

## Notice of Meeting

# Cabinet Member for Education Decisions

**Date & time**

Tuesday, 12  
September 2017 at  
3.30 pm

**Place**

Committee Room C,  
County Hall, Kingston  
upon Thames, Surrey  
KT1 2DN

**Contact**

Andrew Baird & Joss Butler  
Room 122, County Hall  
Tel 0208 541 7609 or 0208  
541 9702

**Chief Executive**

David McNulty

andrew.baird@surreycc.gov.uk or  
joss.butler@surreycc.gov.uk

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**This meeting will be held in public. If you would like to attend and you have any special requirements, please contact Andrew Baird & Joss Butler on 0208 541 7609 or 0208 541 9702.**

**Elected Members**

Mrs Mary Lewis (Cabinet Member for Education)

## **AGENDA**

### **1 DECLARATIONS OF INTEREST**

All Members present are required to declare, at this point in the meeting or as soon as possible thereafter

- i. Any disclosable pecuniary interests and / or
- ii. Other interests arising under the Code of Conduct in respect of any item(s) of business being considered at this meeting

#### **NOTES:**

- Members are reminded that they must not participate in any item where they have a disclosable pecuniary interest
- As well as an interest of the Member, this includes any interest, of which the Member is aware, that relates to the Member's spouse or civil partner (or any person with whom the Member is living as a spouse or civil partner)
- Members with a significant personal interest may participate in the discussion and vote on that matter unless that interest could be reasonably regarded as prejudicial.

### **2 PROCEDURAL MATTERS**

#### **a Members' Questions**

The deadline for Members' questions is 12pm four working days before the meeting (06/09/2017).

#### **b Public Questions**

The deadline for public questions is seven days before the meeting (05/09/2017).

#### **c Petitions**

The deadline for petitions was 14 days before the meeting, and no petitions have been received.

### **3 PROPOSED AMALGAMATION OF DOWNS WAY SCHOOL AND ST. MARY'S C OF E JUNIOR SCHOOL**

(Pages 1  
- 22)

Surrey County Council (SCC), in partnership with the Southwark Diocesan Board of Education and the Governing Bodies of St. Mary's C of E Junior School and Downs Way School, has undertaken informal consultation on a proposal to amalgamate the two schools, with a view to creating a new all-through primary school from September 2018. It is also proposed to expand Key Stage 2 provision at the school from this date. The consultation was conducted between 24 July 2017 and 4 September 2017.

The Cabinet Member is asked to review the education rationale for the project and summary of the consultation process/feedback provided within this report and associated Annexes and, on that basis, decide whether to proceed with publishing the associated Statutory Notice, which represents the next stage of the process for the implementation of this proposal.

**David McNulty**  
**Chief Executive**

Published: 04 September 2017

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**SURREY COUNTY COUNCIL****CABINET MEMBER FOR EDUCATION****DATE: 12 SEPTEMBER 2017****LEAD OFFICER: JULIE FISHER, DEPUTY CHIEF EXECUTIVE****SUBJECT: PROPOSED AMALGAMATION OF DOWNS WAY SCHOOL AND ST. MARY'S C OF E JUNIOR SCHOOL****SUMMARY OF ISSUE:**

Surrey County Council (SCC), in partnership with the Southwark Diocesan Board of Education and the Governing Bodies of St. Mary's C of E Junior School and Downs Way School, has undertaken informal consultation on a proposal to amalgamate the two schools, with a view to creating a new all-through primary school from September 2018. It is also proposed to expand Key Stage 2 provision at the school from this date. The consultation was conducted between 24 July 2017 and 4 September 2017.

The Cabinet Member is asked to review the education rationale for the project and summary of the consultation process/feedback provided within this report and associated Annexes and, on that basis, decide whether to proceed with publishing the associated Statutory Notice, which represents the next stage of the process for the implementation of this proposal.

**RECOMMENDATIONS:**

It is recommended that the Cabinet Member for Education approves the publication of a statutory notice to:

1. Close Downs Way School, effective from 31 August 2018.
2. Alter the lower age limit of St. Mary's C of E Junior School, in order that the age range broadens from 7-11 to 4-11, effective from 1 September 2018.
3. Enlarge the formal capacity of this Primary School. From 360 places (i.e. the current capacity of St. Mary's C of E Junior School) to 660 places, effective from 1 September 2018.

**REASON FOR RECOMMENDATIONS:**

The schools serve the same geographic area and are on adjacent sites. The proposal will formalise existing partnership working; augment the cohesiveness of the school community; provide for more streamlined transitions between key stages; and allow for the most efficient allocation of resources. The proposal to expand the school is in response to the local demand for junior school places at this school and a basic need for more school places in the Oxted & Limpsfield area. In particular, as infant provision in the area has recently been expanded, through the enlargement of Downs Way, this amalgamation provides an appropriate opportunity to expand what would become corresponding junior provision in an amalgamated all-through primary school.

In line with this, Surrey County Council has undertaken the requisite first stage of

informal consultation to inform the decision making process and a significant majority of respondents confirmed their agreement with the proposed alterations. For these reasons, it is recommended that the Cabinet Member for Education approves the publication of a Statutory Notice (appended to this report as Annex 1), formally proposing the necessary prescribed alterations.

