

Swindon Borough Council

Cabinet Panel on School Organisation

Monday, 20 October 2008

Committee Room 6, Civic Offices
(Anticipated meeting room)

At 5.30 p.m.

Conservative Councillors

Roderick Bluh (Deputy)

Fionuala Foley

Peter Greenhalgh
(Deputy)

Nick Martin (Deputy)

Garry Perkins (Deputy)

David Renard

Justin Tomlinson

Colin Lovell

Brian Mattock

Philip Young (Deputy)

Committee Officer: Ian Willcox, 463601, iwillcox@swindon.gov.uk

Swindon Borough Council can be contacted at the Civic Offices, Euclid Street, Swindon, SN1 2JH (Telephone 01793 463000)

AGENDA

1. Appointment of Chair.

2. Apologies for Absence.

3. Declarations of Interest.

Members are reminded that at the start of the meeting they should declare any known interests in any matter to be considered, and also during the meeting if it becomes apparent that they have an interest in the matters being discussed.

4. Minutes. (Pages 1 - 4)

To receive and note the minutes of the meeting held on 5th June 2008.

5. Public Question Time.

See explanatory note below. Please phone the Committee Officer whose name and number appears at the top of this agenda if you need further guidance.

6. Proposal for the Closure of Penhill Primary School and Nursery to Allow the Expansion of Swindon Academy. (GDC) (GH & P); (MOR); (PEN);
(Pages 5 - 224)

Appendix 9 (Government Guidance) is attached as a separate Annex circulated

with the Agenda Papers.

Date of Despatch: 21 October 2008

Key:

Officers:

GDC Group Director: Children

Wards

GH&P - Gorse Hill and Pinehurst
PEN - Penhill
MOR - Moredon

Cabinet Members Responsible for the Service Area concerned:

RB	-	Roderick Bluh	Leader of the Council and Chair of Cabinet
FF	-	Fionuala Foley	Deputy Leader of the Council, Cabinet Member for Corporate Affairs, Vice-Chair of Cabinet
PG	-	Peter Greenhalgh	Cabinet Member for Highways, Transport and Strategic Planning
NM	-	Nick Martin	Cabinet Member for Resources
GP	-	Garry Perkins	Cabinet Member for Children's Services
DR	-	David Renard	Cabinet Member for Health, Housing and Adult Social Care
JT	-	Justin Tomlinson	Cabinet Member for Leisure, Culture and Recreation
CL	-	Colin Lovell	Cabinet Member for Community and Neighbourhoods
BM	-	Brian Mattock	Cabinet Member for Local Environment
PY	-	Philip Young	Cabinet Member for Economic Development, Regeneration and Development

Role / Terms of Reference - *The Cabinet Panel on School Organisation (a Sub-Committee of Cabinet) was established by Cabinet in June 2007 to deal with issues of School Organisation. This followed changes in legislation that led to School Organisation Committees being abolished.*

The Panel comprises of any 5 members of Cabinet for each meeting, will consider the outcomes of consultation across a range of school organisation issues such as school expansions, closures and opening of new schools subject to "competition regulations".

Public Question Time - *Swindon Borough Council is committed to increasing its accountability to the public and to promoting active citizenship. Up to 15 minutes will be allowed at the start of all Council meetings for questions to the Chair from members of the public about the work of the Committee (except for confidential matters and specific planning applications). Questions must be relevant, clear and concise. Because of time constraints Public Question Time is not an opportunity to make speeches or statements. Prior notice of a question to the Director of Law and Democratic Services is desirable - particularly if detailed background information is needed.*

Access Arrangements - *The venue is wheelchair accessible and an infrared receiver hearing system is provided. If you would wish to attend the meeting but have any special requirement to enable you to do so please contact the Committee Officer, whose name appears at the top of this agenda, as soon as possible prior to the date of the meeting.*

If you would like to receive any of the pages contained in this agenda in a larger print size please contact the Committee Officer whose name appears on the first page of this agenda.

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CABINET PANEL ON SCHOOL ORGANISATION

THURSDAY, 5 JUNE 2008

PRESENT:- Councillors Fionuala Foley (Chair), Nick Martin, Garry Perkins, Colin Lovell and Brian Mattock.

1. Appointment of Chair

Resolved – That Councillor Fionuala Foley Chair this meeting of the Panel.
(Councillor Fionuala Foley took the Chair.)

2. Declarations of Interest

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting.

3. Public Question Time

The following question was asked in accordance with Standing Order 28.

Questioner

Mr. James Relph, Governor, Haydonleigh Primary School, Swindon.

As Cabinet are already aware, the Governing Body of Haydonleigh Primary School have serious concerns over the ability of the school to cope in the eventuality that admission numbers increase to 2 form entry on a permanent basis. Even though our premises clearly need to expand in order to cope with additional numbers, we have been led to believe that budgets for this year have already been allocated and that the money needed for such expansion may not be easily found. Given that the alternative way of dealing with the admissions crisis would be to transport children from the northern sector to schools with spare capacity, can Haydonleigh's Governing Body be given assurances that, if the decision to increase admission numbers permanently is taken, the money that would have been spent on the cost of transporting children will be used to offset some of the hardships that the schools taking the increased numbers are going to face?

Response

The Chair thanked Mr. Relph for his question. She advised that as the Cabinet Panel on School Organisation was made up of only five members of the Cabinet and had a specific remit in respect of school organisation matters only, it was, unfortunately, not appropriate for a response to be provided to this particular question in this forum, and she suggested to the questioner that the question should more appropriately be re-submitted to a future meeting of the Cabinet itself for response, and that she would welcome his or other governors attendance at the Cabinet to ask the question, or at a future meeting of the Cabinet Open Forum when the issue could also be discussed.

4. The Permanent Expansion of Abbey Meads, Catherine Wayte and Haydonleigh Primary Schools.

The Group Director, Children submitted a report concerning proposals to

permanently expand Abbey Meads, Catherine Wayte and Haydonleigh Primary Schools in the Swindon Northern Sector. The Cabinet had considered the outcome of pre-statutory consultation and authorised the publication of statutory proposals to permanently expand the three schools at its meeting on 13th February 2008. (Minute 125 2007/08 refers.)

Following legal advice by Mr. Andrew Ferguson, Head of Litigation on the required statutory process and a presentation of the proposals by Mr. Ian Bickerton, Director of Access and Provision, and Mr. Gareth Cheal, Admissions Manager, the Cabinet Panel considered the proposals in detail and, in particular, (a) the reasons why the Council was proposing the expansion, (b) the responses received following the publication of the statutory notices, and (c) the guidance provided to decision makers by the Department for Children, Schools and Families on the key factors to be taken into account in the reaching of a decision on whether or not to support the expansion of a mainstream school.

Mr. James Relph, Governor, Haydonleigh Primary School, advised that whilst Haydonleigh Primary School recognised the need for, and had no objections to, the proposed expansion plans, it did have concerns at the pressure that the expansion would have on existing school infrastructure and that it was hoped that the Council would be able to identify additional funding to help it provide improved facilities for the newly expanded school.

Ms. Laura Brierley, Head of Catherine Wayte Primary School, expressed her support for the proposed expansion plans, but reminded the Cabinet Panel that her school was also experiencing pressures on existing school infrastructure as a result of increased numbers of pupils. She also hoped that the Council would be able to identify funding to enable action to be taken to overcome the impact of this pressure.

The Chair and Councillor Garry Perkins, Cabinet Member for Children's Services, commented that the Council fully understood the concerns felt by the schools. The Council was very appreciative that the three schools had agreed to expand to admit extra pupils due to the pressure on primary school places as a result of housing growth in this area. Capital funding had already been agreed to provide the extra accommodation for classes, and it was also recognised that the extra pupil numbers in the schools would place more pressure on the infrastructure and facilities. Whilst it must be recognised that the Council has only a finite amount of capital funding available and many priorities for work in schools across the Borough, the needs of the schools that are to be expanded are understood and the Cabinet will be looking at these very seriously against other priorities when the Capital programme is reviewed again during the year.

Resolved – That the Cabinet Panel on School Organisation advises that In reaching its decision it has carefully considered the report of the Group Director, Children, the representations of the Director, the representations from the schools attending the Panel meeting, and the Department for Children, Schools and Families Decision Makers Guidance for expanding a mainstream school.

Before making its decision, and in accordance with the Department for Children, Schools and Families Guidance, the Cabinet Panel has considered the following matters:-

- a. Was any information missing in order to reach a decision?

The Cabinet Panel was satisfied that all necessary information was present.

- b. Does the published Notice comply with statutory requirements?

The Cabinet Panel was satisfied that the Notices complied with statutory requirements in the case of each school.

- c. Has the statutory consultation been carried out prior to the publication of the Notice?

The Cabinet Panel was satisfied that the necessary statutory consultation had taken place in respect of each school.

- d. Are the proposals linked or related to other published proposals?

The Cabinet Panel was satisfied that the three proposals it was considering are linked and that there are no other current published proposals that should be considered at the same time.

The Cabinet Panel's decision on the proposals to permanently expand Abbey Meads, Catherine Wayte and Haydonleigh Primary Schools is as follows:-

- a. To approve the proposals, as set out in the statutory Notice attached as Appendix 3 to the report of the Group Director, Children, to permanently expand Abbey Meads Primary School.
- b. To approve the proposals, as set out in the statutory Notice attached as Appendix 4 to the report of the Group Director, Children, to permanently expand Catherine Wayte Primary School.
- c. To approve the proposals, as set out in the statutory Notice attached as Appendix 5 to the report of the Group Director, Children, to permanently expand Haydonleigh Primary School.

The reasons for the Cabinet Panel's decision to approve the above proposals were as follows:-

Creating Additional Places

The Cabinet Panel felt that there was strong evidence to support the need to create additional places at the above schools in order to enable parents within the Swindon Northern Sector to obtain a place within a local school, bearing in mind that there is no other spare capacity within the other schools in the Northern Sector, and the identified increasing demand for places in the Northern Sector from September 2008, as set out in the table at Paragraph 2.1 in the report of the Group Director, Children.

Affect on Standards and School Improvement

The proposals will match school place supply as close as possible to pupils and parents needs and wishes, and achieve the Government's and the Council's aim to ensure that every child receives an excellent education. Abbey Meads, Catherine Wayte and Haydonleigh Primary Schools contribute to raising standards in English and Mathematics. For the Local Authority these are currently above the national average.

Expansion of Successful and Popular Schools

Abbey Meads, Catherine Wayte and Haydonleigh primary School have a history of over subscription of admissions that highlights their popularity with parents. The schools are judged by OFSTED to be good to outstanding during recent inspections.

Travel and Accessibility for All

The proposals will not have the effect of unreasonably extending journey times or increasing transport costs. If the proposals did not proceed due to the demand for places in the Northern Sector area there would be an increase of transport costs and an extension of journeys for parents.

Capital Funding

The Cabinet Panel is satisfied that any capital funding required to implement the proposals will be available.

Special Educational Needs Provision

The Cabinet Panel is satisfied that the proposals will not affect the current level of Special Educational Needs Provision in that the Abbey Meads, Catherine Wayte and Haydonleigh Primary Schools will continue to offer a range of provision to respond to the needs of the individual children.

Views of Interested Parties

The Cabinet Panel considered the views of interested parties, as expressed in the pre-statutory consultation, and noted that there was a significant majority in support of the proposals. It was also noted that there had been no objections or comments made to the statutory Notices.

Proposal for the Closure of Penhill Primary School and Nursery to Allow Expansion of Swindon Academy

CABINET PANEL

Date: 20 October 2008

Author: Group Director, Children

Parish / Wards Affected: Penhill, Gorse Hill and Pinehurst and Moredon

Purpose

To report on the outcome of the statutory representation period on the proposal to close Penhill Primary School and Nursery to allow the expansion of Swindon Academy on the existing site in refurbished accommodation with effect from 1st January 2009.

Recommendation

Cabinet Panel is requested to:

- approve the proposals as set out in the statutory notice, attached as **Appendix 6**, to close Penhill Primary and Nursery Schools, subject to a condition that the Secretary of State makes an agreement for the expansion of Swindon Academy by 31st December 2008.

1. Reasons

- 1.1 The aim of the proposed closure of Penhill Primary School and Nursery is to allow the expansion of Swindon Academy and therefore to improve the overall quality of education provided for the children of Penhill and, in particular, to raise educational standards and strengthen the development of good practice.

2. Detail

Background

- 2.1 The Cabinet initially considered a proposal to close Penhill Primary and Nursery to allow the expansion of Swindon Academy at its 31st October 2007 meeting, where the request for permission to submit an Expression of Interest to the Department for Children, Schools and Families (DCSF) was granted.
- 2.2 Following the decision to submit an expression of interest to the DCSF, the Cabinet at the 31st January 2008 meeting authorised the Group Director, Children to consult with parents, staff and governors of Penhill Primary School on the proposal, subject to approval from the DCSF and appropriate funding being identified.

Further information on the subject of this report can be obtained from Ian Bickerton, Director of Access & Provision, 465724 or Email ibickerton@swindon.gov.uk.

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- 2.3 Copies of these two reports to Cabinet are attached as **Appendix 1**.

Pre-statutory Consultation Period

- 2.4 The Department for Children, Schools and Families (DCSF) describes five key stages in making changes to schools. These are:

Consultation (Pre-statutory)
Publication
Representation Period (Statutory)
Decision
Implementation

- 2.5 The Local Authority's pre-statutory consultation process ran from 1 June – 14 July 2008. The Local Authority consultation document, together with the United Learning Trust (ULT) consultation document, were both sent to every household in Penhill, together with a number of other key stakeholders, on the weekend of 31 May/1 June 2008. The consultation documents are attached as **Appendix 2 and Appendix 3**.
- 2.6 Formal consultation meetings were held separately for parents and carers (two meetings) and for staff and Governors on 9 June 2008. A further meeting was held for the public on 12 June 2008. DJB, independent consultants appointed by the ULT, chaired the meetings and a ULT representative also attended. The final DJB consultation report is attached as **Appendix 4**.
- 2.7 The outcomes of the pre-statutory consultation were presented to the Cabinet at its meeting on 23 July 2008. The Cabinet agreed that statutory representation should be carried out on the proposal that Penhill Primary School and Nursery should be closed in order to allow the expansion of Swindon Academy with effect from 31 December 2008, on the basis that it becomes part of The Swindon Academy with effect from 1 January 2009. This was on the basis that the school would remain on its existing site in Penhill, and the accommodation would be subsequently refurbished. The report to Cabinet is attached as **Appendix 5**.

Statutory Representation Process

- 2.8 The Local Authority's statutory representation process ran from 14 August to 25 September 2008. The representation period is the final opportunity for people and organisations to express their views about the proposals and ensures that the Cabinet Panel will take them into account.

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- 2.9 Notices were published in the Swindon Advertiser, at the school gates, at community facilities in Penhill and sent to the relevant stakeholders identified by the Education and Inspections Act 2006 and the School Organisation Regulations 2007. A copy of the Notice is attached as **Appendix 6**.

Views of interested parties

- 2.10 There is one individual letter in support for the proposal from the Principal of Swindon Academy. There are letters of objection from the National Union of Teachers, Penhill Forum, Swindon Association of Primary Headteachers and the Headteacher of Penhill Primary School. In addition, there are 41 standard objections from staff at Penhill Primary School, 11 standard objections from governors at Penhill Primary School and 163 objections from parents/residents.
- 2.11 Copies of the individual letters of support and objection are attached to **Appendix 7**. Due to the number of standard letters of objection received, only one example of each from staff, governors and parents is attached to **Appendix 7**. A full set of all objection letters and the letter of support will be provided separately to Cabinet Panel Members, to the Chair of Governors and Headteacher of Penhill Primary School, to the Penhill Forum and to the Principal of Swindon Academy. A limited number of further copies will be made available.
- 2.12 As indicated above, a substantial number of responses were received during the statutory representation period, and many of the issues raised are very similar to those raised during the pre-statutory consultation and reported to Cabinet in July 2008.
- 2.13 The Local Authority's responses to a number of the key issues raised are set out in **Appendix 8**.
- 2.14 The key objections and issues raised included:
- There is no attainment evidence for Swindon Academy;
 - The negative effect on the community of Penhill;
 - The consultation was flawed, the officers did not follow the agreed procedures and views were not listened to at the meetings;
 - The partial nature of DJB consultants;
 - The LA has not brought forward all the options for Penhill Primary School e.g. Trust Status;
 - The expanded Swindon Academy will be too large;
 - The funding is only available to Penhill Primary if it is part of the

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- expanded Academy;
- Personal experiences of Swindon Academy.

Key factors in relation to the proposal

2.15 The DCSF Decision Makers Guidance for Closing and Maintained Mainstream School (attached in full at **Appendix 9**) requires that full consideration be given to a number of Key Factors. The officers views on the key factors are set out below:

2.16 A System Shaped by Parents

The Local Authority is responding to the Government's wish to see a dynamic system in which:

- Weak schools that need to be closed are closed quickly and replaced by new ones, where necessary;
- Schools are able to expand and spread their ethos and success;
- New providers have the opportunity to share their energy and talents by establishing new schools.

2.17 The Local Authority is under a specific duty to respond to representations from parents about the provision of schools, including requests to establish new schools or make changes to existing schools.

2.18 The aim of the proposed closure of Penhill Primary School and Nursery to allow the expansion of Swindon Academy is to improve the overall quality of education provided for the children of Penhill and, in particular, to raise educational standards and strengthen the development of good practice.

2.19 Standards

Standards of attainment at the end of 2007 were inadequate and well below the national average, although, overall, pupils made satisfactory progress. The Ofsted inspection in September 2007 judged that achievement overall across the School was satisfactory, although performance was not consistent and varied across Year groups and subjects.

2.20 The Ofsted inspection graded the school in twenty-seven areas. In two of these areas – healthy lifestyles, and safe practices – the school received a grade 2 (good). In twenty-three areas the school received a grade 3 (satisfactory) and in two areas it received a grade 4 (inadequate). These two areas were the standards reached by learners' and pupil attendance.

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This judgement confirms the view of the Local Authority that pupils in this school are not attaining well enough at primary level to be successful in their secondary school and on into life. Whilst the rate of pupil progress is accelerating, the School did not exceed the floor targets of 65% for English or Mathematics in 2008, meaning that standards will still be well below the national average for the fifth year running. The DCSF require the Local Authority to address this issue.

- 2.21 Penhill Primary School and Nursery is on the DCSF list of 266 “hard to shift” primary schools in England and has failed to meet the floor target at Key Stage 2 in both Mathematics and English for the last five years, despite receiving considerable additional resources and support from the Local Authority over a significant period of time. It is considered that a structural solution is, therefore, required to move this School forward. If the School became part of the Academy, it would benefit from the drive to raise standards already evident within the Academy.

2.22 Academies

If this proposal is agreed, all pupils currently on roll at Penhill Primary School would automatically transfer to the Academy. For pupils who do not wish to transfer from Penhill Primary School to the Academy, there are places available in other surrounding primary schools. See section entitled Need for Places.

2.23 Diversity

Swindon has 48 community primary schools, 3 voluntary controlled primary schools, 1 foundation primary school, 8 voluntary aided primary school and 1 primary element of the existing Swindon Academy. Therefore, Swindon is able to demonstrate a widely diverse range of schools.

2.24 Every Child Matters

Swindon's extended services are delivered across a cluster of schools and are available across the Borough. Twenty out of the twenty-four schools within a two-mile radius of Penhill Primary School deliver the full core offer of extended services. A further 3 deliver childcare.

2.25 Need for places: Provision for Displaced Pupils

There is sufficient capacity to accommodate any pupils who do not wish to attend the Academy in the future, taking into account the overall supply

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and likely future demand for places area (see table 1 below) at schools within a 2 mile radius (see map below).

Table 1

Name	Type	Estimated Number on roll					No. of Yr Groups	Capacity
		Jan 2009	Jan 2010	Jan 2011	Jan 2012	Jan 2012		
Abbey Meads	Community	303	308	317	354	386	7	315
Beechcroft Infant	Community	241	236	245	259	272	3	270
Bridlewood	Community	219	233	233	224	210	7	210
Catherine Wayte	Community	333	341	351	366	385	7	315
Ferndale	Community	313	312	321	349	360	7	420
Gorse Hill Infant	Community	161	168	171	172	172	3	179
Gorse Hill Junior	Community	212	207	202	220	226	4	240
Grange Infant	Community	270	265	265	263	266	3	300
Grange Junior	Community	347	344	337	345	356	4	450
Greenmeadow	Community	239	233	229	233	234	7	270
Haydonleigh	Community	350	367	383	394	405	7	330
Haydon Wick	Community	277	277	272	270	270	7	280
Moredon	Community	377	375	397	410	410	7	420
Orchid Vale	Community	182	202	205	211	211	7	210
Penhill	Community	303	301	319	334	334	7	490
Red Oaks	Community	416	420	420	423	423	7	420
Rodbourne Cheney	Community	171	167	162	161	162	7	210
Ruskin Junior	Community	380	376	368	371	364	4	389
Seven Fields	Community	235	248	250	269	270	7	280
St Andrew's CE	Foundation	207	200	201	206	216	7	210
St Catherine's Catholic	Voluntary Aided	194	194	192	189	191	7	210
St Francis CE	Voluntary Aided	198	242	286	329	358	7	210
St Mary's Catholic	Voluntary Aided	258	257	255	260	262	7	268
Swindon Academy	Academy	385	389	399	410	416	7	420
Totals		6571	6662	6780	7033	7159		7316

Further information on the subject of this report can be obtained from Ian Bickerton, Director of Access & Provision, 465724 or Email ibickerton@swindon.gov.uk.

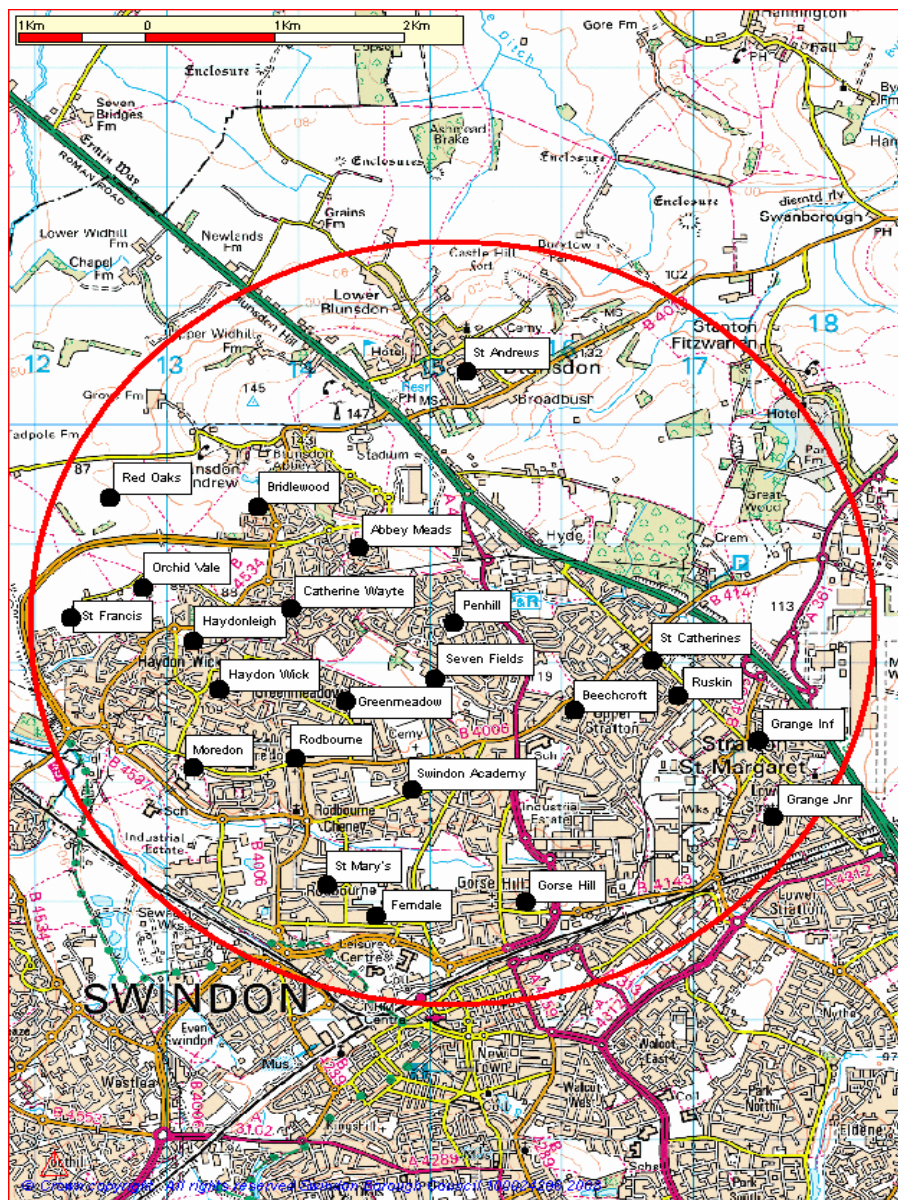
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Schools within a 2 mile radius of Penhill Primary School

Table 2



2.26 Impact on Community

All schools within the vicinity provide access to a good range of services, so transport would not be required.

- 2.27 The new Penhill site and building will serve the community of Penhill, will be involved with Regeneration Initiatives, and will be a facility for the whole community complementing the existing facilities in the area.

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2.28 It is proposed that this new academy site will offer:

- Extended school activities, including leisure and sport, child care, before and after school, holiday and weekend provision;
- A Youth Service provision on-site;
- Access to ICT and business facilities;
- Access to larger spaces e.g. halls, drama studios;
- The opportunity for some co-located health and social services provision that reflect the priorities of the local community;
- Continuing education and learning opportunities for local people.

2.29 Parents will be expected to participate actively in the education of their children, not just providing encouragement and support but also being fully engaged in the home/school partnership and other aspects of Academy life. The Academy will look to introduce modern and immediate ways to communicate with parents.

2.30 Links will be established with other primary and secondary schools, Further and Higher Education Colleges and local employers. It is expected that the Academy will make a valuable contribution to promoting social inclusion, equality and diversity.

2.31 Community Cohesion and Race Equality

All schools have had a duty to promote Community Cohesion from September 2007 and are due to be inspected on their ability to fulfil that duty from September 2008. The Commission on Integration and Cohesion (2008) reports that in order to achieve a cohesive community, people from different backgrounds should have similar life opportunities and access to services and treatment. The proposal to close Penhill Primary School to allow the expansion of Swindon Academy aims to enhance the overall quality of the education of Penhill's children. This is achieved by paying particular attention to those children who are currently under performing and being aware of when equality of opportunity starts to become a reality. Without equality, community cohesion cannot be fostered.

2.32 In Swindon, Community Cohesion is borne out of all stakeholders working together to facilitate high aspiration, create equity in terms of life opportunities and achievements, increase awareness/appreciation of difference and diversity, challenge discrimination, develop resilience to manage change, promote connections between different communities and

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encourage positive citizenship. All schools, including Swindon Academy are called to meet this aspiration.

2.33 Travel and Accessibility for All

The proposals will not have the effect of unreasonably extending journey times or increasing transport costs, or result in too many children being prevented from sustainable travel due to unsuitable routes e.g. for walking, cycling etc.

2.34 Equal Opportunity Issue

It is not envisaged that there will be any sex, race or disability discrimination issues that arise from the changes being proposed.

2.35 Early Years Provision

The alternative provision has a memorandum of understanding with the Children's Centre in Penhill. This includes joint training, shared planning and helps provide a continuum of support for families through the provision of family support and childcare services. The Academy would continue to provide an equivalent nursery provision at the Penhill site, if this proposal is implemented.

2.36 Special Educational Needs (SEN) Provision

From 1 April 2005 it was agreed that there should be continued delegation to Swindon schools of SEN Funds. This means that a primary school will be required to provide the equivalent of the first 10 hours of teaching assistant support (or its equivalent if a teacher is recommended), if a student's needs are identified in a statement as requiring this level of support.

2.37 All maintained schools in Swindon have in place a SEN Coordinator and a nominated Governor with responsibility for Special Educational Needs. All schools are required to determine whether a pupil should be placed at School Action or School Action Plus of the Code of Practice. The latter reflects the need for the school to call upon external expertise as well as revising and enhancing the provision made by the school.

2.38 The triggers for School Action Plus are that, despite receiving an individualised programme and concentrated support under school action, the pupil continues to make little or no progress in specific areas over a long period. There are several supporting elements essential for effective

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action with or on behalf of pupils with special educational needs that Swindon schools will have in place:

- The Governors' Annual report;
- The school's SEN policy;
- Individual education plans for the pupil.

2.39 Each Swindon school has its own individual character and structures. However, all pupils attending Swindon mainstream schools have an entitlement to access a minimum level of provision if they have a special educational need. Many schools allocate provision above the minimum level.

2.40 The Local Authority consulted on, agreed and issued in Autumn 2002 the document 'SEN: the entitlement of pupils in mainstream schools'. This fulfills the DCSF requirement that each Local Authority explains the special educational provision it expects to be made from within maintained schools budget shares [Special Educational needs (Provision of Information by Local Education Authorities) (England) Regulations 2001]. This guidance is necessary because it sets out:

- The minimum entitlement to provision for special educational needs for all Swindon pupils attending a mainstream school;
- Guidance for parents about what provision can be expected;
- The joint understanding that schools and advisors need in order to support their dialogue about individual pupils;
- The point of reference to enable the Local Authority to carry out its statutory duty to monitor and evaluate the effectiveness of special educational needs provision.

2.41 There has been a significant reduction in the number of low attaining pupils in 2008, compared to 2007:

- KS2 - 9 pupils in 2008, compared to 18 in 2007
- KS1 - 0 pupils in 2008, compared to 10 in 2007.

2.42 Comparative progress made by pupils who were low attaining at the end of KS1.

- Mathematics – There was a good improvement in the percentage of low attaining pupils making 2 levels of progress, from 2007 to 2008
- Reading – A higher percentage of low attaining pupils made good progress in 2008 than in 2007

Further information on the subject of this report can be obtained from Ian Bickerton, Director of Access & Provision, 465724 or Email ibickerton@swindon.gov.uk.

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- Writing - Low attaining pupils made similar progress in 2007 and 2008.
- 2.43 The number of pupils with statements was 8 in 2007 and 10 in 2008 in Penhill Primary School. The Academy would provide an equivalent SEN provision if the proposal were to be implemented. ULT have emphasized the importance they attach to a caring, supportive environment for pupils with SEN.
- 2.44 Ofsted commented on provision for SEN/LDD pupils: 'The very high proportion of pupils who have learning difficulties and/or disabilities receive plenty of appropriate support from skilled staff.'

Views of interested parties

- 2.45 These are set out in paragraphs 2.10 – 2.14 of the report and in **Appendix 7**.

Conclusions

- 2.46 As shown in **Appendix 7**, there are a significant number of objections that have been expressed in the consultation. The strength of feeling is not underestimated and the attention of the Cabinet Panel is drawn to the issues raised in this Appendix. There has also been a clear view expressed throughout the consultation that Trust Status would be a better way forward.
- 2.47 However, it remains the view of officers that inclusion within the Academy offers the best opportunity for a step change to address the serious standards and attainment issues that Penhill Primary has faced for a number of years. The arguments supporting this view are set out in various places in this report and appendices, in particular:
- in paragraphs 2.16 – 2.21 above;
 - in **Appendix 8** which sets out the key issues raised in the consultation and the responses to these by the Local Authority;
 - in other appendices attached where the educational arguments in particular are put forward, including the two consultation documents (**Appendices 2 and 3**) and the report to Cabinet in July 2008 (**Appendix 5**).
- 2.48 This report in paragraphs 2.15 – 2.44 also addresses the Key Factors set out in the DCSF Decision Makers Guidance (**Appendix 9**).

Further information on the subject of this report can be obtained from Ian Bickerton, Director of Access & Provision, 465724 or Email ibickerton@swindon.gov.uk.

Proposal for the Closure of Penhill Primary School and Nursery to Allow Expansion of Swindon Academy

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- 2.49 Finally, the covering report under Alternative Options below and in **Appendix 8**, responds to the view expressed that Trust Status would be a preferable alternative. It remains our view that, although Trust Status would be a suitable way forward in certain circumstances, in this case, in view of the seriousness of the issues highlighted throughout this report, inclusion within the Academy offers a more effective and speedier route for driving up standards and increasing pupil attainment.
- 2.50 In summary, therefore, despite the best efforts of the school, with the support of the Local Authority, Penhill remains in the DCSF list of 266 'hard to shift' primary schools out of approximately 17,000 nationally. The DCSF require the Local Authority to address this issue. Inclusion within the Academy is seen as the best and most effective way forward.

Alternative Options

The main alternative to not proceeding to the statutory consultation is to withdraw from the proposal to close Penhill Primary School and Nursery to allow stage expansion of the Academy. However, by taking this action, it is considered that a major opportunity will be lost to raise standards and pupil attainment at the School. Despite very considerable Local Authority support over a number of years, the School continues to under-perform and it is felt that a structural change will provide the impetus to move the School forward for the benefit of the pupils of Penhill. Other options, such as federating with a successful school, have previously been considered but these have been rejected, as it is not clear that they would have sufficient impact.

In addition, it will be seen that the Governing Body of Penhill Primary School proposed during the consultation and representation period, that an alternative option for the school may be to pursue Trust Status. Governors expressed the view that this approach may give them greater control over their own future and could be a more effective approach in their view of addressing improved standards and pupil attainment. It does, however, remain the view of officers that inclusion within the Academy is a better option, for the reasons set out in this report, and would offer a more effective structural change for the school, with an established educational provider driving up standards and attainment. The Academy would also be able to offer Penhill pupils better transition from Year 6 to Year 7 and beyond, together with a wider range of facilities and expertise. Further details on the Local Authority's response to the Trust Options is set out in **Appendix 8**.

Risk Management

Financial and Procurement Implications

- The costs of publishing statutory proposals are contained within the Access and Provision Directorate cash limit.

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- It is proposed that up to £2.3m capital funding is made available to undertake work at the School to bring the quality of accommodation up to a higher standard, so that the new school is fit for purpose. This follows surveys carried out by the Local Authority and, more recently, by United Learning Trust (ULT). A review of the Children's capital programme has identified that a number of schemes are currently predicted to come in under budget and that the funding this will release, together with external grant funding that is available, is sufficient to fund the expenditure required as long as no more than half is needed in the current financial year.
- When a school becomes an Academy the funding that Local Authorities receive direct from the Department of Children, Schools and Families (DCSF) for that school is removed from the overall Dedicated Schools Grant (DSG). Due to the funding of schools and the requirement to provide retained services from the DSG i.e. Special Educational Needs assessments, out of Borough placement, there maybe financial implications relating to the retained services due to variations between the level of per pupil funding the Council receives from the DCSF compared to the per pupil funding that is allocated directly to the school.
- In the current year, Swindon receives £3,775 per pupil from the DCSF. Based on the January 2008 PLASC data 334 pupils attend Penhill school, therefore, the amount of DSG that would be removed from Swindon's allocation (assuming a full year impact) would be £1.26m. The current funding formula within Swindon allocates a total budget for Penhill of £1.079m. The difference of funding contributes towards the retained services within the DSG. The table below illustrates that if Penhill became part of the Academy from 01 January 2009 there would be a reduction of grant, totalling £183k that currently supports the retained services.

	Based on 2008/09 budget & pupil numbers for Penhill totalling 334			
	£'s			£'s
DSG per pupil	3,775		Total reduction of DSG	1,260,850
School Budget per pupil	3,228		Total School Budgets	1,078,152
Difference per pupil	547		Total Difference	182,698

Legal / Human Rights Implications

The proposals to close Penhill primary school and Nursery are required under the Education and Inspection Act 2006 to follow a 5 stage statutory process as set out

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below:

1. The Local Authority is required to carry out a pre-statutory consultation.
2. Cabinet decision whether to publish proposals
3. 6 weeks period for representations (i.e objections or comments)
4. Cabinet Panel decides on the proposals.
5. Implementation if proposals approved

There is a right of appeal against the Cabinet decision to the Adjudicator but only by the Local Church of England Diocese or The Bishop of the Local Roman Catholic Diocese or the Governing Body or Trustees of a Foundation, Trust or Voluntary Controlled School. Any appeal must be made within 1 month. There is no statutory timescale for the Adjudicator to decide.

