

Future Organisation of Stanburn First School 4-7 Years and Stanburn Junior School

Decision Makers Guidance

The decision maker for these statutory proposals is the local authority, and this report presents the proposals to Cabinet for determination. If the local authority fails to decide proposals within two months of the end of the representation period the local authority must forward proposals, and any received representations, to the Office of the Schools Adjudicator for decision. This two month period will end on 17 December 2013.

Decision Makers are required to have regard to guidance issued by the Secretary of State when they take a decision on proposals. The guidance documents are available on the School Organisation and Competitions Unit website at <http://www.education.gov.uk/schools/leadership/schoolorganisation> and in Background Papers.

The format of this Appendix follows the framework of the guidance. The text in italics at the start of each section contains extracts from the guidance to assist members to understand the context. **Important note:** the guidance has not been updated by the government and in some sections terms are used that are no longer applicable. However, because it is statutory guidance, the guidance text is reproduced in italics as written.

Compliance with statutory requirements

There are 4 key issues which the Decision Maker should consider before judging the respective factors and merits of the statutory proposals:

1. Is any information missing?

If so, the Decision Maker should write immediately to the proposer/promoter specifying a date by which the information should be provided.

In order to make the nature of the proposals explicit and clear for all stakeholders, the notices and the complete proposals stated as full information as possible. It is considered that all necessary information was provided and made available for stakeholders and interested parties to see.

2. Does the published notice comply with statutory requirements?

The Decision Maker should consider whether the notice is valid as soon as a copy is received. Where a published notice does not comply with statutory requirements it may be judged invalid and the Decision Maker should consider whether they can decide the proposals.

Linked statutory proposals were published on 5 September 2013 with a statutory representation period of 6 weeks that, if approved, would effect the amalgamation of Stanburn First School 4-7 Years and Stanburn Junior School to provide an all through primary school:

- a. A prescribed alteration to extend the age range of Stanburn First School 4-7 Years to establish a primary school with an age range of 4 years (Reception) to 11 years (Year 6) from 1 January 2014;
- b. A prescribed alteration to expand the capacity of Stanburn First School 4-7 Years from 1 January 2014;
- c. A notice to discontinue Stanburn Junior School on 31 December 2013.

The closing date for representations to be made to these statutory proposals was 17 October 2013.

3. Has the statutory consultation been carried out prior to the publication of the notice?

Details of the consultation must be included in the proposals. The Decision Maker should be satisfied that the consultation meets statutory requirements. If some parties submit objections on the basis that consultation was not adequate, the Decision Maker may wish to take legal advice on the points raised. If the requirements have not yet been met, the Decision Maker may judge the proposals to be invalid and needs to consider whether they can decide the proposals. Alternatively the Decision Maker may take into account the sufficiency and quality of the consultation as part of their overall judgement of the proposals as a whole.

A statutory consultation was held from Monday 21 January 2013 until Friday 15 February 2013. All applicable statutory requirements have been complied with in relation to the consultation on the proposals. The local authority has had regard to the Department for Education School Organisation and Competitions Unit guidance and the consultation document was sent to all interested parties in accordance with the guidance.

The consultation responses and outcomes (see 'Other issues' below) were reported to the Portfolio Holder for the decision made on 29 July 2013 to publish statutory proposals.

4. Are the proposals linked or “related” to other published proposals?

Any proposals that are “related” to particular proposals must be considered together. Generally, proposals should be regarded as “related” if they are included on the same notice (unless the notice makes it clear that the proposals are not “related”). Proposals should be regarded as “related” if the notice makes a reference to a link to other proposals (published under School Organisation and Trust regulations). If the statutory notices do not confirm a link, but it is clear that a decision on one of the proposals would be likely to directly affect the outcome or consideration of the other, the proposals should be regarded as “related”. Where proposals are “related”, the decisions should be compatible e.g. if one set of proposals is for the removal of provision, and another is for the establishment or enlargement of provision for displaced pupils, both should be approved or rejected.

Linked statutory proposals were published on 5 September 2013 that could effect the amalgamation of Stanburn First School 4-7 Years and Stanburn Junior School to provide an all through primary school (see key issue 2 above).

