

## CABINET

22 January 2013

<b>Title:</b> Proposed Amalgamation of Rush Green Infant and Junior Schools	
<b>Report of the Cabinet Member for Children's Services</b>	
<b>Open Report</b>	<b>For Decision</b>
<b>Wards Affected:</b> Eastbrook Ward	<b>Key Decision:</b> Yes
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<b>Accountable Divisional Director:</b> Jane Hargreaves, Divisional Director Education	
<b>Accountable Director:</b> Helen Jenner, Corporate Director of Children's Services	
<b>Summary:</b> <p>This report presents a proposal for the amalgamation of Rush Green Infant School with Rush Green Junior School to form an all through Primary school with effect from 1 April 2013.</p> <p>This proposal has been initiated for the following main reasons:</p> <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>• a single school can look at its management structure with a view to ensuring the best use of staff across the whole school. The combined expertise of the staff would be greater than in the two separate schools;</li><li>• a single school would have a combined budget and would benefit from greater flexibility;</li><li>• a single school would 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.</li></ul> <p>The consultation process regarding this proposed amalgamation is due to conclude on Friday, 18 January 2013 and any changes to the proposals following this will be presented at the meeting.</p>	
<b>Recommendation(s)</b> <p>The Cabinet is recommended to agree the amalgamation of Rush Green Infant School and Rush Green Junior School to create an all through Primary School from 1 April 2013, by the closure of the existing infant school and expanding the premises and age range of the existing junior school.</p>	

## **Reason(s)**

To assist the Council achieve its aim to provide a Better Future and a Well Run Organisation.

Council policy is to consider the amalgamation of linked infant and junior schools where possible, for example, when a headship is vacant, and over time to amalgamate linked infant and junior schools. For this infant and junior school, there are clear benefits of amalgamation.

### **1. Introduction and Background**

1.1 Management arrangements at Rush Green Junior School are going through a process of change and there is currently an Acting Head Teacher at the School. This has therefore created an opportunity to examine the existing arrangements of organisation at the Schools. Further, Rush Green Infant School and Rush Green Junior School are suitable for amalgamation owing to their size and their location on a shared site.

#### **1.2 Rush Green Junior School**

1.2.1 Rush Green Junior is a school which has caused the local authority concern and which has been highly vulnerable to an Ofsted category of concern over the last year. In its Ofsted inspection in May 2010 the school was judged Grade 3 Satisfactory. Two key areas for improvement were identified. These were:

- Improve the quality of teaching so that at least 80% of lessons are good by May 2011, and,
- Strengthen leadership and management.

1.2.2 The follow up Ofsted monitoring visit in November 2011 found 'the school had made inadequate progress in demonstrating a better capacity for sustained improvement'. The Head Teacher retired in July 2012 and an experienced interim head teacher was appointed from 1 September 2012. Under his leadership the school has made rapid progress and achieved a Grade 3, avoiding a category of concern judgement in the October 2012 inspection. Ofsted recognised the impact of the new head teacher in its report. However, the school needs to continue to improve at this pace over the coming year and beyond.

#### **1.3 Rush Green Infant School**

1.3.1 The school's head-teacher was appointed from 1 September 2011 on the retirement of the previous post holder.

1.3.2 The school received a Grade 3 for its last Ofsted inspection carried out in September 2011. The three areas for improvement that Ofsted Inspectors highlighted were:

- To improve teaching and the use of assessment to support learning across the school;
- To improve the curriculum;
- To ensure that leaders and managers at all levels work to improve the quality of teaching and learning.

1.3.3 Under the new tougher Ofsted framework Rush Green Infants is still vulnerable and there are significant challenges for the school's leadership to make the rapid progress required.

## **2. Proposal and Issues**

2.1 Technically, the proposal to amalgamate involves five things:

- Closing, or discontinuing, the infant school with effect from 31 March 2013,
- Enlarging the premises of the existing junior school by including the buildings previously used by the infant school,
- Making an alteration to the current junior school by lowering the age range of the pupils there, from 7 to 11 years to age 3 to 11 years,
- Adding nursery provision, with effect from 1 April 2013, and
- Admission number of 120.

All pupils on the school roll of the infant and junior schools as at the end of the Spring Term 2013 will transfer onto the roll of the primary school. The alternative to this technical process is to create a new school, for which there are different processes. This could take longer and require the involvement of the Secretary of State, and could be a completely different type of school.

2.2 There are different types of school within the local authority maintained sector and most are community schools. Both Rush Green Infant and Junior Schools are community schools. In these schools the Local Authority is responsible for employees, land, funding and admissions. It employs all staff at the schools directly.

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 This proposal is in line with the Council's Policy House whereby we want a Borough that believes in opportunity and one that recognises and champions' success, where people can look to the future with confidence, assured that their Council will do what it can to provide the educational, academic and vocational opportunities they need. Further, there is the potential to improve value for money across the proposed amalgamated schools.

