	Cabinet 28 July 2025
	Report from the Corporate Director of Children, Young People and Community Development
	Lead Member - Cabinet Member for Children, Young People and Schools (Councillor Gwen Grahl)
Outcome of formal consultation on the amalgamation of Malorees Infant School and Malorees Junior School	

Wards Affected:	Brondesbury Park
Key or Non-Key Decision:	Key Decision
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
List of Appendices:	Two Appendix 1: Statutory Proposal Appendix 2: Equalities Impact Assessment
Background Papers:	School Place Planning Strategy 2024 – 2028 1st Refresh Cabinet Report 12 November 2024 Outcome of Informal Consultation on Amalgamation of Malorees Infant School and Malorees Junior School 📄 PDF 564 KB Cabinet report 7 April 2025
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1.0 Executive Summary

- 1.1 This report provides Cabinet with a summary of the formal consultation undertaken between 6 May 2025 and 10 June 2025 on the proposal to

amalgamate Malorees Infant School and Malorees Junior School as one primary school for children aged between 3 – 11, including provision for nursery aged children.

- 1.2 The report recommends an amalgamation of the two schools to be achieved by the closure of Malorees Junior School, the expansion of the age range at Malorees Infant School and the change of name of Malorees Infant School to Malorees Primary School.
- 1.3 The proposal to amalgamate the schools has been put forward for the long-term benefit of children currently attending the schools and those who will attend in the future. The Governing Board's vision for the school is of one school, committed to high quality teaching and learning for all pupils in a nurturing environment, underpinned by core values of Respect, Excellence, Aspiration and Determination. The amalgamation will support this vision by providing a stronger school identity and one school culture that will unite pupils, staff and families, fostering a deeper sense of shared purpose. Children will benefit from a seamless learning experience with continuity in curriculum, teaching practices and pastoral care, allowing pupils to transition smoothly from early years through to Year 6. The amalgamation also allows for improved use of resources, ensuring budgets are used effectively to enhance learning opportunities and experiences for all children.
- 1.4 A summary of all responses received during the formal consultation is set out in Section 4 below. Feedback ranged from responses in support of the amalgamation proposal to objections that raised concerns. After considering concerns raised along with mitigating actions where relevant and comments on the benefits of amalgamation, officers and the Malorees Governing Board remain of the view that an amalgamation is in the best interests of children in the local area.

2.0 Recommendations

That Cabinet:

- 2.1 Approves the amalgamation of Malorees Infant School and Malorees Junior School, to be achieved through the:
 - Closure of Malorees Junior School
 - Expansion of the age range of Malorees Infant School to admit children aged between 3 – 11
 - Change of the name of Malorees Infant School to 'Malorees Primary School'.
- 2.2 Commits to retaining the Junior School land that will transfer to the Local Authority for the educational use of Malorees Primary School.

3.0 Detail

3.1 Cabinet Member Foreword

- 3.1.1 School organisation and place planning supports the Borough Plan Strategic Priority 4: The Best Start in Life, by ensuring there are sufficient school places for children and young people in Brent and supporting every child and young person to access local, high quality education in the borough.
- 3.1.2 Where infant and junior schools choose to amalgamate, this is supported by the Local Authority for the many benefits for children, staff and the school, including consistent leadership and teaching practices, a single overarching identity for the school and the wider community and strengthened sustainability through economies of scale.
- 3.1.3 Responses from stakeholders during the formal consultation are appreciated and demonstrate how valued the federated Malorees schools are by the local community, who are committed to keeping the ethos of the schools. All points raised during the formal consultation have been carefully considered. With regards to concerns about the transfer of Junior School land to Council ownership, the Council commits to this not being used for any purpose other than its current educational use. It is acknowledged that some revenue funding will be lost through Malorees Infant and Junior schools amalgamating as one primary school in line with the funding allocated to other similar schools across Brent, but the Governing Board is confident that this can be managed without impacting on both staffing and the quality of education that the school provides. The benefits, however, of both schools being part of the national School Rebuilding Programme are significant for pupils and staff and will improve the teaching and learning environment for current and future children from the local community.

