



Author/Lead Officer of Report: Joel Hardwick

Tel: ext 35476

Report of: Jayne Ludlam
Report to: Leaders Decision
Date of Decision: 6th December 2017
Subject: Primary School Reorganisation: Clifford CE Infant School & Ecclesall CE Junior School

| | | |
|---|---|--|
| Is this a Key Decision? If Yes, reason Key Decision:- | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| - Expenditure and/or savings over £500,000 | <input type="checkbox"/> | |
| - Affects 2 or more Wards | <input checked="" type="checkbox"/> | |
| Which Cabinet Member Portfolio does this relate to? <i>Children, Young People & Families</i> | | |
| Which Scrutiny and Policy Development Committee does this relate to? <i>Children & Young People</i> | | |
| Has an Equality Impact Assessment (EIA) been undertaken? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| If YES, what EIA reference number has it been given? <i>107</i> | | |
| Does the report contain confidential or exempt information? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

Purpose of Report:

The Governing Bodies of Clifford CE Infant School (Voluntary Aided) and Ecclesall CE Junior School (Voluntary Controlled) have proposed bringing together their schools to create a through Church of England Voluntary Aided primary school. Governors have undertaken consultation on these proposals and in light of the responses wish to proceed. This report and the attached statement from Governors therefore seeks a decision from the Council as the statutory decision maker on proposals of this type.

Recommendations:

Cabinet is recommended to approve the proposal to bring together Clifford Infant and Ecclesall Junior as a through primary school by:

- i. increasing the upper and lower age-range at Clifford CE Infant School as described in the statutory proposal from 1st September 2018.
- ii. the closure of Ecclesall CE Junior School as described in the statutory proposal on 31st August 2018.

| Lead Officer to complete:- | |
|---|--|
| 1 | I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required. |
| | Finance: Paul Jeffries |
| | Legal: Louise Bate |
| | Equalities: Bashir Khan |
| <i>Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.</i> | |
| 2 | EMT member who approved submission: Jayne Ludlam |
| 3 | Cabinet Member consulted: Cllr Jackie Drayton |
| 4 | I confirm that all necessary approval has been obtained in respect of the implications indicated on the Statutory and Council Policy Checklist and that the report has been approved for submission to the Decision Maker by the EMT member indicated at 2. In addition, any additional forms have been completed and signed off as required at 1. |
| | Lead Officer Name: Joel Hardwick |
| | Job Title: Co-Head of Service, Access & Pupil Services |
| Date: 24 November 2017 | |

1. PROPOSAL

- 1.1 The Governing Bodies of Clifford CE Infant School (Voluntary Aided) and Ecclesall CE Junior School (Voluntary Controlled) have proposed bringing their schools together to form a through Voluntary Aided primary school. This report, including the attached statements from the two governing bodies, seeks a decision from the Council on whether to approve the proposals in light of the responses to consultation.
- 1.2 Following the proposal from the Council to increase places in this area through an expansion of Ecclesall Infant, the local governing bodies led discussions with parents on the preferred approach to managing the transition of pupils between the infant and junior phases. The resulting option proposed by all three schools' Governing Bodies was the 'bulk transfer' of pupils from Ecclesall CE Junior School to Ecclesall Primary School in September 2018 and the bringing together of Clifford CE Infant School with Ecclesall CE Junior School to form a through primary school from September 2018.

2. HOW DOES THIS DECISION CONTRIBUTE?

- 2.1 The proposals contained within this report are part of the Local Authority's role in supporting governing bodies to ensure a consistent, equitable approach to education provision, particularly at times of change for pupils and families. This is part of Sheffield City Council's focus on enabling children to have a great start in life, achieve their full potential, and contribute to the success of the city. At the heart of the vision for increasing school places in Sheffield is the Council's role in enabling excellent education outcomes and equitable access for all to high quality education.

3. HAS THERE BEEN ANY CONSULTATION?

- 3.1 The statutory requirement is for a 4-week consultation. Consultation started on 14th September 2017 and ended on 11th October 2017. Due to an anomaly in the way statutory notices were displayed a second 4-week consultation period meeting all legal requirements started on 12th October and ended on 15th November. As required, statutory notices were placed at the school, on the schools' website, and in the local paper and the proposals were sent to the Local Authority and the Diocese. Information was also distributed through the schools to all families. In total, 7 responses were received to the consultation.
- 3.2 All anonymised consultation responses can be found in Appendix 1. Consultation responses mainly focused around four areas: (i) links to the expansion at Ecclesall Infant School (ii) loss of denominational provision (iii) educational impact. These issues are described below and further consideration is given in the following section.

3.3 Links to the expansion at Ecclesall Infant School

- 3.3.1 Most of the respondents highlighted concerns on traffic and parking issues associated to the expansion of Ecclesall Infant School as per the 20th July 2016 Cabinet decision.
- 3.3.2 Some respondents questioned whether the proposals here should have formally been 'linked' to the Ecclesall Infant proposals and therefore are required to be considered as one.
- 3.3.3 The broader need for places in the area (covered in the 20th July 2016 Cabinet Report) was questioned, with some respondents stating that this had not been clearly demonstrated.

3.5 Loss of Denominational Provision

- 3.5.1 The loss of junior-age faith places (60 per year) was seen as significant by some respondents.

3.6 Impact on Pupils

- 3.6.1 One response focused on the educational impact of the first Year 3 cohort at any expanded Clifford Infant School being at a disadvantage through having no older peer group and being the only year group on the school site. The same response suggested a delay to the implementation of the proposals until 2019.

4. **CONCLUSION**

4.1 In considering the issues raised:

- The most important issue is the impact on pupils and pupil outcomes. The governing bodies of both schools have listened to suggestions and provided reassurances to parents about measures to support the transition for pupils and these are explored further in the Governors Statements (Appendix 2).
- The Council has worked hard to address the issues around traffic and highways. The impact of these and the strategies for their mitigation are rightly considered as part of the planning application for the Ecclesall Infant scheme. Sheffield City Council's Planning Board met to consider this scheme on 14th November 2017. The Planning Board approved the project and mitigation measures proposed.
- In terms of the formal link between these proposals and the expansion at Ecclesall Infant, the proposals here follow discussions led by governors considering the long-term structure of the two church schools and the best way to manage transition in the short-term. Without these proposals the church schools would remain with their current status and the transition would be managed successfully over a 4-year period simply by children

remaining in the junior school until leaving in Year 6 as normal. Therefore the Ecclesall Infant proposal can be effectively implemented without these proposals.