## **DETAILS:**

### **The Proposal**

1. At present, the two schools that are the subject of this consultation comprise two distinct institutions, formulated as follows:
  - Downs Way School – a two form entry (2FE) Community Infant School, which accommodates children from Year R to Year 2. The school has a Published Admission Number (PAN) of 60 and admits up to this number each year, into its Year R, giving an overall capacity of 180 places for mainstream pupils.
  - St. Mary's C of E Junior School – a three form entry (3FE) Voluntary Aided Junior School, which accommodates children from Year 3 to Year 6. The school has a PAN of 90 and admits up to this number each year, into its Year 3, giving an overall capacity of 360 places for mainstream pupils.
2. On 24 July 2017, Surrey County Council (SCC), in partnership with the Governing Body of St. Mary's C of E Junior School and the Diocese of Southwark, initiated an informal consultation on a proposal to amalgamate the two schools into a single institution, as well as expand junior provision therein, from September 2018. Specifically, it is proposed to:
  - Close Downs Way School, effective from 31 August 2018.
  - Alter the lower age limit of St. Mary's C of E Junior School, in order that the age range broadens from 7-11 to 4-11, effective from 1 September 2018.
  - Rebrand this newly expanded school as a Primary School, effective from 1 September 2018.
  - Enlarge the formal capacity of this Primary School. From 360 places (i.e. the current capacity of St. Mary's C of E Junior School) to 660 places, effective from 1 September 2018.
3. The consequence of this proposal would be to create a new, amalgamated Voluntary Aided Primary School from 1 September 2018 accommodating pupils from Year R to Year 6. The school would have a PAN of 60 in Key Stage1 (KS1) and an *additional* 60 in KS2 giving an overall capacity of 660 places for mainstream pupils, as shown in the below table:

<b>Year</b>	<b>Capacity</b>
YR	60
Y1	60
Y2	60
Y3	120
Y4	120
Y5	120
Y6	120
<b>Total</b>	<b>660</b>

4. The school would expand its KS2 provision incrementally year-on-year eventually reaching its full capacity in 2021 as detailed in the below table:

Year	YR	Y1	Y2	Y3	Y4	Y5	Y6	Total
2018/19	60	60	60	120	90	90	90	<b>570</b>
2019/20	60	60	60	120	120	90	90	<b>600</b>
2020/21	60	60	60	120	120	120	90	<b>630</b>
2021/22	60	60	60	120	120	120	120	<b>660</b>

### Reasons for the Proposal

5. The combination of the schools' proximity and the current arrangement of sharing a Headteacher both make this proposal the next logical step in the development of the educational offer at these schools. The closer working brought about by the shared Headteacher function has already had benefits across both schools and it is felt that these will be augmented under the current proposal. In particular, it is expected that an amalgamated school will enhance the cohesiveness of the school community and provide for more streamlined transitions between key stages thereby improving the educational experience. Additionally, it is anticipated that the new school will, by virtue of its scale, be significantly more cost-effective to operate than two distinct institutions (e.g. with respect to shared procurement/contracts etc.) and this, in turn, will make the school more sustainable in the long-term.
6. St Mary's has been chosen as the institution to retain for a number of reasons principal amongst which was the fact that it was felt that it was necessary to retain Diocesan provision in the locality, in order to ensure a diversity of provision, especially at KS2 (Oxted will continue to be well served by the area's other Community Schools). In addition, St. Mary's 'Outstanding' Ofsted judgement will be retained by the new institution which will add significant value in terms of the future development of the school.
7. The expansion of the school's KS2 provision is underpinned by a steady increase in the demand for schools places in Oxted & Limpsfield. Within this area, there is presently provision for 150 places per year in Year 3, composed of the following:
- Holland Junior School (offering 60 Year 3 places per annum); and
  - St. Mary's C of E Junior School (offering 90 Year 3 places per annum).
8. Projections of future demand for school places in this area are presented in the below table:

Year	Jun. PAN	Jun. Projection	Surplus
2017/18	150	141	9
2018/19	150	161	- 11
2019/20	150	171	- 21
2020/21	150	163	- 13
2021/22	150	170	- 20
2022/23	150	159	- 9
2023/24	150	157	- 7
2024/25	150	160	- 10
2025/26	150	162	- 12

9. As can be seen from the above, there is a sustained need for additional junior places in the area. This is also a relatively popular area for admissions applications and, even in years where a projected surplus has existed, placing all children with a preference in the area has proved difficult. The proposed expansion of the new school by a Form of Entry at Year 3 would reduce all of the above projected deficits by 30 places and add surplus in other years, thereby augmenting the scope for parental preference.

### **School Building Requirements**

10. The St. Mary's school site has sufficient capacity to enable the expansion of its KS2 provision in its existing location. Naturally, though, a building programme will be required to provide the permanent facilities to allow for the increase in pupil intake. To this end, SCC has allowed for an appropriate capital sum for this project within the Basic Need Capital Programme element of its Medium Term Financial Plan (MTFP).
11. Design workshops have been undertaken in partnership with the school to develop the building proposal on the basis of which a planning application will be submitted and consulted upon separately.

<b><u>CONSULTATION:</u></b>
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12. It is important to note that SCC has previously consulted on this proposal. Informal consultation was undertaken between 1 November 2016 and 13 December 2016, the results of which were taken to a Cabinet Member Meeting on 17 January 2017 (to approve the publication of a statutory notice). Following this, a statutory representation period was undertaken between 25 January 2017 and 22 February 2017, the results of which were taken to a Leader Meeting on 14 March 2017 (to approve the proposal to amalgamate the two schools). However, a critical technical detail was missing within the statutory notices that were published in respect of the proposal. The consequence of this omission was that the decisions taken in respect of the amalgamation on 14 March 2017 were effectively voided and, as a result, the statutory process of consultation and decision-making needed to be rerun. The consultation run between 24 July 2017 and 4 September 2017 represents the rerun of the informal consultation process. Consultees, however, were informed that any responses to the original consultation exercise would be considered with equal weight alongside any new responses that were received during this current round. As such, full details of the previous two rounds of consultation are provided below.
13. SCC, in partnership with St. Mary's C of E Junior School and the Diocese of Southwark, conducted an informal consultation on the proposals between 1 November 2016 and 13 December 2016. A consultation document was produced and made available on both the school's and SCC's website. All key stakeholders were made aware of this process, inclusive of parents/carers of children attending both St. Mary's C of E Junior School and Downs Way School; employees and Governors of the schools; the Diocese of Southwark; relevant unions; local residents; other local schools; local borough and county councillors; and the School Admissions Forum. In addition, two distinct public meetings were held (one at each school) on 16 November 2016, to which all interested parties were invited.