3.2 Background

- 3.2.1 Malorees Infant School and Malorees Junior School are located in the Brondesbury Park ward. The infant school building was originally constructed on the grounds of the Brandesbury Manor House in the early 1950s as Malorees Primary School. The junior school building followed in the early 1970s when the schools become separate entities. Part of the junior school site includes the 'Malorees Orchard' with trees up to 200 years old. The two schools are located adjacent to each other and effectively share one site.
- 3.2.2 Malorees Infant and Junior Schools have been in a federation since 2017. This means that, although they are legally separate schools, they operate as much as possible as one school. There is one Leadership Team and one Governing Board, comprising governors and associate members that oversee both schools.
- 3.2.3 Malorees Infant School is a community school which means it is maintained by Brent Council and the Council owns the school's buildings and land (shown in

green in figure 1 below). Malorees Junior School is a foundation school, which means it is owned and run by the federated Governing Board (land shown in blue in figure 1 below). The Local Authority is responsible for determining the school admission arrangements for Malorees Infant School, while the Governing Board is responsible for determining the admission arrangements for Malorees Junior School.

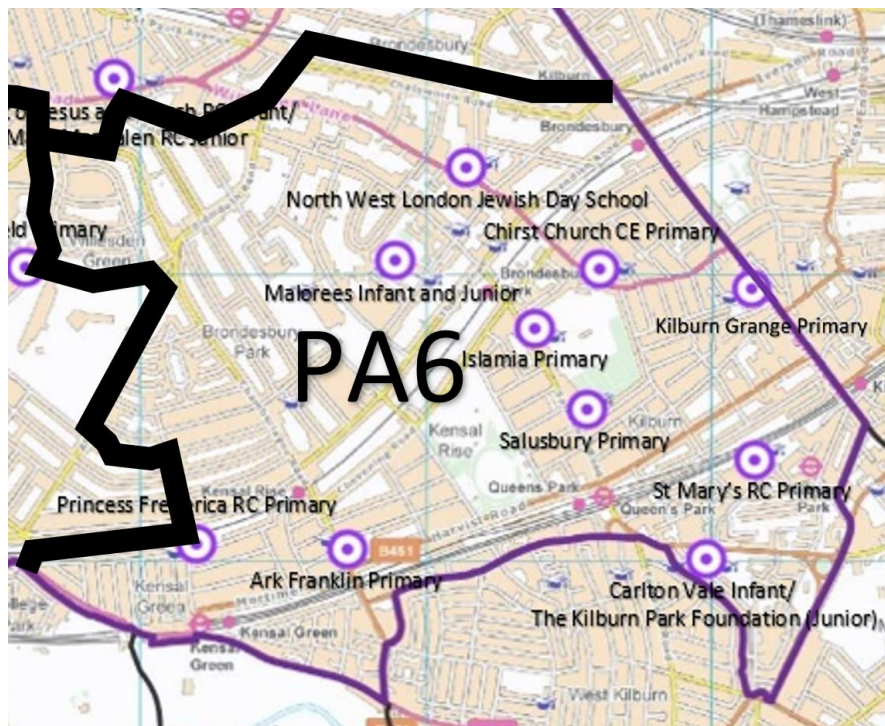
Figure 1: Land ownership of Malorees Infant (blue) and Junior (green)



Schools

- 3.2.4 The report accompanying the School Place Planning Strategy 2024 – 2028 (First Refresh), which was approved by Cabinet in November 2024, set out that the Malorees Infant School and Malorees Junior School Governing Board had agreed to informally consult on amalgamating the schools as a single community school. Cabinet subsequently received a report on 7 April 2025 summarising the informal consultation that had taken place in January/February 2025 and requesting permission to undertake a formal consultation on school organisational changes to establish one primary school in line with DfE statutory guidance *‘Making Significant Changes (‘prescribed alterations’) to Maintained Schools, Statutory Guidance for Proposers and Decision Makers, March 2025’* and *‘Opening and Closing Maintained Schools, Statutory Guidance for Proposers and Decision Makers, October 2024’*.
- 3.2.5 Malorees Infant and Junior Schools are part of Primary Planning Area 6 (map 1 below). Pupil projections suggest there will be a slight decline in demand over the next four years in Planning Area 6, but in the longer term, housing developments are expected to increase demand in this area. There is nothing to indicate an amalgamation of the two schools would have a negative impact on pupil demand in this planning area. Islamia Primary School is currently undertaking a formal consultation on the relocation to a Brent site outside of Planning Area 6, which, if approved, will remove two forms of entry of capacity from the area. This will change local demand patterns and is likely to result in increased demand for the Malorees schools.

Map 1 – Map of Primary Planning Area Six schools



3.2.6 Malorees Infant and Junior schools are both popular schools. The Reception intake for the Infant School is regularly oversubscribed. There are currently 380 pupils at the Infant and Junior Schools (from 335 families), with each year group operating at or near its capacity of 60 places (two forms of entry) other than Year 4 (Table 1). There are 67 members of staff across the two schools.