- 4.2 As proposers, both governing bodies have submitted statements in support of the proposals following consideration of the responses. These can be found in Appendix 2 and statutory guidance for decision makers on these proposals is included at Appendix 3.
- 4.3 On the basis of the above consideration of the issues raised and the strong support from the Governing Bodies, the recommendation in this report is to approve the proposals.

5. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

5.1 Equality of Opportunity Implications

- 5.1.1 Decisions need to take into account the requirements of the Public Sector Equality Duty contained in Section 149 of the Equality Act 2010. This is the duty to have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it

The Equality Act 2010 identifies the following groups as a protected characteristic:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

An Equality Impact Assessment has been carried out and highlights the proposals do not result in change to the number of places in faith schools in Reception meaning parents wanting to preference a faith based education for their child at the usual point of entry would have the same opportunities as they do now.

- 5.1.2 The proposal to close Ecclesall CE Junior School would result in a net loss of 60 faith based Year 3 places per year. Parents wanting to change to a faith based education for their child at Year 3 would still have an

option to preference this and there are 2 schools with a Church of England faith ethos in a 2.5 mile radius of Ecclesall CE Junior School. Over the last 2 years, 5 parents have indicated preference for a transfer from a community school to Ecclesall CE Junior School at Year 3. The Diocese have been notified of and consulted on the development of these proposals.

5.2 Financial and Commercial Implications

5.2.1 Both Clifford Infant and Ecclesall Junior school sites and their buildings are owned by the Diocese of Sheffield. As a Voluntary Aided school Clifford Governing Body have responsibility for the maintenance and management of their site and as a Voluntary Controlled school the Council currently maintain Ecclesall Junior School. If approved, the proposals would mean responsibility for the maintenance of the current Ecclesall Junior site would pass to the Governing Body of Clifford Infant. In this event the Council has agreed to enter into a legal agreement with the Governing Body of Clifford Infant to include the school on the Local Authorities Priority Maintenance Programme for three identified maintenance needs. This does not expose the Council to any financial liability over and above those it currently holds.

5.3 Legal Implications

5.3.1 Local Authorities have a duty under section 21 of the Education & Inspections Act 1996 to determine proposals around the discontinuation and expansion/extension of age-range at schools. The proposals described in this report have been brought forward and consulted on by the relevant Governing Bodies and are defined as prescribed alterations, meaning they require a legal process to bring them about. Proposals to reorganise school provision are governed by the procedures set out in the The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013. Local Authorities are also required to have regard to the statutory guidance when exercising functions under the Prescribed Alterations Regulations. A copy of the guidance is attached to this report at Appendix 3.

5.3.2 In relation to the consultation process, the following statutory requirements are set out in Schedule 3 to the 2013 Regulations: *'Any person may send objections or comments in relation to any proposals to the local authority within four weeks from the date of publication. The representation period starts on the date of publication of the proposals and ends four weeks later'*.

5.3.3 The following requirements are also set out in the statutory guidance. *'The decision-maker will need to be satisfied that the appropriate fair and open local consultation and/or representation period has been carried out and that the proposer has given full consideration to all the responses received. If the proposer has failed to meet the statutory requirements, a proposal may be deemed invalid and therefore should be rejected. The decision-maker must consider **ALL** the views submitted, including all*

support for, objections to and comments on the proposal.'

- 5.3.4 Providing that Cabinet is so satisfied then it is acting lawfully and within its powers should it decide to approve the proposal set out in this report.
- 5.3.5 In determining proposals the Local Authority may, by virtue of paragraph 5 of Schedule 3 of the Regulations:
- a) Reject the proposals;
 - b) Approve the proposals without modifications; or
 - c) Approve the proposals with such modifications as the local authority thinks desirable, having consulted the governing body (unless the modifications are proposed by the governing body).

The proposals must be determined within two months of the end of the representation period. Where a decision is not made within this prescribed period, the proposals must be referred to the adjudicator.

Approval may be conditional on the occurrence of an event prescribed in paragraph 8.

5.4 Human Resources Implications

- 5.4.1 As a Voluntary Aided school the Governing Body of Clifford Infant School is the responsible body for the employment of school staff. In the case of Ecclesall Junior School, as a Voluntary Controlled School the Council is classed as the employer and delegates its responsibility for the management of those staff and all associated Human Resources processes to the schools Governing Body. If the proposals are approved, as employers and responsible bodies it is expected that the Governing Bodies, with advice from the Council and Diocese will complete all required Human Resources process at the appropriate time and in full consultation with the relevant Trade Unions. It is not anticipated that any processes outside of those which are able to be delegated to the Governing Bodies will be required by these proposals.

6. **ALTERNATIVE OPTIONS CONSIDERED**

- 6.1 The proposals within this report emerged from discussions with parents in Autumn 2016 about the preferred approach to transition for pupils into Year 3 across all three schools. The alternative option considered within these discussions was a 'phased approach'. This would have meant Ecclesall Infant School growing over a four-year period to become a 'through' primary school and the junior school reducing its size over the same period. This approach did have some support from parents however the current proposals had a higher level of support from both parents and governors. Reasons for this included, having siblings in the same school, taking advantage of the new buildings and playspace, and some from Clifford felt this gave an earlier opportunity for Clifford to develop the junior school under the Clifford leadership.

7. REASONS FOR RECOMMENDATIONS

- 7.1 These proposals represent the statutory approach required to bring Clifford Infant School and Ecclesall Junior School together under one leadership structure and ensuring the bulk transfer of pupils to Ecclesall Primary School in September 2018. Extensive discussions with parents have indicated that this approach is the one supported by most parents and has the full support of all three schools' governing bodies.

Appendix 1: Responses to Statutory Notices published on 14th September 2017 relating to Clifford CE Infant School & Ecclesall CE Junior School

OBJECTION

Dear Sir.

I object to the closure of Ecclesall Junior School and then reopening as Clifford Junior School for the follow reasons.

This is not a separate issue from the expansion of Ecclesall Infant school and should have been part of the current planning application 17/02518/FUL.

The implications of Clifford Junior School being placed into the premises previously used by Ecclesall Junior School have not been addressed.

1. There is no evidence of a travel assessment or travel plan available for comment.
2. No public transport buses travel to or from the Clifford/Ecclesall Junior School premises for that catchment area.
3. Car travel would therefore be common as now.
4. The roads around Ecclesall Junior School area extremely congested and the movement of existing pupils to the Ecclesall Infant site would barely change as roads are already clogged.
5. This will increase traffic, pollution, noise and congestion because the pupils of Clifford Junior School are additional to the schools in the area. An extra 120 in addition to the extra 90 pupils already programmed into Ecclesall Infant School.
6. Cars used for school drop off and pick up already float the law by parking on verges, pavements, no waiting areas causing additional dangers to pedestrians.
7. Taking into account High Storrs School there are over 2000 pupils in a very small area of less than quarter of a mile.

