of one Headteacher for a Primary School.
- Recruitment – more of an opportunity to recruit one Headteacher.
- As soon as the process begins, there will be no further inspection for either school.
- Currently the Infant and Nursery School has the grade of 'Outstanding'; if inspected now would possibly be downgraded to a 'Good'.
- The new Primary School would have at least two years without an inspection, giving the new Headteacher time to establish the school.
- The Junior school would cease to exist, removing the 'Requires Improvement' judgement.
- The process can be conducted swiftly.
- Parental confidence in the Junior school would be restored.
- Parents do not want the stigma of their children attending a school, which has the Ofsted Judgement of 'Requires Improvement'.

## **The benefits of becoming a Primary School**

- Greater consistency of approach to teaching and learning from ages 3 to 11.
- Seamless monitoring of pupil progress from ages 3 to 11.
- Increased potential for strong leadership and governance.
- Continuity of experiences for parents / carers and children.
- Avoidance of transfer to another school at the end of Year 2 and the impact that this can have on the children's transition and learning.
- Greater sharing of curriculum and other resources.
- Economies of scale.
- Working in partnership with the community.

Following deliberation and questions, which were raised by all Governors regarding the process, Governors voted unanimously to move forward with the amalgamation of Oak Farm Junior School and Oak Farm Infant and Nursery School. The process would be to close the Junior School and extend the age range of the Infant School. Oak Farm Primary School would open in September 2021.

## **Financial Implications**

The amalgamation of Oak Farm Infant and Junior schools should result in savings being achieved through a rationalisation of resources and through economies of scale by combining operations and streamlining the procurement of services. It is important that this process is carefully managed and monitored by the governing body to ensure that the impact for the school budget is maximised.

The school funding formula, which is funded from the Dedicated Schools Grant (DSG), will generate the same amount of pupil led funding for the amalgamated school as currently is generated for the two schools. There will however be a funding reduction relating to the lump sum

factor paid to each school, which will result in an overall reduction of £140,000 per annum, though there is a period of funding protection for amalgamating schools.

Where schools have amalgamated during the financial year, they will retain the equivalent of 85% of the predecessor schools' lump sums in the following year. The impact of this is detailed in the following table:

Financial Year	Lump Sum	Protection	Total
2021/22	£280,000	0	£280,000
2022/23	£140,000	£98,000	£238,000
2023/24	£140,000	0	£140,000

Under current funding regulations, in the second year after amalgamation (2022/23), the Local Authority can choose to continue to apply protection not exceeding 70% (£174k) of the combined lump sum, subject to approval by the DfE.

The school will also see a reduction in some grants which are determined by a fixed sum per school, plus an amount per pupil (i.e. Devolved Formula Capital, PE & Sports Grant).

This amalgamation process is being taken forward by extending the age range of Oak Farm Infant school to become the new all-through primary and closing Oak Farm Junior School and therefore the following actions will take place. On amalgamation, all or part of the surplus balances of Oak Farm Infant School and Oak Farm Junior School will be retained by the new school, subject to Schools Forum agreement. Schools Forum agreed in 2013 that any deficits when a school closed would be funded from the centrally retained DSG.

In the case of any redundancies following amalgamation, Section 37 of the 2002 Education Act sets out how premature retirement and redundancy costs in schools should normally be funded. In accordance with this regulation, all premature retirement costs of staff in maintained schools will be charged to the school's delegated budget while redundancy costs will normally be charged to the local authority's budget unless there is good reason for these costs not to be centrally funded. The following examples set out below indicate the situations in which exceptions to the default position might be taken:

- If a school has decided to offer more generous terms than the Authority's policy, it would be reasonable to charge the excess to the school.
- If a school is otherwise acting outside the Authority's policy.
- Where the school is making staffing reductions which the Authority does not believe are necessary.
- Where staffing reductions arise from a deficit caused by factors within the school's control.
- Where the school has excess surplus balances and no agreed plan to use them.
- Where a school has refused to engage with the Authority's redeployment policy.

It is expected that the school will need to procure some additional specialist HR support in order to progress this decision. This cost will be met from the Schools Delegated Budget, funded through the Dedicated Schools Grant.

## Consultation

The consultation with key stakeholders was conducted from Friday 11 December 2020 to Thursday 21 January 2021. During this time the governing body also held a virtual consultation meeting with staff on the 20 January 2021. The response to the consultation is as follows:

- During this consultation the Local Authority and schools received a total of three emails (two from parents and one from staff), either expressing their support or confirming that they had no firm view.
- Total of 18 queries from staff were received and responded to through the consultation forums.

Due to not receiving any objections and in agreement with the governing body, a statutory notice was issued by the Local Authority on the Wednesday 20 January 2021 to Friday 19 February 2021, being shared via the West London Gazette and on the site of both schools. There have been no further responses received as a result of the statutory notice.

## Conclusion

The formal statutory consultation helped to collate views and queries of both parents and staff. The Local Authority is of the opinion that the potential advantages to be gained from unified management and greater efficiency from amalgamation of both schools will generally outweigh any disadvantages taking into account the views of stakeholders.

## Next steps

If approval is granted by the Council, the Education Service will notify the Department for Education and implement the proposal following the requirements set within the Department of Education's 'Opening and closing maintained Schools statutory guidance (November 2019)' listed as Appendix A to this report.

## CORPORATE CONSIDERATIONS

### Corporate Finance

Corporate Finance has reviewed this report and notes the financial implications set out above, supporting the recommendation for the amalgamation of Oak Farm Junior School and Oak Farm Infant and Nursery School.

Corporate Finance note the financial implications for the Dedicated Schools Grant and the schools funding. Corporate Finance also note that the cost of redundancies may be borne by the General Fund, with any redundancy implications to be covered in a further report at a later date.

## Legal

The proposal follows the prescribed method for the amalgamation of two schools. The effect of the proposal is that the junior school will close and the remaining infant school will accommodate the displaced pupils. The infant school will continue to exist and retain its school number. Accordingly, it will not be considered as a 'new school' and the relevant statutory processes and considerations for opening a new school will not apply. The Local Authority has consulted on the proposed amalgamation and no objections have been raised. The Local Authority is the statutory decision maker.

## Infrastructure / Asset Management

Not required as the Governing Body owns the buildings due to being Foundation Maintained schools.

## BACKGROUND PAPERS

NIL.

## TITLE OF ANY APPENDICES

The Department of Education's opening and closing maintained Schools statutory guidance (November 2019)

Consultation document

Statutory Notice



Department  
for Education

# **Opening and closing maintained schools**

**Statutory guidance for proposers and  
decision-makers**

**November 2019**



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# 1: Summary

## About this guidance

This is statutory guidance from the Department for Education. This means that recipients must have regard to it when carrying out duties relating to establishing (opening) a new maintained school and / or the discontinuance (closing) of an existing maintained school.

The purpose of this guidance is to ensure that good quality school places are provided where they are needed, and that surplus capacity is removed where necessary. It should be read in conjunction with Part 2 and Schedule 2 of the Education and Inspections Act (EIA) 2006 as amended by the Education Act (EA) 2011 and *The School Organisation (Establishment and Discontinuance of Schools) Regulations 2013*.

## Review date

This guidance will be reviewed in September 2020.

## Who is this guidance for?

This guidance is relevant to all categories of maintained school, unless explicitly stated otherwise, and is for those proposing to open and / or close a school (e.g. governing bodies, dioceses, and local authorities (LAs)), decision-makers (LAs, the [Schools Adjudicator](#) and governing bodies), and for those affected by a proposal (e.g. dioceses, trustees, parents etc.).

Proposers and decision-makers must have regard to this guidance when making proposals or decisions related to Schedule 2 of [EIA 2006](#) (as amended by [EA 2011](#)) and the [Establishment and Discontinuance Regulations](#).

Separate advice is available on making [prescribed alterations to maintained schools](#) and [significant changes to academies and academy closure by mutual agreement](#).

It is the responsibility of LAs, proposers and school governing bodies to ensure that they act in accordance with the relevant legislation and have regard to statutory guidance when seeking to make changes to or to open or close a maintained school and they are advised to seek independent legal advice where appropriate. Similarly when making decisions on such proposals, LAs and

Schools Adjudicator must act in accordance with the law and must have regard to statutory guidance.