Table 1: Numbers on roll (October 2024 school census)

	Malorees Infant School			Malorees Junior School			
Year group	Reception	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
Number of pupils	57	51	52	58	44	58	60

3.2.7 Malorees Infant School and Malorees Junior School were both identified by the Council, in partnership with the Governing Board, to be submitted for consideration to the Department for Education's (DfE) School Rebuilding Programme (SRP) due to the condition of their school buildings in March 2022. In July 2022, the DfE confirmed the inclusion of the Junior School in the SRP and that the Infant School had not been selected to be part of the SRP, as the condition of the school did not meet the SRP programme's eligibility criteria.

3.2.8 The Local Authority subsequently entered into dialogue with the DfE to explore whether the Infant School could be included in the SRP, given that the two schools are co-located on the same site and at some point in the future could amalgamate as one school. The DfE confirmed that the Infant School could not be included as it had not met the evaluation criteria for the SRP. However, the

DfE informed officers that if the schools were amalgamated as one school, they would proceed with delivering a single solution under the SRP for both Malorees Infant and Junior Schools. For the DfE to proceed with a one-school project, a timeline for the amalgamation process was required that confirmed the amalgamation would take place before key milestones were reached on the building project delivery programme, such as a planning permission application in spring/early summer 2026. It has therefore been agreed with DfE that by July 2025 the Local Authority will notify the DfE of a decision by Brent Cabinet on the amalgamation of the schools and, if agreed, that the amalgamation will take place by April 2026. If the amalgamation does not proceed, the DfE will revert to only including Malorees Junior School in the SRP. In so doing, the Local Authority may be responsible for covering any abortive costs incurred by the DfE such as technical advisory and design services costs.

- 3.2.9 Within this context, on 6 January 2025, the federated Governing Board of Malorees Infant and Junior Schools launched an informal consultation, proposing the amalgamation of the schools. The outcomes of this consultation were reported to Cabinet on 7 April 2025 when Cabinet agreed a request to move to formal consultation through publication of a statutory notice.

4.0 Stakeholder and ward member consultation and engagement

- 4.1.1 Formal consultation to amalgamate Malorees Infant School and Malorees Junior School has been carried out in accordance with the statutory process outlined in the DfE's guidance *'Making Significant Changes ('prescribed alterations') to Maintained Schools, Statutory Guidance for Proposers and Decision Makers, March 2025'* and *'Opening and Closing Maintained Schools, Statutory Guidance for Proposers and Decision Makers, October 2024'*.
- 4.1.2 A period of formal consultation was carried out between 6 May 2025 and 10 June 2025. A statutory notice (provided in Appendix one) was displayed adjacent to the main school gates of both schools. A notice was published in the Brent and Kilburn Times on 8 May 2025. Both of these actions were required as per the above DfE guidance. The statutory notice proposed:
- The change of the existing age range of the school, which is currently for children aged between 3 to 7 years old, to 3 to 11 years old. This will retain the nursery provision and will add two-forms of entry provision for children in years 3, 4, 5 and 6 (60 places in each year group).
 - The expansion of capacity at the school from its current level of 180 places plus nursery, to 420 places plus nursery.
 - The expansion of the school site to include the whole of the buildings and site currently occupied by Malorees Junior School.
- 4.1.3 Ward members have been kept informed about the amalgamation proposal and briefed on the outcome of the formal consultation.

4.2. Responses to the Formal Consultation

- 4.2.1 There were 89 individual responses to the formal consultation, compared to 115 during the informal consultation. Three respondents sent two separate responses and for the purposes of this analysis their comments have been grouped together and will be considered as a single response from each. In addition, a bulk submission was received in the post of a duplicate letter that had been signed by 46 respondents, 5 of whom also submitted an individual response.
- 4.2.2 Of the individual responses, 18 (20.2%) indicated support for the proposal which was more than in the informal consultation and one from staff included 12 signatories. 61 individual responses (68.5%) indicated an objection to the proposal and 10 (11.3%) commented on the proposal without indicating either support or objection.
- 4.2.3 Of the individual respondents indicating support for the proposal:
- 12 respondents highlighted that amalgamation would deliver the new buildings for the whole school.
 - 10 respondents highlighted that they thought the amalgamation would be beneficial to staff, children and/or the community.
 - One response acknowledged that there would be a reduction in funding following an amalgamation but accepted the Governing Board's illustration of how this would be mitigated through savings.
 - One response acknowledged that the Governing Board had categorically stated that there would be no redundancies as a result of the amalgamation.
 - One respondent suggested that it would be easier to transition to Year 3 without the need for a separate school application
 - Three respondents indicated support without including additional comments.
 - One response signed by 12 members of staff stated the benefits of the proposal for children and staff. This letter has been considered as a single response.
- 4.2.4 In addition, two of the respondents indicating support for the proposal voiced a concern about the transition of the land of Malorees Junior School to the Council, suggesting that any transfer should come with a commitment that the land will be retained for educational use.
- 4.2.5 Of the individual respondents only commenting on the proposal:
- 6 expressed concern over the loss of funding resulting from the amalgamation.
 - 6 expressed concern over the uncertainty of the rebuild project.
 - 4 suggested that the consultation was either flawed or lacked clarity or transparency.
 - 4 suggested that an amalgamation had no benefit or was not in the school's or children's best interests.

