



Cabinet
9 September 2019

**Report from the Strategic Director,
Children and Young People**

Appendix A: The Future School Organisation Arrangements of Roe Green Infant School

Wards Affected:	Queensbury, Fryent, Welsh Harp, Kenton, Northwick Park, Preston, Barnhill
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
No. of Appendices:	Three <ul style="list-style-type: none"> • Appendix A: Statutory Notice on the School Organisation Arrangements of Roe Green Infant School • Appendix B: Summary of Consultation Responses • Appendix C: Equality Impact Assessment
Background Papers:	N/A
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1.0 Purpose of the Report

1.1 This report provides Cabinet with a summary of the formal consultation undertaken between 26 June 2019 and 24 July 2019 on a change in the age range of Roe Green Infant School and the closure of primary provision on the Roe Green Strathcona site from September 2020.

2.0 Recommendation(s)

That Cabinet:

2.1 Determines the proposal published in a statutory notice on 26 June 2019 to:

- change the age range of Roe Green Infant School from 3-11 to 3-7
- reduce the school's Published Admission Number (PAN) from 150 to 120 for September 2020

- implement a phased closure of the provision on the Roe Green Infant School Strathcona site so that no new admissions are made into any Reception cohort from September 2020 and the site is fully closed at the end of July 2022.

3.0 Detail

- 3.1 Roe Green Infant School is situated in Planning Area 1 in the north of the borough, which covers the Queensbury, Fryent and Welsh Harp wards. In 2014, new primary provision was established under the management of Roe Green Infant School on the site known as the Roe Green Strathcona site, situated in Wembley in Planning Area 2 that covers the Kenton, Northwick Park, Preston and Barnhill wards. The Roe Green Strathcona provision was established in response to increasing demand for places across the borough, as set out in the Brent School Place Planning Strategy 2014-18.
- 3.2 The Roe Green Strathcona provision was initially opened as temporary provision for 210 places in total, 30 in each year group from Reception to Year 6. Pupils were first admitted to the provision in March 2014 into Reception and Year 2 classes. A statutory process to regularise the provision had to be implemented in September 2016. This changed the legal nature of Roe Green Infant School by permanently establishing the provision on the Strathcona site:
- the age range of the school changed from ages 3-7 to 3-11 (including the nursery)
 - the total number of permanent places in Reception to Year 6 was changed from 360 to 570, with infant provision for 360 pupils on the school's Princes Avenue site alongside a nursery for 40 full-time equivalent places, and 210 places in years Reception to Year 6 on the Strathcona site.
- 3.3 Since 2017, there has been a reduction in the number of children applying for primary school places in the borough that was not anticipated when the provision was established. The School Place Planning Strategy 2019-23, approved by Cabinet in November 2018, shows that demand for primary places across the borough is expected to reduce until 2022 when a small increase in demand is forecast. The latest forecasts from the Greater London Authority indicate that whilst demand for Primary places may not reduce further, there is still significant over capacity of Primary school places in Brent. In 2018/19 there was a high level of spare places in Reception across the borough (12%) and on National Offer Day, there were 750 spare places for September 2019 (18% spare places).
- 3.4 Within this context, on 11 March 2019, Cabinet agreed to informal consultation on the future of provision on the Roe Green Strathcona site. Following consideration of a report on the outcomes of the informal consultation, on 19 June 2019, Cabinet agreed to formal consultation on the future of provision on the Roe Green Strathcona site in response to falling demand for places at the Roe Green Strathcona site. A statutory notice was published on 26 June 2019, triggering a period of formal consultation until 24 July 2019.
- 3.5 Table 1 provides the latest forecasts from the Greater London Authority for Primary Planning Area 2, within which Roe Green Strathcona site is located. These forecasts will be included in an update to the School Place Planning Strategy 2019-23 when presented to Cabinet in the autumn. The 2019 forecasts

show a similar pattern for Planning Area 2 as the 2018 forecasts included in previous reports to Cabinet. A high level of surplus places in the area are forecast, even after taking into account a reduction in the Published Admission Number (PAN) of Uxendon Manor Primary School from September 2020 in response to reduced demand.