## Main points

- Where a LA identifies the need for a new school, specifically to meet increased basic need in their area, section 6A of EIA 2006 places them under a duty to seek proposals to establish an academy (free school) via the '[free school presumption](#)' process. The LA is responsible for providing the site for the new school and meeting all associated capital and pre-/post-opening revenue costs.
- The final decision on all new free school presumption proposals lies with the [Regional Schools Commissioner](#) (RSC) on behalf of the Secretary of State.
- In November 2018, the department launched a capital scheme for proposers to apply to the department for capital funding to support the creation of new voluntary aided (VA) schools under section 11 of the EIA 2006. More information can found [here](#).
- Proposers wishing to establish a new school may also wish to consider [opening a free school](#).
- It is possible for any person ('proposer'), in certain circumstances, to publish a proposal for a new maintained school outside of the competitions processes under section 11 of EIA 2006. It is also possible to apply to the Secretary of State for consent to publish proposals to establish a new maintained school under section 10 of EIA 2006.
- All decisions on proposals to open or close a maintained school must be made with regard to the factors outlined in this guidance and follow the relevant [statutory process](#).
- Both the consultation period and the representation period should be carried out in term time to allow the maximum numbers of people to see and respond to what is proposed.
- The decision-maker will need to be satisfied that the consultation and representation period were appropriate, fair and open, and that the proposer has given full consideration to all the responses.
- Proposers should be aware of the guidance for decision makers set out in part 5 of this guidance and ensure that their proposals address the considerations that the decision-maker must take into account. The decision-maker must consider the expressed views of all those affected

by a proposal or who have an interest in it, including cross-LA border interests. The decision-maker should not simply take account of the number of people expressing a particular view. Instead, they should give the greatest weight to responses from those stakeholders likely to be most directly affected by a proposal – especially parents<sup>1</sup> of children at the affected school(s).

- In determining proposals decision-makers must ensure that the guidance on [schools causing concern](#) (intervening in failing, underperforming and coasting schools) has been considered where necessary.
- Within one week of the date of their publication the documents below **MUST** be sent to the Secretary of State (via [schoolorganisation.notifications@education.gov.uk](mailto:schoolorganisation.notifications@education.gov.uk)):
  - a copy of the statutory proposal
  - a copy of the statutory notice
  - a copy of the decision record on the proposal.
- The School Organisation Team will make the necessary updates to the [Get Information About Schools](#) (GIAS) system

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<sup>1</sup> A 'parent' should be considered to be anyone who has parental responsibility, including parents, carers and legal guardians.

## 2: Proposing a new school

This section sets out how to propose the establishment of a new school. Proposer groups may also wish to consider [establishing a free school](#).

Type of Proposal	Proposer	Decision-Maker	Right of appeal to the Adjudicator?
Free School Presumption	Other proposers (academy trusts/sponsors)	RSC (on behalf of the Secretary of State)	No
Section 7 (Stage 1)  Any free school proposals will be considered first. If a proposal is received and considered suitable the competition ends and the the free school proposal is taken forward.	Other proposers	RSC (on behalf of the Secretary of State)	No
Section 7 (Stage 2)  Where no suitable free school bid is received, proposals submitted for a new foundation, foundation special or voluntary school will be considered.	Other proposers	LA <sup>2</sup> (Schools Adjudicator where the LA is involved in the Trust of a proposed foundation school)	No

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<sup>2</sup> Where the LA does not make a decision within the prescribed two month period, they must refer the proposal to the Schools Adjudicator.

Type of Proposal	Proposer	Decision-Maker	Right of appeal to the Adjudicator?
Section 11	Other proposers	LA <sup>3</sup>	<p>The Diocesan Board of Education of any CofE diocese in the relevant area.</p> <p>The bishop of any Roman Catholic church in the relevant area.</p> <p>Proposers (if the LA is the decision maker)</p>
Section 10	LA	Schools Adjudicator	No.
Section 10	All other proposers	LA (Schools Adjudicator where the LA is involved in the Trust of a foundation school)	<p>Where the LA is the decision maker<sup>4</sup>;</p> <p>Proposers</p> <p>The Diocesan Board of Education of any CofE diocese in the relevant area.</p> <p>The bishop of any Roman Catholic church in the relevant area.</p>

## Related proposals

A proposal should be regarded as ‘related’ if its implementation (or non-implementation) would prevent or undermine the effective implementation of another proposal. Proposers should ensure that this information is set out clearly within their proposal.

<sup>3</sup> Where the LA does not make a decision within the prescribed two-month period, they must refer the proposal to the Schools Adjudicator.

<sup>4</sup> Where the Schools Adjudicator is the decision-maker, there is no right of appeal.

## The free school presumption

Where a LA identifies the need for a new school to meet basic need for additional school places, section 6A of EIA 2006 places the LA under a duty to seek proposals to establish an academy (free school) via the [‘free school presumption’](#).

The LA is responsible for providing the site for the new school and meeting all associated capital and pre-/post-opening revenue costs. All new free school presumption proposals require the RSC’s approval (on behalf of the Secretary of State) as it is the Secretary of State who will enter into a funding agreement with the academy trust/sponsor.

LAs planning a presumption project to establish a primary school should include nursery provision in the specification, unless there is a demonstrable reason not to do so.

In considering the need for a new school, the LA should take account of any proposals they are aware of that will meet that need. If a LA has received a proposal for a new LA maintained school, and subsequently identifies the need for a new school, then the LA can decide the maintained school proposal<sup>5</sup> before deciding whether it is necessary to seek proposals via the free school presumption.

## School competitions

If the free school presumption competition does not yield a suitable proposal, then a statutory competition can be held under section 7 of the EIA 2006. This will not require a separate application for the Secretary of State’s approval, because the Secretary of State will inform the LA that approval to hold a section 7 competition is given at the same time as informing the LA that no suitable free school proposal was identified.

Where a LA holds a section 7 competition, the LA must follow the statutory process set out in Schedule 2 to EIA 2006 and the [Establishment and Discontinuance Regulations](#).

The LA must publish a specification for the new school. The specification is only the minimum requirement and proposals may go beyond this. Proposers may submit proposals for a free school, foundation, foundation special or voluntary school into the competition. Where a free school proposal is received, the RSC

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<sup>5</sup> Where the LA does not make a decision within the prescribed two month period, they must refer the proposal to the Schools Adjudicator.



(on behalf of the Secretary of State) will consider any free school proposals first when making a decision on the case.

The LA is expected to provide premises and meet the capital costs of implementing the winning proposal and must include a statement to this effect in the notice inviting proposals. Proposers should set out the estimated premises requirements and/or capital costs of a proposal submitted in response to a competition and, where these exceed the initial cost estimate made by the LA, the proposer should set out the reasons for the additional requirements and/or costs.

## **Proposing a maintained school outside competitive arrangements**

It is possible to publish proposals for a new maintained school outside of the competitive arrangements at any time. Sections 10 and 11 of the EIA 2006 permit proposals to establish new schools under certain conditions either with the Secretary of State's consent (section 10 cases) or without (section 11 cases).

In all cases, proposers must follow the required statutory process as set out in part 4 of this guidance.

### **Section 11 proposals**

Any persons ('proposer'), e.g. a diocese or charitable trust, may publish a proposal, at any time, for a new school outside the free school presumption and competitions process under section 11 of the EIA 2006.

The Secretary of State's consent is not required in the case of proposals for:

- a new community or foundation primary school to replace a maintained infant and a maintained junior school;
- a new voluntary aided school (e.g. in order to meet demand for a specific type of place such as demand from those of a particular faith);
- a new foundation or voluntary controlled school resulting from the reorganisation of existing faith schools in an area, including an existing faith school losing or changing its religious designation;
- a new foundation or community school, where a section 7 competition has been held but did not identify a suitable provider;
- a former independent school wishing to join the maintained sector; and
- a new maintained nursery school.

The statutory process described in [part 4](#) must be followed to establish the new school.

In November 2018, the department launched a capital scheme to support the delivery of new voluntary aided schools. Further information about the scheme is available [here](#).

## Section 10 proposals

It is also possible to apply to the Secretary of State for 'consent to publish' proposals to establish a new school under section 10 of EIA 2006:

- for a community or foundation school to replace an existing maintained school; or
- for a brand new foundation or voluntary controlled school.

Proposers wishing to apply for consent should email [schoolorganisation.notifications@education.gov.uk](mailto:schoolorganisation.notifications@education.gov.uk) and request an application form. Each request for consent will be considered on its merits and the particular circumstances of the case.

Proposers should wait to receive confirmation of consent before following the statutory process in [part 4](#) to establish the new school.

The Schools Adjudicator will decide LA proposals (as well as proposals where the LA are involved in the trust of a proposed foundation school or fails to determine the proposals within the specified time). The LA will decide proposals from other proposers<sup>6</sup>.

## Factors to consider when proposing a new school

Proposers should consider the following factors when making proposals to establish a new school.

### Demand vs Need

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. However, excessive surplus capacity should be managed appropriately. Proposers may wish to discuss their plans with their LA to understand levels of need for their proposed school.

Proposers should also demonstrate parental demand for the new school places and the type of provision being proposed, the quality and diversity of provision available in the local area, and the impact of the new places on existing educational provision in the local area.

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<sup>6</sup> Where the LA does not make a decision within the prescribed two month period, they must refer the proposal to the Schools Adjudicator.

## Proposed admission arrangements

Proposers should set out their intentions for the admission arrangements of the proposed school, including, where the proposal is for a voluntary or foundation school, whether the school will have a religious character and apply faith-based admissions criteria.

Proposers should ensure that they consider all expected admission applications when considering demand for the school, including those from outside the LA area in which the school is situated.

## 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>7</sup>.

## Integration and 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.

Proposer should have regard to the [Integrated Communities Action Plan](#) as well as any local integration and community cohesion strategies.

