

DECISION-MAKER:	CABINET MEMBER FOR CHILDREN'S SERVICES		
SUBJECT:	PRIMARY SCHOOL DEVELOPMENT – DECISION ON IMPLEMENTATION		
DATE OF DECISION:	18 JUNE 2013		
REPORT OF:	CYP STRATEGIC COMMISSIONING, EDUCATION AND INCLUSION MANAGER		
<u>CONTACT DETAILS</u>			
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STATEMENT OF CONFIDENTIALITY

None

BRIEF SUMMARY

In January and February 2013, Childrens Services and Learning sought and secured approval from Cabinet to commence consultation with ten existing infant and junior schools to establish five all through primary schools. This paper summarises the consultation responses and seeks a final decision on whether or not to implement the proposals.

Since early 2012, the Local Authority has been encouraging infant and junior schools to consider the option of merging if one of three scenarios arises. These are:

- i. When the governing bodies of linked infant and junior schools seek support to establish a primary school.
- ii. If a headship of a linked infant or junior school becomes vacant.
- iii. If a school, with a linked school, is placed in special measures through an Ofsted inspection.

One of these three scenarios has arisen at each of the following five pairings of infant and junior schools:

- Bitterne Park Infant and Junior – headteacher vacancy at the infant school from December 2012.
- Oakwood Infant and Junior – headteacher vacancy at the infant school from July 2013.
- Tanners Brook Infant and Junior – headteacher vacancy at the junior school from July 2013.
- Valentine Infant and Heathfield Junior – the junior school has been placed in special measures through an Ofsted category, so the LA are exploring the primary option in an effort to raise standards across all year groups.
- St Monica Infant and Junior - headteacher vacancy at the junior school from July 2013.

Following Cabinet approval on 29 January 2013 and 19 February 2013, six to seven weeks of pre-statutory consultation have taken place with the ten schools on the proposal to close one of the schools and extend the age range of the other. A further six week statutory consultation period, on the same proposals, took place between 25 April and 6 June.

The Local Authority is responsible for school reorganisation - see legal implications section (paragraph's 21-23). This means the Local Authority manages the consultation and decision making process on whether to establish a primary school if the schools are community schools. The governing bodies of the individual schools are responsible for implementing the decisions.

RECOMMENDATIONS:

- (i) To consider the outcome of statutory consultation and approve the implementation of published proposals to:
 - Discontinue Bitterne Park Infant and extend the age range of Bitterne Park Junior, to establish a primary school from the 1st September 2013.
 - Discontinue Tanners Brook Junior and extend the age range of Tanners Brook Infant, to establish a primary school from the 1st September 2013.
 - Discontinue Oakwood Infant and extend the age range of Oakwood Junior, to establish a primary school from the 1st January 2014.
 - Discontinue Heathfield Junior and extend the age range of Valentine Infant, to establish a primary school from the 1st January 2014.
- (ii) To consider the outcome of statutory consultation and approve a modification to the published proposals to:
 - Discontinue St Monica Junior and extend the age range of St Monica Infant, to establish a primary school from the 1 January 2014*

The modification will have the effect of changing the implementation date from 1st January 2014 as originally published above to an implementation date of 1 April 2014 as requested by the Governing Body of each school.

The modified proposal is to:

 - Discontinue St Monica Junior and extend the age range of St Monica Infant, to establish a primary school from the 1st April 2014*
- (iii) Subject to complying with Financial and Contractual Procedure Rules, to delegate authority to the Director of Children's Services and Learning, following consultation with the Cabinet Member for Children's Services, to do anything necessary to give effect to the recommendations in this report.

REASONS FOR REPORT RECOMMENDATIONS

1. Children's Services and Learning are working with the Education Leaders in the City to develop all through primary schools in place of infant and junior configurations. This development is not a criticism of the infant and junior model. The intention is to pursue the development of all through primary schools if/where the situation allows. For instance:
 - i. When the governing bodies of linked infant and junior schools seek support to establish a primary school.
 - ii. If a headship of a linked infant or junior school becomes vacant.
 - iii. If a school, with a linked school, is placed in special measures through an Ofsted inspection.