Factors to be considered by decision makers

The factors contained in the Secretary of State’s guidance should not be taken to be exhaustive. Their importance will vary, depending on the type and circumstances of the proposals. All proposals should be considered on their individual merits.

The sections that follow contain information to assist Cabinet to determine how the proposals meet the factors the decision maker must have regard to in reaching a decision. Not all of the factors contained in the decision makers guidance are relevant to these proposals. For example: the proposals do not make changes to early years provision or nursery schools; there are no issues of poor performance; there are no post-16 implications; there is no change to school category; and there is no special educational needs reorganisation. The effect of the proposals is to establish an all through primary school, by amalgamating the two separate schools on the existing school site, that will be the same overall size and character, offering places to the existing pupils and serving the same area. The following sections, therefore, focus on relevant factors of the guidance.

A system shaped by parents

The Government's aim is to create a schools system shaped by parents which delivers excellence and equity. The Education and Inspections Act 2006 amends the Education Act 1996 to place duties on local authorities to secure diversity in the provision of schools and to increase opportunities for parental choice when planning the provision of schools in their areas. In addition, local authorities are under a specific duty to respond to representations from parents about the provision of schools, including requests to establish new schools or make changes to existing schools. The Government's aim is to secure a more diverse and dynamic schools system which is shaped by parents. The Decision Maker should take into account the extent to which the proposals are consistent with the new duties on local authorities.

Strategic Approach to School Organisation

In 2002, the council undertook a debate on School Organisation in Harrow, the outcome of which was a consensus from stakeholders on three issues: to increase opportunities for early years; to increase choices and opportunities at post-16 including provision on school sites; and to change the age of transfer. The council has secured the provision for early years and post-16, and implemented changes to the ages of transfer in September 2010.

In October 2007, Cabinet agreed its strategic approach to school organisation and agreed a revised amalgamation policy. The council's amalgamation policy contributes to maintaining and improving the educational performance of Harrow schools and their pupils. In October 2008 Cabinet agreed the clarified amalgamation policy and implementation guidance. In July 2013 Cabinet confirmed the policy.

Stanburn schools proposals

Parents and stakeholders have had the opportunity to contribute and shape the proposals for the Stanburn schools.

The statutory consultation was held from Monday 21 January 2013 until Friday 15 February 2013. The consultation paper was sent to all parents, members of staff and governors on 21 January 2013. Three open consultation meetings for parents, staff and governors of both schools were held, two on 30 January at 9.00 am and 2.15 pm and one on 31 January 2013 at 7.30 pm, to enable discussion. The proposal evaluation document was made available from the school offices and Harrow Council website, and was available at the open consultation meetings. Information about the responses to this consultation is given under 'Other issues' later in this Appendix.

The local authority received two representations during the representation period from the two Governing Bodies who both support the amalgamation of the First and Junior Schools. No other representations were received.

Standards

The Government wishes to encourage changes to local school provision where it will boost standards and opportunities for young people, whilst matching school place supply as closely as possible to pupils' and parents' needs and wishes. Decision Makers should be satisfied that proposals for prescribed alterations will contribute to raising local standards of provision, and will lead to improved attainment for children and young people. They should pay particular attention to the effects on groups that tend to under-perform including children from certain ethnic groups, children from deprived backgrounds and children in care, with the aim of narrowing attainment gaps.

The council's amalgamation policy identifies a number of educational benefits arising from the creation of all through primary schools:

- Organisational structure is aligned with the National Curriculum Key Stages. Planning across Foundation, Key Stages 1 and 2 as a coherent whole for the primary phase provides greater flexibility across and between Key Stages.
- Reducing the number of changes for children in a school system strengthens continuity and progression for children and families in the primary phase, both in terms of the curriculum and pastoral experience. This reduction in the number of school moves is important, particularly for children with special educational needs.
- Greater opportunities are created for older children to take on responsibility. For younger children the presence of older children provides aspirational role models and also mentoring support.
- Teachers and classroom staff have access to the whole primary curriculum. This supports and informs whole school planning, assessment, pastoral systems, etc, and provides opportunities for wider staff development and experience across the full primary phase.
- Growing national evidence shows that all-through primary schools create more consistency between year groups and key stages in learning planning and assessment.