Table 1: Planning Area 2 Forecasts (January 2019) and projected surplus of places

Planning Area 2		Rec	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
2019/2020	Capacity	780	780	720	750	720	750	660
	Projections	628	592	578	694	651	689	633
	surplus/deficit	152	188	142	56	69	61	27
2020/2021	Capacity	750*	780	780	720	750	720	750
	Projections	642	614	589	593	692	649	689
	surplus/deficit	108	166	191	127	58	71	61
2021/2022	Capacity	750	750	780	780	720	750	720
	Projections	649	635	618	617	599	694	654
	surplus/deficit	101	115	162	163	121	56	66
2022/2023	Capacity	750	750	750	780	780	720	750
	Projections	657	644	640	642	621	603	699
	surplus/deficit	93	106	110	138	159	117	51
2023/2024	Capacity	750	750	750	750	780	780	720
	Projections	662	651	647	662	647	623	607
	surplus/deficit	88	99	103	88	133	157	113

*capacity reduced by 30 places to reflect an agreed reduction in the PAN of Uxendon Manor

3.6 In January 2019 there were 557 pupils on roll at Roe Green Infant School, of whom 110 were on the Roe Green Strathcona site. There were only 7 pupils in Reception on the Roe Green Strathcona site and all year groups, other than Year 5, had significantly lower numbers than 30. For the purposes of admissions, when applying for a place at Roe Green Infant School, parents can make a preference for either the Roe Green Infant School Princes Avenue site or the Strathcona Road site. Applications for Reception places on the Strathcona site for September 2019 were also low, with only 3 pupils expected to attend the Reception year group in September 2019.

Table 2: Numbers on roll at Roe Green Strathcona Road site

Year	Rec	Y1	Y2	Y3	Y4	Y5	Y6	Total
2014/15	34	59	14	28	-	-	-	135
2015/16	15	30	55	9	28	-	-	137
2016/17	16	19	26	49	6	27	-	143
2017/18	7	14	11	22	42	3	22	121
2018/19	7	8	16	12	20	44	3	110
2019/20	3	7	8	16	11	20	39	104
2020/21	3	3	7	8	16	12	20	69
2021/22	3	3	3	7	8	16	12	52

Source: 2014/15-2018/19 from January school census; other data are forecasts.

- 3.7 Roe Green Infant School operates as one school with the leadership team and staff working across both sites. The school has 12 operating classrooms at the Princes Avenue site for Reception Year through to Year 3. On the Strathcona site, the school organises pupils in some year groups into mixed age classes. In 2018/19 there was one class for Reception/Year 1 and two Year 5/6 classes. Pupils in Key Stage 1 based at the Strathcona site travel to the main school site for some shared teaching. The school achieves good outcomes for pupils across both sites and was rated by Ofsted as 'Good' in November 2017.
- 3.8 On National Offer Day, only two schools in Primary Planning Area 2 filled to their planned capacity for September 2019. Several other schools rated by Ofsted as either 'Good' or 'Outstanding' in the area served by the Roe Green Strathcona site were expanded to meet projected demand and now have spare capacity. This includes Byron Court Primary School, Preston Park Primary School and Uxendon Manor Primary School.
- 3.9 Surplus places are not evenly distributed across schools. Managing a high level of surplus places in provision that operates effectively as one form of entry can be particularly difficult. While Roe Green Infant School operates as one school, managing a split site school when pupil numbers are falling is a challenge that is likely to become harder if pupil numbers do not increase. In the context of pupil forecasts, the level of demand for Roe Green Strathcona and the number of places available at other local schools, primary provision on the Roe Green Strathcona site is not considered to be sustainable.
- 3.10 The council has a responsibility to ensure that the Dedicated Schools Grant is deployed to support all pupils efficiently. Roe Green Infant School currently receives higher than average per pupil funding for pupils on the Strathcona site due to the low number of pupils accessing the provision. This difference will increase further if the number of pupils continues to decline (see Section 6).

