

CABINET

10 JULY 2012

AMALGAMATION OF SWINGATE INFANT SCHOOL WITH SPINNENNS ACRE JUNIOR SCHOOL

Portfolio Holder: Councillor Les Wicks, Children's Services

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Summary

This report outlines the proposals for the amalgamation of Swingate Infant School with Spinnens Acre Junior School by way of statutory prescribed alterations, and requests that the Cabinet approves a period of informal consultation.

1. Budget and policy framework

- 1.1 The proposals to make prescribed alterations to Swingate Infant School and Spinnens Acre Junior School are consistent with the provisions of the School Organisation Plan 2011-16, which flows from the Children and Young People's Plan (policy framework) and is within budget, therefore this is a matter for Cabinet.

2 Background

- 2.1 In 2008 Medway's School Organisation Plan Principles, which were established following extensive consultation, contained a set of guidelines to be used when considering school organisational issues, thereby ensuring that decision-making is clear and consistent, enabling the council to comply with its statutory duty to provide sufficient good school places. The core of these principles ensures that any changes to schools are based upon improving schools and raising standards.
- 2.2 Within the primary phase Medway's School Organisation Plan Principles are:
- To review the future of schools with low standards
 - All infant and junior schools should be amalgamated over time
 - To review the future of schools that are at risk of becoming unviable
 - To enable popular and successful schools to expand

- 2.3 The main reason for moving to all through primary schools is to provide smoother transitions between the primary phase of education. An amalgamated school provides for:
- A fully integrated curriculum;
 - Fully integrated arrangements for assessment for learning, including recording of progress and planning future provision;
 - A smooth transition for pupils transferring from infant to junior departments;
 - A robust senior leadership team drawing on experience from early years and foundation stage, key stages one and two.
- 2.4 Currently, Swingate Infants and Spinnens Acre Junior Schools have separate governing bodies but operate under the leadership of an Executive Head teacher, who previously was the head teacher at Swingate Infant School. The schools, both 3 Form Entry, are adjoining, on a good size site, serve the community at the southern end of Lordswood close to Medway's boundary with Kent, and sit within the Walderslade planning area for pupil place planning purposes.
- 2.5 The governing bodies of Swingate Infant School and Spinnens Acre Junior School sent a joint letter into the directorate in December 2011, requesting that amalgamation be considered as a way forward. There followed a series of meetings and conversations between governors and officers which resulted in a joint email from the chairs of governors of both schools on 28 March 2012, whereby they stipulated their intention to consult on federating the schools with effect from September 2012. They expressed a wish to then progress to amalgamate the schools one year later following the necessary statutory process.
- 2.6 The governing body commenced consultation on federation on 20 April 2012, and it was completed on 1 June 2012. During the consultation period, no objections were received, and the governing body are progressing with the actions required to effect the federation from September 2012.

3. The Proposals

- 3.1 Local authorities can amalgamate schools in two ways;
- 1) By closing both schools and opening a new school in their place. Under current government legislation any new school would need to be an Academy or Free School.
 - 2) By closing one school and expanding the age range at the other following the statutory procedures as set out in 'The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007', and in 'The School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007'.
- 3.2 In this case it is recommended that the proposals follow the second option above and involve the closure of Spinnens Acre Junior School from 31 August 2013, in tandem with the expansion of the age range at Swingate Infant School and Nursery from 3-7 to 3-11 from 1 September 2013 by way of statutory prescribed alterations.

- 3.3 It will be for the governing body to decide on the name of the new school, which will need to be confirmed in writing to the local authority in advance of the amalgamation.

4. Analysis

- 4.1 Amalgamation will formalise the partnerships already in place between the schools, and under a single governing body the aim will be to ensure positive outcomes for all children who attend the current schools.
- 4.2 The arrangements that amalgamation brings will enable the school to operate under a single staffing structure which will allow for the sharing of resources, expertise, knowledge and support across the phases; creating a robust structure at the school and ensuring its viability.
- 4.3 Recent Ofsted ratings show that Swingate is an outstanding school, having achieved that rating in March 2008. This was confirmed as being maintained at an interim assessment in 2011. Spinnens Acre however was placed in special measures in September 2010; under the leadership of the Executive Head Teacher good progress has been made which was confirmed following a recent monitoring inspection when the school was taken out of special measures.
- 4.4 Results for Swingate Infant School are above average when the children reach the end of Key Stage 1. At Spinnens Acre however, results at the end of Key Stage 2 showed that attainment was broadly in line with the national average at 75% in 2011, but progress in both English and mathematics was below the national average. It is expected that amalgamation will strengthen the management of governance arrangements, and show continued improvement in the outcomes for all the children who attend the single school.
- 4.5 Analysis of the number of pupils in recent years shows that over 98% of the pupils on roll at Swingate Infant School transfer to Spinnens Acre Junior School, and so amalgamation will further strengthen the transition between key stages 1 and 2.
- 4.6 Pupil numbers at the schools are expected to continue to increase as they have done over recent years. Swingate has now been full (90 children) in reception for the past 2 years, and is full for September 2012. As these pupils progress through the school, the surplus places that have been a feature of Spinnens Acre over recent years will see a forecast reduction from the current level of 29.4% to 7.2% in 2016.
- 4.7 The governors will need to appoint a head teacher for the amalgamated school. The local authority will advise the governing body to operate a competitive process in seeking a head teacher for the single school.