The Cabinet must follow DCSF Guidance entitled "Decision Makers Guidance for Closing Maintained Mainstream Schools" when considering whether to approve the proposals. A copy of the Guidance is attached as **Appendix 9**. The Guidance states that the Cabinet should consider before judging respective factors and merits of the proposals:

- A. Is any information missing?
- B. Does the published notice comply with statutory requirements.
- C. Have the statutory consultation been carried out prior to the publication of the notice?
- D. Are the proposals linked or related to other published proposals?

The Guidance then sets out in paragraphs 4.16 to 4.62 factors that must be considered by Cabinet in reaching its decision.

The Guidance states that all decision makers must give reasons for their decision irrespective of whether the proposals were rejected or approved, indicating the main factors/criteria for the decision.

The formal approval of the expansion of the Academy rests with the Secretary of State. Therefore if the Cabinet decision is to approve the closure of Penhill Primary School and Nursery to allow the expansion of the Academy, that decision will need to be subject to a condition on the Secretary of state making an agreement for the expansion of the Swindon Academy. If the closure and expansion of the Swindon Academy is agreed, the Local Authority will need to enter into a Heads of Terms agreement with United Learning Trust which will provide a guide to the legal framework required from each party as part of the commitment should this proceed. The Heads of Terms is not

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legally binding but if agreed the legal documentation required will need to be progressed urgently in order to meet the implementation timescales.

If the closure and expansion of the Academy is agreed then all employees will transfer their employment to the United Learning Trust. All contractual rights will transfer under the TUPE Regulations 2006. Staff will continue to contribute to both the Local Government Pension Scheme and Teachers' Pension Scheme.

The Governors of Penhill school in their objection to the proposals have asked Cabinet to consider as an alternative to closure of the school that the school become a Trust school. In order to become a Trust School, Governors would have to follow a statutory process that includes a pre-statutory consultation, the issue of a statutory notice, a period for representations and the final decision being made by the Governing Body. The decision will not be made by the Governing Body if the Local Authority refer the proposals to the School Adjudicator at the representation stage.

Links to Corporate Plans and Policies (in particular to Swindon 2010 Promises)

- There is a direct link to the Strategic Management Plan for Children Services and the proposed expansion of the Academy would support Council Promises 20 and 45.

Consultees

- The Director of Finance (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.
- There has been widespread consultation undertaken on these proposals as set out above in the body of the report. Stakeholders consulted include:
 - Parents
 - Staff
 - Governors
 - Local residents
 - Penhill Community Groups/Leaders
 - Ward Councillors

Background Papers and Appendices

- Appendix 1 – Reports to Cabinet dated 31st October 2007 and 23rd January 2008
- Appendix 2 – Local Authority pre-statutory consultation document
- Appendix 3 – ULT consultation document
- Appendix 4 – DJB final report
- Appendix 5 – Report to Cabinet dated 23rd July 2008
- Appendix 6 – Statutory Notice to close Penhill Primary School

Further information on the subject of this report can be obtained from Ian Bickerton, Director of Access & Provision, 465724 or Email ibickerton@swindon.gov.uk.

Proposal for the Closure of Penhill Primary School and Nursery to Allow Expansion of Swindon Academy

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- Appendix 7 – Responses to Statutory Consultation
- Appendix 8 – Local Authority Responses to Key Issues Raised
- Appendix 9 – DCSF – Decision Makers Guidance for Closing a Maintained Mainstream school

Expansion of Swindon Academy

CABINET

31st October 2007**Author:** Cabinet Member for Children Services and Group Director, Children**Parish / Wards Affected:** *Penhill; Gorse Hill and Pinehurst, Moredon and St Philips***Purpose**

- To seek permission to express an interest to the Department for Children, Schools and Families (DCSF) and the United Learning Trust (ULT) for the expansion of the Swindon Academy to include Penhill Primary School.

Recommendation

Cabinet is requested to

- Authorise the Group Director, Children to submit an expression of interest to the Department for Children, Schools and Families (DCSF) and United Learning Trust for the expansion of the Swindon Academy to include Penhill Primary School.
- Authorise the Group Director and Lead Member Children to actively pursue discussions with the Department for Children, Schools and Families and the United Learning Trust, which attempt to secure the funding necessary to bring the quality of estate at Penhill Primary School in line with the Swindon Academy.

1. Reasons

- a) Penhill Primary school is on the Department for Children, Schools and Families (DCSF) list of 266 'hard to shift' primary schools in England and has failed to meet the floor target at Key Stage two in both Maths and English for five years, despite receiving considerable additional resource and support from the Local Authority. The Local Authority considers that a structural solution is required to move this school forward. If the school became part of the Academy it would benefit from the drive to raise standards already evident in the Academy.
- b) An all-through Academy can help pupils with the transition from one school to another and provides continuity of teaching and learning for pupils. Evidence shows that pupil performance dips, and pupil progress is slowed, as a result of moving schools. In an area where raising standards of achievement is a key priority between primary and secondary and where this has not to date been successfully addressed through to age 16, it is vital that these barriers to progress are removed. There are opportunities in the future for feeder schools to the Academy to be more closely associated with the United Learning Trust, for

Further information on the subject of this report can be obtained from *Martin Coles*, Director of Quality & Standards, on *Direct Dial No. 465744* or Email mcoles@swindon.gov.uk

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example through, Trust status. However, the critical issue of school standards in Penhill School needs to be addressed;

- c) During the consultation phase for the Academy, it became clear that members of the community of Penhill felt that their children might miss out on the Academy development. Although children from the Penhill Primary School area will have the opportunity to apply for a place at the Academy at the secondary school stage, there is a perception that primary age children may be potentially disadvantaged compared to those in the previous Pinehurst Schools, by being excluded from the Academy arrangement.
- d) The developing educational plans for the all-through Academy suggest that it will break out from traditional year group structures and move towards working within vertically organised systems where the needs of the individual learner can be more readily met and personalised. Pupils will be able to progress according to the 'stage' they are at in their development rather than their chronological age. Such a development may make it more difficult for the pupils of Penhill Primary School to integrate into the Academy when they move at 11 years of age.
- e) As well as helping to raise standards, the expansion of the Academy to include Penhill Primary School would also promote inclusion and is likely to be highly popular with parents in the area who will recognise the benefits attached to continuity of care, especially for more vulnerable children.
- f) In the same way, an all-through Academy would help the more effective deployment of multi-agency approaches i.e. easier access, economies of scale for all agencies involved, and closer relationships through more regular formal and informal contacts, all resulting in an improved standard of provision for pupils.

2. Detail

- 2.1 The Swindon Academy, sponsored by Honda UK, and under the governance of United Learning Trust (ULT), opened in September 2007. The 0-19 Academy incorporates Headlands School, together with Pinehurst Infant and Junior Schools.
- 2.2 If the recommendation in this report is accepted, Swindon Borough Council and ULT would have to seek Department for Children, Schools and Families permission to move to a consultation on expanding the Academy to include Penhill Primary School.

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- 2.3 The final date for the expansion of the Academy to include Penhill will be dependent on DCSF approval, the outcomes of the consultation, and ULT agreement, and cannot be defined at this moment.
- 2.4 Penhill Primary School was inspected by Ofsted on 18th/19th September 2007. The report on the inspection is attached as **Appendix 1**.

Alternative Options

The alternative options are:

- To close Penhill School place planning means that option is not viable as there are not sufficient places in neighbouring schools for displaced pupils;
- To continue to support Penhill with substantial additional resource and advice. This strategy has been in place for the last two years, without obvious effect;
- To federate or amalgamate Penhill with a neighbouring community school. There are no suitable schools in the close vicinity.

Risk Management

Financial and Procurement Implications

- A feasibility study needs to be carried out in order to identify whether it will be necessary to refurbish Penhill Primary school to bring the quality of the provision in line with that of the Academy, as well as to identify the source of funding if a refurbishment is required. Although a refurbishment scheme has been under consideration for some years, there is currently no capital funding available for the necessary work within the Children's Services Capital Programme. It is proposed therefore that discussions should be held with the DCSF about this, also involving ULT.
- When a school becomes an Academy the funding that Local Authorities receive direct from the Department of Children, Schools & Families (DCSF) for that school is removed from the overall Dedicated Schools Grant (DSG). Due to the funding of schools and the requirement to provide retained services from the DSG i.e. special educational needs assessments, out of borough placement, there may be financial implications relating to the retained services due to variations between the level of per pupil funding the Council receives from the DCSF compared to the per pupil funding that is allocated directly to the school.
- In the current year Swindon has received £3,597 per pupil from the DCSF, based on existing number of pupils at Penhill. The total amount of grant that would be removed from the DSG (assuming a full year impact) would be

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£1.370m. The current funding formula within Swindon allocates a total budget for Penhill of £1.211m. The difference of funding contributes towards the retained services within the DSG. The table below illustrates that if Penhill becomes an Academy there would be a reduction of grant, totalling £159k that currently supports the retained services.

	Based on 2007/08 budget & pupil numbers for Penhill totalling 381		
	£'s		£'s
DSG per pupil	3,597	Total reduction of DSG	1,370,457
School Budget per pupil	3,178	Total School Budgets	1,210,762
Difference per pupil	419	Total Difference	159,695

Legal / Human Rights Implications

- Educational achievement is clearly linked to the life chances of individuals. The actions taken by the Local Authority should seek to ensure that all groups and individuals are able to achieve their full educational potential and so maximise their choices and access to opportunities.
- If the DCSF give approval following the expression of interest for the proposal to go forward, it will be necessary for a statutory process to be followed by the Council to close Penhill School as required by the Education and Inspection Act 2006. This process will take approximately 5 months and include a two month pre-statutory consultation, the publication of a formal notice, a further 6 weeks statutory consultation and then a final decision by Cabinet.

Links to Corporate Plans and Policies

- Links to Promise 20 and Local Area Agreement Outcome 7.

Consultees

- The Director of Finance (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.

Background Papers and Appendices

Appendix 1: Report on Penhill Primary School by the Office for Standards in Education

Further information on the subject of this report can be obtained from *Martin Coles*, Director of Quality & Standards, on *Direct Dial No. 465744* or Email mcoles@swindon.gov.uk

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Key Decision/Decision in Forward Plan

This is not a key decision and is included in the October 2007 Forward Plan

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Penhill Primary School

Inspection report

Unique Reference Number	131902
Local Authority	Swindon
Inspection number	315885
Inspection dates	18–19 September 2007
Reporting inspector	Liz Kounnou

This inspection of the school was carried out under section 5 of the Education Act 2005.

Type of school	Primary
School category	Voluntary aided
Age range of pupils	3–11
Gender of pupils	Mixed
Number on roll	
School	330
Appropriate authority	The governing body
Chair	Ben Schmidt
Headteacher	L Rankin
Date of previous school inspection	17 March 2003
School address	Alton Close Penhill Swindon SN2 5HF
Telephone number	01793 723677
Fax number	01793 723807

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Introduction

The inspection was carried out by three Additional Inspectors.

Description of the school

The school serves an area of significant economic and social deprivation. Around half the pupils have some learning difficulties and/or disabilities, and this is far higher than the national average. Children's attainment when they start school in the Nursery at age three is very low. The proportion of pupils who are entitled to free school meals is among the highest in the country. Very few pupils are from minority ethnic groups, a much lower proportion than is typical. During the last academic year several unavoidable staffing problems resulted in a high proportion of temporary teachers being employed.

Key for inspection grades

Grade 1	Outstanding
Grade 2	Good
Grade 3	Satisfactory
Grade 4	Inadequate

Overall effectiveness of the school

Grade: 3

The school provides a satisfactory standard of education despite the very low standards reached in English, mathematics and science. Standards are low partly because there is a very large group of pupils who have learning difficulties and/or disabilities. Pupils' achievement is satisfactory overall from the Foundation Stage to Year 6. Those who have learning difficulties and/or disabilities make satisfactory progress in English and mathematics but make better progress in their emotional development due to the school's good pastoral care for this group. This is a school that rightly prides itself on the good pastoral care provided for pupils, particularly for those who are vulnerable. The great majority of parents are pleased with the school because their children are happy there. However, the guidance and support that pupils receive to help them achieve well is satisfactory overall. Guidance for pupils often lacks challenge and contributes to some underachievement for a very small minority of pupils. These are mainly boys. Overall, boys reach standards that are considerably lower than girls throughout the school.

Teaching and learning are improving and are satisfactory in a large majority of classes and good in a small minority, but in a few lessons pupils' progress slows considerably because teaching is inadequate. In Year 6, good teaching enables pupils to catch up some of the lost ground. The Foundation Stage provides a satisfactory start for children.

Leadership and management are satisfactory. Governors are fully involved in checking how well the school is doing and planning for further improvement in partnership with the school management team. This has led to a continued trend of improvement in standards, and in teaching and learning. However, school leaders do not use all the information they gather sufficiently well to plan how to bring about improvement where it is needed most. Consequently, the school's strategic planning lacks a sharp focus, and does not spell out precisely what needs to change in order to raise standards further. This is particularly evident in relation to raising boys' attainment, where it is not clear what strategies senior staff expect to see in all lessons to engage boys more effectively in learning.

Pupils are prepared adequately for the next stage of their education because they are confident and work well together, but their literacy and numeracy skills are well below average. Their personal development and well-being are satisfactory, including enjoyment of lessons. However, pupils' attendance is very low and not improving. The school is not yet taking sufficiently rigorous action to tackle the high level of absences. School leaders identify a clear match between some pupils' poor achievement and their low levels of personal attendance. The extent to which pupils feel safe at school and understand the requirements of a healthy lifestyle is good due to the school's good provision in these areas. Pupils' behaviour is satisfactory throughout the school, and many make a good contribution to the school community through their work on the school council. Pupils' contribution to the wider community is more limited.

Effectiveness of the Foundation Stage

Grade: 3

Children make satisfactory progress in all the Foundation Stage classes. Nonetheless, a large majority do not reach the expected levels for their age by the time they move into Year 1. Staff are skilled at helping children to settle in and provide plenty of enjoyable activities, both indoors and outdoors, so that children are happy and content throughout the day. There is a focus on developing language skills because many children come to school with significant speech

difficulties. However, this has had mixed success because many activities in all areas of learning do not provide a real challenge for developing children's speech and this limits their overall progress.

What the school should do to improve further

- Ensure that, across the curriculum, and especially in English and mathematics lessons, teaching and learning in all classes fully engage boys and raise their standards of attainment.
- Use data and other information from school self-evaluation more effectively to plan how to bring about improvement where it is needed most.
- Introduce effective strategies to improve pupils' attendance.

A small proportion of the schools whose overall effectiveness is judged satisfactory but which have areas of underperformance will receive a monitoring visit by an Ofsted inspector before their next section 5 inspection.

Achievement and standards

Grade: 3

Almost half the pupils have learning difficulties and/or disabilities, and this has a considerable impact on the standards reached in each key stage, as many pupils struggle to reach the expected levels for their age. There is appropriate support for all these pupils so that they make satisfactory progress despite the very low standards they attain. Over the past four years the school has achieved a steady increase in pupils' progress in Key Stage 2, and more recently in Key Stage 1. However, the upward trend in pupils' progress is not even throughout the school, in different subjects, or from one year to the next. The improvements in Key Stage 2 have been secured partly by good teaching in Year 6, which accelerates pupils' progress. This year, improved teaching and learning are beginning to even out pupils' progress across the school. Nonetheless, a very few year groups do not make enough progress, and boys' standards remain lower than girls. Boys make broadly satisfactory progress, and a few are doing really well, but the school has not yet made a significant impact on raising boys' attainment in all classes.

Personal development and well-being

Grade: 3

Pupils' behaviour is satisfactory. They move safely, in an orderly way, and demonstrate safe practices around the school. At times some are restless and silly in lessons. Pupils refer to some bullying and 'scraps' in the playground but feel safe because potential incidents are dealt with quickly and effectively; 'It stops', said one. Pupils know about healthy lifestyles. Year 5 pupils said, 'We don't have fizzy drinks.E numbers in them affect our behaviour.' Attendance levels are well below average and declining. A significant number of pupils regularly miss school. The majority enjoy the security of school but at times lack a real joy for learning. They have limited experience of art, music or drama and knowledge of cultures other than their own. The school council is influential: 'Everything outside is our idea', they say. It represents the views of others fairly. However, pupils' involvement with the community outside school is more limited. Although pupils leave the school with low standards of basic skills in numeracy and literacy, their information and communication technology skills are adequate and their self-confidence is good so that they are developing appropriate life skills.

Quality of provision

Teaching and learning

Grade: 3

Improvements in teaching and learning contribute to the steady improvement in pupils' progress. Effective recruitment procedures led to a further improvement in overall teaching quality this year. The very high proportion of pupils who have learning difficulties and/or disabilities receive plenty of appropriate support from skilled staff. Teachers gather a great deal of information about how well all the pupils are doing, but make too little use of it when planning lessons. Consequently, there is inconsistency in the level of challenge for pupils of all abilities. Whilst many lessons capture pupils' interest, a minority fail to motivate them, so their progress varies from class to class. In Years 5 and 6, pupils say that lessons are lively and interesting. They know what is expected of them and make good progress in both these year groups now. In lessons where progress is slower, there are fewer opportunities for pupils to be actively involved in learning, and too little emphasis on improving spoken language. This particularly affects boys, who are seen to lose interest when listening to staff for long periods.

Curriculum and other activities

Grade: 3

The curriculum is enriched well, and pupils particularly enjoy the extra sports activities. The Year 6 residential visit to Braeside is typical of the good provision for developing pupils' team working skills. Pupils are enthusiastic about leading healthy lifestyles because the school has been committed to the Healthy Schools programme since 2002. The steady improvement in reading opportunities in Key Stage 2 resulted in a significant improvement in English standards in 2007. Writing skills have not improved as significantly, mainly because there are too few opportunities to develop writing skills across the curriculum in both key stages. Mathematics standards improved in Key Stage 1, where pupils learn effectively through a good range of practical activities. In Key Stage 2, there are limited opportunities for pupils to develop their mathematical and mental arithmetic skills and this limits their overall achievement. Despite the overall improvements, the curriculum is not contributing fully to raising standards in the core subjects for boys because some lessons lack interest for them.

Care, guidance and support

Grade: 3

Good procedures to monitor attendance ensure that the school knows the reasons for pupils' absences, but it has not yet taken effective action to reduce the high level of absences. Arrangements to ensure pupils' safety are good. Staff are well aware of the robust and sensitive child protection procedures. Pupils value comments made by staff and parents in the 'Home-School Book'. They think that most members of staff manage behaviour fairly and consistently, especially in relation to bullying. Most pupils know their learning targets for English and mathematics and discuss them regularly with their parents and teachers. However, teachers' marking and other guidance for learning often lacks sufficient challenge and this limits pupils' attainment.

Leadership and management

Grade: 3

School leaders embraced the intensive support provided by the local authority to help raise standards. As a result, there is clear direction for raising standards and a steady improvement has been secured in pupils' achievement. Targets set for pupils are mostly appropriate and the capacity for further improvement is satisfactory. School leaders are clearly focused on improving the quality of teaching and learning throughout the school to raise standards further. They have succeeded in Years 3, 5 and 6, partly due to effective staff recruitment procedures, and partly due to good quality professional development. Firm action is being taken to improve and eradicate inadequate teaching. School self-evaluation is mostly accurate. The few differences between the school's judgements about its own effectiveness and those of the inspection team occur largely because the school has anticipated the improvements it expects to take place as a result of recent changes. Senior managers collect a wealth of information about pupils' progress and attainment. However, it is not analysed succinctly and provides limited information to staff and governors. Consequently, strategic planning is not quite sharp enough. This has contributed to the slower pace of improvement in boys' standards.

Any complaints about the inspection or the report should be made following the procedures set out in the guidance 'Complaints about school inspection', which is available from Ofsted's website: www.ofsted.gov.uk.

Annex A

Inspection judgements

Key to judgements: grade 1 is outstanding, grade 2 good, grade 3 satisfactory, and grade 4 inadequate	School Overall
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Overall effectiveness

How effective, efficient and inclusive is the provision of education, integrated care and any extended services in meeting the needs of learners?	3
Effective steps have been taken to promote improvement since the last inspection	Yes
How well does the school work in partnership with others to promote learners' well-being?	3
The effectiveness of the Foundation Stage	3
The capacity to make any necessary improvements	3

Achievement and standards

How well do learners achieve?	3
The standards ¹ reached by learners	4
How well learners make progress, taking account of any significant variations between groups of learners	3
How well learners with learning difficulties and disabilities make progress	3

Personal development and well-being

How good is the overall personal development and well-being of the learners?	3
The extent of learners' spiritual, moral, social and cultural development	3
The extent to which learners adopt healthy lifestyles	2
The extent to which learners adopt safe practices	2
How well learners enjoy their education	3
The attendance of learners	4
The behaviour of learners	3
The extent to which learners make a positive contribution to the community	3
How well learners develop workplace and other skills that will contribute to their future economic well-being	3

The quality of provision

How effective are teaching and learning in meeting the full range of the learners' needs?	3
How well do the curriculum and other activities meet the range of needs and interests of learners?	3
How well are learners cared for, guided and supported?	3

¹ Grade 1 - Exceptionally and consistently high; Grade 2 - Generally above average with none significantly below average; Grade 3 - Broadly average to below average; Grade 4 - Exceptionally low.

Annex A

Leadership and management

How effective are leadership and management in raising achievement and supporting all learners?	3
How effectively leaders and managers at all levels set clear direction leading to improvement and promote high quality of care and education	3
How effectively leaders and managers use challenging targets to raise standards	3
The effectiveness of the school's self-evaluation	3
How well equality of opportunity is promoted and discrimination tackled so that all learners achieve as well as they can	4
How effectively and efficiently resources, including staff, are deployed to achieve value for money	3
The extent to which governors and other supervisory boards discharge their responsibilities	3
Do procedures for safeguarding learners meet current government requirements?	Yes
Does this school require special measures?	No
Does this school require a notice to improve?	No

Text from letter to pupils explaining the findings of the inspection

20 September 2007

Dear Pupils,

Inspection of Penhill Primary School, Swindon SN2 5HF

Thank you all for making us so welcome and helping us when we visited your school. The school is satisfactory and helps you make satisfactory progress, but many of you do not reach the levels expected for your age in English, mathematics and science. Teaching is satisfactory overall, but varies from class to class. The headteacher, all the senior teachers and the governors are working hard to improve teaching and learning and help all of you to reach higher standards.

- Here are the things that we think are best about your school:
- You know how to stay safe and how to keep yourselves healthy.
- Staff look after you well so that most of you are happy at school.
- You told us that teaching in Year 6 is particularly good and we saw that it helps you to catch up in your work.
- You really enjoy the extra activities, especially the visits and the sports clubs.
- Those of you who find the work difficult get a lot of help and support.
- These are the things that we think could be better:
- Boys make satisfactory progress but they are not reaching the same standards as the girls. We think this is because the boys are not always interested in the work.
- There is a lot going on to make your school even better, but the school plan to improve things does not show exactly how the most important things will be tackled in every class.
- Too many of you have poor attendance because you often stay at home, and this makes a big difference to the standards that you reach. You could help by making a big effort to come to school every day.

Thank you again for being so helpful and friendly when we came to see you.

Yours faithfully Liz Kounnou Lead inspector

20 September 2007

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Thank you again for being so helpful and friendly when we came to see you.

Yours faithfully



Liz Kounnou
Lead inspector

Appendix 1

Pre-Statutory Consultation on the Potential Closure of Penhill Primary School, and the Expansion of the Swindon Academy to include Penhill Primary School

CABINET

Date: 23rd January 2008

Author: Cabinet Member for Children's Services and Group Director, Children

Parish / Wards Affected: Penhill

Purpose

- To set out the arrangements for pre-statutory consultation with parents, staff and governors about proposals to 'amalgamate' Penhill Primary School with the Swindon Academy, by formally closing Penhill Primary School, and expanding the Swindon Academy to include an additional primary element, the present Penhill Primary School

Recommendation

Cabinet is requested to

- Subject to approval from the Department from Children, Schools and Families (DCSF), and appropriate funding being identified, authorise the Group Director, Children to consult with the parents, staff and governors of Penhill Primary School on linked proposals to close Penhill Primary School and incorporate it into the Swindon Academy in the existing school buildings from September 2008 and to report back to the Cabinet on the outcome of this consultation.

1. Reasons

It is proposed to close Penhill School in order to 'amalgamate' Penhill Primary School with the Swindon Academy.

- 1.1. If the proposal to move to consultation is approved The United Learning Trust will carry out a coincidental consultation on the expansion of the Swindon Academy to include Penhill Primary School from September 2008 and report back to Cabinet on this.
- 1.2 It is considered that there is a range of benefits for pupils, parents and staff of the proposal to amalgamate Penhill School with the Swindon Academy. These were set out in the report presented to Cabinet on 31st October 2007, requesting permission to submit an Expression of Interest to the Department for Children, Schools and Families (DCSF) to expand the Swindon Academy.

Further information on the subject of this report can be obtained from Martin Coles on 01793 465744 or Email mcoles@swindon.gov.uk.

Appendix 1

Pre-Statutory Consultation on the Potential Closure of Penhill Primary School, and the Expansion of the Swindon Academy to include Penhill Primary School

CABINET

Date: 23rd January 2008

-
- 1.3 An Expression of Interest is lodged with the DCSF asking them to confirm that they are content with Swindon Borough Council moving to consultation on this proposal. The consultation will only move ahead if the response from the DCFS is positive.
- 1.4 Pre-statutory consultations are, therefore, proposed with all relevant stakeholders, including governors, staff, parents and the Penhill Forum, subject to DCSF approval.
- 2. Detail**
- 2.1 Penhill Primary School is a community school attended by children who come from a predominantly white British background. Entitlement to Free School Meals is above both the national and Swindon average and individual pupil postcode data places the population of the school in the upper quartile boundary for deprivation. The school has failed to meet the floor targets for pupils reaching the expected level in literacy and maths at age 11 for five years in a row, and is on the DCSF list of 226 schools nationally which are judged 'hard to shift'.
- 2.2 The Local Authority believes that amalgamating Penhill Primary School with the Swindon Academy would strengthen the capacity of the school to sustain improvements. It would improve curriculum continuity and make progression from Key Stage 2 to Key Stage 3 easier for pupils. It would also allow greater flexibility in the use of resources.
- 2.2 The Department for Children, Schools and Families (DCSF) describes five key stages in making changes to schools. These are:
- Consultation (pre-statutory)
 - Publication
 - Representation Period (statutory)
 - Decision
 - Implementation
- 2.3 The six 'school week' pre-statutory consultation period of the process will include meetings with the parents, staff and governors of Penhill Primary School and the Swindon Academy. Once the views of the interested parties have been received a further report will be presented to Cabinet on the outcome of the consultation.
- 2.4 Ward Councillors for the Penhill ward have been consulted. Councillor David Glaholm's comments are as follows:

'I support anything that leads to an improvement in opportunities for the children.'

Further information on the subject of this report can be obtained from Martin Coles on 01793 465744 or Email mcoles@swindon.gov.uk.

Appendix 1

Pre-Statutory Consultation on the Potential Closure of Penhill Primary School, and the Expansion of the Swindon Academy to include Penhill Primary School

CABINET

Date: 23rd January 2008

I hope the Academy will open up the facility to the wider community particularly in the evenings.

There must be consultation with the Penhill Forum on this proposal as well as parents.'

Alternative Options

The Local Authority could take the decision:

- To close Penhill School - school place planning means this option is not viable i.e. there are not sufficient places in neighbouring schools for displaced pupils.
- To continue to support Penhill with substantial additional resource and advice. This strategy has been in place for the last two years, and is not sustainable.
- To federate or amalgamate Penhill with a neighbouring community school. There are no suitable schools in the close vicinity.

Risk Management

Financial and Procurement Implications

- The capital implications of the proposal will have to be contained within the resourcing limits approved by Council in the 4-year Capital Programme. If there is a requirement to target capital money to this project, the current approved capital programme will need to be re-prioritised accordingly.
- The costs of publishing statutory proposals are contained within the School Organisation Budget.
- When schools amalgamate, all staff are guaranteed transfer under TUPE arrangements. There is always a risk of redundancies arising from the existing management teams, though this is not anticipated in this case. The Schools' Forum have accepted a principle that, where there are proven savings against schools block budgets, it is not unreasonable for them to accept any such redundancy costs associated with the amalgamation. However, there is always risk that SBC core funds may be called upon if the Schools' Forum do not agree with the savings and associated costs position.
- The capital costs of any appropriate building alterations required would be developed and reported to Cabinet in conjunction with the outcome of the pre-statutory consultation.
- Potential funding sources for capital investment may include the receipt arising from the disposal of any surplus site area, use of Schools Formula Capital, and a capital grant from the DCSF.

Further information on the subject of this report can be obtained from Martin Coles on 01793 465744 or Email mcoles@swindon.gov.uk.

Appendix 1

Pre-Statutory Consultation on the Potential Closure of Penhill Primary School, and the Expansion of the Swindon Academy to include Penhill Primary School

CABINET

Date: 23rd January 2008

Legal / Human Rights Implications

- Any statutory proposals relating to Penhill Primary School are subject to the relevant provisions in the School Standards and Framework Act 1998. Under those provisions, the Council is required to consult with interested persons prior to making a decision of publishing proposals to open, significantly alter, or close a school. If there are any objections to proposals that are published they will be referred to a further Cabinet for decision.

Links to Corporate Plans and Policies (in particular to Swindon 2010 Promises)

- The recommendations are in line with Swindon 2010 Promise 20.

Consultees

- The Director of Finance (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.
- Ward councillors for Penhill Ward have been consulted on the contents of this report.

Background Papers and Appendices

- None

Key Decision / Decision in Forward Plan

- This is a key decision for Cabinet and has been included in the Cabinet Forward Plan for January 2008

Further information on the subject of this report can be obtained from Martin Coles on 01793 465744 or Email mcoles@swindon.gov.uk.

Response Form

Pre Statutory Consultation
Proposed closure of Penhill Primary School to allow an expansion of the Swindon Academy

Name: _____
Address: _____
Postcode: _____

Please tick:
Parent ☐ Governor ☐ Staff ☐ Resident ☐
Member of the Penhill Forum ☐

Do you support the linked proposals to close Penhill Primary School to make way for an expansion of the Swindon Academy?

Yes ☐ No ☐

Comments:

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Signature: _____

Responses must be received by 14th July 2008 latest.

Please return Response Forms by post to:

Tricia Devaney
Children Services, Swindon Borough Council
Sanford House
Sanford Street
Swindon SN1 1QH
01793 465748
email: tdevaney@swindon.gov.uk

Data Protection

The information you provide will be for the analysis of responses received as part of the Pre-Statutory consultation on the linked proposals to close Penhill Primary School to allow an expansion of the Swindon Academy for the purposes of compiling recommendations to Cabinet. Personal information will not be



Children Services

Children and young people deserve the best start in life.

Proposals to close Penhill Primary School and Nursery to allow an expansion of the Swindon Academy

June - July 2008



Contact: David Neal, Academy Project Manager,
Sanford House, Sanford Street, Swindon, SN1 1QH
Tel: 01793 463367 or email: dneal@swindon.gov.uk
Web: www.swindon.gov.uk/educationandlearning-

This information about the Proposal to close Penhill Primary School and Nursery is available on request. It can be produced in a range of languages and formats (such as large print, Braille or other accessible formats) by contacting the Customer Services Department.

Tel: 01793 463725
Fax: 01793 463982
E-mail: customerservices@swindon.gov.uk

Dear Parents/Carers, Staff and Governors of Penhill Primary School and Nursery and members of the Penhill Forum and community.

Please see the enclosed information about the Council's linked proposals to close Penhill Primary School to allow an expansion of the Swindon Academy. You are invited to let the Council know your views about this proposal.

In addition to the written information and Response Form provided in this document, the Council has also arranged meetings at Penhill Primary School to allow you to ask questions you might have and put forward any comments. The United Learning Trust (ULT), sponsors of the Swindon Academy, will also be seeking your views about how the expansion of the Swindon Academy will make a positive impact on children who transfer from Penhill Primary School. DJB Consultancy Independent Consultants, will carry out this consultation and will participate in the meetings arranged by the Council.

The dates and times of the Council's consultation meetings are set out below. Please note that parents and carers have a choice of two meetings to attend:

Penhill Primary School Hall - 9th June 2008
 Parents/carers 3.30pm
 Staff 4.45pm
 Governors 6.00pm
 Parents/carers 7.15pm

Penhill Primary School Hall - 12th June 2008
 Penhill Forum and Public - 6.00pm

Care facilities will be available at the parents/carers meetings at Penhill Primary School.

The Objectives of the Proposal

The key objective of the proposal is to improve the life chances of children in the Penhill area by transforming the education offering. This transformation is to be achieved by closing the traditional Primary school and transferring children into an expanded Academy. The reasons that the Council wants to promote this proposal are set out below:

- Penhill Primary School is on the Department for Children, Schools and Families (DCSF) list of 266 'hard to shift' primary schools in England and has failed to meet the floor target at Key Stage two in both Maths and English for five years, despite receiving considerable additional resource and support from the Local Authority. The Local Authority considers that a structural solution is required to move this school forward. If the school became part of the Academy it would benefit from the drive to raise standards already evident in the Academy.
 - An all-through Academy can help pupils with the transition from one school to another and provides continuity of teaching and learning for pupils. Evidence shows that pupil performance dips, and pupil progress is slowed, as a result of moving schools. In an area where raising standards of achievement is a key priority between primary and secondary and where this has not to date been successfully addressed through to age 16, it is vital that these barriers to progress are removed. There are opportunities in the future for feeder schools to the Academy to be more closely associated with the United Learning Trust, for example through trust status. However, the critical issue of school standards in Penhill Primary School needs to be addressed;
 - During the consultation phase for the Academy, it became clear that members of the community of Penhill felt that their children might miss out on the Academy development. Although children from the Penhill Primary School area have the opportunity to apply for a place at the Academy at the secondary school stage, there is a perception that primary age children may be potentially disadvantaged compared to those in the previous Pinehurst Schools, by being excluded from the Academy arrangement.
 - The developing educational plans for the all-through Academy suggest that it will break out from traditional year group structures and move towards working within vertically organised systems where the needs of the individual learner can be more readily met and personalised. Pupils will be able to progress according to the 'stage' they are at in their development rather than their chronological age. Such a development may make it more difficult for the pupils of Penhill Primary School to integrate into the Academy when they move at 11 years of age.
 - As well as helping to raise standards, the expansion of the Academy to include Penhill Primary School would also promote inclusion and there will be benefits attached to continuity of care, especially for more vulnerable children.
 - In the same way, an all-through Academy would help the multi-agency team support children better i.e. easier access, economies of scale for all agencies involved, and closer relationships through more regular formal and informal contacts, all resulting in an improved standard of provision for pupils.
- If implemented, the existing site and buildings would be transferred to the Academy. Staff affected by the proposal would also be transferred to a new employer, the United Learning Trust.
- We would be very interested to know whether or not you share our views about the advantages of merging Penhill primary school with an expanded Academy. Please complete the attached Response Form and return it to us by **14th July 2008**.

