

## Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form - EXCERPT FROM A GUIDE FOR LOCAL AUTHORITIES AND GOVERNING BODIES

### Stage 4 – Decision (Paragraphs 4.1-4.80)

#### Who Will Decide the Proposals? (Paragraphs 4.1-4.4)

4.1 Decisions on school organisation proposals are taken by the LA or by the schools adjudicator. In this chapter both are covered by the form of words “Decision Maker” which applies equally to both.

4.2 Section 21 of the EIA 2006 provides for regulations to set out who **must** decide proposals for any prescribed alterations (i.e. including expansions). The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (SI:2007 No. 1289) (as amended) make detailed provision for the consideration of prescribed alteration proposals (see in particular Schedules 3 and 5). Decisions on expansions will be taken by the LA with some rights of appeal to the schools adjudicator. Only if the prescribed alteration proposals are “related” to other proposals that fall to be decided by the schools adjudicator, will the LA not be the decision maker in the first instance.

4.3 If the LA fail to decide proposals within 2 months of the end of the representation period the LA **must** forward proposals, and any received representations (i.e. not withdrawn in writing), to the schools adjudicator for decision. They **must** forward the proposals within one week from the end of the 2 month period.

4.4 The Department does not prescribe the process by which an LA carries out their decision-making function (e.g. full Cabinet or delegation to Cabinet member or officials). This is a matter for the LA to determine but the requirement to have regard to statutory guidance (see paragraph 4.15 below) applies equally to the body or individual that takes the decision.

#### Who Can Appeal Against an LA Decision? (Paragraphs 4.5-4.6)

4.5 The following bodies may appeal against an LA decision on school expansion proposals:

the local Church of England diocese;

the bishop of the local Roman Catholic diocese;

the LSC where the school provides education for pupils aged 14 and over;

the governing body of a community school that is proposed for expansion; and

the governors and trustees of a foundation (including Trust) or voluntary school that is proposed for expansion.

4.6 Any appeals **must** be submitted to the LA within 4 weeks of the notification of the LA’s decision. On receipt of an appeal the LA **must** then send the proposals, and the representations received (together with any comments made on these representations by the proposers), to the schools adjudicator within 1 week of the receipt of the appeal. The LA **should** also send a copy of the minutes of the LA’s meeting or other record of the decision and any relevant papers. Where the proposals are “related” to other proposals, all the “related” proposals **must** also be sent to the schools adjudicator.

## Checks on Receipt of Statutory Proposals (Paragraph 4.7)

4.7 There are 4 key issues which the Decision Maker **should** consider before judging the respective factors and merits of the statutory proposals:

- Is any information missing? If so, the Decision Maker **should** write immediately to the proposer specifying a date by which the information **should** be provided;
- Does the published notice comply with statutory requirements? (see paragraph 4.8 below);
- Has the statutory consultation been carried out prior to the publication of the notice? (see paragraph 4.9 below);
- Are the proposals “related” to other published proposals? (see paragraphs 4.10 to 4.14 below).

## Does the Published Notice Comply with Statutory Requirements? (Paragraph 4.8)

4.8 The Decision Maker **should** consider whether the notice is valid as soon as a copy is received. Where a published notice does not comply with statutory requirements - as set out in The School Organisation (Prescribed Alterations)(England) Regulations 2007 (SI:2007 - 1289) (as amended) - it may be judged invalid and the Decision Maker **should** consider whether they can decide the proposals.

## Has the Statutory Consultation Been Carried Out Prior to the Publication of the Notice? (Paragraph 4.9)

4.9 Details of the consultation **must** be included in the proposals. The Decision Maker **should** be satisfied that the consultation meets statutory requirements (see Stage 1 paragraphs 1.2–1.4). If some parties submit objections on the basis that consultation was not adequate, the Decision Maker may wish to take legal advice on the points raised. If the requirements have not been met, the Decision Maker may judge the proposals to be invalid and needs to consider whether they can decide the proposals. Alternatively the Decision Maker may take into account the sufficiency and quality of the consultation as part of their overall judgement of the proposals as a whole.

## Are the Proposals Related to Other Published Proposals? (Paragraphs 4.10-4.14)

4.10 Paragraph 35 of Schedule 3, and Paragraph 35 of Schedule 5, to The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended) provides that any proposals that are “related” to particular proposals (e.g. for a new school; school closure; prescribed alterations to existing schools i.e. change of age range, acquisition of a Trust, addition of boarding, etc; or proposals by the LSC to deal with inadequate 16-19 provision) **must** be considered together. This does not include proposals that fall outside of School Organisation Prescribed Alteration or Establishment and Discontinuance regulations e.g. removal of a Trust, opening of an Academy, federation proposals. Paragraphs 4.11-4.14 provide statutory guidance on whether proposals **should** be regarded as “related”.

4.11 Generally, proposals **should** be regarded as “related” if they are included on the same notice (unless the notice makes it clear that the proposals are not “related”). Proposals **should** be regarded as “related” if the notice makes a reference to a link to other proposals (published under School Organisation and Trust regulations). If the statutory notices do not confirm a link, but it is clear that a decision on one of the proposals would be likely to directly affect the outcome or consideration of the other, the proposals **should** be regarded as “related”.

4.12 Where proposals are “related”, the decisions **should** be compatible e.g. if one set of proposals is for the removal of provision, and another is for the establishment or enlargement of provision for displaced pupils, both **should** be approved or rejected.

4.13 Where proposals for an expansion of a school are “related” to proposals published by the local LSC<sup>1</sup> which are to be decided by the Secretary of State, the Decision Maker **must** defer taking a decision until the Secretary of State has taken a decision on the LSC proposals. This applies where the proposals before the Decision Maker concern:

- the school that is the subject of the LSC proposals;
- any other secondary school, maintained by the same LA that maintains a school that is the subject of the LSC proposals; or
- any other secondary school in the same LA area as any FE college which is the subject of the LSC proposals.

4.14 The proposals will be regarded as “related” if their implementation would prevent or undermine effective implementation of the LSC proposals.

#### **Statutory Guidance – Factors to be Considered by Decision Makers** (Paragraphs 4.15-4.16)

4.15 Regulation 8 of The Regulations provides that both the LA and schools adjudicator **must** have regard to guidance issued by the Secretary of State when they take a decision on proposals. Paragraphs 4.17 to 4.73 below contain the statutory guidance.

4.16 The following factors **should not** be taken to be exhaustive. Their importance will vary, depending on the type and circumstances of the proposals. All proposals **should** be considered on their individual merits.

### **EFFECT ON STANDARDS AND SCHOOL IMPROVEMENT**

#### **A System Shaped by Parents** (Paragraphs 4.17-4.18)

4.17 The Government's aim, as set out in the Five Year Strategy for Education and Learners and the Schools White Paper Higher Standards, Better Schools For All, is to create a schools system shaped by parents which delivers excellence and equity. In particular, the Government wishes to see a dynamic system in which:

weak schools that need to be closed are closed quickly and replaced by new ones where necessary; and

the best schools are able to expand and spread their ethos and success.

4.18 The EIA 2006 amends the Education Act 1996 to place duties on LAs to secure diversity in the provision of schools and to increase opportunities for parental choice when planning the provision of schools in their areas. In addition, LAs are under a specific duty to respond to representations from parents about the provision of schools, including requests to establish new schools or make changes to existing schools. The

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<sup>1</sup> References throughout this document to the LSC only apply up to April 2010. The Apprenticeships, Skills, Children and Learning Act (ASCL) Act 2009 will transfer the responsibilities of the LSC in respect of 16-19 education and training to LAs, supported by the Young People's Learning Agency. This guidance will be revised by April 2010 to take account of these changes.

Government's aim is to secure a more diverse and dynamic schools system which is shaped by parents. The Decision Maker **should** take into account the extent to which the proposals are consistent with the new duties on LAs.

#### **Standards** (Paragraphs 4.19-4.20)

4.19 The Government wishes to encourage changes to local school provision which will boost standards and opportunities for young people, whilst matching school place supply as closely as possible to pupils' and parents' needs and wishes.

4.20 Decision Makers **should** be satisfied that proposals for a school expansion will contribute to raising local standards of provision, and will lead to improved attainment for children and young people. They **should** pay particular attention to the effects on groups that tend to under-perform including children from certain ethnic groups, children from deprived backgrounds and children in care, with the aim of narrowing attainment gaps.

#### **Diversity** (Paragraphs 4.21-4.23)

4.21 Decision Makers **should** be satisfied that when proposals lead to children (who attend provision recognised by the LA as being reserved for pupils with special educational needs) being displaced, any alternative provision will meet the statutory SEN improvement test (see paragraphs 4.69-4.72).

4.22 The Government's aim is to transform our school system so that every child receives an excellent education – whatever their background and wherever they live. A vital part of the Government's vision is to create a more diverse school system offering excellence and choice, where each school has a strong ethos and sense of mission and acts as a centre of excellence or specialist provision.

4.23 Decision Makers **should** consider how proposals will contribute to local diversity. They **should** consider the range of schools in the relevant area of the LA and whether the expansion of the school will meet the aspirations of parents, help raise local standards and narrow attainment gaps.

#### **Every Child Matters** (Paragraph 4.24)

4.24 The Decision Maker **should** consider how proposals will help every child and young person achieve their potential in accordance with "Every Child Matters" principles which are: to be healthy; stay safe; enjoy and achieve; make a positive contribution to the community and society; and achieve economic well-being. This **should** include considering how the school will provide a wide range of extended services, opportunities for personal development, access to academic and applied learning training, measures to address barriers to participation and support for children and young people with particular needs, e.g. looked after children or children with special educational needs (SEN) and disabilities.

### **SCHOOL CHARACTERISTICS**

#### **Boarding Provision** (Paragraphs 4.25-4.26)

4.25 In making a decision on proposals that include the expansion of boarding provision, the Decision Maker **should** consider whether or not there would be a detrimental effect on the sustainability of boarding at another state maintained boarding school within one hour's travelling distance of the proposed school.