- 2 expressed concern over the transfer of Malorees Junior School land to the Council.
- One suggested that the new buildings would be a benefit of the amalgamation.

4.2.6 Of the individual respondents indicating an objection to the proposal:

- 43 expressed concern over the financial impact resulting from the amalgamation.
- 38 suggested that the consultation was either flawed or lacked clarity or transparency.
- 33 expressed concern over the uncertainty of the rebuild project.
- 32 suggested that an amalgamation had no benefit or was not in the school or children's best interests.
- 24 expressed concern over the transfer of Malorees Junior School land to the council.
- 8 suggested that the assumptions presented in the statutory proposal were either wrong or optimistic.
- One suggested that the amalgamation would result in redundancies.
- Five respondents indicated an objection without including additional comments.
- In a letter to the Governing Board, 30 of the 67 staff at the school stated their objection to the proposal due to the loss of circa £180K of funding from the school budget because of the amalgamation, despite support for the whole school building project. This view was shared with the Local Authority outside of the consultation timeframe by the school's NEU representative.

4.2.7 The bulk response raised the following concerns (copied from the duplicate letter):

- A consultation should not have a pre-determined decision. Discussions with parents by the Head Teacher, Board and Council staff make clear that the Junior School closure and amalgamation with the Infant School is an option already agreed many years ago (before the Department of Education scheme for building works).
- There is no meaningful detail provided to explain what is currently lacking in the curriculum or management of both Malorees Schools' which an amalgamation will resolve. The consultation documentation, Council staff and Councillors state examples which are already in place without amalgamation and any extras appear to be very minor.
- The Board and Council have not demonstrated that the amalgamation will achieve a Balanced School Budget which is essential.
- The risks associated with the funding mitigations for the loss of funding have not been publicly acknowledged or addressed.
- The Board and Council have only offered an intention - not a guarantee - that the land will not repurposed for residential buildings. The reason for this lack of guaranteed protection has not been shared or alternative options provided.

- While there is a commitment in 2025 from the Department of Education to provide capital funding, it is unclear what building works are guaranteed to be completed -e.g. a complete rebuild of both schools, a partial rebuild, or simply a repair and refurbishment. The differences in these would change the level of maintenance savings the Board could expect as mitigation, yet this has not been acknowledged.

4.3 Responding to concerns raised during the consultation

- 4.3.1 The Statutory Proposal contained information to acknowledge concerns raised during the informal consultation process and outlined how they would be mitigated. Following the circulation of the Statutory Proposal further queries were received by the school. To respond to these queries, additional information was provided to all parents of the schools on 19 May 2025 by the Malorees Headteacher. There was also a request for a meeting with the Governing Board and the Director of Education, Partnerships and Strategy from three parents and one parent governor, which was held via Zoom on 14 May 2025. The school also received and responded to an FOI request during the formal consultation process.
- 4.3.2. The concerns raised during the formal consultation, as set out in Section 4.2, were similar to concerns raised during the informal consultation.
- 4.3.3 Financial impact: Upon amalgamation, the combined school will only be eligible for one lump sum (an allocation from the Dedicated Schools Grant provided to individual schools to support fixed costs that is currently £170K a year) and one sports premium allocation (£16.6K a year). Several respondents raised concerns about the impact of this on the school at a time when budgets were increasingly constrained. The lump sum funding that Malorees Primary School would receive would be consistent with other 2FE primary schools in Brent. The Governing Board is confident the financial impact of amalgamation can be mitigated without impacting the school's staffing or the quality of teaching. Budget forecasts have been modelled that reflect this loss of funding, that highlight how further savings can be realised from the amalgamation, building on the economies of scale of the current hard federation. Further information is set out in section 5 of this report.
- 4.3.4 Incorrect or optimistic assumptions: Concerns have been raised that the financial assumptions shared during the informal consultation process, in the 7 April Cabinet report and in the statutory notice are inconsistent, incorrect and overly optimistic. All of the financial modelling that has been presented is based on known factors about the school's budget. The 7 April Cabinet report explains why the modelling shared during the informal consultation was updated to reflect the worst-case scenario of loss of funding and to demonstrate how the loss of funding could be mitigated through a range of both savings and income generation. This underpins the Governing Board's commitment that there will be no redundancies or staff restructures as a result of the amalgamation.

