

DECISION-MAKER:	CABINET MEMBER FOR CHILDREN'S SERVICES
SUBJECT:	PRIMARY SCHOOL DEVELOPMENT
DATE OF DECISION:	29 JANUARY 2013
REPORT OF:	SENIOR MANAGER CHILDREN AND YOUNG PEOPLE STRATEGIC COMMISSIONING, EDUCATION AND INCLUSION
STATEMENT OF CONFIDENTIALITY	
None	

BRIEF SUMMARY

The Local Authority has a statutory responsibility for place planning, education provision and school organisation. School organisation covers all sectors of the education estate and is concerned with ensuring sufficient high quality education provision exists for the city's residents.

School Organisation legislation dictates two methods for establishing an all through primary from existing infant and junior schools. These are: discontinuing the unique reference number of one school and extending the age range of the remaining school (this amounts to the amalgamation/merger of two schools) - option 1; discontinuing both schools unique reference number and publishing a proposal to open a new school, either through a competition or after receiving exemption from the Secretary of State. This would need to be authorised by the Secretary of State or regulations - option 2.

Option 1 has been deemed the most appropriate in order to maintain some of the existing structures of one of the schools, i.e. Headteacher and Governing Body, and to keep the decision making process at a local level.

The term 'discontinue' is used as a technical term in line with statute. The principle of the proposal is to bring two schools together into one.

During the 2012 calendar year, three headteachers from co-located infant and junior schools offered their resignation/retirement. One is effective from the end of the Autumn term 2012 and the other two are effective from the end of the 2012/13 academic year. As a result of this, and in line formal discussions with governing body representatives and headteachers from across the city, on the Local Authority's strategic preference for a primary model of education, it is appropriate to consult on the possibility of developing three primary schools from the three sets of co-located infant and junior schools. The decision on which schools unique number discontinues is purely based on the school with the headteacher vacancy. In the main, all schools affected by this proposal are judged as 'Good' schools by Ofsted.

RECOMMENDATIONS:

- (i) To approve the commencement of three separate, six weeks, pre-statutory consultations. The three separate, but similar, proposals for consultation are:
 - Discontinuance of Bitterne Park Infant and expansion of Bitterne Park Junior to accommodate 4-11 year olds.

- Discontinuance of Oakwood Infant and expansion of Oakwood Junior to accommodate 4-11 year olds.
 - Discontinuance of Tanners Brook Junior and expansion of Tanners Brook Infant to accommodate 4-11 year olds.
- (ii) To approve the establishment of three steering groups for each pairing of co-located schools to oversee the consultation on the possibility of a transitioning to a primary.
- (iii) To delegate authority to the Director of Children’s Services and Learning, following consultation with the Head of Legal, HR and Democratic Services, to determine the final format and content of consultation in accordance with statutory and other legal requirements.
- (iv) 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 committed to pursuing the development of all through primary schools where the situation allows. For instance:
- Where infant and junior schools are co-located and governing bodies seek support to establish a primary school.
 - If a headship of a co located infant/junior school becomes vacant.
- Currently in Southampton the education estate has:
- 18 infant schools - 3 of which are Academies
 - 14 junior schools - 2 of which are Academies
 - 28 primary schools - 3 of which are Academies
2. There are 14 pairings of Infant and Junior Schools, see table 1. These pairings often liaise and share resources but operate as separate, individual schools.