When making a proposal, the proposers should take account of the community to be served by the school and set out how:

- The school will be welcoming to pupils of all faiths and none; and show how the school will address the needs of all pupils and parents.
- How the school will provide a broad and balanced curriculum and prepare children for life in modern Britain including through the teaching of spiritual, moral, social and cultural (SMSC) education.
- How the school will promote fundamental British values of democracy, the rule of law, individual liberty and mutual respect and tolerance of those with different faiths and beliefs or none.
- How the school will encourage pupils from different communities, faiths and backgrounds to work together, learn about each other's customs, beliefs and ideas and respect each other's views.

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<sup>7</sup> Under sections 90, 91, 92 and 93 of the Education Act 2002.

## Travel and accessibility

Proposers should be satisfied that accessibility planning has been properly taken into account and that the proposal will not adversely impact disadvantaged groups.

LAs have a duty to promote the use of suitable travel and transport to school.

Proposals should include a statement that the proposals are not expected to increase journey times, increase transport costs or result in children being prevented from travelling sustainably due to unsuitable walking or cycling routes.

## Funding

Proposers must include a statement setting out 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 to the funding arrangements.

Proposers relying on the department as a source of capital funding should not assume that approval of the proposal will trigger the release of capital funds from the department, unless the department has previously confirmed in writing that such resources will be available.

## School premises and playing fields

Under the School Premises (England) Regulations 2012 all maintained schools are required to provide suitable outdoor space in order to enable physical education to be provided to pupils in accordance with the school curriculum; and for pupils to play outside safely.

Under the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, where proposals for a new VA school provide for the provision of playing fields, the duty to implement that part of the proposal (i.e. to provide the playing field) rests with the LA.

For Foundation, Foundation Special, and Voluntary Controlled schools, the duty to implement any proposals falls to either the governing body, or LA, as the proposal respectively provides for them to do so (i.e. the proposal for the new school will specify who will be providing the playing fields, which they then have a duty to actually provide).

[Non-statutory guidelines](#) setting out suggested areas for pitches and games courts are in place. Where the proposals for a new foundation or voluntary school are approved, the LA must transfer any interest it has in the premises to either the trustees of the school or, where the school has no trustees, the school's foundation body to be held by that body for the relevant purposes. The LALAmust pay to relevant persons any reasonable costs incurred in connection with the transfer.

If any doubt or dispute arises as to the persons to whom that transfer it to be made, it must be made to such persons as the Schools Adjudicator thinks proper.

### 3: Proposing to close (discontinue) a maintained school

This section sets out information for LAs and governing bodies wishing to propose the closure of a maintained school.

Under Section 15 of the EIA 2006, a LA can propose the closure of ALL categories of maintained school. The statutory process is set out in [part 4](#). The governing body of a voluntary, foundation or foundation special school may also publish proposals to close its own school following the statutory process. Alternatively, it may give [at least two years' notice of its intention to close](#) the school to the Secretary of State and the LA.

The table below sets out a summary of the process for closing a maintained school<sup>8</sup>:

Proposer	Type of proposal	Decision-maker	Right of appeal to the Adjudicator? <sup>9</sup>
LA	Following a statutory process to close a community, community special or maintained nursery school	LA	The Diocesan Board of Education of any CofE diocese in the relevant area.  The bishop of any Roman Catholic church in the relevant area.

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<sup>8</sup> Proposers should be aware that in ALL cases where the LA does not make a decision within the prescribed two month period, they must refer the proposal to the Schools Adjudicator.

<sup>9</sup> Where the Schools Adjudicator is the decision maker, there is no right of appeal.

Proposer	Type of proposal	Decision-maker	Right of appeal to the Adjudicator? <sup>9</sup>
LA	Following a statutory process to close a foundation, foundation special or voluntary (VC or VA) school	LA	<p>The Diocesan Board of Education of any CofE diocese in the relevant area.</p> <p>The bishop of any Roman Catholic church in the relevant area.</p> <p>The governing body or any foundation of the foundation or voluntary school specified in the proposals.</p>
Governing Body	Following a statutory process to close a voluntary (VC or VA), foundation or foundation special school	LA	<p>The Diocesan Board of Education of any CofE diocese in the relevant area.</p> <p>The bishop of any Roman Catholic church in the relevant area.</p> <p>The governing body or any foundation of the foundation or voluntary school specified in the proposals.</p>

## Reasons for closing a school

Reasons for closing a maintained school include, but are not limited to, where:

- There are surplus places elsewhere in the local area which can accommodate displaced pupils and there is no predicted demand for the school in the medium to long term;
- It is to be [merged or amalgamated with another school](#);
- It has been judged inadequate by Ofsted and there is no sponsored academy solution;
- It is to [acquire, lose or change its religious character](#);
- It is no longer considered viable; or
- It is being replaced by a new school.

## Schools causing concern

In determining proposals, decision-makers must ensure that the guidance on [schools causing concern](#) (intervening in failing or underperforming schools) has been considered where necessary.

## Related proposals

Where proposals are related, this should be made clear in consultation and representation periods, in published notices, and proposals. All notices should be published together / or as one notice (e.g. where one school is to be enlarged because another is being closed, a single notice could be published) and specified as 'related'.

Related proposals must also be considered together and, where possible, decisions should be made at the same time.

## The presumption against the closure of rural schools

Proposers should be aware that the Department expects all decision-makers to adopt a presumption against the closure of rural schools. This doesn't mean that a rural school will never close, but that the case for closure should be strong and clearly in the best interests of educational provision in the area.

The presumption doesn't apply where a rural infant and junior school on the same site are being closed to establish a new primary school.

Proposers should set out whether the school is referred to in the [Designation of Rural Primary Schools \(England\) Order](#) or, where it is a secondary school, whether the school is identified as rural on the [Get Information about Schools](#) database.

Proposers should provide evidence to show they have 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;
- the size of the school and whether it puts the children at an educational disadvantage e.g. in terms of breadth of curriculum or resources available;
- the overall and long term impact on the local community of the closure of the village school and of the loss of the building as a community facility; and
- wider school organisation and capacity of good schools in the area to accommodate displaced pupils.

## **The presumption against the closure of maintained nursery schools**

Proposers should be aware that decision-makers are expected to adopt a presumption against the closure of maintained nursery schools. This does not mean that a maintained nursery school will never close, but that the case for closure should be strong.

Where a proposal is for the closure of a maintained nursery school, the proposer should set out:

- plans to develop alternative early years provision clearly demonstrating that it will be at least equal in quantity and quality to the provision provided by the nursery school with no loss of expertise and specialism; and
- replacement provision is more accessible and more convenient for local parents.

## **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), can publish a proposal to open a new school, depending on category. Where this is a presumption school, this will be subject to publication of a section 6A notice (see [part 2](#)). This will result 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.

## **Existing schools wishing to acquire, change or lose a religious character**

It is not possible for an existing maintained school to change its religious character. Instead, the LA or governing body must publish a proposal to close the existing school and a proposer, normally a faith organisation, must issue a 'related' proposal to establish a new voluntary or foundation school with a religious character. This can be done by either gaining the Secretary of State's consent under section 10 or as a special case under section 11 of EIA 2006.

In **ALL** cases, before the religious designation flexibilities can be utilised, the proposer will need to [apply separately, to the Secretary of State, for the new school to be designated with a religious character](#). This would normally be done once the proposal for the new school has been approved.

Schools designated with a religious character that close will automatically have the designation revoked. This means that where two or more schools have amalgamated and the intention is that the successor school will have a religious designation, the new school will have to apply for that designation. Upon gaining a religious designation, a school cannot immediately change its admissions policy to include faith-based criteria. It will need to have consulted on, and determined, its admission arrangements in accordance with the [School Admissions Code](#).

## **Two years notice of closure – voluntary and foundation schools**

In addition to the statutory process for closure in [part 4](#), the governing body of a voluntary or foundation school may, subject to specified provisions<sup>10</sup>, give the Secretary of State and the LA at least two years' notice of their intention to close the school.

The trustees of a foundation or voluntary school must give their governing body at least two years' notice if they intend to terminate the school's occupation of its

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<sup>10</sup> As outlined in section 30 of the SSFA 1998, and including those in the DBE Measure 1991.

site. The minimum two years' notice allows the LA and / or governing body time to make alternative arrangements for pupils.

## **Closure of a community or foundation special school in the interests of pupils**

The Secretary of State may direct<sup>11</sup> a LA to close a community special or foundation special school if he considers it is in the interests of the health, safety or welfare of the pupils. Prior to making the direction, the Secretary of State must consult: the LA, any other LA who would be affected by the closure of the school; the person(s) who appoints the foundation governors (for a foundation special school with a foundation); and any other person(s) the Secretary of State considers appropriate.

The Secretary of State must give notice of the direction in writing to both the governing body and the head teacher of the school. The school must be closed on the date specified by the Secretary of State.

## **Temporary school closures**

A proposal to close a school is not required where a school will temporarily cease to operate due to a rebuild. Where a school operating over multiple sites proposes to cease operations on one (or more) of its sites, the proposal will be for a [prescribed alteration](#), and not a school closure.

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<sup>11</sup> Section 17 of EIA 2006

## 4: The statutory process

This section sets out the stages of the statutory process. The statutory process below must be followed for opening<sup>12</sup> and closing<sup>13</sup> a maintained school.

