

## MATTERS TO BE SPECIFIED IN SECTION 15 PROPOSALS TO DISCONTINUE A SCHOOL

### **Extract of Schedule 4 to The School Organisation (Establishment and Discontinuance of Schools)(England) Regulations 2007 (as amended):**

#### **Contact details**

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

Wirral Council, Town Hall, Brighton Street, Wallasey, Wirral, CH44 8ED

#### **Implementation**

2. The date when it is planned that the proposals will be implemented, or, where the proposals are to be implemented in stages, information about each stage and the date on which each stage is planned to be implemented.

31<sup>st</sup> August 2010

#### **Consultation**

3. A statement to the effect that all applicable statutory requirements to consult in relation to the proposals were complied with.

All applicable statutory requirements to consult in relation to the proposals have been complied with. Public consultations were originally held during January to June 2006, more recently from January to March 2009, including a consultation meeting at Millfields Primary School on 4<sup>th</sup> March 2009. All statutory consultees were consulted in accordance with the relevant DCSF guidance and statutory requirements.

4. Evidence of the consultation before the proposals were published including:

- a) a list of persons and/or parties who were consulted;
- b) minutes of all public consultation meetings;
- c) the views of the persons consulted;and
- d) copies of all consultation documents and a statement of how these were made available.

The Council has been reviewing Wirral primary school provision on an area by area basis since Autumn 2004. The review of the Bromborough and Eastham small planning area, in which Millfields Primary School is situated, began in October 2005 with pre-consultation meetings involving headteachers and chairs of governors of all the schools in the area, as well as Diocesan Authorities and ward members. A number of options for change arose, and were approved for formal consultation by Cabinet. Leaflets and comments forms were provided to all parents, and at schools and local libraries. A dedicated website was established, including a feedback form, and the consultation was advertised in the press. Public meetings were held during Spring term 2006 at each of the schools named in the

options.

The outcome of this consultation was described in the 16th March 2006 report to Cabinet (Sections 6 and 7). At this time, Cabinet's decision was that an option that arose from the consultation, namely the closure of St Mary's CE Primary School and Millfields Primary School combined with the establishment of a CE Controlled primary school at the Millfields site, should proceed as a statutory proposal.

Following legal advice, it was decided that consultation should be continued to allow consultees to express their opinions about the new option, led by the Diocese of Chester and facilitated by the Authority. Further consultation meetings were held for stakeholders of the two schools. The outcome of the additional consultation period which concluded on 6<sup>th</sup> July 2006, was reported to Cabinet on 27<sup>th</sup> July 2006. The Diocesan Board of Education were impressed by various aspects of Millfields Primary School, including the Christian ethos and existing links with local churches and "*would be delighted to have Millfields as a part of its family of Church schools*". However, the Diocesan Board of Education felt unable to support the closure of St Mary's CE Primary School, and therefore rejected the Council's preferred option to close the two schools and open a new Church of England school on the Millfields site. One of the factors the Diocesan Board gave as a reason not to support the amalgamation was that the standards achieved by the two schools were "not significantly different". The Council's preferred option of amalgamating the two schools in order to create a new school could not therefore proceed. At its meeting of 27th July 2006, the Council decided not to press ahead with the proposal to close St Mary's CE Primary School, deciding instead to make an interim measure to reduce surplus places and enhance provision in the area by locating a Children's Centre at Millfields Primary School. A further recommendation was made that the Bromborough and Eastham area should be monitored and reviewed again during the Primary Places Review.

St Mary's CE (Controlled) Primary School was inspected by Ofsted on the 13th and 14<sup>th</sup> September 2006, and was placed in the Ofsted category of Special Measures. This was reported to Cabinet on 14<sup>th</sup> December 2006. At this meeting, Cabinet's decision was to proceed to statutory notices in respect of the closure of St Mary's CE (Controlled) Primary School. As a further recommendation, Cabinet agreed to give all necessary support to any proposal made by the Church of England Diocese of Chester regarding the closure of a Community Primary School in order to open a new CE Primary school on the same site, subject to the agreement of the relevant Governing Body.

The statutory notices were published on 10<sup>th</sup> January 2007, followed by a representation period for comments and objections. The proposal for closure of St Mary's CE Primary School was considered by the School Organisation Committee (SOC; now abolished) on 21<sup>st</sup> March 2007. A unanimous decision could not be reached. The proposal was consequently referred to the Office of the Schools Adjudicator according to guidance

The Adjudicator held an additional consultation on the closure of St Mary's CE Primary School ending on 9<sup>th</sup> May 2007, including a further meeting for stakeholders of St Mary's CE Primary School on 2<sup>nd</sup> May 2007. The Adjudicator's final decision was to approve the closure of St Mary's CE Primary School from 31<sup>st</sup> August 2007.

Cabinet's decision on 14<sup>th</sup> December 2006 regarding support for the possible establishment of a CE Controlled primary school in the Eastham area remains in place. Discussions on the possibility of Millfields Primary School becoming a CE Controlled Primary School have been ongoing through 2007/2008, including the governing body of Millfields Primary School, the Diocese of Chester and the Local

Authority. All three parties agreed that the option had been positively received during the original consultation. As demonstrated above, there has already been extensive consultation on this option in the Eastham area over an extended period of time. However, as it has been more than 12 months since the conclusion of the last consultation in May 2007, guidance states that a fresh consultation should be carried out in order to allow stakeholders who were not consulted in the original consultation an opportunity to express their views.

Accordingly, a further consultation was held during February and March 2009.

A consultation leaflet was drawn up jointly by the Diocese of Chester and the Local Authority and distributed to staff and parents/carers of pupils at Millfields Primary School and other Eastham primary schools. The document was also made available via a dedicated website and at local libraries and community centres and one stop shops. All statutory consultees were consulted. The consultation leaflet is attached as [Appendix A](#).

