



CABINET MEMBER DECISION

TUESDAY 1st NOVEMBER 2016

DIRECTOR OF CHILDREN, FAMILIES & EDUCATION – LESLEY HAGGER

CABINET MEMBER WITH RESPONSIBILITY FOR CHILDREN’S SERVICES – CLLR MATTHEW GOLBY

Subject:	<p>School organisational changes:</p> <ul style="list-style-type: none"> • Proposal to amalgamate Earls Barton Infant and Junior Schools and form an all-through primary school; • Proposal to amalgamate Whitefriars Infant and Junior Schools (Rushden), and form an all-through primary school.
Recommendations:	<p>The Cabinet Member is asked to;</p> <ol style="list-style-type: none"> 1) Approve the issuing of statutory notices of ‘technical’ closure in respect of Earls Barton and Whitefriars Junior Schools in relation to the proposed amalgamations; 2) Approve the issuing of statutory notices of extension in age-range in respect of both Earls Barton and Whitefriars Infant Schools, from 4-7 to 4-11 years of age, to create two, new ‘all-through’ primary schools. 3) Delegates to the Director of Children, Families and Education, in consultation with the respective Cabinet member for Children and Education all necessary arrangements, including the carrying out of any further consultation exercises which can then be reported to Cabinet as part of any final decision making process. 4) Note that a report will be taken to full Cabinet in December 2016 to advise on the outcome of the publication of statutory notices and for a final decision on the proposal to be made.

1. Purpose of Report

1.1 To provide Cabinet members with all the necessary information and a summary of the feedback received during the first phase of the consultation process, to make a fully informed decision on the recommendations listed above.

2. How this decision contributes to the Council Plan

The Council’s vision is to make Northamptonshire a great place to live and work. This is achieved through increasing the wellbeing and/or safeguarding the county’s communities.

<p>This initiative specifically delivers increased wellbeing and/or safeguarding by ensuring that:</p>
<ul style="list-style-type: none"> • People of all ages are safe, protected from harm and able to live happy, healthy and independent lives in our communities. • Resources are utilised effectively and efficiently, in coordination with partners and providers.

3. Background

- 3.1 In relation to the proposed amalgamation, the statutory process that has been conducted to date has been done so in accordance with the following legislation: 'The School Organisation (Establishment and Discontinuance of Schools) Regulations 2013' and the Department for Education (DfE) 'Opening and Closing Maintained Schools (April 2016)' guidance document, which govern school organisational changes of this nature.
- 3.2 The documents named above specify that the amalgamation of linked infant and junior schools must be achieved through the 'technical' closure of one of the schools involved and the extension in age-range of the other, which would then become a school with full 'primary' status.
- 3.3 A Cabinet Member decision was taken on 9th August 2016 to approve the commencement of the statutory process of consultation in relation to the proposals to amalgamate Earls Barton Infant and Junior School and Whitefriars Infant and Junior School and to form two, new 'all-through' primary schools in their stead.
- 3.4 The Cabinet Member decision to commence the respective consultations was made in direct response to requests from the respective Governing Bodies of the schools to begin this process.
- 3.5 It is the belief of Northamptonshire County Council that 'all-through' primary schools deliver a number of benefits over existing linked infant and junior school arrangements. These benefits were specified in full in section 3 of the Cabinet Member report of 9th August 2016.
- 3.6 Should the decision to issue the statutory notices relating to the two amalgamation proposals be approved, a final decision on each proposal will be made at the full Cabinet meeting scheduled for 13th December 2016.
- 3.7 Should the decision be made to amalgamate Earls Barton Infant and Junior Schools, it is intended that the decision would be implemented with effect from 1st January 2017.
- 3.8 Should the decision be made to amalgamate Whitefriars Infant and Junior Schools, it is intended that the decision would be implemented with effect from 1st September 2017.

