

ANNEXE A OF CABINET REPORT 23 OCTOBER 2008

DRAFT

**Amalgamation Policy
and Implementation Guidance**

10 October 2008

AMALGAMATION POLICY FOR FIRST AND MIDDLE SCHOOLS

CONTENTS

Foreword

The Amalgamation Policy

Amalgamation Process Flow Chart

Timeline for Amalgamation Processes

Guidance Notes:

Guidance Note 1: Statutory processes to amalgamate schools

Guidance Note 2: Guidance on leadership of an amalgamated school

Guidance Note 3: Guidance on establishing the governing body

Exemplar and Template Documents

Document A Steering Group Terms of Reference exemplar

Document B Proposal Evaluation exemplar

Document C Consultation Document exemplar

Document D Amalgamation Implementation Plan template

Background information:

Cabinet Report – 11th October 2007

Cabinet Report – 23rd October 2008

Foreword

Harrow Cabinet agreed the Amalgamation Policy on 11th October 2007 as part of the Strategic Approach to School Organisation

The Amalgamation Policy replaced the previous amalgamation policy that was agreed by Cabinet on 17th February 2005. This new policy is intended to help prepare for a change in the age of transfer to age 11 years by establishing combined schools. Combined first and middle schools are more aligned with National Curriculum Key Stages and the impact of the change in ages of transfer will be reduced.

The Policy is presented with supporting documentation provided to assist governors, staff and others involved in the implementation of the Policy. The supporting documents will be up-dated and revised in the light of further experience of implementing the Policy and changes to the Policy context.

Harrow Council Amalgamation Policy

Introduction

1. Harrow's schools provide a high quality education to their pupils and strive constantly to raise the standard of education they provide. All schools are committed to working collaboratively, in partnership with all their stakeholders and with a strong focus on developing extended service provision for their local communities.
2. Harrow's amalgamation policy aims to establish combined first and middle schools which are more aligned with National Curriculum Key Stages. The policy is based on an educational rationale that will contribute to school improvement. The policy enables amalgamation to be undertaken within current school development planning and funding opportunities.

The educational case for amalgamation

3. The creation of all-through primary schools brings a number of benefits, including:
 - 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 the 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. Research shows that the fewer moves children have during their school career the better they perform. However, currently some children change schools at the end of Year 3 in the First School, at the end of Year 7 in the Middle School and at the end of Year 11 in the High School. There can be a further change where a child attends a non-school nursery. If there is a combined primary school, and with post-16 provision available on all high school sites, the number of imposed changes will be minimised. In general, children and their families will have just two major school changes. This reduction in the number of school moves is important, and 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. There is improved use of teachers' skills, specialist teaching and improved pastoral arrangements, as well as benefits for management, leadership and financial management. The financial viability of separate infant schools with two forms of entry could be challenging.

“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

Policy

4. Governing Bodies of all separate First and Middle Schools are required to amalgamate the two schools when one or more of the following circumstances arise unless there are compelling and over-riding reasons not to:
 - A headteacher vacancy arises in either or both schools
 - Pupil numbers are 25% or more below admission number in either school
 - OfSTED Inspection in one of the schools identifies a need for Significant Improvement or places the school in Special Measures
 - Other situations whereby the educational provision would be improved through amalgamations. For example, these circumstances might include, provision of SEN support, building and accommodation issues, financial difficulties, part of the Council’s strategy for schools causing concern, staffing recruitment and retention issues.
5. An example of a compelling and over-riding reason could be a clear majority view of parents of children at the schools that is opposed to amalgamation.

Process to implement an amalgamation in partnership with the Council

Legislative Framework

6. Amalgamation involves making changes to the organisation of schools. This is governed by statutory processes that are detailed in the ‘The Secretary of State’s Guidance for Decision Makers on Statutory Proposals for Changes in School Organisation’. There are a number of Sections to this Guidance, which can be found on the Department for Children, Schools and Families School Organisation Unit website at <http://www.dcsf.gov.uk/schoolorg/>
7. In accordance with the Education and Inspections Act 2006 the local authority has power to bring forward proposals to make changes to schools. Within these powers there are three routes for the local authority to achieve a combined school:
 - To extend the age range and expand the capacity of one school and to discontinue the other school.
 - To discontinue both schools and open a new school through a competition process
 - To discontinue both schools and open a new school without a competition by securing the consent of the Secretary of State.
8. When it is proposed to amalgamate schools under the terms of this amalgamation policy, Harrow will expect to extend the age range and expand the capacity of one school and to discontinue the other school. However, the local authority will consider each case on an individual basis.