5 Diversity Impact Assessment

- 5.1 A Diversity Impact Assessment will be completed and included in the outcomes of consultation reports to both the Children and Young People

Overview and Scrutiny committee and Cabinet. It would not be expected that any changes made to the organisation of schools in Medway would have any adverse impact upon equality issues and Medway Council would follow its statutory duty to promote equality, and all schools in Medway are responsible for ensuring equality in their schools and for promoting community cohesion.

6 Impact of the proposal on arrangements for looked after children

- 6.1 Looked after children receive the highest priority for admission to all Medway schools. If necessary, the Admissions Code allows the council to place looked after children in schools that would otherwise be deemed to be full. This ensures that the council can secure appropriate provision for children that are looked after by the local authority.

7 Timeline

- 7.1 The consultation for federation is already underway, and subject to approval will take effect from 1 September 2012. The following is the suggested timeline for amalgamation. Whilst it would be wise not to start consultation on the amalgamation until federation is complete, the timeline shows that the process of reporting to Cabinet and preparing for consultation should take place in the interim.

- Cabinet to approve request for consultation period – 10 July 2012
- Minimum 6-week public consultation including public meeting – 10 September to 21 October 2012
- Open sessions for members to review responses – Mid November 2012
- Overview and Scrutiny; Outcomes of consultation – 11 December 2012
- Cabinet; Outcomes of consultation and request statutory representation – 15 January 2013
- 6-week Statutory Representation period - Beginning February to mid March 2013
- Cabinet decision/ determination 16 April 2013
- Amalgamation date 1 September 2013

8 Financial and legal implications

- 8.1 The council has the power under sections 18 and 19 of the Education and Inspections Act 2006 to make “prescribed alterations” to a maintained school, and under section 15 to close a maintained school. Before publishing a statutory notice relating to proposals to make prescribed alterations to a school, the council must undertake the consultation required by Schedules 5 and 16 of these regulations
- 8.2 The Children and Adults’ capital programme no longer prioritises funding to undertake building works to support the amalgamation of schools, however, some minor capital works to support the amalgamation of the school through the development of a single IT/telephony infrastructure may be required. Any work to support improvements in the infrastructure, would need to be clearly costed and funded through the Children’s Services capital programme, through an appropriate virement of funding.

- 8.3 The council has a statutory duty to provide sufficient good quality school places.
- 8.4 Funding for Medway's maintained schools comes from central Government via the local authority in the form of the dedicated schools grant, which is a ring-fenced sum of money for the provision of education across all of our schools. This money can only be used for schools (and certain specified services to schools), and cannot be used to fund other council services.
- 8.5 When the schools amalgamate they will continue to receive funding on a per-pupil basis at the same rate, however they will lose any funding they receive for 'curriculum protection' (small schools protection) and one lump sum. Based on 2012/13 funding allocations the figures involved are:

Combined funding as separate schools:	£1,979,707
Less small school protection:	£8,682
Less one lump sum:	£35,560
Funding as amalgamated school:	£1,935,465

The single school will therefore receive £44,242 less than the individual schools would have, and this money can be released for re-investment elsewhere within the dedicated schools grant. However, the DfE requires LAs to make significant changes to their funding formulae for 2013/14 so the figures involved could change

9 Risk management

- 9.1 The following risks arise if the proposals as stated in this report are not implemented. These are:
- The council has both a moral and statutory duty to promote high standards and to ensure the sustained viability of its schools.
 - A risk that it could undermine the council's need to ensure the most effective use of resources, and in turn raise standards across all schools.
 - By not approving consultation, the Cabinet would not be acting in accordance with the School Organisation Plan and Principles, which Cabinet approved under decision 142/2011.
 - Because the governing body have requested the amalgamation it could lead to a strain in the relationship between the council and the school if the proposals are not implemented.

10 Recommendation

- 10.1 The Cabinet is asked to consider the proposals and officers' analysis, and to approve that officers proceed to a period of informal consultation, to obtain the comments and opinions of interested stakeholders.

11 Suggested Reasons for Decision

- 11.1 To comply with the approved School Organisation Plan 2011-16, which states that “all Infant and Junior Schools should be amalgamated over time”.
- 11.2 Approval to proceed to a six-week period of statutory representation will ensure the council complies with its duty to follow the full consultation process when proposing changes to school organisation.

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Background papers

Making changes to a Maintained Mainstream School (A guide for Local Authorities and Governing Bodies).

The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007.