### Stage one: consultation

It is a statutory requirement to consult any parties the proposer thinks is appropriate before publishing proposals under section 10 or 11 for new schools and for section 15 proposals to close a maintained school.

The proposer may use the consultation to consider a range of options for the future of a school (e.g. amalgamation, federation or closure). However, the proposer must then publish specific proposals (see stage two of the statutory process below). It is these specific proposals setting out details of the new school or the school to be closed which can be commented on or objected to during the statutory representation period.

It is for the proposer to determine the nature and length of the consultation. It is best practice for consultations to be carried out in term time to allow the maximum number of people to respond. Proposers should have regard to the Cabinet Office guidance on [Consultation principles](#) when deciding how to carry out the consultation period.

In the case of the closure of rural primary schools and special schools, the Act sets out some particular groups who must be consulted. This is set out in Annex A.

### Stage two: publication

A statutory proposal should be published within 12 months of the initial consultation period being completed. This is so that it can be informed by up-to-date feedback. A proposal **MUST** contain the information specified in either Schedule 1<sup>14</sup> for establishing a new school or Schedule 2 for closing a school of the Establishment and Discontinuance Regulations. Annex B summarises the information required for closure proposals and Annex C summarises the information required for establishing a new school under the section 10 or 11 processes.

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<sup>12</sup> Under sections 10 and 11 of EIA 2006

<sup>13</sup> Under section 15 of EIA 2006

<sup>14</sup> Of the School Organisation (Establishment and Discontinuance) (England) Regulations 2013.

The proposer must publish the full proposal on a website along with a statement setting out:

- how copies of the proposal may be obtained;
- that anybody can object to, or comment on, the proposal;
- the date that the representation period ends; and
- the address to which objections or comments should be submitted.

A brief notice containing the website address of the full proposal must be published in a local newspaper and may also be published in a conspicuous place on the school premises (where any exist), such as at all of the entrances to the school.

In all cases, within one week of the date of publication on the website, the proposer **MUST** send a copy of the proposal and the information set out above to:

- the Secretary of State  
([schoolorganisation.notifications@education.gov.uk](mailto:schoolorganisation.notifications@education.gov.uk));
- Where the proposal is to close a special school, the parents of every registered pupil at the school;
- The Diocesan Board of Education of any Church of England diocese in the relevant area;
- the bishop of any diocese of the Roman Catholic Church any part of which is comprised in the area of the relevant authority; and
- any other body or person that the proposer thinks is appropriate (e.g. any relevant religious authority).
- Where the proposal is for a new school under section 10 or 11 of the EIA 2006 and the LA is not the proposer, the LA which it is proposed would maintain the school.
- Where the proposal is for the closure of a maintained school, the governing body or the LA responsible for maintaining the school (as appropriate)

Within one week of receiving a request for a copy of the proposal the proposer must send a copy to the person requesting it.

## Stage three: representation

Except where a proposal is for the closure of a rural primary school or a special school, where there are prescribed consultees (see [Annex A](#)), proposers of a school closure should consult organisations, groups and individuals they feel to be appropriate during the representation period (the information at Annex A can be used for examples).

The representation period starts on the date of publication of the statutory proposal and **MUST** last for four weeks. During this period, any person or organisation can submit comments on the proposal to the LA, to be taken into account by the decision-maker. It is also good practice for LAs to forward representations to the proposer (subject to any issues of data protection or confidentiality) to ensure that they are aware of local opinion.

The decision-maker will need to be satisfied that the proposer has had regard for the statutory process and must consider **ALL** the views submitted during the representation period, including all support for, objections to, and comments on the proposal.

## Stage four: decision

The LA will be the decision-maker on a school closure proposal, unless the closure proposal is 'related' to another proposal that is to be decided by the [Schools Adjudicator](#).

The Schools Adjudicator will decide proposals for new schools made by the LA (and cases where the LA is involved in the trust of a proposed foundation school). The LA will decide proposals for new schools from other proposers.

The Schools Adjudicator will also be the decision-maker in any case where the LA does not make a decision within a period of two months of the end of the representation period. Where this happens, the LA must, within a week of the end of that two-month period, refer the case to the Schools Adjudicator.

The decision-maker must have regard to the statutory decision makers guidance contained in this document.

When issuing a decision, the decision-maker can:

- reject the proposal;
- approve the proposal without modification;
- approve the proposal with such modifications as they think desirable, after consulting the LA and/or proposer (as appropriate); or

- approve the proposal – with or without modification – subject to certain conditions<sup>15</sup> (such as the granting of planning permission) being met.

A proposal can be withdrawn by the proposer at any point before a decision is taken. When revoking a proposal prior to a decision being made, the proposer must send written notice to the LA and the [Schools Adjudicator](#) (where applicable). A notice must also be placed on the website where the original proposals were published.

Where the LA is the decision-maker, within one week of making a determination they **MUST** publish their decision and the reasons for that decision being made on their website. They **MUST** arrange for notification of the decision and reasons for it to be sent to:

- The Secretary of State (via [schoolorganisation.notifications@education.gov.uk](mailto:schoolorganisation.notifications@education.gov.uk))
- the governing body/proposers (as appropriate);
- the Schools Adjudicator;
- The Diocesan Board of Education of any Church of England diocese in the relevant area;
- the bishop of any diocese of the Roman Catholic Church any part of which is comprised in the area of the relevant authority; and
- for a special school, the parents of every registered pupil at the school;
- any other body considered appropriate (e.g. other relevant religious authority); and
- the trustees of the school (where relevant e.g. site trustees).

Where the Schools Adjudicator is the decision-maker, where possible they should send notification of the decision and reasons for it, within one week of making a determination to the LA and the Secretary of State (via [schoolorganisation.notifications@education.gov.uk](mailto:schoolorganisation.notifications@education.gov.uk)) to ensure the appropriate records can be updated and to allow for any actions required as a consequence of the decision to be completed (e.g. an admissions preference exercise following approval to close a school).

## **Rights to refer LA decisions to the Schools Adjudicator**

For rights to refer a decision taken by the LA on establishment proposals to the Schools Adjudicator, see table on page 6. For rights to refer a decision taken by the LA on closure proposals to the Schools Adjudicator, see table on page 15.

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<sup>15</sup> As specified in regulation 16 of the Establishment and Discontinuance Regulations

Within one week of receipt of a request for a referral, a LA decision-maker must send the proposal, representations received and the minutes and papers from the meeting at which it considered the proposals to the [Schools Adjudicator](#).

There is no right of appeal against determinations made by the Schools Adjudicator. Adjudicator decisions can be challenged only by judicial review in the courts.

## **Stage five: implementation**

There is no maximum limit on the time between the publication of a proposal and its proposed date of implementation. However, decision-makers should be confident the proposers have good justification (for example an authority-wide reorganisation) if they propose a timescale longer than three years.

The proposer must implement a proposal in the form approved, including any modifications made by the decision-maker.

The school organisation team will make the necessary changes to the school(s) GIAS record(s).

For proposals to establish a new school, the proposer should contact the school organisation team (via [schoolorganisation.notifications@education.gov.uk](mailto:schoolorganisation.notifications@education.gov.uk)) one month before the proposed opening date to confirm that the new school will be opening on time. It is at this point that a GIAS record will be created and your school will be assigned a URN.

## **Modification post determination**

If it becomes necessary, due either to a major change in circumstance or it being unreasonably difficult to implement a proposal as approved, the proposer can propose modifications (e.g. to amend the implementation date) to the decision-maker before the approved implementation date. However, proposals cannot be modified to the extent that new proposals are substituted for those that have been approved.

The LA or the Schools Adjudicator (where the original proposals were decided by the Schools Adjudicator) will be the decision maker for any proposals for modifications post determination.

## **Revocation**

If the proposer does not wish to implement an approved proposal because doing so would be unreasonably difficult or circumstances have changed (so that implementation would be inappropriate) the proposer must publish a revocation



proposal, in order to be relieved of the duty to implement. A revocation proposal must contain:

- a description of the original proposal as published;
- the date of the publication of the original proposal; and
- a statement as to why the duty to implement the original proposal should not apply.

The proposer must publish the revocation proposal on a website and a brief notice of the proposal in a local newspaper. Details of what must be included in this notice are the same as in the [publication section](#).

Within one week of publication, the proposer must send copies of the proposal to:

- The Secretary of State (via [schoolorganisation.notifications@education.gov.uk](mailto:schoolorganisation.notifications@education.gov.uk))
- Any other body or person that the proposer think appropriate.

Proposers must send the revocation proposal to the LA within one week of the date of publication on the website. Where the original proposal was decided by the [Schools Adjudicator](#), the LA must refer the revocation proposal together with any comments or objections within two weeks of the end of the representation period to the Schools Adjudicator.

## 5: Guidance for decision-makers

This section sets out the considerations that should be made by the LA or Schools Adjudicator when deciding proposals to establish or discontinue (close) a school. The decision-maker must have regard to the statutory guidance contained in this document. Proposers will wish to ensure that their proposals contain the information that the decision-maker will need in order to decide the proposal taking account of this section of the guidance.

