

CABINET ITEM COVERING SHEET PROFORMA

AGENDA ITEM

REPORT TO CABINET

18 MAY 2006

**REPORT OF
CORPORATE
MANAGEMENT TEAM**

CABINET DECISION

Children and Young People - Lead Cabinet Member – Councillor Cunningham

PRIMARY SCHOOLS IN BILLINGHAM

1. Summary

The Authority prefers primary schools rather than separate infant and junior schools, on grounds of improved continuity and consistency of teaching and pastoral care, enhanced career opportunities for staff, and greater flexibility in management. Three pairs of schools in the Borough have been amalgamated in recent years following consultation instigated at the request of the governing bodies of those schools. The Authority has not sought to impose amalgamation against the wishes of schools.

Only two pairs of infant and junior schools remain in the Borough. Meetings of the governing bodies of one pair of schools have produced contradictory outcomes: one governing body agreed to consultation on a possible amalgamation but the other did not. Parents of children attending those schools, and staff working in them, have not had an opportunity to consider the issues around amalgamation and express their views (apart from the small number who sit on the governing bodies). Consultation would provide that opportunity for all interested parties.

The outcome of consultation would be reported to Cabinet and must by law be considered before any firm proposal might be made. If the responses were positive, the Authority might propose to close the separate infant and junior schools and open a new community primary school in the same buildings. Such proposals would normally be determined by the School Organisation Committee, an independent body outside the local authority. The Education and Inspections Bill proposes to abolish School Organisation Committees and introduce a different procedure. Government will expect most new schools (including amalgamations) to be Trust or Foundation schools, decided by the Authority after a competition open to businesses, parents or faith groups. There is no certainty that any future amalgamation could create a community primary school. If the consultation process recommended in this report shows support for amalgamation, it may be possible for proposals to be published and determined under the existing statutory framework before any new legislation comes into force.

2. Recommendations

Members are asked to agree that the information in this report be used as the basis for consultation with interested parties on the possible amalgamation of Roseberry Infant School with Roseberry Junior School, and of Bewley Infant School with Bewley Junior School.

3. Reasons for the Recommendations/Decision(s)

Any proposal to change school provision is governed by a statutory process laid down in Sections 28 to 31 of the School Standards and Framework Act 1998, and by Schedule 6 to that Act. This requires the Authority to consult interested parties and consider their responses before deciding whether to make any formal proposal to reorganise schools.

The outcome of consultation would be reported to Cabinet in due course. Members would then be invited to consider whether to proceed to the next stage in the process by publishing Statutory Notices. After six weeks in which any person may respond in writing, the Authority could determine to implement its proposals only if no written objections had been received.

4. Members' Interests

Members (including co-opted members with voting rights) should consider whether they have a personal interest in the item as defined in the Council's code of conduct (paragraph 8) and, if so, declare the existence and nature of that interest in accordance with paragraph 9 of the code.

Where a Member regards him/herself as having a personal interest in the item, he/she must then consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgment of the public interest (paragraph 10 of the code of conduct).

A Member with a prejudicial interest in any matter must withdraw from the room where the meeting is being held, whilst the matter is being considered; not exercise executive functions in relation to the matter and not seek improperly to influence the decision about the matter (paragraph 12 of the Code).

Further to the above, it should be noted that any Member attending a meeting of Cabinet, Select Committee etc.; whether or not they are a member of the Cabinet or Select Committee concerned, must declare any personal interest which they have in the business being considered at the meeting, and if their interest is prejudicial, they must also leave the meeting room during consideration of the relevant item.

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SUMMARY

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The outcome of consultation would be reported to Cabinet and must by law be considered before any firm proposal might be made. If the responses were positive, the Authority might propose to close the separate infant and junior schools and open a new community primary school in the same buildings. Such proposals would normally be determined by the School Organisation Committee, an independent body outside the local authority. The Education and Inspections Bill proposes to abolish School Organisation Committees and introduce a different procedure. Government will expect most new schools (including amalgamations) to be Trust or Foundation schools, decided by the Authority after a competition open to businesses, parents or faith groups. There is no certainty that any future amalgamation could create a community primary school. If the consultation process recommended in this report shows support for amalgamation, it may be possible for proposals to be published and determined under the existing statutory framework before any new legislation comes into force.