14. The feedback to the consultation was largely positive and in support of the proposed change in age range; in total over 93% of respondents expressed support for the proposal. On this basis, the Governing Body of St. Mary's C of E School has formally decided to proceed with the publication of statutory notices, contingent upon the corresponding decision being made by the Cabinet Member. The feedback raised multiple issues, all of which were factored into the decision-making process undertaken by the Governing Body of the school. In particular, three core themes emerged and have been/are being addressed as follows:
- **Admissions** – a number of respondents were concerned about the potential impact that the amalgamation could have on admissions to the new school. With respect to infant entry, the overarching concern was that the implementation of faith-based criteria may have the potential to exclude non-church-going families from attending. The Governing Body of St. Mary's C of E Junior School are aware of this concern and, in response, are proposing that the admission criteria for Year R have the added stipulation that faith-based admission criteria will only apply to those pupils *for whom the new school is the nearest Church of England school*, as measured from their place of residence. This will ensure that the new school continues to serve its local community. In relation to junior entry, a concern was that, by automatically granting transition to 2FE worth of infant provision, the amalgamation would restrict the number of places available to pupils from other infant schools. As the large majority of Downs Way pupils gain place at St. Mary's Junior School under the current arrangements and, further, since the overall junior capacity was proposed to increase, this was not felt to be a relevant concern in practice.
  - **Alternative Options** – a number of respondents queried whether an expansion of the other junior provision in the area (Holland Junior School) had been considered. This option has been actively considered by SCC and both expansion schemes have been evaluated against one another in a Balanced Scorecard exercise. Ultimately, it was decided to proceed with proposing St. Mary's C of E Junior for expansion, principally on the grounds that the infant provision at Downs Way had recently been expanded and the natural transition for this increased cohort was into St. Mary's, especially in view of the proposed amalgamation.
  - **Traffic and Parking** – there was a common concern expressed about the implications of the proposed expansion at KS2 in relation to the potential for this to increase traffic movements at peak drop-off and pick-up times. The respondents also offered a number of potential solutions targeted at ameliorating this issue, including a park and ride scheme, a walking bus and amendments to traffic regulations at certain times of the day. If it was decided to proceed with the proposed amalgamation and expansion, these concerns and potential solutions could be fed into the design process and reformulation of the School Travel Plan. In advance of that, and as a direct result of the consultation feedback, St. Mary's C of E Junior School has worked with a group of parents to start a walking bus scheme. It is hoped that this will serve to ameliorate some of the identified issues, as well as act as a starting point for the development of more sustainable travel patterns to and from school.
15. The formal consultation period ran from 25 January 2017 to 22 February 2017. As part of this, interested parties were invited to return responses to the consultation via a formal Consultation Response Form, or as part of an online form. Feedback to the formal consultation was again largely positive, with

only one response (of the fifteen received) expressing opposition to the proposal. Responses to this phase of consultation raised similar issues to those discussed in the informal stage, although a number of new issues were highlighted, principal amongst which were:

- **Expansion of KS2** – whilst one respondent expressed support for the proposal to expand the junior element of the new primary school, another identified this as their principal concern. The concern was rooted in the projected surplus junior places that the proposed expansion of junior provision would create. The respondent asked that the expansion be postponed by a year, to reduce the financial burden on schools in the area, created by surplus places. However, failure to create these additional places for 2018 (and in each subsequent year) would result in a deficit of places in the area. Whilst the vast majority of planning areas in Surrey operate with a small surplus of places (which enhances the capacity for parental preference and in-year admissions), to operate on a deficit of places would effectively constitute a failure of the County Council to discharge its statutory duty to provide sufficient pupil places to meet local demand. In this respect, a forecast surplus is preferable to a forecast deficit of places.
- **Transport** – one respondent asked that consideration be given to the provision of a transport link between Limpsfield C of E Infant School and the new primary school, so as to ameliorate the transport pressure experienced at peak drop off / pick up time. St Mary's have instigated new provision, via a buses4U bus, that drops off to and picks up from St Mary's school; which serves Limpsfield, Limpsfield Chart and Hurst Green. St Mary's Head Teacher continues to work with the parent body to further explore these issues.

16. No further comments have been received as part of the informal consultation run between 24 July 2017 and 4 September 2017. A summary of the feedback from both stages of the original consultation process is appended to this report as Annex 2.

#### **RISK MANAGEMENT AND IMPLICATIONS:**

17. There are naturally risks associated with the building project required to facilitate the expansion associated with this amalgamation. Ultimately, these are, in large part, related to cost and programme, i.e. the capacity to deliver the requisite project within the defined financial parameters, in line with the timeline for increased demand. A Risk Register will be maintained and updated on a regular basis by the Project Manager of the scheme and this should serve to both mitigate risk (in part) and to provide early foresight of any issues as they materialise. A contingency allowance appropriate to the scheme will be included within the project budget to mitigate for potential identified risks.

#### **Financial and Value for Money Implications**

18. The building project associated with this proposal is included in the 2017-20 Medium Term Financial Plan (MTFP). A scheme of works will be developed and agreed by Property Services and this will subsequently go to Cabinet for approval. All schemes are expected to remain within the funding agreed in the MTFP.