Dear Sir/Madam,

We are writing as concerned parents in response to the statutory notice that has been placed outside Clifford Infant School in relation to the proposed re-organisation of Ecclesall Infant School (EIS), Ecclesall Junior School (EJS) and Clifford Infant School (CIS). We have a child that is currently a Y2 pupil at CIS.

As you are aware the proposal is that CIS will expand to become a Primary School, with EJS closing in August 2018 and all pupils at that school transferring to the new Ecclesall Primary School. This will mean that the children currently in Y2 at CIS will no longer join their cohorts from EIS at EJS but will remain within the newly created Clifford Primary School (and be housed specifically at the vacated EJS building within the newly created 2-site school).

During the consultation held at the schools to discuss this proposal, it was suggested that the CIS Y2 children would move to the vacated EJS building around Christmas 2018, after the building conversion work on the EJS site had been completed to convert the building from a 3-form primary to a single form primary school. In the period between summer 2018 and Christmas 2018 the current Y2 year group would be housed in the current (CIS) school library, until the EJS building work was completed.

My understanding from following the planning process for the new Ecclesall expansion on the Council website, and from discussing this proposal with parents and local residents, is that there are significant objections to this proposal. The volume of traffic in particular raises significant air pollution and travel accident concerns for local residents, and as such local residents are pursuing all options open to them to stop this proposal from happening (including pursuing the matter with the Schools Adjudicator, local MPs, and legal advisors). My concern with all of this is that it is going to cause significant delays to the process, and may even result in the building expansion being postponed or cancelled altogether. Any delays in the process will mean that the current Y2 CIS children could end up having to be housed in the current school library for longer than the period outlined in the consultation, causing clear damage to their educational and social well being. The current CIS school site is simply not big enough to house that number of additional pupils for a prolonged period of time. If the new building is delayed for longer than the 2018/19 school year, it would then mean that the current Y2s would have no-where to go beyond summer 2019, as we will have lost our feeder status to the EJS school, under the linked EJS school closure proposal.

Given the inherent and increasing uncertainties surrounding the Ecclesall Primary school expansion, it would appear illogical and damaging to continue with this plan to commence in summer 2018. The obvious solution would be to postpone this proposal for now and look to implement in summer 2019, thereby providing parents with much-needed certainty in planning for our children's educational futures. This would mean that the current CIS Y2 year group would join their EIS co-horts at EJS after summer 2018, as is currently the case under the linked feeder status.

I trust that these significant concerns will be discussed fully by the school re-organisation team, and documented appropriately for the Council's review, when making their final decision regarding these proposals.

Yours sincerely,

Objections to the discontinuation of Ecclesall CE junior School, and alteration of the upper age range at Clifford CE School.

I am writing to object to the proposals as set out in the statutory consultation documents. I am a parent of 2 children who have recently been through Ecclesall Junior School and also a local resident.

I object on the following grounds:

1. The consultation process does not comply with statutory guidance.

Statutory guidance states that "A proposal should be regarded as 'related' if its implementation (or non-implementation) would prevent or undermine the effective implementation of another proposal." Statutory guidance also states that notices should be published together and decisions on related proposals should be taken at the same time and this has not been followed in the present case. Not only are EJS/Clifford related proposals but also the expansion at EIS is related i.e. all 3 proposals are related, according to the definition contained in the statutory guidance. This is important because, for related proposals, notices should be published and decisions should be taken at the same time, which is not happening in the present case. By not complying with the statutory guidance the applicants are removing the rights of parents/residents to assess and comment on the overall impact of the related proposals and are preventing fully informed representations to be made during the statutory consultation process.

There is very clear evidence that all 3 proposals are related. The first document (17_02518 on the school website) is associated with the planning application for the expansion on the EIS site. Please see section 11.1 RE-ORGANISATION OF SCHOOL PLACES, page 82 "The expansion of Ecclesall Infant School is one part of a wider re-organisation of school places in this area." and "Ecclesall Infant School and Ecclesall Junior School - The proposal is to combine these two schools to create Ecclesall Primary School". I don't think it could be stated any more clearly that the proposals are related.

Further very clear evidence is presented in the City Council's "Entry to Primary Guide..." published on their website. Please see page 15, where it states for Ecclesall (IJ) (the present EIS site) "The approximate number on the roll at the school in September 2018 is subject to change on an outcome of a wider reorganisation involving Clifford CE Infant School and Ecclesall CE Junior School".

Therefore the proposals are related according to the definitions provided in the statutory guidance "A proposal for one change can be linked to another proposal(s) for example such an amalgamation" (paragraph above states that the proposal is to combine the two schools) and "from an area-wide reorganisation such as a result of long-term LA planning" (paragraphs above discuss wider re-organisation).

Taking this very clear evidence into account, all 3 related proposals should be decided at the same time and members of the public should be given the right to comment on them/make representations during a shared statutory consultation period in order that they are allowed to make fully informed decisions on the

overall impact of all 3 proposals. By considering (and deciding on) one proposal well in advance of the other 2, as has been done, the City Council are not complying with statutory guidance. This issue has been raised as a case with the Office of the Schools Adjudicator (OSA). All of this comes on the back of major concerns about the whole consultation process for these related proposals. Please see the OSA document ADA3304 in which the adjudicator states “I have found that the consultation carried out by the local authority was defective” in relation to the EIS proposal.

2. **Reason for closure.** The reasons are extremely vague and not supported by any figures, for example the statement “The aim of these proposals is to increase the number of school places being offered across the area covered by these schools in response to a growing population in this area and the wider area”. No numbers or projections are provided – this cannot be taken as a reason for closure in the absence of any data. The part of the statement “this area and the wider area” is not defined – how far does the ‘wider area’ extend and what are the implications for the catchment/admissions systems which are already in place. It is also interesting to consider the picture for the wider area, which further suggests that there is no requirement for the proposals. I quote the 2016 Council Cabinet Report on birth rates which states "The peak in this regard was reached in 2012, as this year represented the largest birth cohort in the city since 1991. Subsequently there was a small (5%) reduction in child birth in 2013 and this has been followed by a levelling off in 2014 and 2015. Throughout this period of growth, places have been added in the areas of pressure." Looking at this data, which is the only data made available by the City Council, it appears that the peak for Reception entry has already occurred, then is due to reduce by 5% before levelling off at this lower level. Based on this data, where is the evidence that the primary-age pupil population is growing in this area and the wider area?