“Where primary education is provided in separate key stages, there is generally very little effective curriculum continuity and progression. In such situations the scope for discontinuity of learning is increased, together with the attendant, wasteful, repetitive teaching of subject content and learning experiences in the receiving key stage.” *Educational Management Information Exchange*

Harrow Schools are high performing and overall the local authority is above National Averages and above or in line with statistical neighbours. Harrow strives for continuous improvement and has set challenging targets for achievement. These proposals to create a combined school would contribute to improving standards by building on many aspects of the existing good practice in both schools.

The proposed all through Stanburn primary school would be a combined four-form entry school. All schools have their own distinct ethos and identity and relationship with their local community. These proposals would continue and develop further the existing good practices of these separate schools as a combined school.

Diversity

The Government's aim is to transform our school system so that every child receives an excellent education – whatever their background and wherever they live. A vital part of the Government's vision is to create a more diverse school system offering excellence and choice, where each school has a strong ethos and sense of mission and acts as a centre of excellence or specialist provision. Decision Makers should consider how proposals will contribute to local diversity. They should consider the range of schools in the relevant area of the local authority and whether the alteration to the school will meet the aspirations of parents, help raise local standards and narrow attainment gaps.

Schools in Harrow offer diversity to parents both in terms of ethos and size. Harrow has a Church of England primary school, a Hindu primary school and a Jewish primary school, six Roman Catholic primary schools and two Roman Catholic high schools. There is an all-through Hindu ethos free school located in Harrow on a temporary basis. There are a range of sizes of schools in Harrow including one, two and three forms of entry combined schools, and two and three forms of entry separate infant and junior schools. There are some four forms of entry separate infant and junior schools from September 2013 expanded as part of the primary school expansion programme. The amalgamation of the two Stanburn schools would create the first all through four forms of entry primary school in Harrow. Further four forms of entry primary schools are expected to be created in Harrow in the primary school expansion programme which will involve the expansion of at least half of the schools in the borough.

Harrow schools are popular and successful, but the profile of Harrow's population is changing and, to meet challenging targets to continue this status, schools need to evolve and innovate. Increased self-governance is promoted within a collaborative whole-borough framework, for example through partnerships and soft and hard federations. The local authority is committed to developing a positive and proactive approach to: encourage greater self-governance in order to extend choice, diversity and fair access; raise standards as part of the transformation of education expected from investments; listening to parents and acting to promote diversity of school provision where this is appropriate.

Every Child Matters

The Decision Maker should consider how proposals will help every child and young person achieve their potential in accordance with Every Child Matters' principles which are: to be healthy; stay safe; enjoy and achieve; make a positive contribution to the community and society; and achieve economic well-being. This should include considering how the school will provide a wide range of extended services, opportunities for personal development, access to academic and vocational training, measures to address barriers to participation and support for children and young people with particular needs, e.g. looked after children or children with special educational needs (SEN) and disabilities.

All schools offer extended services, and wrap around care, support for families and a wide range of opportunities are developed in all schools. These extended services also support the Narrowing the Gap agenda, and these proposals would provide opportunities to support these agendas.

An all through school would ensure the most effective and coordinated extended services support to families and children, and the use of school facilities. As a result of these proposals it is considered that it would be possible to build on the established best practice of both schools to promote access to extended services.

Equal opportunity issues

The Decision Maker should consider whether there are any sex, race or disability discrimination issues that arise from the changes being proposed, for example, that where there is a proposed change to single sex provision in an area, there is equal access to single sex provision for the other sex to meet parental demand. Similarly there needs to be a commitment to provide access to a range of opportunities which reflect the ethnic and cultural mix of the area, while ensuring that such opportunities are open to all.

These proposals do not make changes to equal access to school provision. The equality impact assessment indicates that the equalities impact of Cabinet's decision will be effectively neutral. No children would be displaced if the schools amalgamate or if they stay separate.

Harrow's community schools are inclusive schools and this would continue in a combined school. The proposal is intended to build on the many positives already in place at the schools. In an all through school, there may be benefits for pupils with special educational needs in that amalgamation might help to alleviate issues of transition as it could provide continuous support for pupils and a common set of school rules and processes

Need for places

Where proposals will increase provision, the Decision Maker should consider whether there is a need for the expansion and should consider the evidence presented for the expansion such as planned housing development or demand for provision. The Decision Maker should take into account not only the existence of spare capacity in neighbouring schools, but also the quality and popularity with parents of the schools in which spare capacity exists and evidence of parents' aspirations for places in the school proposed for expansion. The existence of surplus capacity in neighbouring less popular or successful schools should not in itself prevent the addition of new places.