2. One of the three scenarios has arisen at all of the ten pairings of schools included in this report:
 - Bitterne Park Infant School – headteacher vacancy, scenario (2), hence the proposal is to discontinue the infant and extend the age range of Bitterne Park Junior, thus forming an all through primary,
 - Oakwood Infant School – headteacher vacancy from July 2013, scenario (2), hence the proposal is to discontinue the infant and extend the age range of Oakwood Junior, thus forming an all through primary.
 - Tanners Brook Junior School – headteacher vacancy from July 2013 scenario (2), hence the proposal is to discontinue the junior and extend the age range of Tanners Brook Infant, thus forming an all through primary.
 - Valentine Infant and Heathfield Junior – Heathfield Junior has been placed in special measures following Ofsted Inspection in January 2013, scenarios (1) and (3), which has encouraged the LA to pursue a primary option, hence the proposal is to extend the infant and discontinue the junior.
 - St Monica Junior School – headteacher vacancy from July 2013, scenario (2), hence the proposal is to discontinue the junior and extend the age range of St Monica Infant, thus forming an all through primary.

3. Table 1 details the number of infant and junior school pairings. Five of the school pairings in the table are involved in the consultation being led by the Local Authority. One school pairing, Bitterne C of E Infant and Junior, are currently undertaking their own consultation with stakeholders about merging the two schools. A report will be submitted to cabinet to approve the outcome of that consultation in November 2013.

Table 1:

School pairings	Current status
Fairisle Infant and Junior	Maintained schools
Ludlow Infant and Junior	Separate Academies
Shirley Infant and Junior	Separate Academies – members of same Trust
Hollybrook Infant and Junior	Separate Academies – members of same Trust
Bitterne C of E Infant and Junior	Maintained school - undertaking separate consultation on establishing a primary
Bitterne Park Infant and Junior	Included in this consultation
Tanners Brook Infant and Junior	Included in this consultation
Oakwood Infant and Junior	Included in this consultation
Glenfield Infant and Beechwood Junior	Maintained schools
Maytree Infant and Mount Pleasant Junior	Maintained schools
Sholing Infant and Junior	Maintained schools
St Monica Infant and Junior	Included in this consultation
Townhill Infant and Junior	Maintained schools
Valentine Infant and Heathfield Junior	Included in this consultation

4. The Local Authority favours the primary model, where the situation arises, for the following reasons:

Educational outcomes – benefits, all through primary schools:

- 5.
- Are in a stronger position to plan for continuity and progression through the key stages of learning, Early Years, Key Stage 1 and 2.
 - Provide longer timescale for schools to work closely with families - year R to year 6 - seven years to develop successfully children's education progress.

- Provide opportunities for pupils to work and play together over a longer period of time and develop greater understanding of diverse strengths, skills and personalities, which help them in later life.
- Offer consistent approaches to inclusion, absences etc.
- Increased opportunities for social development with older pupils having some appropriate pastoral responsibilities for younger children.

Professional outcomes – benefits, all through primary schools:

6.
 - Provide staff with greater opportunities to gain a broader and deeper understanding of the learning continuum for children from 4 to 11 years.
 - Build capacity in issues of staffing and can better plan for succession.

Efficiency – benefits, all through primary schools:

7.
 - A single, larger budget offers the opportunity to deliver quality more efficiently, through greater economies of scale.
 - Reduced spend on leadership and governance arrangements.
 - Increased spend on front line teachers, as a percentage of the whole school budget.

Parental – benefits, all through primary schools:

8. There is a direct benefit to parents in the admissions process. Parents have to apply to secure a place in an infant school, at year R and a junior school, at year 3. Only one application is required for primary school – for admission to year R.

Modification to St Monica Infant and Junior implementation date

9. At the request of the governing bodies of St Monica Infant and Junior Schools, Officers would like to propose a modification to the implementation date for this merger. The original implementation date was 1st January 2014. The governing body for St Monica Junior would prefer a 1st January 2014 merger and the governing body for St Monica Infant would prefer a 1st September 2014 (or at the earliest April 2014) merger. Please see Appendix 3 for details of the governing bodies' view on the proposal and implementation date. Local Authority Officers have discussed this with both schools and as a compromise would like to request that the implementation date for the St Monica Schools be modified to 1st April 2014.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

10. Three alternative options have been considered and rejected. See paragraph's 10, 11 and 12.
11. Alternative options (1) to discontinue the school that we are proposing to extend the age range of could be put forward, but this has been discounted for the following reasons:
 - Bitterne Park Schools – the infant has an acting headteacher whilst the junior has a permanent leadership and headteacher arrangement in place.