The LA will be the decision-maker on a school closure proposal, unless the closure proposal is 'related' to another proposal that is to be decided by the [Schools Adjudicator](#).

The Schools Adjudicator will be the decision-maker for LA proposals to establish a new school (and cases where the LA is involved in the trust of a proposed foundation school). The LA is the decision-maker for any proposals for a new school from other proposers.

The Schools Adjudicator will be the decision-maker in any case where the LA does not make a decision within a period of two months from the end of the representation period. Where this happens, the LA must, within a week of the end of that two month period, refer the case to the Schools Adjudicator.

In all cases, the decision-maker should be satisfied that the proposer has carried out the statutory process satisfactorily and should have due regard to all responses received during the representation period.

### Issuing a decision

When issuing a decision, the decision-maker can:

- reject the proposal;
- approve the proposal without modification;
- approve the proposal with such modifications as they think desirable, after consulting the LA and/or proposer (as appropriate);  
or
- approve the proposal – with or without modification – subject to certain conditions<sup>16</sup> (such as the granting of planning permission) being met.

Such decisions **must** be taken within two months of the end of the representation period, it is **not** possible for a LA to defer the decision beyond the two-month period.

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<sup>16</sup> As specified in regulation 16 of the Establishment and Discontinuance Regulations

A proposal can be withdrawn by the proposer at any point before a decision is taken. When doing so the proposer must send written notice to the LA and the [Schools Adjudicator](#) (if the proposal has been sent to them). A notice must also be placed on the website where the original proposal was published. It is good practice to notify any other interested parties that the proposal has been withdrawn.

Where the LA is the decision-maker, within one week of making a determination they **must** publish their decision and the reasons for such a decision being made on their website. They **must** arrange for notification of the decision and reasons for it to be sent to:

- The Secretary of State (via [schoolorganisation.notifications@education.gov.uk](mailto:schoolorganisation.notifications@education.gov.uk))
- the governing body/proposers (as appropriate);
- the Schools Adjudicator;
- The Diocesan Board of Education of any Church of England diocese in the relevant area;
- the bishop of any diocese of the Roman Catholic Church any part of which is comprised in the area of the relevant authority; and
- for a special school, the parents of every registered pupil at the school;
- any other body considered appropriate (e.g. other relevant religious authority); and
- The trustees of the school (where relevant e.g. site trustees).
- Where the Schools Adjudicator is the decision-maker, where possible they should send notification of the decision and reasons for it, within one week of making a determination to the LA and the Secretary of State (via [schoolorganisation.notifications@education.gov.uk](mailto:schoolorganisation.notifications@education.gov.uk)) to ensure the appropriate records can be updated and to allow for any actions required as a consequence of the decision to be completed (e.g. an admissions preference exercise following approval to close a school).

## Factors to consider when determining proposals

### Demand and need

When considering proposals to establish new provision, the decision-maker should be satisfied that the proposer has demonstrated demand for the provision being proposed. This should include:

- 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), in relation to the number of places to be provided.
- 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.
- the popularity of other schools in the area and evidence of parental demand for a new school. Whilst the existence of surplus capacity in neighbouring schools should not in itself prevent the creation of new places, they should consider the impact of the new places on existing good educational provision in the local area.

When determining proposals to discontinue (close) provision, the decision-maker should be satisfied that there are sufficient surplus places elsewhere in the local area to accommodate displaced pupils, and the likely supply and future demand for places in the medium and long term.

The decision-maker should take into account the overall quality of alternative places in the local area, balanced with the need to reduce excessive surplus capacity in the system. The decision-maker should have regard for the local context in which the proposals are being made, taking into account the nature of the area, the age of the children involved and, where applicable, alternative options considered for reducing excess surplus capacity.

## Suitability

When considering any proposal for a new maintained school, the decision-maker should consider the proposal on its merits and take into account all matters relevant to the proposal. Any proposal put forward by organisations which advocate violence or other illegal activity must be rejected. In order to be approved, a proposal should demonstrate that, as part of a broad and balanced curriculum, the proposed new school would promote the spiritual, moral, cultural, mental and physical development of pupils at the school and of society, as set out in the department's guidance on [Promoting fundamental British values through SMSC](#).

## Proposed admission arrangements

Before approving a proposal 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>17</sup>.

## **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.

## **Equal opportunity issues**

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

- eliminate discrimination;
- advance equality of opportunity; and
- foster good relations between people with a protected characteristic and those without that characteristic.

The decision-maker must consider the impact of the proposals on the relevant protected characteristics and any issues that may arise from the proposals (e.g. where there is a proposal to establish new single sex provision in an area, there is equal access to single sex provision for the other sex to meet parental demand). Decision-makers should be satisfied that the proposer has shown a commitment to providing access to a range of opportunities which reflect the ethnic and cultural mix of the area, whilst ensuring that such opportunities are open to all.

## **Integration and community cohesion**

The decision-maker should consider the impact of any proposal on local integration and community cohesion objectives and have regard to the [Integrated Communities Action Plan](#).

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<sup>17</sup> Under sections 90, 91, 92 and 93 of the Education Act 2002.

When considering, publishing or deciding a proposal, the proposer and the decision-maker should take account of the community to be served by the school and the views of different sections within the community. They should also consider:

- Whether the school will be welcoming to pupils of any faith and none; and how the school will address the needs of all pupils and parents.
- Whether the curriculum will be broad and balanced and prepare children for life in modern Britain including through the teaching of spiritual, moral, social and cultural (SMSC) education.
- Whether the school will promote fundamental British values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs and none.
- Whether the school will encourage pupils from different communities, faiths and backgrounds to work together, learn about each other's customs, beliefs and ideas and respect each other's views.

## **Travel and accessibility**

The decision-maker should satisfy themselves that the proposers have been taken into account accessibility planning and that the proposal will not adversely impact on disadvantaged groups.

Decision-makers should consider whether the proposal will 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. The decision-maker will need to consider the local context, for example in areas with excessive surplus places, the decision-maker should consider whether the travel implications of the proposal are reasonable compared to those for alternative options.

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 to the funding arrangements.

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 funds from the department, unless the department has previously confirmed in writing that such resources will be available.

Where a proposer is proposing a new voluntary aided school under section 11 and has applied for capital funding from the department, the decision-maker may, if satisfied that the department has given written 'in principle' agreement to provide capital funding, approve the proposals on the condition that the proposer enter into an arrangement with the Department for Education for any necessary building work.

## **Schools causing concern**

In determining proposals, decision-makers must ensure that the guidance on [schools causing concern](#) (intervening in failing or underperforming schools) has been considered where necessary.

## **Rural schools and the presumption against closure**

Decision-makers should adopt 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 a proposal must be clearly in the best interests of educational provision in the area. When producing a proposal to close a rural primary school, the proposer must consider:

- the likely effect of the closure of the school on the local community;
- the proportion of pupils attending the school from within the local community i.e. is the school being used by the local community;
- educational standards at the school and the likely effect on standards at neighbouring schools;
- the availability, and likely cost to the LA, of transport to other schools;
- whether the school is now surplus to requirements (e.g. because there are surplus places elsewhere in the local area which can accommodate displaced pupils, and there is no predicted demand for the school in the medium or long term);
- any increase in the use of motor vehicles which is likely to result from the closure of the school, and the likely effects of any such increase; and
- any alternatives to the closure of the school.

'Rural primary school', in this context, means any school referred to in the [Designation of Rural Primary Schools \(England\) Order](#). Proposers should also consider the above factors when proposing the closure of a rural secondary school. Rural secondary schools are identified on the Get Information about Schools database 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. Where a school is not recorded as rural on GIAS, the decision-maker can consider evidence provided by interested parties that a particular school should be regarded as rural. The presumption against the closure of rural schools does not apply in cases where a rural infant and junior school on the same site are being closed to establish a new primary school.

## **Maintained nursery schools and the presumption against closure**

Decision-makers should adopt a presumption against the closure of maintained nursery schools. This does not mean that a nursery school will never close, but the case for closure should be strong and the proposal should demonstrate that:

- plans to develop alternative early years provision clearly demonstrate that it will be at least equal in quality and quantity to the provision provided by the nursery school with no loss of expertise and specialism; and
- replacement provision is more accessible and more convenient for local parents.

In considering a proposal to close a school which currently includes early years provision, the decision-maker should consider whether the alternative early years provision will integrate pre-school education with childcare services and/or with other services for young children and their families.

## **Balance of denominational provision**

In deciding a proposal to close a school that has been designated with a religious character, decision-makers should consider the effect that this will have on the balance of denominational provision in the area, as well as taking account of the number of pupils currently on roll, the medium and long term need for places in the area, and whether standards at the school have been persistently low.

In relation to the balance of denominational provision, if an infant and a junior school of a particular religious character in an area are to close and be replaced with a new all-through school, then there should normally be a preference for



that new school to be of the same religious character as the predecessor schools.

Where one school has a religious character and the other does not, or has a different religious character, both proposers and decisions-makers should consider what would best meet the needs of the local community. Decision-makers should consider what impact the proposal will have on the balance of denomination provision in the area, the quality of the provision available (particularly when proposing a merger) and parental demand in the area for the different types of provision.