#### **Section 151 Officer Commentary**

19. The basic need expansion scheme for this school is included in the school basic need programme of works and the 2017-20 MTFP.

#### **Legal Implications – Monitoring Officer**

##### **Pre-consultation**

20. There is a clear expectation in public law that the Council should carry out a consultation process whenever it is considering making significant changes to service provision particularly including the closure of any of its resources. There is a statutory requirement for consultation in this context as set out in the School Organisation Maintained Schools Guidance for Proposers and Decision Makers dated April 2016 and the School Admissions Code 2014.
21. As it is proposed that Downs Way School be closed, the statutory procedure described in The School Organisation (Establishment and Discontinuance of Schools) Regulations 2013 will be followed.
22. As it is proposed to alter the lower age limit of St. Mary's C of E Junior School, the statutory procedure described in The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 will be followed.
23. As it is proposed to enlarge the capacity of St. Mary's C of E Junior School, the statutory procedure described in The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 will be followed.

##### **Post-consultation**

24. In considering this report, the Cabinet Member must give due regard to the results of the consultation, as set out above and in Annex 2, and the response of the Service to the consultation comments and conscientiously take these matters into account when making its final decision.

##### **Best Value Duty**

25. The best value duty is contained in s3 of the Local Government Act 1999 as a result of which the Council is under a duty to make arrangements to secure continuous improvement in the way in which functions are exercised, having regard to a combination of economy, efficiency and effectiveness. The relevant guidance states that Councils should consider overall value, including economic, environmental and social value when reviewing service provision.

##### **School Expansion**

26. Section 13 of the Education Act 1996 places a general duty on the Council to secure that efficient primary and secondary education is available to meet the needs of the population in its area. In doing so, the Council is required to contribute to the spiritual, moral, mental and physical development of the community. Section 14 of the Education Act 1996 places a duty on the Council to secure that sufficient schools for providing primary and secondary education are available in its area. There is a legal duty on the Council therefore to secure the availability of efficient education in its area and sufficient schools to enable this.
27. This report sets out how the Authority will meet its duties in response to increasing demand for school places in Oxted & Limpsfield, in line with the general increase across the whole of Tandridge District.
28. As it is proposed that the amalgamated school's capacity and published admission number will be increased, a consultation and publication of notices is required. Responses to the consultation were considered carefully and the School Organisation Guidance and Admissions Code 2014 were duly followed.

#### **Equalities and Diversity**

29. The amalgamation of the schools and expansion of the newly created all through primary school will not create any issues that would require the production of an Equality Impact Assessment (EIA), as no group with protected characteristics will be adversely affected as a consequence of its approval, or otherwise.
30. The school building will comply with Disability Discrimination Act (DDA) regulations.
31. Under the proposed amalgamation admission to Year 3 would continue to be based on the current admission arrangements for St. Mary's C of E Junior School. Admission to Year R would be amended to reflect the St. Mary's Admissions Policy with the additional stipulation that faith-based admission criteria will only apply to those pupils *for whom the new school is the nearest Church of England school*, as measured from their place of residence. This will ensure that local pupils from non-church-going families will not be excluded from obtaining a place at the school. The admissions arrangements give the highest priority to Looked After Children thus supporting provision for the county's most vulnerable children. Priority is then given (in order) to those who regularly attend an Anglican church and live within a specified parish; those who regularly attend another Christian church and live within a specified parish; those who live within a specified parish and are siblings of current pupils; those who live within a specified parish; those who are siblings of current pupils and children of members of teaching staff. Remaining applicants are then sorted on the basis of distance from home to school. These admissions criteria are fully compliant with the Schools Admissions Code.

#### **Corporate Parenting/Looked After Children implications**

32. This proposal would increase the provision of junior places in the area which would be of benefit to the community served by the school. This would therefore also be of benefit to any Looked After Children who have the

opportunity of attending the school, with this grouping of children receiving the highest priority ranking within the school's admission arrangements.

#### **Climate change/carbon emissions implications**

33. The design philosophy is to create buildings that will support low energy consumption, reduce solar gain and promote natural ventilation. Any expansion would be built to the local planning authority's adopted core planning strategy. In addition, the provision of additional school places to meet local demand is likely to have a positive impact on reducing journey times (and therefore carbon emissions), relative to the scenario of not so doing.

#### **WHAT HAPPENS NEXT:**

34. Subject to Cabinet Member approval of this report's recommendations, the next steps are:
- To publish statutory notices formally proposing the amalgamation of Downs Way School and St. Mary's C of E Junior School, inclusive of the expansion of KS2 provision. The proposed means of achieving this will be via the closure of Downs Way School and the extension of the age range / expansion of capacity at St. Mary's C of E Junior School.
  - To run a 4-week 'Representation' period within which any further comments will be invited on the proposal from key stakeholders and the general public.
  - To bring a paper to the Leader of the Council for a decision with respect to whether to determine the proposal to amalgamate Downs Way School and St. Mary's C of E Junior School, inclusive of the expansion of KS2 provision.