4.26 In making a decision on proposals for expansion of boarding places the Decision Maker **should** consider:-

- a. the extent to which boarding places are over subscribed at the school and any state maintained boarding school within an hour's travelling distance of the school at which the expansion is proposed;
- b. the extent to which the accommodation at the school can provide additional boarding places;
- c. any recommendations made in the previous CSCI/Ofsted reports which would suggest that existing boarding provision in the school failed significantly to meet the National Minimum Standards for Boarding Schools;
- d. the extent to which the school has made appropriate provision to admit other categories of pupils other than those for which it currently caters (e.g. taking pupils of the opposite sex or sixth formers) if they form part of the expansion;
- e. any impact of the expansion on the continuity of education of boarders currently in the school;
- f. the extent to which the expansion of boarding places will help placements of pupils with an identified boarding need; and
- g. the impact of the expansion on a state maintained boarding school within one hour's travelling distance from the school which may be undersubscribed.

#### **Equal Opportunity Issues** (Paragraphs 4.27)

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

#### **NEED FOR PLACES**

##### **Creating Additional Places** (Paragraphs 4.28-4.30)

4.28 The Decision Maker **should** consider whether there is a need for the expansion and **should** consider the evidence presented for the expansion such as planned housing development or demand for provision. The Decision Maker **should** take into account not only the existence of spare capacity in neighbouring schools, but also the quality and popularity with parents of the schools in which spare capacity exists and evidence of parents' aspirations for places in the school proposed for expansion. The existence of surplus capacity in neighbouring less popular or successful schools **should not** in itself prevent the addition of new places.

4.29 Where the school has a religious character, or follows a particular philosophy, the Decision Maker **should** be satisfied that there is satisfactory evidence of sufficient demand for places for the expanded school to be sustainable.

4.30 Where proposals will add to surplus capacity but there is a strong case for approval on parental preference and standards grounds, the presumption **should** be for approval. The LA in these cases will need to consider parallel action to remove the surplus capacity thereby created.

##### **Expansion of Successful and Popular Schools** (Paragraph 4.31-4.34)

4.31 The Government is committed to ensuring that every parent can choose an excellent school for their child. We have made clear that the wishes of parents **should** be taken into account in planning and managing school estates. Places **should** be allocated where parents want them, and as such, it **should** be easier for successful and popular primary and secondary schools to grow to meet parental demand. For the purposes of this guidance, the Secretary of State is not proposing any single definition of a successful and popular school. It is for the Decision Maker to decide whether a school is successful and popular, however, the following indicators **should** all be taken into account:

- a. the school's performance;
  - i. in terms of absolute results in key stage assessments and public examinations;
  - ii. by comparison with other schools in similar circumstances (both in the same LA and other LAs);
  - iii. in terms of value added;
  - iv. in terms of improvement over time in key stage results and public examinations.
- b. the numbers of applications for places;
  - i. the Decision Maker should also take account of any other relevant evidence put forward by schools.

4.32 The strong presumption is that proposals to expand successful and popular schools **should** be approved. In line with the Government's long standing policy that there **should** be no increase in selection by academic ability, this presumption does not apply to grammar schools or to proposals for the expansion of selective places at partially selective schools.

4.33 The existence of surplus capacity in neighbouring less popular schools **should not** in itself be sufficient to prevent this expansion, but if appropriate, in the light of local concerns, the Decision Maker **should** ask the LA how they plan to tackle any consequences for other schools. The Decision Maker **should** only turn down proposals for successful and popular schools to expand if there is compelling objective evidence that expansion would have a damaging effect on standards overall in an area, which cannot be avoided by LA action.

4.34 Before approving proposals the Decision Maker **should** confirm that the admission arrangements of schools proposed for expansion fully meet the provisions of the School Admissions Code. Although the Decision Maker may not modify proposed admission arrangements, the proposer **should** be informed that proposals with unsatisfactory admission arrangements are unlikely to be approved, and given the opportunity to revise them in line with the Code of Practice. Where the LA, rather than the governing body, is the admissions authority, we will expect the authority to take action to bring the admission arrangements in to line with the School Admissions Code.

#### **Travel and Accessibility for All** (Paragraphs 4.35-4.36)

4.35 In considering proposals for the reorganisation of schools, Decision Makers **should** satisfy themselves that accessibility planning has been properly taken into account. Facilities are to be accessible by those concerned, by being located close to those who will use them, and the proposed changes **should not** adversely impact on disadvantaged groups.

4.36 In deciding statutory proposals, the Decision Maker **should** bear in mind that proposals **should not** have the effect of unreasonably extending journey times or increasing transport costs, or result in too many children being prevented from travelling sustainably due to unsuitable routes e.g. for walking, cycling etc. The EIA 2006 provides extended free transport rights for low income groups – see Home to School Travel and Transport Guidance ref 00373 – 2007BKT-EN at [www.teachernet.gov.uk/publications](http://www.teachernet.gov.uk/publications). Proposals **should** also be considered on the basis of how they will support and contribute to the LA's duty to promote the use of sustainable travel and transport to school.

#### **16-19 Provision** (Paragraphs 4.37-4.39)

4.37 The pattern of 16-19 provision differs across the country. Many different configurations of school and college provision deliver effective 14-19 education and training. An effective 14-19 organisation has a number of key features:

- standards and quality: the provision available **should** be of a high standard – as demonstrated by high levels of achievement and good completion rates;
- progression: there **should** be good progression routes for all learners in the area, so that every young person has a choice of the full range of options within the 14-19 entitlement, with institutions collaborating as necessary to make this offer. All routes **should** make provision for the pastoral, management and learning needs of the 14-19 age group;
- participation: there are high levels of participation in the local area; and,
- learner satisfaction: young people consider that there is provision for their varied needs, aspirations and aptitudes in a range of settings across the area.

4.38 Where standards and participation rates are variable, or where there is little choice, meaning that opportunity at 16 relies on where a young person went to school, the case for reorganisation, or allowing high quality providers to expand, is strong.

4.39 Where standards and participation rates are consistently high, collaboration is strong and learners express satisfaction that they have sufficient choice, the case for a different pattern of provision is less strong. The Decision Maker therefore will need to take account of the pattern of 16-19 provision in the area and the implications of approving new provision.

#### **Addition of post-16 provision by “high performing” schools** (Paragraphs 4.40-4.51)

4.40 The Government remains committed to the principle that high performing 11-16 schools **should** be allowed to add post-16 provision where there is parental and student demand, in order to extend quality and choice. But the context in which this principle will operate is changing. From April 2010, the Apprenticeships, Skills, Children and Learning Act 2009 will transfer the responsibility for 16-19 planning and funding from the LSC to LAs. LAs will be responsible for maintaining an effective and coherent system of 14-19 organisation which delivers the new entitlement – to a new curriculum and new qualifications, including all 17 Diploma lines from 2013 and an Apprenticeship place for those who meet the entry criteria - to all young people in their area. Collaboration will be a key feature of 14-19 provision.

4.41 So, while there is still a strong presumption of approval for proposals from high performing schools, that decision **should** now be informed by additional factors: the

need for local collaboration; the viability of existing post-16 providers in the local area; and the improvement of standards at the school that is proposing to add post-16 provision. Only in exceptional circumstances\* would these factors lead Decision Makers not to approve a proposal. If the Decision Maker were minded not to approve a proposal, he **should** first consider whether modification of the proposal would enable the proposer to comply with these conditions (see paragraph 4.49).

*\* Exceptional circumstances in which the Decision Maker might reject the proposal to add a sixth form to a presumption school would include if there is specific evidence that a new sixth form was of a scale that it would directly affect the viability of another neighbouring, high quality institution that itself was not large in comparison to other institutions of that type. Exceptional circumstances might also include a situation where there are a number of presumption schools in the same area at the same time and/or where there is clear evidence that the scale of the aggregate number of additional 16-18 places far exceeds local need and affordability and is therefore clearly poor value for money.*

4.42 There **should** be a strong presumption in favour of the approval of proposals for a new post-16 provision where:

- a. the school is a high performing specialist school that has opted for an applied learning specialism; or
- b. the school, whether specialist or not, meets the DCSF criteria for 'high performing' and does not require capital support.

4.43 The school **should** ensure that, in forwarding its proposals to the Decision Maker, it provides evidence that it meets one of the criteria at paragraph 4.42 above.

4.44 Where a new sixth form is proposed by a specialist school that has met the 'high performing' criteria and which has opted for an applied learning specialism, capital funding may be available from the 16-19 Capital Fund.

4.45 This presumption will apply to proposals submitted to the Decision Maker within:

- a. two years from the date a school commences operation with applied learning specialist school status; or
- b. two years from the date a school is informed of its Ofsted Section 5 inspection results which would satisfy DCSF criteria for 'high performing' status as set out at <http://www.standards.dcsf.gov.uk/specialistschools/guidance2007/?version=1>

NOTE: 'submitted to the Decision Maker' above refers to when proposals and representations are with the Decision Maker, following the end of the representation period.

4.46 The increase in the period in which a school is eligible to expand its post-16 provision recognises the time required to embed the new presumption places within a local 14-19 delivery plan and for effective collaboration to take place.

4.47 New post-16 provision in schools **should**, as appropriate, operate in partnership with other local providers to ensure that young people have access to a wide range of learning opportunities. In assessing proposals from 'high performing' schools to add post-16 provision, Decision Makers **should** look for:

- a. evidence of local collaboration in drawing up the presumption proposal; and
- b. a statement of how the new places will fit within the 14-19 organisation in an area; and



c. evidence that the exercise of the presumption is intended to lead to higher standards and better progression routes at the 'presumption' school.

4.48 If a school has acted in a collaborative way and has actively attempted to engage other partners in the local area, but it is clear that other institutions have declined to participate, that fact **should not** be a reason for declining to approve a proposal. The onus is on other providers to work with a school which qualifies for the presumption of approval for new post-16 provision.

4.49 The Decision Maker **should** only turn down proposals to add post-16 provision from schools eligible for the sixth form presumption if there is compelling and objective evidence that the expansion would undermine the viability of an existing high quality post-16 provider or providers. The fact that an existing school or college with large numbers of post-16 students might recruit a smaller number of students aged 16-19 is not, of itself, sufficient to meet this condition, where the "presumption" school can show that there is reasonable demand from students to attend the school after age 16.

4.50 The existence of surplus capacity in neighbouring schools or colleges that are not high performing **should not** be a reason to reject a post-16 presumption proposal. It is the responsibility of the LA to consider decommissioning poor quality provision as well as commissioning high quality provision. The LA should therefore plan to tackle any consequences of expansion proposals for other schools.