## **Community services**

Some schools may be a focal point for family and community activity, providing extended services for a range of users, and their closure may have wider social consequences. Where the school is providing access to extended services, provision should be made for the pupils and their families to access similar services through their new schools or other means.

## **Determining revocation proposals**

When a proposer or LA does not wish to implement an approved proposal because doing so would be unreasonably difficult or circumstances have changed (so that implementation would be inappropriate), the proposer must publish a revocation proposal, to be relieve themselves and/or the LA of any duty to implement.

The LA will be the decision-maker for revocation proposals with the exception of cases where the original proposal was determined by the [Schools Adjudicator](#). In such cases, the LA must refer the revocation proposal together with any comments or objections within two weeks of the end of the representation period to the Schools Adjudicator. Where the LA made the initial determination of the original proposals and the proposals were later referred to the adjudicator, the LA should determine any revocations proposals made.

The decision-maker should be satisfied that the proposer has carried out the statutory process appropriately (as set out in part 4 of this guidance) and should have regard for any responses received during the representation period.

LAs must determine a revocation proposal within two months of the end of the representation period. Where the LA has not determined the proposal by the end of the two-month period, the decision-maker must refer the decision to the Schools Adjudicator. The decision-maker should make such persons aware of the decision as they consider appropriate. This should include:

- the Secretary of State (via [schoolorganisation.notifications@education.gov.uk](mailto:schoolorganisation.notifications@education.gov.uk))
- the governing body/proposers (as appropriate);
- the Schools Adjudicator or LA (as appropriate);
- the Diocesan Board of Education of any Church of England diocese in the relevant area;
- the bishop of any diocese of the Roman Catholic Church any part of which is comprised in the area of the relevant authority; and
- for a special school, the parents of every registered pupil at the school;
- any other body considered appropriate (e.g. other relevant faith organisation); and
- the trustees of the school (where relevant e.g. site trustees).

## Determining requests to modify approved proposals

Proposers may request modifications to approved proposals or ask the body which approved the proposals to specify a later date in respect of conditional approval<sup>18</sup>. Where the Schools Adjudicator determined the original proposals, the LA must refer the case to the Schools Adjudicator within two weeks of receipt of the request from the proposers.

The decision-maker should be satisfied that the proposal does not modify the existing proposals to the extent that new proposals are substituted for those that were originally published.

Where approved proposals are modified, the LA or the Schools Adjudicator (as the case may be) must notify the Secretary of State (via [schoolorganisation.notifications@education.gov.uk](mailto:schoolorganisation.notifications@education.gov.uk)) within one week of the date of the proposals being modified.

Where the bodies listed below are unsatisfied with the outcome of a decision taken on a revocation, they may appeal to the Schools Adjudicator within four weeks of the publication of the decision. The Schools Adjudicator will take a fresh decision on the proposals.

- the Diocesan Board of Education for any diocese in the Church of England that is comprised in the area of the relevant authority;
- the bishop of any Roman Catholic Church in the area of the relevant authority;
- the proposers;

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<sup>18</sup> Under paragraph 21(2)(a) of Schedule 2 to the Act

- the governing body or trustees of any foundation or voluntary school which is the subject of the proposals (where relevant).

Within one week of receiving the appeal the LA must send to the adjudicator:

- any objections or comments in relation to the proposals;
- minutes of the meeting at which the revocation proposals were considered; and
- any papers considered by the LA at that meeting.

## Annex A: School closure consultations

In the case of the proposed closure of a rural primary school or a community or foundation special school, prior to publishing a statutory notice and proposal, proposers **must**, under section 16(1) of EIA 2006 consult:

- The LA (as appropriate);
- The parents of registered pupils at the school;
- where the LA is a county council the local district or parish council where the school that is the subject to the proposal is situated; and
- in the case of a special school – any LA which maintains an EHC plan or statement of special educational needs in respect of a registered pupil at the school.

The Secretary of State considers that these bodies, along with those listed below should be consulted in the case of the proposed closure of all schools:

- the governing body (as appropriate);
- pupils at the school<sup>19</sup>;
- (if a proposal involves, or is likely to affect a school which has a particular religious character) the appropriate diocese or relevant faith group<sup>20</sup>;
- the trustees of the school (if any);
- teachers and other staff at the school;
- any LA likely to be affected by the proposal, in particular neighbouring authorities where there may be significant cross-border movement of pupils;
- the governing bodies, teachers and other staff of any other school that may be affected;
- parents of any pupils at other schools who may be affected by the proposal including where appropriate families of pupils at feeder primary schools;
- any trade unions who represent staff at the school; and representatives of any trade union of staff at other schools who may be affected by the proposal;

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<sup>19</sup> Under section 176 of the Education Act 2002.

<sup>20</sup> Under the DBE Measure 1991 Church of England schools must consult with their diocese before making closure proposals.

- MPs whose constituencies include the school that is the subject of the proposal or whose constituents are likely to be affected by the proposal; and
- any other interested organisation / person that the proposer thinks are appropriate.

## **Annex B: Statutory proposals for school closures**

As set out in Schedule 2 to the Establishment and Discontinuance Regulations the information below **must** be included in a proposal to close a school:

### **Contact details**

The name and contact address of the LA or governing body publishing the proposals and the name, address and category of the school it is proposed that should be discontinued.

### **Implementation**

The date on which it is proposed to close the school or, where it is proposed that the closure be implemented in stages, the dates of and information about each stage.

### **Reason for closure**

A statement explaining the reason why closure of the school is considered necessary.

### **Pupil numbers and admissions**

The numbers (distinguishing between compulsory and non-compulsory school age pupils), age range, sex, and special educational needs of pupils (distinguishing between boarding and day pupils) for whom provision is currently made at the school.

### **Displaced pupils**

A statement and supporting evidence about the need for school places in the area including whether there is sufficient capacity to accommodate displaced pupils.

Details of the schools or further education colleges at which pupils at the school to be discontinued will be offered places, including—

- a) any interim arrangements;
- b) the provision that is to be made for those pupils who receive educational provision recognised by the LA as reserved for children with special educational needs; and
- c) in the case of special schools, the alternative provision made by any LA other than the LA which maintain the school.

Details of any other measures proposed to be taken to increase the number of school or further education college places available if necessary, in consequence of the proposed discontinuance.

## **Impact on the community**

A statement and supporting evidence about the impact on the community of the closure of the school and any measures proposed to mitigate any adverse impact.

## **Rural primary schools**

Where proposals relate to a rural primary school designated as such by an order made for the purposes of section 15, a statement that the LA or the governing body (as the case may be) considered section 15(4).

## **Balance of denominational provision**

Where the school has a religious character, a statement about the impact of the proposed closure on the balance of denominational provision in the area and the impact on parental choice.

## **Maintained nursery schools**

Where proposals relate to the discontinuance of a maintained nursery school, a statement setting out—

- a) the LA's assessment of the quality and quantity of the alternative provision compared to the school proposed to be discontinued and the proposed arrangements to ensure the expertise and specialism continues to be available; and
- b) the accessibility and convenience of replacement provision for local parents.

## **Sixth form provision**

Where the school proposed to be discontinued provides sixth form education, the effect for 16 to 19 year olds in the area that the closure will have in respect of—

- a) their educational or training achievements;
- b) their participation in education or training; and the range of educational or training opportunities available to them.

## **Special educational needs provision**

Where existing provision that is recognised by the LA as reserved for pupils with special educational needs is being discontinued, a statement as to how the LA or the governing body (as the case may be) believes the proposals are likely to lead to improvements in the standard, quality and/or range of the educational provision for these children.

## **Travel**

Details of length and journeys to alternative provision.

The proposed arrangements for travel of displaced pupils to other schools including how the proposed arrangements will mitigate against increased car use.



## **Annex C: Statutory proposals for establishing a new school**

As set out in the Establishment and Discontinuance Regulations the information below must be included in section 10 and 11 proposals to establish a new school:

### **Contact details**

The name and contact address of the LA or the proposers (as the case may be).

### **Implementation**

The date on which it is proposed that the school be opened or, where it is proposed that the opening be implemented in stages, the dates of and information about each stage.

Where the proposals are to establish a voluntary, foundation or foundation special school, a statement as to whether the proposals are to be implemented by the LA or by the proposers, and if the proposals are to be implemented by both,

- (a) a statement as to the extent that they are to be implemented by each body, and
- (b) a statement as to the extent to which the capital costs of implementation are to be met by each body.

### **Reason for the new school**

A statement explaining the reason why the new school is considered necessary and whether it is to replace an existing school or schools.

### **Category**

Whether the school will be a foundation or foundation special school (and, if so, whether it is to have a foundation), a voluntary school (and whether it will be voluntary controlled or voluntary aided), a community or community special school, or a LA maintained nursery school and, if required by section 10, a statement that the Secretary of State's consent has been obtained to publish the proposals.

### **Ethos and religious character**

A short statement setting out the proposed ethos of the school, including details of any educational philosophy, which it is proposed that the school will adhere to.

If it is proposed that the school is to have a religious character, confirmation of the religion or religious denomination in accordance with whose tenets religious education will, or may be required to be provided at the school; and a statement that the proposers intend to ask the Secretary of State to designate the school as a school with such a religious character.