RECOMMENDATION

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DETAIL

Council policy towards infant and junior schools

1. The School Organisation Plan 2006-09 approved by Cabinet in March 2006 confirms the Council's longstanding preference for primary schools rather than separate infant and junior schools.
2. A primary school can offer pupils significant educational advantages over separate infant and junior schools. These may include better continuity in children's learning and pastoral care, improved consistency in teaching across the two key stages, and often a more effective delivery of the national curriculum by a larger staff team.
3. Amalgamation provides scope for improved management of the school, with greater flexibility in class organisation, in deploying staff, and in managing a single budget. In financial terms a primary school represents a more efficient and cost-effective use of resources.
4. The Authority has not sought to impose amalgamation on schools in recent years. Governing bodies of infant and junior schools are routinely invited to consider the possibility of amalgamation when one of the two schools faces the major change of replacing a departing headteacher. In three recent cases (at Fairfield, Harewood, and Holy Trinity/Rosehill) formal proposals to amalgamate were instigated at the request of the governing bodies of the schools. These proposals attracted no statutory objections and have been implemented successfully.

The statutory procedure to achieve an amalgamation

5. In order to create a single primary school from separate infant and junior schools it is normally necessary to close the two existing schools and establish a new primary school in their place. A change of this kind would be governed by a procedure laid down in The School Standards and Framework Act 1998. The statutory process includes safeguards at every stage to ensure that proper account is taken of all views and that all relevant issues are addressed. First, all opinions expressed in consultation must be taken into account before the Authority decides whether to publish a Statutory Notice proposing a change. If a Statutory Notice attracts any written objections within the next six weeks, the proposal cannot be determined by the Authority itself. It must be sent for decision to the independent School Organisation Committee. That body must again consider all views expressed in consultation and must have regard to statutory guidance from the Secretary of State on factors such as the likely impact on standards and on the local community. The Committee cannot approve a proposal if any of its six constituent groups votes against it. A decision to consult is not a decision to amalgamate.

Impact of any amalgamation on school staff

6. Because amalgamation would involve closing existing schools, the impact on school staff must be considered. If the procedure described in paragraph 5 led to a final decision to amalgamate a pair of schools, a temporary governing body would be appointed by the Authority to manage the new primary school (a permanent governing body would be constituted after the new school opened). The temporary governing body would be responsible for setting a budget and staffing structure, and then for appointing a headteacher and staff for the new school. All staff at the two closing schools would be eligible to apply for posts at the new school, and the Council's human

resources officers would work closely with governing bodies, staff members, their unions and professional associations, to try to ensure a suitable outcome for every individual. As part of the consultation process, school staff members and their representatives would be invited to meetings to discuss these issues.

Roseberry Infant School and Roseberry Junior School

7. The headteacher of Roseberry Infant School has given notice of her intention to leave later this year. In accordance with Council policy, officers have discussed the possibility of amalgamation with the governing body, and with the governors of Roseberry Junior School. The idea of consulting parents, staff and the wider community was formally agreed by one governing body, but not by the other. This has created a difficult situation for the Authority: Members cannot support both these positions. The two governing bodies have been able to express a view, but parents and staff have not. Consultation would allow the communities of both schools to consider all the issues around amalgamation, to ask any questions and express their views. It is therefore suggested that consultation should take place on a possible amalgamation of Roseberry Infant School and Roseberry Junior School on 1st April 2007. This date, at the start of a new financial year, would simplify budget planning for a new school.

Impact of falling rolls

8. In January 1999 the two Roseberry schools had 504 full-time pupils on roll. Seven years later there are exactly 100 fewer, and recent projections suggest further demographic decline. School budgets are largely determined by pupil numbers, and falling rolls mean decreasing budgets. These budgets must cover some costs that do not reduce with falling pupil numbers (premises costs, for example, and staff such as headteacher and clerk). These costs take up an increasing proportion of the budget as pupil numbers fall, leaving less money to spend on children's education. An amalgamated primary school under a single headteacher could reduce some of these costs, releasing more resources for teaching and learning. This table shows the pupil capacity of the two Roseberry schools, the number of pupils on roll in January 2006, and projections of future pupil numbers. Shaded cells indicate surplus places in excess of 25% of capacity. On these projections at present capacity, an amalgamated school would not reach 25% surplus places. The net capacity of an amalgamated primary school could be further reduced to 420, removing 40 unfilled places.