9. When the trigger circumstance to amalgamate schools is the resignation of a headteacher, the local authority will usually discontinue the school where the headteacher has resigned and the vacancy occurs. If there are vacancies in both schools, the school where the first resignation was made will be discontinued. The local authority considers that this provides a consistent and objective approach that does not imply any issue of underperformance.

Stages of Amalgamation

10. The process to implement amalgamation is approached in four stages. The local authority will support governing bodies through each Stage.

Stage One	Preparation
Stage Two	Planning and Consultation
Stage Three	Decision Making
Stage Four	Implementation

11. Detailed guidance has been developed to support this policy, including details of the activities for each stage of the process with indicative timescales and additional notes. This guidance will be updated as may be necessary to aid implementation. The guidance includes:

- Amalgamation Process Flow Chart
- Timeline of the four stages
- Guidance Notes on statutory processes, leadership and governance
- Exemplar documents on Steering Group, Proposal Evaluation, and Consultation
- Template document on Implementation Plan

Amalgamation Process Flow Chart

Stages	Process	Officer Support
Stage One Preparation	<p>Governors notify Director that Amalgamation Policy circumstances are met</p>	<p>Identify appropriate officers to work with the schools</p>
	<p>Discussion between Heads, Chairs and officers</p> <ul style="list-style-type: none"> • Confirm process, timeline and statutory route to achieve amalgamated school • Initial discussions with governors, staff and school communities • Establish Steering Group 	<p>Explain process. Assist with discussions and provisional planning</p> <p>Attendance at Governing Bodies' meetings to explain process, timescale etc</p>
Stage Two Planning and Consultation	<p>Steering Group meetings</p> <ul style="list-style-type: none"> • Plan detailed work • Assign responsibilities • Complete proposal evaluation for combined school and prepare consultation paper • Plan consultation of school communities 	<p>LA support to the Steering Group with planning for the all through school and for the consultation of the school communities.</p>
	<p>Consultation</p> <ul style="list-style-type: none"> • Distribute consultation paper • Convene consultation meetings • Analyse responses • Governing bodies consider consultation responses and each makes recommendation to Director 	<p>The LA consults interested parties using consultation documents prepared by the Steering Group and works with the Steering Group on the consultation of the school communities.</p>
Stage Three Decision making	<p>Cabinet meetings (as Decision Maker)</p> <ul style="list-style-type: none"> • Consider outcome of consultation and recommendation from GBs • Decide whether to publish Statutory Notices • Determine the statutory proposals 	<p>Write Cabinet report on outcome of consultation. Publish Notices. Analyse representations. Write Cabinet report for determination.</p>
Stage Four Implementation	<p>Implementation of proposals</p> <ul style="list-style-type: none"> • Appoint combined school working group • Agree approach to combined school governing body • Deliver on implementation planning 	<p>Support as required</p>

Timeline for Amalgamation Process

In order to facilitate planning, and to ensure there is no unnecessary delay, the following timelines give indicative timings for each stage of the process. This timeline is complementary to the Flow Chart. Within the timeline there are references to further information provided in the Exemplar Documents or Guidance Notes.

Stage One – Preparation (approx 3 weeks)

This stage begins as soon as any party knows that one or more of the triggering circumstances will or may apply to a separate first and/or middle school.

Timescale	Activity	Note/Additional Documents
Immediate	Chair of Governors notify Director of Schools and Children's Development	
Within 1 week (Week 1)	<p>Discussion between Heads, Chairs and officers to confirm the process, including:</p> <ul style="list-style-type: none"> • statutory process to combine the schools, • decision making authority, • role of existing Governing Bodies, • membership and remit of the steering group and, • timescales. • headteacher and governance arrangements for an all through school 	<p>Identify officers to work with the schools.</p> <p>Guidance Note 1: Statutory Processes to Amalgamate Schools</p> <p>It is important that there is clarity about the arrangements that would be proposed for the headteacher and governing body of an all through school so that this forms part of the consultation documents.</p>
Within 2 weeks (Weeks 2 and 3)	<p>Chairs of Governors hold initial discussions with governors, staff and school community.</p> <p>Governing Bodies identify representatives for the Steering Group.</p> <p>The remit of the Steering Group is to complete a Proposal Evaluation, prepare consultation documents, and plan and conduct consultation of the school communities.</p> <p>Letter to school community about the Steering Group and its work and inviting any comments.</p>	<p>Document A: Steering Group Terms of Reference exemplar</p>

Stage Two – Planning and Consultation (approx 9-12 weeks)

During this stage the Steering Group undertakes detailed planning work and plans and conducts the consultation of the school communities.