3. **Displaced pupils.** At the time that this statutory consultation is running there does not exist sufficient capacity to accommodate displaced pupils. The related expansion at the EIS site is in the planning application stage, with no decision expected until mid-November. No assumptions can or should be made about the outcome of the application but what can be said for certain, at the time that this consultation is running, is that sufficient capacity does not exist. As things stand, the proposal should be rejected as there is no capacity for displaced pupils, demonstrating very clearly the need to consult and decide upon related proposals at the same time!

4. **Balance of denominational provision.** This is downplayed in the consultation document. There is a major loss of faith-based places at Junior School phases, reducing from 360 to 120 – a loss of 240 places. This significant loss of denominational provision cannot be met by places at other schools in the area and is a major concern.

5. **School admission.** I do not believe that the arrangements as stated comply with the mandatory requirements of the admissions Code, in respect of their fairness, clarity and objectivity, as required by paragraph 14 of the Code. For example, there is a lack of clarity about what constitutes the “main entrance of the school building” in determining the distance to the school. If the proposals go

ahead, Clifford will have split site with 1.2 miles between the main buildings. There is no published policy on the City Council web pages for split site schools and therefore this lacks clarity.

6. Non-compliance with statutory guidance relating to publication (see pg 13 'Opening and Closing Maintained Schools). This states "A brief notice (including details on how the full proposal can be accessed e.g. the website address) must be published ... at all of the entrances to the school." There are no notices at the main entrances to EJS – I can supply photographic evidence showing that there have been no notices displayed on the school gates for the whole statutory consultation period (to date, 9/10/17)

Regards

Dear Sir,

I am writing in relation to the Ecclesall/Clifford Consultation opened in September 2017. I would like to object to the closure of Ecclesall Junior School and the reopening of this as Clifford Junior School for the reasons explained below.

This proposal is closely linked to the current proposed expansion of the Ecclesall Infant School and should have been presented at the same time as now there could be a situation where EIS is expanded, EJS pupils move to EIS but Clifford pupil do not have anywhere to move to. Also, the consultation should have taken a more holistic approach and give the possibility to those commenting to have the full picture of the changes.

The proposal of replacing the Ecclesall Junior School with the Clifford Junior School will mean that the first 30 Clifford children moving to the Junior school will find themselves occupying a large building their own. Their number will increase each year but, it will still mean that the first group of children will not have the opportunity to experience a "healthy" environment in which to learn and grow. This negative effect will persist even when the whole of the junior classes will be reached and it will have a detrimental effect on the learning experience of Clifford children.

The move of Clifford to the current EJS school will also have a very negative impact on the local traffic. Pupils who attend Clifford are mostly based in Nether Edge and this means that the 210 children who will eventually occupy EJS will go to school by car. This will mean additional traffic to what is an already congested area which has substantial parking limitations. Public transport from Nether Edge is a non-option, making it necessary for parents to drive to the school.

The option to expand Clifford Infant to accommodate the junior phase instead of expanding EIS and move the Ecclesall Junior children to EIS, is still a very viable alternative which is cheaper and more sustainable than the proposed one.

Best wishes,

I have already sent some of my objections to this proposal by post but I would like to add further comments to this.

My main additional objection relate to the fact that this **consultation process does not comply with statutory guidance**. Statutory guidance indicates that proposals should be regarded as 'related' if their implementation (or non-implementation) would prevent or undermine the effective implementation of another proposal. Moreover notices should be published together and decisions on related proposals should be taken at the same time. This has not been followed in this case despite the fact that the EJS/Clifford related proposals are closely linked to the expansion at EIS. Notices should be published and decisions should be taken at the same time, which is not happening in the present case. By not complying with the statutory guidance the applicants are removing the rights of parents/residents to assess and comment on the overall impact of the related proposals and are preventing fully informed representations to be made during the statutory consultation process.

The reason why the three proposals are related is self-evident as the expansion of Ecclesall Infant School is part of a wider re-organisation of school places in the South West of Sheffield. The proposals are related also according to the definitions provided in the statutory guidance, therefore all 3 related proposals should be decided at the same time and members of the public should be given the right to comment on them/make representations during a shared statutory consultation period in order that they are allowed to make fully informed decisions on the overall impact of all 3 proposals. By considering (and deciding on) one proposal well in advance of the other 2, as has been done, the City Council are not complying with statutory guidance. This issue has been raised as a case with the Office of the Schools Adjudicator (OSA) (document ADA3304) in which the adjudicator states "I have found that the consultation carried out by the local authority was defective" in relation to the EIS proposal.

Loss of faith-based school places. There is a major loss of faith-based places at Junior School phases, reducing from 360 to 120 – a loss of 240 places. This significant loss of denominational provision cannot be met by places at other schools in the area and is a major concern.

Non-compliance with publication of consultation There are no notices at the main entrances to EJS to date

Best wishes,

Dear Sir/Madam,

Objections to the discontinuation of Ecclesall CE junior School, and alteration of the upper age range at Clifford CE School.

I am writing to express my objection to this proposal. First of all, this should have not been considered independently from the proposal to develop the Ecclesall Infant School Grounds in order to make room for a much expanded school. The two proposals are clearly related – in fact they are part of the very same proposal – and to treat them separately does not provide the public with the opportunity to comment on the overall scheme.

Additionally, discontinuation of the Ecclesall Junior School cannot really be seriously considered, when planning permission for the expansion of the Infant School has not been granted yet. Therefore, either this proposal is extremely ill conceived (where are the Ecclesall Infant children going to go, if planning permission for the development of the Ecclesall Infant school playground is not given?), or it is taken for granted that planning permission will be given, which would make a complete mockery of the consultation process.

Finally, let me say that the need for extra school places, on which this whole process is based, has never been demonstrated and, in fact, even when specifically requested to provide clear figures, the Council has invariably responded vaguely, thus providing no confidence in the robustness of the decision process.

Yours sincerely,

Dear sir/madam

May I second the concerns made by [REDACTED] in the email below. As a local resident, taxpayer and parent of children at the school I would like to lodge my concerns and opposition to this overscaled and unnecessary expansion.

Sincerely

[REDACTED]

From:

Sent: 12/10/2017 20:20

To: schoolreorganisation@sheffield.gov.uk

Subject: Objections to the discontinuation of Ecclesall CE junior School, and alteration of the upper age range at Clifford CE School.