capacity		2006	2007	2008	2009	2010	Long term
180	Roseberry Inf	154	143	151	156	158	146
280	Roseberry J	250	243	225	204	196	200
460	TOTAL	404	386	376	360	354	346

Bewley Infant School and Bewley Junior School

9. The two Bewley schools have seen an even greater decline in pupil numbers from 535 in 1999 to 386 this year. A temporary excess of surplus places is projected for Bewley Infant School, but it is unlikely that an amalgamation could be achieved in time to prevent that.

capacity		2006	2007	2008	2009	2010	Long term
180	Bewley Inf	136	125	134	143	147	139
243	Bewley Jun	232	221	202	186	184	191
423	TOTAL	368	346	336	329	331	330

10. As there is no impending headship vacancy at Bewley Infant School or at Bewley Junior School it is recommended that consultation should take place only on the principle of amalgamation at this stage. If the outcome of consultation is positive, an effective date for amalgamation would need to be specified in any Statutory Notice that might follow. The date would be subject to further consultation, probably when a headship vacancy does arise at one of the schools.

Possible changes to statutory procedure

11. The Education and Inspections Bill proposes a new system of decision-making on proposals to change school organisation. If the Bill is passed into law, School Organisation Committees will be abolished. Councils will be able to decide their own proposals to close schools, but not for opening new schools. A new school (whether completely new or an amalgamation of existing schools) will require a competition run by the Council. Any group (e.g. parents, a business, a faith group) may propose to run the school as a Trust School or Foundation School. The Council will decide the winner of the competition (unless it too chooses to enter, in which case an Adjudicator appointed by Government will decide). The Council may propose a new community school but must first seek the consent of the Secretary of State for Education and Skills, demonstrating the support of parents. It is not yet clear when these new procedures might come into force, but it is likely that any reorganisation proposals already published will proceed under the present statutory framework.

Consultation

12. It is proposed that a consultation paper based on this report be circulated to:
- parents of children attending Roseberry Infant School, Roseberry Junior School, Bewley Infant School and Bewley Junior School.;
 - teaching and support staff, their unions and professional associations;
 - the governing bodies of those schools;
 - the Anglican and Roman Catholic Dioceses;
 - Ward Councillors, and the relevant Member of Parliament.
- The paper would also be placed on the Borough Council website.
13. Separate meetings for parents and for school staff would be held. The outcome of consultation would be reported to Cabinet to inform members' decision on whether to proceed to publish a Statutory Notice.

FINANCIAL AND LEGAL IMPLICATIONS

Financial

14. There are no implications for the overall education revenue budget. Under the Authority's Fair Funding formula, amalgamated primary schools would receive slightly less than the aggregated budgets of the separate schools, largely because the formula includes a lump sum element of £31,995 for each school in the primary phase. Each amalgamated school would receive one lump sum rather than two as at present. The saving would remain part of the overall schools' budget and would be allocated across all schools maintained by the Authority.

Legal

15. Any change to school provision such as closing or opening a school is governed by Sections 28 to 31 of the School Standards and Framework Act 1998, and Schedule 6 to

that Act, both as modified by the Education Act 2002. The consultation process recommended in this report complies fully with statutory requirements.

RISK ASSESSMENT

16. A risk assessment has been carried out. The proposal is categorised as low to medium risk. Existing management systems and daily routine activities are sufficient to control and reduce risk.

COMMUNITY STRATEGY IMPLICATIONS

Education and Lifelong Learning

17. Any amalgamation that might arise from the proposed consultation process would be likely to improve the educational progression, curriculum provision and pastoral care of children attending those schools. It would also contribute to greater cost-effectiveness and improved management efficiency. Amalgamation would be consistent with Council policy as set out in the School Organisation Plan 2006-09.

CONSULTATION INCLUDING WARD/COUNCILLORS

18. The governing bodies of the schools concerned and the Ward Councillors are aware of this report. If agreed by Cabinet, consultation will take place as described in paragraphs 12 and 13 above.

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Background Papers

School Organisation Plan 2006-09 available on the Council website. This document sets out the Authority's policies in relation to school organisation.

Ward(s) and Ward Councillors:

Billingham North: Coun. Mrs J L Apedaile, Coun. K Dewison, Coun. C Leckonby.
Billingham East: Coun. A Cunningham, Coun. M N Stoker.
Billingham Central: Coun. N Teasdale, Coun. B Woodhouse.

Property

Amalgamated schools would continue to occupy the same buildings on the same sites.