2.5 The benefits seen in this proposal include:

- the present technical barrier which exists at age 7, when pupils are admitted to the junior school would be lifted. Pupils would automatically move from Year 2 to Year 3, if this was their parents' wish;
- an amalgamated school will ensure approaches to teaching, learning and planning the curriculum are consistent and coherent;
- the primary school will be able to rationalise the management structure to ensure the best use of staff across the school. The combined expertise of the staff would be greater than in the two separate schools.
- the primary school will have a combined budget and would benefit from greater flexibility;

2.6 On amalgamation of the schools, any current extended school services offered by the infant and junior schools will continue in the same way, unless the primary school decides otherwise.

2.7 This proposal meets with the key principles of the Education Strategy:

- for raising of the expected standards and shared ambition for all the children who live in the Borough;
- for a commitment to sustain and refresh the partnership between schools and the Council which has been a critical factor in the improved outcomes for children and young people.

2.8 In particular, the Education Strategy sets out the agreement for a programme for developing school places; subject to the proviso that it may need revision in the light of changed demand for places and resources available.

2.9 All staff, those currently working at the Infants and the Junior School, are employed by the London Borough of Barking and Dagenham. Those who currently work at Rush Green Infants School will mostly continue in the same positions as previously, but within years Reception, One and Two of the newly formed primary school. They will remain employed by the Borough and their terms and conditions will remain as before. If there are structural changes to the management of the school involved in the amalgamation, these will include staff from both current schools, and these will be the subject of consultation with the relevant parties.

2.10 If the amalgamation is approved a commitment is sought to bring certain aspects of the school physically together. There was a similar commitment in recent amalgamations and this may involve a modest capital investment to be met from existing grants.

2.11 The two schools have previously discussed the amalgamation proposals at meetings of separate governing body discussions and have agreed in principle with the amalgamation proposals.

2.12 Both governing bodies have agreed that it is in the best interests of the primary school to go out to national advertisement to recruit a head teacher. They recognise the challenges for both of the existing schools and are seeking to recruit an experienced candidate to take the school forward. The governing bodies are committed to protecting posts and minimising turbulence for staff. They have agreed to maintain a post of Head of Infant School within the new primary school senior structure.

### 2.13 **Governance**

The Governing Body of a school is dissolved when the school is discontinued. A temporary Governing Body will be formed before this happens, that will include Governors from both the Infants and the Junior Schools. This will determine a new Instrument of Government to take effect from 1 April 2013, in accordance with the School Governance (Constitution) (England) Regulations 2012. In the case of Rush Green the Governors of both existing schools are engaged in establishing a temporary governing body to start the process and facilitate discussion.

## 3. **Options Appraisal**

3.1 Realistically there are three options to be considered in respect of the future arrangements for Rush Green Infants and Rush Green Junior schools. First would be to amalgamate the two schools forming a single school under one governing body. Secondly, to make no change and leave the schools separate. The third option would be to develop two primary schools. These options are explored further below.

3.2 **Option 1** - The Council has a policy which requires a review of linked or adjoining infant and junior schools to consider the possibilities of amalgamation when there is an appropriate opportunity. Rush Green Junior School does not currently have a head teacher and so this presents an opportunity for the schools to amalgamate.

3.3 **Option 2** - An alternative is to make no change at this time and allow the schools to continue separately. This would be contrary to the Council's intended policy and would mean the opportunity with no current head teacher for Rush Green Junior School will pass.

3.4 **Option 3** - The possibility of developing both schools into primary schools. This would mean an additional nursery being provided. Both schools currently admit up to four forms of entry. It would not be possible on the current site to allow each school to become a four form of entry primary school. It would mean that some of the benefits, particularly of organisation of the school and budget management, would not be achieved.

3.5 The current recommendation on balance would, therefore, be to proceed with the amalgamation proposal, although this is subject to the consultation which ended on 18 January 2013.

## 4. **Consultation**

4.1 Governing Bodies of all infant and junior schools in the Borough were presented with a report in the Spring Term of 2011 that included information on the Local

Authority's policy to amalgamate all separate infant and junior schools over time, where governors were invited to discuss and comment. This was repeated to all governing bodies in the following (summer) term.