These statutory proposals do not lead to the creation of additional places or to the loss of any places. The overall effect of the linked proposals is to create an all through school with the same number of places as the existing schools. No pupils would be displaced by the proposals.

To inform the management of school places, the local authority commissions pupil population projections for Harrow and monitors the pupil numbers in its schools. For the purposes of school place planning the Borough is divided into Planning Areas. Harrow Council manages the supply of places across the Borough and within Planning Areas, and proposals are brought forward to increase or reduce the supply of places accordingly. Harrow considers a range of options to manage the supply of school places, including temporary expansion, bulge year groups, and permanent expansion. Harrow has a primary school expansion programme and the first phase of primary school expansions from September 2013 has been approved by Cabinet. In November 2012, Cabinet agreed to bring forward statutory processes for a second phase of permanent expansions and work is being progressed to identify the schools that will be proposed for expansion.

The population projections indicate a growth in pupil numbers for Harrow that peaks in the primary sector around 2019. The Stanburn schools are located in the North East Primary Planning Area. Demand for primary school places in the North East Primary Planning Area is already filling available places and is projected to increase significantly until 2018/19. The Stanburn schools have already been permanently expanded from September 2013 and additional places will need to be established at other schools in the Planning Area over the next few years. Statutory consultation on the proposed Phase 2 school expansions was concluded on 18 October 2013 and the outcomes of the consultations are reported to Cabinet in a separate report. Aylward Primary School and the two Whitchurch schools are proposed for permanent expansion.

Travel and Accessibility for All

In considering proposals for the reorganisation of schools, Decision Makers should satisfy themselves that accessibility planning has been properly taken into account. Facilities are to be accessible by those concerned, by being located close to those who will use them, and the proposed changes should not adversely impact on disadvantaged groups. In deciding statutory proposals, the Decision Maker should bear in mind that proposals should not have the effect of unreasonably extending journey times or increasing transport costs, or result in too many children being prevented from travelling sustainably due to unsuitable routes e.g. for walking, cycling etc. Proposals should also be considered on the basis of how they will support and

contribute to the local authority's duty to promote the use of sustainable travel and transport to school.

The primary school expansion programme aims to ensure there are sufficient school places local to where the children that need places live in order to minimise travel impact. The amalgamation proposal does not affect journey times or lead to increased transport costs.

The combined school would build on the existing community use and extended school activities. Potential use of the school site by the community could be enhanced by the ability to plan for one school rather than two separate schools.

School category changes

No changes to school categories (e.g. no changes to become voluntary aided, foundation body, trust or academy) arise from these proposals.

Funding and land

The Decision Maker should be satisfied that any land, premises or capital required to implement the proposals will be available. Normally, this will be some form of written confirmation from the source of funding on which the promoters rely (e.g. the local authority, or Department for Education). In the case of a local authority, this should be from an authorised person within the local authority, and provide detailed information on the funding, provision of land and premises etc. Proposals should not be approved conditionally upon funding being made available, except for proposals being funded under the Private Finance Initiative or through the Building Schools for the Future programme.

The statutory proposals are not dependent on capital funding being available. If an all through school is established, a long-term strategy for the school site as a combined school would be required. The governing body and leadership team of a combined school would have to plan strategically in a cost effective manner in the best interests of the children in order to achieve positive outcomes for the children in the long term.

The Government has introduced significant changes to school funding and is moving towards a national funding formula. Under the Government's new funding formula the combining of two schools would result in the loss of one element of 'lump sum' funding allocated to schools. In 2013/14 the lump sum amount is £154,230. The Government has announced that the formula for 2014/15 is changing and that if two schools merge they are now allowed to keep 85% of the 2 lump sums for the first year of the merger. If lump sum funding is retained by the Government, one lump sum would be lost after the first year of the merger for each year going forward. Though this is a significant issue it may be considered that it would only put the combined school in the same position as existing all-through primary schools. There would be reductions in expenditure through having one headteacher post and the governing body of the combined school could make decisions that would achieve efficiencies. No other elements of the school budgets would change.