- Oakwood School – the infant school will have a headteacher vacancy from July 2013 whilst the junior has a permanent leadership and headteacher arrangements in place.
 - Tanners Brook Schools - the junior school will have a headteacher vacancy from July 2013 whilst the infant has a permanent headteacher arrangement in place.
 - Valentine Infant and Heathfield Junior – the infant has a ‘good’ Ofsted rating whilst the junior has been placed in special measures by Ofsted. It is not appropriate to expand a school judged as failing by Ofsted above a school judged as ‘good’.
 - St Monica Schools – the junior school will have a headteacher vacancy from July 2013 whilst the infant has a permanent headteacher arrangement in place.
12. Alternative option (2), to close both schools in each pairing and open a brand new primary school (with a new DfE number). Legislation dictates that when seeking to establish a new school the presumption is that this be an academy/free school. If there is no academy/free school proposal a statutory competition can be held, with the Secretary of State’s consent. Alternatively, the consent of the Secretary of State is not required if the proposal is to create a primary school that is to replace maintained infant and junior schools (the Office of the Schools Adjudicator would make the decision on this proposal). This option has been discounted because the Governors of the ten schools do not wish to become an academy at this point and, in addition, the competitive process to establish a new primary school is quiet lengthy and would disrupt the existing leadership and governance structures that are currently in place at the schools. We would also like to keep the decision making process for these proposals at a local level.
13. Alternative option (3) is that the schools that have or are due to have, a headteacher vacancy, recruit a new headteacher and the pairings of schools remain as separate infant and juniors. This option has been discounted because the Local Authority has a preference for all through primary schools.
14. The proposal for St Monica Infant and Junior School could be implemented from 1st January 2014 as originally planned. However, after discussing this, both governing bodies agreed that a 1st April 2014 implementation would be a better option as it would give both schools more time to prepare for the merger.

DETAIL (Including consultation carried out)

15. Six weeks of statutory consultation took place between 25th April and 6th June. Statutory notices detailing the proposals were placed at the entrances to all schools included in the proposal and in the Daily Echo. The statutory notice and complete proposals were also sent to the DfE’s School Organisation department
- Based on responses received up to 24 May.**
16. A summary of the responses that have been received thus far are below (all responses are listed in Appendix 3):

Oakwood Infant & Junior – a local resident raised concerns about traffic/parking.

LA Response - the number of children/staff at the school will not change as a result of this proposal and it is not anticipated that traffic/paring congestion will worsen.

Bitterne Park Infant & Junior – Pre-statutory consultation was criticised for not having enough information and not taking on board parents’ concerns about care and nurture at the school. Some parents are not happy with the proposed executive headteacher arrangement, largely because the headteacher will not always be on site. Some parents expressed that they fear the loss of nurturing community feel of the infant and would prefer to extend the age range of the infant.

LA Response – the Cabinet paper of 16th April acknowledged that “The main objection to this proposal is that some parents are opposed to having a headteacher that works across three schools”. The responses to the consultation (see Appendix 4) reflect this. Over two thirds of respondents to pre-statutory consultation supported the proposal to establish a primary school. It is also acknowledged that a similar proportion opposed the closure of the infant and expansion of the junior. It is proposed that the infant would close as it currently has a headteacher vacancy, which is in line with LA policy. Several current infant governors would be on the governing body for the primary and it is hoped that the ethos of the infant would continue to be part of the primary.

Valentine Infant & Heathfield Junior – concerns raised about changes to the site e.g. selling of land and losing of facilities.

LA Response – no planned changes to site as part this merger, although extra key stage 2 capacity will be need from 2015 onwards. The expansion project has been approved and planned for some time and has an allocated capital budget.

