

## CABINET

22 NOVEMBER 2011

<b>Title:</b> Proposed Amalgamation of Cambell Infant and Junior Schools to form Cambell Primary School	
<b>REPORT OF THE CABINET MEMBER FOR CHILDREN AND EDUCATION</b>	
<b>Open report</b>	<b>For Decision</b>
<b>Wards Affected:</b> Goresbrook	<b>Key Decision:</b> Yes
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<b>Accountable Divisional Director:</b> Jane Hargreaves, Divisional Director of Education	
<b>Accountable Director:</b> Helen Jenner, Corporate Director of Children's Services	
<b>Summary:</b>  This report presents a proposal for the amalgamation of Cambell Infant and Junior Schools to form an all-through Primary School with effect from the start of the Spring Term 2012 (Academic year 2011/12).  This proposal has been initiated for the following main reasons: <ul style="list-style-type: none"><li>• educationally, a single school is able to ensure a more consistent approach to teaching and learning for the children than two separate schools;</li><li>• the school can look at its management structure with a view to ensuring the best use of staff across the two schools. The combined expertise of the staff would be greater than in the two separate schools;</li><li>• the school would have a combined budget and would benefit from greater flexibility;</li><li>• the school will be able to rationalise the use of all resources and gain efficiencies including the benefits from the combination of funding from the individual school budgets and surplus balances carried forward from previous years.</li></ul>	
<b>Recommendation(s)</b>  The Cabinet is recommended to agree the proposal for the amalgamation of Cambell Infant School and Cambell Junior School into one primary school with effect from 1 January 2012.	
<b>Reason(s)</b>  The Cabinet needs to consider changes proposed in the organisation and structure of schools as designated by the provision of the Education and Inspections Act 2006. The Council's policy is to consider amalgamation of linked infant and junior schools whenever a headship is vacant. In this case there are clear benefits of amalgamation.	

## **1. Introduction and Background**

- 1.1 Management arrangements at Cambell Junior School are going through a process of change and Mrs Kerry Thomas, Headteacher of Cambell Infants School has been Acting Headteacher at Cambell Junior School since September 2011. She is, therefore, covering both posts at present. This has therefore created an opportunity to examine the existing arrangements of organisation at the Schools as the Authority always considers amalgamation when a Headteacher leaves a paired infant or junior school. Further, the Cambell Schools are suitable for amalgamation owing to their size (4 forms of entry – 120 pupils per year group) and their shared site.

## **2. Proposal and Issues**

- 2.1 Technically, the proposal involves closing Cambell Junior School with effect from 31 December 2011 and enlarging the age-range of the existing Cambell Infant School. The age-range of the infant school will be expanded from age 3 to 7 years to age 3 to 11 years with effect from 1 January 2012. All pupils on the school roll of Cambell Infant and Junior schools as at the end of the Winter Term 2011 will transfer onto the roll of the Primary School.
- 2.2 An interim governing body is to be established to focus on the amalgamation of the schools. This governing body will determine a new Instrument of Government, in accordance with the Education School Governance (Constitution) (England) Regulations 2003, once the Primary School is set up.
- 2.3 This proposal will set a uniform standard number of 120 pupils per year group and will give a consistent provision across all the age ranges.
- 2.4 The benefits seen in this proposal include:
- an amalgamated school will ensure approaches to teaching, learning and planning the curriculum are consistent and coherent;
  - the school will have a combined budget and would benefit from greater flexibility;
  - the school will be able to rationalise the management structure to ensure the best use of staff across the schools. The combined expertise of the staff would be greater than in the two separate schools.
- 2.5 On amalgamation of the schools, any current extended school services offered by Cambell Infant and Junior schools will continue in the same way, unless the school decides otherwise.
- 2.6 Implementation of the proposals would change the current school governance arrangements with the creation of one governing body with powers to determine budgetary and staffing issues as required.

### **3. Options Appraisal**

- 3.1 As indicated in 1.1 above, there was a dialogue with representatives of both Governing Bodies to explore options. At that time there was in-principle support for an amalgamation and it was agreed to begin the statutory consultation process. It is recommended that the amalgamation is the preferred option, as opposed to continuing with the current two school arrangement.

### **4. Consultation**

- 4.1 Consultation regarding the amalgamation of the schools has taken place and includes discussion at Governing Body meetings on 23 June and 30 June 2011 for the infant and junior schools respectively. Further, a letter was sent to parents, carers, guardians and pupils of both schools on 14 July 2011.
- 4.2 A Notice was published in The News on 17 September 2011 for a period of six weeks ending 28 October 2011. The notice was on display at the main public library in Barking and on both the infant and junior school notice-boards.
- 4.3 Therefore, parents have had the opportunity to raise any concerns or issues. No responses were received regarding the letter sent to parents, carers, guardians and pupils of both schools on 14 July 2011. Further, no responses were received regarding the Notice published on 17 September 2011.

### **5. Financial Implications**

Implications verified by: Tracie Evans, Corporate Director of Finance & Resources

- 5.1 The Schools have been advised that there will be a financial impact on their budgets and it would be consistent with previous primary sector amalgamations for there to be a level of protection for the period covering three financial years with effect from April 2012. However there is a clear risk that this may not be continued within the National Funding Formula for schools due to begin from April 2013.
- 5.2 This protection covering salaries for management and administration posts will be funded through the Delegated Schools Budget, and is subject to approval by the Schools Forum. In future, the Primary School will be able to rationalise the use of all resources and gain efficiencies including the benefits from the combination of funding from the individual school budgets, the standard fund allocations and surplus balances carried forward from previous years.
- 5.3 In addition there will be a reduction in the devolved formula capital allocation. The formula lump sum element funding allocated on an individual school basis will now reduce to one allocation for the Primary school. This should not have a significant effect on the schools budget or on the projects planned for the forthcoming budget settlement.
- 5.4 The schools have been advised that there will be a financial impact on their budgets and that under current arrangements there would be a level of protection for the period covering three financial years with effect from April 2012. However a new national school funding formula is due to be in place from April 2013 and there is a risk of protective funding not being continued.