Frequently asked Questions

- Why does Penhill have to be closed to change it to part of the Academy?**
 A. The Council currently owns and maintains Penhill Primary. Legislation means that in order for the school to be transferred into new management, it needs to be 'closed' to allow the new management to take over.
- Will parents/carers of children at Penhill Primary need to apply for a place at the Academy if the proposal goes ahead?**
 A. No. All children on roll at Penhill Primary at the time of the closure will automatically transfer to the roll of the expanded Swindon Academy.
- What will happen to the land and buildings?**
 A. The United Learning Trust will take a long lease on the land and, therefore, the responsibility for the buildings.
- Who decides if this proposal goes ahead?**
 A. The Council is able to decide the closure of Penhill Primary School locally. The expansion of the Swindon Academy has to be decided by the Secretary of State. The timeline below sets out the various stages of the decision making process. The views expressed by parents/carers, staff, governors, residents and those of the Penhill Forum will be reported to Cabinet on 23rd July 2008. The meeting is open to members of the public.
- What will happen to staff working at Penhill Primary School if the proposal goes ahead?**
 A. Staff employed at Penhill Primary at the time of its proposed closure will transfer to the United Learning Trust, the organisation that employs staff at the Swindon Academy.

Timeline

Target Dates in the Decision Making Process

1st June 2008	Pre Statutory Consultation begins
9th and 12th June 2008	Consultation meetings take place at Penhill Primary School and Penhill Forum
14th July 2008	Pre Statutory consultation ends
23rd July 2008	Outcome of Pre-Statutory consultation report to Cabinet
Late August / September 2008	If agreed, the Statutory consultation commences
October / November 2008	Decision by Cabinet Panel
January 2009	Proposed Implementation



“Giving Children and Young People the best start in life”

**A Proposal to expand Swindon Academy
to include Penhill Primary & Nursery School
Consultation Document**

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Introduction

This document has been produced as part of the independent public consultation into the proposal to expand the 0-19 Swindon Academy to include Penhill Primary and Nursery School. The purpose of the document is to inform potential students, parents, staff, governors, education partners in Swindon, interested parties affected by the proposed site and the wider community on the proposal to this expansion to the Academy, so that they can express their views during the consultation process.

Background to this proposal

The Department for Children Families and Schools (DCFS) and Swindon Borough Council (SBC) in collaboration with the sponsor United Learning Trust (ULT) established the Swindon Academy in September 2007. The academy replaced Headlands secondary school and Pinehurst Infant and Junior schools. The Council now wishes to expand the academy to include Penhill Primary School.

The academy is an all age 0–19 academy providing education and community services and will serve students from Pinehurst, Gorse Hill, Seven Fields and Penhill, one of the most deserving areas of Swindon.

The academy will permit the more effective deployment of multi-agency approaches - easier access, economies of scale for all agencies involved, and closer relationships through more regular formal and informal contacts all resulting in an improved standard of provision for the children.

The Penhill school building will be extensively refurbished and will remain on its current site about one mile from the main academy campus.

The Public Consultation Process

The following areas are the key priorities for consultation:

- The Academy's intake and development
- Transition-Continuity and Progression
- Governance
- Community links and wider use

This independent public consultation is being conducted by DJB Consultancy on behalf of ULT and will run in parallel with the SBC consultation process. SBC will consider all the views that are expressed as part of this public consultation and the separate SBC statutory consultation process before making a decision to publish statutory proposals to close Penhill School. The Sponsor will seek the Secretary of State's approval for the expansion of the academy.

Further details about the consultation process and how your views can be represented are given at the end of this document.

1. Reason for this Proposal

During the consultation to establish Swindon Academy there were a number of responses suggesting that some feeder schools to the academy, excluding Pinehurst Infant and Junior schools, which would be part of the academy, would be disadvantaged, i.e. Penhill, Gorse Hill and Seven Fields. 86% of the academy's student cohort comes from these feeder schools, with 20% from Penhill.

However, although in the future there will be opportunities for feeder schools to the academy to work closely with the United Learning Trust, Penhill Primary School standards have been identified by SBC as a critical issue that needs to be addressed urgently.

Penhill Primary school is on the DCFS list of 266 'hard to shift' primary schools and has failed to meet the floor target at key stage two in both maths and English for five years, despite receiving considerable additional resource and support from the Local Authority. An Ofsted inspection which took place in September 2007, judged the standards reached by learners to be inadequate (grade 4). The local authority considers that a structural solution is required to move this school forward. If the school became part of the academy it would benefit from the drive to raise standards, which is enhanced by the establishment of an academy.

The developing educational plans for this all-through academy suggest that it will break out from traditional structures and move towards systems where the needs of the individual learner can be more readily met and be personalised. Pupils/students will be able to be progressed according to the 'stage' they are at in their development rather than their chronological age. Such a development may make it more difficult for the pupils of Penhill Primary School to integrate into the academy when they move at eleven.

As well as helping to raise standards, an academy expanded to include Penhill Primary School will also promote inclusion and enjoy the benefits attached to continuity of care and personnel especially with respect to more vulnerable children.

ULT and SBC share the view that an all age 0-19 academy is well placed to transform the education and learning opportunities for primary pupils of all abilities from the surrounding area, raise aspirations and achievement and challenge expectations of learning. It removes a number of transition issues when moving from one school to another and provides continuity of teaching and learning for pupils¹. The

¹ Evidence shows that pupil performance dips, and pupil progress is slowed,

development allows for a cross-curriculum approach to teaching and learning across all the key stages ensuring individual levels of attainment are improved.

as a result of moving schools. In an area where raising standards of achievement is a key priority- which has not to-date been successfully addressed through to age 16-it is vital that these barriers to progress are removed.

2. The Academy Proposal

The proposal to undertake a feasibility study to expand Swindon Academy established in September 2007, which has replaced Headlands School and Pinehurst Infant and Junior Schools to further include Penhill Primary and Nursery School is supported by the DCSF, Swindon Borough Council and the Governors of Swindon Academy. The proposal is subject to agreement by the School Scrutiny Committee. As part of the feasibility the expanded academy will:

- In partnership with the Council, explore the inclusion of Penhill Primary and Nursery Schools into the 0-11 element of the academy.
- In partnership with the Council, also further explore the way in which existing 0-4 family support services can be integrated into the academy
- Open in January 2009 in the existing Penhill school building and have a planned programme to refurbish the current accommodation.
- Guarantee places for all existing students at Penhill School into the 0-11 element of the academy at the time the school closes in December 2008.
- Be co-educational and free of charge for pupils of statutory school age.
- Continue to operate the existing schools catchment areas and admissions policies in September 2008.
- Adopt the current ULT Admissions Policy (see section 9) subject to any agreed amendments to reflect local existing policies with effect from September 2009.
- Be committed to the pursuit of high standards and levels of achievement in all areas of learning activity and behaviour.
- Be a place where all students will be supported in realising their full potential and encouraged to take their place in society as active and positive contributors.
- Work in partnership with other primary, secondary schools and further education establishments in Swindon.
- Be at the heart of the local community, providing a driver for change through the use of its facilities either during or outside academy hours.
- Be sponsored and managed by the United Learning Trust a subsidiary of the United Church Schools Trust.
- Build on its corporate partnership with Honda who is active in supporting the work of the academy. Honda is a major global company with a European manufacturing base in Swindon and Sales and Services operations in Langley.

3. What are Academies?

Academies are a new type of all ability school which aim to bring a fresh approach to school leadership, teaching and learning, raising the standard of education provision in the maintained sector in the more disadvantaged areas. Academies draw on the expertise of the sponsor and have the freedom to try new ways of teaching within an innovative and stimulating environment.

Across the country, academies are being created to replace schools in challenging circumstances or to meet demand for additional school places. The Government is committed to establishing 400 academies with at least 200 open or in the pipeline by 2010.

Academies are state-funded independent secondary schools. They are independent of the Local Education Authority and have more autonomy over curriculum design than maintained schools. They offer a broad and balanced curriculum together with a specialism. All places are free of charge with no fees paid by parents and are available to the local community within an agreed admissions policy.

Academies are operated by a not-for-profit charitable trust. Sponsorship for academies is from the private or voluntary sectors that make donations up to a ceiling of £2 million to support the charitable purposes of the academy. This establishes a long-term financial endowment to enhance educational progress in the academy and in the local community more generally.

The capital costs for remodelling the proposed Penhill extension will be funded by Swindon Borough Council.

The annual recurrent costs are funded directly by the Department for Children Schools and Families (DCSF) at a level comparable to the funding of similar schools in the area. In addition, each academy receives a per-student grant equivalent to specialist schools in the maintained sector.

4. About the Sponsor: United Learning Trust (ULT)

ULT is a registered charity, specifically created to establish a family of academies which provide an outstanding education to young people across the country. Established in 2002, ULT is a subsidiary of the not-for-profit charity, the United Church Schools Trust (UCST), which owns and manages a family of independent schools in the UK for 125 years. ULT offers the stability of an organization with a long term commitment to education in this country and the experience to run schools.

UCST's extensive experience in providing high quality education makes ULT a unique sponsor of academies. Its experience in bridging the private and public sectors brings significant benefits to teachers, students and parents through the sharing of good educational practice. The two organisations share the objective of offering students outstanding education.

In order to satisfy its charitable objectives, ULT is required to ensure that the academy is founded on a Christian ethos. ULT hopes and expects that its ethos can be accepted by people of all faiths and none.

ULT currently operates and manages 13 academies: Manchester, Lambeth, Northampton Salford-City, Barnsley, Sheffield Park, Sheffield Springs, Paddington, Walthamstow, William Hulme Grammar School, North Oxfordshire, Swindon, and Stockport. It also has two others in feasibility in Accrington and Midhurst, West Sussex.

5. The Academy Ethos

The ethos of Swindon Academy is one of:

- Respect
- Service
- Compassion
- Discipline
- Hard work

This is supported by a constructive and supportive environment where all students and staff are valued and respected. Students are given individual care and support and guided and encouraged to develop a lifelong love of learning.

A culture of hard work is instilled throughout the academy. It has a philosophy that encourages achievement. Students will be expected to develop a high standard of learning and life skills.

ULT academies aim to enable each student to become a balanced articulate person with the:

- intellectual freedom to be creative
- confidence to initiate
- flexibility to react to change
- compassion to serve others.
- motivation to have a lifelong love of learning.

It is a core belief of the ULT that students thrive when parents, the school and the community work together to encourage and support the success of each student.

ULT respects the differences that exist between the different communities it serves. ULT has a strong and vibrant commitment to quality and innovation built on dynamic partnerships with parents, the local community and business organisations, local organisations and other education providers.

6. The Vision for the new Academy

The academy offers a high quality educational experience to students to ensure that they are thoroughly prepared to meet the challenges of the workplace, either directly from school or after higher education. In particular, it will aim to offer:

Innovative teaching, learning and development for all

- Learning approaches that are targeted to the needs of the students through a mixture of modular learning paths.
- A well-considered programme of life skills, incorporated into many parts of the Academy day and curriculum, which will help prepare students to become active and responsible citizens;
- A fully accessible academy with extended day programmes that offer study support and additional learning opportunities and a wide range of arts, sports, and recreational activities;
- Provide opportunities for an integrated approach to teaching and learning across different year groups;
- Personal tutor and peer mentoring systems which offer individually- tailored learning plans for every student to raise their aspirations and achievements. Particular attention will be given to the core areas of literacy and numeracy. Where appropriate, there will also be links to external agencies and advisors to assist with the rounded development of students;
- Extension programmes and accelerated learning opportunities, delivered using ICT and distance learning materials;
- Innovative approaches to the teaching and learning process, based on a framework of study skills and methods of monitoring, assessment, reporting and planning that encourage more ICT-based learning, with provision for community participation;
- A framework of professional development and training in transferable skills related to the use of new technology, and remuneration policies to attract, retain and continuously develop teachers and support staff;
- Developing with the local business community and other key stakeholders ways of assisting the regeneration of the area;
- Being a learning resource at the heart of the local community with a commitment to supporting a broad range of community needs.

7. The Academy's Curriculum and Specialism

The academy will be committed to providing a broad, balanced and relevant curriculum for all its learners. To achieve this it will have due regard for the key areas of the National Curriculum, but as a publicly-funded independent school it will be free to develop innovative and creative approaches to both teaching and learning, making education relevant and exciting. All students will have access to the core curriculum, English, Mathematics, Science and Information Communication Technology.

The curriculum will be at the cutting-edge of educational development and designed to support the highest level of achievement by students. State-of-the-art technology will help ensure that the curriculum is accessible online 24 hours a day.

Each student will have a carefully prepared individual programme of learning. This student-centred approach has been designed to meet the needs of all students and will be present through the student's school life.

The 4-11 primary curriculum will be developed by blending existing good practice with new opportunities for learning. The aim will be to encourage high levels of individual achievement through an exciting, engaging and creative curriculum which will also have a strong emphasis on the development of the core skills that provide the building blocks for the future success of learners. The education of primary phase students will be further enhanced through access to the 21st Century facilities and technologies which the academy will provide for all its learners.

One of the key benefits of a 0-19 academy is that all professionals and key stakeholders in the chain of learning can ensure the best possible continuity of planning and progression for the individual learner.

In addition to covering key areas of the National Curriculum, the academy has a focus on specialist subject areas in which it will aim to become recognised as a Centre of Excellence. The specialism should enable the school to retain and recruit enthusiastic, inspirational teachers with outstanding motivational skills. The academy's specialism is Science with Business and Enterprise.

8. Teaching and Support Staff

The ULT is responsible for the employment of the academy's staff. The Principal decides, within the budget framework, how many teachers to employ and makes the appointments.

It is recognised that the teachers and support staff at the academy are its most valuable resource. Without good, well-supported teaching the academy's vision for success will not be realised. Therefore it is establishing:

- Sound and sensitive employment practices
- Excellent working conditions and relationships
- Modern management structures
- Competitive levels of remuneration and rewards.

The staff employed work to a common goal of raising standards for all students. The academy will ensure strong pastoral care for students, which will involve parents and the community.

ULT will consult with the Trade Unions about the application of the TUPE regulations, as applied to staff in Penhill School, in advance of those staff' joining the academy.

9. Admissions

The academy is fully inclusive in terms of admissions with a comprehensive intake of boys and girls across all ability ranges. The academy **currently** provides up to 1,200 places for students aged 11–19. Up to 180 students will be admitted in Year 7 each year and there will be a maximum of 300 places in the Sixth Form.

The academy currently provides up to 420 places for students aged 4–11 with up to 60 pupils being admitted into Reception each year. There are also 52 part-time nursery places available. The Penhill site will admit up to 60 pupils into Reception each year. 52 part-time nursery places will also be available.

If incorporated as part of the expanded academy, all students at Penhill School will be automatically offered a place at the academy at the time the school closes in December 2008. Thereafter, pupils at the Penhill site will automatically transfer to the academy's secondary provision unless there is parental preference to the contrary.

The expanded academy will adopt the current ULT Admissions Policy, subject to any agreed amendments to reflect local existing policies with effect from January 2009.

The principles on which the admissions criteria are based include:

1. Children with statements of SEN where the Academy is named on the statement;
2. Children in Public Care (Looked after Children);
3. Children for whom it is essential to be admitted to the school because of special circumstances related to medical and social needs;
4. Children with special educational needs (SEN) but without a statement will receive equal consideration with other applicants;
5. Children who have a brother or sister on roll at the academy at the time of admission;
6. Places will be allocated to children in relation to the distance from the child's place of residence to the academy (Penhill site).

The academy is aware of the need to provide facilities which will be appropriate for specific students with Special Educational Needs. These would include:

- Students who are gifted and talented;
- Students with individual learning difficulties;
- Students needing support with access.

The process of application for the academy will be made on the common application form of the Education Authority in which the applicant resides.

The academy's admissions arrangements follow the DCSF Code of Practice (including the guidance on appeals against refusal to admit), and is founded on impartiality, regard for the law and the principles of natural justice. The appeals system is transparent and fair. ULT's Academy Policy on exclusions takes account of DCSF guidance.

10. Governance

The ultimate governance of the all the sponsors' academies is the responsibility of the Trustees of the ULT.

The Trustees are responsible in particular for:

- Overall policy for each Academy
- Policy decisions on where and when to open new academies
- Fundraising
- Appointment of and Principals and Vice Principals
- Relationship with the Government
- Budget for the whole group
- All staff contracts.

At the local level, the Swindon Academy has its own Local Governing Body (LGB). The aim is that the LGB should best reflect the specific needs of the academy. It is essential that the members will extend the skills and influence of the LGB and actively support and promote the aims, ethos and aspirations of the academy.

Members of the LGB include:

- The Chair
- The Principal, ex-officio
- Two elected Parents
- An elected teacher
- An elected member of the support staff
- A representative of the Local Council

In addition, the LGB includes other members drawn from the local community and from business and industry. Honda is represented on the LGB of the academy in Swindon and Sir Anthony Greener (one of the benefactors via the ULT) is the Chair.

The LGB:

- Assist on appointment panels
- Support the Principal and the ULT Finance Director in monitoring and managing the budget.
- Are responsible, with the Principal, for school policies and operations such as:
 - o Admissions
 - o Behaviour
 - o Discipline
 - o Exclusions
 - o Curriculum and its delivery
 - o Reporting to parents
 - o Maintaining the quality of the school
 - o Links with the community

11. Building Improvements at Penhill

The proposals that are being considered for building remodelling will offer improved quality of provision and facilities in a number of key areas of the school as well as providing an independent youth and community provision. Building construction work, in the main, will relate to internal structural changes to some rooms as required and general improvements and decoration to the whole school. Major improvements will be made to all flat roofs and metal windows, which will enhance the overall efficiency of the buildings. Upgrades will also be made to the M&E infrastructure (heating and ventilation) in line with current legislation on building efficiency. A new landscaped car parking facility will be provided at the front of the school which will give more emphasis to the entrance to the school and the current mobile classroom provisions will be integrated into a secure nursery block with it's own reception and secure access.

A summary of the changes considered are as follows:

- Structural remodelling to some of the classrooms to meet BB99 standards.
- Structural remodelling of the reception and nursery provisions into an independent secure unit. (Removal of all mobiles).
- Addition of some general multi-use rooms.
- Addition of a secure youth and community provision with it's own entrance and identity.
- Improvements to M & E facilities (heating & ventilation).
- Replacement of all metal window frames to be replaced with uPVC
- Refurbishment of all flat roofs
- Improvements to surface water drainage.

12. Community Involvement and Wider Use

The new Penhill site and building will serve the community of Penhill, will be involved with Regeneration Initiatives, and will be a facility for the whole community complementing the existing facilities in the area.

It is proposed that this new academy site will offer:

- Extended school activities, including leisure and sport, child care, before and after school, holiday and weekend provision;
- A Youth Service provision on-site.
- Access to ICT and business facilities;
- Access to larger spaces e.g. halls, drama studios;
- The opportunity for some co-located health and social services provision that reflect the priorities of the local community.
- Continuing education and learning opportunities for local people.

Parents will be expected to participate actively in the education of their children, not just providing encouragement and support but also being fully engaged in the home/school partnership and other aspects of academy life. The academy will look to introduce modern and immediate ways to communicate with parents.

Links will be established with other primary and secondary schools, Further and Higher Education Colleges and local employers. It is expected that the academy will make a valuable contribution to promoting social inclusion, equality and diversity.

13. Consultation

Independent Consultants, DJB Consultancy - Dame Jocelyn Barrow, Lead Consultant, and Dawn Hill - are running the consultation process for expansion of the academy. The Consultants have considerable experience of working in education and with ULT. They aim to engage all sectors of the community.

The consultation process will start from 01st June 2008, during which time this consultation document will be widely circulated. DJB Consultancy will undertake consultation in parallel with the Council and be in attendance at the Public Consultation Meetings held by the Council for parents, staff and governors and the Penhill Forum. DJB Consultancy will further carry out a random survey of Penhill parents and hold focus groups with Penhill parents and pupils; a series of interviews with key academy and Penhill staff and governors and key stakeholders in Swindon including Headteachers of associated primary schools,

Swindon Borough Council Education Officers and Councillors, and trade union representatives.

The public meetings will be held at,
Penhill Primary School, Alton Close, Penhill, Swindon, SN2 5HF on,
09th June 2008

Parents/carers 3.30pm

Staff 4.45pm

Governors 6.00pm

Parents/carers 7.15pm

Penhill Forum, Penhill Primary School, Alton Close, Penhill, Swindon, SN2 5HF on 12th June 2008 at 6.00pm

Details of the above meetings will be given to local schools and through the local media. At the public consultation meeting ULT and the Council will each make a presentation and be available to respond to your questions and listen to your views, which will be recorded by the consultants.

At the end of the consultation period, the Consultants will bring together all the views from the consultation and prepare a report for ULT, the DCSF, Swindon Borough Council and the schools concerned.

Interested parties can additionally express their views on the proposal by writing to:

Jocelyn Barrow and Dawn Hill
DJB Consultancy
111 Helix Road
London, SW2 2JR
Mobile: 07947 371 639
Email: hilldawn@aol.com

Questions can also be addressed to:

Martyn Baker
ULT National Education Advisor and Project Manager
Church Schools House
Chapel Street
Titchmarsh
Northants NN14 3DA
Email: martyn.baker@church-schools.com

The document can also be accessed at:
www.ult.org.uk

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Map showing the location for the new academy and the local primary schools

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APPENDICES

Appendix 1: Key Stakeholders - Individual and Group Interviews

Appendix 2: Summary of Penhill Primary School Pupils’ Views

ADDENDUM: Penhill Primary & Nursery School Consultation:
A Survey of Parents Opinion

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PROPOSAL TO EXPAND SWINDON ACADEMY TO INCLUDE PENHILL PRIMARY AND NURSERY SCHOOL

CONSULTATION REPORT

1. Introduction

This report summarises the findings of an extensive public consultation into the proposal to expand the 0-19 Swindon Academy to include Penhill Primary and Nursery School.

Swindon Academy, sponsored by the United Learning Trust (ULT), opened in September 2007. It replaced Headlands School, Pinehurst Infant and Junior Schools. Swindon Borough Council (SBC) has proposed this closure of Penhill Primary and Nursery School to allow it to be incorporated into Swindon Academy.

Following the Council's decision to close the school, ULT will seek the Secretary of State for the Department for Children, Schools and Families (DCSF) approval for the expansion of the academy.

Under the proposal:

- The academy's Penhill expansion would open in January 2009 in the existing Penhill school building and which would have a planned programme of refurbishment;
- The school would remain on its current site but under the governance and management of the academy;
- Places would be guaranteed for all existing students at Penhill School into the 0-11 element of the academy at the time the school closes in December 2008.

The aim is to improve the quality of education provided for the children of Penhill and, in particular, to raise educational standards and strengthen the development of good educational practice. This is in line with the DCSF expectations of local authorities to implement targeted interventions in primary schools identified as 'hard to shift'.

1.2 The Background Reasons for this Proposal

Penhill Primary School is on the DCSF National List of 266 'hard to shift' primary schools. It has failed to meet the floor targets at Key Stage Two in both maths

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and English for five years, despite receiving considerable additional resources and support from the Local Authority. An Ofsted inspection, which took place in September 2006, judged the standards reached by learners to be inadequate (Grade 4).

SBC has identified standards at Penhill Primary School as a critical issue that needs to be addressed urgently. The Council is of the view that a structural solution is required and as such recommends that the school becomes part of Swindon Academy, where it would benefit from the academy's drive to raise standards.

The educational plans for the 0-19 academy, which are currently being developed, propose for the academy to break out from traditional structures and introduce systems where the needs of the individual learner can be more readily met and personalised. Students will be progressed according to the 'stage' they are at in their development rather than their chronological age. Such a development could make it difficult for the current Penhill Primary School pupils to integrate into the academy when they move at age 11.

As well as helping to raise local educational standards, an academy expanded to include Penhill Primary School will promote inclusion and enjoy the benefits attached to continuity of care and personnel, especially for more vulnerable children.

ULT and SBC share the view that an all-age 0-19 academy is well-placed to transform the education and learning opportunities for primary pupils of all abilities from the surrounding area, raise aspirations and achievement and challenge expectations of learning. It removes a number of transition issues when moving from one school to another and provides continuity of teaching and learning for pupils.¹ The development allows for a cross-curriculum approach to teaching and learning across all the Key Stages ensuring individual levels of attainment are improved.

During the consultation to establish Swindon Academy, which was carried out in 2006 by DJB Consultancy² on behalf of the sponsor United Learning Trust (ULT), a number of respondents suggested that some of the academy's feeder schools (excluding Pinehurst Infant and Junior Schools, which are now part of the academy) would be disadvantaged, i.e. Penhill, Gorse Hill and Seven Fields. 86% of the academy's student cohort comes from these feeder schools, with 20% from Penhill.

¹ Evidence shows that pupil performance dips, and pupil progress is slowed, as a result of moving schools. In an area where raising standards of achievement is a key priority, which has not to-date been successfully addressed through to age 16, it is vital that these barriers to progress are removed.

² See Swindon Academy Consultation Report November 2006.

2. Consultation Process

This independent public consultation was conducted by DJB Consultancy on behalf of ULT and ran from 1st June to 14th July 2008 in parallel with the statutory SBC consultation process into the closure of Penhill Primary School.

The following areas are the key priorities explored in the independent consultation:

- The academy's intake and development;
- Transition, continuity and progression;
- Governance;
- Community links and wider use.

The consultation period included:

- Two formal consultation meetings on 9th June for parents, carers and the community;
- Separate meetings for staff including trades union representatives and the governing body;
- A meeting on 12th June for the Penhill residents (Forum) and the public;
- Face-to-face interviews and group meetings with a cross-section of the schools' staff, trades unions, senior SBC representatives, other key education stakeholders, the Chair of Swindon Academy's Local Governing Body and the Councillor for the Penhill area; **(Appendix 1 lists all individuals and groups interviewed and written submissions)**
- Focus groups with students from Years 5 and 6; **(Appendix 2 Summary of students' views)**
- An independent statistically-valid Survey of Public Opinion commissioned among 50 parents which included two parent focus groups with a cross-section of parents who participated in the Survey. It was an opportunity for these parents to explore more fully the issues raised in the Survey. **(See Survey of Public Opinion Report)**

The school-based meetings were also attended by the Head Teachers and Senior Management Teams of Swindon Academy and of Penhill Primary and Nursery School. A representative from SBC Human Resources was present to answer questions on TUPE and other conditions of service matters. The DJB Consultancy Lead Officer chaired all the meetings and presentations were made by SBC and ULT representatives with input from the Principal of Swindon Academy.

The Chair of Penhill School was unable to meet with us for a face-to-face interview but was in attendance at all the school-based meetings and chaired the

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Governors' meeting. He was requested and agreed to submit a written response, but this has not been received to date. SBC forwarded the Governing Body's response to the Council dated 13th July to the consultants on 14th July.

3. The Key Issues for Consultation – Stakeholders' Views

3.1 Attitudes to the Academy Proposal

The Penhill School Parents' Survey (details are in the addendum to this report) reports that parents were split in their attitudes to the proposal to expand the academy to include Penhill with:

- 46% supporting/strongly supporting the proposal;
- 37% opposing/strongly opposing the proposal;
- 25% neither supporting nor opposing the proposal;
- 4% said they did not know.

3.1.1 Positive Responses

- 'Since Swindon Academy took over Headlands, my other daughter's education has improved.'
- 'My eldest goes to the academy and is doing really well.'
- 'I know from people needing one-to-one attention it's quite a long wait to get things done here, but from what I've read it would be different at the academy.'
- 'It will raise the standard and the school is not all that good anyway.'
- 'There will be higher standards with all the schools on one level.'
- 'If it's going to improve a lot of things, then it's worth it and if it brings up standards.'
- 'There are non-curriculum activities, and I think the standards would be raised if it were in the academy.'
- 'I agree with them on the curriculum. If one child is slow they go down in the curriculum a bit to help them.'
- 'Might be a better education – I don't think it's brilliant at the moment.'
- 'Part of it is their standards will improve over the next two years or so, and they won't have to keep looking for funds.'
- 'I think Swindon Academy is brilliant. I have other children who were at Headlands, and I've seen the changes and they worked well with my older son with ADHS.'
- 'It'll give them more education.'
- 'Because I don't think with the way Penhill is going, which is badly, that it's very good – no anti-bullying policy, they don't follow it up, and it needs improving.'

3.1.2 Negative Responses:

- 'My daughter has had a good education and I don't see why it should change, it's fine.'

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- 'I don't like the academy. My other daughter has had problems, the headmistress doesn't listen, and it is difficult to see her.'
- 'They are alright as they are.'
- 'Firstly, the academy hasn't been going that long and I've heard reports of bullying. Too early to say if it's working.'
- 'Because the academy hasn't done a lot for my oldest child (first year there). His level has dropped dramatically – inexperienced teachers there.'
- 'How are they going to do it? The fact they'll be bringing in kids from other areas – less of a community if that happens.'
- 'Why change when it's going ok?'

3.1.3 Don't Know Responses:

- 'It's too soon to say, the academy hasn't been there long.'
- 'You hear two different stories.'
- 'There's not a lot of difference. When my son leaves Penhill, he'll be going to the academy anyway.'
- 'The proposal for Swindon Academy, the idea was that it would be all together but they will still have to make a move to the Pinehurst site. On the positive side they would (hopefully) bring the standards up.'
- 'Because Penhill School newsletters say it wouldn't benefit the children.'
- 'The academy says it would benefit, and the media say it would be good. I just don't know really.'

3.2 Staff and other key stakeholders' attitudes to the proposal on the key issues for Penhill to join the academy

3.2.1 Teachers and teaching assistants at Penhill on the whole, but not entirely, expressed a negative attitude towards the proposal. The trades union representatives were clearly against it, both with regard to academies in general and specifically against this proposal. Staff were also worried about their job security and conditions of work.

The Year 5 and 6 pupils, in particular, were also largely against the proposal. Much of this negativity was based on the feeling that not enough was yet known about how the change would affect Penhill and how the changes would be implemented.

There were concerns about the lack of evidence that joining the academy would improve educational standards for the Penhill children. There was also a feeling that Penhill would be just an "add-on" or would be "slotted in" to the academy.

A further concern was that Penhill children and teachers would not fit in since they would remain on the existing site and as such would not have

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the advantages of the academy's infant and junior school which is on the same site as the secondary school. Scepticism was expressed repeatedly with regard to the upgrading of the Penhill buildings; it was frequently asked why this refurbishment is only available now, while the proposal is on the table.

A few teachers favoured the idea of Penhill becoming a Trust and there was a suggestion that they would work with the community and partners including Plymouth University to form such a Trust. There appeared, however, to be a lack of understanding of the process and the timeframe for such a move. Resentment was expressed about the fact that it seemed to be a foregone conclusion that Penhill would 'close down' and join the academy.

- 3.2.2 Strong concern was expressed by the union representatives and others that they were being 'railroaded' into this decision. They claimed the timescales were such that people did not know what was going to happen. The union representatives also voiced their disquiet about the implication that Penhill school would 'close'. They also claimed that there had been a lack of transparency in the process; 'People feel it's a done deal and we're just going through the motions'.

The trades union representatives complained that they had not seen SBC's consultation document before it went out despite being told, they claimed, that the schools would be the first to see it. They also said that they had been told they would be able to contribute to the document but that had not happened. These promises had, they said, been made by the previous Director of Education. They also voiced concerns about conditions of work and whether teachers would have to 'resign' before taking up a post at the academy.

- 3.2.3 Overall the main objections included:

- Lack of evidence that the academy can improve educational standards;
- Feeling that an academy of 2,000 pupils is too big;
- Research suggests that children feel safer and happier in a family environment in a school no bigger than 300; 'Particularly here, where we have vulnerable children (SEN and EBD) – they cope here, they're secure. They struggle in secondary school.' 'Children come with emotional baggage – we are the consistent place in their lives. When given a new teacher they don't know how to cope.'
- Concern over the 'heavily weighted' senior leadership team and whether they will understand 'Foundation' children;
- Not a good model to bring 'secondary' practice into primary schools;

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- Paragraph D of SBC's consultation paper (vertically organised systems): 'This is damaging to the children's self esteem. They'll feel they've failed if they are kept back. Both the children and the parents will be affected.'
- Perception that SBC wants to 'dump' Penhill into the academy so as not to have to worry about the school any more; 'It will no longer be their problem and the SATs results for SBC will rise.'
- The timing of the decision-making and implementation process, and especially the date of 23rd July for the 'Report' to Cabinet; this was the last day of the summer term.
- The money apparently being suddenly available for the refurbishment of Penhill School. Will this money still be used for the school if it does not join the academy?

3.2.4 Despite the above reservations, all the staff were aware that standards need to be improved, though there was debate about how far this is necessary. Some teachers appeared to feel that standards were acceptable. Where teaching staff perceived that standards were not high enough, this was blamed variously on the community, the children and the Local Authority. A wide range of interventions for children with particular needs was mentioned, though during the interviews at least, these interventions appeared to be numerous and somewhat haphazard.

3.2.5 There is strong loyalty amongst the staff at the school and the residents of the estate to the school, the Head Teacher and the community. From the following quotations, it appears that there are four main strands running through both the support staff and teachers' thinking:

1. 'The children are lovely, but very, very needy';
2. 'We love working in this school, we love the children and the Head Teacher';
- 3 'Standards of education in the school are not as high as they might be, but the children are happy';
4. 'We've done our best'.

3.2.6 A view supporting the academy move suggested that Penhill had strengths, e.g. improvement in attainment levels of the more able pupils and also the development of the teachers, but that there were 'confused structures' in the school with a lack of focus, sustained teaching and performance management. Expectations were also a problem, with the Local Authority cited as having low expectations of Penhill; a significant stakeholder said: 'Everyone has low expectations of the children'. It was stated that the Local Authority had poured money in, but had not set standards and moved

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children on. It was also suggested that the people living on the Penhill estate would like the estate pulled down.

- 3.2.7 The overriding debate appears to be over the differing views of the educational standards at Penhill and whether or not joining the academy would make a difference.

The Penhill view is that the CVA (Contextual Value Added) score, which identifies how much progress the children have progressed between the KS1 SATs and the KS2 SATs, gives a more informed indication of progress as it takes into consideration the original starting points of the children, not just the end result. It now also takes into consideration factors such as the social and economic background of the catchment area – factors which are acknowledged to be relevant to the progress and attainment of the children.

The CVA score for Penhill Primary for 2007 is 99.0. When listed in order of CVA score, highest to lowest, there were five schools listed below Penhill Primary. Two of those schools listed below Penhill Primary also missed their 'floor targets' for mathematics and English. Three of the schools listed below Penhill Primary met their 'floor targets' for mathematics and English. All of those schools listed below Penhill Primary had higher aggregate scores, yet their lower CVA scores indicate that the progress of the children in those schools, between KS1 and the end of KS2, is not as good as the progress of those at Penhill Primary.

- 3.2.8 Swindon Academy, however, has provided the consultants with the following evidence about Penhill students entering the academy:

When tracking Year 7 students on entry and through the year it is evident that those coming from Penhill present particular challenges that others on the same scale do not. On average:

- a. They are already below other schools in terms of KS2 standards, particularly in English and science;
- b. Their CATs scores are below those of students from other primary schools;
- c. Their average reading age at 11 is just over seven years;
- d. Within the first six months of Year 7 they do not make the same level of progress as other students academically or behaviourally. In fact, significant numbers present challenging behaviour during this time as they adjust to secondary school. This has been particularly pronounced this year;
- e. A significant number arrive with high levels of SEN which have not been addressed. The academy has had to spend a great deal of time applying for Statements of Need within the first few months. This has been the case for four students this year. When talking with the

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parents of these students they often said that Penhill School just sent their son or daughter home when they were naughty;

- f. A significant number were withdrawn from the National Curriculum last year (five, possibly eight). They do not appear, however, to have followed an alternative programme and were not informed of their withdrawal. The academy was therefore unprepared for them in September.

4. Transition Issues

- 4.1 There was some disquiet voiced by the staff at Penhill about the transition of Year 6 pupils to the 'Headlands' academy site. Some of their thinking appeared to be muddled; there was recognition that by joining the academy there would be continuity of education from 0 -19, but simultaneously concerns were raised about how the transition would take place, and whether Penhill children would be disadvantaged viz-a-viz Pinehurst children. They asked how the children from Penhill would fit in if the proposal went ahead. It was felt that the traditional 'dip' in standards on transition at Year 6/7 would continue despite being all part of one institution.