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	Infant Academy, Junior transitioning later
Bitterne C of E Infant and Junior	Maintained school
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	Maintained schools
Townhill Infant and Junior	Maintained schools
Valentine Infant and Heathfield Junior	Maintained schools – recently federated their Governing Bodies

3. There are three infant schools across the City that are separate with no co-located school. These are: Weston Shore Infant; Woolston Infant; and Wordsworth Infant. The latter is due to become a primary from September 2013.
4. Over the last year the Local Authority has been progressing the development of primary schools. The schools involved are: Weston Park Infant and Junior (will be an all through primary from January 2013), Banister Infant and Wordsworth Infant – the later two taking the first cohort of year 3 (age 7-8 year olds) from September 2013.
5. **Current proposal**
By the end of the academic year 2012/13, July 2013, three headships of six co-located schools will be vacant: **Bitterne Park Infant, Oakwood Infant and Tanners Brook Junior**. Consequent consultation on school reorganisation is being pursued. The reorganisation, if successful, will allow for the creation of three all through primary schools. The three primary schools would be developed through expanding the age range of one of the two co-located schools: **Bitterne Park Junior, Oakwood Junior and Tanners Brook Infant**. The basic performance data of the six schools included in the proposal is shown in Appendix 1.
6. Each new primary school will accommodate the full primary age range; 4 – 11 years of age. The schools will be renamed to recognise their primary status. For example: Bitterne Park Primary School, Oakwood Primary School and Tanners Brook Primary School.
7. If the proposals are implemented the governing body from the expanding school would be the governing body for the new primary school. The governing body of the discontinuing school would be disbanded. However, the Local Authority would encourage the remaining governing body to reconstitute and incorporate members of the governing body that is disbanding. It is hoped that this would make for a harmonious fusion between the two schools and would be for the benefit of the new primary school and its key stakeholders.
8. The Local Authority has discussed the proposal on becoming all through primary schools with the six governing bodies. **All six governing bodies have confirmed that they do not have an objection to the development of all through primary education**, on the site of the co-located schools. The individual governing bodies are concerned about school specific points. These are recorded in Appendix 2. The proposals have been shared with staff,

parents and pupils at all six schools, via a letter distributed from the Local Authority in December, see Appendix 3.

9. To support the consultation, it is proposed to establish three steering groups for each pair of co-located schools. The steering groups' purpose would be to draw together two governing bodies and school leadership teams to collectively address issues to aid the consultation. Membership of the steering groups would comprise, but not exclusively, of two headteachers, two business managers, representatives from the governing body and a Local Authority Officer. In addition, a professional advisory group will be established, facilitated by the Local Authority Primary Inspector, comprising initially the three head teachers who will head up the new Primary schools.
10. If the recommendations in this report are approved, the first of two, six week periods of consultation would take place. This is known as pre-statutory consultation and will involve the production of information documentation and questionnaires, as well as consultation drop-in meetings. Any queries or issues raised during the consultation, about the implementation of an all through primary school, will be picked up by the proposed steering groups referenced in recommendation (ii). If there are no significant objections to pre-statutory consultation, and subject to Cabinet approval, a second six week consultation period would take place, known as statutory consultation. Statutory notices would be published at all schools included in the proposals, published in the local newspaper and sent to the DfE's School Organisation department. After this, a final report would be taken to Cabinet requesting permission to implement the proposals.
11. **Primary Education**
Primary education can be delivered through: an infant and junior structure, a primary structure or all-through primary and secondary structure. Each model has pros and cons. This paper does not address the pro and cons of the different types of education structures, especially the current status quo – infant and junior configuration. Instead it focuses on outlining some of the benefits of primary education, specifically focussing on educational outcomes, professional outcomes and efficiencies of a combined structure.
12. **Educational outcomes – benefits, all through primary schools:**
 - 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 progress 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
13. **Professional outcomes – benefits, all through primary schools:**
 - 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.

14. **Efficiency – benefits, all through primary schools:**

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

15. **Parental – benefits, all through primary schools:**

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.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

16. Two alternative proposals could be put forward, including the closure of the opposite school or the closure of both co-located schools and the establishment of a brand new primary school. These are addressed in points 17 and 18 and are not recommended.