The financial modelling referenced in the Statutory Notice reflects the 2024/25 outturn, with the estimated reduction in maintenance costs based on actual

expenditure on the school buildings. An assumption that the school will attract additional pupils is based on a number of factors including that the schools are already popular (but not full), that there is likely to be increased interest in the school because it will benefit from modern facilities, and because nearby Islamia Primary School is likely to relocate to another part of Brent in 2027, which would increase demand for Malorees from parents who live in the local community and may otherwise have applied for Islamia Primary school as their local school.

- 4.3.5 Concerns that the informal consultation process was flawed or lacking in clarity and transparency: Informal consultation is not part of the legal statutory process for making significant changes to schools, but it is good practice as it helps the proposer and decision-maker understand any concerns that stakeholders may have, as well as the community's views of the benefits of any proposal. The informal consultation process included two public meetings and a separate staff meeting hosted by the Governing Board and Local Authority representatives.

The Q&A section of the informal consultation document stated in error that if the majority of respondents did not support the proposal, then it would not proceed. The document should have made it clear that the merits of any concerns or arguments would also be taken into account. This was raised as a concern at the Cabinet meeting on 7 April, when the decision was taken to proceed to statutory consultation.

The formal consultation has been carried out in accordance with the requirements of the Education and Inspections Act 2006 and by following the statutory process set out in Department for Education guidance *Making Significant Changes to Maintained Schools* and *Opening and Closing Maintained Schools*. During the formal consultation process, the Local Authority and the Governing Board did more than is required under the statutory process to listen to views and provide reassurance to stakeholders to address concerns that information had not been shared openly and transparently during the informal consultation. This includes a meeting with parent representatives and providing parents with a detailed Q&A document on 19 May 2025.

- 4.3.6 Lack of benefits from the amalgamation / not in best interests of the schools: For many years the long-term vision of the Governing Board has been 'One Malorees'. This was why in 2017 a 'hard federation' was established, creating one Governing Board, and why in 2021 the schools came under the leadership of one Headteacher and Senior Leadership Team. This has not, however, pre-empted the decision-making process with regards to the amalgamation.

Being federated under one leadership has enabled the schools to work more closely together, for example through sharing specialist teachers who work across both schools. The quality of education at both of the Malorees schools is good and this is monitored by the leadership team and the Governing Board. However, there are further educational benefits that will be realised through amalgamation. Being one school will ensure that the learning experience for children is seamless from early years through to Year 6, with continuity in

curriculum, teaching approaches and pastoral care. There will also be better coordination of enrichment activities, ensuring all pupils benefit from a well-rounded and engaging education.

- 4.3.7 Transfer of land: The land of the Malorees Junior School site will transfer from the Governing Board to the Local Authority. The Council is committed to the land being retained as education land to be used by Malorees Primary School and this is included as a recommendation in this report. There are also significant safeguards in place to protect any future change to this position, including the requirement for permission from the Secretary of State for any change of use of designated education land.
- 4.3.8 Uncertainty over the capital investment proposals: The Governing Board and Brent Council acknowledge the responses that raise concerns about the certainty of the capital investment proposals, including whether the schools will be rebuilt or significantly refurbished. Whilst a new school building will always be a preference, and one that will be advocated by the Governing Board and the Local Authority, a significant refurbishment will also provide a vast improvement to the current buildings and the learning and working environment.

The Governing Board and the Local Authority have a written commitment from the DfE to the delivery of a single capital investment solution for both Malorees Infant and Junior schools as part of the School Rebuilding Programme if the schools are amalgamated as one school by April 2026. While the full details of the project are not yet known, the DfE is already progressing a one-school solution which has involved to date undertaking significant survey work of both school buildings and sites. The DfE has provided an indicative project timeline that anticipates the project scope to be determined in the autumn term, for planning permission to be submitted by June 2026, for construction works to start in September 2026 and project completion to take place by December 2027. The DfE is being proactive in ensuring the capital build project moves forwards swiftly with the full involvement of school leaders and governors in the decision-making process. As more information on the project becomes available this will be shared with children, parents and staff on a regular basis.