Questions were also asked about whether the teaching assistants would 'move up' alongside the Year 6 pupils to help them manage the transition. It was said that 'it's still a significant way to travel at transition time'.

Another point of view from staff in support suggested that transition will be easier as the 'children aged 11 will follow through with the same remit. The same ethos will be followed'.

- 4.2 The academy is aware of the issues raised about the transition and has said that working together with the same systems will make transition easier. It did recognise, however, that as the Penhill Year 6 children will have been physically separate they could feel 'different'. However, it was a "solvable problem'.

The academy view is that it can build on the strengths that Penhill has and can bring:

1. A consistent and coherent approach to teaching and learning which the children need;
2. An opportunity to build strong relationships with parents and the community which will grow throughout the children's education. This has been significant for the academy this year and which is already seeing the benefits;
3. A specialist delivery to aspects of the curriculum with targeted intervention when needed. The curriculum can be delivered as a coherent framework from 0 – 19, thus raising aspirations and expectations;

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4. Targeted SEN provision from a large team of specialists to ensure that students' needs are met early and proactively. The academy can provide SEN support on a scale which Penhill cannot.

5. Governance

Staff across the board, from Sure Start, Penhill Primary and Nursery School and members of the Penhill community voiced the same concerns:

- Will there be / Is there enough representation of primary school expertise at Senior Management level?
- Will the needs of the primary level be catered for in the Governing Body of the academy?
- What is the make-up of the academy's Governing Body and will the existing governors from Penhill be able to join the academy's Governing Body?

At the public meeting with residents and the Penhill (Forum) community, very strong views were expressed about governance, and some people who were at the meeting were invited to apply to join the academy's Governing Body. It appeared that some members of the community did not appreciate that they could put themselves up for election as governors.

Concerns were also raised, both at the forum meeting and during some interviews, about whether governors would be elected or appointed. People were particularly worried about ULT 'appointing' governors.

6. Swindon Academy's response to the views expressed

Swindon Academy's vision is to see every member of the school community achieve their best. It faces the challenges of deprivation but will never allow that to be an excuse for underachievement. The academy provides a broad ranging and personalised curriculum and supports its students to do their best. The academy intends the same to be true for the children of Penhill if they become part of Swindon Academy.

ULT and the academy acknowledge that much still needs to be done, and the academy is only just beginning to 'bed down' but there are enthusiastic teachers who will make things work. The academy is also looking forward to the completion of its new buildings.

The academy describes the current situation as a time of transition. Although there are still some difficulties at the academy, staff and students are working together to overcome them. Continuity of education across the 0-19 age range will provide an anchor for the children and offer opportunities for children's attainment to be monitored and appropriate interventions provided where necessary. Poor standards of literacy in the primary age range is a significant problem.

Both we and the academy were, however, concerned to hear a number of comments made at consultation meetings which either made assumptions with no basis or had little to do with the children and their opportunities.

Having spoken with Penhill parents, it was clear that a number of inaccurate rumours have spread, including that the school was to be knocked down and the staff sacked, so it is no wonder some were angry!

The academy acknowledges that there will be complexities in Penhill joining the academy. In particular, a special effort will need to be made to ensure Penhill pupils 'fit in'; this is because they will not be located on the same site as the rest of the academy and also because they will be joining later. Although the academy acknowledges these complexities, it is confident that they can be overcome – with goodwill, good management structures and everybody working together to achieve what they all want – the very best education for the children. Having carried out this consultation, we likewise believe this is possible.

The Principal of Swindon Academy has offered to talk to senior staff, staff and governors about the structures and details of the academy as they are at the moment. She has also invited them to visit the Beech Avenue site to see the academy in action. It is very much hoped that these offers will be accepted.

7. Conclusion and Recommendation

In November 2006, the School Improvement and Targets Unit stated:

'The Local Authority will be challenged to justify the continued existence of these schools (hard to shift primary schools), with the strong presumption that those schools unlikely to meet the target by 2008 should be considered for closure. The Local Authority, in justifying the need to preserve provision in that school, Penhill, has used many other statutory interventions to raise attainment.'

The Local Authority, however, having taken into consideration the concerns raised, feels that although there has been some improvement, the best educational solution for further sustainable improvement is for Penhill Primary and Nursery School to be included in Swindon Academy.

We have not been given any detail of the Governors' Trust alternative to this academy proposal so we are not in a position to comment on it.

Therefore, on the balance of the evidence gathered, it is our view that the more significant issues raised can be overcome.

Appendix 4

We recommend that the Principal of Swindon Academy and the Head Teacher of Penhill Primary set up a Transition and Development Working Group with ULT guidance to work out the best way forward.

We therefore recommend that the proposal for Penhill School to be included in Swindon Academy should be progressed, as it offers the best way forward for continued improvement.

REFERENCES

A Proposal to expand Swindon Academy to include Penhill Primary and Nursery School – ULT Consultation Document.

Proposals to close Penhill Primary School and Nursery to allow expansion of the Swindon Academy – SBC Children Services.

Improving Attainment in Primary Schools Below Floor targets – DCSF School Improvement and Targets Unit, November 2006.

Swindon Academy Consultation Report, November 2006.

Swindon Academy and Sure Start Children's Centre, Pinehurst and Penhill – Partnership Principles and Working Relationship Policy.

Penhil/Swindon Academy Preliminary Report July 2008.

Appendix 4

Appendix 1

Key Stakeholders Individual and Group Interviews

Swindon Borough Council

John Gilbert	Director of Children and Young Peoples Services
Ian Bickerton	Director of Local Provision
Martin Coles	Director of Quality Provision

Swindon Academy

Sir Anthony Greener	Chair of Governors
Jan Shadick	Principal
Paul Dunmore	Assistant Principal, Development
Shaun McKeown	Assistant Principal, Community

Penhill Primary & Nursery School

Linda Rankin	Head teacher
Mandy Sturman	Deputy Head teacher
Vicki Wyatt	Deputy Head teacher
Emma Chapman	Yr1 Class teacher, Music Co-ordinator
Claire Neville	Yr 3/4 Leader, MFL Co-ordinator
Carol Shute	SENCO - Job share
Maggie Watts	SENCO
Avril Marder	Nursery Teacher, Nursery Leader
Chris Gulliver	Higher Learning Teaching Assistant (HLTA)
Pam Mitchell	Teaching Assistant for Gifted & Talented
Sue Ballantyne	Teaching Assistant - works with Interventions KS2

Trades Union Representatives

Debbie New	NASUWT, Arts & Humanities Team Leader
Steve Beale	NUT, PE Co-ordinator
Tracey Rogers	ATL, Special Needs Teacher

Correspondence has been received from the following:

- 02.06.08 – Creighton Muirhead, Headteacher of Ruskin Junior School
- 26.06.08 – Marilyn Beale, on behalf of Penhill Forum Steering Group
- 15.07.09 - Helen Beale, a former pupil.
- 14.07.08 - Governors' response
- 14.07.08 - GMB Trade Union
- 10.07.08 - Valerie Golden
- 26.07.08 - Penhill Forum Steering Group
- 20.07.08 – Phil Deaves
- 19.07.08 – Amanda Broomhill, parent
- 24.07.08 – Ms C Bourton, parent

Appendix 4

09.07.08 – Ms Jan Shadick, Principal, Swindon Academy

Summary of Penhill Primary School Pupils' Views - Years 5 & 6

An overview

Ten pupils each from Years 5 and 6 participated in two focus groups to express their views on the possible inclusion of their school to become part of the academy. Nearly all the pupils expressed a general feeling of negativity towards the proposal that Penhill should become part of the academy. There was also a strong feeling that the children had been heavily influenced by the adults they had been listening to – both parents and teachers.

When asked if they knew why they had been asked to come to this meeting, one boy said, "It's to discuss the little problem of joining the academy." When questioned about why the proposal to join the academy might be a 'problem' he responded: "I've heard things on the radio and from my parents. The school might shut down and all the teachers might go. We might get a new Head Teacher". Another child joined in and said, "Miss 'Y' keeps on saying the Head Teacher and all the teachers would change". One Year 5 boy announced with conviction, "My mum says I'm leaving if it becomes an academy." Some Year 6 pupils stated: "The lessons should stay the same. Our teachers try to boost us up. The grades here are good enough. I like the teachers and the lessons (well, some teachers). Miss 'X' does a good job and has been here for so many years". "All the teachers say they'll leave it becomes an academy".

About 80% of the Year 6 pupils who will be going to the academy said they felt reasonably happy about going there and about 20% said they felt 'so-so'.

Of the 10 Year 6 pupils interviewed, three said they would be going to other secondary schools, two were unsure, and the rest thought they would be going to the Academy. A year 6 girl said: "I'm not going to the academy because my sister went to Headlands.

Of the 10 Year 5 pupils interviewed, only one boy and one girl appeared to be reasonably happy about the proposal, and were sure they would go to the academy in Year 7. The others expressed a high degree of negativity towards the idea of Penhill becoming part of the academy.

It was noticeable that the Year 5 pupils had a more negative attitude to the proposal than the pupils in Year 6. This could be because they realise that if the proposal goes through, then they will experience two major changes: changes within Penhill for two terms prior to transition to their secondary school. This is clearly making them feel uncertain and vulnerable. They seem nervous of change. This links to the comments made by some teachers that Penhill is the one consistent place in their lives.

Appendix 4

The table below is for comparison of responses between Yr 6 and Yr 5 pupils:

Question	Year 6	Year 5
What have you heard about the academy?	<ul style="list-style-type: none"> The grades have gone down since it became an academy. 	<ul style="list-style-type: none"> You get bullied They go in at different times Don't have to do science if you don't want to It's very big Big kids running around the little kids, being nasty to the little kids
Do you have any worries about going to the academy?	1) They put your head down the toilet. 2) Everyone gets bullied. 3) The throw egg and flour over you	1) How it will affect my education. 2) How much I'll have to do notes – I hate notes. 2) Bullying 3) Making friends – people taking the “micky” 4) New teachers
Have you heard anything good?	1) Good PE 2) Nice food 3) Uniform – you have to wear it (not like at Penhill where you don't have to)	1) The uniform is good 2) The maths is good
Would you like to see any improvements at Penhill?	<ul style="list-style-type: none"> Be like Pinehurst New windows More paint Car park 	<ul style="list-style-type: none"> More playgrounds More equipment Bigger classrooms Bike holders Jungle gym Slide Swing Better equipment for the Nursery 2 more classrooms Music sessions – particularly drums

Appendix 4

		<ul style="list-style-type: none"> • After school clubs – computers • Art club
How to deal with troublesome pupils?	<p>“Don’t shout at troublesome children”</p> <ul style="list-style-type: none"> • Detention • Isolation if really bad • Exclusion <p>At Penhill you can get exclusion for a day – not really bad</p>	<ul style="list-style-type: none"> • Get sent home • Get more work • Detention • All the naughty ones should go in one class • Sent out of the room • Get expelled • Write an essay • Be given a letter home
About Homework:	<p>About 1 hour a day at Penhill. Some said they did no homework, while others said their parents helped them with their homework.</p> <p>There is an assumption that there will be less homework at first at the academy.</p>	<p>“We’ve got homework books”.</p> <p>“We don’t get any homework”.</p> <p>“We’ve all got books.”</p> <p>Almost all these Yr 5 pupils felt they should be given more homework.</p>
The subjects they want to have at the academy are:	<ul style="list-style-type: none"> • Maths, English • Science • Biology • Geography • Design and Technology • Music • IT – computers • Art • Cooking • Electronics • Woodwork • History (about 50% said this) • Drama • PE • Dance 	<ul style="list-style-type: none"> • Science • Art • Geography • Maths • Literacy • Everything • Music • Sport • Football • Archaeology • Art – making things out of wood and tissue paper • Drawing and clay
Things they would like to see in their new school:	<ul style="list-style-type: none"> • Interactive whiteboards • PE Equipment 	<ul style="list-style-type: none"> • Drama Club • Climbing Club • After-school club

Appendix 4

	<ul style="list-style-type: none"> • New play equipment • Drama Studio • Computers • Nice teachers and pupils • Big sports hall • The teachers from Penhill (most of them) • Amusement park for playtime • Big field • Swimming pool • Science things • Good security • Equipment for maths, English and science • New toilets • My opinion be listened to • Trampoline • Giant swing 	<p>(Mum is at work)</p> <ul style="list-style-type: none"> • Sewing Club • Basketball team • Tennis • Golf • Cricket • Drawing and painting • Cooking club
What extra help or extras would you like to see at your new school?	<ul style="list-style-type: none"> • A homework club to help with homework • Extra help with school work • Youth club • Singing club • Lockers • A school bus 	<ul style="list-style-type: none"> • Maths • Literacy • Writing and reading • Reading • Writing • Maths • Homework club <p>"We could do better – both me and this school could do better."</p>
Travel to school at present?	Walk: 9 Bus: 1	Walk mostly: 6 Driven by parents sometimes: 4 - 6
Travel to academy?	Walk: 5 - parents would occasionally drive Bus: 1 occasionally Bike: 1 occasionally	Walk: 5 Driven: 1 Bus: 3 (some are going to other schools)
Have you visited the academy?	Yes – 10	Yes – 5

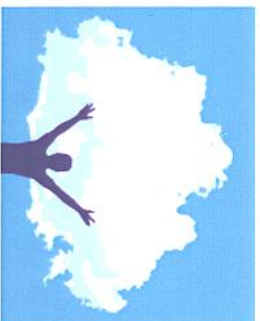
Appendix 4

Talked to teachers at the academy?	Yes - 7	-
Attended Open Day at the academy?	Yes - 5	-
Responses to the above:	The teachers seemed kind. They wanted to know about us. They took photos of us to put in our books when we get there. They made us feel better about the academy. We're going to the academy on Wednesday – Ms Shaddick is going to be hidden – we have to look for clues	
Asked if they had anything else to add:	“Don't change Penhill. Leave Penhill the way it is.”	<p>“No point in turning Penhill into an academy because there are already 2 schools in the academy.”</p> <p>“If this school turns into an academy I'm definitely moving because I didn't just come to this school just to see a new Headteacher and new teachers. I don't want to see new faces. I don't want to re-start with my knowledge.”</p> <p>“You shouldn't turn it into an academy. We're proud to be Penhill.”</p> <p>“You shouldn't turn it into academy in the middle of the school year –</p>

		January 2009.”
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Penhill Primary and Nursery School

Consultation: A survey of parents' opinion



Prepared for DJB Consultancy on behalf of ULT
July 2008

EW Research

Background

- Swindon Academy was established in September 2007 by the Department for Children, Schools and Families and Swindon Borough Council in collaboration with the sponsor, the United Learning Trust
- Swindon Borough Council has now proposed expanding the Academy to include Penhill School
- DJB Consultancy has commissioned a consultative opinion poll amongst a sample of parents with a child attending Penhill Primary and Nursery School
- The aims of the research are:
 - to find out parents views on educational standards at Penhill
 - To find out whether parents support or oppose the proposal and reasons for their views
 - To assess the expected effect on children and on Penhill school
 - To identify concerns around the proposal
 - To measure attitudes to proposed building refurbishments
- All respondents were given a brief introduction:

I would like to ask you your views on a proposal to expand Swindon Academy to include Penhill Primary and Nursery School. As you may know, Swindon Academy opened in 2007. It is a school for children aged 0 to 19. If the proposal goes ahead, Penhill School would close in December 2008 and re-open as part of the Academy in January 2009, on the same site as it is now. Existing Penhill pupils would be guaranteed a place. The aim of the proposal is to raise standards at Penhill by making it part of the Academy.

Method

- The consultation process began on 1st June 2008 and included the widespread circulation of a consultation document, public meetings and interviews with key stakeholders
- DJB Consultancy commissioned EW Research to carry out research among parents/carers to assess attitudes to the proposal
- It was felt that a combined qualitative and quantitative approach would give both a broad range and depth of response
- A total of 52 parents were interviewed for the survey (there are 400 children on roll)
 - Parents were approached and interviewed on a random basis as they visited school between 16th and 25th June 2008
 - Interviewers working on the survey were fully trained and briefed and had completed CRB checks
- Interviews were conducted face to face in the school playground. The school was kept fully informed of the survey
- Following the survey, two focus groups were conducted among a total of 13 parents (mainly mothers) to investigate attitudes in more detail
- The groups took place on 2nd July 2008 at Penhill School. Parents attending were selected to represent a range of opinion both for, against and unsure
- One group was made up of parents from households where the chief income earner is on benefits or working in an unskilled job, while the other was made up of parents who tended to be working, some in non-manual occupations
- The survey has been conducted by EW Research, an independent market research agency which operates according to the Market Research Society Code of Conduct.

Sample details: 52 parents

Gender		Working status	%	School year of child/children	%
Male	29	Full time	8	Nursery class	13
Female	71	Part time	12	Reception	13
		Unemployed	21	Years 1 or 2	58
		Housewife	29	Years 3 or 4	33
		No answer given	27	Years 5 or 6	31
Age		Ethnicity	%	Religion	%
18-24 years	8	White	98	None	65
25-34 years	48	Asian	2	Church of England	23
35-44 years	37			Catholic	8
45+	8			Muslim	4
Social Class*					
AB	%	6	The sample reflects the profile of - Predominantly DE socio-econon (unskilled workers or those reliant benefits) - Seven in ten of those surveyed a In our experience mothers traditio lead role in children's education		
C1	2				
C2	25				
DE	67				

The sample reflects the profile of parents:

- Predominantly DE socio-economic grouping (unskilled workers or those reliant on state benefits)
- Seven in ten of those surveyed are women. In our experience mothers traditionally take lead role in children's education
- The large majority are white British, reflecting demographics of the area

Summary and conclusions

- Almost half of parents (46%) support the proposal for Penhill School to become part of the Academy while a third (37%) oppose it. Parents are overall split in their attitudes to the proposal. The main reasons given by those in favour are:
 - Children will find the secondary transfer process easier if they are already part of the Academy
 - They have a positive opinion of the Academy which may be due to their child's experience
 - They like the sound of the individual approach to learning
 - Standards are likely to go up at Penhill
- Those against the proposal cite the following reasons:
 - Good teachers may leave Penhill
 - Penhill would remain on a separate site to the Academy, which may cause children to have trouble integrating
 - Some parents do not have a good opinion of the Academy, as they feel discipline is an issue and there are too many supply teachers

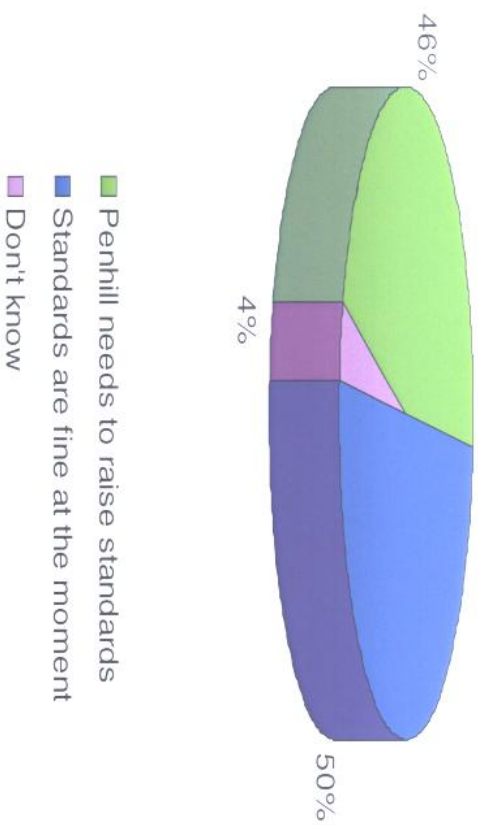
Summary and conclusions

- Parents feel the proposal is already decided and their views will not truly be taken into account. They feel disappointed with the public meeting which they say failed to answer their questions. They tend to feel that Penhill is treated less well and receives less funding than other schools
- Many parents are happy with educational standards at Penhill at the moment. This may be because of low expectations in an area with a traditional lack of educational attainment
- Others feel standards should be improved and in particular more homework should be set and marked, the ratio of adults to children in classes should be increased, and those children falling behind should be identified earlier and given special help

Summary and conclusions

- Parents would benefit from clear reassurance and information on a number of their concerns:
 - They would like to know whether the building improvements will go ahead if Penhill does not become an Academy, and would like a clear explanation of the programme of school buildings improvements including other primary schools
 - They would like clarification over uniform: in particular, will it become compulsory at Penhill (which many would like) and will they have to buy uniform twice, once in September and once in January
 - Parents would like to know that someone is listening to and taking account of their views
 - Parents would like to know what will happen to the headteacher and teachers if the proposal goes ahead
 - Parents would like more information on the process of integration at the secondary stage for Penhill children
 - Parents would like to know more about attitudes to discipline at Swindon Academy

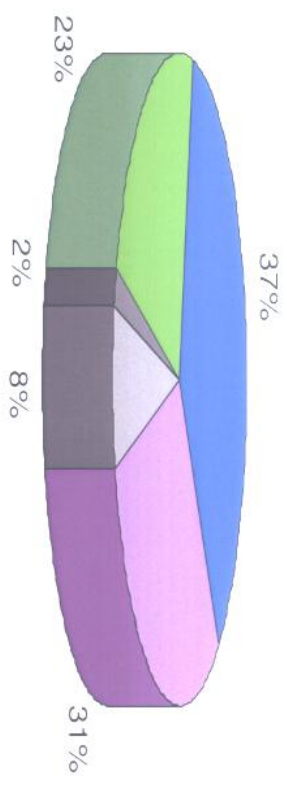
Parents have mixed views on the need for standards to be raised at Penhill



Base: All (52)

Q Ofsted education inspectors have judged the standards at Penhill at Key Stage 2 to be low and have advised that standards need to be raised. Others think standards are fine at the moment. Which of the statements comes closest to your view?

Three parents in five think it is very important that educational standards are raised within two years



Base: All (52)

- Urgent
- Very important
- Quite important
- Not important
- Don't know

Q How important would you say it is that Penhill School raises its standards of education over the next two years?

Overall, the school and teachers are valued but some would like to see standards raised

- Parents are generally warm and enthusiastic about Penhill, and in particular they like:
 - The teachers, many of whom they say have taught at the school a long time, and genuinely care about the children
 - Family Learning at Key Stage 1, which is reported to bring parents together and encourage them to mix, as well as providing a qualification
 - The position of the school as the heart of the community; many parents attended the school themselves
- Some parents feel standards are fine at the moment, feeling children will learn if they want to and are ready to, and what is most important is for the school to provide a happy environment
- Others feel standards should be raised, as they are variable from class to class. Working parents are more likely than those not working to feel standards should be raised
 - Parents who have wanted their children to be set homework say they have had to push for this, and when homework is set it is not always marked
 - The teaching environment would be improved by more teaching assistants in class
 - Some feel the problem in the area is the lack of input from some parents; some do not have high expectations of education. Parents feel it is hard to raise standards when a substantial proportion of parents do not value or want this
 - Some parents may struggle themselves with reading and learning so may not be equipped to support their children
 - If there is a lack of back-up at home it is hard for the school to enforce higher standards

"You know the teachers, they know your kids. That's the best thing about it. They make you feel welcome"

"I liked working with the kids. And it was good to socialise with other adults. You can work towards a certificate as well"

"If they are not happy they are not going to want to learn, no matter what standard of education"

"There's not enough interest from the parents sometimes to help children along. A school can only do so much"

"The area we live in, it's not so much we're behind, but we need as good an education as our children can get"

Many would like uniform to be made compulsory

- For many parents Penhill school's attitude to uniform represents a lack of complete commitment to raising standards
 - Uniform at the moment is optional which some parents think is fairer to those who may not be able to afford uniform
 - However, most think uniform for all children looks better and brings the children together with a sense of belonging
 - This opinion is felt among parents dependent on benefits as well as working parents
 - Therefore, parents would welcome clearer direction on uniform for the school. If uniform becomes compulsory this should be enforced
 - Parents feel compulsory uniform would be a good preparation for secondary school
- A concern voiced on uniform is that if Penhill becomes part of the Academy in January, parents may have to buy uniform twice in a school year, once in September and then again when the change happens in January
 - Clarification over uniform would therefore be well received
- Some parents feel that Penhill is badly treated in comparison to other schools in the borough
 - They believe that Penhill receives least funding and rarely receives new equipment or building refurbishments
 - They report that the head has repeatedly been told that no money is available for building work at Penhill

"My daughter was failing in maths. I had to ask for homework and now she is getting stacks of it"

"They still have not introduced uniform properly. It's 99% at first but then it tails off"

"If it had to be worn like it is at the Academy it would make it easier when they went to secondary school"

"I think they should definitely enforce it. It should be compulsory"

"Out of all the schools in the borough this school gets the least funding. I think this is the only school I know that doesn't have any playground equipment"

Parents are looking for answers to their concerns about the proposal

- Awareness of the proposal to expand Swindon Academy to include Penhill school is high
 - 94% of the 52 parents surveyed are aware of the proposal
 - Some parents are aware of United Learning Trust as the sponsor
 - Almost all have received the consultation document and several attended a public meeting
 - Attitudes to the information received and the consultation in general tend to be negative, as a strong feeling among parents is that the proposal has already been decided so there is little use their voicing their opinion
- Some parents received the impression at the public meeting that those presiding did not really listen to what parents had to say and did not answer questions
 - The end result was that parents left feeling dissatisfied
 - Some parents feel that the Council, the sponsor and the Principal at the Academy have not subsequently been willing to give answers to parents' questions, particularly on building work at Penhill
- Some have read the consultation document, and more have done so among working parents and those in higher socio-economic groups
 - The impression of the document is that it is too strongly in favour of the proposal and does not present the alternative viewpoint
 - This ties in with parents' views that the Council has already decided in favour of the proposal
- Parents would like to feel that someone is listening to and taking account of their views. It is important to counteract the widespread feeling that the proposal is already decided and provide reassurance to parents on their key questions

"They weren't telling us what we wanted to know. They put it over like we are going to do it whether you want it or not"

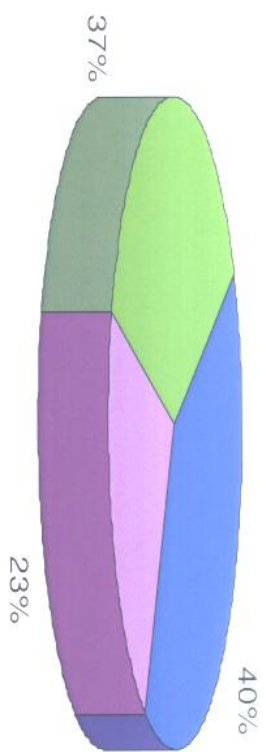
"We all came out of there angry. It was very heated. You didn't get your voice across"

"We have not been kept well informed. It has all been last minute, just to hush us up"

"The Council will agree to it because it gets Penhill out of their finances"

"I don't want more information. It will all go ahead regardless"

There is no clear consensus among parents on whether the proposal will benefit Penhill School or not



Base: All (52)

■ Will be of benefit ■ Will be of no benefit ■ Don't know

Q On balance, do you think it will be of benefit or no benefit to Penhill School to be included in Swindon Academy?

The proposal may lead to higher standards but parents fear teachers will leave

- Parents are concerned that the proposal will cause teachers to leave the school because they are against the change in status, or because they will be made to hand in their notice and re-apply for their job. As already stated, parents value teachers highly
 - Some feel this will have a negative effect on the school as it will lose its most valuable resource
 - Similarly, parents fear it will not be beneficial to the school if the head is not on site
- The perceived benefits for Penhill are in improvements in educational standards
 - Parents feel this would be a good thing as on balance the school could do with raising standards
 - Some feel that Swindon Academy has proved that it can raise standards as it has greatly improved teaching and learning after changing from Headlands School
 - Others feel that the Academy approach is currently untested as it has been open only a year and results are not yet available
 - Similarly, it is unknown how it would work when applied to a primary school
- Some parents would welcome improved access to extra-curricular activities such as after school clubs, and feel this is needed at Penhill
- However, some fear that Penhill would lose its identity if it becomes part of the Academy
 - Others feel that the it is people that make the identity of a school, and it would be important to ensure this remains unchanged as far as possible

"If the Academy takes over they will lose stuff... The good teachers will leave"

"I know that standards would go up because of what I have seen there (at the Academy)"

"I'm not sure about the Academy taking over a primary school"

"Things I used to do like netball, football, gymnastics. It all seems to have stopped"

"This school will still be the centre of Penhill. We make it the school"

Parents fear the separate site may cause problems for Penhill children after secondary transfer

- The main benefit of the proposal for the children is perceived to be an easier transition to secondary school
 - Children will feel they belong to something, so that when they move on they are still part of the school, which makes the process of integration less difficult
 - Children will know their new teachers; the familiar faces will help the transfer
- The main drawback parents see for the children is the geographical issue of Penhill remaining on a different site
 - The children may be perceived as different from others who are based on the main site and singled out as Penhill kids
 - In the worst case parents fear children would be bullied
 - Part of this perception is the already identified feeling that Penhill is less well regarded and receives lower funding than other schools in the area

"They (children) would meet the teachers throughout the school. Then they would know them when they move up"

"The problem is that we will still be here"

"At Pinchurst they are all on the same site. But ours have to come from here to the Academy"

"It would be like sticking them in a cage with a loud of lions"

Attitudes to Swindon Academy are mixed; some parents are positive while others remain unsure

- Most parents agree that Swindon Academy is a great improvement on Headlands school, and they give credit to the Academy for the change
- Some parents, especially those with a child at the Academy, are positive towards it, in particular the individual approach to learning
 - The Academy is highly rated for its work with special needs children
- Others feel Swindon Academy has problems, in particular a perceived lack of discipline among the children, bullying is allowed to go unchecked and fighting is an issue
 - Some comment that the standard of teaching is not always high as they feel there are too many supply teachers or inexperienced teachers
- For many parents it is too soon to tell, as the Academy has been open only a year, and they feel they need longer to judge the school

"Since Swindon Academy took over Headlands, my other daughter's education has improved"

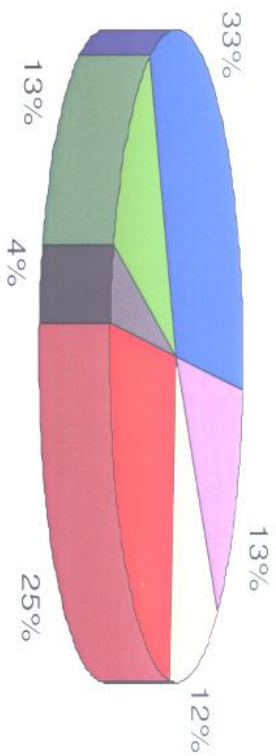
"I think Swindon Academy is brilliant. I have other children who were at Headlands, and I've seen the changes / they worked well with my older son with ADHD"

"My eldest goes to the Academy and is doing really well"

"My son is running riot at the Academy"

"Firstly, the Academy hasn't been going that long and I've heard reports of bullying. Too early to say if it's working"

Almost half (46%) support the proposal while a third (37%) oppose it



Base: All (52)

- Strongly support
- Support
- Neither /nor
- Strongly oppose
- Don't know
- Oppose

Q Do you support or oppose the proposal to expand Swindon Academy to include Penhill school?

Attitudes to the proposal are mixed

- Many support the proposal because they would like to see standards raised at Penhill
- Parents with a positive view of the Academy due to personal experience are particularly likely to support the proposal
 - Many feel the change would help children with special needs or those needing individual attention
 - Those who have heard of the curriculum which offers individual tailored learning are in favour of this approach as it offers the best solution for each child
- Others feel the proposal would result in children becoming unhappy
 - They may not integrate fully as they are from a separate site
 - Staff changes would mean lack of continuity and uncertainty
 - Some are unhappy with discipline and teaching standards at the Academy

"If it's going to improve a lot of things, then it's worth it. If it brings up standards"

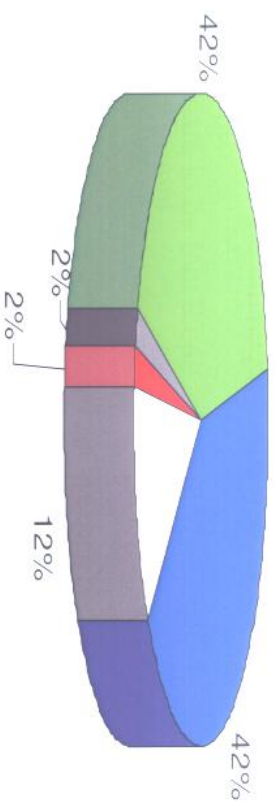
"I know from people needing one to one attention it's quite long to wait here, but from what I've read it would be different at the Academy"

"We were told they would be put in the same class but learn at different levels. It's a good idea for the children"

"Because the Academy hasn't done a lot for my oldest child (first year there). His level has dropped dramatically"

"The kids will be unhappy if there are too many new teachers"

The large majority think building improvements at Penhill are an important priority



Base: All (52)

- Very high priority
- Fairly high priority
- Don't know
- Low priority
- Neither / nor

Q The proposal includes plans to improve buildings and facilities at Penhill including a nursery block with no mobile classrooms, a landscaped car park at the front of the school and an independent youth and community centre. How much of a priority do you think it is that building improvements are made at Penhill?

Parents would like to see building improvements at Penhill

- Most parents think Penhill is in need of building improvements
 - In particular they would like to see refurbishment of the car park, the nursery block, the drainage, the toilets, leaking roofs and the playground
 - The feeling appears to be that these improvements are important but not urgent
- Discussion of the building improvements causes parents to question why these would be made only if the school becomes an Academy (as parents believe)
 - This seems unfair to many
 - Parents compare Penhill's status with other local schools which they perceive receive greater funding for building works; this contributes to the consensus that Penhill is treated unfairly
 - It is important to clarify for parents the building works programme and under what circumstances the refurbishments will take place

"I wouldn't say it's an absolute disgrace. It just needs to be smartened up"

"It doesn't look as nice as it could do. Some of it does need facelifting, like the huts"

"Seven Fields is getting a brand new school. But the money has run out for us"

"If improvements are so urgent, why do they only have to be done if we become an Academy?"

Interest is expressed in adult learning, IT and leisure and sport facilities for young people

- Parents feel the school at the moment has strong links with the wider community, due to the fact that many parents attended the school themselves, and the school is the heart of the community
 - Nevertheless, parents acknowledge the school does not currently offer its facilities to the wider community, and there is some interest in changing this situation
 - Adult education is of interest, because of the need to improve standards in the area, and to help children with homework
 - Parents express interest in the continuation of Family Learning
- Some problems of behaviour relate to the fact that there is not enough for young people to do locally, according to parents; it would be a good idea to offer more facilities
 - A youth club including structured leisure activities would be a good idea
 - Sport especially football would be popular
- Parents would like to have access to school IT facilities
- Parents like the idea of childcare in the form of before and after school clubs, but in practice they say this can be too expensive for those not working or on low incomes

"They should use every inch of the school for the benefit of the community"

"Some of the things children learn now I don't know about. Maths and computer"

"All the little rugrats round here are bored. If there was a youth club...something supervised for the children to do"

"They tried to do it here before (childcare) but it was too expensive"



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Proposal for the Publication of Statutory Proposals for the Closure of Penhill Primary School and Nursery to Allow Expansion of Swindon Academy

CABINET

Date: 23 July 2008

Author: Cabinet Member for Health, Housing and Adult Social Care and Group Director, Children

Parish / Wards Affected: Penhill, Gorse Hill & Pinehurst and Moredon

Purpose

To report on the outcome of pre-statutory consultation on the proposal to amalgamate Penhill Primary School with Swindon Academy. This would involve the closure of Penhill Primary School and Nursery to allow the expansion of Swindon Academy on the existing Penhill site in refurbished accommodation

Recommendations

Cabinet is requested to:

- consider the responses set out in this report to the pre-statutory consultation carried out into the proposed closure of Penhill Primary School and Nursery in **Appendix 3**, and the summary of the consultation undertaken by DJB Consultancy, independent consultants appointed by the United Learning Trust (ULT) set out in **Appendix 4**, regarding the proposal to expand Swindon Academy to include Penhill Primary School and Nursery.
- authorise the Group Director, Children to publish statutory proposals to close Penhill Primary School and Nursery with effect from 31 December 2008, on the basis that it becomes part of Swindon Academy with effect from 1 January 2009;
- note that the outcome of the statutory consultation will be reported to the Cabinet Panel that considers and makes final decisions on school reorganisation proposals.

