

## 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 23 May 2009.

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 Unit website at <http://www.dcsf.gov.uk/schoolorg/> and in Background Papers.

The format of this Annexe 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.

### Checks on Receipt of Statutory Proposals

*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 must 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. For example, some of the schools for which proposals were published to change the upper age limit have an attached nursery. Where schools have an existing attached nursery, the wording used in the statutory notice and proposals stated the current Year Groups and their age range, and stated that the school has an attached nursery. The proposed Year Groups and their age range were also stated, again with reference to an attached nursery where this is the case. It is a requirement to include the current, and proposed age range of the school in the statutory proposals and notices, but by giving the information in this way it is believed that the position is actually clearer for consultees.

#### 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.*

The statutory notices were developed using the School Organisation Unit 'Build a Statutory Notice' facility. This facility is designed to help local authorities, governing bodies and other proposers publishing statutory proposals, to construct a statutory notice which contains all the information required by law.

The external legal advisers consider that the published notices and complete proposals comply with the statutory requirements.

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

*Details of the consultation should 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 should 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 conducted from 8 September 2008 until 5 December 2008. The external legal advisers are satisfied that 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 Children, Schools and Families (DCSF) School Organisation Unit guidance on making prescribed changes to schools. The consultation document was sent to all interested parties in accordance with the DCSF School Organisation Unit guidance.

The consultation responses and outcomes (see 'Other issues' below) were reported to Cabinet on 13 January 2009, and Cabinet decided 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. 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.*

Sixty linked statutory proposals were published that could effect the reorganisation of community schools in Harrow to establish infant, junior, primary and secondary schools from September 2010.

- 52 statutory proposals were published on 9 February 2009 with a statutory representation period of 6 weeks. The statutory proposals were prescribed alterations to change the age range of schools from 1 September 2010.
- Eight statutory proposals were published on 23 February 2009 with a statutory representation period of 4 weeks. The statutory proposals were prescribed alterations to expand the capacity of high schools from 1 September 2010.

The staged approach to the publication of the statutory proposals ensured that all sixty proposals had the same closing date for the representation periods and could be determined together within 2 months of the closing date. The closing date was 23 March 2009.

In addition, four of Harrow's voluntary aided schools have issued proposals to change their age ranges. Although these proposals are not regarded as "related" to the proposals in relation to community schools (as they could be implemented regardless of Cabinet's decision on the community school proposals), it is the case that the voluntary aided schools wish to have the same age ranges as Harrow's community schools.

#### **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 infant, junior, primary and secondary schools from September 2010, offering places to the existing pupils and serving the same area. The following sections, therefore, focus on relevant factors of the guidance. The external legal advisers are satisfied that this format provides the detailed information that the decision maker requires to support the decision making process.

### **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 new 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.*

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 now is seeking to make progress to change the ages of transfer.

In October 2007, Cabinet agreed their strategic approach to school organisation and reaffirmed their commitment to change school organisation. Cabinet established a Stakeholder Reference Group (SRG) to consider issues arising from school reorganisation. In June 2008, Cabinet received a report on the progress of the work of the SRG and agreed to undertake a consultation on school reorganisation, which was held from 8 September to 5 December 2008. In January 2009, Cabinet considered the outcome of the consultation (see 'Other issues' below), which indicated support for the proposals, and decided to publish statutory proposals.

### **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 changes to a school's provision 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.*

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 be proactive to maintain performance, meet the challenging targets it has been set and achieve the most positive outcomes for every Harrow child.

The objectives for the school reorganisation in Harrow are to establish schools that are aligned with the National Curriculum Key Stages and schools across London. Harrow schools are high performing and popular. Whilst this level of achievement has been maintained, there is a range of reasons for school reorganisation to be proposed:

- The local authority, as the champion of pupils and parents, has the duty to promote high standards, fair access to educational opportunity and the fulfilment of every child's potential. The School Organisation Debate in 2002, undertaken in response to the Ofsted Inspection Report, demonstrated that there was a strong consensus that stakeholders wanted to change the ages of transfer so that all schools in Harrow reorganise to establish infant, junior, primary and secondary schools. Harrow, as the local authority needs to provide leadership in responding to parental views.
- In principle, Harrow considers that by changing school organisation in line with the National Curriculum Key Stages there would be improved learning and teaching for pupils and staff. The proposed organisation would mean that pupils would complete their Key Stages in one school.
  - Infant schools would have Foundation Stage and Key Stage 1.
  - Junior schools would have Key Stage 2.
  - Primary schools would have Foundation Stage and Key Stages 1 and 2.
  - Secondary schools would have Key Stages 3, 4 and 5.
- Schools would be able to focus on specific Key Stages. In addition, there would no longer be a need for schools to cover part of a Key Stage and as a result there would be greater continuity.
- There is a loss of approximately 26% of pupils at the end of Year 6 to neighbouring boroughs. Although out-borough pupils fill some of these places it has several impacts. There are smaller Year 7 classes, which can create financial uncertainties. New pupils stay for one year and require support during an induction period; this in some instances can be challenging and affect progress. In addition, it can be challenging for schools to provide a broad and balanced Key Stage 3 curriculum with specialist teaching for one year.
- Harrow is experiencing a changing demographic profile and needs to ensure that it responds to this change to maintain and improve on its high education achievement.

### **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 expansion of the school will meet the aspirations of parents, help raise local standards and narrow attainment gaps.*

There is a range of schools in Harrow offering 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. Primary sector community schools are organised as separate and combined first and middle schools and have a range of planned admission numbers.

Harrow is committed to securing greater autonomy, flexibility and scope for schools to drive their own agendas within a collaborative whole-borough framework. Harrow's success in this approach is demonstrated through the strategic approach to specialist schools and the Harrow Collegiate.

The community of Harrow schools has a tradition of collaboration and cooperation and is confident to develop and embrace innovative solutions. Within this context the local authority, in partnership with schools, will continue to explore routes that provide creative and innovative solutions for challenges faced by individual schools and groups of schools, and provide a means to secure school improvement which might include academies or trust schools.

For example, four schools have established soft federations which has enabled the schools to forge stronger working relationships to support school improvement and to consider the holistic development of the site for school and community use.

### **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.*

The five outcomes for Every Child Matters are central to all Harrow plans for schools so that wrap around care, support for families and a wide range of opportunities are developed in all schools.

The proposals will not adversely affect the current range of extended services provided by schools. There would be a review of each school site to make sure there are appropriate spaces and facilities for teaching and learning. It is anticipated that some accommodation may no longer be required for teaching and learning by some of the primary sector schools, and that there would be opportunities to increase the facilities available to the community or the co-location of services on school sites for the local community. In some circumstances temporary accommodation would be removed.

Harrow is committed to tackle the barriers to success and to provide a range of activities to support the Narrowing the Gap agenda including Family Learning and parenting workshops. Currently 56% of Harrow schools are providing the full core offer of extended services. The majority of schools in Harrow are well placed to meet the Government target of providing the full core offer of extended activities by 2010. Together with the Children's Centres, the Extended School Clusters provide a range of provision that supports children's attainment and achievement and builds parent and community capacity and confidence.

### **School characteristics**

No changes to the overall characteristics of the schools in relation to boarding provision arise from the proposals.

**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 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.*

The school reorganisation proposals do not make changes to equal access to school provision. The Equalities Impact Assessment for the project was included in the January Cabinet report, and will be reviewed throughout the project. There is no identified detrimental impact on any of the equality groups. Overall the alignment of Harrow community schools with the voluntary aided sector and neighbouring boroughs is likely to enhance the equality of opportunity and choice for young people.

**Need for places**

*Where proposals will increase provision, the Decision Maker should consider the supporting evidence presented for the increase. The Decision Maker should take into account 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 particular schools. The existence of surplus capacity in neighbouring less popular or successful schools should not in itself prevent the addition of new places.*

To inform the management of school places, the local authority commissions pupil population projections for Harrow and monitors the pupil numbers in its schools.

The population projections indicate a growth in pupil numbers for Harrow by 2015. The 2007 round population projections show a gradual increase in 4-10 year olds in the population over the next few years, peaking around 2015 with a subsequent slight decline. The number of 11-15 year olds in the population has been falling and will continue to fall slightly over the next few years. However, as the increased number of younger children reaches secondary school age, the secondary age population will increase from 2014 onwards towards a peak around 2020. It is possible that the predicted yield from proposed housing developments may not occur because of the impact of the current financial and economic climate. The local authority is monitoring this situation.