4.51 Before approving proposals the Decision Maker **should** confirm that the admission arrangements of schools proposed for expansion fully meet the provisions of the mandatory Schools Admissions Code. Although the Decision Maker may not modify proposed admission arrangements, the proposer **should** be informed that proposals with unsatisfactory admission arrangements are unlikely to be approved, and given the opportunity to revise them in line with the Code. Where the LA, rather than the governing body, is the admissions authority, we will expect the authority to take action to bring the admission arrangements into line with the School Admissions Code.

#### **Conflicting Sixth Form Reorganisation Proposals** (Paragraph 4.52)

4.52 Where the implementation of reorganisation proposals by the LSC<sup>2</sup> conflict with other published proposals put to the Decision Maker for decision, the Decision Maker is prevented (by the School Organisation Proposals by the LSC for England Regulations 2003) from making a decision on the "related" proposals until the Secretary of State has decided the LSC proposals (see paragraphs 4.13 to 4.14 above).

#### **16-19 Provision 'Competitions'** (Paragraphs 4.53-4.56)

4.53 Non-statutory competitions for new 16-19 provision were introduced from January 2006. They are administered by the regional arm of the LSC, in line with the LSC's current role as commissioner of 16-19 provision. The Government intends to transfer the responsibility for 16-19 provision from the LSC to LAs from 2010.<sup>3</sup>

4.54 The current arrangements for the establishment of new institutions by competition involves a two-stage approval process:

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<sup>2</sup> References throughout this document to the LSC only apply up to April 2010. The ASCL Act 2009 will transfer the responsibilities of the LSC in respect of 16-19 education and training to LAs, supported by the Young People's Learning Agency. This guidance will be revised by April 2010 to take account of these changes.

<sup>3</sup> The ASCL Act will remove the LSC and also the power of LAs to establish sixth form schools, whether by a competition or otherwise. Section 126 of the Act amends section 16 of the Education Act 1996 and sections 7,10 and 11 of EIA 2006.

- a. the competition selection process;
- b. approval of the outcome by existing processes (e.g. Decision Maker approval of school/LA proposals and Secretary of State approval of college/LSC proposals, as required by law).

4.55 Competitors will be eligible to apply to the 16-19 Capital Fund. Where a competition is 'won' by a school, they **must** then publish statutory proposals and these **must** be considered by the Decision Maker on their merits.

4.56 Where proposals to establish sixth forms are received, and the local LSC is running a 16-19 competition, the Decision Maker **must** take account of the competition when considering the proposals.

## **FUNDING AND LAND**

### **Capital (Paragraphs 4.57-4.59)**

4.57 The Decision Maker **should** be satisfied that any land, premises or capital required to implement the proposals will be available. Normally, this will be some form of written confirmation from the source of funding on which the promoters rely (e.g. the LA, DCSF, or LSC). In the case of an LA, this **should** be from an authorised person within the LA, and provide detailed information on the funding, provision of land and premises etc.

4.58 Where proposers are relying on DCSF as a source of capital funding, there can be no assumption that the approval of proposals will trigger the release of capital funds from the Department, unless the Department has previously confirmed in writing that such resources will be available; nor can any allocation 'in principle' be increased. In such circumstances the proposals **should** be rejected, or consideration of them deferred until it is clear that the capital necessary to implement the proposals will be provided.

4.59 Proposals **should not** be approved conditionally upon funding being made available, subject to the following specific exceptions: For proposals being funded under the Private Finance Initiative (PFI) or through the BSF programme, the Decision Maker **should** be satisfied that funding has been agreed 'in principle', but the proposals **should** be approved conditionally on the entering into of the necessary agreements and the release of funding. A conditional approval will protect proposers so that they are not under a statutory duty to implement the proposals until the relevant contracts have been signed and/or funding is finally released.

### **Capital Receipts (Paragraphs 4.60-4.62)**

4.60 Where the implementation of proposals may depend on capital receipts from the disposal of land used for the purposes of a school (i.e. including one proposed for closure in "related" proposals) the Decision Maker **should** confirm whether consent to the disposal of land is required, or an agreement is needed, for disposal of the land. Current requirements are:

- a. Community Schools – the Secretary of State's consent is required under paragraph 2 of Schedule 35A to the Education Act 1996 and, in the case of playing field land, under section 77 of the Schools Standards and Framework Act 1998 (SSFA 1998). (Details are given in DCSF Guidance 1017-2004 "The Protection of School Playing Fields and Land for Academies" published in November 2004) - <http://publications.teachernet.gov.uk/default.aspx?PageFunction=productdetails&PageMode=spectrum&ProductId=DfE-1017-2004&>.
- b. Foundation (including Trust) and Voluntary Schools:

- i. playing field land – the governing body, foundation body or trustees will require the Secretary of State’s consent, under section 77 of the SSFA 1998, to dispose, or change the use of any playing field land that has been acquired and/or enhanced at public expense.
- ii. non-playing field land or school buildings – the governing body, foundation body or trustees no longer require the Secretary of State’s consent to dispose of surplus non-playing field land or school buildings which have been acquired or enhanced in value by public funding. They will be required to notify the LA and seek local agreement of their proposals. Where there is no local agreement, the matter **should** be referred to the Schools Adjudicator to determine. (Details of the new arrangements can be found in the Department’s guidance “The Transfer and Disposal of School Land in England: A General Guide for Schools, Local Authorities and the Adjudicator” - <http://publications.teachernet.gov.uk/default.aspx?PageFunction=productdetails&PageMode=spectrum&ProductId=DfE-1017-2004&> ).

4.61 Where expansion proposals are dependent upon capital receipts of a discontinuing foundation or voluntary school the governing body is required to apply to the Secretary of State to exercise his various powers in respect of land held by them for the purposes of the school. Normally he would direct that the land be returned to the LA but he could direct that the land be transferred to the governing body of another maintained school (or the temporary governing body of a new school). Where the governing body fails to make such an application to the Secretary of State, and the school subsequently closes, all land held by them for the purposes of the discontinued school will, on dissolution of the governing body, transfer to the LA unless the Secretary of State has directed otherwise before the date of dissolution.

4.62 Where consent to the disposal of land is required, but has not been obtained, the Decision Maker **should** consider issuing a conditional approval for the statutory proposals so that the proposals gain full approval automatically when consent to the disposal is obtained (see paragraph 4.75).

#### **New Site or Playing Fields** (Paragraph 4.63)

4.63 Proposals dependent on the acquisition of an additional site or playing field may not receive full approval but **should** be approved conditionally upon the acquisition of a site or playing field.

#### **Land Tenure Arrangements** (Paragraph 4.64)

4.64 For the expansion of voluntary or foundation schools it is desirable that a trust, or the governing body if there is no foundation, holds the freehold interest in any additional site that is required for the expansion. Where the trustees of the voluntary or foundation school hold, or will hold, a leasehold interest in the additional site, the Decision Maker will need to be assured that the arrangements provide sufficient security for the school. In particular the leasehold interest **should** be for a substantial period – normally at least 50 years – and avoid clauses which would allow the leaseholder to evict the school before the termination of the lease. The Decision Maker **should** also be satisfied that a lease does not contain provisions which would obstruct the governing body or the headteacher in the exercise of their functions under the Education Acts, or place indirect pressures upon the funding bodies.

#### **School Playing Fields** (Paragraph 4.65)

4.65 The Education (School Premises) Regulations 1999 set out the standards for school premises, including minimum areas of team game playing fields to which schools **should** have access. The Decision Maker will need to be satisfied that either:

- a. the premises will meet minimum requirements of The Education (School Premises) Regulations 1999; or
- b. if the premises do not meet those requirements, the proposers have secured the Secretary of State's agreement in principle to grant a relaxation.

Where the Secretary of State has given 'in principle' agreement as at paragraph 4.60(b) above, the Decision Maker **should** consider issuing conditional approval so that when the Secretary of State gives his agreement, the proposals will automatically gain full approval.

## **SPECIAL EDUCATIONAL NEEDS (SEN) PROVISION**

### **Initial Considerations** (Paragraphs 4.66-4.67)

4.66 SEN provision, in the context of School Organisation legislation and this guidance, is provision recognised by the LA as specifically reserved for pupils with special educational needs. When reviewing SEN provision, planning or commissioning alternative types of SEN provision or considering proposals for change LAs **should** aim for a flexible range of provision and support that can respond to the special educational needs of individual pupils and parental preferences, rather than necessarily establishing broad categories of provision according to special educational need or disability. There are a number of initial considerations for LAs to take account of in relation to proposals for change. They **should** ensure that local proposals:

- a. take account of parental preferences for particular styles of provision or education settings;
- b. offer a range of provision to respond to the needs of individual children and young people, taking account of collaborative arrangements (including between special and mainstream), extended school and Children's Centre provision; regional centres (of expertise ) and regional and sub-regional provision; out of LA day and residential special provision;
- c. are consistent with the LA's Children and Young People's Plan;
- d. take full account of educational considerations, in particular the need to ensure a broad and balanced curriculum, including the National Curriculum, within a learning environment in which children can be healthy and stay safe;
- e. support the LA's strategy for making schools and settings more accessible to disabled children and young people and their scheme for promoting equality of opportunity for disabled people;
- f. provide access to appropriately trained staff and access to specialist support and advice, so that individual pupils can have the fullest possible opportunities to make progress in their learning and participate in their school and community;
- g. ensure appropriate provision for 14-19 year-olds, taking account of the role of local LSC funded institutions and their admissions policies; and
- h. ensure that appropriate full-time education will be available to all displaced pupils. Their statements of special educational needs will require amendment and all

parental rights must be ensured. Other interested partners, such as the Health Authority should be involved.

4.67 Taking account of the considerations, as set out above, will provide assurance to local communities, children and parents that any reorganisation of SEN provision in their area is designed to improve on existing arrangements and enable all children to achieve the five Every Child Matters outcomes.

