

Meeting:	Cabinet
Date:	21 May 2008
Subject:	Future Organisation of West Lodge First School and West Lodge Middle School
Key Decision:	Yes
Responsible Officer:	Heather Clements, Director of Schools and Children's Development
Portfolio Holder:	Schools and Children's Development
Exempt:	No
Enclosures:	Annexe A – Consultation analysis

Section 1 – Summary and Recommendations

This report sets out the outcome of the statutory consultation about the future organisation of West Lodge First School and West Lodge Middle School, and the recommendation of the Future Organisation of West Lodge Schools Steering Group.

Recommendations:

Cabinet is asked to:

1. Note the consultation responses and outcomes.
2. Consider the recommendations of the Steering Group.
3. Decide on actions as a result of this consultation.

Reason: (For recommendation)

For Cabinet to consider the outcome of the consultation undertaken by the Future Organisation of West Lodge Schools Steering Group. To exercise the local authority's statutory responsibility in relation to school organisation and consider whether to publish statutory notices to effect the change.

Section 2 – Report

Introduction

Harrow's vision is to provide high achieving schools at the centre of community services, and a corporate priority is to continue improvement in schools to make education in Harrow even better. In order to further this vision, in October 2007 Cabinet agreed its strategic approach to school organisation.

In October 2007, Cabinet approved an amended Amalgamation Policy to support the Council's strategic approach to school organisation. The amended policy requires the Governing Bodies of all separate First and Middle Schools to amalgamate the two schools when one or more of the specified circumstances arise unless there are compelling and over-riding reasons not to. A headteacher vacancy in either or both schools is one of the specified circumstances.

Background

Due to the resignation of the headteacher of West Lodge Middle School, the Council's Amalgamation Policy had been engaged. On 17 January 2008, Cabinet considered a report on the Amalgamation of First and Middle Schools, which included information about the processes followed by the governing bodies and about parental representations concerning the future organisation of the two West Lodge schools. Cabinet agreed that a consultation would be undertaken to gather views of stakeholders and these would be reported back to Cabinet. The Cabinet decision was in accordance with the local authority's duty to respond to parental representations and to undertake the statutory process to make changes to school organisation.

The Cabinet decision was referred to the Overview & Scrutiny Call-in Sub-Committee for consideration under the call-in procedure. At its meeting on 30 January 2008, the Sub-Committee resolved that the Cabinet decision could be implemented. In her response to the Sub-Committee, the Portfolio Holder for Schools and Children's Development said that the Local Authority would accept the view of the majority of those consulted.

The Future Organisation of West Lodge Schools Steering Group was established to undertake the consultation and to make recommendations to Cabinet.

The Council is currently investigating a complaint under Stage 2 of the corporate complaints procedure from four parents stating they want the Council to stop any amalgamation. These views were expressed by the Middle School Governing Body prior to the Cabinet decision to consult in January. The investigation will not be concluded in time to report to this Cabinet. A copy of the complaint will be made available to Members prior to Cabinet.

Although this complaint will remain outstanding, it is important for Cabinet to continue with their decision regarding the future organisation of West Lodge First and West Lodge Middle School. Any further period of uncertainty risks being detrimental to the school community in particular the children, parents and staff of both schools. There have been many comments from Stakeholders calling for this matter to be concluded. In their Inspection Report on the Middle School OFSTED identifies the need to resolve the uncertainty.

It is not disputed that there is a significant divergence of opinion as to whether the schools should amalgamate. It is not disputed that the Council received parental representations about the issue and that the dispute had received attention from the local media.

The Steering Group

The steering group comprised three members from each of the schools representing parents, staff and governors, and three local authority members (a Ward Councillor, a chair of governors, and an officer). The local authority appointed an independent chair. The primary consideration of the steering group at all times has been the welfare and future of each and every child at the schools.

Consultation Process

The steering group met three times to consider and agree the consultation process. Consultation papers (feasibility study, executive summary and proposals) were distributed widely to all key stakeholders including parents, staff and governors, and interested parties. Questionnaires inviting views and comments were sent to all families of children attending the schools, and to staff and governors who do not have children attending the schools. The steering group conducted consultation meetings for parents and staff. The views of the children at the schools were available from earlier consultation processes, and the steering group decided not to specifically canvass their views again. The group believe the children will cope admirably with whatever decision is made about the organisation of the schools.

The steering group organised the consultation from Monday 17 March until Friday 4 April 2008. The steering group have had regard to the Department for Children, Schools and Families (DCSF) School Organisation Unit guidance on closing and making changes to schools.

Consultation Proposal

The consultation proposals are that West Lodge First School and West Lodge Middle School are amalgamated to establish a combined first and middle school in January 2009. It is proposed that the age range of the First School is extended and the Middle School is closed. The proposed date for implementation is January 2009.

The proposal avoids the requirement to undertake a competition process for a new school in accordance with the Education and Inspections Act 2006. It is based on the fact that the Middle School does not have a substantive headteacher. The proposal is about securing a combined school that builds on the strengths and achievements of both schools. The closure would be a technical process. All the pupils attending the schools at the time of amalgamation would transfer to the combined school, there would be the same number of places and the combined school would continue on the same site. It is expected that the First School Governing Body would be re-constituted, and elections held, to achieve a governing body that is appropriate for the combined school's ethos and age range.

Consultation Outcome

The outcome of the consultation has been analysed by the steering group, and detailed information about this analysis is in Annexe A.

