

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	CABINET
Report of:	Strategic Director for People
Date of Decision:	26th January 2016
SUBJECT:	PROPOSAL TO DISCONTINUE COLMERS FARM JUNIOR SCHOOL AND TO ALTER THE UPPER AGE RANGE OF COLMERS FARM INFANT SCHOOL.
Key Decision: Yes	Relevant Forward Plan Ref: 001057/2016
If not in the Forward Plan: (please "tick" box)	Chief Executive approved <input type="checkbox"/> O&S Chairman approved <input type="checkbox"/>
Relevant Cabinet Member(s):	Councillor Brigid Jones, Cabinet Member, Children's Services
Relevant O&S Chairman :	Councillor Susan Barnett, Education and Vulnerable Children
Wards affected:	Longbridge , Northfield

1. Purpose of report:
1.1 To seek determination of two statutory proposals <ul style="list-style-type: none"> Discontinue Colmers Farm Junior School Increase the age range of Colmers Farm Infant School. 1.2 These proposals are related. The alteration of the age range of the infant school will enable the pupils from the junior school to be accommodated thus amalgamating the two existing schools with effect from 1 st April 2016.

2. Decision(s) recommended
Cabinet is recommended to:- 2.1 Approve, having taken account of the statutory guidance, the statutory proposals to amalgamate Colmers Farm Infant School and Colmers Farm Junior School through the discontinuation of the junior school and alteration to the upper age range of the infant school, thereby enabling Colmers Farm Infant School to accommodate the pupils from Colmers Farm Junior and create an all through primary school.

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3. Consultation

3.1 Internal

The school organisation proposals were sent to all relevant City Councillors, including the Executive Members for Northfield respective MPs and the Ward Councillors, together with relevant officers across Birmingham City Council. A copy of the full proposals that were issued can be found in Appendix 1. The consultation was carried out in conjunction with external consultation. The outcomes of the proposals can be found in Appendix 3 and summarised below in 3.2.

3.2 External

These proposals have been fully consulted upon in line with the requirements set out in statutory guidance "School Organisation Maintained Schools-Guidance for proposers and decision makers" published by the Department for Education (DfE) in January 2014. A copy of the consultation document can be found in Appendix 2. Meetings were held with both Governing Bodies of Colmers Farm Infant and Junior Schools and members of staff prior to the statutory consultation. The proposals were shared with parents, staff and governors, representatives from the professional associations and other key stakeholders this included a number of consultation meetings with parents, staff, and representatives from the professional associations. Proposals were also shared with neighbouring Local Authorities and The Archdiocesan, The Anglican Diocese of Birmingham and local schools. The consultation document was provided on Birmingham.gov.uk webpages and respondents asked to respond to the Local Authority. At the end of the six week consultation period Local Authority Officers shared all responses with both Governing Bodies in a joint meeting. There were 15 responses, of which 12 were in favour, 1 was against (from a local resident who didn't feel he had enough information) and two were neither in favour or opposed. A public notice was published on 12th November 2015 in the local paper, on the Birmingham.gov.uk website and at the school entrances. Full information has been provided on Birmingham.gov.uk webpages as specified in the public notice and respondents asked to reply through the BeHeard online consultation system. One response has been received during the representation period. The response was in favour of the proposal. A summary and copies of the responses can be found in Appendix 3.

4. Compliance Issues:

4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies?

These proposals are consistent with the Council's current Amalgamations Policy (modified on 25th October 2004) which states in Section 2 that the only triggers for the "amalgamation" of separate infant and junior schools, is through

- i) falling rolls
- ii) a request from the governing bodies of a pair of schools.

Statutory consultation for the amalgamation of separate infant and junior schools is to be undertaken only when the proposal is supported by both governing bodies, parents and staff.

4.2 Financial Implications. (Will decisions be carried out within existing finances and Resources?)

There is no building work or capital expenditure involved in these proposals. Under the fair funding formula schools receive lump sums of £150,000 per annum as part of their overall delegated budget to help fund management costs and fixed overheads. In the first full year of amalgamation the new school will still (based on current DfE operational guidance) receive 85% of the combined lump sum i.e. £255k before reducing to £150k in the second year. The schools have already set their budgets for 2015/16 and 2016/17 based on reducing the management structure to one headteacher. The Governing Bodies have been made fully aware of these budget implications.