#### **The Special Educational Needs Improvement Test (Paragraph 4.68)**

4.68 When considering any reorganisation of provision that would be recognised by the LA as reserved for pupils with special educational needs, including that which might lead to some children being displaced through closures or alterations, LAs, and all other proposers for new schools or new provision, will need to demonstrate to parents, the local community and Decision Makers how the proposed alternative arrangements are likely to lead to improvements in the standard, quality and/or range of educational provision for children with special educational needs. All consultation documents and reorganisation plans that LAs publish and all relevant documentation LAs and other proposers submit to Decision Makers **should** show how the key factors set out in paragraphs 4.69 to 4.72 below have been taken into account by applying the SEN improvement test. Proposals which do not credibly meet these requirements **should not** be approved and Decision Makers **should** take proper account of parental or independent representations which question the LA's own assessment in this regard.

#### **Key Factors (Paragraphs 4.69-4.72)**

4.69 When LAs are planning changes to their existing SEN provision, and in order to meet the requirement to demonstrate likely improvements in provision, they **should**:

- a. identify the details of the specific educational benefits that will flow from the proposals in terms of:
  - i. improved access to education and associated services including the curriculum, wider school activities, facilities and equipment, with reference to the LA's Accessibility Strategy;
  - ii. improved access to specialist staff, both education and other professionals, including any external support and/or outreach services;
  - iii. improved access to suitable accommodation; and
  - iv. improved supply of suitable places.
- b. LAs **should** also:
  - i. obtain a written statement that offers the opportunity for all providers of existing and proposed provision to set out their views on the changing pattern of provision seeking agreement where possible;
  - ii. clearly state arrangements for alternative provision. A 'hope' or 'intention' to find places elsewhere is not acceptable. Wherever possible, the host or alternative schools should confirm in writing that they are willing to receive pupils, and have or will have all the facilities necessary to provide an appropriate curriculum;
  - iii. specify the transport arrangements that will support appropriate access to the premises by reference to the LA's transport policy for SEN and disabled children; and

- iv. specify how the proposals will be funded and the planned staffing arrangements that will be put in place.

4.70 It is to be noted that any pupils displaced as a result of the closure of a BESD school (difficulties with behavioural, emotional and social development) **should not** be placed long-term or permanently in a Pupil Referral Unit (PRU) if a special school place is what they need. PRUs are intended primarily for pupils who have been excluded, although LAs can and do use PRU provision for pupils out of school for other reasons such as illness and teenage pregnancies. There may of course be pupils who have statements identifying that they have BESD who have been placed appropriately in a PRU because they have been excluded; in such cases the statement **must** be amended to name the PRU, but PRUs **should not** be seen as an alternative long-term provision to special schools.

4.71 The requirement to demonstrate improvements and identify the specific educational benefits that flow from proposals for new or altered provision as set out in the key factors are for all those who bring forward proposals for new special schools or for special provision in mainstream schools including governors of foundation schools and foundation special schools. The proposer needs to consider all the factors listed above.

4.72 Decision Makers will need to be satisfied that the evidence with which they are provided shows that LAs and/or other proposers have taken account of the initial considerations and all the key factors in their planning and commissioning in order to meet the requirement to demonstrate that the reorganisation or new provision is likely to result in improvements to SEN provision.

## **OTHER ISSUES**

### **Views of Interested Parties** (Paragraphs 4.73)

4.73 The Decision Maker **should** consider the views of all those affected by the proposals or who have an interest in them including: pupils; families of pupils; staff; other schools and colleges; local residents; diocesan bodies and other providers; LAs; the LSC (where proposals affect 14-19 provision) and the Early Years Development and Childcare Partnership if one exists, or any local partnership or group that exists in place of an EYDCP (where proposals affect early years and/or childcare provision). This includes statutory objections and comments submitted during the representation period. The Decision Maker **should not** simply take account of the numbers of people expressing a particular view when considering representations made on proposals. Instead the Decision Maker **should** give the greatest weight to representations from those stakeholders likely to be most directly affected by the proposals.

### **Types of Decision** (Paragraph 4.74)

4.74 In considering proposals for the expansion of a school, the Decision Maker can decide to:

- reject the proposals;

- approve the proposals;

- approve the proposals with a modification (e.g. the implementation date); or

- approve the proposals subject to them meeting a specific condition (see paragraph 4.75 below).

### **Conditional Approval** (Paragraphs 4.75-4.76)

4.75 The regulations provide for a conditional approval to be given where the Decision Maker is otherwise satisfied that the proposals can be approved, and approval can automatically follow an outstanding event. Conditional approval can only be granted in the limited circumstances specified in the regulations i.e. as follows:

- a. the grant of planning permission under Part 3 of the Town and Country Planning Act 1990;
- b. the acquisition of any site required for the implementation of the proposals;
- c. the acquisition of playing fields required for the implementation of the proposals;
- d. the securing of any necessary access to a site referred to in sub-paragraph (b) or playing fields referred to in sub-paragraph (c);
- e. the private finance credit approval given by the DCSF following the entering into a private finance contract by an LA;
- f. the entering into an agreement for any necessary building project supported by the DCSF in connection with BSF programme;
- g. the agreement to any change to admission arrangements specified in the approval, relating to the school or any other school or schools (this allows the approval of proposals to enlarge the premises of a school to be conditional on the decision of adjudicators to approve any related change in admission numbers);
- h. the making of any scheme relating to any charity connected with the school;
- i. the formation of any federation (within the meaning of section 24(2) of the 2002 Act) of which it is intended that the proposed school should form part, or the fulfilling of any other condition relating to the school forming part of a federation;
- j. the Secretary of State giving approval under regulation 5(4) of the Education (Foundation Body) (England) Regulations 2000 to a proposal that a foundation body must be established and that the school must form part of a group for which a foundation must act;
- k. the Secretary of State making a declaration under regulation 22(3) of the Education (Foundation Body) (England) Regulations 2000 that the school should form part of a group for which a foundation body acts;
- ka. where the proposals are to alter the upper age limit of the school, the decision of the Secretary of State to establish a new FE college under s16 of the Further and Higher Education Act 1992;
- l. where the proposals in question depend upon any of the events specified in paragraphs (a) to (ka) occurring by a specified date in relation to proposals relating to any other school or proposed school, the occurrence of such an event; and
- m. where proposals are related to proposals for the establishment of new schools or discontinuance of schools, and those proposals depend on the occurrence of events specified in regulation 20 of the School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007<sup>4</sup> the occurrence of such an event.

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<sup>4</sup> S.I. 2007/1288.

4.76 The Decision Maker **must** set a date by which the condition **must** be met, but will be able to modify the date if the proposers confirm (preferably before the date expires), that the condition will be met later than originally thought. The condition-to-be-met-by date **must** be before the proposed implementation date of the proposal (which can also be modified if necessary). Therefore care **should** be taken when setting condition-to-be-met-by dates, particularly if proposals are “related” e.g. if a school is proposed to add a sixth form on 1<sup>st</sup> September one year, and enlarge on 1<sup>st</sup> September the following year, and the enlargement requires planning permission, the condition set **must** be met before the addition of a sixth form can be implemented (the earlier proposal). This is because as “related” proposals, they **should** both have the same decision, which in this case, would have been approval conditional upon planning permission being met. The proposer **should** inform the Decision Maker and the Department (SOCU, DCSF, Mowden Hall, Staindrop Road, Darlington DL3 9BG or by email to school.organisation@dcsf.gsi.gov.uk) of the date when a condition is modified or met in order for the Department’s records, and those of Edubase to be kept up to date. If a condition is not met by the date specified, the proposals **must** be referred back to the Decision Maker for fresh consideration.

#### **Decisions** (Paragraphs 4.77-4.79)

4.77 All decisions **must** give reasons for the decision, irrespective of whether the proposals were rejected or approved, indicating the main factors/criteria for the decision.

4.78 A copy of all decisions **must** be forwarded to:

the LA or governing body who published the proposals;

the trustees of the school (if any);

the Secretary of State (via the School Organisation & Competitions Unit, DCSF, Mowden Hall, Darlington DL3 9BG or by email to school.organisation@dcsf.gsi.gov.uk);

where the school includes provision for 14-16 education or sixth form education, the LSC;

the local CofE diocese;

the bishop of the RC diocese;

each objector except where a petition has been received. Where a petition is received a decision letter **must** be sent to the person who submitted the petition, or where this is unknown, the signatory whose name appears first on the petition; and

where the school is a special school, the relevant primary care trust, an NHS trust or NHS foundation trust.

4.79 In addition, where proposals are decided by the LA, a copy of the decision **must** be sent to the Office of the Schools Adjudicator, Mowden Hall, Darlington DL3 9BG. Where proposals are decided by the schools adjudicator, a copy of the decision **must** be sent to the LA that it is proposed should maintain the school.

#### **Can proposals be withdrawn?** (Paragraph 4.80)

4.80 Proposals can be withdrawn at any point before a decision is taken. Written notice **must** be given to the LA, or governing body, if the proposals were published by the LA. Written notice **must** also be sent to the schools adjudicator (if proposals have



been sent to him) and the Secretary of State – i.e. via the School Organisation & Competitions Unit, DCSF, Mowden Hall, Darlington DL3 9BG or by email to [school.organisation@dcf.gov.uk](mailto:school.organisation@dcf.gov.uk). Written notice **must** also be placed at the main entrance to the school, or all the entrances if there are more than one.

## APPENDIX B

### PROPOSALS FOR PRESCRIBED ALTERATIONS OTHER THAN FOUNDATION PROPOSALS: Information to be included in a complete proposal

#### **Extract of ~~Part 1 of Schedule 3 and Part 1 of Schedule 5~~ to The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended):**

##### **In respect of a ~~Governing Body Proposal~~: School and governing body's details**

~~1. The name, address and category of the school for which the governing body are publishing the proposals.~~

Not Applicable.

##### **In respect of an LEA Proposal: School and local education authority details**

1. The name, address and category of the school.

School: Brentfield Primary School (Community), 41 & 43 Meadow Garth, London, NW10 0SL.

Category: Community School

LEA: London Borough of Brent, Brent House, 2nd Floor East, 349-357 High Road, Wembley HA9 6BZ. Email: [Consultations.schoolorganisation@brent.gov.uk](mailto:Consultations.schoolorganisation@brent.gov.uk)

##### **Implementation and any proposed stages for implementation**

2. The date on which the proposals are planned to be implemented, and if they are to be implemented in stages, a description of what is planned for each stage, and the number of stages intended and the dates of each stage.