1. Reasons

- 1.1 The aim of the proposed closure of Penhill Primary School and Nursery to allow the expansion of Swindon Academy is to improve the overall quality of education provided for the children of Penhill and, in particular, to raise educational standards and strengthen the development of good practice.
- 1.2 Standards of attainment at the end of 2007 were inadequate and well below the national average, although, overall, pupils made satisfactory progress. The Ofsted inspection in September 2007 judged that achievement overall across the School was satisfactory, although

Further information on the subject of this report can be obtained from Ian Bickerton, Director of Access & Provision, 465724 or Email ibickerton@swindon.gov.uk.

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performance was not consistent and varied across Year groups and subjects. The Ofsted inspection graded the school in twenty seven areas. In two of these areas – healthy lifestyles, and safe practices – the school received a grade 2 (generally above average). In twenty-three areas the school received a grade 3 (broadly average to below average) and in two areas it received a grade 4 (exceptionally low). These two areas were the standards reached by learners' and pupil attendance. This judgement confirms the view of the Local Authority that pupils in this school are not achieving well enough at primary level to be successful in their secondary school and on into life. Whilst the rate of pupil progress is accelerating, the School does not expect to exceed the floor targets of 65% for English or Maths in 2008, meaning that standards will still be well below the national average for the fifth year running. The DCSF require the local authority to address this issue.

- 1.3 Penhill Primary School and Nursery is on the Department for Children, Schools and Families (DCSF) list of 266 "hard to shift" primary schools in England and has failed to meet the floor target at Key Stage 2 in both Maths and English for the last five years, despite being the subject to a Local Authority Task Group and a School Improvement Action Plan. This means that the school receives considerable additional resources and support from the Local Authority. It is considered that a structural solution is, therefore, required to move this School forward. If the School became part of the Academy, it would benefit from the drive to raise standards already evident within the Academy.
- 1.4 Cabinet decided on 31 October 2007 to submit an Expression of Interest to the DCSF for Penhill Primary School and Nursery to be closed and incorporated within Swindon Academy. This was subsequently agreed by the DCSF, and Cabinet, at its meeting in January 2008, agreed that pre-statutory consultation should be carried out with parents, staff, Governors and the local community.
- 1.5 The pre-statutory consultation has now been completed and the results are set out in this report. The report also includes a summary of the parallel consultation of the local community carried out by DJB, independent consultants appointed by the United Learning Trust (ULT), which runs Swindon Academy.
- 1.6 The consultation document produced by the Local Authority is attached at **Appendix 1**. The consultation document issued by ULT is attached at **Appendix 2**. The summary results of the pre-statutory consultation carried out by the Local Authority are set out in **Appendix 3**. A summary

Further information on the subject of this report can be obtained from Ian Bickerton, Director of Access & Provision, 465724 or Email ibickerton@swindon.gov.uk.

Appendix 5

**Proposal for the Publication of Statutory Proposals for the Closure of
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of the consultation with the local community carried out by DJB is set out in **Appendix 4**. **Appendix 5** sets out responses to key issues raised in the consultation. This appendix is TO FOLLOW as a significant number of responses, including one from Penhill Primary School Governing Body, were received on the last day of the consultation period (14th July), the day before the despatch of the agenda.

2. Detail

Background

- 2.1 Following approval of the Expression of Interest by the DCSF, the Cabinet agreed at its meeting on 23 January 2008 that pre-statutory consultation should be carried out on the proposal that Penhill Primary School and Nursery should be closed in order to allow the expansion of Swindon Academy. The school would remain on its existing site in Penhill, and the accommodation would be refurbished. It was proposed, at that time, that this should – if agreed – be implemented from September 2008. However, it has subsequently become clear that a January 2009 implementation date is more realistic.
- 2.2 It will be recalled that the 0-19 Swindon Academy opened on the Headlands and Pinehurst sites in September 2007. The Academy incorporated the former Headlands and Pinehurst Infant and Junior Schools and Nursery. The Academy works in close partnership with Sure Start in relation to Early Years provision.
- 2.3 At the time the consultation was carried out on the proposed Academy in Summer 2006, it became clear that some members of the community of Penhill felt that their children might miss out on the Academy development. Although children from the Penhill Primary School and Nursery area have the opportunity to apply for a place at the Academy at secondary school stage, there was a perception that primary-aged children may be disadvantaged compared to those in the former Pinehurst Schools.
- 2.4 Pre-statutory consultation has, therefore, been undertaken on this proposal and further details are set out below.

Objectives of Proposal

- 2.5 As previously reported to the Cabinet, there are a number of objectives of this proposal, including:

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- Penhill Primary School and Nursery is on the DCSF list of 266 “hard to shift” primary schools in England and has failed to meet the floor target at Key Stage 2 in both Maths and English for five years.
- An all-through Academy can help pupils with transition from one school to another and provides continuity of teaching and learning for pupils. Evidence shows that pupil performance dips and pupil progress is slowed as a result of moving schools.
- As the Academy admissions policy is based on distance, being on roll at the Academy will guarantee Penhill pupils a place at 11 years old, if that is the preference of parents. If Penhill Primary remains outside the Academy, a place cannot automatically be guaranteed.
- The developing educational plans for the all-through Academy suggest that it will break out from traditional Year group structures and move towards working within vertically organised systems, where the needs of the individual learner can be more readily met and personalised.
- As well as helping to raise standards, the expansion of the Academy to include Penhill Primary School and Nursery would promote inclusion and there would be benefits attached to continuity of care, especially for more vulnerable children.
- An all-through Academy would help the multi-agency team support children better through, for example, easier access and economies of scale for all agencies involved.

2.6 Further details of the objectives of the proposal are set out in the consultation documents attached to this report as **Appendices 1 and 2**.

Pre-Statutory Consultation Process

- 2.7 The Local Authority’s pre-statutory consultation process ran from 1 June – 14 July 2008. The attached Local Authority consultation document, together with the attached ULT consultation document, were both sent to every household in Penhill, together with a number of other key stakeholders, on the weekend of 31 May/1 June 2008.
- 2.8 Formal consultation meetings were held for parents and carers (two meetings) and for staff and Governors on 9 June 2008. A further meeting was held for the public on 12 June 2008. DJB, independent consultants

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Appendix 5

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appointed by ULT, chaired the meetings and a ULT representative also attended.

- 2.9 DJB, whilst working closely with the Local Authority, has carried out its own separate consultation exercise, involving focus groups and interviewing of stakeholders, including parents, local residents and representatives of the Local Authority.

Results of Consultation

- 2.10 The results of the pre-statutory consultation undertaken by the Local Authority are set out in **Appendix 3** attached. A summary of the consultation so far undertaken by DJB is set out in **Appendix 4**. **Appendix 5** (TO FOLLOW) sets out responses by the Local Authority to key issues raised in the consultation.
- 2.11 As will be seen from **Appendix 3**, a number of issues and concerns were raised at the consultation meetings held on 9 and 12 June, and in the response forms returned to Children's Services. The written responses from trades unions and Swindon Academy are also attached to this appendix. Around 3500 consultation documents (including response forms) were sent out across Penhill and to other stakeholders - about 11% of response forms were returned. In addition, on 11th July, a 432 signature petition was delivered to the Council opposing the proposal to close Penhill Primary School to enable it to become part of the Academy. Further information on this is also set out in **Appendix 3**. The Cabinet are asked to consider the summary of responses received. Copies of the forms returned and other information, including the petition, will be available in the Members Room and at the meeting.
- 2.12 The Governing Body of Penhill Primary School during the consultation also expressed a view that they may wish to explore the option of seeking Trust Status. This would involve the school changing its status from Community to Trust, and linking in with a Trust partner (or partners) such as a locally based business or educational establishment. The school would remain within the Local Authority, but the Trust would become the employer of its staff, be responsible for its own admissions policy and would own the site/buildings.

Conclusions

- 2.13 As shown in **Appendices 3 and 4**, there are a wide range of views that have been expressed in the consultation, including a number of concerns

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about the proposed course of action. However, it remains the view of officers that inclusion within the Academy offers the best opportunity for a step change to address the serious standards and attainment issues that Penhill Primary has faced for a number of years.

- 2.14 Despite the best efforts of the school, with the support of the Local Authority, Penhill remains in the DCSF list of 266 'hard to shift' primary schools out of approximately 17,000 nationally. The DCSF require the Local Authority to address this issue. Inclusion within the Academy is seen as the best way forward.

Alternative Options

The main alternative to not proceeding to the statutory consultation is to withdraw from the proposal to close Penhill Primary School and Nursery to allow stage expansion of the Academy. However, by taking this action, it is considered that a major opportunity will be lost to raise standards and pupil attainment at the School. Despite very considerable Local Authority support over a number of years, the School continues to under-perform and it is felt that a structural change will provide the impetus to move the School forward for the benefit of the pupils of Penhill. Other options, such as federating with a successful school, have previously been considered but these have been rejected, as it is not clear that they would have sufficient impact.

In addition, it will be seen that the Governing Body of Penhill Primary School proposed during the consultation process that an alternative option for the school may be to pursue Trust Status. If the school pursue Trust status that would not prevent the Council proceeding with the proposals to close the school. Governors expressed the view that this approach may give them greater control over their own future and could be a more effective approach in their view of addressing improved standards and pupil attainment. This therefore represents an alternative option that Cabinet is asked to consider. It does, however, remain the view of officers that inclusion within the Academy is a better option, for the reasons set out in this report, and would offer a more effective structural change for the school, with an established educational provider driving up standards and attainment. The Academy would also be able to offer Penhill pupils better transition from Year 6 to Year 7 and beyond, together with a wider range of facilities and expertise.

Risk Management

Financial and Procurement Implications

- The costs of publishing statutory proposals are contained within the Access & Provision Directorate cash limit.

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- To bring the quality of accommodation up to a higher standard and thereby make the school fit for purpose, it is currently estimated that £2.3m capital expenditure is required. This follows surveys carried out by the Local Authority and, more recently, by ULT. The results of these surveys are in the process of being analysed further. A review of the Children's capital programme has identified that a number of schemes are currently predicted to come in under budget and that the funding this will release, together with external grant funding that is available, is sufficient to fund the expenditure required as long as no more than half is needed in the current financial year.
- When a school becomes an Academy the funding that Local Authorities receive direct from the Department of Children, Schools and Families (DCSF) for that school is removed from the overall dedicated schools grant (DSG). Due to the funding of schools and the requirement to provide retained services from the DSG - i.e. special educational needs assessments, out of borough placements there may be financial implications relating to the retained services due to variations between the level of per pupil funding the Council receives from the DCSF compared to the per pupil funding that is allocated directly to the school.
- In the current year Swindon receives £3,775 per pupil from the DCSF. Based on the January 2008 PLASC data, 334 pupils attend Penhill school, therefore, the amount of DSG that would be removed from Swindon's allocation (assuming a full year impact) would be £1.26m. The current funding formula within Swindon allocates a total budget for Penhill of £1.079m. The difference of funding contributes towards the retained services within the DSG. The table below illustrates that if Penhill became part of the Academy from 1st April 2008, there would be a reduction of grant, totalling £183k that currently supports the retained services.

	Based on 2008/09 budget & pupil numbers for Penhill totalling 334			
	£s			£s
DSG per pupil	3,775		Total reduction of DSG	1,260,850
School Budget per pupil	3,228		Total School Budgets	1,078,152
Difference per pupil	547		Total Difference	182,698

Legal / Human Rights Implications

Further information on the subject of this report can be obtained from Ian Bickerton, Director of Access & Provision, 465724 or Email ibickerton@swindon.gov.uk.

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- Before deciding to publish proposals to close Penhill Primary School and Nursery, the Local Authority is required by statute to carry out a pre-statutory consultation. If the Local Authority then decides to publish proposals and any person objects to the proposals, the Cabinet Panel decides on the proposals. There is a six week period during which any person can make representations to the Local Authority and then the Cabinet Panel decides on the proposals. The following bodies may appeal the Cabinet Panel decision to the Adjudicator:
 - The Local Church of England Diocese
 - The Bishop of the Local Roman Catholic Diocese
 - The Governing Body or Trustees of a Foundation, Trust or Voluntary school Appeals must be made within 1 month. There is no statutory timescale for the Adjudicator to decide. The formal approval of the expansion of the Academy rests with the Secretary of State.
- In order to become a Trust School, governors would have to follow a statutory process which includes a pre-statutory consultation, the issue of a statutory notice, a period for representations and the final decision being made by the Governing Body. The decision would not be made by the Governing Body if the Local Authority referred the proposals to the School Adjudicator at the representation stage.
- If the closure and expansion of the Academy is agreed, the Local Authority will need to enter into a Heads of Terms Agreement with the United Learning Trust which will provide a guide to the legal framework required from each party as part of the commitment should this proceed. The Heads of Terms is not legally binding but if agreed the legal documentation required will need to be progressed urgently in order to meet the implementation timescales.
- If the closure and expansion of the Academy is agreed then all employees will transfer their employment to the United Learning Trust. All contractual rights will transfer under the TUPE regulations 2006. Staff will continue to contribute to both the Local Government Pension Scheme and Teacher Pensions Scheme.

Links to Corporate Plans and Policies (in particular to Swindon 2010 Promises)

- There is a direct link to the Strategic Management Plan for Children Services and the proposed expansion of the Academy would support Council Promises 20 and 45.

Consultees

Further information on the subject of this report can be obtained from Ian Bickerton, Director of Access & Provision, 465724 or Email ibickerton@swindon.gov.uk.

**Proposal for the Publication of Statutory Proposals for the Closure of
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-
- The Director of Finance (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.
 - There has been widespread consultation undertaken on these proposals as set out above in the body of the report. Stakeholders consulted include:

- Parents
- Staff
- Governors
- Local residents
- Penhill Community Groups/Leaders
- Ward Councillors

Background Papers and Appendices

- Appendix 1 – Local Authority consultation document
- Appendix 2 – DJB consultation document
- Appendix 3 – Summary of consultation carried out by Local Authority
- Appendix 4 – Summary of consultation undertaken by DJB
- Appendix 5 – Responses to Key Issues raised TO FOLLOW
- Reports to Cabinet on:
 - 31 October 2007
 - 23 January 2008

Key Decision / Decision in Forward Plan

- This is a key decision for Cabinet and has been included in the Cabinet Forward Plan for July 2008.

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Response Form

Pre Statutory Consultation
Proposed closure of Penhill Primary School to allow an expansion of the Swindon Academy

Name: _____
Address: _____
Postcode: _____

Please tick
Parent ☐ Governor ☐ Staff ☐ Resident ☐

Member of the Penhill Forum ☐

Do you support the linked proposals to close Penhill Primary School to make way for an expansion of the Swindon Academy?

Yes ☐ No ☐

Comments:

Signature: _____

Responses must be received by 14th July 2008 latest.

Please return Response Forms by post to:

Tricia Devaney
Children Services, Swindon Borough Council
Sanford House
Sanford Street
Swindon SN1 1QH
01793 465748
email: tdevaney@swindon.gov.uk

Data Protection

The information you provide will be for the analysis of responses received as part of the Pre-Statutory consultation on the linked proposals to close Penhill Primary School to allow an expansion of the Swindon Academy for the purposes of compiling recommendations to Cabinet. Personal information will not be



Children Services

Children and young people deserve the best start in life.

Proposals to close Penhill Primary School and Nursery to allow an expansion of the Swindon Academy

June - July 2008



Contact: David Neal, Academy Project Manager,
Sanford House, Sanford Street, Swindon, SN1 1QH
Tel: 01793 463367 or email: d.neal@swindon.gov.uk
Web: www.swindon.gov.uk/educationandlearning-

This information about the Proposal to close Penhill Primary School and Nursery is available on request. It can be produced in a range of languages and formats (such as large print, Braille or other accessible formats) by contacting the Customer Services Department.

Tel: 01793 463725
Fax: 01793 463982
E-mail: customerservices@swindon.gov.uk

Dear Parents/Carers, Staff and Governors of Penhill Primary School and Nursery and members of the Penhill Forum and community.

Please see the enclosed information about the Council's linked proposals to close Penhill Primary School to allow an expansion of the Swindon Academy. You are invited to let the Council know your views about this proposal.

In addition to the written Information and Response Form provided in this document, the Council has also arranged meetings at Penhill Primary School to allow you to ask questions you might have and put forward any comments. The United Learning Trust (ULT), sponsors of the Swindon Academy, will also be seeking your views about how the expansion of the Swindon Academy will make a positive impact on children who transfer from Penhill Primary School. DJB Consultancy, Independent Consultants, will carry out this consultation and will participate in the meetings arranged by the Council.

The dates and times of the Council's consultation meetings are set out below. Please note that parents and carers have a choice of two meetings to attend:

Penhill Primary School Hall - 9th June 2008
 Parents/carers 3.30pm
 Staff 4.45pm
 Governors 6.00pm
 Parents/carers 7.15pm

Penhill Primary School Hall - 12th June 2008
 Penhill Forum and Public - 6.00pm
 Childcare facilities will be available at the parents/carers meetings at Penhill Primary School.

The Objectives of the Proposal

The key objective of the proposal is to improve the life chances of children in the Penhill area by transforming the education offering. This transformation is to be achieved by closing the traditional Primary school and transferring children into an expanded Academy. The reasons that the Council wants to promote this proposal are set out below:

- Penhill Primary School is on the Department for Children, Schools and Families (DCSF) list of 266 'hard to shift' primary schools in England and has failed to meet the floor target at Key Stage two in both Maths and English for five years, despite receiving considerable additional resource and support from the Local Authority. The Local Authority considers that a structural solution is required to move this school forward. If the school became part of the Academy it would benefit from the drive to raise standards already evident in the Academy.
- An all-through Academy can help pupils with the transition from one school to another and provides continuity of teaching and learning for pupils. Evidence shows that pupil performance dips, and pupil progress is slowed, as a result of moving schools. In an area where raising standards of achievement is a key priority between primary and secondary and where this has not to date been successfully addressed through to age 16, it is vital that these barriers to progress are removed. There are opportunities in the future for feeder schools to the Academy to be more closely associated with the United Learning Trust, for example through trust status. However, the critical issue of school standards in Penhill Primary School needs to be addressed.
- During the consultation phase for the Academy, it became clear that members of the community of Penhill felt that their children might miss out on the Academy development. Although children from the Penhill Primary School area have the opportunity to apply for a place at the Academy at the secondary school stage, there is a perception that primary age children may be potentially disadvantaged compared to those in the previous Pinnerhurst Schools, by being excluded from the Academy arrangement.
- The developing educational plans for the all-through Academy suggest that it will break out from traditional year group structures and move towards working within vertically organised systems where the needs of the individual learner can be more readily met and personalised. Pupils will be able to progress according to the 'stage' they are at in their development rather than their chronological age. Such a development may make it more difficult for the pupils of Penhill Primary School to integrate into the Academy when they move at 11 years of age.
- As well as helping to raise standards, the expansion of the Academy to include Penhill Primary School would also promote inclusion and there will be benefits attached to continuity of care, especially for more vulnerable children.
- In the same way, an all-through Academy would help the multi-agency team support children better i.e. easier access, economies of scale for all agencies involved, and closer relationships through more regular formal and informal contacts, all resulting in an improved standard of provision for pupils.

If implemented, the existing site and buildings would be transferred to the Academy. Staff affected by the proposal would also be transferred to a new employer, the United Learning Trust.

We would be very interested to know whether or not you share our views about the advantages of merging Penhill primary school with an expanded Academy. Please complete the attached Response Form and return it to us by 14th July 2008.

Frequently asked Questions

- Why does Penhill have to be closed to change it to part of the Academy?**
 A. The Council currently owns and maintains Penhill Primary. Legislation means that in order for the school to be transferred into new management, it needs to be 'closed' to allow the new management to take over.
- Will parents/carers of children at Penhill Primary need to apply for a place at the Academy if the proposal goes ahead?**
 A. No. All children on roll at Penhill Primary at the time of the closure will automatically transfer to the roll of the expanded Swindon Academy.
- What will happen to the land and buildings?**
 A. The United Learning Trust will take a long lease on the land and, therefore, the responsibility for the buildings.
- Who decides if this proposal goes ahead?**
 A. The Council is able to decide the closure of Penhill Primary School locally. The expansion of the Swindon Academy has to be decided by the Secretary of State. The timeline below sets out the various stages of the decision making process. The views expressed by parents/carers, staff, governors, residents and those of the Penhill Forum will be reported to Cabinet on 23rd July 2008. The meeting is open to members of the public.
- What will happen to staff working at Penhill Primary School if the proposal goes ahead?**
 A. Staff employed at Penhill Primary at the time of its proposed closure will transfer to the United Learning Trust, the organisation that employs staff at the Swindon Academy.

Timeline Target Dates in the Decision Making Process

1st June 2008	Pre Statutory Consultation begins
9th and 12th June 2008	Consultation meetings take place at Penhill Primary School and Penhill Forum
14th July 2008	Pre Statutory consultation ends
23rd July 2008	Outcome of Pre-Statutory consultation report to Cabinet
Late August / September 2008	If agreed, the Statutory consultation commences
October / November 2008	Decision by Cabinet Panel
January 2009	Proposed Implementation



“Giving Children and Young People the best start in life”

**A Proposal to expand Swindon Academy
to include Penhill Primary & Nursery School
Consultation Document**

Contents

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Introduction

This document has been produced as part of the independent public consultation into the proposal to expand the 0-19 Swindon Academy to include Penhill Primary and Nursery School. The purpose of the document is to inform potential students, parents, staff, governors, education partners in Swindon, interested parties affected by the proposed site and the wider community on the proposal to this expansion to the Academy, so that they can express their views during the consultation process.

Background to this proposal

The Department for Children Families and Schools (DCFS) and Swindon Borough Council (SBC) in collaboration with the sponsor United Learning Trust (ULT) established the Swindon Academy in September 2007. The academy replaced Headlands secondary school and Pinehurst Infant and Junior schools. The Council now wishes to expand the academy to include Penhill Primary School.

The academy is an all age 0–19 academy providing education and community services and will serve students from Pinehurst, Gorse Hill, Seven Fields and Penhill, one of the most deserving areas of Swindon.

The academy will permit the more effective deployment of multi-agency approaches - easier access, economies of scale for all agencies involved, and closer relationships through more regular formal and informal contacts all resulting in an improved standard of provision for the children.

The Penhill school building will be extensively refurbished and will remain on its current site about one mile from the main academy campus.

The Public Consultation Process

The following areas are the key priorities for consultation:

- The Academy's intake and development
- Transition-Continuity and Progression
- Governance
- Community links and wider use

This independent public consultation is being conducted by DJB Consultancy on behalf of ULT and will run in parallel with the SBC consultation process. SBC will consider all the views that are expressed as part of this public consultation and the separate SBC statutory consultation process before making a decision to publish statutory proposals to close Penhill School. The Sponsor will seek the Secretary of State's approval for the expansion of the academy.

Further details about the consultation process and how your views can be represented are given at the end of this document.

1. Reason for this Proposal

During the consultation to establish Swindon Academy there were a number of responses suggesting that some feeder schools to the academy, excluding Pinehurst Infant and Junior schools, which would be part of the academy, would be disadvantaged, i.e. Penhill, Gorse Hill and Seven Fields. 86% of the academy's student cohort comes from these feeder schools, with 20% from Penhill.

However, although in the future there will be opportunities for feeder schools to the academy to work closely with the United Learning Trust, Penhill Primary School standards have been identified by SBC as a critical issue that needs to be addressed urgently.

Penhill Primary school is on the DCFS list of 266 'hard to shift' primary schools and has failed to meet the floor target at key stage two in both maths and English for five years, despite receiving considerable additional resource and support from the Local Authority. An Ofsted inspection which took place in September 2007, judged the standards reached by learners to be inadequate (grade 4). The local authority considers that a structural solution is required to move this school forward. If the school became part of the academy it would benefit from the drive to raise standards, which is enhanced by the establishment of an academy.

The developing educational plans for this all-through academy suggest that it will break out from traditional structures and move towards systems where the needs of the individual learner can be more readily met and be personalised. Pupils/students will be able to be progressed according to the 'stage' they are at in their development rather than their chronological age. Such a development may make it more difficult for the pupils of Penhill Primary School to integrate into the academy when they move at eleven.

As well as helping to raise standards, an academy expanded to include Penhill Primary School will also promote inclusion and enjoy the benefits attached to continuity of care and personnel especially with respect to more vulnerable children.

ULT and SBC share the view that an all age 0-19 academy is well placed to transform the education and learning opportunities for primary pupils of all abilities from the surrounding area, raise aspirations and achievement and challenge expectations of learning. It removes a number of transition issues when moving from one school to another and provides continuity of teaching and learning for pupils¹. The

¹ Evidence shows that pupil performance dips, and pupil progress is slowed,

development allows for a cross-curriculum approach to teaching and learning across all the key stages ensuring individual levels of attainment are improved.

as a result of moving schools. In an area where raising standards of achievement is a key priority- which has not to-date been successfully addressed through to age 16-it is vital that these barriers to progress are removed.

2. The Academy Proposal

The proposal to undertake a feasibility study to expand Swindon Academy established in September 2007, which has replaced Headlands School and Pinehurst Infant and Junior Schools to further include Penhill Primary and Nursery School is supported by the DCSF, Swindon Borough Council and the Governors of Swindon Academy. The proposal is subject to agreement by the School Scrutiny Committee. As part of the feasibility the expanded academy will:

- In partnership with the Council, explore the inclusion of Penhill Primary and Nursery Schools into the 0-11 element of the academy.
- In partnership with the Council, also further explore the way in which existing 0-4 family support services can be integrated into the academy
- Open in January 2009 in the existing Penhill school building and have a planned programme to refurbish the current accommodation.
- Guarantee places for all existing students at Penhill School into the 0-11 element of the academy at the time the school closes in December 2008.
- Be co-educational and free of charge for pupils of statutory school age.
- Continue to operate the existing schools catchment areas and admissions policies in September 2008.
- Adopt the current ULT Admissions Policy (see section 9) subject to any agreed amendments to reflect local existing policies with effect from September 2009.
- Be committed to the pursuit of high standards and levels of achievement in all areas of learning activity and behaviour.
- Be a place where all students will be supported in realising their full potential and encouraged to take their place in society as active and positive contributors.
- Work in partnership with other primary, secondary schools and further education establishments in Swindon.
- Be at the heart of the local community, providing a driver for change through the use of its facilities either during or outside academy hours.
- Be sponsored and managed by the United Learning Trust a subsidiary of the United Church Schools Trust.
- Build on its corporate partnership with Honda who is active in supporting the work of the academy. Honda is a major global company with a European manufacturing base in Swindon and Sales and Services operations in Langley.

3. What are Academies?

Academies are a new type of all ability school which aim to bring a fresh approach to school leadership, teaching and learning, raising the standard of education provision in the maintained sector in the more disadvantaged areas. Academies draw on the expertise of the sponsor and have the freedom to try new ways of teaching within an innovative and stimulating environment.

Across the country, academies are being created to replace schools in challenging circumstances or to meet demand for additional school places. The Government is committed to establishing 400 academies with at least 200 open or in the pipeline by 2010.

Academies are state-funded independent secondary schools. They are independent of the Local Education Authority and have more autonomy over curriculum design than maintained schools. They offer a broad and balanced curriculum together with a specialism. All places are free of charge with no fees paid by parents and are available to the local community within an agreed admissions policy.

Academies are operated by a not-for-profit charitable trust. Sponsorship for academies is from the private or voluntary sectors that make donations up to a ceiling of £2 million to support the charitable purposes of the academy. This establishes a long-term financial endowment to enhance educational progress in the academy and in the local community more generally.

The capital costs for remodelling the proposed Penhill extension will be funded by Swindon Borough Council.

The annual recurrent costs are funded directly by the Department for Children Schools and Families (DCSF) at a level comparable to the funding of similar schools in the area. In addition, each academy receives a per-student grant equivalent to specialist schools in the maintained sector.

4. About the Sponsor: United Learning Trust (ULT)

ULT is a registered charity, specifically created to establish a family of academies which provide an outstanding education to young people across the country. Established in 2002, ULT is a subsidiary of the not-for-profit charity, the United Church Schools Trust (UCST), which owns and manages a family of independent schools in the UK for 125 years. ULT offers the stability of an organization with a long term commitment to education in this country and the experience to run schools.

UCST's extensive experience in providing high quality education makes ULT a unique sponsor of academies. Its experience in bridging the private and public sectors brings significant benefits to teachers, students and parents through the sharing of good educational practice. The two organisations share the objective of offering students outstanding education.

In order to satisfy its charitable objectives, ULT is required to ensure that the academy is founded on a Christian ethos. ULT hopes and expects that its ethos can be accepted by people of all faiths and none.

ULT currently operates and manages 13 academies: Manchester, Lambeth, Northampton Salford-City, Barnsley, Sheffield Park, Sheffield Springs, Paddington, Walthamstow, William Hulme Grammar School, North Oxfordshire, Swindon, and Stockport. It also has two others in feasibility in Accrington and Midhurst, West Sussex.

5. The Academy Ethos

The ethos of Swindon Academy is one of:

- Respect
- Service
- Compassion
- Discipline
- Hard work

This is supported by a constructive and supportive environment where all students and staff are valued and respected. Students are given individual care and support and guided and encouraged to develop a lifelong love of learning.

A culture of hard work is instilled throughout the academy. It has a philosophy that encourages achievement. Students will be expected to develop a high standard of learning and life skills.

ULT academies aim to enable each student to become a balanced articulate person with the:

- intellectual freedom to be creative
- confidence to initiate
- flexibility to react to change
- compassion to serve others.
- motivation to have a lifelong love of learning.

It is a core belief of the ULT that students thrive when parents, the school and the community work together to encourage and support the success of each student.

ULT respects the differences that exist between the different communities it serves. ULT has a strong and vibrant commitment to quality and innovation built on dynamic partnerships with parents, the local community and business organisations, local organisations and other education providers.

6. The Vision for the new Academy

The academy offers a high quality educational experience to students to ensure that they are thoroughly prepared to meet the challenges of the workplace, either directly from school or after higher education. In particular, it will aim to offer:

Innovative teaching, learning and development for all

- Learning approaches that are targeted to the needs of the students through a mixture of modular learning paths.
- A well-considered programme of life skills, incorporated into many parts of the Academy day and curriculum, which will help prepare students to become active and responsible citizens;
- A fully accessible academy with extended day programmes that offer study support and additional learning opportunities and a wide range of arts, sports, and recreational activities;
- Provide opportunities for an integrated approach to teaching and learning across different year groups;
- Personal tutor and peer mentoring systems which offer individually- tailored learning plans for every student to raise their aspirations and achievements. Particular attention will be given to the core areas of literacy and numeracy. Where appropriate, there will also be links to external agencies and advisors to assist with the rounded development of students;
- Extension programmes and accelerated learning opportunities, delivered using ICT and distance learning materials;
- Innovative approaches to the teaching and learning process, based on a framework of study skills and methods of monitoring, assessment, reporting and planning that encourage more ICT-based learning, with provision for community participation;
- A framework of professional development and training in transferable skills related to the use of new technology, and remuneration policies to attract, retain and continuously develop teachers and support staff;
- Developing with the local business community and other key stakeholders ways of assisting the regeneration of the area;
- Being a learning resource at the heart of the local community with a commitment to supporting a broad range of community needs.

7. The Academy's Curriculum and Specialism

The academy will be committed to providing a broad, balanced and relevant curriculum for all its learners. To achieve this it will have due regard for the key areas of the National Curriculum, but as a publicly-funded independent school it will be free to develop innovative and creative approaches to both teaching and learning, making education relevant and exciting. All students will have access to the core curriculum, English, Mathematics, Science and Information Communication Technology.

The curriculum will be at the cutting-edge of educational development and designed to support the highest level of achievement by students. State-of-the-art technology will help ensure that the curriculum is accessible online 24 hours a day.

Each student will have a carefully prepared individual programme of learning. This student-centred approach has been designed to meet the needs of all students and will be present through the student's school life.

The 4-11 primary curriculum will be developed by blending existing good practice with new opportunities for learning. The aim will be to encourage high levels of individual achievement through an exciting, engaging and creative curriculum which will also have a strong emphasis on the development of the core skills that provide the building blocks for the future success of learners. The education of primary phase students will be further enhanced through access to the 21st Century facilities and technologies which the academy will provide for all its learners.

One of the key benefits of a 0-19 academy is that all professionals and key stakeholders in the chain of learning can ensure the best possible continuity of planning and progression for the individual learner.

In addition to covering key areas of the National Curriculum, the academy has a focus on specialist subject areas in which it will aim to become recognised as a Centre of Excellence. The specialism should enable the school to retain and recruit enthusiastic, inspirational teachers with outstanding motivational skills. The academy's specialism is Science with Business and Enterprise.

8. Teaching and Support Staff

The ULT is responsible for the employment of the academy's staff. The Principal decides, within the budget framework, how many teachers to employ and makes the appointments.

It is recognised that the teachers and support staff at the academy are its most valuable resource. Without good, well-supported teaching the academy's vision for success will not be realised. Therefore it is establishing:

- Sound and sensitive employment practices
- Excellent working conditions and relationships
- Modern management structures
- Competitive levels of remuneration and rewards.

The staff employed work to a common goal of raising standards for all students. The academy will ensure strong pastoral care for students, which will involve parents and the community.

ULT will consult with the Trade Unions about the application of the TUPE regulations, as applied to staff in Penhill School, in advance of those staff' joining the academy.

9. Admissions

The academy is fully inclusive in terms of admissions with a comprehensive intake of boys and girls across all ability ranges. The academy **currently** provides up to 1,200 places for students aged 11–19. Up to 180 students will be admitted in Year 7 each year and there will be a maximum of 300 places in the Sixth Form.

The academy currently provides up to 420 places for students aged 4–11 with up to 60 pupils being admitted into Reception each year. There are also 52 part-time nursery places available. The Penhill site will admit up to 60 pupils into Reception each year. 52 part-time nursery places will also be available.

If incorporated as part of the expanded academy, all students at Penhill School will be automatically offered a place at the academy at the time the school closes in December 2008. Thereafter, pupils at the Penhill site will automatically transfer to the academy's secondary provision unless there is parental preference to the contrary.

The expanded academy will adopt the current ULT Admissions Policy, subject to any agreed amendments to reflect local existing policies with effect from January 2009.

The principles on which the admissions criteria are based include:

1. Children with statements of SEN where the Academy is named on the statement;
2. Children in Public Care (Looked after Children);
3. Children for whom it is essential to be admitted to the school because of special circumstances related to medical and social needs;
4. Children with special educational needs (SEN) but without a statement will receive equal consideration with other applicants;
5. Children who have a brother or sister on roll at the academy at the time of admission;
6. Places will be allocated to children in relation to the distance from the child's place of residence to the academy (Penhill site).

The academy is aware of the need to provide facilities which will be appropriate for specific students with Special Educational Needs. These would include:

- Students who are gifted and talented;
- Students with individual learning difficulties;
- Students needing support with access.

The process of application for the academy will be made on the common application form of the Education Authority in which the applicant resides.

The academy's admissions arrangements follow the DCSF Code of Practice (including the guidance on appeals against refusal to admit), and is founded on impartiality, regard for the law and the principles of natural justice. The appeals system is transparent and fair. ULT's Academy Policy on exclusions takes account of DCSF guidance.