There are no capital receipts, new sites or playing fields, or land tenure arrangements arising from these proposals.

Special educational needs (SEN) provision

SEN provision, in the context of School Organisation legislation and the guidance, is provision recognised by the LA as specifically reserved for pupils with special educational needs. When reviewing SEN provision, planning or commissioning alternative types of SEN provision or considering proposals for change local authorities should aim for a flexible range of provision

and support that can respond to the special educational needs of individual pupils and parental preferences, rather than necessarily establishing broad categories of provision according to special educational need or disability.

These statutory proposals do not involve a review of special educational needs provision, and the Special Educational Needs Improvement Test does not apply.

The two schools provide support for pupils with special educational needs for whom a mainstream school is appropriate and there are no proposals for this to be changed as a combined school. All pupils attending the schools would transfer to the all through school.

Other issues

The decision maker should consider the views of all those affected by the proposals or who have an interest in them. This includes statutory objections and comments submitted during the representation period. The decision maker should not simply take account of the numbers of people expressing a particular view when considering representations made on proposals. Instead the decision maker should give the greatest weight to representations from those stakeholders likely to be most directly affected by the proposals.

The local authority received two representations during the representation period from the two Governing Bodies who both support the amalgamation of the First and Junior Schools and are fully engaged in the process to move to amalgamation. These representations are appended in full to this report. No other representations were received:

Summary outcome of the statutory consultation

The statutory consultation was held from Monday 21 January 2013 until Friday 15 February 2013. On 21 January 2013, Harrow Council sent the consultation paper to interested parties in accordance with the Department for Education School Organisation and Competitions Unit guidance. Information about the amalgamation policy, the consultation paper and proposal evaluation were also made available on the Harrow Council website. The two schools distributed the consultation paper and response form to all parents, members of staff and governors. Three open consultation meetings for parents, staff and governors of both schools were held, two on 30 January and one on 31 January 2013, to enable discussion.

The consultation elicited the highest number of responses from all of the amalgamation consultations carried out under the Council's amalgamation policy. This response rate reflected the high level of concerns, confusion and feelings generated within the school communities during the process. In relation to this it should be noted that Stanburn Junior School Governing body sought opinions from parents by 4 January 2013 on three potential options about the future of Stanburn Junior School: Amalgamation; Federation; Academy status.

473 recordable written responses to the consultation were received from parents and staff and other interested stakeholders. In addition responses were received from Harrow Association of Disabled People and the local Member of Parliament.

	I support combining the two schools	I do not support combining the two schools	I am not sure	Total
First School parent	28	95	12	135
Junior School parent	29	90	4	123

Parent in both schools	28	90	4	122
Member of staff in First School	27	3	12	42
Member of staff in Junior School	3	25	1	29
Other interested stakeholder:	19	2	1	22
Total	134	305	34	473
%	28.3%	64.5%	7.2%	100%

The representative joint Steering Group considered the outcome of the consultation at its meeting on 26 February 2013. The group noted that the information received may not give an accurate picture because of possible duplication of forms and concern that signatures were being sought in the playgrounds. To assist the group themes from the consultation responses were prepared with examples of the comments written by those in support and not in support of the proposals.

Themes from consultation responses

Buildings

Building work disruptive – expansion and amalgamation
 Manage as one site

Pupils

Different pupil needs in the two schools
 Not in the interests of the children
 Playground safety / bullying

School size

840 pupils
 Too large impersonal
 Unable to have whole school events

Leadership

Two headteachers better
 Preference for / against individuals to be headteacher
 Management style
 Too much responsibility for one headteacher

Budget

Reduced funding for combined school
 Cost effective as one school

Transition

Positive to make move up
 Would benefit from continuity through to 11 years
 Transition works currently

Standards

Education standards will drop
Will put outstanding standards at risk
More cohesive curriculum
Will affect the learning environment

Staffing

Staff will leave
Would aid professional development

Academy status

Prefer / against academy status

No change

Keep schools separate/ distinct
Outstanding schools as they are
Don't change something that works
No need to make changes

Process

Not enough information
Not given all the options
Consultation rushed
Decision already made

Ethos / Community spirit

Maintain separate ethos
Would feel more like a community

The group reflected on the high level of responses, with almost two thirds of respondents not in support of combining the two schools, and the concern that relationships between the schools may have been damaged by the consultation processes. The group suggested the two Chairs of Governors meet following discussion with their governing bodies to see if they can reach a mutual agreement or an acceptable alternative to amalgamation.