- 5.5 Should current arrangements persist, it is estimated that under current arrangements the school will receive additional funding amounting to the equivalent cost of one Deputy Headteacher salary and one full time administrative post per full financial year to compensate for protected salaries in the amalgamation and restructure of the infant and junior school staffing establishments.
- 5.6 The school buildings do not require any major changes at this stage and there will not be any foreseen funding requirements from the Children's Services capital programme funded by the Council. However there will be a reduction in the devolved formula capital allocation. The formula lump sum element funding allocated on an individual school basis will now reduce to one allocation for the Primary school. This should not have a significant effect on the school's budget or on the projects planned for the forthcoming budget settlement.
- 5.7 In terms of formula allocations, Cambell Infant School received £2,006,419 and the Junior School received £1,690,079. On amalgamation, it is likely this amount of allocation would remain the same as allocations are chiefly driven using factors that include pupil numbers and the gross internal area of the school buildings and these factors are unlikely to change.
- 5.8 Over time we would expect to see some staff savings (with the benefit going to the school). The most likely outcomes would be:

The reduction of an administrative post	– approximately	£30K
The reduction of one Headteacher post	– approximately	£70K
The reduction of a deputy Headteacher post	– approximately	<u>£60K</u>
Saving		<u>£160K</u>

These would probably be offset by an increased salary for the new Headteacher	- approximately an additional	<u>£15K</u>
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Therefore, potential net saving for the schools 145K

- 5.9 It should also be noted that in the short term it could cost the DSG more as the LA has historically provided salary protection following amalgamations as noted above. It would therefore be prudent to ball park an estimate for savings to the schools on staffing of around £75K, plus any economies of scales from contracts and service level agreements.

## 6. Legal Implications

Implications completed by Fiona Taylor, Legal Group Manager

- 6.1 The Education and Inspections Act 2006 and associated Guidance issued by the Department for Education empowers the Local Authority to amalgamate two schools through closure of Cambell Junior School and consequent change in upper age limit of Cambell Infant School to form an all through Primary school.
- 6.2 There are two ways to 'amalgamate' two existing schools:

- a. by closing down both schools and opening a new one which will result in a new school number being issued for it; or
  - b. close one school and enlarge the age range of an existing school to accommodate the displaced pupils.
- 6.3 Procurement issues arise out of the first proposal as the new school would have to be established either through a competition or by applying to the Department for Education for exemption from the competition requirements, but not out of the second.
- 6.4 The report proposes discontinuance of Cambell Junior School and consequent change in upper age limit of Cambell Infant School to form an all through Primary school through their amalgamation.
- 6.5 The Council may bring forward such proposals in its role as the Local Education Authority, but must comply with the requirements specified in Part 2 of the Education and Inspections Act 2006, Schedule 2 to the Act and regulations made under the Act.
- 6.6 The School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007 ("the Discontinuance Regulations") govern the proposed discontinuance. The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 ("the Prescribed Alterations Regulations"), govern the proposed change in upper age limit.
- 6.7 In respect of both the discontinuance and the change in age limit, the Council is required to follow a two stage process; to consult with interested parties (families of the pupils, staff, trade unions and governing bodies) and to then publish its proposals. The consultation period is not prescribed in statute. However, the Department for Education provides a Guideline of six weeks. The Council must demonstrate how it considered the views of the consultees. At the end of that period, the Council is required to publish its proposals to discontinue the Junior School and extend the age range of the Infant School. The published proposals should state that the two proposals are dependent, i.e. one will not be implemented without the other.
- 6.8 It is essential that the published notices comply with the statutory requirements as set out in the Regulations otherwise they may be judged invalid.
- 6.9 There will be changes in school governance as a result of these proposals but the school will remain a local authority controlled community school, although there will only be one governing body for the future. The consultation process is designed to support these changes.
- 6.10 The Legal Practice confirms that there are no legal reasons preventing Cabinet from approving the recommendations of this report.
- 6.11 Once approved, the proposals must be implemented as published.

## **7. Other Implications**

### **7.1 Risk Management**

These proposals effectively close the junior school and expand the infant school to a primary school covering the age range 3-11 years. The junior school was subject to a special measure judgment from Ofsted in June 2011. The Local Authority is working closely with the school and governing body to bring about rapid improvements. The amalgamation of the junior and infant schools will enable some of these changes to be made more rapidly and will bring additional leadership capacity to the junior school. In an early visit to the school Ofsted judged the school and LA to have made good progress in taking decisive action rapidly.

### **7.2 Staffing Issues**

Staff at both schools will be informed that their employment will be with Cambell Primary School with effect from 1 January 2012 and that all other terms and conditions of their contract of employment remain the same.

### **7.3 Property / Asset Issues**

The amalgamation of the two schools will allow for a pooling of asset related revenue budgets, and the ability to manage property costs over both buildings, which will support a better maintenance regime.

## **Background Papers Used in the Preparation of the Report:**

- Legislation which allows this – Education and Inspections Act 2006
- DFE Guidance – Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form and Closing a Maintained Mainstream School
- Council Policy House
- Children & Young People Plan
- Inclusion Strategy
- Consultation letter dated 14 July 2011
- Notice published 17 September 2011

## **List of appendices:**

None.