10. Governance

The ultimate governance of the all the sponsors' academies is the responsibility of the Trustees of the ULT.

The Trustees are responsible in particular for:

- Overall policy for each Academy
- Policy decisions on where and when to open new academies
- Fundraising
- Appointment of and Principals and Vice Principals
- Relationship with the Government
- Budget for the whole group
- All staff contracts.

At the local level, the Swindon Academy has its own Local Governing Body (LGB). The aim is that the LGB should best reflect the specific needs of the academy. It is essential that the members will extend the skills and influence of the LGB and actively support and promote the aims, ethos and aspirations of the academy.

Members of the LGB include:

- The Chair
- The Principal, ex-officio
- Two elected Parents
- An elected teacher
- An elected member of the support staff
- A representative of the Local Council

In addition, the LGB includes other members drawn from the local community and from business and industry. Honda is represented on the LGB of the academy in Swindon and Sir Anthony Greener (one of the benefactors via the ULT) is the Chair.

The LGB:

- Assist on appointment panels
- Support the Principal and the ULT Finance Director in monitoring and managing the budget.
- Are responsible, with the Principal, for school policies and operations such as:
 - o Admissions
 - o Behaviour
 - o Discipline
 - o Exclusions
 - o Curriculum and its delivery
 - o Reporting to parents
 - o Maintaining the quality of the school
 - o Links with the community

11. Building Improvements at Penhill

The proposals that are being considered for building remodelling will offer improved quality of provision and facilities in a number of key areas of the school as well as providing an independent youth and community provision. Building construction work, in the main, will relate to internal structural changes to some rooms as required and general improvements and decoration to the whole school. Major improvements will be made to all flat roofs and metal windows, which will enhance the overall efficiency of the buildings. Upgrades will also be made to the M&E infrastructure (heating and ventilation) in line with current legislation on building efficiency. A new landscaped car parking facility will be provided at the front of the school which will give more emphasis to the entrance to the school and the current mobile classroom provisions will be integrated into a secure nursery block with it's own reception and secure access.

A summary of the changes considered are as follows:

- Structural remodelling to some of the classrooms to meet BB99 standards.
- Structural remodelling of the reception and nursery provisions into an independent secure unit. (Removal of all mobiles).
- Addition of some general multi-use rooms.
- Addition of a secure youth and community provision with it's own entrance and identity.
- Improvements to M & E facilities (heating & ventilation).
- Replacement of all metal window frames to be replaced with uPVC
- Refurbishment of all flat roofs
- Improvements to surface water drainage.

12. Community Involvement and Wider Use

The new Penhill site and building will serve the community of Penhill, will be involved with Regeneration Initiatives, and will be a facility for the whole community complementing the existing facilities in the area.

It is proposed that this new academy site will offer:

- Extended school activities, including leisure and sport, child care, before and after school, holiday and weekend provision;
- A Youth Service provision on-site.
- Access to ICT and business facilities;
- Access to larger spaces e.g. halls, drama studios;
- The opportunity for some co-located health and social services provision that reflect the priorities of the local community.
- Continuing education and learning opportunities for local people.

Parents will be expected to participate actively in the education of their children, not just providing encouragement and support but also being fully engaged in the home/school partnership and other aspects of academy life. The academy will look to introduce modern and immediate ways to communicate with parents.

Links will be established with other primary and secondary schools, Further and Higher Education Colleges and local employers. It is expected that the academy will make a valuable contribution to promoting social inclusion, equality and diversity.

13. Consultation

Independent Consultants, DJB Consultancy - Dame Jocelyn Barrow, Lead Consultant, and Dawn Hill - are running the consultation process for expansion of the academy. The Consultants have considerable experience of working in education and with ULT. They aim to engage all sectors of the community.

The consultation process will start from 01st June 2008, during which time this consultation document will be widely circulated. DJB Consultancy will undertake consultation in parallel with the Council and be in attendance at the Public Consultation Meetings held by the Council for parents, staff and governors and the Penhill Forum. DJB Consultancy will further carry out a random survey of Penhill parents and hold focus groups with Penhill parents and pupils; a series of interviews with key academy and Penhill staff and governors and key stakeholders in Swindon including Headteachers of associated primary schools,

Swindon Borough Council Education Officers and Councillors, and trade union representatives.

**The public meetings will be held at,
Penhill Primary School, Alton Close, Penhill, Swindon, SN2 5HF on,
09th June 2008**

Parents/carers	3.30pm
Staff	4.45pm
Governors	6.00pm
Parents/carers	7.15pm

Penhill Forum, Penhill Primary School, Alton Close, Penhill, Swindon, SN2 5HF on 12th June 2008 at 6.00pm

Details of the above meetings will be given to local schools and through the local media. At the public consultation meeting ULT and the Council will each make a presentation and be available to respond to your questions and listen to your views, which will be recorded by the consultants.

At the end of the consultation period, the Consultants will bring together all the views from the consultation and prepare a report for ULT, the DCSF, Swindon Borough Council and the schools concerned.

Interested parties can additionally express their views on the proposal by writing to:

Jocelyn Barrow and Dawn Hill
DJB Consultancy
111 Helix Road
London, SW2 2JR
Mobile: 07947 371 639
Email: hilldawn@aol.com

Questions can also be addressed to:

Martyn Baker
ULT National Education Advisor and Project Manager
Church Schools House
Chapel Street
Titchmarsh
Northants NN14 3DA
Email: martyn.baker@church-schools.com

The document can also be accessed at:
www.ult.org.uk

**SUMMARY OF CONSULTATION CARRIED OUT BY LOCAL
AUTHORITY**

**Summary results of the consultations undertaken by
the LA with key stakeholders between 1 June and 14 July**

Consultation meetings (two) with parents of Penhill Primary School held on 9 June

Key issues/questions/concerns raised:

- Will the school remain on the existing site?
- If this proposal does not go ahead, will the same amount of funding still be available to improve the school premises?
- Concerns about whether the new school will look after children with disabilities in the same way that Penhill Primary School currently does.
- Why make changes when Penhill Primary School is working well for the children, with such dedicated teachers?
- Concerns expressed about how well the Academy is operating.
- Will the existing Head Teacher remain if the school becomes part of the Academy and will there be jobs for all the staff? We could lose good teachers we have.
- Instead of one teacher for a class, will there be different teachers for different subjects?
- Education is being run as a business.
- What is there to stop ULT walking away? What could the LA do?
- Why can't the LA increase the budget?
- The Government funds the Academy but a change of Government could mean Academies receiving the same money as other schools.
- Transport to the Academy site is a big issue.
- It is felt that this is considered a sink estate.

Consultation meeting with the Governing Body of Penhill Primary School held on 9 June

Key issues/questions/concerns raised:

- Staff morale is at rock bottom and people are hitting out because they do not understand.
- Concern about ULT's lack of primary track record – where is the proven expertise?
- Timescale is too short.
- Where is the funding coming from and will it be given regardless of whether the School becomes part of the Academy?
- Key issues are motivation, timing and lack of facts
- We want to explore the option of Trust Status

Consultation meeting with staff of Penhill Primary School held on 9 June

Key issues/questions/concerns raised:

- Questioned independence of consultation.
- Why does it have to happen so quickly?
- How can standards be raised within the School when the Academy has such a low opinion of the Penhill parents?
- The LA believed in extending the Academy to raise standards but what happens if they are not raised? It is too early for evidence from the Academy.
- Research shows children do best in a smaller setting, so how is being one of 2,000 better for children? The School's Senior Management Team knows every child.
- Will there be a Penhill football team or do they have to compete for Academy places? What about the Penhill Christmas play?
- The LA failed and will be rid of the School if it becomes part of the Academy.
- This proposal is based only on Ofsted results.
- Why was Penhill not included in the Academy earlier?
- When will Seven Fields and Gorse Hill Schools be part of the Academy?
- Is Trust status going to be looked at alongside the Academy?
- If the School closes, when do we need to resign? The decision to close would be taken after the cut-off date for resignation.
- Under TUPE we can object to going across.

Consultation meeting with local residents/community of Penhill held on 12 June

Key issues/questions/concerns raised:

- Lack of direct consultation with Penhill Forum.
- Academy seen as being run on faith-based lines by ULT.
- Does the Academy have the right to change its admission policy?
- How does breaking up traditional Year groups benefit gifted and less able children?
- Academy has no proven track record.
- How are the Governors chosen and to whom are the Academy staff accountable?
- Who is ULT responsible to?
- Loss of control by local people.
- Concern about the School being open 24/7 to community and youth groups.
- Concern about land and playing fields being sold off.
- Resentment that LA would refurbish building before handing over to ULT.
- Penhill has lacked investment from the LA for many years.
- Why are other options not being considered?

Response forms received

<i>Type of Respondent</i>	<i>Support</i>	<i>Do not support</i>
Parent	17	193
Staff	0	55
Governor	0	9
Local resident	12	99
Other	1	1
<i>Total</i>	30	357

NB:

There were 2,800 consultation documents, including response forms, delivered across Penhill on the weekend of 31 May and 1 June and a total of 3,500 sent to all residents and stakeholders. 387 forms were returned, a response rate of 11%.

Summary of issues and concerns raised on response forms:

- This will take away parents' choice.
- Concerns over Penhill moving to the Pinehurst site.
- Lack of evidence the Academy will raise standards. No time to prove itself.
- Penhill should stay independent of the Academy.
- Proposal is an admission of the LA that they do not have the capacity of aspiration to raise standards of Penhill. LA want to remove Penhill from the tables.
- Lack of Primary focus in Academy.
- Parents have the full support of the headteacher and staff at Penhill.
- Swindon education is below the national average.
- I hear nothing positive about the Academy.
- Penhill is successful and has good levels of education.
- Penhill is at the centre of the community and provides community based services.
- Penhill School has a large number of students with Special Educational Needs (55%).
- Parents are very happy with the teaching methods and the children are working well. Would the Academy provide the same level of support?
- Other options to explore still – e.g. Trust Status?
- Concerns over management and organisation of the Academy.
- The last OfSTED report was a good one.
- I think this will be a good opportunity.
- Land surrounding the school could be cleared for housing.
- Penhill School needs improvements.
- I feel my child will learn more in the Academy.
- Expansion of the Academy should take in Seven Fields and Gorse Hill.
- The Penhill area in general needs money spending on areas and investment.

- The consultation is rushed.
- The Academy will be too large.

Petition

A 432 signature petition was delivered to the Council on 11th July regarding the Academy proposal. It states that:

“We the undersigned do not believe that Penhill Primary School should be closed and become part of Swindon Academy. We would like to remain as our school in our community. We feel we would be seen as the poor relation in comparison to the Academy, as they will have a new build and state of the art facilities. Our children will not benefit from these facilities whilst they are based at the Penhill site”.

Response for Penhill Primary School Governing Body

This was received on 13th July attached as **Annex A**.

Letters from Trade Union and The Academy

Letters received from UNISON, GMB and the Principal of The Academy are attached as **Annex B**.

We, the Governing Body of Penhill Primary School, feel that the elected representatives of Swindon Borough Council have been deliberately misinformed by the information given to them concerning the move of Penhill Primary School to the Swindon Academy.

In an attempt to balance the brief to Cabinet members, Penhill Primary School governing body would like members of the Cabinet to consider the following information which, we feel, puts our side of the argument/case.

One point which must be made is that neither staff nor governors wish Penhill Primary School to leave the Local Authority and therefore want to pursue Trust status and thus stay within the Local Authority.

We have taken the entries from the consultative documents and provided our more balanced view.

Consultative document: “It serves pupils from Pinehurst, Gorse Hill, Seven Fields and Penhill, which is one of the most deserving areas of Swindon.”

Response: Ofsted report ‘The school serves an area of significant economic and social deprivation. Around half the pupils have some learning difficulties and/or disabilities, and this is far higher than the national average. Children’s attainment when they start school in the Nursery at age three is very low. The proportion of pupils who are entitled to free school meals is among the highest in the country.’

The 2007 Index of Multiple Deprivation places Penhill Primary School at the top of all schools in Swindon, with a score of 46.9. Consideration of the index (see Appendix 1) clearly shows there is a difference between the Pinehurst and Penhill estates and therefore, we would suggest, a different solution, tailored to the specific needs of the community, is required. The analysis by the Joseph Rowntree Foundation for the Department for Work and Pensions which placed the Penhill ward as the 5th most deprived in the South-west of England, would also support this case.

Consultative document: “The Penhill school building will be extensively refurbished

Response: Actually, the building works will only ‘bring the existing buildings to the minimum current (build) standard.’ More to the point, the majority of the suggested changes were identified by Penhill Primary School nearly 5 years ago and at which time SBC drew up plans. The original plans have merely been subject to minor updates!

Consultative document: “Penhill Primary school is on the DCSF list of 266 ‘hard to shift’ primary schools and has failed to meet the floor target at Key Stage Two in both maths and English for five years, despite receiving considerable additional resource and support from the Local Authority.”

Response: Ofsted report ‘School leaders embraced the intensive support provided by the local authority to help raise standards. As a result, there is clear direction for raising standards and a steady improvement has been secured in pupils’ achievement.’

Response: Ofsted report ‘The school provides a satisfactory standard of education despite the very low standards reached in English, mathematics and science. Standards are low partly because there is a very large group of pupils who have learning difficulties and/or disabilities. Pupils’ achievement is satisfactory overall from the Foundation Stage to Year 6.’

Consultative document: “It removes a number of transition issues when moving from one school to another”

Response: This would be true if the children from Penhill Primary were placed on the academy campus. As this is not happening, the transition issues will remain. Equally, of course, this will be true for all the other academy feeder schools.

Consultative document: “As well as helping to raise standards, an academy expended to include Penhill Primary School will promote inclusion.....”

Response: Penhill Primary School already practices a policy of inclusion and has yet to permanently exclude any child. The academy however, has already, in its much shorter life put a significant number of pupils on ‘reduced timetables’.

Ofsted report: ‘This is a school that rightly prides itself on the good pastoral care provided for pupils, particularly for those who are vulnerable.’

Consultative document: “Each student has a carefully prepared individual programme of learning.”

Response: All Penhill Primary School students have a carefully prepared individual programme of learning. Ofsted report: ‘Teachers gather a great deal of information about how well all the pupils are doing.’ Many pupils have Individual Educational Plans.

Consultative document: “The new Penhill site and building.....”

Response: There is no ‘new’ building. This is a misrepresentation and led many members of the Penhill community to believe that the current buildings would be demolished.

Consultative document: “DJB Consultancy will also:Conduct a series of interviews with.....governors....”

Response: The Chair of Governors was contacted by DJB with one single date for a meeting the week prior. Unfortunately, due to other commitments the Chair was not free on that date. No alternative date was offered nor was an offer made to

interview any other member of the governing body. No interview took place, on an individual basis with the governors!

Consultative document: General - There are many examples which show that this document was produced using cut and paste from the document used to move Pinehurst to the academy.

COUNCIL DOCUMENT

Council document - Objectives of the Proposal

“a. Penhill Primary school is on the DCSF list of 266 ‘hard to shift’ primary schools and has failed to meet the floor target at Key Stage Two in both maths and English for five years, despite receiving considerable additional resource and support from the Local Authority.”

Response: Ofsted report ‘School leaders embraced the intensive support provided by the local authority to help raise standards. As a result, there is clear direction for raising standards and a steady improvement has been secured in pupils’ achievement.’

Response: Ofsted report ‘The school provides a satisfactory standard of education despite the very low standards reached in English, mathematics and science. Standards are low partly because there is a very large group of pupils who have learning difficulties and/or disabilities. Pupils’ achievement is satisfactory overall from the Foundation Stage to Year 6.’

Council document - Objectives of the Proposal

“a.The Local Authority considers that a structural solution is required to move this school forward.”

Response: The Governing body does not dispute that more needs to be done to speed the continuing improvements at Penhill Primary School and, to that end, have submitted to DCSF an Expression Of Interest to move the school to Trust status.

Ofsted report: ‘Governors are fully involved in checking how well the school is doing and planning for further improvement in partnership with the school management team. This has led to a continued trend of improvement in standards, and in teaching and learning.’

Council document - Objectives of the Proposal

“b. An all-through academy can help pupils with the transition from one school to another.....”

Response: This would be true if the children from Penhill Primary were placed on the academy campus. As this is not happening, the transition issues will remain. Equally, of course, this will be true for all the other academy feeder schools.

Ofsted report: ‘Although pupils leave the school with low standards of basic numeracy and literacy, their ICT skills are adequate and their self-confidence is good so that they are developing appropriate life skills.’

Council document - Objectives of the Proposal

“b. However, the critical issue of school standards in Penhill Primary School needs to be addressed;”

Response: Ofsted Report “The school provides a satisfactory standard of education despite the very low standards reached in English, mathematics and science. Standards are low partly because there is a very large group of pupils who have learning difficulties and/or disabilities. Pupils’ achievement is satisfactory overall from the Foundation Stage to Year 6.”

“Almost half the pupils have learning difficulties and/or disabilities, and this has a considerable impact on the standards reached in each key stage, as many pupils struggle to reach the expected levels for their age. There is appropriate support for all these pupils so that they make satisfactory progress despite the very low standards they attain. Over the past four years the school has achieved a steady increase in pupils’ progress in Key Stage 2, and more recently in Key Stage 1.”

In a league table reflecting Contextual Value Added, Penhill Primary is never at the bottom. The DCSF’s technical guide to contextual value added (2007 model) states that “....CVA gives a much fairer statistical measure of the effectiveness of a school and provides a solid basis for comparisons”. The bottom 200 school nationally, have CVAs ranging from 96.4 to 97.9.

Council document - Objectives of the Proposal

“c. During the consultation phase for the academy, it became clear that members of Penhill felt that their children might miss out on the academy development.”

Response: In actual fact, the governor’s view is that the Penhill Community did not wish to be part of the academy; rather the community was concerned that their school would miss out on the money being spent elsewhere!

Council document - Objectives of the Proposal

“d. The developing educational plans for an all-through academy.....”

Response: This complete bullet point is conjecture, nothing is proven as yet!

Indices of Multiple Deprivation: Swindon Schools 2007				
Dfes No.	School Name	Indices of Deprivation for Super Output Areas, IMD Score	Indices of Deprivation for Super Output Areas, Rank of IMD Score	Rank out of Secondary/ Primary Schools in LA
LEA		18.00	18742.13	
Secondary				
4087	Headlands	34.02	8539.50	1
4065	Churchfields	31.27	10413.07	2
4060	Dorcan	21.00	16529.58	3
5409	St Josephs	18.74	17872.31	4
4084	Hreod Parkway	17.91	18418.48	5
5410	Commonweal	15.37	19585.69	6
5407	Kingsdown	13.61	21440.81	7
4086	Greendown	12.73	22158.34	8
5417	Ridgeway	12.23	22065.78	9
4074	Warneford	10.01	24607.76	10
Primary				
2007	Penhill	46.89	3902.54	1
2003	Mountford Manor	46.35	3429.42	2
2005	Oaktree	40.17	5280.66	3
2151	Seven Fields	39.94	5897.66	4
2212	Goddard Park	38.55	5854.31	5
2115	Pinehurst Junior	34.55	7142.95	6
2116	Pinehurst Infant	34.23	7463.62	7
2123	Lainesmead	31.58	10486.27	8
3001	Holy Family	29.19	11943.98	9
2109	Gorse Hill Infant	26.06	11508.99	10
2002	Drove	25.44	12096.68	11
2204	Rodbourne Cheney	25.19	11569.68	12
2108	Gorse Hill Junior	24.80	12309.48	13
3461	Moredon	24.79	13273.32	14
2009	Eldene	21.41	14629.99	15
2105	Ferndale Junior	19.08	16400.13	16
2106	Ferndale Infant	19.04	16299.67	17
3458	Oliver Tomkins Infant	19.04	15915.21	17
2203	Toothill	18.94	16232.82	19
2095	Beechcroft Infant	18.60	17667.47	20
2211	Robert Le Kyng	18.59	16482.94	21
3439	St Catherines	18.51	18813.60	22
3455	Oliver Tomkins Junior	18.34	16581.83	23
2094	Ruskin Junior	18.30	18081.88	24
2147	Lawn	17.97	20481.52	25
5211	Holy Rood Junior	17.55	18168.25	26
3175	King William Street	17.40	17079.20	27

Upper
Quartile

3426 Holy Rood Infant	17.20	18098.77	28	Median
5220 St Marys	16.87	18903.71	29	
2161 Nythe	16.08	20363.89	30	
2004 Liden	16.02	19187.01	31	
2205 Freshbrook	15.73	19011.41	32	
2103 Even Swindon	15.36	18908.03	33	Lower Quartile
3000 Lethbridge	13.47	20689.68	34	
2143 Wroughton Infant	12.49	21452.91	35	
2026 Chiseldon	12.37	21143.60	36	
2156 Wroughton Junior	12.27	21634.43	37	
2036 Covingham Park Junior	12.17	23101.66	38	
2050 Haydon Wick	11.80	23057.55	39	
2093 Grange Infant	11.46	23003.23	40	
2092 Grange Junior	11.36	22854.35	41	
2164 Greenmeadow	11.15	23921.43	42	
2217 Windmill Hill	11.14	23387.74	43	
2035 Covingham Park Infant	11.04	23654.04	44	
2194 Colebrook Infant	10.64	24398.91	45	
2166 Colebrook Junior	10.58	24159.66	46	
5221 St Andrews	10.56	23598.23	47	
2219 Tregoze	9.98	24266.91	48	
3165 South Marston	9.93	24398.67	49	
2209 Westlea	9.90	24599.23	50	
2200 Eastrop Infant	9.62	24564.65	51	
2051 Southfield Junior	9.50	24908.28	52	
2167 Westrop	9.18	25169.30	53	
2206 Northview	8.55	25741.93	54	
2133 Wanborough	8.51	25884.55	55	
3009 Bishopstone	7.97	26683.91	56	
2001 Peatmoor	7.69	26874.86	57	
2210 Shaw Ridge	7.63	27159.11	58	
2229 Haydonleigh	7.37	27578.30	59	
2214 Brook Field	7.12	27681.19	60	
2011 Bridlewood	6.66	28091.62	61	
3463 Orchid Vale	6.64	28251.32	62	
3460 St Francis	6.32	28559.69	63	
2000 Abbey Meads	6.23	28835.53	64	
3462 Red Oaks	5.91	29024.02	65	
2008 Catherine Wayte	5.28	29696.62	66	



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7th July 2008

To: Members of the Cabinet
Swindon Borough Council

Dear Councillor

Proposal to expand Swindon Academy to include Penhill Primary and Nursery School - UNISON Submission

UNISON is the largest union for school support staff in Swindon, and represents 16 members at Penhill Primary School. Following consultation with our members, UNISON is submitting the following points on the above proposal.

The proposal to close Penhill Primary School and incorporate it as part of the Swindon Academy is opposed by support staff in Penhill Primary. There is a great commitment amongst staff to serving the local community through their work in Penhill School. Whilst it is recognised that in terms of 'results' Penhill School has had problems, its results are now improving and there is a dedication amongst support staff to ensuring the continuation of this improvement. There is a fear that the special relationship between the school and the community it serves would be diminished through assimilation into the Academy.

The school has a large number of pupils with identified special needs (55%) and it is strongly felt that these special needs are best catered for within a local community school rather than a large 0 - 19 Academy.

There is concern amongst staff that if the proposal goes ahead the Penhill site would become somewhat of an appendage to the main Academy operating in Pinehurst, that it would be difficult to be fully integrated, and that it would in fact be part of a 0 - 19 establishment in name only. Pupils in year 7 who then move to the main site would find this particularly traumatic, when most of the others of their year group would have already been based at this site. The possibility that pupils would be 'bussed' to the main site in order to familiarise them is not felt to be appropriate or helpful.

Similarly, the prospect that staff may be moved to the main site is not supported as they wish to work in their local school.

THE PUBLIC SERVICES UNION

The United Learning Trust does not have a proven record of success at primary level, and to date there is no evidence that the Swindon Academy has raised standards.

Finally, there are concerns by support staff about terms and conditions of employment. Whilst existing terms and conditions would be protected through TUPE, protection would not necessarily continue following any restructuring of the workforce which led to changes in jobs. Academies are not covered by the Best Value Code of Practice on the 'Two Tier' workforce, and as such inferior terms and conditions could apply to support staff.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Bob Cretchley', with a stylized flourish at the end.

Bob Cretchley
Branch Secretary

cc Director, Children's Services

GMB Response to Penhill Consultation

This is a GMB response to 2 consultations:

1. DJB Consultancy carrying out a consultation on behalf of Swindon Academy to expand the Academy to include Penhill Primary and Nursery School.
2. Swindon Borough Council's proposal to close Penhill Primary and Nursery to allow an expansion of the Swindon Academy.

Because the issues relating to the 2 consultations are the same and because the meetings etc were held together we thought it appropriate that we respond with one document. Please excuse that a minimal number of points may just relate to one or other of the consultations.

GMB are a general Trade Union who represents a large number of schools support staff in Swindon. At Penhill we have a significant number of members amongst the support staff specifically teaching assistants and within the Best Team.

Consultation process

- The GMB have concerns that the supposed 'independent' consultancy - DJB have a long standing relationship with ULT. This may explain why there is no mention of any potential downsides to the proposals.
- The specifics of the consultation do not appear to consult with academy pupils or parents. Therefore does the proposal presume that the move to expand the academy is beneficial to academy pupils. GMB believes this is not necessarily the case.
- We are also concerned about the representation of Penhill parents during the consultation. From our local knowledge we are aware that Penhill parents are strongly against Penhill School being included in the Academy. We are concerned that parents views seemed to be dismissed at their meetings and have not been effectively sought out through the consultation process. This is especially important in the catchment area which Penhill is where it may be more difficult for parents to articulate their views and so may be more likely to be ignored or views not to be taken into account.
- GMB were extremely unhappy with the attitude expressed by ULT, the Academy and Swindon Borough Council in the staff consultation meeting. Criticisms of the plans seemed to be dismissed. Comments did not seem to be taken into account and were on occasion treated with inappropriate responses from the panel.
- With regards to the staff consultation; the meeting took place at 4.45pm when most certainly many support staff would have childcare responsibilities. It also was obviously not in working time, you would normally expect a consultation about something which could have such an impact on a member's employment to take place during working hours or at least to encourage engagement for the time to be paid.

- Despite the DJB consultation stating that trade union representative's views will be specifically sought out nobody has specifically spoken to the GMB.
- The proposal to look at including Penhill in the Academy was first discovered by Penhill employees when they read about it in the Swindon Advertiser. This is an appalling way to treat employees who have worked hard to improve Penhill School in difficult circumstances.
- The 'consultation meeting' consisted of a very long presentation promoting the benefits of the proposals which was followed by very limited time: 20 minutes where people could ask questions, which were often dismissed or responded to in a very abrupt way.

Concerns for Penhill School – Pupils/Parents/Local Community

- It is concerning that that the staff consultation meeting there seemed to be a clear message from Swindon borough Council that they did not feel capable of managing the necessary improvements at Penhill. This should be of huge concern to local tax payers who obviously trust SBC to manage the town in which they live including tax payers money. They would surely be concerned to hear that the LEA doesn't feel capable of managing improvements at Penhill.
- This would also be of concern to parents of children in other Swindon schools that the local LEA does not have faith in its own ability to continue to improve local schools.
- This is especially surprising considering Penhill School has been consistently improving over the last few years despite a challenging catchment area and a school building which is in need of major improvements.
- GMB is extremely concerned to note that there appears to be a significant amount of public money on offer to Swindon Academy were they to incorporate Penhill within the school. We would obviously ask why this money has not been made available to Penhill before? Why does the availability of this money appear to be conditional on incorporation into the academy? Why does SBC seem to lack confidence to manage improvements to the school internally? GMB is sure that this would be of great interest to Swindon tax payers that money is available to independent organisations to take responsibility of local schools because Swindon Council feel they cannot manage the project.
- Penhill School is in a relatively deprived area of Swindon. GMB have concerns that being included in such a large school but away from the main site will make Penhill the 'poor relation within the academy'
- Also that the specific needs of pupils and parents at Penhill School will be overlooked in the vastness of the Academy School.
- GMB are concerned that the Academy is still a new school and is likely to still have its own issues and problems to resolve. It seems extremely premature to try to incorporate another new school within the structure.
- The geography of the sites is still a big concern. How will Penhill School feel part of the Academy? Bearing in mind Penhill is an eco-

friendly school it seems ironic that part of the proposal might include bussing pupils between the schools.

- The idea that to create a seamless transition from primary to secondary education for Penhill pupils is a benefit to Penhill becoming part of the Academy is difficult to understand. Firstly presuming the 2 sites remain as they are there would still be a school move for pupils. Also surely secondary schools should be building good relations with their feeder primary schools anyway; they do not need to be part of the same school to enable this to happen. If this was true that they needed to be part of the same school then doesn't this move then leave Sevenfields and Gorse Hill at a disadvantage? Will the next proposal from Swindon Borough Council and the Academy be that all schools within the catchment area become part of the academy?
- The Academy in Swindon has limited knowledge of the very young Penhill pupils, specifically key stage 1. There is no senior management expertise in the Academy relating to these age groups. There is already a learning process to establishing the existing Swindon Academy without incorporating even more age groups at this time.
- We also have concerns about the health and safety of such small children using such a huge site.

Concerns for Penhill/Academy staff

- GMB members at Penhill wish to stay within a local authority schools where their terms and conditions are negotiated within a national structure and within the LEA's negotiation structure. This obviously brings with it security and protection which they will not have were they to move to the employment of ULT.
- Were the expansion of the Academy go ahead and include Penhill, there have been no guarantees made that Single status will be implemented. We would demand a commitment from ULT that they implement Single status as it should have already been implemented in April 2007.
- GMB members are also extremely concerned that with the ULT not implementing national and local agreements we will ultimately end up with a 2 tier workforce at Swindon academy and different terms and conditions in various Swindon schools. This would be undesirable considering the work which many have put into eliminating the 2 tier workforce in local government and the current negotiations nationally to establish a transparent and fair nation negotiating committee for school support staff.
- The failure to commit to implement Single status is of concern as it demonstrates that the ULT will not commit to implement national or local agreements which our members would have otherwise been entitled to.
- We also have concerns that in the long run there could be job losses as jobs that are being duplicated within the schools are identified.
- It needs to be clearly stated that were the expansion of the academy were to go ahead GMB recognition would transfer under TUPE for our members at Penhill.

- There is no clarity about were the proposals to go ahead what would happen to the employment of the Best team currently employed by SBC/Penhill but with external funding which covers Swindon ten.

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Swindon Academy

The best in everyone™

A member of United Learning Trust

9th July 2008

To whom it may concern

I write in favour of the proposal to expand Swindon Academy to include Penhill Primary and Nursery School.

My main reasons for doing so are as follows:

1. Penhill has a legacy of underachievement which is greater than our other feeder schools. Whilst there has been some improvement in the past two years it is unlikely to be sustainable as the level of intensive support from the Local Authority diminishes. It is my belief, as was the case with Headlands School, that in order to achieve the potential that exists in our children a radical change needs to happen. The evidence from our cluster over the past 10 years shows real difficulty in sustaining any improvements in attainment beyond 3 to 5 years unless significant changes are put in place.
2. When tracking our own year 7 students on entry and through the year it is evident that those coming from Penhill present particular challenges that others do not on the same scale. On average;
 - a. they are already below other schools in terms of KS2 standards, particularly in English and Science;
 - b. their CATs scores are below those of students from other primary schools;
 - c. their average reading age at 11 is just over 7 years;
 - d. within the first 6 months of year 7 they do not make the same level of progress as other students academically or behaviourally. In fact significant numbers present challenging behaviour during this time as they adjust to secondary school. This has been particularly pronounced this year;
 - e. a significant number arrive to us with high levels of SEN which have not been addressed. We have had to spend a great deal of time applying for Statements of Need within the first few months. This has been the case for 4 students this year. When talking with

the parents of these students they often tell us that Penhill School just sent their son or daughter home when they were naughty;

- f. a significant number were disappplied from the NC last year (5, possibly 8). They do not appear, however, to have followed an alternative programme and we were not informed of their diapplication. We were therefore unprepared for them in September.

Our Academy can build on the strengths that Penhill has. We can bring:

1. a consistent and coherent approach to teaching and learning which our children need;
2. an opportunity to build strong relationships with parents and the community which will grow throughout our children's education. This has been significant for us this year and we are already seeing the benefits;
3. a specialist delivery to aspects of the curriculum with targeted intervention when needed. The curriculum can be delivered as a coherent framework from 0 – 19, thus raising aspirations and expectations;
4. targeted SEN provision from a large team of specialists to ensure that student's needs are met early and proactively. We can provide SEN support on a scale which Penhill cannot.

I understand the concerns that staff in particular have about change. By embracing change it is seen as an acknowledgement that what has gone before is not good enough or needs to improve. This is sometimes difficult to accept but what must drive any change is that it will benefit the students.

As professionals we have a collective responsibility to explore any opportunities which come our way to improve the life chances of our children. I believe that this is one of those opportunities.

It was very disappointing to hear so many questions and comments made at the consultation meetings which either made assumptions with no basis or which had little to do with our children and their opportunities. In fact, having talked with many Penhill parents it appears that misinformation has been allowed to spread within the playground. Many parents at the consultation meetings had been told that the school was to be knocked down and the staff sacked – no wonder some were angry!

I have offered to come and talk to senior staff, staff and Governors about the structures and details of our Academy as we are at the moment. This offer has been refused. I have invited staff and Governors to come to our Beech Avenue site to see is in operation – this invitation has not been accepted. It is frustrating to hear such misinformation with no real attempt to find the truth.

At Swindon Academy our vision is to see every member of our community achieve to their best. We face the challenges of deprivation but will never allow that to be an excuse for under achievement. Time and time again we have seen our students outperform others and themselves to realise their

potential. I believe that the same will be true for the children of Penhill if they become part of Swindon Academy.

Yours sincerely

Ms J Shadick
Principal

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Proposal to expand Swindon Academy to include Penhill Primary & Nursery School

Independent Consultation Preliminary Report

This preliminary report sets out the following:

1. The background reasons for this proposal
2. The consultation process
3. The key issues and responses emerging from the consultation which require consideration towards progressing the proposal.

The final report will be available in September 2008.

1. The Background Reasons for this Proposal.

The aim of the proposed closure of Penhill Primary and Nursery School to allow it to be incorporated into the expansion of Swindon Academy is to improve the quality of education provided for the children of Penhill and in particular, to raise educational standards and strengthen the development of good educational practice.

During the consultation to establish Swindon Academy, which was carried out in 2006 by DJB Consultancy¹ on behalf of the sponsor United Learning Trust (ULT), a number of respondents suggested that some of the academy's feeder schools (excluding Pinehurst Infant and Junior schools, which will in any case become part of the academy) would be disadvantaged, i.e. Penhill, Gorse Hill and Seven Fields. 86% of the academy's student cohort comes from these feeder schools, with 20% from Penhill.

Penhill Primary School is on the DCSF National List of 266 'hard to shift' primary schools and has failed to meet the floor target at Key Stage Two in both maths and English for five years, despite receiving considerable additional resources and support from the Local Authority. An Ofsted inspection which took place in September 2006, judged the standards reached by learners to be inadequate (Grade 4). Penhill Primary School standards have been identified by Swindon Borough Council (SBC) as a critical issue that needs to be addressed urgently and it considers that a structural solution is required to move this school forward. If the school became part of the academy, it would benefit from the academy's drive to raise standards.

The developing educational plans for this as an all-through 0-19 academy propose that it will break out from traditional structures and introduce systems where the needs of the individual learner can be more readily met and personalised. Students will be progressed according to the 'stage' they are at in their development rather

¹ See Swindon Academy Consultation Report November 2006

than their chronological age. Such a development could make it difficult for the current Penhill Primary School pupils to integrate into the academy when they move at age 11.

