

## **Cabinet**

**5 March 2009**



### **School Organisation: The Determination of the Office of the Schools' Adjudicator on the Proposal to Reorganise Shotton Hall Infant and Junior Schools into a New Build Primary School**

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**Report of David Williams, Corporate Director, Children and Young People's Services**

**[Cabinet Portfolio Member for Children's Services, Councillor C Vasey]**

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#### **Purpose of the Report**

- 1 To inform Cabinet of the determination of the Office of the Schools' Adjudicator on the proposal of Durham County Council to reorganise Shotton Hall Infant and Junior Schools into one new build primary school and to comment on the potential for the project to be completed earlier than originally anticipated.

#### **Background**

- 2 At its meeting on 18 September 2008 Cabinet gave approval to issue a statutory public notice on the proposal to reorganise Shotton Hall Infant and Junior Schools into a new build primary school. The notice was subsequently published on 23 October 2008 with an expiry date of 4 December 2008.
- 3 Previously Cabinet would have been informed of the responses to the Statutory Notice and asked to determine the proposal. With effect from May 2007 the new statutory framework established by the Education and Inspections Act applies for the establishment of any new maintained schools. In summary this means that the Local Authority (LA) would either invite proposals from other interested parties to run the school, ie run a 'competition' or apply to the Secretary of State for consent to publish proposals for a new school without running a competition.
4. Cabinet will recall that the LA submitted an application to the Department for Children, Schools and Families (DCSF) to publish the proposal to reorganise Shotton Hall Infant and Junior Schools into a new build primary school, which received approval. However the final decision on the proposal to establish the new school would be made by the Office of the Schools' Adjudicator as the LA cannot determine its own proposal.

## **The Decision of the Schools' Adjudicator**

- 5 The LA received notification from the Office of the Schools' Adjudicator on Thursday 15 January 2009 which states "Under the powers conferred on me in Paragraphs 10 and 15 of Schedule 2 to the Education and Inspections Act 2006, I hereby approve the proposal with the condition that planning provision for the new school is obtained by 1 June 2009."

## **Other Issues**

- 6 Members will recall that on 18 September 2008 Cabinet also decided that the opportunity would be taken to build the new primary school in conjunction with the work to rebuild Shotton Hall Secondary School which is scheduled to be a 'sample' school under the Building Schools for the Future (BSF) programme. It has become clear that the private sector partner likely to be procured to undertake the building works may be able to complete the build of the primary school as early as Autumn 2010, almost a year earlier than first anticipated. It is recommended that officers be authorised to work with the governing bodies and headteachers involved to seek agreement to, and implement, an appropriate transition plan to make early use of the new building to maximise educational opportunity, whilst where possible protecting the interests of staff in the schools scheduled for closure.

## **Recommendation**

- 7 Cabinet is recommended to:
- (i) note the approval given by the Office of the Schools' Adjudicator to the proposal to reorganise Shotton Hall Infant and Junior Schools into a new build primary school from 1 September 2011;
  - (ii) Authorise officers to work with the closing schools to agree and implement a transition plan allowing early use of the new building if it can be opened in the 2010/11 academic year.

## **Background Papers**

Cabinet Report dated 18 September 2008 "The outcomes of initial consultation with Shotton Hall Infant and Junior Schools"

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Reorganisation Shotton Hall Infant and Junior Schools/SMc

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## **Appendix 1: Implications**

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### **Local Government Review**

None

### **Finance**

The cost of the new build is approximately £5 million to be funded from the School Modernisation Fund.

### **Staffing**

There will be staffing implications which, as yet, cannot be determined.

### **Equality and Diversity**

Equality and Diversity will be addressed by the school being fully accessible to pupils from Shotton Hall.

### **Accommodation**

The new building will provide enhanced facilities to benefit pupils, teachers and the community of Shotton Hall.

### **Crime and Disorder**

None.

### **Sustainability**

The building will be sustainable in accordance with national guidelines for sustainability but also providing sustainable education provision.

### **Human Rights**

All pupils have a right to be educated in accordance with the United Nations Declaration on Children's Rights.

### **Localities and Rurality**

There are implications for the community of Shotton Hall.

### **Young People**

The decision of the Schools' Adjudicator will have a direct impact on young people.

### **Consultation**

The decision of the Office of the Schools' Adjudicator follows statutory consultation with a range of relevant stakeholders including Local Elected Members for the ward of Peterlee West, pupils, parents, staff, Governors, the wider community and neighbouring authorities.

### **Health**

The health of pupils should be improved as the new building will include enhanced dining and PE facilities.

