

## **Cheshire West and Chester Council**

27 January 2020

Cheshire West and Chester Council (the Local Authority) is proposing the amalgamation of Overleigh St Mary's Church of England Primary School, Old Wrexham Rd, Chester, CH4 7HS and St Mary's Community Nursery School, Old Wrexham Rd, Chester, CH4 7HS.

It is proposed this amalgamation is achieved through the related proposals to discontinue (close) St Mary's Community Nursery School and to extend the age range of Overleigh St Mary's Church of England Primary School from 4-11 to 3-11 years of age.

### **1. Why we are proposing the amalgamation of these schools?**

In June 2019 the governing body of St Mary's Community Nursery School (St Mary's NS) requested that the Local Authority initiate consultation on the possible closure of the school because they were unable to set a balanced budget for the school. This decision was reached with great regret after exhaustive exploration of possible options to sustain a financially viable school. The previously viable school's financial difficulties are a consequence of a forecast future falling number of pupils on roll and a national funding mechanism that has led to a reduction in the number of maintained nursery schools nationally, primarily as a consequence of the requirement, not faced by other Early Years settings, of having to fund the additional cost of a headship. The decision was made in the recognition that staffing cuts already made had not achieved a balanced budget and that further organisational change would be necessary to reduce the rapidly accruing deficit.

The school has been located on the same site as Overleigh St Mary's CE School (Overleigh StM) since January 2009 and has been the main nursery feeder to the school since its co-location. The Overleigh StM governing body has resolved that in the event that a decision is made to close St Mary's NS then they be permitted to extend the age range of the school to enable them to make an offer of nursery education to the age range of children currently served by St Mary's NS.

### **2. Why is this described as an amalgamation when one school is closing and the other stays open?**

Statutory Guidance states that there are two ways to amalgamate two existing maintained schools, in this instance the Local Authority could:

- Publish a proposal to close both schools and the Local Authority (or the Diocese, or a free school provider) could publish a proposal to open a new school.
- Publish a proposal to close one school and change the age range of the other school.

When the governing body of St Mary's NS requested the LA consider closing the school the LA approached the governing body of Overleigh StM and Chester Diocesan Board of Education to establish whether they were prepared to consider either of these amalgamation options. There was a strong consensus that the second route to amalgamation was the only one they were prepared to consider.

### **3. When is it proposed to implement the amalgamation?**

If the proposal is approved it is anticipated that the amalgamation would take effect from 1<sup>st</sup> January 2021. From this point in time all activity would be carried out under the identity and governance of the existing Overleigh StM school. In readiness for this it is proposed that should the related proposals be approved then the Overleigh StM articles of governance be changed to assure representation of an early years member of staff and a parent with a child in the school's early year's provision.

### **4. Will the admissions arrangements change?**

Overleigh StM currently has a capacity for 420 pupils of statutory school age who are admitted in accordance with the Local Authority's Admission Arrangements for community and voluntary controlled schools, this arrangement will not change.

St Mary's NS currently has the capacity to admit up to 52 children to each of its morning and afternoon sessions (i.e. 104 pupil sessions/day). It is currently undersubscribed and it is proposed that from September 2020 the school will be staffed to provide 78 pupil sessions each day. It is proposed that a 78 pupil session capacity will be maintained after amalgamation, although the school will have the physical capacity to revert to 104 place provision if there is sufficient demand for places.

Children are admitted to St Mary's NS in line with guidance produced by the Local Authority on admissions to maintained nursery provision. This guidance will still apply after amalgamation. Children attending St Mary's NS do not currently enjoy any priority for admission to Overleigh StM. This accords with statutory guidance and will not be changed by the proposed amalgamation.

### **5. Will any pupils be displaced by the proposed amalgamation?**

All pupils on the roll of St Mary's NS will automatically transfer to the Overleigh StM roll on 01 January 2021, children due to be admitted to St Mary's NS on 01 January 2021 and 01 April 2021 will be enrolled into the Overleigh StM maintained nursery class. No child will be displaced by the amalgamation.

### **6. How will this impact on the community?**

It is proposed that the greater flexibility enabled by the amalgamation of the school premises will enable a more flexible offer of early years childcare to be made at either end of the day, this will be to the advantage of working parents and the economic health of the local community.

### **7. Will the amalgamated school have a religious character?**

It is proposed that the amalgamated school will retain Overleigh StM's existing character of being a Church of England voluntary controlled school. This will be reflected in the governance arrangement of the school which will continue to allow Chester Diocese to appoint 25% of the members of the governing body, these are known as 'foundation governors'.

In September 2019 77% of parents of children who had attended St Mary's NS accepted the offer of a place at a primary school with a religious character, this would suggest the acquisition of a religious character for nursery education is unlikely to be a significant issue for the majority of parents. There are other early years providers within a walkable distance of Overleigh StM that do not have a religious affiliation.