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#### **Contact Officer:**

Oliver Gill, School Commissioning Officer, Tel: 020 8541 7383

#### **Consulted:**

St. Mary's C of E Junior School Governing Body  
Downs Way School Governing Body  
Diocese of Southwark  
Parents of pupils attending the school  
Local residents  
Local Schools  
Liz Mills, Assistant Director for Schools and Learning  
Tandridge Council  
Unions (NUT, ATL, NASUWT, GMB)  
School Admissions Forum

#### **Annexes:**

Annex 1 – Downs Way & St. Mary's Statutory Notice (Short)  
Annex 2 – Summary of Consultation Feedback

#### **Sources/background papers:**

- Downs Way and St. Mary's Consultation Document
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**Statutory Notice**

**Proposal to Amalgamate Downs Way School and St. Mary's C of E Junior School**

Surrey County Council and the Governing Body of St. Mary's C of E Junior School (Oxted) are proposing to amalgamate Downs Way School and St. Mary's C of E Junior School, effective from 1 September 2018. In order to achieve this, the following three related measures are proposed as linked proposals:

**Part 1: Closure of Downs Way School**

Notice is given in accordance with section 15(1) of the Education and Inspections Act 2006, as amended by the Education Act 2011, that Surrey County Council (SCC) is proposing to close Downs Way School, Downs Way, Oxted, Surrey, RH8 0NZ, from 31 August 2018.

**Part 2: Prescribed Alteration to St. Mary's C of E Junior School (Change of Age Range)**

Notice is given in accordance with section 19(3) of the Education and Inspections Act 2006, as amended by the Education Act 2011, that the Governing Body of St. Mary's C of E Junior School is proposing to make a prescribed alteration to St. Mary's C of E Junior School, Silkham Road, Oxted, Surrey, RH8 0NP, from 1 September 2018.

It is proposed to extend the lower age range of this school from 7-11 (Junior) to 4-11 (Primary), so that the school becomes a Primary School from September 2018.

**Part 2: Prescribed Alteration to St. Mary's C of E Junior School (Enlargement of Premises)**

Notice is given in accordance with section 19(1) of the Education and Inspections Act 2006, as amended by the Education Act 2011, that SCC is proposing to make a prescribed alteration to St. Mary's C of E Junior School, Silkham Road, Oxted, Surrey, RH8 0NP, from 1 September 2018.

It is proposed to enlarge the formal capacity of this school from 360 places to 660 places, effective from 1 September 2018.

If approved, the net effect of the above three proposals would be to create a new, amalgamated Voluntary Aided Primary School in place of the two previously existing schools from 1 September 2018, accommodating pupils from Year R to Year 6. The school would have a PAN of 60 in Key Stage1 (KS1) and an *additional* 60 in KS2 giving an overall capacity of 660 places for mainstream pupils

This Notice is an extract from the complete proposal. Copies of the complete proposal can be obtained from: School Commissioning Team, Surrey County Council, Room 326, County Hall, Kingston upon Thames, Surrey, KT1 2DN, email: [schoolorg@surreycc.gov.uk](mailto:schoolorg@surreycc.gov.uk) or from the Council's website: [www.surreysays.co.uk](http://www.surreysays.co.uk)

Within four weeks of the date of publication of this proposal, any person may object to or make comments on the proposal by sending them to: Oliver Gill, Surrey County Council, Room 326, County Hall, Penrhyn Road, Kingston upon Thames, Surrey, KT1 2DN, email: [schoolorg@surreycc.gov.uk](mailto:schoolorg@surreycc.gov.uk)

Signed: Julie Fisher, Strategic Director of Children, Schools and Families, SCC  
Publication Date: 18 September 2017

All responses must be received by noon on **16 October 2017**.



## **Proposal to amalgamate Downs Way School and St. Mary's C of E Junior School**

### **Summary of Consultation**

#### *Informal Consultation Period:*

The informal consultation process ran from 1 November 2016 to 13 December 2016. On 16 November 2016, two distinct consultation meetings were held in sequence, one at each of Downs Way School and St. Mary's C of E Junior School. At the meeting, the following issues were raised and discussed:

- Admissions (i) – a general query was raised regarding how admissions would work in the new school. It was confirmed that the proposal would be to retain the current admissions policy for Year 3. For Year R, this would be adapted to mirror the criteria for Year 3, with the added stipulation that faith-based admission criteria will only apply to those pupils *for whom the new school is the nearest Church of England school*, as measured from their place of residence, thus ensuring that the new school continues to serve its local community. Amalgamation of the schools would mean that pupils entering at Year R would be guaranteed a place through to Year 6.
- Admissions (ii) – a specific query was raised with respect to what would happen to pupils entering the school at Year R, whose family subsequently moved out of the local area. It was confirmed that such pupils would continue to hold a place at the school; this is required by the relevant legislation.
- Admissions (iii) – a specific query was raised with respect to whether the proposed alternations to admissions arrangements for Year R would affect the eligibility of non-church-goers to attend the new primary school. It was explained that the intention of the added requirement for the new school to be the nearest Church of England school for faith-based criteria to apply should ensure that admission is secured to provide for local need.
- Admissions (iv) – the question was raised as to which Downs Way year group would be the first to benefit from automatic transition to Year 3 in the new school. It was confirmed that this would be for pupils presently in Year R.
- Levels of Demand – it was asked whether there would be County funding for empty places if classes were not filled as a consequence of the proposed expansion at Year 3. It was confirmed that the primary school would be expected to function as any other and that, as such, vacant spaces would naturally arise at times, which could not be covered by vacant place funding by the County, as this would not be in line with the overall policy. It was explained that the County Council has a statutory duty to provide sufficient pupil places to serve local demand and that this necessitated a certain amount of surplus being built into the system to accommodate spikes in demand, parental preference and in-year admissions. Furthermore, although a small amount of surplus places are

forecast, it should be noted that this does not take account of the additional houses projected to be built under the Tandridge Local Plan that is currently being consulted upon. As such, any forecast surpluses are only likely to reduce in future. A related query was made with respect to whether this increased demand might lead to a future expansion of St. Mary's. It was confirmed that there are too many variables at this stage to predict what might happen in terms of future expansion proposals, although there were natural limits on how much any individual school could be expanded within the confines of its existing site.