4.4 Recommendation to proceed with amalgamation

- 4.4.1 The Governing Board acknowledges the majority of responses to the formal consultation object to the proposals. However, no substantive new concerns have been raised and the general themes of the objections are similar to those raised during the informal consultation. These were explicitly addressed within the Statutory Proposal to provide reassurance to stakeholders and through the additional information provided to parents and staff on 19 May 2025. The Governing Board has therefore confirmed to the Local Authority that it continues to support the amalgamation of the two schools together to form 'One Malorees' as in the best interests of the school, staff and pupils.
- 4.4.2 The Local Authority is the decision maker in this case. The statutory guidance referred to above states that the decision maker needs to be satisfied that the

appropriate fair and open representation period has been carried out and that the proposer has given full consideration to all the responses received during any pre-publication consultation.

4.4.3 When issuing a decision, the decision maker can:

- reject the proposal;
- approve the proposal without modification;
- approve the proposal with modifications, having consulted whichever of the local authority and/or governing body that has not proposed the modification; or
- approve the proposal, with or without modification (having consulted on any modifications as mentioned above) subject to certain conditions (such as the granting of planning permission) being met.

4.4.4 It is recommended that Cabinet approves the amalgamation of the two schools, to be achieved by the means set out in 2.1 of this report with the amalgamation to take effect from the beginning of the summer term in 2026 (by 13 April 2026).

4.4.5 At the point of amalgamation, children attending Malorees Junior School will be transferred to the roll of Malorees Primary School. Staff employed at Malorees Junior School will have their employment transferred to Malorees Primary School under Transfer of Undertakings (Protection of Employment) Regulations 2006 amended. All staff will keep the same roles and there will be no redundancies or staff restructures as a result of the amalgamation.

4.4.6 Following the amalgamation of the two schools, no further co-ordinated Junior admissions would be made into Year 3 at the school. Following amalgamation, children will progress automatically from Year 2 into Year 3 without the need for an application for or offer of a place.

4.4.7 If the amalgamation is implemented, it may take place at a point in the academic year when applications have been received or offers have been made for a place in Year 3 for the following academic year. Where this is the case, applications or offers for Malorees Junior School will be rescinded as the school will be closed, and parents / carers communicated with as to the reason why. The majority of applications and offers each year are made for children already attending the infant school and so this is not expected to adversely impact on parents. These children will automatically continue in Year 3 at Malorees Primary School from the following September. For those applying from other schools, it will be made clear in the school admissions brochure and / or the school admissions website of the closure of the junior school, the reason why it is closing, and how to apply to the new Malorees Primary school.

5.0 Financial Considerations

5.1 School funding received via the Dedicated Schools Grant (DSG) is driven by pupil numbers and this is the main source of income of Malorees Infant and Junior Schools. Both schools reported surplus reserves balances at the end of March 2025. Malorees Infant School receives a per pupil funding rate of £7,096 for 160 pupils and Malorees Junior School receives £6,388 for 220 pupils. This

equates to £2.5m DSG funding. This compares to an average of £6,573 per primary pupil across the borough.

- 5.2 All schools receive a lump sum payment in their budgets to support fixed costs. Amalgamation of the schools would mean that there would be an overall loss of funding as the Primary School would only attract a single lump sum payment in addition to the DSG pupil level funding, whereas current arrangements see both the Infant and Junior Schools attracting their own lump sums. In Brent the lump sum is currently £170K for the 2025/26 financial year. During the consultation a figure of £135K was shared, that was based on the lump sum figure that it is expected will be rolled out over the next few years as Brent allocations move closer to a National Funding Formula. All schools in Brent will be impacted by such a reduction in the lump sum allocation.
- 5.3 Respondents to the consultation raised concern about the impact of this reduced funding on staffing and the quality of education. Assuming the schools amalgamated by 13 April 2026 and based on a lump sum allocation of £170K, the reduction would be £51K in the first financial year after amalgamation (2027/28), being 30% of the second school's lumpsum. This would take effect in 2027/28, not in 2026/27 as indicated in the Cabinet report in April 2025, as the budgets for 2026/27 will be set when there are still two schools. A reduction of £102K in the second financial year of the second school's lump sum would be dependent on the agreement of Schools Forum and DfE for 40% of the lump sum to be paid from the DSG to the primary school. From the third and subsequent years, the reduction of the lump sum would be the full amount. During informal consultation, the leadership of the school undertook a modelling exercise to demonstrate how the impact of a gradual reduction of £135K, alongside a reduction of £16,600 PE grant and an anticipated temporary reduction in letting income during the build project would be managed. The modelling showed how the reduction in funding would be managed through economies of scale realised by the schools coming together as one primary school resulting in savings (such as duplicate subscription, payroll and commissioned services costs), avoided school maintenance costs due to the capital investment and income generated based on the assumption that the school will attract additional pupils as a result of new facilities and parental reassurance that as a primary school children will automatically transfer from one to the other in Year 3. This initial modelling resulted in a surplus in the first and second years (Table 2).