As well as helping to raise local educational standards, an academy expanded to include Penhill Primary School will promote inclusion and enjoy the benefits attached to continuity of care and personnel, especially for more vulnerable children.

ULT and SBC share the view that an all-age 0-19 academy is well-placed to transform the education and learning opportunities for primary pupils of all abilities from the surrounding area, raise aspirations and achievement and challenge expectations of learning. It removes a number of transition issues when moving from one school to another and provides continuity of teaching and learning for pupils.² The development allows for a cross-curriculum approach to teaching and learning across all the Key Stages ensuring individual levels of attainment are improved.

The academy's Penhill expansion would open in January 2009 in the existing Penhill school building and have a planned programme to refurbish the current accommodation.

Places would be guaranteed for all existing students at Penhill School into the 0-11 element of the academy at the time the school closes in December 2008. The Sponsor will seek the Secretary of State's approval for the expansion of the academy. **(Refer to Consultation Document issued by ULT.)**

2. Consultation Process

This independent public consultation has been conducted by DJB Consultancy on behalf of ULT and has run in parallel from 1st June to 14 July 2008 with the SBC consultation process.

The following areas are the key priorities explored in the independent consultation:

- The academy's intake and development
- Transition, continuity and progression
- Governance
- Community links and wider use

Formal consultation meetings were held on 9th June for parents and carers (two meetings), and for staff and for the governing body, and on 12th June for the Penhill Forum & Public. The school-based meetings were also attended by the Headteachers and Senior Management Teams of Swindon Academy and of Penhill Primary and Nursery School. A representative from SBC Human Resources was present to answer questions on TUPE and other conditions of service matters. The DJB Consultancy Lead Officer chaired all the meetings and presentations were made by SBC and ULT representatives with input from the Principal of Swindon Academy.

² Evidence shows that pupil performance dips, and pupil progress is slowed, as a result of moving schools. In an area where raising standards of achievement is a key priority- which has not to-date been successfully addressed through to age 16 - it is vital that these barriers to progress are removed.

Face-to-face interviews and group meetings have been held with a cross-section of the schools' staff, trade unions, and focus groups with students representing Years 5 and 6 age groups, senior SBC representatives, the Chair of Swindon Academy and the Councillor for the Penhill area. The Chair of Penhill School was unable to meet with us for a face-to-face interview but was in attendance at all the school-based meetings and chaired the Governors meeting. He was requested and agreed to submit a written response, but this has not been received to date. SBC has forwarded to the consultants on 14th July the Governing body's response to the Council dated 13th July.

Further, DJB consultancy commissioned a Survey of Public Opinion of parents which included two parent focus groups with a cross-section of parents who participated in the Survey. It was an opportunity for these parents to explore more fully the issues raised in the Survey.

Correspondence has been received from the following:

15.07.09 - Helen Beale, a former pupil.
14.07.08 - Governors' response
14.07.08 - GMB Trade Union
10.07.08 - Valerie Goulden
26.07.08 - Penhill Forum Steering Group
20.07.08 – Phil Deaves
19.07.08 – Amanda Broomhill, parent
24.07.08 – Ms C Bourton, parent
09.07.08 – Ms Jan Shadick, Principal Swindon Academy
02.06.08 – Creighton Muirhead, Headteacher of Ruskin Junior School

3. The Key Issues and Responses

3.1 Attitudes to the Academy proposal

The Penhill School Parents Survey (50 parents participated) reports that parents were split in their attitudes to the proposal to expand the academy to include Penhill with

- support /strongly support the proposal - 46 %
- oppose/strongly oppose - 37%
- neither support nor oppose - 25%
- don't know - 4%

3.1.1 Positive responses

- "Since Swindon Academy took over Headlands, my other daughters' education has improved".
- "My eldest goes to the Academy and is doing really well".
- "I know from people needing one-to-one attention it's quite long (wait to get things done) here, but from what I've read it would be different at the Academy".
- "It will raise the standard and the school is not all that good anyway".
- "There will be higher standards with all the schools on one level".

- “If it’s going to improve a lot of things, then it’s worth it and if it brings up standards”.
- “There are non-curriculum activities, and I think the standards would be raised if it were in the Academy”.
- “I agree with them on the curriculum. If one child is slow they go down in the curriculum a bit to help them”.
- “Might be a better education – I don’t think it’s brilliant at the moment”.
- “Part of it is their standards will improve over the next 2 years or so, and they won’t have to keep looking for funds”.
- “I think Swindon Academy is brilliant. I have other children who were at Headlands, and I’ve seen the changes and they worked well with my older son with ADHS.
- It’ll give them more education.
- Because I don’t think with the way Penhill is going, which is badly, that it’s very good - no anti bullying policy, they don’t follow it up, and it needs improving”.

3.1.2 Negative Responses:

- “My daughter has had a good education and I don’t see why it should change, it’s fine”.
- “I don’t like the academy. My other daughter has had problems, the headmistress doesn’t listen, and it is difficult to see her”.
- “They are alright as they are”.
- “Firstly, the academy hasn’t been going that long and I’ve heard reports of bullying. Too early to say if it’s working”.
- “Because the academy hasn’t done a lot for my oldest child (first year there). His level has dropped dramatically - inexperienced teachers there”.
- “How are they going to do it? The fact they’ll be bringing in kids from other areas – less of a community if that happens”.
- “Why change when it’s going ok?”

3.1.3 Don’t Know Responses:

- “It’s too soon to say, the Academy hasn’t been there long”.
- “You hear two different stories”.
- “There’s not a lot of difference. When my son leaves Penhill, he’ll be going to the Academy anyway”.
- “The proposal for Swindon Academy, the idea was that it would be all together but they will still have to make a move to the Pinehurst site. On the positive side they would (hopefully) bring the standards up”.
- “Because Penhill School newsletters say it wouldn’t benefit the children”.
- “The Academy says it would benefit, and the media say it would be good. I just don’t know really.”

3.2 A brief overview of the attitudes to the proposal and key issues for Penhill to join the academy

3.2.1. Teachers and teaching assistants at Penhill on the whole, but not entirely, had a negative attitude towards the proposal. The trade union representatives were clearly against it, both with regard to academies generally, and specifically against this proposal. The Year 6 and Year 5 pupils in particular, were also largely against the proposal. Much of this negativity was based on the feeling that not enough was yet known about how the change would affect Penhill, and how the changes would be implemented.

Staff were also worried about their job security and conditions of work if Penhill joins the academy. In addition there were concerns about the lack of evidence that joining the academy would improve educational standards for the Penhill children, and there was a sense that Penhill would be just an “add-on” or would be “slotted in” to the academy.

A further concern was that if Penhill does join the academy, the children and teachers would not fit in since they would stay on the existing site and would therefore not have the advantages of Pinehurst which is on the same academy site as the secondary school. Scepticism was expressed repeatedly with regard to the upgrading of the Penhill school buildings, with the question often repeated as to why this refurbishment is only coming now, while the proposal is on the table.

A few teachers favoured the idea of Penhill becoming a Trust and there was a suggestion that they would work with the community and partners including Plymouth University to form such a Trust. However, there appeared to be a lack of understanding of the process and the time-frame for such a move. Resentment was expressed about the fact that it seemed to be a foregone conclusion, that Penhill would “close down” and join the academy.

3.2.2 There was a strong concern expressed by the union representatives and others that they were being ‘railroaded’ into this decision, and that the timescales were such that people didn’t know what was going to happen. The union representatives also voiced their disquiet about the implication that Penhill school would (quote) “close”, and also that there had been a lack of transparency in the process. “People feel it’s a done deal and we’re just going through the motions.”

The union representatives complained that they had not seen SBC’s consultation document before it went out. They claimed they had been told that the schools would be the first to see it. They also said that they had been told they would be able to contribute to the document, but that hadn’t happened. These promises had, they said, been made by the previous Director of Education. They also voiced concerns about conditions of work and whether teachers would have to ‘resign’ before taking up a post at the Academy.

3.2.3 Overall the main objections included:

- Lack of evidence that the Academy can improve educational standards
- Feeling that an Academy of 2,000 pupils is too big.
- Research suggests that children feel safer and happier in a family environment in a school no bigger than 300. “Particularly here, where we have vulnerable children (SEN and EBD) – they cope here, they’re secure.

They struggle in secondary school.” And: “Children come with emotional baggage – we are the consistent place in their lives. When given a new teacher they don’t know how to cope.”

- Concern over the “heavily weighted” senior leadership team and whether they will understand ‘Foundation’ children.
- Not a good model to bring ‘secondary’ practice into primary schools.
- Paragraph D of SBC’s consultation paper (vertically organised systems): “This is damaging to the children’s self esteem. They’ll feel they’ve failed if they are kept back. Both the children and the parents will be affected.”
- Perception that SBC wants to “dump” Penhill into the Academy so as not to have to worry about the school any more. “It will no longer be their problem and the SATs results for SBC will rise”.
- The timing of the decision-making and implementation process, and especially the date of July 23rd for the ‘Report’ to Cabinet. This is the last day of the summer term.
- The money apparently being suddenly available for the refurbishment of Penhill school. Will this money still be used for the school if it does not join the Academy?

3.2.4 However, despite the above reservations, all the staff were aware that standards need to be improved, though there was debate about how far this is necessary. Some teachers appeared to feel that standards were acceptable. Where teaching staff perceived that standards were not high enough, this was blamed variously on the community, the children and the local authority. A wide range of interventions for children with particular needs was mentioned, though during the interviews at least, these interventions appeared to be numerous and somewhat haphazard.

3.2.5 There is strong loyalty amongst the staff at the school and the residents of the estate to the school, the Headteacher and the community. From the following quotations, it appears that there are four main strands running through both the support staff and teachers’ thinking: 1) the children are lovely, but very, very needy; 2) we love working in this school, we love the children and the Headteacher; 3) standards of education in the school are not as high as they might be, but the children are happy; 4) we’ve done our best.

3.2.6 A view supporting the academy move suggested that Penhill had strengths, e.g. improvement in attainment levels of the more able pupils and also the development of the teachers, but that there were “*confused structures*” in the school with a lack of focus, sustained teaching and performance management. “*Children do need to be loved and happy, but they can have too much. They need education and standards.*” Expectations were also a problem, with the Local Authority cited as having low expectations of Penhill. “*Everyone has low expectations of the children*”. It was stated that the Local Authority had poured money in, but had not set standards and moved children on. It was also suggested that the people living on the Penhill estate would like the estate pulled down.

3.2.7 The overriding debate appears to be over the differing views of the educational standards at Penhill and whether or not joining the academy would make a difference.

The Penhill view is that the CVA score (Contextual Value Added score) - the score which identifies how much progress the children have progressed between the KS1 SATs and the KS2 SATs, gives a more informed indication of progress as it takes into consideration the original starting points of the children, not just the end result. It now also takes into consideration factors such as the social and economic background of the catchment area - factors which are acknowledged to be relevant to the progress and attainment of the children.

The CVA score for Penhill Primary for 2007 is 99.0. When listed in order of CVA score, highest to lowest, there were five schools listed below Penhill Primary. Two of those schools listed below Penhill Primary also missed their 'floor targets' for Maths and English. Three of the schools listed below Penhill Primary met their 'floor targets' for Maths and English. All of those schools listed below Penhill Primary had higher aggregate scores, yet their lower CVA scores indicate that the progress of the children in those schools, between KS1 and the end of KS2, is not as good as the progress of those at Penhill Primary.

3.2.8 The Academy, however, has provided to the consultants the following evidence about Penhill students entering the Academy.

When tracking Year 7 students on entry and through the year it is evident that those coming from Penhill present particular challenges that others do not on the same scale. On average;

- a. They are already below other schools in terms of KS2 standards, particularly in English and Science;
- b. Their CATs scores are below those of students from other primary schools;
- c. Their average reading age at 11 is just over 7 years;
- d. Within the first 6 months of year 7 they do not make the same level of progress as other students academically or behaviourally. In fact, significant numbers present challenging behaviour during this time as they adjust to secondary school. This has been particularly pronounced this year;
- e. A significant number arrive with high levels of SEN which have not been addressed. It has had to spend a great deal of time applying for Statements of Need within the first few months. This has been the case for 4 students this year. When talking with the parents of these students they often said that Penhill School just sent their son or daughter home when they were naughty;
- f. A significant number were disapplied from the National Curriculum last year (5, possibly 8). They do not appear, however, to have followed an alternative programme and were not informed of their disapplication. The academy was therefore unprepared for them in September.

4. Transition Issues

There was some disquiet voiced by the staff at Penhill about the transition of Year 6 pupils to the 'Headlands' academy site. However, some of the thinking appeared to be muddled: there was recognition that by joining the academy there would be continuity of education from 0 -19, but simultaneously concerns were raised about how the transition would take place, and whether Penhill children will be disadvantaged vis-a-vis Pinehurst children. If Penhill joins the academy, then how will they fit in? It was felt that the traditional 'dip' in standards on transition at year 6/7

would continue despite being all part of one institution. Questions were also asked about whether the teaching assistants would 'move up' alongside the Year 6 pupils to help them manage the transition. It was also said that "it's still a significant way to travel at transition time".

However, another point of view from staff in support, suggested that transition will be easier as the *"children aged 11 will follow through with the same remit. The same ethos will be followed."*

The Academy, is aware of the issues raised about the transition and has said that working together with the same systems will make transition easier, though it was recognised that as the Penhill Year 6 children will have been physically separate they could feel "different". However, it was a "solvable problem".

The Academy view is that it can build on the strengths that Penhill has and can bring:

1. A consistent and coherent approach to teaching and learning which the children need;
2. An opportunity to build strong relationships with parents and the community which will grow throughout the children's education. This has been significant for us this year and we are already seeing the benefits;
3. A specialist delivery to aspects of the curriculum with targeted intervention when needed. The curriculum can be delivered as a coherent framework from 0 – 19, thus raising aspirations and expectations;
4. Targeted SEN provision from a large team of specialists to ensure that student's needs are met early and proactively. The academy can provide SEN support on a scale which Penhill cannot.

5. Governance

Staff across the board, from Sure Start, Penhill Primary and Nursery School and members of the Penhill community voiced the same concerns:

- Will there be / is there enough representation of primary school expertise at Senior Management level?
- Will the needs of the primary level school be catered for in the Governing body of the Academy?
- What is the make up of the Governing Body of the Academy, and will the existing governors from Penhill be able to join the academy Board of Governors?

At the Penhill Forum & Public meeting very strong views were expressed about governance, and some people who were at the meeting were invited to apply to join the Governing Body of the academy. It appeared that some members of the community did not appreciate that they could put themselves up for election as governors. Also, there were concerns raised both at the forum meeting and during some interviews about whether governors would be elected or appointed and especially about the ULT 'appointing' Governors.

6. Swindon Academy's response to these concerns

The academy has said they were very disappointed to hear so many questions and comments made at the consultation meetings which either made assumptions with

no basis or which had little to do with the children and their opportunities. They have talked with many Penhill parents and it appears that misinformation and false rumour has been allowed to spread widely, including amongst the pupils. Many parents at the consultation meetings had been told that the school was to be knocked down and the staff sacked, so it is no wonder some were angry!

The Principal has said she has offered to come and talk to senior staff, staff and governors about the structures and details of the academy as they are at the moment. This offer has been refused. She has also invited staff and governors to come to the Beech Avenue site to see it in operation – this invitation has not been accepted. It was therefore frustrating to hear such misinformation with no real attempt to find the truth.

Swindon Academy's vision is to see every member of our community achieve to their best. It faces the challenges of deprivation but will never allow that to be an excuse for under-achievement. Time and time again the academy has seen its students outperform others and themselves to realise their potential. The same will be true for the children of Penhill if they become part of Swindon Academy.

ULT and the academy acknowledge that much still needs to be done, and the academy is only just beginning to “bed down” but there are enthusiastic teachers who will make things work. When the new buildings are finished things will get better. This is a time of transition, and although there were still some difficulties at the academy, these are not insurmountable, and if everyone works together things will improve. Continuity of education across the 0-19 age range will provide an anchor for the children and give opportunities for children's attainment to be monitored and appropriate interventions provided where necessary. One of the biggest problems is the poor standards of literacy in the primary age range.

They also acknowledge that there will be complexities in Penhill joining the academy. In particular how will they ‘fit in’ – especially since they will not be on the same site as the old Pinehurst and Headlands schools, and also because they will be joining later. However, it was felt by the academy that these difficulties can be overcome - with goodwill, good management structures and everybody working together to achieve what they all want – the very best education for the children.

7. Conclusion

The School Improvement and Targets Unit in November 2006 stated “the Local Authority will be challenged to justify the continued existence of these schools (hard to shift primary schools), with the strong presumption that those schools unlikely to meet the target by 2008 should be considered for closure. The Local Authority in justifying the need to preserve provision in that school, Penhill, has used many other statutory interventions to raise attainment”.

However the Local Authority having taken into consideration the concerns raised, feel that although there has been some improvement, the best educational arguments for further sustainable improvement is to include Penhill School into the Swindon Academy.

On the balance of the evidence gathered, it is our view that the more significant issues raised can be overcome and that the proposal for Penhill School to be

included in Swindon Academy should be progressed, as it offers the best way forward for continued improvement.

The consultants will produce a final report in September 2008 where all the issues and concerns raised will be included with recommendations.

Jocelyn Barrow and Dawn Hill
15 July 2008

RESPONSES TO KEY ISSUES RAISED

Set out below are the responses of the Local Authority to a number of the key issues raised during the consultation period for this proposal:

Key issues raised	Local Authority responses
<p>Pupil attainment/standards at Penhill Primary School are improving and the last Ofsted report reflected this.</p>	<p>Penhill Primary School is on the DCSF list of 266 'hard to shift' primary schools in England, out of approximately 17,000 primaries nationally. The school has failed to meet the floor target at Key Stage 2 in both English & Maths for the last five years, despite being supported by a Local Authority Task Group and a School Improvement Action Plan. This has also been disappointing for the Local Authority as support provided in similar circumstances elsewhere has generally been effective.</p> <p>Standards of pupil attainment at the end of 2007 were inadequate and well below the national average, although overall pupils made satisfactory progress. The Ofsted inspection in September 2007 judged that achievement overall across the school was satisfactory, although performance was not consistent and varied across year groups and subjects, and 'many pupils struggle to reach the expected level for their age'. Out of the 27 areas graded by Ofsted, 23 received a grade 3 (broadly average to below average), two received a grade 2 (generally above average— healthy lifestyles and safe practices) and two a grade 4 (exceptionally low – the standards reached by learners, and the attendance of learners). It received no grade '1's.</p> <p>Based on the 2007 key stage 2 SAT results, Penhill is 48th out of 52 primary schools on the contextual value added measure, and 52nd out of 52 for average point scores. This year (2008) 47% of Penhill pupils reached the expected level in English, down from 62% last year. 62% reached the expected level in Maths, up from 44% last year. The Government's floor level for these targets is 65% of pupils reaching the expected level. This means that the school has failed to meet this floor level for six years running. Further details are set out in paragraphs 1.2, 1.3 and 2.5 of the report and in the consultation documents (Appendices 1 and 2).</p>
<p>The Academy was only established in September 2007 and it is too early to judge its results or success</p>	<p>The indicators so far are that the Academy is having a strong impact on standards and pupil attainment. At key stage 2 this year (2008), 56% of pupils reached the expected level in maths compared to 42% last year, and in reading, 73% reached the expected level compared to 50% last year. At key stage 3, there have been improvements in English this year from 53% of pupils</p>

Key issues raised	Local Authority responses
	<p>meeting the expected level, to 65%. In addition, Maths is up from 44% to 55% and Science is up from 48% to 51%. At key stage 4 in the last two years the % attaining 5 A*- Cs including English and Maths has moved for 5% to 20% (and from 9% to 24% not including Maths and English).</p> <p>The developing educational plans of the Academy suggest that it will break out from the traditional year group structures and move towards working with vertically organised systems, where the needs of the individual learner can be more readily met and personalised. Students will be progressed according to the 'stage' they are at in their development rather than their chronological age. Such a development could make it more difficult for the current Penhill Primary School pupils to integrate into the Academy when they move at age 11. Being within the Academy will therefore help to remove or reduce a number of the transition issues between primary and secondary, which traditionally is when pupil performance dips – accepting of course that Penhill pupils would remain on a separate site. Further details are set out in paragraph 2.5 of the report and in the consultation documents.</p>
<p>What is there to stop ULT walking away / What could the LA do?</p>	<p>There is a legally binding agreement between ULT and the DCSF that ensures continuity of provision for the duration of the agreement. In the unlikely event that ULT decided that they longer wished to continue with the agreement, there is a 7 year notice period that has to be given that would have to be supported by a procedure to transfer, in theory, back to the LA.</p>
<p>Moving from Community to Trust Status would be a better option for the school in terms of raising standards and pupil attainment</p>	<p>Trust status for some schools may be an appropriate way forward as a Trust partner, such as a local business or educational institution, may be able to help to drive up standards and give a school renewed impetus. However, these advantages are already set up at the Academy, which has close links to Honda, and Marlborough School, and is building partnerships also with others stakeholders in the borough, such as the FE colleges.</p> <p>It is considered that a separate Trust arrangement, would not offer the pupils of Penhill Primary School a sufficient step change to significantly improve standards. As already stated, Penhill is on the DCSF list of 'hard to shift' primary schools, and the DCSF requires the Local Authority to take decisive action. The challenges that the school faces are very significant and have persisted for a number of years. The Local Authority considers</p>

Key issues raised	Local Authority responses
	that an immediate structural solution is required, and that inclusion within the Academy would enable a significant and sustainable shift for Penhill pupils that a Trust arrangement would be less likely to offer. See also 'Alternative Options' in the body of the report.
If Penhill Primary School became part of the Academy, pupils would be 'lost' in such a large school	If Penhill Primary School became part of the Academy, it would remain on its present site and continue to be fully integrated into the local Penhill Community. Although part of a larger school, it is considered that this would not 'feel' the case. The Academy focuses on personalised learning and care for pupils as individuals, and this would apply equally to those pupils based in the new Pinehurst building when it opens in 2009/10. Pupils at Penhill would remain on their own site but would have the advantage of having access to state of the art facilities available in the Pinehurst building. The ULT consultation document provides further details – Appendix 2.
Pupils with SEN, of which there are a substantial number at Penhill, would not receive the same level of care or support in the Academy	<p>ULT, who run the Academy, place a strong emphasis on support for pupils with SEN and have stated that this would continue to be a high priority if Penhill became part of the Academy. As already mentioned, the Academy has a student focused approach which is designed to meet the needs of each individual. The highest priority within the Academy's admissions criteria is 'children with statements of SEN where the Academy is named on the statement'.</p> <p>The Academy already has 50% of students on the SEN register and is therefore very experienced at dealing with SEN students. Their Special Educational Needs Co-ordinator (SENCo) was previously the lead SENCo for the whole borough. The Academy are also about to employ their own Educational Psychologist, and they have a large Inclusion Team with the breadth of expertise necessary to deal with a wide range of special needs, something that is not available in a primary school. See Appendix 2.</p>
Will funding still be available for building refurbishment work if the proposal does not proceed?	<p>The refurbishment of Penhill Primary School is recognised as a high priority. There have been many demands on the Council's Capital resources over recent years, and funding has had to be targeted, particularly at those schools with accommodation in the poorest condition.</p> <p>It is estimated that up to £2.3 million may be required to refurbish and remodel the school if it becomes part of the Academy. If the proposal does not proceed, the work remains a high priority with a strong case to implement improvements, but it is for Cabinet to determine how</p>

Key issues raised	Local Authority responses
	funding is allocated to all major capital schemes, including at Penhill. Further details of the proposed improvements to the accommodation are included in the ULT consultation document (Appendix 2).
Will the school stay on the existing Penhill site or will it be moved elsewhere?	It will stay on the existing Penhill site within the Penhill community and will not be moved. As already mentioned elsewhere, it is intended to refurbish and remodel the accommodation to bring it up a satisfactory standard. Appendix 2 provides details of the proposed work. The existing transport arrangements would also stay the same.
Penhill Primary School is part of the local community. There are concerns that this would change if it became part of the Academy.	<p>As stated in the ULT consultation document (Appendix 2), there is a very strong emphasis placed on community involvement. ULT have made clear that the Penhill site and buildings will serve the community of Penhill. It will support regeneration initiatives and will be a facility for the whole community to use.</p> <p>It is intended that the Penhill site will offer a range of facilities to the community including extended school activities, a youth service provision and access to ICT and business facilities, which would all be subject to a Community Use Agreement between the Council and ULT. There will also be close links established with other schools, the colleges and local employers. In addition, there are two Local Authority representatives on the Academy Governing Body – the Lead Cabinet Member for Children and the Group Director Children. Further details are set out in the ULT consultation document – Appendix 2</p>
Will the school remain open 24/7 to community and youth groups?	The youth provision will not be open 24/7. It is the intention to only allow access to the provision outside of normal school hours. The extended use of the school will be subject to a Community Use Agreement that ULT, the Council, and Community groups will have to agree to.
Will all staff in Penhill Primary School transfer to the Academy or will jobs be at risk?	All staff, including the headteacher, will have the right to transfer their employment to the Academy under the provision of the Transfer of Undertakings (Protection of Employment) Regulations 2006. The Regulations are designed to protect the rights of employees in a transfer situation. Both the Borough and ULT would undertake a full consultation with staff and union representatives in relation to the TUPE process. Whilst pension arrangements are not included under the TUPE Regulations, staff will continue to be able to contribute to the Teachers Pensions and the Local Government Pension Scheme. The ULT consultation document (Appendix 2) provides further details.
Once the school is under ULT	The lease that is negotiated with the Council is

Key issues raised	Local Authority responses
ownership what is there to stop them selling off land for housing?	provisioned such that ULT are only able to assign the lease to another party for exactly the same use as intended in the lease. This stops them from selling the land in part or whole
Does the Academy have the right to change its admissions policy?	<p>The Academy is responsible for setting its own admissions policy. If included as part of the Academy, the policy will be amended to reflect the existing ULT admissions policy from January 2009.</p> <p>The Academy's arrangements are required to follow the national School Admissions Code and the Local Authority has the right to object to the School's Adjudicator if they feel the admissions policy is unfair.</p>
Would Penhill become a Faith school if it became part of the Academy? Who is ULT responsible to?	<p>Swindon Academy is not a Faith school but it does promote a Christian ethos. In ULT's consultation document (Appendix 2), they state that: 'ULT hopes and expects that its ethos can be accepted by people of all faiths and none'.</p> <p>ULT is a registered charity. Swindon Academy, which is run by ULT, is a state (not private) school and is responsible to the Department of Children, Schools and Families, who fund it directly. It is subject to Ofsted Inspections like any other school.</p>
The consultation process did not provide a proper opportunity for people to express their views, or to obtain answers	<p>There was a thorough and extensive consultation process carried out which lasted 6 weeks, from 1 June until 14 July. Approximately 3500 households in Penhill and other stakeholders were sent the Local Authority's and ULT's consultation documents (Appendices 1 and 2). Five 'formal' consultation meetings were then held over 9 and 12 June at Penhill Primary School – see paragraphs 2.7 –2.9 of the main report. In each case, presentations were made initially to explain the proposal as fully as possible, and these were followed by a Q and A session and an opportunity to put forward views/comments. Representatives of the Local Authority, ULT, DJB and Swindon Academy attended each of these sessions and gave as full an answer as possible to each question. The open offer of further consultation meetings was made for staff, parents, governors or others, although none were received.</p> <p>A summary of the key issues raised at these meetings and breakdown of the 357 response forms received is set out in Appendix 3. Responses from Penhill Governing Body, trades unions and Swindon Academy are attached to Appendix 3. Copies of response forms, the petition</p>

Appendix 5

Key issues raised	Local Authority responses
	<p>and other more detailed background information is available in the Members Room and will be available for Cabinet at the meeting.</p> <p>A separate and extensive consultation exercise was carried by DJB, independent consultants appointed by ULT. A summary of the results is set out in Appendix 4 and the full report will be available in September.</p>



SWINDON BOROUGH COUNCIL

Penhill Primary School

Notice to close Penhill Primary School to allow the expansion of Swindon Academy

Notice is given in accordance with section 15(1) of the Education and Inspections Act 2006 that Swindon Borough Council, Sanford House, Sanford Street, Swindon, SN1 1QH intends to discontinue Penhill Primary School, Alton Close, Penhill, Swindon, SN2 5HF on 31 December 2008.

All pupils on roll at Penhill Primary School would transfer to Swindon Academy on 1st January 2009.

All applicable statutory requirements to consult in relation to the proposals were complied with.

The transport arrangements for pupils would not alter as no pupils will be displaced by the proposals.

This Notice is an extract from the complete proposal. Copies of the complete proposal can be obtained from: David Neal, Sanford House, Sanford Street, Swindon, SN1 1QH or telephone 01793 463367.

Within six weeks from the date of publication of this proposal, any person may object to or make comments on the proposal by sending them to Tricia Devany, Swindon Borough Council, Sanford House, Sanford Street, Swindon, SN1 1QH.

Signed:

Ian Bickerton
Director, Access and Provison
Publication Date: 14th August 2008

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Appendix 7 - Responses to Statutory Consultation

- Letter of support from Jan Shaddick, Principal Swindon Academy
- Letter of Objection from Linda Rankin, Headteacher Penhill Primary School
- Letter of Objection from the National Union of Teachers
- Letter of Objection from the Penhill Forum
- Letter from Swindon Association of Primary Headteachers
- A copy of the standard letter from 11 governors of Penhill Primary School
- A copy of the standard letter from 41 staff of Penhill Primary School
- A copy of standard letter parents, and of other letters received, totalling 163

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Swindon Academy

The best in everyone™

A member of United Learning Trust

Principal: Ms J Shadick BA MA

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25th September 2008

To whom it may concern

I write in favour of the proposal to expand Swindon Academy to include Penhill Primary and Nursery School.

In supporting the proposal I recognise the hard work and commitment on the part of staff to improve standards but it is my belief that this proposal will overcome the challenges that still lie ahead in raising attainment in a sustainable way.

We have had a good first year at Swindon Academy and are making progress, particularly at Key Stage 2. This progress has been confirmed by external reviews by our Sponsor ULT and by the DCSF through our School Improvement Partner. We are beginning the transformation and would welcome Penhill to be part of this.

If Penhill were to join us they would be joining a school which:

1. has a strong track record of success. In just ten months at KS2 we have made a 14% improvement in Maths, a 22% improvement in Science and a 21% improvement in Reading (we are still awaiting our writing results). We have also continued to make improvements at KS3 with a 12% improvement in English, an 11% improvement in Maths and a 4% improvement in Science.

At KS4 our Average Points Score has increased to the highest it has ever been meaning that more students are gaining more GCSEs at higher grades and 100% of students that we educated on site gained at least one formal qualification – a first. We did have a serious set back in Maths which will inevitably impact on our 5 A*-C including English and Maths performance. This is due to a very specific reason which has been identified and isolated and we are back on course to reach floor targets in 2009. (I would be very happy to talk with members about this issue in detail if desired). Until this 'blip' we had made over 300% improvement in our GCSE results and progress in English and Maths placed us in the top 20% of schools nationally;

2. is very used to, and experienced in, dealing with students who have SEN – this includes students with physical disabilities. There are currently 50% of students identified with a need (500 individuals). They are provided for through an inclusive programme of intervention. We are able to offer far greater resourcing and flexibility for this area. Even our students with SEN are beginning to hit the 'floor targets' and will go beyond them. We have reduced permanent exclusions this year and have been successful in gaining Statements for students with severe need in order to keep them within education.

Inspired to Achieve

Chairman: Angela Rumbold DBE, Chief Executive: Sir Ewan Harper CBE
Registered in England No. 4439859. Charity No. 1093277.



Science



Business & Enterprise



Healthy Schools

Our Year 7 students last year who undertook the DISTAR reading recovery programme (enabling them to access the curriculum) made on average 18 months progress in just 8 months of intervention. Our 21 students from Penhill made an average of 2 years progress in just 8 months. As a 0 – 19 Academy this successful intervention can be made earlier;

3. benefits from being part of a well established education sponsor – the United Learning Trust – which has extensive experience of running schools from 3 – 19. This support, plus the support from our partners Honda and Marlborough College, means that we are now seeing our children and young people gain access to a whole range of activities to supplement the curriculum and raise aspirations;
4. is committed to being in the heart of its community. Community and parental engagement is reflected in our structures. We are already benefiting from the parent and family learning activities that we run and would see this continuing to operate on all sites;
5. has a strong transition programme. Our Year 6 felt very confident about joining the secondary site. They know the teachers and the systems already and their Head of Learning knows them. We are seeing the benefits of this as Year 7 settle into secondary school life. There is a significant difference in the way they have settled this year;
6. has a committed team of senior leaders and staff with expertise across the full age range. We are developing the 0 – 19 teacher as well as the 0 – 19 school. This is making recruitment and retention far easier. There is a misheld view that the senior staff are all secondary trained and that staff do not like ULT contracts. This is not true. 1/3 of the senior staff have specific expertise in the primary phase and we have had no difficulty recruiting good staff for September.

Penhill has a legacy of underachievement which is greater than our other feeder schools. I recognise the improvements that have been made in recent years but it is my belief, as was the case with Headlands School, that in order to achieve the potential that exists in our children a radical change needs to happen. The evidence from our cluster over the past 10 years shows real difficulty in sustaining any improvements in attainment beyond 3 to 5 years unless significant changes are put in place.

When tracking our own Year 7 students on entry and through the year it is evident that those coming from Penhill present particular challenges that others do not on the same scale. On average;

- a. they are already below other schools in terms of KS2 standards, particularly in English and Science;
- b. their CATs scores are below those of students from other primary schools;
- c. their average reading age at 11 is just over 7 years;
- d. within the first 6 months of Year 7 they do not make the same level of progress as other students academically or behaviourally. In fact significant numbers present challenging behaviour during this time as they adjust to secondary school. This was particularly pronounced last year;
- e. a significant number arrive to us with high levels of SEN but without a Statement. We have had to spend a great deal of time applying for these within the first few months. This was the case for 4 students last year. And we successfully gained the support these students needed to access the curriculum.

Our Academy can build on the strengths that Penhill has. We can bring a consistent and coherent approach to teaching and learning which our children need; a specialist delivery to aspects of the curriculum with targeted intervention when needed. The curriculum can be delivered as a coherent framework from 0 – 19, thus raising aspirations and expectations;

I understand the concerns that staff, in particular, have about change. By embracing change it is seen as an acknowledgement that what has gone before is not good enough or needs to improve. This is sometimes difficult to accept but what must drive any change is that it will benefit the students.

As professionals we have a collective responsibility to explore any opportunities which come our way to improve the life chances of our children. I believe that this is one of those opportunities.

It is always disappointing to hear comments made which are based on assumptions with no basis in fact or which have little to do with our children and their opportunities.

I understand that some would like the proposal to be put on hold until other avenues have been explored. We cannot put the education of our students on hold and we cannot allow a change situation to 'hang in the air' creating uncertainty. This benefits no one.

At Swindon Academy our vision is to see every member of our community achieve to their best. We face the challenges of deprivation but will never allow that to be an excuse for under achievement. Time and time again we have seen our students outperform others and themselves to realise their potential. I believe that the same will be true for the children of Penhill if they become part of Swindon Academy.