- Other Church of England Schools – a common query was raised with respect to whether other Church of England infant schools in the area would be disadvantaged by the proposed changes, with respect to the fact that automatic transition to Year 3 may incentivise applications to the new primary school and disincentivise applications to nearby infant schools. It was explained that the requirement for the new school to be the nearest Church of England school for faith-based criteria to apply at Year R was added, in part, to protect the intakes of other Church of England schools. In addition, the expansion of St. Mary's at Year 3 will reduce the pressure on entry at this point and, therefore, rates of oversubscription. This should serve to allay some of the concern regarding the perceived advantage of entering the new primary school at Year R.
- School Ethos – concern was raised about the potential for the new school to lose some of the nurturing elements of a smaller school. It was confirmed that the principle of community and all teachers knowing all pupils, with a view to nurturing confident and secure pupils, would remain at the core of the new school's ethos. Work is already underway in considering examples of how other schools have successfully managed this in a larger school environment.
- Teams – concern was raised about the potential for pupils missing out on opportunities to participate in teams, with the additional competition for places that would be brought about by a larger school. It was responded that a larger school would provide more opportunities for pupils, in terms of the fact that it would be able to sustain a greater number of teams and, indeed, augment the viability of further clubs and societies being established. It would also enhance the scope for intra-school competition.
- New Build (i) – a general query was raised with respect to whether consideration had yet been given to the form that any new building would take. It was confirmed that this had yet to be considered and that it was standard procedure for the education consultation to be decided prior to significant expenditure/commitment being made towards a built solution, as this would be seen to be pre-empting the outcome of the consultation process. It was confirmed that the built solution would be the subject of a separate statutory consultation process, within which all interested stakeholders would be provided with the opportunity to have input. Whilst no guarantees could be provided about the building being granted planning permission, Surrey County Council has an excellent track record of

delivering workable solutions on school sites that are sensitive to the needs of the local area and thereby secure planning permission.

- New Build (ii) – a specific query was raised with respect to the health & safety of pupils during the build process, as well as the arrangements for adherence to fire regulations. It was confirmed that the project team that is ultimately charged with delivering any project at the school will have had experience of delivering similar schemes before and will be conversant with the need to provide for the health & safety of pupils onsite, both during the build period and in terms of the design/layout of any new buildings.
- New Build (iii) – a question was raised as to whether there would be a contingency plan, should the building project overrun. It was confirmed that, if the proposal were to proceed, sufficient accommodation to provide for an increased intake in 2018 would certainly be provided, whether that be in the form of the final new build agreed, or of a temporary building located onsite for the duration of the build period.
- Traffic and Parking – concern was raised about traffic and parking around the school during peak pick-up and drop-off times and the potential for this situation to be exacerbated as a consequence of the proposed expansion of junior provision. It was confirmed that the School Travel Plan would be updated as part of any planning process for expanded provision, with a focus improving the delivery of Golden Boot Weeks and consideration of the potential for a walking bus. The school also does work with a parent group, with a view to improving driving and parking practices around the school.

In addition, interested parties were invited to return responses to the consultation via a formal Consultation Response Form, included at the end of the Consultation Document, as well as in an online form. In total, 100 such formal responses were received. The breakdown of category of respondents is provided below<sup>1</sup>:

<b>Respondent Category</b>	<b>No.</b>
Parent of child attending Downs Way	56
Parent of child attending St. Mary's	32
Member of staff at either school	21
Local resident	21
Parent of a child that may attend either school in future	14
Parent of a child attending another school	3
Governor at either school	2
Other	5

<sup>1</sup> It should be noted that a number of respondents fitted more than one category, making the overall number greater than the 100 distinct respondents.

Of the responses received, 93 agreed with the proposal, 3 disagreed with the proposal and 4 classified themselves as “don’t know” in this respect. There were no discernible patterns in terms of the category of respondents that typically agreed/disagreed with the proposal, except for the fact that all current members of staff and governors at the schools agreed with the proposal.

Among the responses that agreed with the proposal, there was a general consensus that the amalgamation “made sense” and was a “natural progression”, due to the proximity of the schools; their cohesive ethos; and the existing partnership arrangements, from which respondents could see clear benefits emerging. Furthermore, these respondents were clear that the proposed amalgamation had the potential to bring mutual benefits to both organisations, such as effective/efficient use of resources; encouraging good staff to stay; and the sharing of knowledge. A number of respondents also mentioned the direct benefit to families, in terms of smoothing the transition between key stages and eliminating the need for an application process at entry to junior, for those pupils starting at the school in advance of that. There was also general support for the proposed expansion of Key Stage 2 provision, with the perception being that this would help in ensuring that local families could secure a place at the school, in the context of local population growth.

However, it should be noted that, even amongst those who supported the proposal, there was still a common concern about the implications of the proposed expansion at Key Stage 2 in relation to the potential for this to increase traffic movements at peak drop-off and pick-up times. Road safety and issues with parking were identified as particular issues in this respect and these concerns were echoed by all three of the respondents who disagreed with the proposal. Potential solutions offered within the responses included:

- The provision of a dedicated school shuttle bus;
- A park and ride scheme;
- A walking bus scheme;
- The provision of a school crossing patrol officer;
- A dedicated parent car park; and
- Traffic regulations stipulating a one-way road system around the school at peak drop-off and pick-up times.

