

## **TELFORD & WREKIN COUNCIL**

**CABINET – 27<sup>th</sup> OCTOBER 2009**

### **PLANNING OF SCHOOL PLACES: STIRCHLEY PRIMARY SCHOOL AND THREE OAKS PRIMARY SCHOOL TRUST STATUS**

**REPORT OF CORPORATE DIRECTOR: CHILDREN AND YOUNG PEOPLE**

## **1 PURPOSE**

- 1.1 The purpose of this report is to feedback on formal consultation and to seek approval from the Cabinet to publish a statutory notice in relation to proposals to merge Stirchley Primary and Three Oaks Primary schools and redesignate the proposed new Trust primary school to become a partner of the Lord Silkin School Trust whilst retaining its individual status.

## **2 RECOMMENDATIONS**

**The Cabinet is recommended to:**

- 2.1 **Authorise the Corporate Director: Children and Young People, to publish a statutory notice in respect of a proposal to merge and co-locate Stirchley Primary and Three Oaks Primary maintained schools into a new Trust primary school as part of the Lord Silkin Sports & Learning Community to open in September 2010.**
- 2.2 **Authorise the Head of Property & Design, in consultation with the Head of BSF, Resources and Social Regeneration, to negotiate the terms of the transfer of Land and Buildings in the new Trust School proposal and the Head of Legal Services to execute all necessary agreements and documentation relating thereto.**

## **3 SUMMARY**

- 3.1 Formal consultation has taken place regarding the proposal to merge the existing Stirchley Primary and Three Oaks Primary Schools. This process was completed by the end of the summer term 2009. Recent guidance from the Department for Children Schools and Families (DCSF), however, requires that Local Authorities (LA's) increase where possible the diversity of school provision within their area. The DCSF has advised that since the Lord Silkin School became a Trust from September 2009, the expectation would be that

the new primary school would form part of the Trust. Since the two existing schools have already indicated that they are willing to be partners of the Trust, and the new school will form an integral part of the new Sports & Learning Community, it is felt to be the preferred available option.

- 3.2 Further consultation has taken place with the headteachers, governing bodies and staff in relation to the acquisition of trust school status.

#### **4 PREVIOUS MINUTES**

- 4.1 Cabinet 12<sup>th</sup> January 2009 Planning of Places – Stirchley Primary and Three Oaks Primary Schools.

#### **5 INFORMATION**

##### **Background**

- 5.1 Under the provisions of the Education & Inspections Act 2006, a Trust school is defined as a Foundation school with a foundation body. The school remains a Local Authority (LA) maintained school, which is supported by a charitable Trust which appoints some of the governors. It operates within the same framework as other maintained schools, teaching the National Curriculum, follows the School Admissions Code of Practice and is subject to inspection by Ofsted. Teaching staff will be employed under the terms of the School Teachers' Pay and Conditions Document. The LA will continue to fund the school on the same basis as all other LA schools and will retain its intervention powers if there are problems at the school. Trust schools differ because their charitable Trust establishes a long-term relationship with external partners and involves them in the school's governance and leadership.
- 5.2 The Trust partners of the new primary school will be: Lord Silkin School, TCAT, University of Wolverhampton, Fabweld and the Local Authority.
- 5.3 Initial consultation has taken place with both existing schools' Governing Bodies, and both sets of Governors unanimously voted to proceed with the Expression of Interest to form part of the Supported Schools Programme of the Specialist Schools and Academies Trust (SSAT). The LA submitted the Expression of Interest in July 2009 and approval is expected in due course.
- 5.4 Further consultation has taken place with both sets of school staff at a joint meeting on 14th September 2009, where LA officers explained the process of Trust acquisition and the changes to their contractual arrangements. No adverse comments were forthcoming and full support was given to the proposals.

## **6 EQUALITY AND DIVERSITY**

6.1 The proposals detailed in the recommendations to this report would help to promote the Council's equality commitment in terms of:

- Reducing disparities in the current quality of both schools accommodation.
- Provide better, up to date facilities which meet the requirements of the Disability Discrimination Act and opportunities for social inclusion through extended learning, lifelong learning and early years & childcare provision.
- Ensuring sufficient quality places are available locally to the community within the Stirchley area.