On implementation of the proposal, Brentfield Primary School would provide 30 new permanent Reception places from 05 September 2011, subject to planning permission. The additional 30 Reception pupils admitted by the school as a 'bulge' class in ongoing 2010-11 academic year would progress to Year 1 in the expanded provision in September 2011 and will progress each year reaching Year 6 in September 2016. Hence, the school would commence operating at full capacity in all Year Groups by September 2016.

### Objections and comments

3. A statement explaining the procedure for making representations, including —
- (a) the date prescribed in accordance with paragraph 29 of ~~Schedule 3 (GB proposals)~~/Schedule 5 (LA proposals) of The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), by which objections or comments should be sent to the local education authority; and
  - (b) the address of the authority to which objections or comments should be sent.

Within four weeks from the date of publication of this proposal any person may object to or make comments on the proposal in writing by sending them to Rajesh Sinha, Interim Principal School Organisation Officer, Regeneration & Major Projects Department, London Borough of Brent, Brent House, 2nd Floor East, 349-357 High Road, Wembley HA9 6BZ. Email: [Consultations.schoolorganisation@brent.gov.uk](mailto:Consultations.schoolorganisation@brent.gov.uk). You could also download a copy of the complete proposal from <http://www.brent.gov.uk/consultations.nsf>

### Alteration description

4. A description of the proposed alteration and in the case of special school proposals, a description of the current special needs provision.

The London Borough of Brent is proposing to expand Brentfield Primary School by one form of entry from 05 September 2011; this means that the school will become a three form of entry provision and its admission capacity will increase from 420 to 630 Reception to Year 6 places.

### School capacity

- 5.—(1) Where the alteration is an alteration falling within any of ~~paragraphs 1 to 4, 8, 9 and 12-14 of Schedule 2 (GB proposals)~~/paragraphs 1-4, 7, 8, 18, 19 and 21 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), the proposals must also include —

- (a) details of the current capacity of the school and, where the proposals will alter the capacity of the school, the proposed capacity of the school after the alteration;

The current capacity of the school is 420 and the proposed capacity will be 630. The current number of pupils registered at the school is 423. The current admission number for the school is 60 and the proposed admission number will be 90.

- (b) details of the current number of pupils admitted to the school in each relevant age group, and where this number is to change, the proposed number of pupils to be admitted in each relevant age group in the first school year in which the proposals will have been implemented;

Student numbers on roll at the school in the academic year 2009-10 are given below:

Number on Roll*	R	Y1	Y2	Y3	Y4	Y5	Y6	Total
Brentfield Primary School	60	60	66	61	55	58	63	423

\*January 2010 Census Data

Currently, the school is admitting up to 60 pupils in each year group. On implementation of the proposal, Brentfield Primary School would provide 30 new permanent Reception places from 05 September 2011, subject to planning permission. Hence, it would admit 90 pupils in the Reception class from 05 September 2011.

The additional 30 Reception pupils admitted by the school as a 'bulge' class in the on-going 2010-11 academic year would progress to Year 1 in the expanded provision in September 2011 and subsequently will progress each year to Year 6 in September 2016. Hence, the school would commence operating at full capacity in all Year Groups by September 2016.

- (c) where it is intended that proposals should be implemented in stages, the number of pupils to be admitted to the school in the first school year in which each stage will have been implemented;

Brentfield Primary School has accommodated an additional Reception class (30 places) on a temporary basis from 05 September 2010 until the end of the academic year.

If this proposal were accepted, Brentfield Primary would offer three forms of entry permanent primary provision from 05 September 2011 through yearly progression.

This would mean that the additional temporary Reception class in the current academic year would progress to Year 6 by September 2016, at which point the primary provision at the school would commence operating at full capacity in all Year Groups.

- (d) where the number of pupils in any relevant age group is lower than the indicated admission number for that relevant age group a statement to this effect and details of the indicated admission number in question.

Not Applicable.

(2) Where the alteration is an alteration falling within any of paragraphs 1, 2, 9, 12 and 13 of Schedule 2 (GB proposals) / paragraphs 1, 2, 8, 18 and s 19 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), a statement of the number of pupils at the school at the time of the publication of the proposals.

Student numbers on roll at the school in the academic year 2009-10 are given below:

Number on Roll*	R	Y1	Y2	Y3	Y4	Y5	Y6	Total
Brentfield Primary School	60	60	66	61	55	58	63	423

\*January 2010 Census Data

Student numbers on roll at the school approximately at time of publication of proposal in the academic year 2010-11 are given below:

Number on Roll*	R	Y1	Y2	Y3	Y4	Y5	Y6	Total
Brentfield Primary School	78	58	60	64	60	60	59	439

\*October 2010 Census Data (Provisional)

### Implementation

6. Where the proposals relate to a foundation or voluntary controlled school a statement as to whether the proposals are to be implemented by the local education authority or by the governing body, and, if the proposals are to be implemented by both, a statement as to the extent to which they are to be implemented by each body.

Not applicable.

### Additional Site

7.—(1) A statement as to whether any new or additional site will be required if proposals are implemented and if so the location of the site if the school is to occupy a split site.

The expansion proposal for providing additional primary provision would utilise the existing site. Additional land would not be required under this expansion proposal.

(2) Where proposals relate to a foundation or voluntary school a statement as to who will provide any additional site required, together with details of the tenure (freehold or leasehold) on which the site of the school will be held, and if the site is to be held on a lease, details of the proposed lease.

Not Applicable.

### Changes in boarding arrangements

8.—(1) Where the proposals are for the introduction or removal of boarding provision, or the alteration of existing boarding provision such as is mentioned in paragraph 8 or 21 of Schedule 2 (GB proposals)/7 or 14 of Schedule 4 to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended) —

- (a) the number of pupils for whom it is intended that boarding provision will be made if the proposals are approved;

Not Applicable. The school does not offer boarding provision and the proposal does not include introduction of boarding provision.

- (b) the arrangements for safeguarding the welfare of children at the school;

Not Applicable.

- (c) the current number of pupils for whom boarding provision can be made and a description of the boarding provision; and

Not Applicable.

- (d) except where the proposals are to introduce boarding provision, a description of the existing boarding provision.

Not Applicable.

(2) Where the proposals are for the removal of boarding provisions or an alteration to reduce boarding provision such as is mentioned in paragraph 8 or 21 of Schedule 2 (GB proposals)/7 or 14 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended) —

- (a) the number of pupils for whom boarding provision will be removed if the proposals are approved; and

Not Applicable.

- (b) a statement as to the use to which the former boarding accommodation will be put if the proposals are approved.

Not Applicable.

**Transfer to new site**

9. Where the proposals are to transfer a school to a new site the following information—

- (a) the location of the proposed site (including details of whether the school is to occupy a single or split site), and including where appropriate the postal address;

Not Applicable. The expansion proposal for providing primary provision would utilise the existing site. A new site would not be required.

- (b) the distance between the proposed and current site;

Not Applicable.

- (c) the reason for the choice of proposed site;

Not Applicable.

- (d) the accessibility of the proposed site or sites;

Not Applicable.

- (e) the proposed arrangements for transport of pupils to the school on its new site; and

Not Applicable.

- (f) a statement about other sustainable transport alternatives where pupils are not using transport provided, and how car use in the school area will be discouraged.

Not Applicable.

**Objectives**

10. The objectives of the proposals.

To provide much needed primary school places in the borough.

The growth in Brent's population is reflected in the increasing demand for school places. Numbers of four year olds on school rolls are expected to rise strongly over the next three to four years.

#### Demand for Primary Places

In 2009-10, Brent Council analysed the increased demand for places and prudently added a further 68 Reception 'bulge' places, at Anson Primary School (7) Park Lane (30) Newfield (30) Avigdor Hirsch Torah Temimah (1), providing a total of 3428 Reception places. Despite adding new places, there remains a shortfall of Reception places in the borough. As at 29 July 2010, there were 164 primary aged children without a school place for the 2009/10 academic year.

For 2010-11, temporary and permanent provision of 135 additional Reception places has been added for September 2010 in the following schools; Brentfield (30) Wykeham (30) Braintcroft (30) Islamia (30) St Robert Southwell (15).

The demand for Reception places is significantly greater than the number of available places. As at 26 October 2010, 634 primary aged pupils remained without a school place, of which, 150 pupils are Reception aged children.

Brent is committed to delivering sustainable permanent school buildings and learning environments with an aim of improving the educational outcomes.

### Consultation

11. Evidence of the consultation before the proposals were published including—
- (a) a list of persons who were consulted;
  - (b) minutes of all public consultation meetings;
  - (c) the views of the persons consulted;
  - (d) a statement to the effect that all applicable statutory requirements in relation to the proposals to consult were complied with; and
  - (e) copies of all consultation documents and a statement on how these documents were made available.

All applicable statutory requirements to consult in relation to the proposal have been complied with.

The local authority has consulted with key interested parties on the alteration proposal.



The documents for consultation are attached.

Consultation document distributed to:

Brentfield Primary School (parents, staff, student council)	Brentfield Primary's Extended School Groups
All maintained schools in Brent	The Welsh School
Westminster Diocesan Education Service	London Diocesan Board for Schools
London Borough of Ealing	London Borough of Barnet
London Borough of Camden	London Borough of Harrow
London Borough of Hammersmith and Fulham	London Borough of Westminster
Royal Borough of Kensington and Chelsea	Local Residents Association
Trade Unions	Local Councillors
Brent local MPs	Brent Governors Forum
Admissions Forum	
Local Nurseries and Early Years Services	

Copy of consultation document is attached as Appendix 1. The Consultation document was distributed by email or internal/external post to the stakeholder listed above. The schools also distributed the consultation documents by hand to parents, pupils, staff and other interested parties. Residents were provided a copy through special local distribution.

Minutes of consultation meeting held at the school on 02 November 2010 is attached in Appendix 2.

22 on time responses to the consultation were received. 16 consultees support the proposal and 2 consultees have expressed concerns, whilst 4 remain undecided.

Following the close of consultation, the Local Authority has decided to publish the Statutory Notice. Copy of the Statutory Notice is attached in Appendix 3.

### **Project costs**

**12.** A statement of the estimated total capital cost of the proposals and the breakdown of the costs that are to be met by the governing body, the local education authority, and any other party.