A consultation meeting for interested stakeholders was held on 4<sup>th</sup> March 2009 at Millfields Primary School, chaired by Mr Jeff Turnbull, Diocesan Director of Education from the Diocese of Chester. The date for the meeting was in the parents' leaflets and on the specific web-site and a general notice was published in the local press. Opportunities were provided for various means of written response via post and e-mail

The consultation closed on 20<sup>th</sup> March 2009. During this period, 7 responses from individuals and one petition were received. Three responses were from current parents, one from a former parent and one from a member of staff. The remaining two responses, and the petition, were from other concerned persons. The anonymised responses are attached as [Appendix B](#).

The consultation meeting on 4<sup>th</sup> March 2009 was attended by 35 persons, including two ward councillors, 9 parents, 17 staff members and 7 governors (some also parents or staff). The minutes of the meeting are attached as [Appendix B](#).

The points raised by consultees are summarized as follows:

- Impact of Church of England status on the school
- Importance of retention of a primary school at the Millfields site
- Financial implications
- Concerns about future of staff, especially headteacher
- Concerns about future of existing governors
- Questions about nature of collective worship and involvement with local churches
- Uniforms and name of new school
- St Mary's closure process and diversity of choice
- Concerns about competition process

## **Objectives**

5. The objectives of the proposal.

To discontinue Millfields Primary School.

### **Standards and Diversity**

6. A statement and supporting evidence indicating how the proposals will impact on the standards, diversity and quality of education in the area.

The proposal is linked to the establishment of a Church of England Voluntary Controlled school of the same size on the same site. This will increase diversity of education in the area.

### **Provision for 16-19 year olds**

7. Where the school proposed to be discontinued provides sixth form education, how the proposals will impact on:

- a) the educational or training achievements;
- b) participation in education or training; and
- c) the range of educational or training opportunities,

for 16-19 year olds in the area.

Not applicable

### **Need for places**

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

The proposal is linked to the establishment of a Church of England school of the same size on the same site. Former pupils of the community primary school are expected to transfer to the new Church of England school, although parents may choose to apply to transfer to alternative schools in the area, subject to the availability of places and the Key Stage 1 Infant Class size limit.

9. 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.

Not applicable.

### **Current School Information**

10. Information as to the numbers, age range, sex and special educational needs of pupils (distinguishing between boarding and day pupils) for whom provision is made at the school.

Millfields has 164 day only places for boys and girls aged 4 to 11, and a 52 place (26 FTE) nursery. In January 2009 it was attended by 158 pupils plus 25 F1 children. There is no LA designated SEN base or class.

### **Displaced Pupils**

11. Details of the schools or FE colleges which pupils at the school for whom provision is to be discontinued will be offered places, including:

- a) any interim arrangements;
- b) where the school included provision that is recognised by the LA as reserved for children with special educational needs, the alternative provision to be made for pupils in the school's reserved provision; and
- c) in the case of special schools, alternative provision made by LAs other than the authority which maintains the school.

It is proposed that pupils on roll at Millfields Primary School at 31st August 2010 will transfer to the newly established Church of England Controlled school, Willington Avenue, Eastham, Wirral, CH62 9EB on the 1st September 2010 or the nearest practicable date thereafter. Pupils may transfer to any local primary school, subject to availability of places and the admission arrangements published in the Authority's information booklets for parents. Parents of pupils who are due to be admitted to Foundation 2 in 2010, and who have already completed a parental preference form for Millfields Primary School will automatically be considered as a preference for the new Church of England Controlled School at Willington Avenue, Eastham, Wirral, CH62 9EB, these parents will also be given an opportunity to complete a new parental preference form.

12. Details of any other measures proposed to be taken to increase the number of school or FE college places available in consequence of the proposed discontinuance.

No other measures to increase places are proposed.

### **Impact on the Community**

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

The proposal is linked to the establishment of a Church of England Voluntary Controlled school on the same site and will no adverse impact on the community.

14. Details of extended services the school offered and what it is proposed for these services once the school has discontinued.

The school is the site for Eastham Children's Centre, opened May 2008, which will remain in place in the proposed new school.

### **Travel**

15. Details of the length and journeys to alternative provision.

The proposal is linked to the establishment of a Church of England Voluntary Controlled school on the same site. Existing pupils are guaranteed a place in the new school.

Applications for free transport to alternative primary schools will be considered under the guidance in the Authority's Information booklets for parents.

16. The proposed arrangements for travel of displaced pupils to other schools including how they will help to work against increased car use.

There will be no impact on travel as pupils are guaranteed a place at the new school on the same site.

### **Related Proposals**

17. A statement as to whether in the opinion of the LA or governing body, the proposals are related to any other proposals which may have been, are, or are about to be published.

The proposal is linked to a proposal by the Diocese of Chester to establish a Church of England Voluntary Controlled school on the existing site.

### **Rural Primary Schools**

18. 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:

- a) the likely effect of discontinuance of the school on the local community;
- b) the availability, and likely cost to the LA, of transport to other schools;
- c) any increase in the use of motor vehicles which is likely to result from the discontinuance of the school, and the likely effects of any such increase; and
- d) any alternatives to the discontinuance of the school,

as required by section 15(4)

Not applicable.

### **Maintained nursery schools**

19. Where proposals relate to the discontinuance of a maintained nursery school, a statement setting out:

- a) the consideration that has been given to developing the school into a children's centre and the grounds for not doing so;
- b) the LA's assessment of the quality and quantity of 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
- c) the accessibility and convenience of replacement provision for local parents.

Not applicable

**Special educational provision**

20. 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 believes the proposal is likely to lead to improvements in the standard, quality and/or range of the educational provision for these children.

Not applicable.
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