

**REPORT OF THE CABINET MEMBER FOR CHILDREN AND YOUNG  
PEOPLE'S SERVICES****OLIVER QUIBELL COMMUNITY INFANT AND HAWTONVILLE COMMUNITY  
JUNIOR SCHOOLS, NEWARK - OUTCOME OF PUBLISHED STATUTORY  
NOTICES****Purpose of the Report**

1. This report provides Cabinet with the outcome of published statutory notices and seeks approval for the implementation of the proposal to amalgamate the above-named schools in their existing premises to form a single 3-11 years Church of England Voluntary Controlled primary school, inclusive of early years education places, with effect from 1 September 2012.
2. This proposal is a key decision as defined by the category 'Opening, merging or closing schools' in the Constitution and was first published in the Forward Plan in December 2011.

**Information and Advice**

3. It is a current statutory requirement that independent sponsors intending to propose the establishment of a new local authority maintained school, have to seek permission from the Secretary of State if the proposal is required to be published outside of competition regulations. This permission was granted to the Southwell and Nottingham Diocesan Board of Education (SNDBE) in a letter dated 6 February 2012 from the Department for Education.
4. At its meeting on 7 December 2011, Cabinet agreed that a formal proposal be published to discontinue Oliver Quibell Community Infant and Hawtonville Community Junior Schools with effect from 31 August 2012. Under the provisions of the Education and Inspections Act 2006 (EIA 2006), the County Council is required to publish a Section 15 Notice. An appropriate linked Notice was subsequently published simultaneously on 16 February 2012 together with a Section 10 Notice published by the SNDBE. The Section 10 Notice proposed that a new school, as described in paragraph 1 of this report, be established in the existing premises of the Oliver Quibell and Hawtonville Schools. It is further proposed that the new primary school will be maintained by the County Council as a voluntary controlled school.
5. There is a six week period following the publication of Notices during which objections and comments can be made to the published proposals.

6. The Notices expired on 29 March 2012 and at the time of writing this report, no representations were received. As the County Council is not proposing to establish the new primary school, the decision on whether or not the proposal should be implemented falls to Cabinet to determine. It is a statutory requirement however, that this determination has to be made within two months of the expiry of the published Notices' representation period i.e. by 29 May 2012. Failure to meet this requirement would result in the proposal having to be referred to an independent Schools Adjudicator for a decision to be made.

### **Other Options Considered**

7. Possible options for the future of these two schools were considered:
  - both schools amalgamate to form a through primary school
  - both schools to remain independent in a hard federation
  - the creation of a faith based academy
  - the creation of a primary academy.
8. During the consultation process invitations were encouraged from all interested parties to register an interest in sponsoring a new school.
9. The particular benefits of amalgamation include:
  - making more efficient use of the available accommodation on the site to benefit not only the two schools, but also the local community as a whole
  - a larger, single primary school will benefit from a combined budget and be a more viable provision of educational places for the community it will serve

### **Reasons for Recommendation**

10. Under the current provisions of the EIA 2006, proposals to establish new local authority maintained schools published by independent sponsors outside of competition regulations, fall to local authorities to decide the outcome of such proposals.

### **Statutory and Policy Implications**

11. This report has been compiled after consideration of implications in respect of service users, finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

### **Implications for Service Users**

12. If the proposal is agreed to be implemented, pupils on roll at the existing infant and junior schools at the time of closure will automatically transfer to the new school as appropriate. It is also proposed that pupils who currently transfer from Christ Church CE Infant school to Hawtonville Junior School at age 7 years, will continue to be admitted at the appropriate time to the proposed new primary school.

## **Financial implications**

13. If Oliver Quibell Infant and Hawtonville Junior Schools were amalgamated, the budget for a new school would be calculated on the same basis as other primary schools of a similar size. This means that if the amalgamation were approved there would be a projected revenue saving of approximately £79,200 per annum. The new school will retain 100% of the identified savings in the first year, 60% in the second year, 40% in the third year and 20% in the fourth year. This gradual reduction will provide the new school with resources that will help enable a smooth transition to a single primary school.
14. It is the intention that the new primary school will operate from the existing buildings. In advance of this, the County Council would wish to work with the new school's governing body, headteacher and staff to determine, in the best interests of the children, the most appropriate way of utilising the existing accommodation.

## **Equalities Implications**

15. Equal opportunities issues for staff will be addressed within an agreed enabling document and which will follow an agreed standard format.
16. As part of the process of making decisions and changing policy, public authorities are required by law to think about the need to:
  - eliminate unlawful discrimination, harassment and victimisation
  - advance equality of opportunity between people who share protected characteristics (as defined by equalities legislation) and those who do not
  - foster good relations between people who share protected characteristics and those who do not.
17. Equality Impact Assessments (EIAs) are a means by which a public authority can assess the potential impact that proposed decisions/changes to policy could have on the community and those with protected characteristics. They may also identify potential ways to reduce any impact that a decision / policy change could have. If it is not possible to reduce the impact, the EIA can explain why. Decision makers must understand the potential implications of their decisions on people with protected characteristics.
18. An EIA has been undertaken and is available as a background paper. Decision makers must give due regard to the implications for protected groups when considering this report.

## **Human Resources Implications**

19. The governors of the new school will be supported by County Council officers to ensure that decisions about staffing in the school are made in accordance with employment law and the Local Authority's previously determined policies.

## **RECOMMENDATION**

- 1) That Cabinet agree to the implementation of the proposal to amalgamate Oliver Quibell Community Infant and Hawtonville Community Junior Schools, in their existing premises, to form a single local authority maintained 3-11 years Church of England Voluntary Controlled primary school including provision for early years education places, with effect from 1 September 2012.

**Councillor Philip Owen**  
**Cabinet Member for Children and Young People's Services**

**For any enquiries about this report please contact:**

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#### **Constitutional Comments (LM 07/03/12)**

20. Cabinet has delegated responsibility under the Scheme of Delegation for the discharge of the County Council's functions in relation to education conferred on or exercisable by the Council in its capacity as a Local Authority (Section 18(2)(a) Children Act 2004). Cabinet may therefore approve the recommendations in the report.

#### **Financial Comments (NDR 13/03/12)**

21. The financial implications are set out in paragraph 13 of the report.

#### **Background Papers**

- 1) Report to Cabinet on 7 December 2011 'Oliver Quibell Infant and Hawtonville Junior Schools, Newark - Possible Amalgamation' (previously published)
- 2) Letter from the DfE confirming consent for the SNDBE to publish its proposal (dated 6 February 2012)
- 3) Section 10 and Section 15 Notices (published on 16 February 2012)
- 4) The Complete Proposals referred to in the above published statutory notices
- 5) Equality Impact Assessment

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

#### **Electoral Division(s) and Member(s) Affected**

Newark East: Councillor Stuart Wallace

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