The capital costs of the expansion project is estimated at approximately £3m, which is being funded by the local authority from the Basic Needs Safety Valve funding.

**13.** A copy of confirmation from the Secretary of State, local education authority and the Learning and Skills Council for England (as the case may be) that funds will be made available (including costs to cover any necessary site purchase).

Confirmation from DCSF on allocation of the BNSV funding (Brent Council allocated £14,766,000 ) is available at the following link:

<http://www.teachernet.gov.uk/docbank/index.cfm?id=14690>

Letter dated 30 November 2009 from DCSF: "I am writing to inform you that we are allocating you £14,766,000 of capital grant in response to your application for funding to support the provision of additional permanent primary places by 2011. We have allocated a total of £271 million to 34 authorities. Full details of the allocations are included at the end of this letter."

#### **Age range**

**14.** Where the proposals relate to a change in age range, the current age range for the school.

Not applicable.

#### **Early years provision**

**15.** Where the proposals are to alter the lower age limit of a mainstream school so that it provides for pupils aged between 2 and 5—

- (a) details of the early years provision, including the number of full-time and part-time pupils, the number and length of sessions in each week, and the services for disabled children that will be offered;

Not applicable.

- (b) how the school will integrate the early years provision with childcare services and how the proposals are consistent with the integration of early years provision for childcare;

Not applicable.

- (c) evidence of parental demand for additional provision of early years provision;

Not applicable.

- (d) assessment of capacity, quality and sustainability of provision in schools and in establishments other than schools who deliver the Early Years Foundation Stage within 3 miles of the school; and

Not applicable.

- (e) reasons why such schools and establishments who have spare capacity cannot make provision for any forecast increase in the number of such provision.

Not applicable.

#### **Changes to sixth form provision**

**16.** (a) Where the proposals are to alter the upper age limit of the school so that the school provides sixth form education or additional sixth form education, a statement of how the proposals will—

- (i) improve the educational or training achievements;
- (ii) increase participation in education or training; and
- (iii) expand the range of educational or training opportunities for 16-19 year olds in the area;

Not applicable.

- (b) A statement as to how the new places will fit within the 16-19 organisation in an area;

Not applicable.

(c) Evidence —

- (i) of the local collaboration in drawing up the proposals; and
- (ii) that the proposals are likely to lead to higher standards and better progression at the school;

Not applicable.

- (d) The proposed number of sixth form places to be provided.

Not applicable.

17. Where the proposals are to alter the upper age limit of the school so that the school ceases to provide sixth form education, a statement of the effect on the supply of 16-19 places in the area.

Not applicable.

### Special educational needs

18. Where the proposals are to establish or change provision for special educational needs—

- (a) a description of the proposed types of learning difficulties in respect of which education will be provided and, where provision for special educational needs already exists, the current type of provision;

No change to the existing SEN provision is being proposed.

The proposal will comply with the standards, quality and range of educational provision for children with special educational needs in the proposed expansion of primary provision. The proposal will fully meet the requirements of the SEN Code of Practice and the accessibility standards.

A range of special education needs is expected within the primary regular intake including students with language and communication needs, behavioural emotional and social needs and children on the autistic spectrum.

A borough wide SEN 'unit' or additionally resourced provision is not proposed under this proposal.

- (b) any additional specialist features will be provided;

Additional specialist SEN provision at the school is not proposed.

- (c) the proposed numbers of pupils for which the provision is to be made;

Not applicable.

(d) details of how the provision will be funded;

Not applicable. Please see answer to question 12 above.

(e) a statement as to whether the education will be provided for children with special educational needs who are not registered pupils at the school to which the proposals relate;

Not applicable.

(f) a statement as to whether the expenses of the provision will be met from the school's delegated budget;

Not applicable.

(g) the location of the provision if it is not to be established on the existing site of the school;

Not applicable.

(h) where the provision will replace existing educational provision for children with special educational needs, a statement as to how the local education authority believes that the new provision is likely to lead to improvement in the standard, quality and range of the educational provision for such children; and

Any changes occurring as part of internal/external adaptation of the building and playing field will fully meet the requirements of the SEN Code of Practice and the accessibility standards. In this way the proposal would either meet or exceed current quality of provision for special education needs at the school.

(i) the number of places reserved for children with special educational needs, and where this number is to change, the proposed number of such places.

Not applicable.

**19.** Where the proposals are to discontinue provision for special educational needs—

- (a) details of alternative provision for pupils for whom the provision is currently made;

Not applicable.

- (b) details of the number of pupils for whom provision is made that is recognised by the local education authority as reserved for children with special educational needs during each of the 4 school years preceding the current school year;

Not applicable.

- (c) details of provision made outside the area of the local education authority for pupils whose needs will not be able to be met in the area of the authority as a result of the discontinuance of the provision; and

Not applicable.

- (d) a statement as to how the proposer believes that the proposals are likely to lead to improvement in the standard, quality and range of the educational provision for such children.

Not applicable.

**20.** Where the proposals will lead to alternative provision for children with special educational needs, as a result of the establishment, alteration or discontinuance of existing provision, the specific educational benefits that will flow from the proposals in terms of—

- (a) improved access to education and associated services including the curriculum, wider school activities, facilities and equipment with reference to the local education authority's Accessibility Strategy;
- (b) improved access to specialist staff, both educational and other professionals, including any external support and outreach services;
- (c) improved access to suitable accommodation; and
- (d) improved supply of suitable places.

Not applicable.

### Sex of pupils

**21.** Where the proposals are to make an alteration to provide that a school which was an establishment which admitted pupils of one sex only becomes an establishment which admits pupils of both sexes—

- (a) details of the likely effect which the alteration will have on the balance of the provision of single sex-education in the area;

Not Applicable.

- (b) evidence of local demand for single-sex education; and

Not Applicable.

- (c) details of any transitional period which the body making the proposals wishes specified in a transitional exemption order (within the meaning of section 27 of the Sex Discrimination Act 1975).

Not Applicable.

**22.** Where the proposals are to make an alteration to a school to provide that a school which was an establishment which admitted pupils of both sexes becomes an establishment which admits pupils of one sex only—

- (a) details of the likely effect which the alteration will have on the balance of the provision of single-sex education in the area; and

Not Applicable.

- (b) evidence of local demand for single-sex education.

Not Applicable.

### Extended services

**23.** If the proposed alterations affect the provision of the school's extended services, details of the current extended services the school is offering and details of any proposed change as a result of the alterations.

Not Applicable. The existing buildings and offerings of the school will remain

unchanged by the proposal.

**Need or demand for additional places**

**24. If the proposals involve adding places—**

- (a) a statement and supporting evidence of the need or demand for the particular places in the area;

Brent has significant increase in the rate of growth in demand for reception places and its impact on year-on-year progression to Y1, Y2 and Y3, Y4, Y5 & Y6. The annual growth forecast based on year-on-year progression and other important factors, such as, demand from new house building & regeneration activities, migration of large families into the borough seeking casual admissions for all year groups highlights an acute shortage of primary school places across the borough. Due to the exceptional demand for primary places, Brent Council has been selected for the special basic needs safety valve funding.

This is evidenced by Brent schools struggle to keep up with the number of parents seeking a place for their child in the Reception class with as many as 150\* reception aged children remaining without a place at the time of this proposal (\*as on 26 October 2010, the number of unplaced pupils fluctuates on a regular basis).

- (b) where the school has a religious character, a statement and supporting evidence of the demand in the area for education in accordance with the tenets of the religion or religious denomination;

Not Applicable.

- (c) where the school adheres to a particular philosophy, evidence of the demand for education in accordance with the philosophy in question and any associated change to the admission arrangements for the school.

Not Applicable.

**25. If the proposals involve removing places—**

- (a) a statement and supporting evidence of the reasons for the removal, including an assessment of the impact on parental choice; and

Not Applicable.



(b) a statement on the local capacity to accommodate displaced pupils.

Not Applicable.

### **Expansion of successful and popular schools**

**25A.** (1) Proposals must include a statement of whether the proposer considers that the presumption for the expansion of successful and popular schools should apply, and where the governing body consider the presumption applies, evidence to support this.

(2) Sub-paragraph (1) applies to expansion proposals in respect of primary and secondary schools, (except for grammar schools), i.e. falling within:

(a) (for proposals published by the governing body) paragraph 1 of Part 1 to Schedule 2 or paragraph 12 of Part 2 to Schedule 2;

(b) (for proposals published by the LA) paragraph 1 of Part 1 to Schedule 4 or 18 of Part 4 to Schedule 4

of the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended).

Please refer to Question 10 for the main drivers to expand Brentfield Primary School.

# Proposed Expansion of Brentfield Primary School

## Consultation on the Expansion of Brentfield Primary School, 41 & 43 Meadow Garth, London, NW10 0SL

### 1. Introduction

The growth in Brent's population is reflected in the increasing demand for school places. Numbers of four year olds on school rolls are expected to rise strongly over the next three to four years.

#### Demand for Primary Places

In 2009-10, Brent Council analysed the increased demand for places and prudently added a further 68 Reception 'bulge' places, at Anson Primary School (7) Park Lane (30) Newfield (30) Avigdor Hirsch Torah Temimah (1), providing a total of 3428 Reception places. Despite adding new places, there remains a shortfall of Reception places in the borough. As at 29 July 2010, there were 164 primary aged children without a school place for the 2009/10 academic year.

For 2010-11, temporary provision of 135 additional Reception places has been added for September 2010 in the following schools; Brentfield (30) Wykeham (30) Braintcroft (30) Islamia (30) St Robert Southwell (15).

#### Brentfield Primary School

Brentfield Primary School (DFE No. 304 2003) is a Community school using the admission arrangements set by Brent Council. It offers non-denominational mixed gender places for students aged 3-11 years. The school currently offers 60 Reception places and operates a Nursery.

Student numbers on roll at the school in the academic year 2009-10 are given below:

Number on Roll*	R	Y1	Y2	Y3	Y4	Y5	Y6	Total
Brentfield Primary School	60	60	66	61	55	58	63	423

\*January 2010 Census Data

### 2. The Proposal

**It is proposed to expand Brentfield Primary School by one form of entry from September 2011; this means that the school will become a three form of entry provision and its admission capacity will increase from 420 to 630 Reception to Year 6 places.**

The LA consulted with primary schools in the borough to explore the possibility of increasing the number of school places. It has been evident that the demand for Reception places would be greater than the number of available places. This assessment was based on the number of on-time and ad hoc applications received by LA, the current forecast of student numbers and local factors such as feedback from schools.