For the purposes of school place planning in the primary sector the Borough is divided into Planning Areas. The position about projections and available school places varies across the planning areas and the situation is monitored continually so that any necessary adjustment to the supply of school places on a temporary or permanent basis can be made. If the school reorganisation proposals are approved, it is envisaged that the space in primary sector schools that will be released will enable planning for a sufficient supply of school places to meet the projected pupil population increases.

Changes to the Planned Admission Number (PAN) of two primary sector schools are included in the school reorganisation proposals, and these proposals are effectively to regularise the admission numbers of these schools to multiples of 30 places.

- Glebe First and Middle School to have a PAN of 60 (an increase of eight from the current 52)
- Priestmead Middle School to have a PAN of 90 (a reduction of three from the current 93)

An increase in the PAN of three community high schools is included in the school reorganisation proposals, which would provide an additional 90 places per Year Group (450 places in total

once fully implemented). This additional capacity would help meet potential projected increases in the pupil population and the possible reduction in pupil mobility arising from the Harrow Collegiate and changes in the age of transfer. In considering which schools could accommodate an increase in their PAN, officers applied three guiding principles; these were:

- PAN based on multiples of 30
- Potential to increase capacity within existing sites and with minimal additional accommodation
- A maximum PAN of 300 at this point in time

Applying these principles arrived at the following:

- Park High School would have a PAN based on multiples of 30 and also respond to parental demands, as it is a popular school. It is proposed Park High School would have a PAN of 300 (an increase of 20 from the current 280)
- Rooks Heath College for Business and Enterprise had a reduction in its PAN in 2006/07 to manage building works on site, which will be completed by June 2009. The accommodation has not been removed so the School has the capacity to increase its forms of entry. It is proposed Rooks Heath College for Business and Enterprise would have a PAN of 270 (an increase of 60 from the current 210)
- The new Whitmore High School is able to accommodate a small increase in its PAN, to base it on multiples of 30. It is proposed Whitmore High School would have a PAN of 270 (an increase of 10 from the current 260).

### **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.*

Within these proposals no schools will be changing their site, and the distribution of school sites would remain as it currently is. The Year 7 cohort of students would move into high schools, and it is likely there would be a greater reliance by these students on public transport for travel to and from school.

Travel planning by the schools would need to consider any potential impacts of the changes of Year Groups. Transport for London representatives are kept informed through liaison meetings. No advance planning is expected to be needed, and any impact on bus routes would be assessed at the time and adjustments made as necessary.

It is expected that the move of Year 7 pupils from primary sector schools would create space at the schools that can be used to promote the roles of schools at the heart of their communities. Opportunities would be sought to enhance localised service provision for Harrow's communities.

### **16-19 Provision**

No changes to post-16 provision arise from the proposals.

**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 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, DCSF, or Learning and Skills Council). 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.*

There are capital costs arising directly from these proposals to create sufficient space on the high school sites to accommodate Year 7 students. The local authority has undertaken a site review and completed a School Site Development Plan for each community high school to ensure that there is potential to provide sufficient accommodation for the proposed increase in pupil numbers without the need for a new school or to expand the school sites. The Development Plan identifies the quantity and possible location for the permanent accommodation and internal modifications that would be required for the proposed school size and age range.

The development plan also incorporates the additional temporary accommodation that would be required to accommodate all students in September 2010. The Council will fund the temporary accommodation on high school sites. This funding is available from DCSF Targeted Capital Grant, part of the Modernisation Funding, and was agreed by Cabinet in February 2009 as part of Children's Service's Capital Programme.

The Council has submitted an Expression of Interest (EoI) to the DCSF for funding through the Building Schools for the Future (BSF) initiative. Harrow's EoI places all the eligible high schools into two waves of BSF funding that will provide for permanent holistic site development and reprovisioning of the temporary accommodation. The long list of new authorities in the BSF programme has been published in rank order, and Harrow is ranked currently at 52 out of 70 authorities for initial projects. This is a provisional list and is based entirely on underperformance and deprivation, which as objective criteria on their own do not work in Harrow's favour. Harrow is working with its partners to demonstrate our readiness to deliver in order to move up the rankings.