Where it is proposed that the school—

- (a) has a religious character, evidence of the demand in the area for education in accordance with the tenets of the religion; or
- (b) adheres to a particular philosophy, evidence of the demand for education in accordance with that philosophy that is not already met in other maintained schools or academies in the area.

## **Pupil numbers and admissions**

The numbers (distinguishing between compulsory and non-compulsory school age pupils), age range, sex, and special educational needs of pupils (distinguishing between boarding and day pupils) for whom provision is to be made at the school.

## **Admission arrangements**

Except in relation to proposals for special schools, the proposed admission arrangements and over-subscription criteria for the new school including, where the school is proposed to be a foundation or voluntary school which is to have a religious character—

- (a) the extent to which priority for places is proposed to be given to children of the school's religion or religious denomination; and
- (b) the extent, if any, to which priority is to be given to children of other religions or religious denominations or to children having no religion or religious denomination.

## **Early years provision**

Where the proposals are to include provision for pupils aged two to five—

- (a) details of how the early years provision will be organised, including the number of full-time and part-time pupils, the number of places, the number and length of sessions in each week, and the services for disabled children that will be offered;
- (b) how the school will integrate the early years provision with childcare services, and how the proposals for the establishment of the school are consistent with the integration of early years provision with childcare;

- (c) evidence of parental demand for additional early years provision;
  - (d) assessment of capacity, quality and sustainability of provision in schools, and in settings outside of the maintained school sector which deliver the Early Years Foundation Stage within three miles of the school; and
  - (e) the reasons why schools and settings outside the maintained school sector which deliver the Early Years Foundation Stage within three miles of the school and which have spare capacity, cannot make provision for any forecast increase in the numbers of such children.
- Sixth form provision

Where it is proposed that the school will provide sixth form education, for 16 to 19 year olds in the area, how the proposals will —

- (a) improve the educational or training achievements;
- (b) increase participation in education or training; and
- (c) expand the range of educational or training opportunities available to them.

Where the addition of sixth-form provision is being proposed, a change of age-range will be required, and proposers should refer to the prescribed alterations guidance.

## **Special educational needs provision**

Whether the school will have provision that is recognised by the LA as reserved for children with special educational needs and, if so, the nature of such provision.

Details of the proposed policy of the school relating to the education of pupils with special educational needs.

Where the school will replace existing educational provision for children with special educational needs—

- (a) a statement on how the proposer believes the proposal is likely to lead to improvements in the standard, quality and range of educational provision for these children;
- (b) details of the improvements that the proposals will bring in respect of—
  - (i) access to education and associated services including the curriculum, wider school activities, facilities and equipment with reference to the LA's Accessibility Strategy;

- (ii) access to specialist staff, both education and other professionals, including any external support or outreach services;
- (iii) access to suitable accommodation; and
- (iv) supply of suitable places.

## **Single sex school**

Where the school is to admit pupils of a single sex—

- (a) evidence of local demand for single sex education and how this will be met if the proposals are approved; and
- (b) a statement giving details of the likely effect the new school will have on the balance of provision of single sex education in the area.

## **Curriculum**

Confirmation that the school will meet the general requirements in relation to the curriculum contained in section 78 of EA 2002 and an outline of any provision that will be in addition to the basic curriculum required by section 80 of EA 2002, in particular any 14-19 vocational education.

## **Relevant experience of proposers**

Evidence of any relevant experience in education held by the proposers including details of any involvement in the improvement of standards in education.

## **Effects on standards and contributions to school improvement**

Information and supporting evidence on—

- (a) how the school will contribute to enhancing the diversity and quality of education in the area; and (b) how the school will contribute to school improvement.

## **Location and costs**

A statement about -

- (a) the area or the particular community or communities which the new school is expected to serve;
- (b) the location of the site or sites including, where appropriate, the postal address or addresses;

- (c) the current ownership and tenure (freehold or leasehold) on which the site will be held, and if the site is to be held on a lease, details of the proposed lease;
- (d) whether the site is currently used for the purposes of another school and if so, why the site will no longer be required by the other school;
- (e) the estimated capital costs of providing the site and how those costs will be met (including the extent to which the costs are to be met by the proposers and the LA) and how the proposers intend to fund their share of the costs of implementing the proposals (if any);
- (f) whether planning permission is needed under the Town and Country Planning Act 1990, and when it is anticipated that it will be obtained;
- (g) confirmation from the Secretary of State or LA (as the case may be) that funds will be made available (including costs to cover any necessary site purchase).

## **Travel**

The proposed arrangements for travel of pupils to the school.

## **Federation**

Details of any proposals for the school to be established as a federated school.

## **Voluntary aided schools**

Where the school is to be a voluntary aided school—

- (a) details of the trusts on which the site is to be held; and
- (b) confirmation that the governing body will be able and willing to carry out their obligations under Schedule 3 to SSFA 1998.

## **Foundation schools**

Where the school is to be a foundation or foundation special school, confirmation as to—

- (a) whether it will have a foundation and if so, the name or proposed name of the foundation;
- (b) the rationale for the foundation and the particular ethos that it will bring to the school;
- (c) the details of membership of the foundation, including the names of the members;

- (d) the proposed constitution of the governing body; and
- (e) details of the foundation's charitable objects.

## Annex D: Further Information

This guidance primarily relates to:

- [The Education and Inspections Act 2006](#), as amended by the [Education Act 2011](#)
- [The School Standards and Framework Act 1998](#), as amended by the [Education Act 2002](#)
- [The School Organisation \(Establishment and Discontinuance of Schools\) Regulations 2013](#)
- [The School Organisation \(Prescribed Alterations to Maintained Schools\) \(England\) Regulations 2013](#)
- [The free school presumption – Departmental advice for local authorities and new school proposers \(May 2018\)](#)
- [Presumption against the closure of primary schools](#)
- [Rural and Urban Area Classification](#)
- [The Religious Character of Schools \(Designation Procedure\) Regulations 1998](#)
- [How to apply for religious designation](#)
- [Schools Adjudicator](#)
- [School Admissions Code](#)

It also relates to:

- [School Governance \(Constitution\) \(England\) Regulations 2012](#)
- [School Governance \(Roles, Procedures and Allowances\) \(England\) Regulations 2013](#)
- [Governors handbook](#).
- [School Premises \(England\) Regulations 2012](#)
- [The School Companies Regulations 2002](#) as amended by the [2003 Regulations](#) and the [2014 Regulations](#)
- [Change your charity's governing document](#)
- [Academies Act 2010](#)
- [Making significant changes to an existing academy and Closure by Mutual Agreement \(2018\)](#);
- [Regional Schools Commissioner](#)
- [Consultation principles](#)

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# **Consultation on bringing together Oak Farm Infant and Nursey School and Oak Farm Junior School to form a single three-form primary school**

**To: staff, parents, carers, guardians, and community members**

**Consultation opening date: Friday 11<sup>th</sup> December 2020**

**Consultation closing date: Thursday 21<sup>h</sup> January 2021**

The Federated Governing Board of Oak Farm Infant and Nursery School and Oak Farm Junior School, together with the London Borough of Hillingdon, are consulting on a proposal to support the achievement of high standards in both schools under the unified leadership of one headteacher. The proposal is for the two schools to amalgamate to form a single primary school for children aged 3 to 11 years with effect from 1<sup>st</sup> September 2021.

**Please have your say on this proposal before Thursday 21<sup>st</sup> January 2021 by using the form at the end of this document. A copy of this consultation is also available at:**

- <https://www.oak.farm>
- Emailing: [schoolgovernance@hillingsdon.gov.uk](mailto:schoolgovernance@hillingsdon.gov.uk)
- Writing to: School Governance Team, Education Service, 4E/07, Civic Centre, Uxbridge, UB8 1UW
- Hard copies of this proposal can be obtained by contacting the Oak Farm Infant and Nursery School or the Oak Farm Junior School offices.

## **Why is amalgamation being proposed?**

The Governing Board and the Council both see significant advantages in combining the existing schools into a new primary school. This would involve the formal closure of Oak Farm Junior School and the expansion and change of age range of Oak Farm Infant and Nursery School to provide education from nursery age right through to children in Year 6. It is proposed that the Junior School would close on 31<sup>st</sup> August 2021 and the Infant School expand to become a primary and nursery school on the existing site with effect from 1<sup>st</sup> September 2021. **Children already at either the Infant and Nursery or the Junior School would not be affected directly by the changes, as they would transfer automatically to the newly formed primary school.**

## **What are some of the advantages of amalgamation?**

The Federated Governing Board and the Council believe that amalgamation would have the following benefits:

- Monitoring pupil progress from age 3 through to age 11 enables staff to build up a comprehensive profile of each child and build consistently on their achievements.
- Consistency of approach to teaching and learning policies, curriculum planning, behaviour management and equal opportunities across all Key Stages.
- Children would move seamlessly through the school as there would be no need for them to change schools between Years 2 and 3, reducing transition concerns and pressures on children and parents.
- Continuity of experience and provision, especially for vulnerable children and those with special needs.
- Opportunities for increased social development - children can come together for social, pastoral and creative activities.
- Improved safeguarding through consistent management and seamless knowledge through all Key Stages.
- Planning and delivery of a continuous and coherent curriculum - Ofsted reports show that planning for progression and continuity for Key Stage 2 is better in primary schools than Junior Schools.
- It will be easier to achieve continuity and progression in children's learning and development from 3 through to age 11.
- Working in partnership as one school with the community.
- The opportunity for staff to build partnerships with pupils, parents and families over a longer period of time.
- The sharing of curriculum and other resources and avoidance of unnecessary duplication.
- Stability of staffing and improved staffing structures as well as increased opportunities for staff development.
- Improved use of facilities – e.g. specialist teaching spaces, reception areas, outdoor areas.