Subsequently, the LA reviewed capacity constraints at all primary schools and identified the maximum need for school places in the local areas. Discussions took place with schools which were suitable and willing for expansion. This was followed by an initial feasibility assessment.

Brentfield Primary School had agreed to accommodate an additional Reception class (30 places) on a temporary basis from September 2010 until the end of the academic year.

The Governing Body has agreed to commence the statutory consultation on the proposal for permanent expansion by creating an additional form of entry permanent primary provision from September 2011.

The LA has completed a feasibility study which confirms that the provision of a one form of entry primary provision is possible.

The proposed accommodation for the one form of entry primary provision would be of a permanent high quality construction situated to the west side of the school. It will offer as a minimum, a new hall and classrooms to accommodate the expansion. Minor improvements to the existing school would also be undertaken as part of the process. Although there will be extensions to the existing building, there will be no loss of play space, and it is expected that a rationalisation of the play space will lead to an improvement of the current arrangements. No additional land would be required under this expansion proposal.

If this proposal were accepted, Brentfield Primary would offer three forms of entry permanent primary provision from September 2011 through yearly progression. This would mean that the additional temporary Reception class in the current academic year would progress to Year 6 by September 2016, at which point the primary provision at the school would commence operating at full capacity in all Year Groups.

### **3. Why propose the expansion of Brentfield Primary School?**

On time applications for Reception places are up on last year with 3817 on-time applications for 2010-11 compared to 3583 on-time applications for 2009-10. Since the closing date, a further 348 applications have been received, making a total of 4165 applications. More applications will have come in during the summer break and since the start of the academic year.

As of 15 September 2010, after the additional 135 temporary places are taken into account, 208 Reception children are still unplaced, with 40 vacancies overall in schools; this leaves a net shortage of 168 Reception places in the current academic.

New arrivals to Brent continue to seek Reception places. Many out-borough residents secure places in faith schools in Brent.

There is a mismatch between where the vacancies exist and where unplaced children live. Most parents seek a local school for primary aged children. During 2009-2010 in some cases the LA has had to offer places up to 5 kilometres away from where children live as this was the nearest offer that could be made.

The Brent Council is consulting on the proposal to expand the school by creating an additional form of entry permanent primary provision as this could help provide school places for the local community in an area of growing demand.

<p><b>4.</b></p>	<p><b>What would happen to the Students currently attending the Brentfield Primary School?</b></p> <p>The students on roll at the Brentfield Primary School would continue in their respective year groups and their attendance would not be affected. Students from the temporary Reception intake in the current academic year would progress to Year 1. Subject to the provision of permanent primary classes, a new batch of pupils will be admitted in the Reception class in September 2011.</p>										
<p><b>5.</b></p>	<p><b>What would happen to the Staff of Brentfield Primary School?</b></p> <p>This proposal is for expansion of Brentfield Primary to provide an additional form of entry primary provision on a permanent basis. It would not affect the school's arrangements with its existing staff and all current terms and conditions of employment would be retained. Additional staff may need to be recruited for the permanent primary provision if the proposal were accepted.</p>										
<p><b>6.</b></p>	<p><b>The Role of the Local Authority</b></p> <p>The Local Authority (LA) is putting forward this proposal in consultation with the School's Governing Body. The Governor's are supportive of the LA's plans particularly in relation to its statutory duties to ensure that there are sufficient school places, to promote high educational standards; to ensure fair access to educational opportunity; to promote the fulfilment of every child's educational potential and to promote diversity and increased parental choice. The LA believe that offering permanent places at Brentfield Primary School would be popular with parents, would contribute to raising standards and would be a significant community resource.</p>										
<p><b>7.</b></p>	<p><b>What Happens Next?</b></p> <p>Brent Council is consulting all interested parties on this proposal, including parents and staff at the school, all other schools in Brent and neighbouring boroughs.</p> <p>The Local Authority would welcome all views in order to make a properly informed decision whether or not to proceed with the proposed expansion of the school.</p> <p>The timetable for the process is planned to be:</p> <table data-bbox="165 1715 1369 2047"> <tr> <td>Consultation commences on</td> <td>11 October 2010</td> </tr> <tr> <td>Consultation closes on</td> <td>15 Nov 2010</td> </tr> <tr> <td>GB consider publication of statutory notice by*</td> <td>19 Nov 2010</td> </tr> <tr> <td>Statutory Notice published by</td> <td>26 Nov 2010</td> </tr> <tr> <td>Representation Period ends by</td> <td>30 Dec 2010</td> </tr> </table>	Consultation commences on	11 October 2010	Consultation closes on	15 Nov 2010	GB consider publication of statutory notice by*	19 Nov 2010	Statutory Notice published by	26 Nov 2010	Representation Period ends by	30 Dec 2010
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GB consider publication of statutory notice by*	19 Nov 2010										
Statutory Notice published by	26 Nov 2010										
Representation Period ends by	30 Dec 2010										

Executive makes final decision following Statutory Notice period Jan / Feb 2011

\*If the Local Authority decides to proceed with the expansion then a statutory notice will be published. There then follows a four weeks formal consultation period when objections or comments can be made. The outcome is then reported to Brent Executive who will determine the proposal.

## 8. Consultees

This document has been sent to:

Brentfield Primary School (parents, staff, student council)	Brentfield Primary's Extended School Groups
All maintained schools in Brent	The Welsh School
Westminster Diocesan Education Service	London Diocesan Board for Schools
London Borough of Ealing	London Borough of Barnet
London Borough of Camden	London Borough of Harrow
London Borough of Hammersmith and Fulham	London Borough of Westminster
Royal Borough of Kensington and Chelsea	Local Residents Association
Trade Unions	Local Councillors
Brent local MPs	Brent Council
Admissions Forum	Brent Governors Forum
Local Nurseries and Early Years Services	

## 9. Community Languages

The Local Authority is committed to providing translation and interpreting services. If you would like any part of this document translated into your own language please telephone **020 8937 3224**.

یہ معلومات انگریزی کے علاوہ اگر آپ کو کسی دیگر زبان میں درکار ہوں، یا اس معلومات کو سمجھنے کے لیے ترجمان (انٹریپرٹ) کی خدمات حاصل کرنا چاہیں تو براہ مہربانی ہم سے رابطہ کریں۔

Urdu

Haddii aad u baahantahay macluumaad ku daabacan luqad kale ama cid kuu tarjunta macluumaadka si aad u fahamto macluumaadka halkan ku lifaaqan, fadlan nagala soo xidhiidh.

Somali

إذا رغبت في الحصول على هذه المعلومات مترجمة إلى لغة أخرى أو إن كنت بحاجة لمترجم يقوم بالترجمة لك، لیتسنى لك بواسطة فهم المعلومات المرفقة فيرجى الاتصال بنا.

Arabic

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**Proposed Expansion of Brentfield Primary School  
Consultation Response Slip**

**I support / do not support\* the proposal to expand Brentfield Primary School by creating an additional form of entry permanent primary provision from September 2011.**

*(\*Delete as appropriate)*

**Please give reasons for your view to enable the Brent Council to make a properly informed decision whether or not to proceed with the proposal.**

*(Please use the back of this form if you require more space)*

**Signed .....**

**Parent / member of staff / governor / student of Brentfield Primary School / other -  
please specify on the line below**

.....

**Thank you very much for taking part in this consultation.**

**Please return and send your completed form by 15 November 2010 to:**  
Nitin Parshotam, Head of Asset Management Service, London Borough of Brent, 4th Floor  
Chesterfield House, 9 Park Lane, Wembley, Middlesex, HA9 7RW.

**Or email:** [Consultations.schoolorganisation@brent.gov.uk](mailto:Consultations.schoolorganisation@brent.gov.uk)

**London Borough of Brent**  
**Children and Families Department**  
**Brentfield Primary School**  
*Response to the consultation on proposal to expand Brentfield Primary School*

**The Decision options**

Children & Families, Brent Council can decide to:

- End the process at this stage and take no further action on the proposal to expand Brentfield Primary School, or
- Proceed to the next stage of the process. That would involve the publication of Statutory Notices followed by a period of Representation whereby formal objections could be lodged. That process would lead to the matter being considered by the Brent Executive.

**Recommendation**

Officers recommend that Brent Council proceed to publish the requisite statutory notice as soon as practical to expand Brentfield Primary School.

**Context**

1. Brent Council is proposing the expansion of Brentfield Primary School to increase the number of Reception to Year 6 places from 2 form of entry (FE) to 3FE and improve the quality of education through an improved layout and infrastructure.
2. Brentfield Primary School is a Community school using the admission arrangements set by the LA. It is offering non-denominational mixed gender places for age 3-11 pupils.
3. The growth in the Brent's population is reflected in the increasing demand for school places. Numbers of four year olds on roll are expected to rise strongly over the next three to four years. Brent Council has provided 135 additional places for September 2010 to alleviate the immediate demand. Further 60 temporary places are planned to commence from January 2011, hence a total additional provision of 195 places from September 2010 has been created.
4. The unmet demand is evidenced by the number of parents, which seeking a place for their child in the Reception class last September (2010-11). The numbers of children without a school place for the 2010-11 academic year in each primary year group as on 26 October 2010 are as follows:

Table 1.



<b>Year Groups</b>	<b>Unplaced Children 2009-10</b>	<b>Unplaced Children 2010-11</b>
<b>Reception</b>	72	150*
<b>Year 1</b>	25	154
<b>Year 2</b>	17	91
<b>Year 3</b>	15	73
<b>Year 4</b>	4	63
<b>Year 5</b>	16	36
<b>Year 6</b>	15	67
<b>TOTAL</b>	<b>164</b>	<b>634</b>

\*Additional Reception places are planned to commence in the current academic year.