The Governing Body of Stanburn First School met on 28 February 2013 and voted for the two schools to be amalgamated with effect from September 2013. The Governing Body strongly felt that this is an outstanding school, with outstanding facilities, resources, staff and, of course, results. Likewise the Junior School has received an 'Outstanding' rating by OFSTED. The Governing Body could, therefore, see no detriment being caused to either school, or the wider community, by amalgamating the two schools into a new all-through primary school. The Governing Body acknowledged the need for both schools to have a productive working relationship as the schools share not only a site, but a building. This is essential for the good of the social and emotional well being of the staff, students and parents of both schools, and ultimately to continue with the outstanding academic progression for the students.

The Governing Body of Stanburn Junior School met on Wednesday 27 February 2013 and decided it did not support the proposed amalgamation and would work to seek an alternative outcome for the school. The Governing Body of Stanburn Junior School believed that its future was best served by remaining as a separate school. As a result it passed a resolution to seek Academy Status. Comment was made that the consultation results showed that a clear majority opposed the amalgamation and from the parents this view was common across both school communities as well as in the responses from parents who have children in both schools.

Next Steps considerations

Following the outcomes of the consultation and the opposing views of the two Governing Bodies, the Council deferred its decision about whether to publish statutory proposals to allow issues to be reconsidered. Officers met with the two Chairs of Governors to consider the next steps for moving forward.

The meetings with the Chairs of Governors were constructive and helpful and included discussion about a number of issues including: the consultation process; the consultation responses; leadership and governor changes since the consultation that would happen within the Junior School; the position in September; academy status; and the need to rebuild the relationship between the two schools. The local authority confirmed its amalgamation policy position of a Stanburn combined school.

There was in principle agreement around a number of themes including: the need to rebuild the relationship between the two school communities; acknowledgement that the local authority amalgamation policy was unlikely to change and the triggers would apply in future; and the need to secure the future leadership arrangements in the Junior School.

In line with the Council's Amalgamation Policy, it was proposed that the two schools combine, in a timescale that allows further work to be undertaken on what a combined Stanburn School would look like, and the journey to achieving this status. The proposed timescale would be for the Amalgamation to be effective from 1 January 2014. To achieve this, it was proposed, subject to the agreement from both governing bodies, that a Task and Finish Group with representatives from both schools be established to consider what a combined school would be like and the journey to achieving a combined school.

Agreement was reached with the schools for a Task and Finish Group of 5 representatives from each governing body to meet and report on its work to the governing bodies. The Task and Finish Group met for the first time on 11 July and had open discussions following context setting by officers. Questions were raised by the representative governors that officers responded to, and a range of points were discussed. These included clarification of the governance and leadership arrangements of the combined school and communications with parents. The group decided it will continue to work together in the autumn term to facilitate processes towards amalgamation and to work with both Governing Bodies.

Stanburn Junior School Governing Body held an extraordinary meeting on 15 July and discussed feedback from the Task and Finish Group meeting. The Governing Body decided to support the move to amalgamation and has agreed to fully engage in the process. The general feeling of the governors at the meeting was that they were faced with no real alternative, as Harrow Council's Policy offered the Governing Body no viable options. The Governing Body having evaluated Academy Status, as an alternative, had to reject this as unsustainable due to the financial requirements. Also, having researched becoming a Federated School, the general consensus was that this would only delay the inevitable, resulting in further instability and disquiet.

Following the Task and Finish Group meeting on 11 July, Stanburn First School Governing Body wrote to Harrow Council affirming its support for the amalgamation of the two schools.

The Task and Finish Group has continued to meet regularly and the work of this group has helped move matters forward towards establishing a combined school and enabled statutory proposals to be published in September 2013. It is considered the issues raised during the

consultation processes could continue to be fully considered and addressed through detailed implementation planning should Cabinet decide the schools will combine. Both Governing Bodies now support the amalgamation of the two schools and are fully engaged in the process to move to amalgamation.