Recommendations of the steering group

The Future Organisation of West Lodge Schools Steering Group has considered all the available evidence and the outcome of the consultation. In its work the steering group has maintained a clear focus only on the best interests of the children at both schools. The steering group makes the following recommendations:

1. The Future Organisation of West Lodge Schools Steering Group recommends to Cabinet that West Lodge First School and West Lodge Middle School should amalgamate. This is in accordance with the overall view of the stakeholders as expressed during the consultation.
2. It is clear to the Steering Group, from the extensive range of comments made by stakeholders, that the transitional period will need to be managed rigorously and fairly, and that the schools will need support during this period. The Steering Group recommends Cabinet to endorse that the schools and the local authority will put in place specific arrangements to support the schools during the transitional period.

Proposed Timescale for Implementing Changes to West Lodge Schools

If Cabinet decide to bring about changes to the organisation of West Lodge Schools, the timescale for publishing statutory notices is outlined as follows:

Notices would be published on 9 June 2008 until 21 July 2008 for 6 weeks statutory representation period.

Cabinet would be asked to determine the Notices at their meeting 18 September 2008. This is within the 2 month period from the end of the representation period.

The proposals would be implemented from January 2009

Securing an Outcome for the Schools

There is an imperative to conclude the matter of the future organisation of West Lodge First and West Lodge Middle Schools.

Many comments were made during the consultation about the need for a quick decision about the future organisation of the schools for the benefits of children and staff. Additional points were made about the length of time the process was taking and the need to remove uncertainty.

The need to resolve the outcome of this process was also highlighted by OfSTED in their inspection report of the Middle School published in April 2008. West Lodge Middle School has been without a substantive headteacher for almost a year. This situation needs to be resolved as soon as possible in the best interests of the school and of the children in particular.

If statutory notices are required, the proposed timescale meets the DCSF Guidance. The school communities would have clarity about the proposed future organisation of the schools before the end of the Summer Term. Notices will be determined at the earliest time in the new academic year.

Legal comments

Those considering bringing forward statutory proposals to close a school and to make changes to a school must consult interested parties on the proposals and consider the feedback and views. In doing so, proposers must have regard to the Secretary of State's guidance. Only Cabinet can make decisions on proposals to close schools and to make changes to schools.

If Cabinet decides to publish statutory proposals, statutory notices containing specified information would be published following which there would be a 6 week statutory period

during which representations could be made. Cabinet would need to determine the proposals within two months from the end of the representation period. A determination may be subject to appeal to the Office of the Schools Adjudicator.

Within this proposal, if statutory notices were published they would be to close West Lodge Middle School and extend the age range of West Lodge First School with effect from January 2009. Notices would be published on 9 June 2008 for six weeks, in order to ensure the notice period occurs during the school term time. Cabinet would determine the statutory notices in September 2008. If this timeline to publish notices is missed, the earliest statutory notices could be published would be in September 2008 after the summer school holidays.

Cabinet is able to consider whether to publish statutory notices even though the outcome of the stage two complaint is unknown. Even if the complaint is upheld in whole or in part, this does not in itself invalidate the decision to consult. Now that the information has been gathered from the consultation, the Cabinet is obliged under consultation principles established by case-law to consider the responses in a meaningful way. It is the duty of the Local Authority under the Education and Inspections Act 2006 to consider parental representations in relation to statutory functions, which include school organisation. The consultation exercise has provided an opportunity for parental representations to be made in a structured way addressing a major concern of those representations received by the local authority.

Financial Implications

Amalgamating schools have had a positive albeit small revenue effect, and in previous cases this has resulted in improved efficiencies of approximately £40k. The principal efficiencies result from having one headteacher instead of two. Schools will also benefit from having fewer Service Level Agreement (SLA) charges for some services, for instance, at present first and middle schools are charged separately for the Schools Finance SLA. This will change to only one charge after amalgamation.

Capital expenditure, where necessary, will be financed through existing capital resources including for example Schools Devolved Formula, and other DCSF resources as they come on stream for example, the Primary Capital Programme from April 2009.

Performance Issues

Delivering School Re-organisation so that Harrow Schools are in line with the national agenda is Council Improvement Plan project IP7D and contributes to a range of performance indicators. Whilst Harrow's performance is currently above national and statistical neighbours at all Key Stages, Harrow's targets, which are set annually for the DCSF, are highly challenging. Harrow has not made as much improvement in these KPIs over recent years as statistical neighbours. This is an indication of the pressures on these targets due to a changing demography. Harrow needs to act to maintain performance, meet the challenging targets it has been set and achieve the most positive outcomes for every Harrow child.

The main achievement indicator for primary level education is NI 73 Achievement at level 4 or above in both English and Maths at Key Stage 2. Achievement in the last academic year (2006/7) was 73.2% and the target is to achieve 79% by academic year 2009/10. Each school has local targets set to contribute to this improvement.

Section 3 - Statutory Officer Clearance

Name: Bharat Jashapara	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 25 April 2008		
Name: Helen White	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 25 April 2008		

Section 4 – Performance Officer Clearance

Name: David Harrington	<input checked="" type="checkbox"/>	on behalf of the Divisional Director (Strategy and Improvement)
Date: 24 April 2008		

Section 5 - Contact Details and Background Papers

Contact: Chris Melly, Senior Professional, Service Development Team
020 8420 9270 chris.melly@harrow.gov.uk

Background Papers:

Papers of Cabinet 17 January 2008 - Amalgamation of First and Middle Schools

Papers of Overview & Scrutiny Call-in Sub-Committee 30 January 2008

Consultation papers on the future organisation of West Lodge First School and West Lodge Middle School

DCSF Guidance Closing a Maintained Mainstream School

DCSF Guidance Making Changes to a Maintained Mainstream School

Transcripts of comments made on the consultation response forms

Letter dated 3 April 2008 from West Lodge Middle School Governing Body in response to the consultation

Notes of the Future Organisation of West Lodge Schools Steering Group meetings

Notes of the consultation meetings with parents and staff