One respondent did, though, point out that traffic issues may be ameliorated by the amalgamation, as it had the potential to reduce the number of local parents travelling outside of the immediate area for infant provision. Whilst parking and traffic are not strictly relevant concerns in relation to the evaluation of this education consultation, the above concerns and potential solutions could be fed into the design process and reformulation of the School Travel Plan, if it was decided to proceed with the proposed amalgamation and expansion. Certainly, any design process would involve

a Highways Assessment to determine the impact of traffic movements and potential means of amelioration. As a consequence of the above feedback, St. Mary's C of E Junior School has worked with a group of parents to start a walking bus scheme. It is hoped that this will serve to ameliorate some of the identified issues, as well as act as a starting point for the development of more sustainable travel patterns to and from school.

Within the responses that agreed with the proposals, the following areas of concern were also highlighted:

- School Ethos – a number of respondents were keen to stress that they would not want the infant provision to lose the nurturing ethos currently provided by Downs Way School. As stated above, this is something that the school is actively looking at, with respect to the consideration of other successful examples. In addition, one respondent wished to stress the importance of the amalgamation not leading to a fall in the standard of teaching at St. Mary's. It is not felt that this will be an issue. Conversely, it is believed that the greater opportunities for the sharing of resources and knowledge will enable the effectiveness of education to be improved even further in a fully integrated school.
- Admissions (i) – one respondent stated that they would prefer for there to be automatic transition into Year 3 for pupils currently in Year 1 at Downs Way. Unfortunately, this is not legally possible, as under the current proposal, the schools would not be amalgamated at the point at which applications for Year 3 in 2018 were being taken. Automatic transition between Year 2 and Year 3 would only be possible from 2019.
- Admissions (ii) – one respondent was also concerned about the potential for non-church-going families to be prevented from attending the infant provision, with the amended admission criteria. The respondent understood that the added requirement for the new school to be the nearest Church of England school for faith-based criteria to apply should safeguard against this. However, they were keen to stress that the school should be mindful of maintaining this safeguard, in view of future demographic and policy-related changes.

Of those who classified themselves as “don't know” in respect of the proposals, the following distinct concerns were raised:

- Admissions (i) – one respondent was concerned that pupils presently attending Downs Way, but who are residing outside of the Oxted area would receive an automatic place in the junior provision at an amalgamated school. This concern was also echoed by one of the respondents who disagreed with the proposal. As confirmed above, the offer of automatic transition for such pupils (starting with those pupils currently in Year R) is a requirement of the relevant legislation.
- Admissions (ii) – one respondent queried why the current Admissions Policy of St. Mary's C of E Junior (which would be retained for junior admission under the amalgamation proposal) included the parish of Hurst Green as an applicable area

for Criterion 2 (faith-based admission), but not for Criterion 4 (sibling-based admission). It was felt that there was no justification for this imbalance and that consideration should be given to including Hurst Green under Criterion 4 within any review of the admissions procedures. The Governing Body of St. Mary's discussed this matter, although it was ultimately decided not to amend Criterion 4, on the basis that there are infant and junior schools within this parish. These schools do not offer faith-based education, meaning that the inclusion of this parish within Criterion 2 was still relevant.

- Admissions (iii) – one respondent, acting on behalf of a local infant school, requested that consideration be given to providing this school with feeder status to the junior phase at any new primary school. The perception outlined in the response and the associated letter was that the proposed amalgamation had the potential to disadvantage pupils attending this infant school, relative to pupils in the infant portion of the new primary school, with respect to the latter group having assurance of junior transition. It was felt that this could result in some parents choosing to send their children to the all through primary in preference to the infant school, even if the latter were to be their preferred choice for Key Stage 1 provision. The respondent therefore requested that feeder status be considered for their school, with a view to retaining parity of access to junior provision for pupils at this infant school, relative to those pupils who would form the infant provision within the amalgamated primary school. The Governing Body of St. Mary's discussed this matter, although it was ultimately decided not to change the admissions criteria to include any feeder schools. The proposed expansion of junior provision would serve to align Oxted's junior and infant PAN, thereby ensuring that all pupils currently in infant school will be able to secure a junior place in the Oxted area. Additionally, it was felt important to maintain parity of access to junior entry for pupils attending the other infant schools in the Oxted area.
- Alternative Options – one respondent was concerned that Holland Junior School had not been considered as an alternative for expansion of Key Stage 2 provision in the area. The preference for the expansion of Holland Junior was also echoed by one of the respondents who disagreed with the proposal. In fact, this option has been actively considered by Surrey County Council and both expansion schemes have been evaluated against one another in a Balanced Scorecard exercise. Ultimately, it was decided to proceed with proposing St. Mary's C of E Junior for expansion, principally on the grounds that the infant provision at Downs Way had recently been expanded and the natural transition for this increased cohort was into St. Mary's, especially in view of the proposed amalgamation.

Among those who disagreed with the proposals, the following distinct concerns were raised:

- Educational Capacity – one respondent felt that, whilst St. Mary's was strong at providing for pupils at the higher and lower end of the academic spectrum, the

needs of those in the middle were overlooked. The respondent was concerned that if the proposals were to go ahead and a single, larger school were created, this could exacerbate this issue. However, there is no statistical basis for the single view expressed here. RAISEonline has consistently shown that St. Mary's pupils in all groups perform better than their peers nationally. The school's Ofsted report in 2015 confirmed the high quality of teaching and support for children of all abilities. The school's recent SIAMS inspection emphasises how every child feels known and supported. Consequently, the school is confident that its professional approach and school ethos – which is to help each individual reach their full potential and have access to the widest possible range of experience – would continue whatever the size of school.