4. Consultation and Scrutiny

- 4.1 As the proposal to amalgamate any school involves the 'technical' closure of one of the schools involved, the consultation process that must be followed is prescribed in the DfE guidance document 'Opening and Closing Maintained Schools' and is specified below:

Stage	Description	Timescales
1	Consultation	Six weeks: 12 th September – 21 st October 2016
2	Publication of Statutory Notices	10 th November 2016 (subject to Cabinet Member approval on 1 st November)
3	Period of representation	Four weeks: 10 th November – 1 st December 2016
4	Final Decision	Made at full NCC Cabinet meeting: 13 th December 2016
5	Implementation (if approved)	See individual implementation dates above

- 4.2 As this report relates solely to the issuing of the relevant statutory notices with these proposals, only the initial period of consultation has been conducted to date. The dates the initial periods of consultation were conducted can be found below:

- Earls Barton Proposal: 5th September – 17th October 2016
- Whitefriars Proposal: 12th September – 21st October 2016.

- 4.3 A full analysis of the feedback received during the initial period of consultation, in respect of the proposed Earls Barton amalgamation is attached to this report as Appendix 1, with a full analysis of the Whitefriars consultation feedback attached as Appendix 2. These analyses detail:
- The stakeholders consulted;
 - Who responded to the consultation;
 - The methods used to consult with the above;
 - The number and type of responses received in respects of the proposed amalgamations (i.e. in favour/neutral/oppose).
 - The reasons expressed for, and against, each proposal.
- 4.4 Of the 85 responses received during the initial period of consultation conducted in relation to the Earls Barton proposal, more than 81 people (95.3% of respondents) expressed their support for the proposal, whilst four respondents (4.7% of respondents) expressed their opposition.
- 4.5 Of the four consultees who stated their opposition to the proposal (please see section 2.4 of Appendix 1) only two provided reasons for this. These reasons are stated below;
- One respondent did not believe the new primary school would have the space for the whole school to meet collectively;
 - One respondent stated their belief that it was a 'political' move to facilitate the conversion of the new school to academy status.
- 4.6 In mitigation of the first concern raised, should the proposal proceed, NCC will passport any Section 106 developer contributions that are earmarked for primary education in the village available to the new primary school. These funds could then be used at the school's discretion to improve facilities and increase the space available to pupils.
- 4.7 In respect of the second concern expressed, the decision to convert to academy status would be the responsibility of either the Governing Body or the DfE (who have a legal responsibility to convert any school placed into the 'Special Measures' Ofsted category). There is no mitigating action NCC can take in regard to this particular concern. If the proposal proceeds and a new 'all-through' primary school is formed, the school would retain the Ofsted rating of the Infant School. As such, any decision on academisation would be the sole remit of the Governing Body.
- 4.8 Giving due consideration to all feedback received during the initial period of consultation, the benefits the proposal would deliver to pupils attending the school, the level of support expressed and the mitigating actions (where applicable) taken in response to the concerns expressed during the process, it is recommended that the decision to issue the relevant statutory notices associated with this proposal be approved.
- 4.9 Of the 115 responses received during the initial period of consultation conducted in relation to the Whitefriars proposal, 105 consultees (91%) expressed their support for the proposal, whilst 9% (ten respondents) expressed their opposition. Please see Appendix 2 for further information.
- 4.10 The majority of respondents that expressed their opposition did so on the grounds that the new school would operate on a reduced budget, compared to current arrangements. As the management of the school budget falls within the remit of a school's Governing Body, the respective Governing Bodies of Whitefriars Infant and Junior Schools have considered all the financial implications that may face the new school, and still believe amalgamation to be in the best interests of pupils attending the schools.
- 4.11 Giving due consideration to all feedback received during the initial period of consultation, taking into consideration the benefits that the proposal would deliver to pupils attending the school, the level of support expressed, and the views of the respective Governing Bodies, it is recommended that the decision to issue the relevant statutory notices associated with this proposal be approved.

4.12 Should approval be given, Statutory Notices will be published in the local press and put up in and around the schools concerned. This then triggers a 4 week period of representation for the period of 10th November and 8th December 2016 in relation to each proposal. During this time, any stakeholder can express their support or opposition to either proposal. The feedback received during the period of representation will be reported to full Cabinet in December 2016.

