

Future Organisation of Elmgrove Infant School and Elmgrove 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 15 January 2011.

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.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.

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. For example, during the statutory consultation it was explained to stakeholders that as a result of the school reorganisation changes being implemented from September 2010 separate first schools become infant schools (Reception to Year 2) and separate middle schools become junior schools (Year 3 to Year 6).

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 4 October 2010 with a statutory representation period of 6 weeks that if approved would effect the amalgamation of Elmgrove Infant School and Elmgrove Junior School to provide an all through primary school:

- A prescribed alteration to extend the age range of Elmgrove Infant School and Nursery to establish a primary school with an age range of 4 years (Reception) to 11 years (Year 6) with attached nursery class from 1 September 2011;
- A prescribed alteration to expand the capacity of Elmgrove Infant School and Nursery from 1 September 2011;
- A notice to discontinue Elmgrove Junior School on 31 August 2011.

The statutory proposals had the same closing date of 15 November 2010 for the representation periods.

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 7 June 2010 until Monday 12 July 2010. 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 Cabinet on 14 September 2010, 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 (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 4 October 2010 that could effect the amalgamation of Elmgrove Infant School and Elmgrove 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.

Parents have shaped Harrow's schools system, and the majority of parents that gave written responses to the consultation were in favour of these proposals.

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 a clarified amalgamation policy and implementation guidance.

Elmgrove schools proposals

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

The statutory consultation was held from Monday 7 June 2010 until Monday 12 July 2010. The consultation paper was sent to all parents, members of staff and governors on 7 June 2010. Two formal parents consultation meetings for parents of both schools were held on 15 June 2010 to enable discussion. The proposal evaluation document was made available from the school offices and Harrow Council website, and was available at the parents meetings. Information about the responses to this consultation is given under 'Other issues' later in this Annexe.

The local authority received no representations during the representation period which ended on 15 November 2010.

Standards

The Government wishes to encourage changes to local school provision which 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.

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

- An all through primary school can align its organisational structure 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. This reduction in the number of school moves is important, particularly for children with special educational needs.
- An all through primary school can provide greater opportunities for older children to take on responsibility. For younger children the presence of older children can provide aspirational role models and also mentoring support.
- An all through primary school has benefits for teachers and classroom staff, providing them with 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 over time.
- There is growing national evidence 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.

“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. The Ofsted inspection of Elmgrove First School in February 2008 found the school to be good, and the Ofsted inspection of Elmgrove Middle School in January 2008 found the school to be satisfactory. 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 Elmgrove School would be a combined three-form entry school with attached nursery class. 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 expansion of 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. Schools are organised as separate and combined infant and junior schools and have a range of planned admission numbers. Increased self-governance is promoted within a collaborative whole-borough framework, for example through partnerships and soft and hard federations.

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. 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.

A combined school would contribute to diversity by its model of governance and that its new organisation is aligned with parental aspirations.

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 applied learning 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.

Need for places

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. Should additional places be required, then options would be considered for all schools in a relevant area.

The population projections indicate a growth in pupil numbers for Harrow by 2015. Although the economic climate is affecting proposed housing developments, if they are completed they could generate child yield which would further increase the pupil projections. Additionally, in common with many other local authorities Harrow has experienced an unexpected increase in the level of applications for Reception places. The local authority is monitoring this situation, and has opened bulge reception classes in four community schools in September 2009 and five community schools in September 2010, and is planning to be able to meet the demand for Reception places in September 2011.

The Elmgrove schools are located in the Central Planning Area. Although there is growth predicted in this Planning Area, the local authority expects to manage this within the existing schools and their sites. If there are increases in the pupil population, the local authority will re-commission accommodation on school sites that has been identified for alternative use and plan for increased accommodation on some school sites as may be necessary.

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.

As there are no proposals to change the overall size of the school or to change the site, these proposals would 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, part of the implementation process would be to undertake a school site development plan. This would consider the priorities identified in the School Asset Management Plans and the building changes that are required to enhance provision and the functioning of a combined school. Any building plans would need to be fully costed and funding secured. Currently it is not anticipated that any capital works will be required as a necessity to enable the amalgamation to proceed. However there may be changes to the premises that would enhance the workings of the school as a combined school. Funding for such works would be considered as part of agreeing the future capital programme.

Previous experience suggests that amalgamating schools usually leads to a small reduction in revenue spend of approximately £40k for the combined school. This is a result of having one headteacher instead of two and rationalising administrative functions. Schools also benefit from having fewer Service Level Agreement (SLA) charges for some services, for instance, at present infant and junior schools are charged separately for the Schools Finance SLA. This changes to only one charge after amalgamation.

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 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.

In an all through school, there may be benefits for pupils with special educational needs. There would be continuity in planning and support across all key stages. In addition, there could be greater consistency in the organisation and management of the schools, for example, behaviour policies, school rules, etc.

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 no representations during the representation period from 4 October 2010 until 15 November 2010.

The statutory consultation was held from Monday 7 June 2010 until Monday 12 July 2010. The two schools distributed the consultation paper and response form to around 800 parents and staff. The schools received 128 written responses to the consultation from parents and staff:

- the overall response was that 48.4% of respondents were in favour of amalgamation;
- taking parents as a group, 62% were in favour and 23% against;
- the overall figure is heavily influenced by the staff response given that 53 staff replied and only 74 parents (one respondent did not declare their interest clearly).

The comments from parents and staff included in the consultation responses have been collated and made available to the governing bodies so that the comments and issues can be considered in subsequent future planning (see Consultation Response Summary table below).

The two governing bodies met on 14 July 2010 and recommended to Harrow Council that the schools amalgamate from September 2011. The Governing Bodies' view, supported by the consultation outcome, is that an amalgamated school can provide better for the needs of the children and families of Elmgrove and also offer opportunities to staff that cannot be matched by keeping the schools separate.

Harrow Council received one response to the consultation. Harrow Association of Disabled People responded that it seems fine to amalgamate as long as the needs of all disabled children are individually taken into account and the Equality Impact Assessment takes consideration of the needs of disabled children and staff. The Equality Impact Assessment indicates that the equalities impact of Cabinet's decision will be effectively neutral.

Consultation response summary

	I support amalgamation	I want the schools to stay separate	I am not sure	Total	% that support
First School parent	24	13	6	43	55.8
Middle School parent	11	3	3	17	64.7
Parent in both schools	11	1	2	14	78.6
Member of staff in First School	7	19	6	32	21.9
Member of staff in Middle School	9	9	3	21	42.9
Other interested stakeholder: didn't identify a category		1		1	
ticked all the boxes				0	
Total	62	46	20	128	
%	48.4	35.9	15.6	100.0	

one spoilt paper**Comments:**

- I have a child due to start reception as other starts y 3. It would be difficult to do school runs to different schools if junior is shut.
- Amalgamation will benefit both schools.
- Elmgrove Schools are a special case.
As both schools are additionally resourced to meet the needs of children with severe and complex disabilities, the staffing levels at Elmgrove are higher than the average first and middle school - e.g. currently the First School has over 70 staff. Combining both schools will almost double the staffing level, thus making staff liaison even more difficult than at present. This, in turn, would have a negative impact upon teaching and children's learning.
Recent amalgamation at several local Harrow schools has led to increased levels of stress and subsequent higher than average staff sick leave.
- I would like the same high standards of the First School to be translated to the Middle School.
- The school will be too big and I think the needs of the children (social and emotional) will not be met as well as educational.