17. Closure of the opposite school:

- To discontinue Bitterne Park Junior and expand Bitterne Park Infant. This option has not been proposed because the infant school will not have a permanent headteacher from January 2013. It is more logical for the school to be expanded to become a primary to be the one that has a headteacher.
- To discontinue Oakwood Junior and expand Oakwood Infant. The headteacher of the infant has offered her resignation based on retirement from July 2013. The junior school has a permanent headteacher. Both schools have a 'Good' Ofsted rating.
- To discontinue Tanners Brook Infant and expand Tanners Brook Junior. The headteacher of the junior school is due to retire; the infant school has a permanent headteacher. The junior school has recently been inspected, by Ofsted, and graded as 'requiring improvement'. In addition the junior schools KS2 results are below the city average. The infant school has a 'Good' Ofsted rating.

18. Discontinuance of each pair of co-located schools, infant and junior, and open a brand new primary school. The development of any new school, under the Education and Inspections Act 2006, requires that an open competition takes place to secure an academy provider. To open a maintained primary school without a competition would require authorisation by the Secretary of State or regulations.

DETAIL (Including consultation carried out)

19. The proposal to discontinue one school and expand the age range of the other has been put to all six governing bodies of the schools included in these proposals. While there is **no opposition to the premise of all through primary schools** there is concern over which school would discontinue and which would remain open. It seems logical that the school that has a headteacher vacancy is the one that would be discontinued with the remaining school expanding and the head of the latter being offered the position of headteacher of the new primary. The proposal on which school to expand and

which to discontinue in each pairing has been made on the simple basis of discontinuing the school in which the Headteacher vacancy exists. Although either the infant or junior school would have to discontinue to facilitate these proposals, the intention is to bring together the positive elements of both schools, thus establishing a strong all through primary school.

- Bitterne Park Infant school is proposed to discontinue because the Headteacher of the Infant has resigned. Both schools are judged as 'Good' by Ofsted. The junior has been identified as a rapidly improving school.
 - Oakwood Infant school is proposed to discontinue because the Headteacher is retiring at the end of the 2012/13 academic year. Both schools are judged, by Ofsted, as 'Good'.
 - Tanners Brook Junior school is proposed to discontinue because the Headteacher is retiring at the end of the 2012/13 academic year. The junior school was recently inspected, by Ofsted, and was judged as 'Requiring improvement'. The infant school, when last inspected by Ofsted, in June 2012, was judged as 'Good'.
20. The six governing bodies affected by these proposals were asked to consider whether the governing body would support the Local Authority's intention to commence a consultation on a proposal to extend the age range of one of the two co-located schools and discontinue the other school, thus forming an all through primary school. The responses from each governing body are contained in Appendix 3 along with the Local Authority responses to the various questions posed by governors.

RESOURCE IMPLICATIONS

Capital/Revenue

21. All three sets of infant and junior schools are co-located on the same sites so no significant capital works will be required. Whilst individual schools would like to explore opportunities for physically linking the two schools, through a walk way or observatory etc, it is not necessary. Consequently there is no anticipation that there will be any capital implications if the proposal is implemented after consultation. Some alterations may need to be made to signage and insignia at the schools. These costs can be met through the individual schools budget. 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.
22. 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, estimated to be £114,000 in 2013/14. However, the Minimum Funding Guarantee ensures that in each case the new primary school would lose no more than 1.5% of the combined infant and junior school budgets.
23. There may be some additional funding available to schools going through this process in the form of a school reorganisation payment.

Property/Other

24. 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.
25. 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.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

26. 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.
27. 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. This consultation is scheduled for the second half of the spring term.

Other Legal Implications:

28. 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

29. This proposal is in accordance with the Children and Young People's Plan.

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KEY DECISION? Yes

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

Appendices

1.	Performance data for Bitterne Park Infant & Junior, Oakwood Infant & Junior and Tanners Brook infant & Junior
2.	Governing Bodies responses to proposed consultation
3	Letter to schools parents/pupils from Local Authority

Documents In Members' Rooms

1.	None
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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: Infrastructure, Children's Services & Learning, 4th Floor One Guildhall Square, Southampton City Council, Civic Centre, Southampton, SO14 7LY

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