4.0 Formal Consultation

- 4.1 Formal consultation to change the provision of Roe Green Infant School is required under the statutory process for making 'prescribed alterations' to maintained schools (Statutory Guidance for Proposers and Decision-makers, Department for Education, October 2018). Formal consultation was carried out between 24 June and 26 July 2019 by the local authority. All applicable statutory requirements to consult in relation to these proposals have been complied with.
- 4.2 The statutory consultation process for significant changes to school provision has four stages - Stage 1: Publication of a Statutory Notice, Stage 2: Representation (formal consultation for a period of 4 weeks), Stage 3: Decision and Stage 4: Implementation. Following the formal representation period, Cabinet is required to make a decision on this proposal within two months.
- 4.3 A statutory notice was published in the Brent and Kilburn Times and on the Brent website and notices were displayed on the school gate at both sites (Princes Avenue and Strathcona Road). The statutory notice proposed:
- a change in the legal age range at Roe Green Infant School from 3 – 11 years to 3 – 7 years, to take effect from 1 September 2022

- that no children should be admitted to the Strathcona site to a year group that has been closed in Key Stage 1. This would be the Reception year group in 2020/21 and the Reception and Year 1 year groups in 2021/22.
- to approve the full closure of the Strathcona site of Roe Green Infant School on 31 July 2022.

4.4 The proposal assures, as far as possible, that the site can continue to operate with more than one class until the proposed closure date. Table 3 indicates the projected number of children on roll in each year group up to the point of proposed closure in July 2022.

Table 3: Number of children on roll with a phased closure to 2021/22

Year	Rec	Y1	Y2	Y3	Y4	Y5	Y6	Total
2019/20	3	7	8	16	11	20	39	104
2020/21	-	3	7	8	16	12	20	66
2021/22	-	-	3	7	8	16	12	46

4.5 As Cabinet has determined admissions arrangements for community schools for 2020/21 (in January 2019 in line with statutory requirements), it would be necessary to seek a variation to the admission arrangements for 2020 from the Schools Adjudicator to implement the reduction of the school's published admission number.

5.0 Responses to the Formal Consultation

5.1 A total of 434 written responses and 108 e-mailed responses have been received. The responses received are summarised in Table 4.

Table 4: Summary of Written Responses

Views on proposal to cease provision on Strathcona site	Number of responses received	Percentage of response overall
Agree with proposal	1	0.2%
Disagree with/Object to proposal	541	99.8%
Total responses	542	100

5.2 Individuals who responded were not required to identify their status or link to the school. Table 5 summarises where this was identified by responders.

Table 5: Summary of Responders

Parents of Roe Green Infant School	Staff of Roe Green Infant School	Pupils of Roe Green Infant School	Governors of Roe Green Infant School	Unions	Councillors/MPs	Members of Public	Not known
64	16	16	2	3	1	4	436

5.3 A number of key themes were raised in written responses, that were similar to concerns raised during the informal consultation:

- The quality of school place planning considerations and the need for the provision
- The quality of the education provided by the school

- Promotion of the provision on the Strathcona site
- The impact of the closure on pupils and staff
- Alternative solutions to maintain the site as part of Roe Green Infant School

Appendix B provides a summary of the issues raised and responses.

- 5.4 During the formal consultation, the council was asked to consider a number of proposals for alternative use of spare capacity on the Roe Green Strathcona site to supplement the declining numbers of pupils on roll and to support the financial viability of the education offer on this site, that drew on the skills and expertise of the current staff body. None of these proposals, however, would increase demand for mainstream places. Subject to Cabinet making a decision to close the Strathcona site, then the building and site would in time become surplus to requirements for the primary school. Proposals submitted in this formal consultation would be reviewed as part of the Council's consideration of future uses of the site.
- 5.5 Feedback about the quality of the Roe Green Strathcona provision has been positive. The proposal to close the Strathcona provision is being made in response to the low numbers of pupils attending the site in the lower year groups and the projected number of pupils expected to apply in future years. Maintaining a separate site that can accommodate one form of entry (210 pupils) for only 50 pupils would not be an efficient use of resources, even with the use of vertical grouping of year groups. In the context of demographic demand, the provision is not considered to be sustainable. Officers are, therefore, of the view that the council should determine the proposal to cease provision on the Roe Green Infant School Strathcona site as set out in the statutory notice published on 26 June 2019.
- 5.6 Officers would support Roe Green Infant School through the transition period. There is a risk that parents may choose to move their children from the Roe Green Strathcona provision before the provision on the site closes. In the event that there is a change to future demand, officers will seek the views of Cabinet on the need for any further consultation to inform future decisions.