The proposed transition to Trust school status will not affect the schools approach to ensuring equality and diversity. The school will remain committed to providing quality teaching and learning to all diverse groups within its community.

## **7 ENVIRONMENTAL IMPACT**

7.1 All new buildings provided by funding from the Primary Capital Programme would be designed to the latest environmentally friendly and energy efficient standards and replace old outdated buildings which are energy inefficient.

## **8 LEGAL COMMENT**

8.1 Changes to school organisation are governed by the requirements of the Education and Inspections Act 2006 and Guidance published by the Department for Children Schools and Families [DCSF].

8.2 The Local Authority is required to follow the statutory requirements in the Education and Inspections Act 2006 with reference to consultation.

8.3 Any decision, following consultation, to merge schools and to establish a new school requires the publication of a statutory notice which must stand for a 6 week period. If any objections are received within the notice period ultimate decision making passes to the independent Schools Adjudicator who may accept, reject or seek to amend the Trust School Proposal.

8.4 The freehold land and buildings which are occupied by the primary school will be transferred in accordance with the DCSF Guidance for the Transfer and Disposal of School Land in England from the Local Authority to the newly created Trust Primary School on the implementation of the acquisition of the Trust for nil consideration by virtue of the Education and Inspections Act 2006. The land and buildings will be held in trust by the Trust School for the duration

of its relationship with the School. Should this role cease the land and assets will revert to Local Authority.

## **9 LINKS WITH CORPORATE PRIORITIES**

9.1 The specific proposals will all significantly contribute to the realisation of the Council's Community Priorities with particular emphasis in respect of:

- Transforming Telford & Wrekin;
- Giving Children & Young People the Best Possible Start in their lives;
- Maintaining a High Quality, Attractive and Sustainable Environment;
- Strengthening the Local Economy & the Skills of Local People.

## **10. OPPORTUNITIES AND RISKS**

The opportunities and risks associated with this proposal have been identified and assessed. Arrangements will be put in place to manage the risks and maximise the opportunities that have been identified.

## **11 FINANCIAL IMPLICATIONS**

11.1 The funding for the new school will be met from the Primary Capital Programme recently confirmed by DCSF following evaluation of the Authorities Primary Capital Strategy. The interim accommodation requirements e.g. temporary classbases will be met from capital receipts from the overall Borough Towns Initiative Sport and Learning Communities (BTISLC) Project.

11.2 Ongoing revenue savings will be realised through the merger of two primary schools into one single school due to the associated reduction in headteacher post, administration costs, repairs and maintenance on old buildings, utility services etc. These savings will be reinvested into all schools.

### **11.3 Trust School Status**

There are no significant financial implications as the schools will remain LA maintained schools funded by the LA. An 80% mandatory charity National Non – Domestic rate relief is applicable to the Trust schools which when reflected in the schools' funding formula will release an amount of funding to be reinvested in all schools. Trust Partners' contributions to the schools will not be financial but in the form of skills, knowledge and expertise. The ownership of the land will transfer to the individual Trust school once the application process has been completed. In this case the school is due to relocate as part of plans for Borough Towns Initiative Sport and Learning Communities. The current site will then revert back to Council ownership, and the new site will transfer to the respective Trust body.

## **12 WARD IMPLICATIONS**

12.1 The site is located within the Nedge Ward.

**Ward Members      Councillor Yvonne Hicks  
                                 Councillor Ute Sambrook  
                                 Councillor Richard Tyler**

## **13 BACKGROUND PAPERS**

- Building Schools for the Future – Strategy for Change Part 1 and 2
- Building Schools for the Future – Outline Business Case
- Children & Young People Asset Management Plan
- Every Child Matters: Primary Capital Programme Prospectus (March 2006)
- Telford & Wrekin Primary Strategy for Change (Resubmission March 2009)

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