Table 2: Financial Modelling of £135K lump sum reduction

Year	Changes to income	Potential savings	Savings – Losses
27/28	<p>£45,276 Junior Lump Sum</p> <p>£15,000 Letting income</p> <p>£16,600 PE grant Lump Sum</p>	<p>£51,500 General Maintenance</p> <p>£14,000 Subscriptions</p> <p>£8,523 Admin Costs SIMS/School Comms</p> <p>£15,000 Bought in Services</p> <p>£5,000 Payroll costs</p>	+ £17,147

28/29	£85,572 Junior Lump Sum £15,000 Letting income £16,600 PE grant Lump Sum Prospect of new school attracts 5 additional pupils; increased funding £29,000	£59,023 General Maintenance £14,000 Subscriptions £8,523 Admin Costs £15,000 Bought in Services £5,500 Payroll costs £3,000 Reduction in energy costs	+ £16,874
29/30	£135,000 Junior lump Sum £16,600 PE Grant Lump Sum 7 additional pupils attracted by new build school £40,850	£60,203 General Maintenance £14,000 Subscriptions £8,523 Admin Costs £15,000 Bought in Services £5,500 Payroll costs £5,000 Reduction in energy costs	- £2,524

- 5.4 The modelling in Table 3 shows how a lump sum reduction based on £170K, as the likely highest figure and therefore the worst-case scenario, would be managed. This was included in the 7 April Cabinet report. The assumptions in this model are that the additional £35K reduction in funding would be offset by additional maintenance cost avoidance (the higher figures are informed by actual expenditure in 2024/25) and additional pupils (for the same reasons as above, but also to reflect the likely relocation of Islamia Primary School in 2027).

Table 3: Financial Modelling of £170K lump sum reduction

Year	Changes to income	Potential savings	Savings – Losses
27/28	£51,000 Junior Lump Sum £15,000 Letting income £16,600 PE grant Lump Sum	£51,500 General Maintenance £14,000 Subscriptions £8,523 Admin Costs SIMS/School Comms £15,000 Bought in Services £5,000 Payroll costs	+ £11,423
28/29	£102,000 Junior Lump Sum £15,000 Letting income £16,600 PE grant Lump Sum Prospect of new school facilities attracts 5 additional pupils; increased funding £29,000	£60,000 General Maintenance £14,000 Subscriptions £8,523 Admin Costs £15,000 Bought in Services £5,500 Payroll costs £3,000 Reduction in energy costs	+ £1,423
29/30	£170,000 Junior lump Sum £16,600 PE Grant Lump Sum 10 additional pupils attracted by new school facilities £58,000	£75,000 General Maintenance £14,000 Subscriptions £8,523 Admin Costs £15,000 Bought in Services £5,500 Payroll costs £5,000 Reduction in energy costs	£5,577

- 5.5. Concern has been raised that uncertainty about the building solution through the SRP raises a risk that the anticipated reduction in maintenance costs may not be realised. This risk is acknowledged. However, the Schools Rebuilding

Programme carries out major rebuilding and refurbishment projects aimed at addressing all school condition issues. This will reduce current significant annual expenditure to address ongoing condition issues with the Malorees school buildings - in 2024/25 this expenditure was over £100K.

- 5.6 All schools have to manage fluctuations in budgets that can cause budget pressures, as funding is determined by pupil numbers that can change from one year to the next and as a result of changes to the funding formula. The schools' Leadership Team and Governing Board are confident that the loss of funding can be managed without the need for a staff restructure or redundancies. Having reviewed the details of the proposed mitigations for the loss of funding, officers continue to be reassured that they are deliverable.

6.0 Legal Considerations

- 6.1 The Local Authority has the power to consider and determine proposals published under Section 19 of The Education and Inspections Act 2006, pursuant to Section 21 (2) (f) of the Act and in accordance with Schedule 3 paragraph 3 of The School Organisation Regulations 2013.
- 6.2 Under sections 13 and 14 of The Education Act 1996, as amended by The Education and Inspections Act 2006, a local education authority has a general statutory duty to ensure that there are sufficient school places available to meet the needs of the population in its area. The Local Authority must promote high educational standards, ensure fair access to educational opportunity and promote the fulfilment of every child's educational potential. They must also ensure that there are sufficient schools in their area and promote diversity and increase parental choice. To discharge this duty, the Local Authority has to undertake a planning function to ensure that the supply of school places balances the demand for them.
- 6.3 The proposal to amalgamate the schools does not change the availability of school places in the area.
- 6.4 Under Section 15 of The Education and Inspections Act 2006, either the Governing Board or the Local Authority can propose the closure of a foundation school. Where proposals are related, this must be made clear in consultation and representation period, published notices and proposals. The decision maker (the Local Authority) must consider related proposals together. The proposer for each of the recommendations in 2.1 would be made jointly by the Local Authority and the Governing Board of Malorees Schools' Federation.
- 6.5 Although not part of the considerations for the existing Malorees Junior School site, any change of use from Education use and/or disposal requires the permission from the Secretary of State for Education under Section 77 of the School Standards and Framework Act 1998 and Schedule 1 of the Academies Act.