- 4.2 A series of meetings have been held to consult with Head Teachers, Chairs of Governors and / or Governors including:
- Meetings held on 15 May and 11 June with the Chair and Vice Chair of the Junior School and the Vice Chair of the Infant School (who is also on the Junior School Governing Body).
  - A meeting on 25 September with the Principal Advisor from the Local Authority and the Chair of Governors and the two Vice Chair of Governors;
  - A meeting on 16 November between Local Authority representatives and the Chair of Governors.
  - A meeting on 27 November with the Head Teacher of Rush Green Infant School and Local Authority representatives including Human Resources.
  - Also, a first meeting of the Rush Green Primary School Temporary Governing Body was held on 9 October at which Local Authority representatives were also present.
- 4.3 A consultation letter regarding the proposed amalgamation was sent to parents, carers, guardians of pupils, staff and governors of both Rush Green Infant School and Rush Green Junior School on 22 October 2012. This letter was also sent to Trades Unions of both teaching staff and support staff.
- 4.4 A notice was published in The News on 8 December 2012 to begin a formal consultation process which ended on 18 January 2013. The Notice has been displayed at the main public library in Barking and Dagenham and on both the infant and junior school notice boards.
- 4.5 Any issues raised after this report was written will be brought to the attention of Members of Cabinet.

## **5. Financial Implications**

Implications verified by: Dawn Calvert, Finance Group Manager

- 5.1 Schools receive their funding from the Dedicated Schools Grant (DSG). In 2012/13, the school budget is calculated using the Local Authorities existing funding formula. As this amalgamation is proposed to take place from 1 April 2013, there will be no change to the revenue budgets for the two schools in the current financial year.
- 5.2 From 2013/14, revenue costs for the new school will be calculated using the new Schools Funding Formula as proposed by DfE as part of their School Funding Reforms. The funding formula for 2013/14 was developed agreed by Cabinet on 19 December 2012.

5.3 The principles of the reform mean that the main driver of future funding will be pupil numbers. The proposed amalgamation should not affect this funding factor as pupils numbers are not expected to differ significantly. Other funding factors should not be affected with the exception of:

- **Lump sum factor** – Under the new funding formula each individual school will receive lump sum funding of £0 - £200,000. A Primary school will receive 1x the lump sum, two separate schools would receive 2x the lump sum. The proposed lump sum is £150,000 (subject to Cabinet approval). The impact of the amalgamated school receiving one lump sum payment could be partly mitigated by;
- **Minimum Funding Guarantee / Capping** – These factors provide some stability to funding. In 2013/14 losses are protected by the Minimum Funding Guarantee as each school is guaranteed 98.5% of prior year funding on a per pupil basis. Gains in funding from one year to the next are also capped at a certain level. Early modelling for the 2013-14 financial year (which is subject to Cabinet approval) indicates that in the case of the Rush Green schools a reduction in the lump sum factor should be compensated for by a lower capping factor. This should mean that the loss of a lump sum will have little material impact on 2013/14 funding.

## 6. Legal Implications

Implications completed by Lucinda Bell, Safeguarding Lawyer

6.1 The steps to be taken to bring about the amalgamation of these two schools are described in paragraph 2.1 above. The process for discontinuing a school is prescribed in the School Organisation (Establishment and Discontinuance of Schools)(England) Regulations 2007, as amended. The process for the remaining steps is prescribed by the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007, as amended. Under these Regulations it is for the Local Authority to make each of the proposals. The Regulations require consultation prior to the publication of proposals, in a manner that is not specified, but that should last for at least six weeks, not including school holidays, and that in consulting proposers have regard to the Secretary of State's Guidance. The publication of proposals must be in accordance with the relevant Regulations.

## 7. Other Implications

7.1 **Risk Management** - These proposals effectively close the infant school and expand the junior school to a primary school covering the age range 3 to 11 years. Both schools were judged 'Satisfactory' in their last Ofsted inspections as detailed in Section 1.1 above. The Local Authority is working closely with both schools and the governing bodies to bring about rapid improvements for the schools. The amalgamation of the infant and junior schools will enable some of these changes to be made more rapidly and will bring additional leadership capacity to the schools.

7.2 **Staffing Issues** - Staff at both infant and junior schools will be informed that their employment will be at the primary school with effect from 1 April 2013. The

employer for all staff at the newly formed primary school will remain the London Borough of Barking and Dagenham. TUPE does not apply. The post of Head Teacher at Rush Green Infants School will be deleted when that school is discontinued. Both current schools agree to advertise nationally for a suitably experienced new Head Teacher for the all through primary school. A new position, that of Head of the Infants Department of the all through school will be created and recruitment to this post will be ring-fenced to the current Headteacher of Rush Green Infants. There may be changes in line management for some staff, but the general terms and conditions for all staff will remain the same.

- 7.3 **Property / Asset Issues** - The amalgamation of the 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:**

- Regulations made under the Education and Inspections Act 2006 as cited in the legal implications paragraph
- DFE Guidance – Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form and Closing a Maintained Mainstream School  
[www.education.gov.uk/schools/leadership/schoolorganisation](http://www.education.gov.uk/schools/leadership/schoolorganisation)
- Council Policy House
- Children and Young People Plan
- Consultation letter dated 22 October 2012
- Notice published 8 December 2012

**List of appendices:** None