The proposal to amalgamate the schools is underpinned by the intention of the Governing Board to further improve the quality of provision already in place at both schools by ensuring a consistent approach to teaching and learning. This will be delivered through models of curriculum planning which can take into account all three stages of the primary phase of education and will be supported by a whole school approach.

Opportunities for staff development will be further enhanced by enabling both teaching and support staff to draw upon their current expertise, experience and specialist knowledge in order to share and develop best practice more effectively.

The new school will continue to provide an education that offers equality of opportunity for all pupils regardless of age, gender, and ethnicity, learning ability, religious or social background and attainment, including special needs and disabilities.

The proposal will enable the two current schools to merge and strengthen their community links and to develop the extended school's programme in both schools.

### **Who will be the headteacher of the primary school?**

The Federated Governing Board, together with the Council, will be appointing a new **permanent headteacher** who, will play a key role in the amalgamation process should it go ahead after this consultation.

### **Will the teachers and support staff stay the same?**

The Federated Governing Body is the underlying employer in both the Infant and Nursery school and the Junior School; it will also be the underlying employer in the proposed Primary and Nursery school. As such, if the amalgamation goes ahead, the place of work for employees will change to the Primary and Nursery school and there will be no change in employer. Pupil number forecasts indicate that the Primary school will need as many classes as there are currently in the Infant and Junior schools separately. If the decision is made to amalgamate the two schools, then a staffing structure for the Primary and Nursery school would be drawn-up as part of the planning process and both staff and recognised trade unions would be consulted on this.

### **Who will be the Headteachers of the two schools during the interim period?**

Ms Michelle Kenny will continue as the Executive Headteacher of the Junior School until Easter 2021 at which point the Federated Governing Board will consider options.

Ms Susan Perry will continue as the Acting Headteacher of the Infant and Nursery School until a substantive Headteacher for the Infant and Nursery School is permanently in post. A recruitment process is currently underway with interviews planned for January 2021. Should the proposed amalgamation go ahead, this person will become the Headteacher of the Primary School.

### **Will there be any changes to the size of the school and the school buildings?**

No, the size of the school and building will remain exactly the same. The proposed Primary school will have a *published admission number* equal to the sum of the current Infant, Nursery and Junior schools' numbers. Therefore there would be **no change to the capacity** of the proposed amalgamated Primary school if the decision were made to proceed.

### **Who will be the governors of the primary school?**

If amalgamation does go ahead, then the existing Federated Governing Board would remain in place. If vacancies exist for new governors, they would be recruited following the same process that is currently in place.

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

The current restrictions mean we are not able to run the consultation process in exactly the way we would like, for example by holding open meetings and drop in sessions. Instead, you

may wish to write to the Council with your comments. This will assist the Council and the Federated Governing Board in reaching a clear understanding of the views held. You may use the form at the end of this letter, or write separately to the address provided at the end, or email:

[schoolgovernance@hillingdon.gov.uk](mailto:schoolgovernance@hillingdon.gov.uk)

All written comments should be received by the Council by **5pm on Thursday 21<sup>st</sup> January 2021**. The Council handles all information in accordance with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 to ensure that all personal information retained through this process is stored safely, only accessed by people who need to access it, used safely and responsibly, and disposed of safely and securely when no longer required. This also includes transporting data, either physically or electronically. Your answers to this consultation will only be used to assess the stakeholders' view of the proposed amalgamation and not for any other purpose.

If you have any questions about the consultation, please contact the School Governance Team by emailing: [schoolgovernance@hillingdon.gov.uk](mailto:schoolgovernance@hillingdon.gov.uk)

At this stage, no decision has been made. All the views received, either at the meetings or separately in writing, will be considered prior to a decision being taken as to whether or not to go ahead with the proposal. Hopefully this will give an opportunity for as many people as possible to find out about the proposed new Primary school and to give their views.

### **Discussion with pupils of the schools**

This will be undertaken in school using current pupil voice methods.

The Council and the Federated Governing Board will also be seeking the views of other interested parties, such as the Children's Centre on site.

### **Discussion with staff**

Initial informal meetings with staff of both the Infant and Nursery school and Junior school have taken place to advise of the proposed amalgamation. A further meeting with staff will be held immediately after the Christmas holiday as outlined in the timescale below and trade union colleagues are welcome to attend.

### **What happens next?**

At the end of the consultation period, the Federated Governing Board and the Council will consider all of the views expressed by all interested parties during the consultation period and decide whether or not to go ahead with the proposal.

If the decision is to proceed to an amalgamation, then a Statutory Notice will be published in the local press and displayed at the main entrances to the schools and at other conspicuous places in the area served by the schools for a four week period. This four week representation period will provide the final opportunity for people and organisations to comment on, or submit objections to, the proposal.

At the end of the four week period any objections to or comments on the proposal will be considered by the Council and a final decision will be made.

### **Proposed timescale**

Date	Activity
Friday 11 <sup>th</sup> December 2020	Consultation proposal opens and document distributed
Wednesday 6 <sup>th</sup> January 2021	Meetings for staff and trade unions
Thursday 21 <sup>st</sup> January 2021	End of consultation period

If the decision at the end of the consultation is to amalgamate, then the dates of the statutory notice period will be as follows –

Monday 25 <sup>th</sup> January	Publication of Statutory Notice
Friday 19 <sup>th</sup> February	End of period of statutory representations
Monday 22 <sup>nd</sup> February	Decision on proposal made

## Consultation Response Form

### Proposed amalgamation of Oak Farm Infant and Nursery School and Oak Farm Junior School

Please indicate below with a ✓ whether or not you support the proposal

I/We <b>support</b> the proposal to close Oak Farm Junior School and extend the age range of Oak Farm Infant and Nursery School to become an all-through primary school.	
I/We <b>do not support</b> the proposal to close Oak Farm Junior School and extend the age range of Oak Farm Infant and Nursery School to become an all-through primary school.	
I/We/ am/are not sure about the proposal to close Oak Farm Junior School and extend the age range of Oak Farm Infant and Nursey School to become an all-through primary school.	

Please provide any supporting information for your preference and / or any other comments

Full name/s:

Full postal address:

Email:

Tick which group you represent: staff / parents /carers / local community / other \_\_\_\_\_

To be received no later than Thursday 21<sup>st</sup> January 2020

School Governance Team, Education Service, 4E/07, Civic Centre, Uxbridge, UB8 1UW

[schoolgovernance@hillingdon.gov.uk](mailto:schoolgovernance@hillingdon.gov.uk)

Hard copies of this proposal can be obtained by using the Council contact details above or by contacting the Oak Farm Infant and Nursery School or the Oak Farm Junior School offices.



## **LONDON BOROUGH OF HILLINGDON**

### **Statutory Notice**

### **Amalgamation of Oak Farm Junior School, Windsor Avenue, Uxbridge UB10 9PD and Oak Farm Infant and Nursery School, Windsor Avenue, Uxbridge UB10 9PD**

#### **Part 1: Closure of Oak Farm Junior School (Maintained)**

Notice is given in accordance with The School Organisation (Establishment and Discontinuance of Schools) Regulations 2013 that the London Borough of Hillingdon is proposing to discontinue Oak Farm Junior School with effect from 31st August 2021.

#### **Part 2: Prescribed Alteration to Oak Farm Nursery and Infant School (Maintained)**

Notice is given in accordance with The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 that the London Borough of Hillingdon is proposing to make prescribed alterations to Oak Farm Nursery and Infant School with effect from 1st September 2021.

The prescribed alterations proposed are:

- Extend the age range of Oak Farm Infant and Nursery School to accommodate pupils from up to the age of 11.
- Increase the total pupil numbers at Oak Farm Infant and Nursery School to 630 pupils.

This Notice is an extract from the complete proposal, copies of which may be obtained from School Governance Team, Education Service, 4E/07, Civic Centre, Uxbridge, UB8 1UW, email: [schoolgovernance@hillington.gov.uk](mailto:schoolgovernance@hillington.gov.uk).

Within four weeks from the date of publication of this proposal, any person may object to or make comments on the proposal via School Governance Team, Education Service, 4E/07, Civic Centre, Uxbridge, UB8 1UW, or by email: [schoolgovernance@hillington.gov.uk](mailto:schoolgovernance@hillington.gov.uk). Responses must be received by 19th February 2021 at 5pm.

**Signed: DANIEL KENNEDY**

Date: 20th January 2021