RESOURCE IMPLICATIONS

Capital/Revenue

17. Four of the pairings of infant and junior schools (Bitterne Park, Oakwood, Tanners Brook and Valentine/Heathfield) are co-located on the same sites so no significant capital works will be required. St Monica Infant and Junior are on separate sites but are close by. Whilst individual schools would like to explore opportunities for physically linking the two schools through a walk way or observatory, it is not necessary. Consequently, there is no anticipation that there will be significant capital implications if the proposal is implemented after consultation. Some alterations may need to be made to signage and insignia at the schools. Changes may also need to be made to telephone, IT, fire alarm and security systems – so that they operate across both school buildings – if the proposals are taken forward. These costs can be met from the Children’s Services budget. The allocation of any funding will be at the Local Authority’s discretion and will be considered on a case by case basis.
18. The revenue costs of all schools are funded through the Dedicated Schools Grant. The number of pupils at the school will not alter as a result of this proposal so the school will receive a budget similar to the combined budgets

of the current infant and junior schools minus one flat rate allocation, £114,000 in 2013/14. However, the Minimum Funding Guarantee may offer some temporary protection. The reduction of spend on the flat rate will be reinvested across all the schools in the City.

19. St Monica Primary will be eligible for additional split site funding as the infant and junior schools are located on separate sites.

Property/Other

20. There are no property implications as a result of this proposal. The schools will continue to operate on the same site and in the same buildings, only under the guise of one primary school as opposed to separate infant and junior schools.
21. The staffing structures of the school will be agreed by the governing body of each school. Creating larger all through Primary schools will provide enhanced professional development opportunities for the workforce (see point 6). It is anticipated that there will be no changes to the teaching workforce.
22. The school may be required to reorganise the structure of staff, for instance: administrative staff, site manager, caretakers, cleaners, if this proposal is approved. There will be no TUPE transfer of staff as all employees at the schools are employed by Southampton City Council and will continue to be so if the proposals are implemented. Any reorganisation or restructure would not take place until the proposal had been approved. Trade unions would be consulted with about any proposed staffing changes.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

23. Alterations, changes, creation or removal of primary provision across the City is subject to the statutory processes contained in the School Standards and Framework Act 1998 as amended by the Education and Inspections Act 2006. Proposals for change are required to follow the processes set out in the School Organisation (Prescribed Alterations to Maintained Schools) Regulations 2007 as amended. Discontinuance (closure) of schools is governed by the School Organisation (Establishment and Discontinuance of Maintained Schools)(England) Regulations 2007.
24. Statutory Guidance on bringing forward proposals applies, which requires a period of pre-statutory consultation (and additional rounds of pre-statutory consultation if further viable options are identified during initial consultation) which must take part predominantly within school term time to meet the requirements of full, open, fair and accessible consultation with those most likely to be affected (pupils, parents and staff often being on vacation or otherwise unavailable during school holiday periods) followed by publications of statutory notices, representation periods and considerations of representations by Cabinet. It is statutory consultation which is the subject of this cabinet paper.

Other Legal Implications:

- 25. In bringing forward school organisation proposals the Local Authority must have regard to the need to consult the community and users, the statutory duty to improve standards and access to educational opportunities and observe the rules of natural justice and the provisions of the Human Rights Act 1998, article 2 of the First Protocol (right to education) and equalities legislation.

POLICY FRAMEWORK IMPLICATIONS

- 26. This proposal is in accordance with the Children and Young People’s Plan.

KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED:	Bitterne Park, Millbrook, Coxford, Sholing
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SUPPORTING DOCUMENTATION

Appendices

1.	Statutory Notice
2.	Complete Proposals
3.	Responses to statutory consultation
4.	Summary of responses to pre-statutory consultation

Documents In Members’ Rooms

1.	Making Changes to a Maintained Mainstream School (Other than Expansion, Foundation, Discontinuance & Establishment Proposals) A Guide for Local Authorities and Governing Bodies
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Equality Impact Assessment

Do the implications/subject of the report require an Equality Impact Assessment (EIA) to be carried out.	Yes
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Other Background Documents

Equality Impact Assessment and Other Background documents available for inspection at: Floor 4, One Guildhall Square

Title of Background Paper(s) Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)

1.	None	
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