Dear Sir/Madam,

Objections to the discontinuation of Ecclesall CE junior School, and alteration of the upper age range at Clifford CE School.

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– and to treat them separately does not provide the public with the opportunity to comment on the overall scheme.

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Finally, let me say that the need for extra school places, on which this whole process is based, has never been demonstrated and, in fact, even when specifically requested to provide clear figures, the Council has invariably responded vaguely, thus providing no confidence in the robustness of the decision process.

Yours sincerely,

Appendix 2: Governing Body Statements Clifford CE Infant School & Ecclesall CE Junior School

Clifford CE Infant School (21 November 2017)

The Governing Body at Clifford (VA) Infant School (CIS), following a statutory process on the proposal to extend the age range of the school, has considered the comments received during the Statutory Notice period, and is mindful of conversations and comments received during the much longer period of discussion preceding the Statutory Notice period.

In summary, the Governing Body of Clifford (VA) Infant School are recommending the Local Authority **approve** the proposal, as detailed in the Statutory Notice, for alteration of the age limit at CIS.

In considering the comments the Governing Body asks for the Local Authority to note the following:

The wider re-organisation of places in the Ecclesall area and specifically the expansion and extension of age range at Ecclesall Infant School helps the LA to meet its statutory duty to provide enough school places. The proposals to close Ecclesall CE Junior School (EJS) extend the age range at CIS effectively create a VA through primary school across two sites. This supports access to a faith based education for those parents who preference it and supports most current parents preferred model of transition across the three schools.

The proposal has been extensively discussed with interested parties over the past two years and, whilst CIS Governors appreciate that there was no one solution which was acceptable to all parties, the proposal as detailed in the Statutory Consultation is the one which gave the required outcome for the wider community.

The CIS, Ecclesall Infant School (EIS) and EJS Governors have worked closely together and have taken a full part in consultation meetings, formal and informal communications, and have fed into, and been represented on, the multi-agency Steering Group.

Governors have listened to concerns and have been mindful of the impact on current and future pupils of CIS. Inevitably the proposal has an impact on one specific cohort of pupils; our current Y2 class. CIS is developing an exciting, and vibrant, approach to the KS2 curriculum and extra-curricular activities continuing our use of topic base, including High Focus weeks and high skills teaching. We will also link closely with the Y3 cohort in Ecclesall Primary working together on projects and sports.

CIS and EJS are working closely together on the plans for the current Ringinglow Road site to make it fit for purpose for a smaller school of 120. This will include renovation of the playground area and remodelling the interior of the Main Building. The plans will include giving each classroom direct access to the

outside space. The outside space will, in time, be remodelled to include an all-weather multi sports court.

If approval is given for this expansion current timescales will see work on the Ringinglow Road site completed by the end of 2018 with two full classes (Y3 and Y2) moving to the refurbished site together to be trailblazers for the new primary school. Plans are in discussion to create opportunities for all the years to work together flexibly across both sites. Also links will be established with feeder secondary schools to encourage older pupils into the new school to mentor pupils.

To facilitate the work on site the current Y2 class will remain at the CIS Psalter Lane site for their first term of Y3. Work on creating a classroom for the Y3 group is underway by reworking an existing room in school.

CIS Governors have reviewed the responses to the consultation. Many of the responses refer to the environmental and community impact of the proposal to expand Ecclesall Infant School rather than the closure of EJS and expansion of the age range at CIS. These proposals represent a net reduction in the number of pupil accessing the current EJS site from 360 to 120.

CIS Governors will continue to be available to listen to concerns, share plans, and engage with interested parties throughout the whole process. They are grateful for the support received so far in progressing these proposals. In summary, the Governing Body of Clifford (VA) Infant School are

recommending:

- ❖ The extension of the age range at Clifford (VA) Infant School from 4-7 to 3-11 thereby creating a Voluntary Aided Primary School on two sites
- ❖ In order for this to happen they are supporting the proposal for the closure of Ecclesall (VC) Junior School.

Ecclesall CE Junior School (16 November 2017)

The Governing Body at Ecclesall Junior School (EJS), following a statutory process on the proposal to close the School, have considered the comments received (including those previously made at the numerous consultation meetings held during the last 2 years) and are recommending the Local Authority **approve** the closure of EJS.

This proposal will allow for the **transfer** of its pupils and staff to the newly expanded Ecclesall Infant school site and the related proposal to expand Clifford C of E Infant school to become a through primary school.

The proposals have been discussed at length over the last 24 months with parents and carers across the three schools and listening to their views it is clearly supported and the favoured option by the majority of our parents.

EJS, Ecclesall Infant School and Clifford Infant School have, over the last 3 years, been working closely together on the requirement to increase capacity of primary places within our locality. We appreciated that no single option was ideal but that we could come up with a solution that benefited all our pupils, both current and future.

A working group comprising of the Chairs of Governors, Head teachers, local clergy and Local Authority have regularly met and considered the various options at length and working together have supported the proposal to expand Ecclesall Infant school. We initially favoured an option to allow for the gradual growth of the new Ecclesall Primary school and the gradual reduction in pupil numbers at EJS. However, following feedback from parents, the desire for pupils to transfer to the new Primary school and create a new C of E 'Clifford' primary school was **overwhelmingly** supported.

We have listened to the comments raised throughout the consultations and have committed to working together to mitigate the concerns raised.

We have established a working group to look at how we mitigate the loss of a faith based education for some of our pupils in transferring from EJS to the new community school. Plans are at an early stage but through after school / lunchtime clubs we envisage additional provision will be on offer for the few parents who highlighted this as an issue.

We have committed to addressing parents' concerns about the impact of the move on our pupils through a programme of transition activities in the run up to September 2018.

We have reviewed the comments formally submitted during the statutory consultation process and concluded many of these are linked to and being considered as part of the planning application at Ecclesall Infants and therefore will be address as part of that process, for example traffic.

We are clear however that this proposal and that of expanding Clifford are NOT linked to the expansion of Ecclesall Infant School. These are standalone

proposals and is a view supported by the Department of Education Schools Adjudicator following a complaint.

In summary, the GB of Ecclesall Junior school are **recommending**:

- i) the closure of the School to allow for the transfer of its pupils to the new Primary school on the Ecclesall Infant site.
- ii) Support the proposal to expansion of Clifford Infant school to become a through C of E primary School based on two sites.