Harrow is expecting to receive £47m over 14 years to improve its primary school building stock through the Primary Capital Programme. Harrow secured Category 1 approval which means it met all the requirements set out in the guidance, and Primary Capital Funding will be available for 2009-10 and 2010-11. Harrow was one of 41 successful authorities awarded this grade out of a total of 148 Local Authorities. This funding will be joined with other available funding streams to enable holistic site developments to improve learning and to maximise the opportunities presented to enhance the role of schools at the heart of their communities.

The local authority established a Stakeholder Reference Group to consider a range of workstreams related to the proposals for school reorganisation, including School Finance. This group has developed proposals to ensure that school budgets have the appropriate funding for students and, where necessary, transitional protection funding is provided.



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

### **Special educational needs provision**

*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.*

The statutory proposals do not involve a review of special educational needs provision. There are no proposals to change current levels of provision for pupils with special educational needs. Existing provision will be aligned with the National Curriculum Key Stages.

All schools in Harrow support pupils with special educational needs. Wherever possible children with special educational needs attend their local school, working alongside their friends and other children from the local area, with appropriate support. This support is provided by the school or specialist staff, on an individual or small group basis. Some schools have specialist provision for pupils with sensory impairment and autistic spectrum disorders. In accordance with these proposals this provision will be aligned with the National Curriculum and age range of the schools.

As part of the implementation of these proposals all statements of special educational needs for pupils transferring schools in September 2010 would be reviewed. Additional support for those pupils leaving schools a year earlier (e.g. at the end of Year 2 rather than at the end of Year 3) would continue as identified in their statement of special educational needs. If there are instances where pupils would benefit from an additional year at Alexandra School then this could be achieved on an individual basis.

The information about specialist provision added to the notes of the notices and included in the full proposals was to provide as full information as possible for all interested parties and particularly to inform and reassure parents about the nature of the proposals. The specialist provision to which reference is made is additionally resourced integral provision. It is not provided as unit provision. Pupils are on the school's roll, and the numbers of pupils provided for varies from year to year and within year groups.

The background to the specialist provision that will be provided is that Harrow has an increased demand for provision for pupils with autism in a mainstream setting. Accordingly, a range of schools has been identified in the Borough that are best equipped to provide for children and young people with autism. Parents will be encouraged to send their children with autism to these schools, but this will not be the only choice parents may exercise. Places are not reserved for admissions purposes. Schools will receive funding arranged on an annual basis for an anticipated number of pupils that may come to the school or are already at the school. Thus, the provision is not "reserved for children with SEN" such as that which would require statutory proposals to be published. The specialist provision that is referred to as continuing at a number of schools in the note of the notices is of the same nature. The arrangements have been in place at these schools for many years.

### **Other issues**

*The decision maker should consider the views of all those affected by the proposals or who have an interest in them. 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.*

A statutory consultation was conducted from 8 September 2008 until 5 December 2008. The full analysis of the responses is presented in Annexe 1 of the report to Cabinet dated 15 January 2009. The headlines are as follows. Of the 686 individual responses received, 55% agreed with the proposals, 30% did not agree, and 15% were not sure. The majority of these respondents were parents of children in Harrow schools. Of the 50 responses received from governing bodies, 66% agreed with the proposals, 20% did not agree and 14% were not sure. The governing bodies that did not respond included some voluntary aided schools which are organised already as Reception to Year 6, with pupils transferring to high schools at the end of Year 6. The majority of the views expressed by young people were supportive of the proposals. The consultation outcomes indicate that there is support for the proposals to change school organisation in Harrow. Although the response rate was low, this could be for a range of reasons and is not believed to reflect on the consultation process.

Only one representation has been received in relation to the published statutory proposals. This representation is from the Weald First & Middle Schools' Federated Governing Body. The representation is a full and detailed letter addressed to the Director of Schools and Children's Development expressing increasing concern about the impact the proposals will have on the educational and financial health of both schools. The letter sets out the governing body's concerns about the financial, educational, staffing and governance implications of the proposals for the two schools. The governing body is particularly concerned about the reduction in the First School budget arising from the move of Year 3 to the Middle School, and the associated potential overspend and/or reduction in teaching and non-teaching staff. There is concern about the potential impact on educational standards and on the stability of the staff group as a result of workforce losses and restructuring. Potential implications for the retention and recruitment of governors are envisaged.