## **8. Is there a legal presumption against the closure of maintained nursery schools?**

Yes, where proposals relate to the discontinuance (closure) of a maintained nursery school, a statement must be made setting out-

- a) the local authority's assessment of the quality and quantity of the alternative provision compared to the alternative provision compared to the school proposed to be discontinued and the proposed arrangements to ensure the expertise and specialism continues to be available; and
- b) The accessibility and convenience of replacement provision for local parents.

That statement is appended to this document.

## **9. Will there be an impact upon travel arrangements?**

Because the schools are co-located there will be no increase in travel distance for parents and pupils. Increased flexibility around the early years offer may afford parents greater opportunity to synchronise the travel arrangements for nursery and school aged pupils leading to a potential reduction in the number of journeys made.

## **10. The consultation process – indicative timeline**

### **27 January – 01 March 2020**

Informal Consultation with drop-in meetings at schools for parents/carers, staff, governors, other stakeholders and interested parties;

- **05 February 2020 3pm-7pm Overleigh St Marys CE Primary School**
- **12 February 2020 11am-12.15pm and 3pm-7pm St Mary's Community Nursery School**

### **March 2020**

The Director of Education and Inclusion determines whether the proposal should proceed to decision-making either in its current form or in an amended form as a consequence of feedback received to the consultation process.

### **April 2020**

If the Director of Education and Inclusion has determined to continue with the proposal a Public Notice will be displayed in a local newspaper, displayed at the schools, and published on the Council's website. During this time comments and objections can be made to the proposal. The period of notice lasts four weeks.

### **June 2020**

The Cabinet Member for Children and Young People considers all responses made and decides whether to go ahead with the proposal. This decision is subject to scrutiny and possible appeal.

### **September 2020**

Irrespective of the Cabinet Member's decision a reduced staffing arrangement will be implemented at St Mary's Community Nursery School.

### **January 2021**

If approved the amalgamation proposal will be fully implemented.

## 11. How can I give my views?

There are a number of ways to give us your views on this proposal:

- At a drop-in for parents/carers, members of staff, governors and other interested parties to be held at Overleigh St Mary's CE Primary School on Wednesday 05 February 2020 from 3pm-7pm and at St Mary's Community Nursery School on Wednesday 12 February 2020 from 11am-12.15pm and 3pm-7pm, where there will be the opportunity to ask questions and complete a response form.
- By sending the response form to Cheshire West and Chester Council, School Organisation Team (Nicholas House, Floor 3) 4 Civic Way, Ellesmere Port, CH65 0BE. Alternatively, you may hand your response form in at either school. All written responses need to be received by midnight on Sunday 01 March 2020.
- By completing the online form at [https://www.smartsurvey.co.uk/s/StMarys\\_Consultation/](https://www.smartsurvey.co.uk/s/StMarys_Consultation/)
- By emailing [schoolplanningandpolicy@cheshirewestandchester.gov.uk](mailto:schoolplanningandpolicy@cheshirewestandchester.gov.uk)
- Visit link [www.cheshirewestandchester.gov.uk/StMarysConsultation](http://www.cheshirewestandchester.gov.uk/StMarysConsultation) for further information.

## 12. What happens next?

This consultation stage closes on midnight 01 March 2020. A report summarising the responses received during the consultation period will be submitted to the Director of Education and Inclusion who will then decide whether to proceed with the related proposals, either in the current form or in an amended form as a consequence of feedback received during consultation. If a decision is made to take forward the related proposals then this will be published as a statutory proposal in the form of a public notice. The public notice would be published in a local newspaper. For a period of four weeks following the publication date anyone can comment on the proposals. Having taken into account any responses to the notice and the pre-publication consultation, the Cabinet Member for Children and Young People will then take a final decision as to whether to proceed with the related proposals.

**We would like your comments on the Council's proposals for amalgamation of St Mary's Community Nursery School and Overleigh St Mary's CE Primary School set out in the accompanying consultation document. Please read this document before completing this survey. Feedback must be returned by deadline of midnight 01 March 2020.**

**Q1.** Do you agree or disagree with the proposal to amalgamate the schools through the closure of St Mary's Community Nursery School and an increase in the age range of Overleigh St Mary's CE Primary School?

Agree

Disagree

Not sure/don't know

**Q2.** Do you wish to make any additional comments with regards to the proposed amalgamation of the schools?

### **About you**

The information you give in this section is strictly confidential and will be used to analyse the responses. All questions are voluntary; please leave blank any you wish not to answer. No information will be released that would allow identification of you as an individual or of your household.

**Q3.** To which of the following categories do you belong?

Parent/carer

Pupil\*

Governor

Member of school staff

Local resident

Other\*\*

\*\* Please specify.....

\* Please ensure an adult knows you are completing this survey

**Q4.** Which school (if any) are you linked with .....

**Q5.** Please tell us your postcode (not full address).....

Please send any responses back by the deadline of midnight 01 March 2020,

- By post: School Organisation Team, Cheshire West & Chester Council, (Floor 3, Nicholas House) , 4 Civic Way, Ellesmere Port, CH65 0BE
- Email: [schoolplanningandpolicy@cheshirewestandchester.gov.uk](mailto:schoolplanningandpolicy@cheshirewestandchester.gov.uk)

Thank you for completing this survey.