Appendix 3: Statutory Guidance

Change of age range

For changes that are expected to be in place for more than 2 years (as these are considered permanent increases):

Local authorities can propose:

- a change of age range of up to 2 years (except for adding or removing a sixth-form) for voluntary and foundation schools by following the non-statutory process, see [part 4](#).
- a change of age range of 1 year or more for community schools (including the adding or removal of sixth-form or nursery provision) and community special schools or alter the upper age limit of a foundation or voluntary school to add sixth-form provision by following the statutory process, see [part 5](#).

Governing bodies of foundation and voluntary schools can propose

- an age range change of up to 2 years (except for adding or removing a sixth-form) by following the non-statutory process, see [part 4](#).
- an age range change of 3 years or more or alter the upper age limit of the school to add or remove sixth form provision by following the statutory process, see [part 5](#).

Governing bodies of community schools can propose the alteration of their upper age limit to add sixth-form provision following the statutory process, see [part 5](#)

Governing bodies of community special and foundation special schools can propose a change of age range of 1 year or more following the statutory process, see [part 5](#).

Where a proposed age range change would also require an expansion of the school's premises, the LA or governing body must also ensure that they act in accordance with the requirements relating to proposals for the [enlargement of premises](#).

Where a proposal seeks to change the age range of a primary school to make it an all-through (cross phase) school the proposer (as set out below) should copy the

proposal to schoolorganisation.notifications@education.gov.uk for monitoring purposes.

The table below sets out who can propose a change of age range and what process must be followed:

| Proposer | Type of proposal | Process | Decision-maker | Right of appeal to the adjudicator |
|--|--|-----------------------|----------------|---|
| LA for voluntary and foundation | Alteration of upper or lower age range of up to 2 years (excluding adding or removing a sixth form) | Non statutory process | LA | NA |
| GB of voluntary and foundation | Alteration of upper or lower age range by up to 2 years (excluding adding or removing a sixth-form) | Non statutory process | GB | N/A |
| GB of voluntary and foundation | Alteration of upper or lower age range by three years or more | Statutory process | LA | CofE Diocese RC Diocese GB / Trustees |
| LA for community and community special | Alteration of upper or lower age range by 1 year or more (for community school including the adding or removal of sixth form or nurse provision) | Statutory process | LA | CofE Diocese RC Diocese |
| GB foundation special | Alteration of upper or lower age range by one year or more | Statutory process | LA | CofE Diocese RC Diocese GB / Trustees |

| Proposer | Type of proposal | Process | Decision-maker | Right of appeal to the adjudicator |
|---------------------------------|---|-------------------|----------------|---|
| GB community special | Alteration of upper or lower age range by one year or more | Statutory process | LA | CofE Diocese RC Diocese |
| LA for community | Alteration of upper age range so as to add or remove sixth-form provision | Statutory process | LA | CofE Diocese RC Diocese |
| LA for voluntary and foundation | Alteration of upper age range so as to add sixth-form provision. | Statutory process | LA | CofE Diocese RC Diocese GB / Trustees |
| GB of voluntary and foundation | Alteration of upper age range so as to add sixth-form provision | Statutory process | LA | CofE Diocese RC Diocese GB / Trustees |
| GB of community | Alteration of upper age range so as to add sixth-form provision | Statutory process | LA | CofE Diocese RC Diocese |
| GB of voluntary and foundation | Alteration of upper age range so as to remove sixth-form provision | Statutory process | LA | CofE Diocese RC Diocese GB / Trustees |

NB: the LA must make a decision within a period of two months of the end of the representation period or they must be referred to the [Schools Adjudicator](#).

5: Statutory process: prescribed alterations

The statutory process for making prescribed alterations to schools has four stages:

| Stage | Description | Timescale | Comments |
|---------|--|--|---|
| Stage 1 | Publication (statutory proposal / notice) | | |
| Stage 2 | Representation (formal consultation) | Must be at least 4 weeks | As prescribed in the 'Prescribed Alteration' regulations. |
| Stage 3 | Decision | LA should decide a proposal within 2 months otherwise it will fall to the Schools Adjudicator. | Any appeal to the adjudicator must be made within 4 weeks of the decision. |
| Stage 4 | Implementation | No prescribed timescale | However it must be as specified in the published statutory notice, subject to any modifications agreed by the decision-maker. |

Although there is no longer a statutory 'pre-publication' consultation period for prescribed alteration changes, there is a strong expectation that schools and LAs will consult interested parties, in developing their proposal prior to publication, as part of their duty under public law to act rationally and take into account all relevant considerations. Schools will also need to ensure that they have the consent of the site trustees and other relevant religious authorities⁴ (where necessary).

When considering making a prescribed alteration change, it is best practice to take timing into account, for example:

- by holding consultations and public meetings – either formal or informal – during term time, rather than school holidays;
- plan where any public and stakeholder meetings are held to maximise response: and

⁴ Including under the CofE Diocesan Board of Education (DBE) Measure 1991.

- take into account the admissions cycle for changes that will impact on the school's admission arrangements.

A number of changes can impact on admissions, necessitating reductions in PAN, new relevant age groups for admission or the adoption of revised admission criteria. Changes to admission arrangements can be made by the admission authority in one of two ways:

- the consultation on changing the admission arrangements (as set out in the [School Admissions Code](#)) takes place sufficiently in advance of a decision on the prescribed alteration so that the change to admissions can be implemented at the same time as the proposals; or
- a variation is sought, where necessary in view of a major change in circumstances, from the [Schools Adjudicator](#) so that the changes to the admission policy can be implemented at the same time as the prescribed alteration is implemented.

Decision-makers should, so far as is possible, co-ordinate with the admission authority, if different, to ensure they avoid taking decisions that will reduce a PAN or remove a relevant age group for admission after parents have submitted an application for the following September (e.g. 31 October for secondary admissions or 15 January for primary admissions).

Publication

A statutory proposal must contain sufficient information for interested parties to make a decision on whether to support or challenge the proposed change. [Annex A](#) sets out the minimum that this should include. The proposal should be accessible to all interested parties and should therefore use 'plain English'.

Where the proposal for one change is linked to another, this should be made clear in any notices published. Where a proposal by a LA is 'related' to a proposal by other proposers (e.g. where one school is to be enlarged because another is being closed) a single notice could be published.

The full proposal must be published on a website (e.g. the school or LA's website) along with a statement setting out:

- how copies of the proposal may be obtained;
- that anybody can object to, or comment on, the proposal;
- the date that the representation period ends; and

- the address to which objections or comments should be submitted.

A brief notice (including details on how the full proposal can be accessed e.g. the website address) must be published in a local newspaper. If the proposal is published by a governing body then notification must also be posted in a conspicuous place on the school premises and at all of the entrances to the school.