The areas of concern contained in this representation have already been identified as important and correlate with established workstreams of the Stakeholder Reference Group. The issues raised will be taken to the Stakeholder Reference Group for full consideration of the governing body's concerns, and to ensure that all necessary guidance and support is provided to all schools if Cabinet decides to approve the statutory proposals. Without prejudice or pre-determination of the school reorganisation proposals, implementation strategies have been developed to support schools with the key issues of staffing and school budgets.

Workforce strategy was the main focus of the first headteacher seminar in March. These seminars have been arranged to support the schools, and facilitate discussion about the issues and to consider and share possible strategies and solutions. Many issues were raised in school sector discussions about workforce planning, and about issues of finance, premises, and teaching and learning. Discussion in sector groups contributed to the process of sharing issues and concerns and exploring possible solutions and opportunities, and a number of creative ideas were discussed. For example, there are already instances of how schools are collaborating to create opportunities for staff through secondment and forward planning about recruitment. There are also areas of growth that could provide opportunities for staff in different settings. For example, opportunities in early years provision e.g. Children's Centres, or in a different phase. The next Headteachers Seminar in May will focus on workforce planning issues in more detail.

Guidance has been issued to headteachers as part of the development of implementation strategies. If Cabinet approve the proposals, further guidance will be issued addressing many

of the questions raised by headteachers, and outlining a range of options to support staff to consider the opportunities and avoid any need for concerns about possible redundancy. Further consideration is being given into ring fencing arrangements between September 2009 and September 2010 to provide some level of protection for staff.

Effective planning by schools, with the support of officers as appropriate, should minimise any potential impact on educational standards during the transition period in the manner that the representation is concerned may occur due to staffing changes. In the longer term, the expected reduction in pupil mobility at the end of Year 6 should serve to improve standards.

The majority of schools funding is allocated on the basis of pupil numbers. As a consequence of the change in the ages of transfer, the funding for Year 7 pupils would transfer to the secondary sector and funding for Year 3 pupils would transfer from First to Middle Schools.

To assist schools manage this change the Schools Forum set up a Finance Working Group, which was tasked to develop a model to calculate transitional protection for schools. The working group developed principles for a Transitional Protection Model that was distributed to schools for consultation in December 2008. No objections to the model were received and the Schools Forum agreed it in January 2009. The model states that First, Middle and combined First and Middle Schools whose budgets decrease by more than an agreed amount, as a result of changes to the ages of transfer, would receive transitional protection of 50% of the decrease in 2010/11 and 25% of the decrease in 2011/12.

Schools were notified of their 2010/11 indicative budgets in March 2009. As the change occurs part way through the financial year the 2010/11 budgets are calculated on 5/12<sup>ths</sup> pre-age of transfer pupil numbers (for the period April 2010 to August 2010) and 7/12<sup>ths</sup> post-age of transfer (for the period September 2010 to March 2011). The full year effect would not be until the 2011/12 budgets.

Where schools had balances at 31 March 2008 in excess of the Audit Commission guidelines (8% of base budget), the protection funding was reduced by the amount of balances in excess of this guideline. This not only made the model more affordable but also reflects national policy on schools balances. At 31 March 2008, primary schools had in total £2.3m of balances in excess of the recommended levels. Applying 31 March 2008 as the date for taking balances into account means that schools have the opportunity to save now. The indicative budgets for 2010/11 forecast £256k of protection funding to be distributed in 2010/11. This will be financed from Dedicated School Grant (DSG) through the schools specific contingency allocated by the Schools Forum.

The transitional protection model is designed to provide schools with a greater timescale in which to manage changes to their workforce. The full impact of the reduction in budget without protection funding will not be until September 2012.

#### **Letter received after the end of the Representation Period**

A letter from the London Borough of Hillingdon was received on Monday 6 April 2009. This is after the end of the representation period. For information, it confirmed that there were no objections to these proposals and wished both the schools and the local authority success in the implementation of the proposals.