

DECISION-MAKER:	CABINET
SUBJECT:	BITTERNE CHURCH OF ENGLAND INFANT & JUNIOR MERGER PROPOSAL
DATE OF DECISION:	19 NOVEMBER 2013
REPORT OF:	CABINET MEMBER FOR CHILDREN'S SERVICES

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STATEMENT OF CONFIDENTIALITY
None

BRIEF SUMMARY

Over the past 12 months, Children's Services have been exploring the possibility of amalgamating infant and junior schools if, and where, an opportunity to do so arises. As the result of a headteacher vacancy, the governing bodies of Bitterne CE Infant & Junior Schools have been consulting on a proposal to merge the two schools to form a primary school from 1 September 2014. While the schools have conducted the consultation, the Local Authority is the decision maker for school organisation proposals. As such, this paper is seeking approval to implement the merger of the schools.

RECOMMENDATIONS:

- (i) To consider the outcome of statutory consultation and approve the implementation of proposals to discontinue Bitterne CE Infant School and extend the age range of Bitterne CE Junior School to establish an all through primary school from 1 September 2014.
- (ii) Subject to complying with Financial and Contractual Procedure Rules, to delegate authority to the People Director, 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. The Council has adopted a policy of exploring the possibility of merging linked infant and junior schools to form all through primary schools where the situation arises. That is:
 - When the governing bodies of linked infant and junior schools seek support to establish a primary school;
 - If a headship of a linked infant or junior school becomes vacant; or

- If a school with a linked infant/junior school is placed in special measures through an Ofsted inspection.
2. The Local Authority favours the primary model, where the situation arises, for the following reasons:
- Educational benefits – all through primaries are in a stronger position to plan for continuity & progression and enable the school to develop relationships with pupils over a longer period of time;
 - Professional outcomes – all through primaries can provide staff with greater opportunities to gain a broader and deeper understanding of the learning continuum for children from 4 to 11 years old;
 - Efficiency – all through primaries have a single, larger budget that offers the opportunity to deliver quality more efficiently, through greater economies of scale. There would also be a reduced spend on leadership and governance arrangements, which could enable an increased spend on front line teachers; and
 - Parental benefits – 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.
3. At the end of the 2012/13 academic year, the headteacher of Bitterne CE Infant & Junior School vacated her post and after discussions between Local Authority officers, the Church of England Diocese and Bitterne CE Infant & Junior School representatives it was agreed that consultation would take place on a proposal to merge the two schools by closing the infant school and extending the age range of the junior school.
4. The consultation has now concluded and the vast majority of responses received have been positive (see Appendix 2).

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

5. Under the regulations Cabinet may either:
- a. Reject the proposals;
 - b. Approve the proposals;
 - c. Approve the proposals with a modification (e.g. the implementation date); or
 - d. Approve the proposals subject to them meeting a specific condition.
6. The alternatives to the proposal are:
- The infant school could appoint a headteacher and the schools could remain separate. This was rejected because both governing bodies and the Local Authority wanted to explore the primary option;
 - It could be proposed that the junior school closes and the infant extends its age range. This option was rejected because the infant has a headteacher vacancy and it is more appropriate to close the school that has such a vacancy; or
 - Both schools could be closed and a brand new primary school opened in their place. This option has been discounted because there is a desire to retain the leadership and governance structures that are

currently in place. If this option were taken forward the Schools Adjudicator would be the decision maker for the proposal. The Local Authority would prefer to keep the decision making process at a local level, so this option was rejected.

DETAIL (Including consultation carried out)

7. In order to develop a primary from existing infant & junior schools, the Local Authority has previously opted to close one of the schools (albeit in name and DfE number only) and extend the age range of the other. As they are Voluntary Controlled schools, the Local Authority are not able (under School Organisation legislation) to consult on a proposal to alter the upper age limit of a school (unless it relates to sixth form provision). As such, the governing bodies of the schools, with the support of the Local Authority, have carried out two, six week periods of consultation on the proposal to close the infant school and extend the age range of the junior school.
8. Six weeks of pre-statutory consultation ran from 29 April 2013 to 14 June 2013. A consultation document (see Appendix 1) was produced and distributed to relevant stakeholders (parents of pupils at both schools, CE and RC dioceses, SCC schools, SCC staff, Hampshire County Council, Portsmouth City Council, local Councillors and local MP's) and consultation meetings were held at the school. The response to this stage of the consultation was largely positive and a summary of the responses can be found in Appendix 2.
9. Six weeks of statutory consultation took place between 9 September 2013 and 21 October 2013. Statutory notices were published at all three entrances to the schools and in the Daily Echo (see Appendix 1). There have been no responses to this stage of the consultation.
10. The Authority believes this will improve standards at the school because leaders of all through primary schools are better able to ensure a smooth transition for pupils from Key Stage 1 to 2. This reduces lags in progress following the summer break and ensures that accurate assessment information maintains appropriate expectations of pupils by teachers, based on the shared knowledge of pupils' prior attainment. This supports pupils to make good progress over the lower phase of Key Stage 2.
11. Admissions arrangements for 2014/15 entry will remain as they currently are (i.e. parents would need to apply for a Year R or a Year 3 place should they require one). Should the proposals be approved, the admissions arrangements for the primary would be as per Southampton City Council's Admission Policy for Community and Voluntary Controlled Primary Schools. This would apply for 2015/16 entry.
12. The schools are located on the same site and the primary would operate out of the same site and buildings as the existing infant and junior schools. As such, any transport provision or arrangements would remain unchanged.

RESOURCE IMPLICATIONS

Capital/Revenue

13. The schools are located on the same sites and the buildings are physically linked. As such, no significant capital works will be required. 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 if the proposals are taken forward. These costs can be met from a contingency fund held in the Children's Services budget.
14. 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 primary school will receive a budget share similar to the combined budgets of the infant and junior schools minus one flat rate allocation, currently £114,000. However the reduction will be limited to 15% of the two flat rate allocations in 2014/15 and 2015/16 (currently £34,200). The reduction in spend on the flat rate will be reinvested across all the schools in the city.

Property/Other

15. There are no property implications as a result of this proposal. The school 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.
16. The staffing structures of the school will be agreed by the governing body of the school. Creating larger all through primary schools will provide enhanced professional development opportunities for the workforce. It is anticipated that there will be no changes to the teaching workforce.
17. If this proposal is approved, the school may be required to reorganise the structure of staff, for instance, administrative staff, site manager, caretakers or cleaners. 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:

18. Alterations, changes, creation or removal of primary provision across the city are 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 changes 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.
19. 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:

20. 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

21. This proposal is in line with the School Organisation Plan 2013-2022.

KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED:	Peartree
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SUPPORTING DOCUMENTATION

Appendices

1.	Consultation Documentation
2.	Responses to pre-statutory and statutory consultation
3.	Making Changes to a Maintained Mainstream School (Other than Expansion, Foundation, Discontinuance & Establishment Proposals) A Guide for Local Authorities and Governing Bodies

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.	No
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Other Background Documents

Equality Impact Assessment and Other Background documents available for inspection at:

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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1.	None	
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