7.0 Equity, Diversity & Inclusion (EDI) Considerations

- 7.1 The Public Sector Equality Duty under section 149 of the Equality Act 2010 requires the Local Authority when exercising its functions to have due regard to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act, to advance equality of opportunity and foster good relations between those who have a protected characteristic and those who do not share that protected characteristic. The protected characteristics covered under the Act are age, disability, gender reassignment, marriage and civil partnership (only in respect of eliminating unlawful discrimination) pregnancy and maternity, race (this includes ethnic or national origins, colour or nationality) religion or belief (this includes lack of belief) sex and sexual orientation. Due regard means giving relevant and proportionate consideration to the duty, in that whenever significant decisions are being made consideration must be given to the impact/affect that implementing a particular decision will have in relation to equality before making that decision. Brent Council also has a policy of considering Human Rights and socio-economic impact.
- 7.2 An Equality Analysis has been carried out on the proposals set out in this report and is provided as Appendix 2 to this report. It is not anticipated there will be any negative impact from these proposals on the basis of age, disability, gender reassignment, marriage and civil partnership (only in respect of eliminating unlawful discrimination) pregnancy and maternity, race (this includes ethnic or national origins, colour or nationality) religion or belief (this includes lack of belief) sex and sexual orientation.
- 7.3 The top three ethnic groups attending the Malorees schools (Any other white background 20.7%, White – British 19% and Any other ethnic group 14.2%) differ from the top three ethnic groups for Primary Planning Area 6 (White-British 23.9%, Any other white background 16.1% and Black – African 13.1%). The proportion of children receiving benefits related Free School Meals at the schools is 20.8% compared to 22.4% for the whole planning area. The proportion of children at the Malorees schools with an Education Health and Care Plan is 3.9% compared to 3.8% across the whole planning area. The proportion of children at the Malorees schools receiving SEN Support is 8.9% compared to 13.6% across the whole planning area.
- 7.4 The proposal to amalgamate the schools is not anticipated to have any material effect on pupils, staff or the wider community. The primary school would largely operate as it does currently.

8.0 Climate Change and Environmental Considerations

- 8.1 School place planning and admissions policies aim to ensure primary children can attend a local school and therefore can walk to school or take public transport. This approach underpins these proposals. All schools in Brent can access support to develop a sustainable travel plan.
- 8.2 The capital investment project will deliver more efficient facilities, resulting in more efficient use of resources and a reduction in the school's carbon footprint.

9.0 Human Resources/Property Considerations

- 9.1 The Governing Board is confident that the financial impact of the amalgamation on the DSG budget can be mitigated without impacting on staffing or the quality of teaching, as per the mitigations outlined in section 5 above.
- 9.2 Should a decision be made to amalgamate the schools as a community school, this would lead to the closure of Malorees Junior School, which is a foundation school that owns its buildings and land. The land and assets of the school would transfer to Brent Council for the use of the school that remains on the site, Malorees Primary School (DfE number 304/2033). The Local Authority is committed to retaining the entire footprint of the site for the use of Malorees Primary School.
- 9.3 The new school would be a community school and the Council would be the responsible body and employer from a Health and Safety and statutory compliance perspective for the primary school.
- 9.4 In community controlled schools, staff are employed by the Local Authority, and in foundation schools they are employed by the Governing Board. Transfer of Undertakings (TUPE) considerations will be required, as there will be a change of employer from the Governing Board to the Local Authority for staff employed by the Junior School.

10.0 Communication Considerations

- 10.1 Within one week of making a decision the local authority must publish their decision and the reasons for it on the website where the original proposal was published and send copies to:
- the Schools Adjudicator;
 - the Secretary of State;
 - the governing body/the proposer (as appropriate);
 - the trustees of the school (if any);
 - the Diocesan Board of Education for any diocese of the CofE any part of which is comprised in the area of the local authority;
 - the bishop(s) of a diocese of the RC Church any part of which is comprised in the area of the local authority;
 - any other body that they think is appropriate

Report sign off

Nigel Chapman

Corporate Director Children, Young People &
Community Development