5. The proposal complies with the Government's current agenda for raising standards, innovation and transforming education and in the process meet area and design guidance standards.
6. The expansion of Brentfield Primary School from a two form entry to a three form entry school is planned to be achieved by providing a high quality construction situated to the west side of the school. It will offer as a minimum, a new hall and classrooms to accommodate the expansion. Minor improvements to the existing school would also be undertaken as part of the process. Although there will be extensions to the existing building, there will be no loss of play space, and it is expected that a rationalisation of the play space will lead to an improvement of the current arrangements. No additional land would be required under this expansion proposal.
7. All new school building is required to achieve the highest energy standards for sustainable construction. The new extension at Brentfield Primary School will be required to achieve a BREEAM rating requiring energy use of the proposed and existing building to be efficient and sustainable.

### **Stage 1 - Consultation**

Brent Council after obtaining approval from the Chair of the Governing Body and the school's head teacher organised the first, consultative stage of the statutory process required when changing the organisation of schools. The consultation commenced on 11 October 2010 and closed on 15 November 2010.

Questionnaires were used to capture the views and feedback of the stakeholders.

These were distributed to the following parties:

Table 2.

Brentfield Primary School (parents, staff, student council)	Brentfield Primary's Extended School Groups
All maintained schools in Brent	The Welsh School
Westminster Diocesan Education Service	London Diocesan Board for Schools
London Borough of Ealing	London Borough of Barnet
London Borough of Camden	London Borough of Harrow

London Borough of Hammersmith and Fulham	London Borough of Westminster
Royal Borough of Kensington and Chelsea	Local Residents Association
Trade Unions	Local Councillors
Brent local MPs	Brent Council
Admissions Forum	Brent Governors Forum
Local Nurseries and Early Years Services	

### Questionnaire Responses

Over 800 questionnaires were issued. 22 responses (2.75%) were received by 15 November 2010. The distribution of response is as follows:

Table 3.

Stakeholders	Total	Options			
		Agree to the Expansion of Brentfield Primary School by 1FE	Disagree to the Expansion of Brentfield Primary School by 1FE	Both options selected	No Option Selected
Staff					
Parents**	8	5	1		2
Student Council					
Pupils	1	1			
Governors	2	1			1
Councillors	3	3			
Brent Unison	1	1			
The London Diocesan Board for Schools					
Head Teachers – Brent Primary / Secondary Schools	2	2			
Neighboring Authority	2	2			
Other	3	1	1		1
<b>Total</b>	<b>22</b>	<b>16</b>	<b>2</b>		<b>4</b>

8. 16 (73%) out of 22 respondents are in favour of expansion of Brentfield Primary School.
9. Only 2 (9%) out of 22 respondents are against the expansion of Brentfield Primary School.
10. Detailed responses are attached as Appendix A.

**Consultation Meeting with Parents**

The head teacher of Brentfield Primary School held a Parents Meeting on this topic on 2 November 2010. The minutes of this meeting are attached in Appendix 2.

**Findings and Conclusions**

From the table above it is fair to conclude that whilst the response is low, the majority of respondents under all categories of stakeholders are in favour of Brent's proposal to expand Brentfield Primary School.

## Appendix A

### **Comments submitted by respondents through the consultation questionnaire:**

**Barnet Council: Agree:** Barnet Council's Children's Service is supportive of the proposal to expand Brentfield Primary School by one form of entry in order to meet demand for primary places in the area.

**Brent Unison: Agree:** This proposal seems necessary to ensure there are sufficient school places in the borough.

**Parent: Agree:** It is simply very much needed. Parents in our area are suffering from travelling long ways to get school. Please proceed with proposal as long as school will be able educationally to go ahead with the project.

**Others: Disagree:** There is too much uncertainty about the ratio of teaching staff to pupils in the information provided.

**Secondary Teacher: Agree:** Brent has/is working hard to 'clean-up' and re-develop with an expanding population, surely more industry could be attracted – creating future growth & prosperity. More secondary places also.

**Councillor: Agree:** It is important that we press ahead in expansion so that we are able to meet the demands not only needed today; but also demands for the future in education provision for Children in Brent. I have had parents come to my advice surgery because deep into term time, their child has not yet received a space in any school. Any move to help families in this predicament is welcome.

**Headteacher at Preston Manor: Agree:** There is a severe shortage of primary places in Brent at present. The needs of these children and their families should be a priority.

**Governor: Agree:** It is evident that there will be an increased demand for primary provision in Brent in the next few years. It is not satisfactory that reception children upwards should have to travel some fair distances from home to obtain places. I have the highest regard for Brentfield Primary School and its dedicated and professional staff and therefore support the expansion as set out in the consultation document.

**Councillor: Agree:** I am totally in support of the proposed expansion of Brentfield Primary School. Not only will it help create and provide additional places so desperately needed in Brent, but the site is also sufficiently large to accommodate the expansion. When can we have similar plans for the expansion of Newfield Primary School?

**Parent: Disagree:** Do not support because the school is not very wide for contains this big member. Also if we add more member the quality of education it doesn't come good.

**Parent: Agree:** Since there is no enough places for every child in Brentfield Primary School, I support the proposal of this expansion.

**Parent: Agree:** I think it is important that every child must get a well educated life, and if we have 3 divisions, more children will be able to come to our great school, that's why I am supporting the proposal.

**Parent: Agree:** Brent Council should enable to make a bigger property or a renewal of the old building of Brentfield Primary School because it is a highly respected school & every parent in the borough of Brent & sometimes elsewhere know that Brentfield Primary school is a good school. The teaching there is nothing but exceeding expectations and surpassing other primary schools. Due to its demand it should be given the opportunity to open doors to the children of the future.

**Member of staff/Governor: No option selected:** I support the proposal to expand the school because there is an annual increment to the intake of pupils at Brentfield.

**Parent: Agree:** Since there is no enough places for every child in school are (Brentfield Primary School) I support the proposal of this expansion.

## Appendix 2

### BRENTFIELD PRIMARY SCHOOL

#### Parents Meeting 02 November at 2PM

- Attendees: Head teacher and school staff, Parents, Council staff, Watts and HLM consultants.
- The head teacher thanked parents for attending and introduced Brent Council representatives and the members of project & design team from Watts and HLM.
- Parents were provided an overview of the proposal and on-going consultation.
- Plans and design options were discussed.
- Parents raised the following concerns:
  - Play space may be affected.
  - The current hall small and would not be able to hold all the pupils after the expansion.
  - Toilets are in need of refurbishment.
- Architect from HLM assured that adequate play space will be provided to support the proposed additional capacity, in accordance with building bulletin 99.
- The consultants informed that whilst the exact design of the extension was yet to be confirmed, sufficient hall space was being planned. Toilet refurbishment may not be under the scope of the current expansion although some works may need to be delivered where it is essential to accommodate the additional capacity.
- Meeting concluded at 3:15PM.

**BRENTFIELD PRIMARY SCHOOL**

**Parents Meeting  
02 November at 2PM**

- Attendees: Head teacher and school staff, Parents, Council staff, Watts and HLM consultants.
- The head teacher thanked parents for attending and introduced Brent Council representatives and the members of project & design team from Watts and HLM.
- Parents were provided an overview of the proposal and on-going consultation.
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- The consultants informed that whilst the exact design of the extension was yet to be confirmed, sufficient hall space was being planned. Toilet refurbishment may not be under the scope of the current expansion although some works may need to be delivered where it is essential to accommodate the additional capacity.
- Meeting concluded at 3:15PM.



## Statutory Notice

### Alteration to Brentfield Primary School

Notice is given in accordance with section 19(1) of the Education and Inspections Act 2006 that London Borough of Brent intends to make a prescribed alteration to Brentfield Primary School (Community), 41 & 43 Meadow Garth, London, NW10 0SL.

The London Borough of Brent is proposing to expand Brentfield Primary School by one form of entry from 05 September 2011; this means that the school will become a three form of entry provision and its admission capacity will increase from 420 to 630 Reception to Year 6 places.

Brentfield Primary School has accommodated an additional Reception class (30 places) on a temporary basis from 05 September 2010 until the end of the academic year. If this proposal were accepted, the additional temporary Reception class in the current academic year would progress to Year 6 by September 2016, at which point the primary provision at the school would commence operating at full capacity in all Year Groups.

The current capacity of the school is 420 and the proposed capacity will be 630. The number of pupils registered at the school for 2009-10 were 423. The number of Reception to Year 6 pupils registered at the school for 2010-11 as per the October census are 439. The current admission number for the school is 60 and the proposed admission number will be 90.

On implementation of the proposal, Brentfield Primary School would provide 30 new permanent Reception places from 05 September 2011, subject to planning permission. The additional 30 Reception pupils admitted by the school as a 'bulge' class in on-going 2010-11 academic year would eventually progress to Year 6 in September 2016. Hence, the school would commence operating at full capacity in all Year Groups by September 2016.

The Local Authority has completed a feasibility study which confirms that the provision of an additional form of entry primary provision is possible within the current school site. All applicable statutory requirements to consult in relation to these proposals have been complied with.

This Notice is an extract from the complete proposal. Copies of the complete proposal can be obtained from: Rajesh Sinha, Interim Principal School Organisation Officer, Regeneration & Major Projects Department, London Borough of Brent, Brent House, 2nd Floor East, 349-357 High Road, Wembley HA9 6BZ. Email: [Consultations.schoolorganisation@brent.gov.uk](mailto:Consultations.schoolorganisation@brent.gov.uk). You could



also download a copy of the complete proposal from  
<http://www.brent.gov.uk/consultations.nsf>

Within four weeks from the date of publication of this proposal any person may object to or make comments on the proposal in writing by sending them to Rajesh Sinha, Interim Principal School Organisation Officer, Regeneration & Major Projects Department, London Borough of Brent, Brent House, 2nd Floor East, 349-357 High Road, Wembley HA9 6BZ. Email: [Consultations.schoolorganisation@brent.gov.uk](mailto:Consultations.schoolorganisation@brent.gov.uk).

**Signed: Assistant Director - Achievement & Inclusion, London Borough of Brent**

**Publication Date: 25 November 2010**

### **Explanatory Notes**

The proposed accommodation for the one form of entry primary provision would be of a permanent high quality construction situated to the west side of the school. It will offer as a minimum, a new hall and classrooms to accommodate the expansion. Minor improvements to the existing school would also be undertaken as part of the process. Although there will be extensions to the existing building, there will be no loss of play space, and it is expected that a rationalisation of the play space will lead to an improvement of the current arrangements. Additional land would not be required under this expansion proposal.

Location Map