Within one week of the date of publication on the website, the proposer must send a copy of the proposal and the information set out in the paragraph above to:

- the governing body/LA (as appropriate);
- the parents of every registered pupil at the school - where the school is a special school;
- if it involves or is likely to affect a school which has a religious character:
 - the local Church of England diocese;
 - the local Roman Catholic diocese; or
 - the relevant faith group in relation to the school; and
- any other body or person that the proposer thinks is appropriate.

Within one week of receiving a request for a copy of the proposal the proposer must send a copy to the person requesting it.

There is no maximum limit on the time between the publication of a proposal and its proposed date of implementation. However, proposers will be expected to show good reason (for example an authority-wide reorganisation) if they propose a timescale longer than three years.

Representation (formal consultation)

The representation period starts on the date of the publication of the proposal and must last four weeks. During this period, any person or organisation can submit comments on the proposal to the LA to be taken into account by the decision-maker. It is also good practice for representations to be forwarded to the proposer to ensure that they are aware of local opinion.

Decision

The LA will be the decision-maker in all cases except where a proposal is 'related' to another proposal that must be decided by the [Schools Adjudicator](#)⁵.

Decisions must be made within a period of two months of the end of the representation period or they must be referred to the Schools Adjudicator.

However, the body or individual that takes the decision must have regard to the statutory [guidance for decision-makers](#).

When issuing a decision, the decision-maker can:

- reject the proposal;
- approve the proposal without modification;
- approve the proposal with modifications, having consulted the LA and/or governing body (as appropriate); or
- approve the proposal – with or without modification – subject to certain conditions⁶ (such as the granting of planning permission) being met.

A proposal can be withdrawn by the proposer at any point before a decision is taken. When doing so the proposer must send written notice to the LA or the governing body (as appropriate); or the Schools Adjudicator (if the proposal has been sent to them). A notice must also be placed on the website where the original proposal was published.

Within one week of making a decision the LA must publish their decision and the reasons for it, on the website where the original proposal was published and send copies to:

- the LA (where the Schools Adjudicator is the decision-maker);
- the Schools Adjudicator (where the LA is the decision-maker);
- the governing body/proposers (as appropriate);
- the trustees of the school (if any);
- the local Church of England diocese;

⁵ For example where a change is conditional on the establishment of a new school under section 10 or 11 of EIA 2006 (where the Schools Adjudicator may be the default decision maker).

⁶ The prescribed events are those listed in paragraph 8 of Schedule 3 to the Prescribed Alterations Regulations.

- the local Roman Catholic diocese;
- the parents of every registered pupil at the school – where the school is a special school; and
- any other body that they think is appropriate (e.g. other relevant faith organisation).

If the [Schools Adjudicator](#) is the decision-maker they must notify the persons above of their decision, together with the reasons, within one week of making the decision. Within one week of receiving this notification the LA must publish the decision, with reasons, on the website where the original proposal was published.

Within one week of the decision being made the proposer (i.e. governing body or LA) should make the necessary changes to the school's record in the department's [EduBase](#) system and must make the change by the date of implementation.

Rights of appeal against a decision

The following bodies may appeal to the Schools Adjudicator against a decision made by a LA decision-maker, within four weeks of the decision being made:

- the local Church of England diocese;
- the local Roman Catholic diocese; and
- the governors and trustees of a foundation, foundation special or voluntary school that is subject to the proposal.

On receipt of an appeal, an LA decision-maker must then send the proposal, representations received and the reasons for their decision to the Schools Adjudicator within one week of receipt. There is no right of appeal on determinations made by the Schools Adjudicator.

Implementation

The proposer must implement a proposal in the form that it was approved, taking into account any modifications made by the decision-maker.

3: School closures

All decisions related to school closures are taken locally following a statutory process to allow those directly affected by the proposals to feed in their comments.

All decisions on proposals to close a school must be made in accordance with the factors outlined in the [guidance for decision-makers](#).

Who can close a school?

An LA can propose the closure of **ALL** categories of maintained school, following the five-stage statutory process in [part 4](#).

The governing body of a voluntary, foundation, or foundation special school may also publish proposals to close its own school following the statutory process. Alternatively, it may give [at least two years' notice of its intention to close](#) the school to the Secretary of State and the LA.

Reasons for closing a maintained school include where:

- it is surplus to requirements (e.g. result of an area-wide reorganisation and/or neighbouring schools have sufficient places to accommodate displaced pupils);
- it is to be ['amalgamated' with another school](#);
- it is failing and there is no viable sponsored academy solution;
- it is to [acquire, lose or change religious character](#); or
- it is being replaced by a new school.

Amalgamations

There are two ways to amalgamate two (or more) existing maintained schools:

- The LA or governing body (depending on school category) can publish a proposal to close two, or more, schools and the LA or a proposer other than the LA (e.g. diocese, faith or parent group, Trust) depending on category, can publish a proposal to open a new school or presumption free school (see [part 2](#)). This results in a new school number being issued.
- The LA and / or governing body (depending on school category) can publish a proposal to close one school (or more) and enlarge / change the age range / transfer site (following the statutory process as / when necessary) of an existing school, to accommodate the displaced pupils. The remaining school would retain its original school number, as it is not a new school, even if its phase has changed.

The table below sets out a summary of the process for closing a maintained school.

| Proposer | Type of proposal | Decision-maker | Right of appeal to the Adjudicator? |
|-----------------|--|-----------------------|--|
| LA | Following a statutory process to close a community, community special or maintained nursery school | LA | CofE Diocese RC Diocese |
| LA | Following a statutory process to close a foundation, foundation special or voluntary school | LA | CofE Diocese RC Diocese GB Trustees |
| Governing Body | Following a statutory process to close a voluntary, foundation or foundation special school | LA | CofE Diocese RC Diocese GB Trustees |

NB: the LA must make a decision within a period of two months of the end of the representation period or they must be referred to the [Schools Adjudicator](#).