Yours sincerely

Ms J Shadick
Principal

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PENHILL PRIMARY SCHOOL

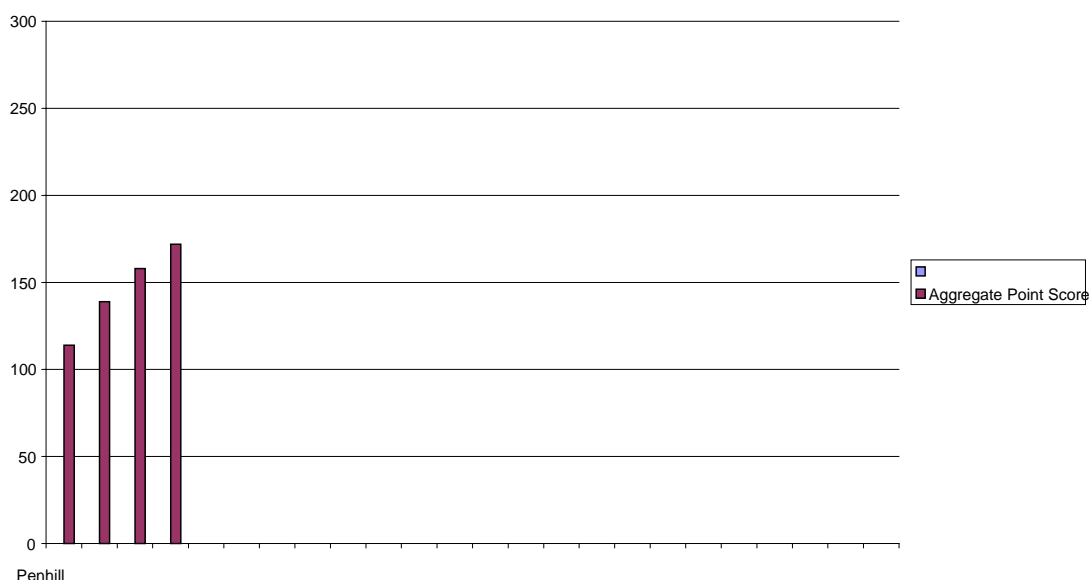
THE BEST WE CAN BE TOGETHER

Headteacher: Linda Rankin B.A.

I am writing to formally object to the proposal to close Penhill Primary School and amalgamate it into Swindon Academy.

I urge councillors to carefully consider the next step for the pupils of Penhill Primary School, within their context. The 2007 Index for Multiple Deprivation placed Penhill Primary at the top of Swindon schools. A Joseph Rowntree Foundation analysis of the Department for Work and Pensions (Sept 2007) placed Penhill as the 5th most deprived ward in SW England as measured by the percentage of children dependant on worklessness. The insular nature of the estate is significant. Having reached a certain point in the raising of standards, I know that creative and innovative solutions are required to break down the remaining barriers to that improvement. Pinehurst's solutions, or Oaktree's solutions do not necessarily answer Penhill's needs. However, opportunities to work with high performing partners, with schools whose proven practice results in high standards of achievement, will help to increase our upward trends.

Last September, Ofsted reported "...there is clear direction for raising standards and a steady improvement has been secured in pupils' achievements". Our average point score shows a consistent upward trend from 2003/4, which continues to 2007/8.



Similar data is available for all Swindon schools and this can therefore help us to identify strong partners to work with. We can plot our progress against any school in Swindon in order to identify 'like' schools who have had a significant impact on standards or outstanding schools who could share good practice. Value added scores also reflects consistent rising trend.

During the first Ofsted inspection of the newly formed Penhill Primary School, an inspector remarked that it would take 6 years for improvements to be securely rooted in the school as the job was like 'turning around the Titanic'. The graph above shows that and although we are very close to the 65% floor targets, we are not consistently achieving them. The School Improvement Partner's Annual Report to Governors (July 08), states that "the school is likely to need a reduced amount of local authority support from September 2008". It also states that "school self-evaluation is strongly focused on pupil progress but it also reflects a broader picture of the school's effectiveness across the 5 Every Child matters outcomes" and that "there are robust tracking procedures in place to monitor the progress of individual pupils, classes and cohorts".

These are all indications that its additional creative and innovative solutions that are required. During all the discussions that have been held with the local authority in the past 18 months, on addressing the 65% issue, there has been no mention of working in partnerships with any other Swindon school, no suggestions of collaboration with other Headteachers, and no drawing on the wealth of expertise that exists in Swindon. This is why the Governors turned to the Trust status option because it would facilitate partnerships which would create synergy and launch us forward.

I am not convinced that Swindon Academy is yet in the position to meet Penhill Primary's needs. I am disappointed that the local authority has only considered this option and feels that it is appropriate to close our school in the middle of an academic year. I am puzzled that despite our Ofsted inspection last year contributing to the claim that 'no Swindon schools are in special measures', we have been made to feel like a failing school.

Linda Rankin
Headteacher



Swindon Division

Peter Smith
18 Woodside Avenue,
Swindon,
SN3 1DX

24291

On the proposal to close **Penhill Primary School** to allow the expansion of **Swindon Academy**.

I write on behalf of Swindon Division of the NUT to object to the proposal to close Penhill Primary school to allow the expansion of Swindon Academy.

Introductory remarks.

The case put for closing Penhill Primary is broadly:

- The school is on the DCSF "hard to shift" list reflecting levels of attainment at KS2.
- A series of assertions that the expansion of the Academy will raise standards and strengthen good practice.

This proposal is **not** based on any evidence, indeed evidence accumulating nationally and locally about the results of the Academies programme seems to be excluded as of course it was when the original decision to establish the Swindon Academy was settled.

Consultation.

The consultation was **seriously flawed**. The whole process seems to have **seriously downplayed** the opposition of a large majority of stake holders at Penhill Primary to the proposal, as evidenced by meetings with staff and a petition, which I understand was signed by parents of a majority of pupils at the school.

SBC officers involved in the consultation were quite open, for example in discussions on the education JCC, about the fact that the closure was a position they supported. The consultation was seen as a way, at best, of attempting to answer objections. It was not seen as a way of collecting the views of stakeholders to influence the decision. This was an approach which generated anger. When the DJB report suggests people felt the decision was a foregone conclusion it seems clear they were correct.

We have remarked on the role of DJB in consultations about ULT schools before. They are commissioned by ULT and DCSF. The question needs posing once again, if they ever decided against the ULT position would they ever be commissioned again?

The partial nature of the DJB consultancy position is clear in the report.

Firstly comments are listed in a way suggesting similar numbers of people lined up on each side of the debate. This effect has been magnified by the method used to assemble focus groups. I understand that invitations to the focus group were made in such a way as to balance those against with those in

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favour. This in no way reflected the opinions of stake holders and leads to a report which incorrectly suggests opinions were equally divided

In the report each comment voicing concerns about the academy proposal is answered by reference to a ULT comment or position. At one point an objection relating to transition is brushed aside as the result of "muddled thinking."

Following these sections in the report is the Academy response, section 6, which suggests that opponents of the proposals are not concerned with children or their opportunities. Curiously this section doesn't even comment on prospects of improvement in terms of attainment standards

Despite the DJB Consultancy report recommending, on cue, that the proposal to close Penhill should proceed it doesn't trouble itself to suggest any evidence that this will achieve the aim of improving pupil attainment at KS2.

Attainment.

Since the stated aim of the proposal is the improvement of attainment we might expect some evidence that this is what the proposal will lead to. None is offered so it is worth looking at evidence accumulating nationally on the attainment levels achieved at academies.

Around the end of last school year Education secretary Ed Balls announced a "national challenge". His suggestion was that 638 secondary schools were failing and could be closed to be replaced by academies. This amounts to 20% of secondary schools. Indicating the incoherence of the policy 31% of Academies are also failing schools by the measure used. The point is this: The mantra about academies improving standards is nonsense.

Detailed analysis has shown that academies have not improved attainment. Early claims that they had were based entirely on the fact that the new schools switched from GCSEs to less demanding GNVQs. An intermediate pass at GNVQ counted as four GCSE A*-C passes for the purposes of league tables. When figures including Maths and English GCSEs were used this improvement was all but wiped away. There was a modest 4% improvement but it needs to be noted that many Academies adjusted their intake by admissions policies, and exclusions. It also needs to be noted that they gained £1600 per student as "new start" funds.

In addition the least successful students at academies do even worse. This is important to note in an area of disadvantage. 19% leave (2006) with no passes at A-G which is worse than predecessor schools. (figures from Terry Wrigley, Dept of Education studies at Edinburgh University.)

A February 2007 Audit office report indicates that the Academies project has been less successful than the far less expensive Excellence in Cities (EiC) programme. It also shows that improvement in predecessor schools was at least as strong as in the academies replacing them.

The NAO report shows that at Key Stage 3, pupils at Academies performed less well in English (52 per cent), Maths (53 per cent) and Science (42 per cent) compared to EiC pupils in deprived areas (62 %, 61% and 54% respectively. (TUC commissioned report.)

(<http://www.tuc.org.uk/extras/academies.pdf>)

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Penhill Forum

C/o 31, Avebury Road,
Penhill,
Swindon.
SN2 5JR

Phone 01793 331516

Email penhill.forum3@ntlworld.com



Attaeus the Roman

26 June, 2008

Dear Sirs/Madam

Academy/Penhill Primary

We object to the take over of Penhill Primary School by the Academy, for the following reasons:

1. There is no evidence that this will help our children more than any other way, especially with recent school results endorsing our concerns.
Neither the school nor we were invited to be part of previous discussions of options for the future of the school.
No one should ignore effect of poverty and lack of aspiration on a children's ability to learn and the care needed to ensure they have a good childhood with no fear of learning.
2. That this will have a very serious effect on the government's drive for Community engagement and empowerment.
The obvious railroading of the consultation with leaders of the same saying "It's going ahead anyway" takes away empowerment and stalls engagement.
We object to the obvious wrong footing, disrespect for community and parent wishes.
The see an obvious lack of understanding of community work principles which does not augur well for the future academy management of the school.
3. That this will have a serious effect on our community plan and 'out of school' activities and Adult Learning.
Having already disregarded previous meetings about OUR plans for children and youth Activities, we would not expect greater co-operation after the take over.
Disregarding community work principles that a variety of venues are more appropriate to community engagement and Adult Learning, especially for those who have had bad experience at school. Penhill community led projects have been extremely successful in Adult Learning take up.
4. We already have experience that other statutory agencies take away resources from our projects.
There is no evidence to support the promise that the Voluntary and Community groups of Penhill would be looked upon as partners.

5. SBC's paper, 'Connecting People, Connecting places' shows plans to Cluster communities around Secondary schools and give them more standing and importance in the general community. This means we need to be more aware of the management and the head-ship of those schools. Not choosing a democratic option for school management leads us to believe that this is not the way forward.
6. Experience shows there will be a non-productive relationship between this community and a school forced on us.
7. We are concerned about the march of Academy management into the primary sector, which could lead to all of our local school being under one management, and one that is not proven. It is difficult enough to deal with problems for our children without putting that management at 'long arm'.
8. Since the pre-statutory consultation we have discovered that our other Primary school is to be rebuilt as 'state of the art' with many 'add ons' which will not be available in-house to Penhill Primary. Whilst we are very pleased about the rebuild, we are very concerned about the in-equity that will be felt and fear for our future community cohesion and its effects on the primary population of Penhill.
9. We suggest that a preferred option is to explore TRUST status as a better way forward for Penhill Primary. This would be more inclusive of the community and give us a better, more engaging way of supporting the school, and include people with more understanding of community engagement work and the problems of an area of compounded deprivation. It will enable us to try for better a better balance between the two Penhill primary schools.

Yours sincerely,

Marilyn Beale,
Secretary
On behalf of the Penhill Forum Steering Group



Chair: Chris Davies – Wanborough Primary.
Vice Chair1: Terri Menham Redoaks Primary. **Vice Chair2:** Sue Kershaw – Gorse Hill Infants
Secretary and Financial Officer: Mrs Lesley Drewett, Brigadoon, Hockerbench, Bishopstone, Wilts. SN6 8PW.

23 September 2008

Re: SAPH response to the Penhill Consultation

The Swindon Association of Primary Head Teachers welcomes the opportunity to make a formal response to the consultation on the proposal to close Penhill Primary School on December 31st 2008 and to expand The Swindon Academy.

We wholeheartedly agree with the necessity to provide the best possible education for the children of Penhill and without pre judging the future capacity of The Swindon Academy to provide such improvements, we have concerns, as a professional association, that the case is yet unproven. This is especially in light of the fact that any IFD data for The Swindon Academy at KS2 has not been made available to Swindon Head teachers while it is readily available for FS and KS 1.

SAPH is committed to and welcomes any opportunity to work in partnership with Children's Service and accepts that we all have the moral responsibility to ensure that all the children in Swindon have the best possible life chances.

We would therefore ask elected members and the group director, Children Services to suspend the proposal for this academic year in order to enter into a meaningful dialogue and collaboration with SAPH to look at further alternative solutions and a more creative and innovative approach to supporting Penhill Primary School. Such collaboration, we believe could bring about systemic and long lasting change for the children of Penhill in a more measured and realistic timeframe and more importantly, create a Swindon based model of good practice that could be used for other schools who may find themselves working in challenging circumstances.

Furthermore, we would welcome the opportunity to ensure we collectively give a joint and resounding message to all schools that Head teachers when working in partnership with Children's Services can become a powerful agent of improvement and change which benefits all involved in improving life chances in Swindon.

Yours faithfully

Mr Chris Davis
 Chair

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PENHILL PRIMARY SCHOOL

THE BEST WE CAN BE TOGETHER

Chair of Governors: Simon Wyatt

Alton Close
Swindon
SN2 5HF

Telephone: 01793 723677

Fax: 01793 723807

Email: chair@penhill-pri.swindon.sch.uk

The Governing Body of Penhill Primary School writes to formally object to the closure of our school in order for it to be absorbed by the Swindon Academy.

Our objections to this proposal are as follows:-

- The Academy's Key Stage 4 results are not conducive to a quality education for all children as promised and assured by United Learning Trust. A 9% pass rate, well below the government set target of 30%, is disappointing and unacceptable.
- Penhill Primary School's Key Stage 2 unvalidated results continue to show an upward trend, despite the unsettling and disruptive impact these proposals have generated.
- Our parents have shown overwhelming opposition to the proposal, with 92% raising objections during the non-statutory period.
- The Borough's officers did not follow the procedures agreed, in writing, with the then Director of Education and Penhill Primary School's Head Teacher and Chair of Governors.
- The school staff, parents and community groups all feel that the school should remain part of the community; managed and owned by the community and not be absorbed into the Academy.
- Trust Status was never offered as an option for the Head Teacher or Governing Body to consider nor for the first twelve months was the Academy mentioned.
- Whilst acknowledging that floor targets have still to be achieved both by Penhill Primary school and by Swindon Academy, we feel that we would be better off continuing our upward trend without suffering the disruption which the proposal would bring, particularly in the middle of an academic year.

In conclusion, the Governing Body of Penhill Primary School would urge the Council Cabinet to reject this proposal and grant us time to investigate moving to Trust Status.

Yours sincerely,

Member of the Governing Body

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PENHILL PRIMARY SCHOOL

THE BEST WE CAN BE TOGETHER

Headteacher: Linda Rankin B.A.

I am writing to formally object to the proposal to close Penhill Primary School and amalgamate it into Swindon Academy. I have several objections why this move would not benefit the children of Penhill Primary.

Should this proposal go ahead, I feel that it will create a school with a population in excess of 2000. Evidence shows that large schools can have a serious detrimental effect on the academic progress and wellbeing of children. Our children are especially vulnerable and benefit from being in a small, caring environment; a fact which was acknowledged in our Ofsted report in 2007. The headteacher and senior leadership team know all the children very well, their individual needs and learning styles, their parents, carers and home environments. I therefore, have serious concerns that becoming part of the larger Swindon Academy could only have a negative impact on them.

I am not convinced that the Local Authority recommendations are being driven by a desire to improve the life chances of our children. Both Ofsted and our School Improvement Partner (SIP) have stated that as we have fully embraced the intensive support programmes offered by Swindon LA, our results have steadily improved and are set to continue in this way. "School leaders embraced the intensive support provided by the local authority to help raise standards. As a result, there is clear direction for raising standards and a steady improvement has been secured in pupils' achievement.....the capacity for further improvements is satisfactory. School leaders are clearly focused on improving the quality of teaching and learning throughout the school to raised standards further". (Ofsted, Sept 2007) Our first note of visit from our SIP this year reports that "the school has increased capacity for improvement...therefore the local authority support will be reduced this term." (Sept 2008)

I am seriously concerned that Swindon Academy are not yet achieving Government set targets at Key Stage 2 and Key Stage 4, and therefore, they need to address this fundamental issue before taking on further responsibility and more children. Furthermore, we know that the Penhill community also share our concerns and this is demonstrated by the low percentage of Year 6 children transferring from Penhill and Sevenfields primaries.

Moreover, the Secretary of State has publically stated that secondary schools which do not meet their floor targets will face closure. As Swindon Academy only managed to achieve 9% A* to C grades at GCSE in 2008, I feel it would be questionable for us to become part of a school which still faces a huge challenge at Key Stage 4.

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I feel that the proposed amalgamation of Penhill Primary into Swindon Academy will create an inequality of opportunity for our children, due to the fact that we will effectively become a satellite site with the concomitant problems of accessing the Academy's state of the art resources. It also creates a division within the Penhill community, with the two primary schools (with very similar results in the past three years) following different approaches to the curriculum. To have an established Swindon Academy as an option for transfer at KS2, gives our children and parents the same options as those at Sevenfields and Gorse Hill.

In conclusion, as a staff, we do recognise that we need to continue to improve the life chances of our children, but we do not believe that this – the only course pursued by the Local Authority - is the most appropriate route to take.

An Expression of Interest to gain Trust status, was submitted by the Governing Body last June, because it offers us the timely opportunity to tailor our own solution, through innovative partnerships (particularly with successful primary colleagues in Swindon) so as to tackle the identified barriers to continued rising standards, particularly in core subjects.

Trust status will:

- enable us to use our knowledge of, and position within, our community to raise/influence aspirations of children to secure higher achievement at all levels and therefore enhance life chances. A particular focus will be to improve children's chances of economic wellbeing by widening their parents' and carers' access to education in their local primary school.
- give us the scaffolding to develop a strong community presence in the functioning of our school, from strategic level to day to day delivery, where all members of the community are valued.
- actively support the school to continue to develop at the centre of its local community. Community cohesion will be increased by sustained engagement both of the school within the community, and the community within the school.

Member of Penhill Primary Staff

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25th September 2008

To whom it may concern,

I'm writing to you with concerns about the meeting we had at Penhill School regarding the take over to Swindon Academy. We were not all allowed to talk because they didn't have enough time but to me it seemed to be that they only wanted a few questions and that was it, they didn't listen to all the parents and we were pointed at and given numbers and not asked our names, which I think is very rude.

In the holidays a notice was put on one entrance of the school only and we have two entrances that are both used. The notice said about the take over but not everyone comes past the school particularly in the school holidays so a lot of people didn't know about it so no one could put in their objections.

I also read in the paper on Thursday 14th August the notice that stated the school was closing on 31st December which alarmed me and my children. It seems to me no matter what we say it is going to the Academy anyway. You don't want to listen to what we have to say or what we want for our community. I can't understand either that if it goes to Swindon Academy the school gets money for much needed and overdue improvements but if it stays as Penhill School we don't, if the work is needed we should have it done anyway. This school hasn't failed with my children and I have had two that have left here now but I have still got one here and I am very happy with what they have done with all three, so I can't see why it has to change. I hope you do read this and listen to all parents about what we have to say before you make your decision.

Yours Hopefully

Miss Merritt

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23 September 2008

Dear Sir

I am writing to formally object to the closure of Penhill Primary School in order for it to be included into Swindon Academy. My reasons are based on my experiences of Headlands School and the Academy in the past two years.

I do not think children are given enough 1:1 attention, meaning that staff do not know individual children, for example, I received a phone call complaining of my child's behaviour and attitude to work - only to be told later, sorry, it was the wrong child.

Also, as a parent, if you want to speak to someone, it's really hard to find the person you want, messages aren't passed on, people do not return calls. I have been to meetings with my child's tutor and head of learning which have not been followed up.

Many times my child's class has been kept in at lunchtime, with no prior warning, resulting in my child being unable to collect the free school meal voucher and therefore having no lunch and coming home starving at the end of the day.

Even though my child is in Year 9, the school has failed to help her reach her expected level in English, even though a learning plan was agreed between me, her tutor, head of learning skills centre, head of English and her English teacher. Extra work was to be sent home but it didn't happen. When I mentioned this at the end of year parent meetings, the tutor was unaware that it hadn't happened. My child's Maths and Science levels are good.

I think these problems are due to the size of the school and communication problems. I am sure that I do not want Penhill Primary School to become part of school which will then be even bigger. These children will just be a name, it will be impossible to keep the personal touch when the Principal is at Beech Avenue and there are hundreds of pupils in the school.

What I like about Penhill Primary School is the feeling that every teacher is approachable, Mrs Rankin is very approachable and knows all the children in the school. I've never had any problems here, it's easy to talk through any worries. My children are doing really well at Penhill. They are very happy here and I will have to move them to another primary school if Penhill is taken into the Academy.

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I also wish to comment on the parent meetings which were held as part of the consultation process. I found them very poorly organised. Some of the people leading the meeting were arrogant and rude. They didn't really listen to our views and when I did raise a point, I was spoken to afterwards and told it wasn't the right place to make that point. The chair person was patronising and this angered parents. It felt like we were being told what was best for our children, as if we couldn't decide as parents.

The majority of our parents are not in favour of becoming part of a huge school. Our parent views have been ignored by the council which prides itself on being a listening council.

When the notice to close our school was put on the school fence in the middle of the holidays, I thought that the decision had already been made. Many parents did too. No letters were sent to parents. We had to wait until the school opened in September to find out exactly what that meant. It's hard to understand the timings of this and why things might change in the middle of a school year. Please take note of my objections.

Yours truly,

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25th September 2008

To whom it may concern,

We are writing a letter to you to complain about the meeting which was held at Penhill Primary School for the proposal of Penhill Primary being taken over by the Swindon Academy, firstly where do we begin? Well! We couldn't believe what we were hearing NOTHING. Firstly we had the chance to listen to members of staff from the Academy and the council members which I would like to add we couldn't hear them talking. Then we had a chance to ask questions WELL! why we bothered I don't know because not one person bothered to answer any questions satisfactory or didn't answer at all. We were not listened to and we are still not being listened to now. Overall the meeting was shabby. We were shown a small slide show, which I would like to add was so boring especially for the children that attended the meeting.

To save their school, there were a couple of boards which displayed Academy details but if we all had had a look at the same time it would have fallen over. We feel as parents of two, who at the moment are very happy and contented at Penhill need stability which they have. Please answer me this, who will pick up the pieces when it has all gone wrong? The Council know they will be long gone. Has anyone asked the children what they want?NO! They are only children their opinion doesn't count BUT it does they are our future. These and many questions weren't answered. This is the second letter of complaint I have written the first one I received a reply back which just said 'Dear sir or madam' you couldn't even put our names on it, so was this a standard letter that everyone received? By TRYING to take Penhill Primary school not only are you taking a school that has and still is working very hard and has achieved so much you are taking a committee away.

A very angry parent
Wendy Hill

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Please insert your name and address below the dotted line.

Dear Sir,

Subject: Closure of Penhill Primary School and the move to the Swindon academy.

I write to formally object to this event taking place. I am not convinced that the academy's results have improved enough to justify the closure of our school and see no advantage to the children or community of such a move taking place. I wish to see our school remaining within our community and with its current management structure.

Yours sincerely

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20th September 2008

Dear Sir, Madam,

I am writing to formally object to the proposal for the closure of Penhill Primary and the subsequent amalgamation into the Swindon Academy. I attended Penhill when it was an Infant and Junior school and am a regular visitor to the area and so I base my objection on the following points:

Firstly, I believe that Penhill Primary School serves its pupils well. The school has shown that it has a good understanding of the needs of the children and is able to give them the caring environment they need to become learners and achieve towards their full potential. Without such a good level of pastoral care the children would not be able to develop their academic skills. This understanding of the needs of the children, has I feel, always been a strength of the school and has been recognised by outside agencies.

The main point of the argument is that the school is not achieving the floor target of 65% in the Key Stage 2 SATs in English and Maths. I am aware that the school has received support from Swindon Borough Council. The level of support, has helped the school to continue to move forward in increasing the percentage of children who reach Level 4 in Maths and English. The floor target has been reached in Science but I am told that this doesn't matter. This ongoing improvement in percentages shows that the school is continuing to move forward in this respect, but there has been little public recognition of this. The response is the improvement is not quick enough. Ironically, I have been told that the level of support from Swindon Borough Council is being reduced this term because of the improvements evident at the school.

The improvements made by the school are also seen in the CVA scores. There is much made of the fact that Penhill Primary has been at the bottom of the league tables for performance in the Key Stage 2 SATs. However, when ranked in order of CVA, the tables have told a different story. Surely, this is a better guide of how the children are achieving at the school as it demonstrates how much the children have actually progressed, not just achievement during one week in May.

Secondly, I have grave concerns as to how the amalgamation with the Swindon Academy will enable current progress to continue. The children will become part of a much bigger school, theoretically, and it will be less easy for decisions made to be based on the children's needs. It will be difficult to ensure that the children receive the pastoral care they need in order to develop their learning skills. Other much needed activities would also suffer as any sports teams would now be under the 'Academy' label, not Penhill.

Much has been made about the Academy's skills in improving the standards of learning but I have heard little to convince me that the children of Penhill will benefit from the 'state of the art facilities'. There is also little evidence to suggest that the children will perform any better, under the Swindon Academy. In fact figures suggest the opposite. It has been widely reported that the Academy only recently achieved 9%

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24th July 2008

Dear Cll Renard

As someone who lives in the ward that you represent I am writing to you re the proposal to incorporate Penhill Primary School into Swindon Academy.

I am Bursar at Penhill Primary School and have several concerns over this proposal. Equally I understand that you may have little knowledge of our school and therefore are taking guidance from the people who should have knowledge namely the LEA.

What concerns me is, if this is the right move for Penhill why did the LEA, in their report to Cabinet, take statements from the Ofsted report out of context and publish unvalidated SATs results, something they needed the schools permission for but did not seek.

I am enclosing a short copy of the school's Ofsted report together with a graph showing our SATs results for the last 4 years. In my opinion neither of these documents indicate the picture painted to Cabinet.

The school's academic results may not be as the LEA would like but from my position I see how hard the entire classroom based staff work to give all the children a rounded education.

The school does not have a PTA so staff actively fund raise to give the children that little bit more. Every year we take all of KS2 to the theatre, not always in Swindon. For many of our children this is the only opportunity they will get to see live theatre. Likewise KS2 was also taken to the Tutankhamen exhibition. Parents are asked to contribute towards the cost but no child is refused a place if their parents can't or will not pay. These can be very long days but staff give the extra time freely.

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53 Severn Avenue
Haydon Wick
Swindon
SN25 3LL

24th July 2008

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The school does not have a PTA so staff actively fund raise to give the children that little bit more. Every year we take all of KS2 to the theatre, not always in Swindon. For many of our children this is the only opportunity they will get to see live theatre. Likewise KS2 was also taken to the Tutankhamen exhibition. Parents are asked to contribute towards the cost but no child is refused a place if their parents can't or will not pay. These can be very long days but staff give the extra time freely.

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KS1 also get treats with theatre groups brought into school. Trips and outings always need subsidising from School Fund as many of our parents cannot afford the full price of the trip. Beside academic achievement we provide a whole host of pastoral support and even a safe haven for some children.

I am sure the Academy is doing great work with their children but one year is not long enough to see any trends. How will our children be able to access all that the Academy has to offer as we are staying on the same site and logistics will get in the way?

It is also very disappointing to hear the £2.3 million earmarked to bring the school up to EU standards, may not be available if it does not join the Academy. The only capital money spent on the school in last few years has had to come from the schools own budget which is limited. We have been waiting for a promised car park for eight years!

What I would like to ask if that you listen to the people this affects most namely parents, staff and Penhill Forum, most of whom are against this proposal, before you make a final decision.

Yours sincerely

Janet Lewis (Mrs)

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LOCAL AUTHORITY RESPONSES TO KEY ISSUES RAISED

Set out below are the responses of the Local Authority to a number of the key issues raised during the consultation period for this proposal:

Key issues raised	Local Authority responses
<p>Moving from Community to Trust Status would be a better option for the school in terms of raising standards and pupil attainment</p>	<p>Trust status for some schools may be an appropriate way forward as a Trust partner, such as a local business or educational institution, may be able to help to drive up standards and give a school renewed impetus. The advantage to a school of having trustees is that the school is able to establish long-term formal arrangements with identified partners who are committed to furthering the educational aims of the school. However, these advantages are already set up at the Academy, which has close links to Honda, and Marlborough School, and is building partnerships also with others stakeholders in the borough, such as the FE colleges. The main sponsor, ULT, is seeking to improve the Academy by aligning the knowledge and skills of partners with the needs of the Academy.</p> <p>In general terms, the level of involvement from business partners differs in Academies and Trust Schools. Academy sponsors appoint the majority of governors to governing bodies of their schools. In Trust schools, the Trust can appoint either a minority or majority of governors – the decision is made by the predecessor governing body. Academy sponsors also contribute financially. In the case of Trust schools, the Trust is not expected to make any financial contribution.</p> <p>It is considered that a separate Trust arrangement, would not offer the pupils of Penhill Primary School a sufficient step change to significantly improve standards. As already stated, Penhill is on the DCSF list of 'hard to shift' primary schools, and the DCSF requires the Local Authority to take decisive action. The challenges that the school faces are very significant and have persisted for a number of years. The Local Authority considers that an immediate structural solution is required, and that inclusion within the Academy would enable a significant and sustainable shift for Penhill pupils that a Trust arrangement would be less likely to offer. A Trust arrangement would not produce the re-structured leadership that the Academy would bring and which is essential to bring about the step change in performance required at Penhill. See also 'Alternative Options' in the body of the report.</p>

Key issues raised	Local Authority responses
<p>Pupil attainment/standards at Penhill Primary School are improving and the last Ofsted report reflected this.</p>	<p>Penhill Primary School is on the DCSF list of 266 'hard to shift' primary schools in England, out of approximately 17,000 primaries nationally. The school has failed to meet the floor target at Key Stage 2 in both English & Maths for the last five years, despite being supported by a Local Authority Task Group and a School Improvement Action Plan. This has also been disappointing for the Local Authority as support provided in similar circumstances elsewhere has generally been effective.</p> <p>Standards of pupil attainment at the end of 2007 were inadequate and well below the national average, although overall pupils made satisfactory progress. The Ofsted inspection in September 2007 judged that achievement overall across the school was satisfactory, although performance was not consistent and varied across year groups and subjects, and 'many pupils struggle to reach the expected level for their age'. Out of the 27 areas graded by Ofsted, 23 received a grade 3 (satisfactory), two received a grade 2 (good– healthy lifestyles and safe practices) and two a grade 4 (inadequate– the standards reached by learners, and the attendance of learners). It received no grade '1's.</p> <p>Based on the 2007 key stage 2 SAT results, Penhill is 48th out of 52 primary schools on the contextual value added measure, and 52nd out of 52 for average point scores. This year (2008) 47% of Penhill pupils reached the expected level in English, down from 62% last year. 62% reached the expected level in Maths, up from 44% last year. The Government's floor level for these targets is 65% of pupils reaching the expected level. This means that the school has failed to meet this floor level for six years running. Further details are set out in paragraphs 1.2, 1.3 and 2.5 of the report and in the consultation documents (Appendices 2 and 3).</p>
<p>There is no evidence that the Academy will raise attainment.</p>	<p>The indicators so far are that the Academy is having a strong impact on standards and pupil attainment. At key stage 2 this year (2008), 56% of pupils reached the expected level in maths compared to 42% last year, and in reading, 73% reached the expected level compared to 50% last year. At key stage 3, there have been improvements in English this year from 53% of pupils meeting the expected level, to 65%. In addition, Maths is up from 44% to 55% and Science is up from 48% to 51%. At key stage 4, from 2006 to 2007, the % attaining 5 A*- Cs including English and Maths has moved for 5% to 20% (and from 9% to 24% not including Maths and English). There has been a significant drop in 2008, due</p>

Key issues raised	Local Authority responses
	<p>to a serious setback in mathematics.</p> <p>The developing educational plans of the Academy suggest that it will break out from the traditional year group structures and move towards working with vertically organised systems, where the needs of the individual learner can be more readily met and personalised. Students will be progressed according to the 'stage' they are at in their development rather than their chronological age. Such a development could make it more difficult for the current Penhill Primary School pupils to integrate into the Academy when they move at age 11. Being within the Academy will therefore help to remove or reduce a number of the transition issues between primary and secondary, which traditionally is when pupil performance dips – accepting of course that Penhill pupils would remain on a separate site. Further details are set out in paragraph 2.5 of the report and in the consultation documents.</p>
The expanded Swindon Academy will be too large.	<p>If Penhill Primary School became part of the Academy, it would remain on its present site and continue to be fully integrated into the local Penhill Community. Although part of a larger school, it is considered that this would not 'feel' the case. The Academy focuses on personalised learning and care for pupils as individuals, and this would apply equally to those pupils based in the new Pinehurst building when it opens in 2009/10. Pupils at Penhill would remain on their own site but would have the advantage of having access to state of the art facilities available in the Pinehurst building. The ULT consultation document provides further details – Appendix 3.</p>
The funding for the buildings is only available to Penhill Primary if it is part of the expanded Academy.	<p>The refurbishment of Penhill Primary School is recognised as a high priority. There have been many demands on the Council's Capital resources over recent years, and funding has had to be targeted, particularly at those schools with accommodation in the poorest condition.</p> <p>It is estimated that up to £2.3 million may be required to refurbish and remodel the school if it becomes part of the Academy. If the proposal does not proceed, the work remains a high priority with a strong case to implement improvements, but it is for Cabinet to determine how funding is allocated to all major capital schemes, including at Penhill. Further details of the proposed improvements to the accommodation are included in the ULT consultation document (Appendix 3).</p>

Key issues raised	Local Authority responses
<p>Penhill Primary School is part of the local community. There are concerns that this would change if it became part of the Academy.</p>	<p>As stated in the ULT consultation document (Appendix 3), there is a very strong emphasis placed on community involvement. ULT have made clear that the Penhill site and buildings will serve the community of Penhill. It will support regeneration initiatives and will be a facility for the whole community to use.</p> <p>It is intended that the Penhill site will offer a range of facilities to the community including extended school activities, a youth service provision and access to ICT and business facilities, which would all be subject to a Community Use Agreement between the Council and ULT. There will also be close links established with other schools, the colleges and local employers. In addition, there are two Local Authority representatives on the Academy Governing Body – the Lead Cabinet Member for Children and the Group Director Children. Further details are set out in the ULT consultation document – Appendix 3.</p>
<p>The pre-statutory consultation process did not provide a proper opportunity for people to express their views, or to obtain answers</p>	<p>There was a thorough and extensive consultation process carried out which lasted 6 weeks, from 1 June until 14 July. Approximately 3500 households in Penhill and other stakeholders were sent the Local Authority's and ULT's consultation documents (Appendices 2 and 3). Five 'formal' consultation meetings were then held over 9 and 12 June at Penhill Primary School. In each case, presentations were made initially to explain the proposal as fully as possible, and these were followed by a Q and A session and an opportunity to put forward views/comments. Representatives of the Local Authority, ULT, DJB and Swindon Academy attended each of these sessions and gave as full an answer as possible to each question. The open offer of further consultation meetings was made for staff, parents, governors or others, although none were received.</p> <p>A summary of the key issues raised at these meetings and breakdown of the 357 response forms received is together with responses from Penhill Governing Body, trades unions and Swindon Academy were set out in the report in July 2008 (see Appendix 5).</p> <p>A separate and extensive consultation exercise was carried by DJB, independent consultants appointed by ULT. A summary of the results were reported to Cabinet in July 2008 (see Appendix 5) and the full DJB report is attached at Appendix 4.</p>

Key issues raised	Local Authority responses
Who are DJB and are they impartial?	As indicated above, DJB are independent consultants appointed by ULT. They are on the DCSF list of approved consultants and have been commissioned by ULT to undertake consultation exercises for proposed Academies across the country. They do not work exclusively to DJB and have been commissioned to do work by a number of other organisations.

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