- Building Capacity – one respondent raised concerns regarding the perception that the existing hall and catering facilities were not large enough to accommodate the proposed expansion. Naturally, there will be a building project associated with the expansion of Key Stage 2 provision, which will not only consider classroom space, but also ancillary facilities such as catering and dining space, with these being measured against the national guidelines set out in Building Bulletin 103.
- New Build (i) – one respondent felt that the planning process for the new build should be run alongside the school expansion consultation and that agreement to expand the school in education terms should not be agreed in advance of planning approval for the new build being approved. As set out above, it is standard procedure for the education consultation to be decided prior to significant expenditure/commitment being made towards a built solution, as if the Council were to incur the significant expense of developing the scheme design to the planning stage, there would be reasonable grounds for assuming that the Council had a vested interest in approving the education expansion, making consultation effectively meaningless. This is a situation that the existing process avoids. Moreover, if a scheme were not realisable through the planning process, there is always scope to revoke any school organisation decision, should that be the position agreed amongst the parties concerned.
- New Build (ii) – one respondent felt that a new build would be unrealisable in time for the proposed expansion of the school in 2018 and, further, that temporary buildings would be disruptive to the operation of the school. At the present time, in the absence of survey data and an agreed design, it is impossible to comment on the achievability of 2018 for the delivery of new, permanent buildings. However, the County Council has extensive experience of the successful deployment of temporary accommodation and, if this should be required, there are no grounds for concern that this would be disruptive to the education of pupils onsite.
- Alternative Options – one respondent, acting on behalf of a local junior school, agreed with the overarching proposal to amalgamate the schools, but objected to the proposal to expand Key Stage 2 provision. The primary concern was that this

expansion would result in surplus junior places being created in the area, which would result in vacant places that would affect the funding position of the schools concerned. As set out above, the County Council has a statutory duty to provide sufficient pupil places to serve local demand and, when working in terms of 30-place classes it is impossible to precisely align the number of available places with the pupil place demand. In line with this statutory duty, it is always necessary to over-provide, rather than under-provide and, since the proposed over-provision is projected to be less than 30-places within the forecast horizon (to 2025/26), it is felt that this proposed expansion is entirely justified.

### *Representation Period:*

On the basis of the feedback from this initial stage of consultation, together with consideration of the education rationale for the project, a joint panel (comprising representation from SCC, the Southwark Diocesan Board of Education and the Governing Bodies of St. Mary's C of E Junior School and Downs Way School) met on 20 December 2016 and determined that the proposal should proceed to the next stage of the statutory process, which involved the publishing of statutory notices, as well as the initiation of a formal 4-week phase of consultation. This decision was confirmed by Surrey County Council's Cabinet Member for Schools, Skills and Educational Achievement at a meeting on 17 January 2017. The formal consultation period ran from 25 January 2017 to 22 February 2017. As part of this, interested parties were invited to return responses to the consultation via a formal Consultation Response Form, or as part of an online form. In total, 15 such formal responses were received. The breakdown of category of respondents is provided below:

<b>Respondent Category</b>	<b>No.</b>
Parent of child attending Downs Way	8
Parent of child attending St. Mary's	2
Member of staff at either school	1
Local resident	4
Parent of a child that may attend either school in future	4
Parent of a child attending another school	1
Governor at either school	0
Other	5

Of the responses received, 13 agreed with the proposal, 1 disagreed with the proposal and 1 classified themselves as "don't know" in this respect. It is worth noting that no current parents or staff disagreed with the proposal at this stage.

Respondents who agreed with the proposal raised the following points:



- Faith-based education – two respondents made points in relation to the proposed faith-based nature of the new primary school. One respondent was keen that the school remained open to all religions and another expressed concern about the lack of non-faith schools in Oxted. The requirement for the new school to be the nearest Church of England school for faith-based criteria to apply at Year R should ensure that the school continues to serve its local community and, consequently, is open to pupils and families from a diverse range of backgrounds, including with respect to their faith.
- Staffing – one respondent asked that the capacity of the current staff with respect to teaching in a larger school be considered. The Governors and staff have considered the capacity of current staff and staff recruitment for the enlarging school and are fully confident that the school can develop in a positive manner to ensure that ethos and standards continue. This is affirmed by our Head Teacher being appointed a National Leader of Education NLE and St Mary's school being given National Support School status.
- Play Areas – one respondent asked that consideration be given to play and recreation areas for pupils, as part of the new building proposal. Should approval be granted to proceed with this proposal, detailed design workshops will be undertaken between Surrey County Council and the school to determine the design of new facilities to realise the vision for the new school. Play facilities will be considered as part of this.
- Expansion of KS2 – whilst one respondent expressed support for the proposal to expand the junior element of the new primary school, another identified this as their principal concern. The concern was rooted in the projected surplus junior places that the proposed expansion of junior provision would create. The respondent asked that the expansion be postponed by a year, to reduce the financial burden on schools in the area, created by surplus places. However, failure to create these additional places for 2018 (and in each subsequent year) would result in a deficit of places in the area. Whilst the vast majority of planning areas in Surrey operate with a small surplus of places (which enhances the capacity for parental preference and in-year admissions), to operate on a deficit of places would effectively constitute a failure of the County Council to discharge its statutory duty to provide sufficient pupil places to meet local demand. In this respect, a forecast surplus is preferable to a forecast deficit of places.
- Transport – one respondent asked that consideration be given to the provision of a transport link between Limpsfield C of E Infant School and the new primary school, so as to ameliorate the transport pressure experienced at peak drop off / pick up time. St Mary's have instigated new provision, via a buses4U bus, that drops off to and picks up from St Mary's school; which serves Limpsfield, Limpsfield Chart and Hurst Green. St Mary's Head Teacher continues to work with the parent body to further explore these issues.

The two responses that disagreed or “didn’t know” with respect to the proposal had both responded previously and were restating their previous concerns. As such, these points are noted and responded to above, under the ‘Informal Consultation’ section.