4: The statutory process

The statutory process for opening⁵ and closing⁶ a maintained school has five stages:

| Stage | Description | Timescale | Comments |
|---------|----------------|--|---|
| Stage 1 | Consultation | No prescribed timescale. | Informal / pre consultation. Recommended to last a minimum of 6 weeks. School holidays should be taken into consideration and avoided where possible. Likely to be no longer than 12 months. |
| Stage 2 | Publication | | Publication of the statutory notice and proposal |
| Stage 3 | Representation | Must be 4 weeks, at least, from date of publication. | Formal consultation. As prescribed in the Establishment and Discontinuance of Schools Regulations and cannot be shortened or lengthened. |
| Stage 4 | Decision | LA should decide a proposal within 2 months otherwise it will fall to the Schools Adjudicator. | Where permitted appeals must be made within 4 weeks of notification of the decision. |
| Stage 5 | Implementation | No prescribed timescale. | However the date must be as specified in the published notice, subject to any modifications agreed by the decision-maker. |

⁵ Under sections 10 and 11 of EIA 2006

⁶ Under section 15 of EIA 2006

Consultation

Except where the school is a rural school or a special school where there are prescribed consultees (see [Annex A](#)), proposers of a school closure must consult organisations, groups and individuals they feel to be appropriate (the information in Annex A can be used for examples). The information that **MUST** be included in a closure proposal is set out at [Annex B](#). The information that **MUST** be included in a proposal to establish a new school under the section 10 or 11 processes is set out in [Annex C](#).

Where a LA or governing body carries out a preliminary (informal/ stage one) consultation to consider a range of options for a possible reorganisation, this would not be regarded as a statutory consultation as set out in legislation. The statutory consultation would need to cover the specific opening or closure proposal of the school in question.

How the stage one consultation is carried out is not prescribed in regulations and it is for the proposer to determine the nature of the consultation and its length (although a minimum of six weeks is recommended). It is best practice for consultations to be carried out in term time to allow the maximum number of people to respond. The Cabinet Office guidance on [Consultation principles](#) can be used for other examples of best practice.

Publication

A statutory proposal should be published within 12 months of the stage one consultation period being completed. This is so that it can be informed by up-to-date feedback. A proposal must contain the information specified in either Schedule 1 for establishing a new school (see [Annex C](#)) or Schedule 2 for closing a school (see [Annex B](#)) of the Establishment and Discontinuance Regulations.

The full proposal must be published on a website (e.g. the school or LA's website) along with a statement setting out:

- how copies of the proposal may be obtained;
- that anybody can object to, support, or comment on, the proposal;
- the date that the representation period ends; and
- the address to which objections or comments should be submitted.

A brief notice (including details on how the full proposal can be accessed e.g. the website address) must be published in a local newspaper and in a conspicuous place on the school premises and at all of the entrances to the school.

Within one week of the date of publication of a section 10 or 11 proposal to open a new school, the proposer **MUST** send a copy of the proposal to the LA which it is proposed would maintain the school.

On the day of publication of a proposal to close a school the proposer **MUST** send a copy of the proposal to the governing body/LA (as appropriate).

In all cases, within one week of the date of publication on the website, the proposer **MUST** send a copy of the proposal and the information set above to:

- the Secretary of State (schoolorganisation.notifications@education.gsi.gov.uk);
- the parents of every registered pupil at the school - where the school is a special school;
- the local Church of England diocese;
- the local Roman Catholic diocese; and
- any other body or person that the proposer thinks is appropriate (e.g. relevant faith group).

Within one week of receiving a request for a copy of the proposal the proposer must send a copy to the person requesting it.

Related proposals

A proposal for one change can be linked to another proposal(s) for example such an amalgamation where two schools are closing and are to be replaced by a completely new school or if the need for the closure arises from an area-wide reorganisation such as a result of long-term LA planning.

In these cases this should be made clear in any informal or formal consultation processes, in published notices and proposals. All notices should be published together / or as one notice (e.g. where one school is to be enlarged because another is being closed a single notice could be published) and specified as 'related'.

Decisions on 'related' proposals should also be made at the same time.

Representation

The representation period starts on the date of publication of the statutory proposal and must last for at least four weeks. During this period, any person or organisation can submit comments on the proposal, to the LA, to be taken into account by the decision-maker. It is also good practice for representations to be forwarded to the proposer to ensure that they are aware of local opinion.

Decision

The LA will be the decision-maker on a school closure proposal, unless the closure proposal is 'related' to another proposal that is to be decided by the [Schools Adjudicator](#).

The Schools Adjudicator will decide LA proposals for new schools (and cases where the LA are involved in the Trust of a proposed foundation school). The LA will decide proposals for new schools from other proposers.

If the LA does not make a decision within a period of two months of the end of the representation period, they must, within a week of the end of the two month period, refer the case to the Schools Adjudicator.

However, the body or individual that takes the decision must have regard to the statutory '[Decision-makers Guidance](#)'.

When issuing a decision, the decision-maker can:

- reject the proposal;
- approve the proposal without modification;
- approve the proposal with such modifications, as the LA think desirable, after consulting the LA and/or governing body (as appropriate); or
- approve the proposal – with or without modification – subject to certain conditions⁷ (such as the granting of planning permission) being met.

A proposal can be withdrawn by the proposer at any point before a decision is taken. When doing so the proposer must send written notice to the LA and the [Schools Adjudicator](#) (if the proposal has been sent to them). A notice must also be placed on the website where the original proposal was published.

Within one week of making a determination the decision-maker must arrange (via the proposer as necessary) for their decision and the reasons for it to be published on the website where the original proposal was published. They must arrange for notification of the decision and reasons for it to be sent to:

- The Secretary of State (via schoolorganisation.notifications@education.gsi.gov.uk)
- the LA (where the Schools Adjudicator is the decision-maker);
- the governing body/proposers (as appropriate);
- the trustees of the school (if any);
- the local Church of England diocese;
- the local Roman Catholic diocese;
- for a special school, the parents of every registered pupil at the school; and
- any other body considered appropriate (e.g. other relevant faith organisation).

Rights of appeal against a decision

Within four weeks of the decision being made the following bodies may appeal to the Schools Adjudicator against a decision made by a LA:

- the local Church of England diocese;
- the local Roman Catholic diocese;

⁷ As specified in Part 5 (20) of the Establishment and Discontinuance Regulations

- the proposers of section 10 and 11 proposals where the LA is the decision-maker; and
- the governors and trustees of a foundation, foundation special or voluntary school that is subject to a proposal for closure

On receipt of an appeal, an LA decision-maker must then send the proposal, representations received and the reasons for their decision to the [Schools Adjudicator](#) within one week of receipt.

There is no right of appeal on determinations made by the Schools Adjudicator.

Implementation

There is no maximum limit on the time between the publication of a proposal and its proposed date of implementation. However, proposers will be expected to show good reason (for example an authority-wide reorganisation) if they propose a timescale longer than three years.

The proposer must implement a proposal in the form approved, taking into account any modifications made by the decision-maker.

The school organisation team will make the necessary changes to the school(s) EduBase record(s).