6.0 Financial Implications

- 6.1 The Strathcona site is supported by the local funding formula. The school receives approximately £5,300 per pupil funding plus a split site allocation of £200k. With 110 pupils this totals £786k of funding that Roe Green Infant School receives to deliver school places at the Strathcona site. This sum will reduce as the number of pupils reduces and could require decisions, such as more classes comprising two or more year groups, to resource education provision at the site. The school had reserves of £260k as of 1st April 2019.
- 6.2 Funding is provided by the Dedicated Schools Grant (DSG), and equates to nearly £7,100 per pupil for children at this site. This compares to an average of £5,000 per primary pupil across the borough. Given that there are spaces in other schools, the closure of the site will lead to more efficient use of DSG.

7.0 Legal Implications

- 7.1 The 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.
- 7.2 Under sections 13 and 14 of The Education Act 1996, as amended by The Education and Inspections Act 2006, a local 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 LA has to undertake a planning function to ensure that the supply of school places balances the demand for them.
- 7.3 If the proposals which form the basis of the formal consultation are implemented, then this would have the potential effect of the need to consider redundancies for staff.

8.0 Equality Implications

- 8.1 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.
- 8.2 An Equality Impact Assessment has been carried out on the proposals set out in this report and is attached at Appendix C to this report. It is not anticipated that there will be any negative impact from these proposals on the basis of 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.
- 8.3 Pupil-level data suggest that the intake at the Roe Green Strathcona site is similar to other schools in terms of ethnic diversity, children on free school meals and the number of children with special needs and disabilities (SEND). If as a result of this proposal children move school, this could have a negative impact on individual children. However, based on current information other local

schools would provide a suitable alternative and would support children to settle.

9.0 Consultation with Ward Members and Stakeholders

- 9.1 Ward members have been kept informed of the informal and formal consultation proposals. Informal consultation was discussed with the ward members where the two school sites are located on 15 February 2019 (Queensbury and Preston wards). Further discussion on formal consultation was held with these ward members on 10 May 2019. Members of other wards were consulted as part of the consultation process.
- 9.2 Union representatives were informed of the consultation on the proposals at the Teachers Panel on 26 March 2019 during the informal consultation period, at a meeting with National Education Union representatives on 26 June and a meeting with UNISON representatives on the 29 July. Other stakeholders were consulted with as set out in Section 4.
- 9.3 Publication of the Statutory Notice and Representation (formal consultation) has been carried out in accordance with *The School Organisation (Prescribed Alterations to Maintained Schools (England) Regulations 2013*.

10.0 Human Resources Implications

- 10.1 The proposals, if implemented, are likely to impact on the required staffing for Roe Green Infant School; the proposal would lead to a reduction in overall staffing levels which would, therefore, result in the possibility for the need to consider redundancies. The number of staff affected would depend on the nature of a phased closure. The school, supported by the local authority, would need to follow the Managing Change in Schools policy and procedure including consultation with affected staff and trade unions to effect the changes in due course.
- 10.2 The National Education Union gave notice to the Council on the 10th June of the intention of its members at Roe Green Infant school to take part in strike action in respect of the potential closure of the Strathcona site. This action took place on the 25 June and 10 July 2019. The National Education Union gave notice on the 10 July of further strike action which took place on the 17 July.
- 10.3 UNISON gave notice to the Council on the 29 July of its intention to ballot its members at Roe Green Infant School with a view to taking strike action in respect of the potential closure of the Strathcona site.
- 10.4 The dialogue with the staff of Roe Green Infant School and their representatives will continue.

11.0 Property Implications

- 11.1 Should a decision be made to close the Strathcona site then the building and site would in time become surplus to requirements for the primary school. The Council would review its priorities and potential future uses for the site, which could include educational use and which would maximise the investment already made by the Council in the site.

Related documents:

- Cabinet Report of 19 June 2019 – Formal Consultation on the School Organisation Arrangements of Roe Green Infant School
- Cabinet Report of 11 March 2019 - Informal Consultation on the School Organisation Arrangements of Roe Green Infant School;
- Brent School Place Planning Strategy 2019-23

Report sign off:

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