## Additional Information

- Cheshire West and Chester Borough Council is a data controller under the General Data Protection Regulations 2018 and will comply with the requirements of the Act at all times. The Council will ensure that your personal information is processed fairly and lawfully and in this instance used only for the purpose of validation, which will enable a fair and just consultation.
- At the end of the period of informal consultation the Council will assess the Equality Impact of the proposal to see if it could affect anyone unfairly. We welcome any comments you might wish to make that might help to inform this assessment.

### Accessing Cheshire West and Chester Council information and services

Council information is also available in Audio, Braille, Large Print or other formats. If you would like a copy in a different format, in another language or require a BSL interpreter, please email us at [equalities@cheshirewestandchester.gov.uk](mailto:equalities@cheshirewestandchester.gov.uk)

إذا أردت المعلومات بلغة أخرى أو بطريقة أخرى، نرجو أن تطلب ذلك منا.

যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।

Pokud byste požadovali informace v jiném jazyce nebo formátu, kontaktujte nás

Jeżeli chcieliby Państwo uzyskać informacje w innym języku lub w innym formacie, prosimy dać nam znać.

ਜੇ ਇਹ ਜਾਣਕਾਰੀ ਤੁਹਾਨੂੰ ਕਿਸੇ ਹੋਰ ਭਾਸ਼ਾ ਵਿਚ ਜਾਂ ਕਿਸੇ ਹੋਰ ਰੂਪ ਵਿਚ ਚਾਹੀਦੀ, ਤਾਂ ਇਹ ਸਾਥੋਂ ਮੰਗ ਲਓ।

如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

Türkçe bilgi almak istiyorsanız, bize başvurabilirsiniz.

اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو برائے مہربانی ہم سے پوچھئے۔

**Tel:** 0300 123 8 123 **Textphone:** 18001 01606 275757

**email:** [equalities@cheshirewestandchester.gov.uk](mailto:equalities@cheshirewestandchester.gov.uk)

**web:** [www.cheshirewestandchester.gov.uk](http://www.cheshirewestandchester.gov.uk)

## **Cheshire West and Chester Statement on the Presumption against Closure of a Maintained Nursery School.**

This statement outlines the local authority's assessment of the quality and quantity of the proposed alternative provision compared with that of the school proposed to be discontinued and of the proposed arrangements to ensure the expertise and specialism continues to be available; and the accessibility and convenience of replacement provision for local parents.

St Mary's Community Nursery School has long enjoyed a positive reputation for the quality of early years education that it provides. Ofsted has found this provision to be 'Outstanding' since 2008. Quality has been assured by the expertise and dedication of a highly competent staff group; however this staffing establishment is now financially unsustainable with the result that the school is heading for a deficit of £170,043 by 31 March 2022 and this deficit is likely to increase by around £40-50,000 a year thereafter. This position may be further compromised if the lump sum, currently £83,311 per annum payable to the school from the Dedicated School Grant as a transitional arrangement is withdrawn in line with the government's policy to harmonise funding across all early years settings.

Consequently irrespective of whether or not an amalgamation takes place the school will need to rationalise its staffing structure as a matter of urgency. The Governing Body propose to reduce the staffing establishment of teachers and Level 3 teaching assistants to provide 78 pupil sessions each day from September 2020. This level of staffing meets Early Years Foundation Stage (EYFS) requirements for the number of children it is anticipated will be seeking to attend the school. It is proposed that staffing for this number of pupils would transfer to Overleigh St Mary's CE Primary School on amalgamation. This arrangement is sufficient to meet the current demand for places and can easily be increased by a further member of staff should future demand for places rise to meet the physical capacity of the premises.

The current management arrangement of a discrete headteacher is financially unsustainable. It is proposed that on amalgamation oversight of EYFS will fall under the management of the existing highly competent Overleigh St Mary's CE Primary School Foundation Stage lead. Amalgamation permits the rationalisation of management, business support and governance functions allowing a greater proportion of available resource to be directly targeted on teaching and learning.

Both schools currently have their own outdoor play areas leading to duplication of resources and a limited range of learning environments, it is proposed that as part of the amalgamation process there is a review of internal and external space with a view to achieving an integrated and enhanced range of learning environments.

This proposal maintains the current arrangement whereby the two schools are co-located on the same site. Whilst eager to make a more flexible and extended offer to working parents the St Mary's Community Nursery School governing body have been unable to implement such proposals because of the constraints on their space. Amalgamation of the schools and their proposed physical integration will permit a review of how the totality of accommodation can be used to make a more flexible and extended offer better able to meet the needs of working parents. The Overleigh St Mary's CE Primary School governing body are committed to providing this extended offer and the Local Authority has agreed to meet the cost of works necessary to create a safe and accessible integrated school.