5. Equality Screening

Reason that no EqlA is required	✓ as appropriate
The paper is for information only	
The proposal/activity/decision has no impact on customers or the service they receive	✓
The proposal impacts upon staff but the proposed staffing changes will not affect the service that customers receive*	✓
Other (please explain further)	

*Where a proposal affects staff, the appropriate HR processes will be followed, which have already been subject to the EqlA process and will be compliant with HR legislation.

6. Alternative Options Considered

Do nothing. This option was not progressed as it would have ignored the formal requests of the respective Governing Bodies of the schools involved to begin consultation on possible amalgamation. It is also the belief of the County Council that attending an 'all-through' primary school, as opposed to separate infant and junior schools provides the best possible educational outcomes for the schools and for pupils.

7. Financial Implications

7.1 Any decision taken in respect of whether or not to issue the relevant statutory notices to facilitate the proposed amalgamations will have no financial implications for Northamptonshire County Council.

8. Risk and Business Continuity Management

a) Risk(s) associated with the proposal

Risk	Mitigation	Residual Risk
Proposals not supported by stakeholders	Initial six week period of consultation has been conducted with all relevant stakeholders. Feedback received during this consultation has been positive in favour of both proposed amalgamations. A further four week period of consultation will be conducted to allow further opportunity for stakeholders to express their opinions on the either proposal.	Green

b) Risk(s) associated with not undertaking the proposal

Risk	Risk Rating
Lack of pupil progression and accountability between Key Stages 1 and 2, resulting from separate infant and junior schools being responsible for individual Key Stages, rather than one 'all-through' school being responsible for pupil progression across the entire primary phase of education.	Red
The linked infant and junior school convert to academy status with different academy sponsors, exacerbating the problems outlined above and increasing the chance of a pupil attending two schools with completely a different ethos and methods of curriculum delivery, which could impact adversely upon pupils' levels of attainment.	Amber

9. List of Appendices

Appendix 1: Summary of feedback received during the Earls Barton consultation

Appendix 2: Summary of feedback received during the Whitefriars consultation

Author:	Name: Chris Wickens Team: Strategic Planning
Contact details:	Tel: 01604 366341 Fax: 01604 237011 Email: cwickens@northamptonshire.gov.uk
Background Papers:	
Does the report propose a key decision is taken?	YES – as concerns possible school closure
If yes, is the decision in the Forward Plan?	YES
Will further decisions be required? If so, please outline the timetable here	13/12/16: Final decision as to whether proposals proceed made by full Cabinet
Does the report include delegated decisions? If so, please outline the timetable here	
Is this report proposing an amendment to the budget and/or policy framework?	NO
Have the financial implications been cleared by the Strategic Finance Manager (SFM)? Have any capital spend implications been cleared by the Capital Investment Board (CIB)	YES Name of SFM: James Smith
Has the report been cleared by the relevant Director?	YES Name of Director: Lesley Hagger
Has the relevant Cabinet Member been consulted?	YES Cabinet Member: Cllr Matt Golby
Has the relevant scrutiny committee been consulted?	NO Scrutiny Committee:
Has the report been cleared by Legal Services?	YES Name of solicitor: Duncan Bisatt
	Solicitor's comments:
Have any communications issues been cleared by Communications and Marketing?	YES Name of officer: Joni Ager
Have any property issues been cleared by Property and Asset Management?	YES Name of officer: Rob Scott
Are there any community safety implications?	NO

Are there any environmental implications:	NO
Are there any Health & Safety Implications:	NO
Are there any Human Resources Implications:	YES Should the proposals proceed there may be a possible restructure of Senior Leadership positions at the newly amalgamated schools. However, this process will be managed by the respective Governing Bodies at each school with the advice of their HR providers.
Are there any human rights implications:	NO
Constituency Interest:	Cllr Paul Bell (Earls Barton) Cllr Michael Tye (Rushden Pemberton West)