The statutory consultation is the responsibility of the local authority, which has the power to bring proposals to make changes to schools. How consultation is carried out is not prescribed in regulations. In Harrow, the local authority consults interested parties, and works with the governing bodies on the conduct of the consultation of the school communities. The governing bodies are best placed to ensure that all in their school communities are properly informed about the proposals, are able to make their views known, and can give due consideration to the views expressed. It is expected that the Steering Group undertakes this consultation for the governing bodies with the support of the local authority.

Timescale	Activity	Note/Additional Documents
Within 1 week (Week 4)	First meeting of Steering Group. Agree working arrangements for the group. Consider the feedback from initial soundings. Consider the issues to be addressed in the Proposal Evaluation. Plan any discussions with officers, visits to schools, etc. Consider the exemplar documents.	Document B: Proposal Evaluation exemplar Document C: Consultation document
4 weeks (Weeks 4-7)	Complete the Proposal Evaluation setting out the implications for the schools of amalgamation. Write the consultation papers. Plan the consultation of the school communities. The Steering Group must consider how it will consult parents, pupils, staff, governors, and any others it considers appropriate, and provide opportunities for all to be able to respond and to participate in discussions.	As above
3-6 weeks (Weeks 7 - 10/13)	Send out consultation papers. Hold consultation meetings. Analyse the consultation.	Statutory consultation. The LA will ensure interested parties are consulted.
Within 1 week	Governing Bodies consider outcome of consultation. Make written recommendation to Director stating the reasons for the recommendation.	Governing Bodies confirm recommendation to Director.

Stage Three – Decision Making (approx 16-27 weeks)

This stage covers the

- presentation of the outcome of the statutory consultation and the Governing Bodies' recommendations to Cabinet by the Director of Schools and Children's Development;
- publication of statutory proposals, if Cabinet decides this;
- representation period;
- decision making (determination of the proposals).

Cabinet decides whether to publish statutory notices in relation to community schools and Cabinet will determine the notices. This stage is lead by Council officers. The timescales for this Stage needs to take account of DCSF and legal advice in relation to avoiding School Holiday periods.

Timescale	Activity	Note/Additional Documents
Within 4 weeks	Cabinet decision whether to publish statutory notices.	Report to Cabinet <i>Key decision has to be notified by the middle of the preceding month of the Cabinet decision.</i>
Within 2 weeks	Publish linked statutory notices	Cabinet call-in period. <i>Cabinet decisions cannot be implemented for 5 full working days from the date the minutes of the meeting are published.</i>
6 weeks <i>Note: There is a four week representation period for expansion proposals.</i>	Statutory representation period	Representations must be sent to the local authority.
Within 4 weeks	Cabinet determination of the statutory proposals.	LA must decide proposals within 2 months of the end of the representation period.
Up to 11 weeks	If there is an appeal against the Local Authority decision.	Appeals must be submitted to LA within 4 weeks of decision. LA must send papers to schools adjudicator within 1 week. Adjudicator aims to make a decision within 6 weeks.
No prescribed period	Implementation of the statutory proposals.	The statutory proposals must be implemented as approved.

Stage Four – Implementation

Once the statutory notices have been determined and the amalgamation is agreed, the Amalgamation Implementation Plan commences. This does not prevent preliminary and contingency planning without prejudice prior to the decision being made. It is important that there is no delay once the decision has been made.

There are two phases to the Amalgamation Implementation Plan. Those actions that have to be completed prior to the date of the amalgamation for example confirming the leadership of the all through school. Other aspects of the Implementation Plan will take place over a longer timescale. For example, building works; appointments to the combined school staffing structure.

Timescale Phase 1	Activity	Note/Additional Documents
Prior to the decision about the proposals	Governing bodies and LA discuss: <ul style="list-style-type: none"> the composition and remit of a Working Group to lead on detailed implementation work; contingency planning in case Cabinet decides against amalgamation. 	<i>Cabinet decisions cannot be implemented for 5 full working days from the date the minutes of the meeting are published.</i>
Within 2 weeks following the decision	Working Group meets to action the Implementation Plan. Key work streams include: <ul style="list-style-type: none"> Governance of the all through school Headteacher position Finance Staffing structure Curriculum and school development planning School site and premises plan Communications. 	Document D: Amalgamation Implementation Plan template Guidance Note 2: Leadership of an amalgamated school Guidance Note 3: Guidance on establishing a new governing body
Within 4 weeks following the decision	Schools establish a Change Management Group to: <ul style="list-style-type: none"> Engage with staff. Establish communication strategy with school community Agree key messages. 	

Timescale Phase 2	Activity	Note/Additional Documents
As agreed	Implementation of action plans	Amalgamation Implementation Plan