4.3 Legal Implications

This report exercises powers contained within sections 15 and 19 of and Schedule 2 to the Education and Inspections Act 2006 and the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 (the "Prescribed Alterations Regulations") and the School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2013 (the "Establishment and Discontinuance Regulations") by which the Local Authority has the power to make statutory proposals affecting schools in its area and to determine them.

4.4 Public Sector Equality Duty

An updated Equality Assessment initial screening was carried out in December 2013 against the School Organisation Change process, which identified that a full impact assessment was not required. No events have occurred since then which would require the preparation of a fresh screening in respect of these recommendations.

5. Relevant background/chronology of key events:

- 5.1 The Junior School was placed in Special Measures following their OFSTED inspection in March 2015. The Infant school is currently rated as "good." The Governing Bodies of both schools had previously consulted on proposals to federate but stronger links are considered necessary in order to support the junior school on their school improvement journey.
- 5.2 Due to the departure of the Colmers Farm Junior School Head Teacher, Colmers Farm Infant School Head Teacher is currently carrying out the acting role of Head teacher over both schools.
- 5.3 Both Governing Bodies met with Local Authority officers and staff in September 2015 and agreed to consult stakeholders on the proposal to increase the age range of Colmers Farm Infant School and the discontinuation of Colmers Farm Junior School. This would create an all through primary school. The infant school's OFSTED rating of "good" would remain and the stronger links would enable a secure pathway for children throughout the primary phase
- 5.4 Local Authority Officers met with both Governing bodies and staff in September 2015 and a decision was made by both Governing Bodies to consult on the proposal to increase the age range of Colmers Farm Infant School and discontinue Colmers Farm Junior School.
- 5.5 During the six week consultation period Local Authority Officers held meetings with parents, pupils, staff, governors and teaching associations. A consultation document was distributed and also published on www.birmingham.gov.uk with a link to the BeHeard consultation site. Local Councillors, MP's and neighbouring authorities were also consulted.

5.6 Following the six week consultation, Local Authority officers met with both Governing Bodies to share the results of the consultation. Fifteen responses were received. Of the fifteen responses, twelve were in favour, one was opposed and two were none specified. The comment opposed to the proposal was from a local resident who felt unable to make a decision on the information provided. Both Governing Bodies, after full consideration of all comments, voted to move to the formal representation stage of the proposals and requested to implement the proposals, if approved, with effect from 1st April 2016.

5.7 A public notice was published by Local Authority on 12th November 2015; the notice was displayed at the main entrance to both schools, in the Birmingham Post and on www.birmingham.gov.uk with a link to BeHeard for any comments.

5.8 The closing date for the statutory consultation was 10th December 2015. One response was received during the representation period which was via BeHeard and was in favour of the proposals.

5.9 The Education and Inspections Act 2006 and regulation 7 of the Prescribed Alterations Regulations provides that the Local Authority is required to have regard to guidance issued by the Secretary of State when taking a decision on such proposals. The relevant extract of the statutory guidance is attached at Appendix 4. The 2006 Act, the Prescribed Alterations Regulations and the Establishment and Discontinuance Regulations, allow for the proposals to be approved, approved with modification, approved subject to meeting a prescribed condition, or rejected.

5.10 If the proposals are approved the Infant School will change its name to reflect the amalgamation of the two existing schools.

6. Evaluation of alternative option(s):

6.1 The recommendation of this report is for the proposal to alter the upper age limit of Colmers Farm Infant School and the proposal to discontinue Colmers Farm Junior School be approved. This will result in an all through primary school. It will allow the infant school's OFSTED rating of good to remain and the stronger links would enable a secure pathway for children throughout the primary phase. Alternatively, in line with the statutory guidance, the proposals may be approved with modification, approved subject to meeting a prescribed condition or rejected.

6.2 Should the proposals not be approved then the existing Infant and Junior schools will continue. The Infant School will remain as it is now. The Junior School is likely to become an academy in line with the Secretary of States expectations for schools in special measures.

7. Reasons for Decision(s):

7.1 To create an all through primary school which will allow stronger links between the Infant and junior departments enabling all children to benefit from a great education.

Signatures	<u>Date</u>
Cabinet Member, Children's Services	
Cllr Brigid Jones:.....
Strategic Director for People	
Peter Hay:.....

List of Background Documents used to compile this Report:
Education and Inspections Act 2006 School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2013 School Organisation (Establishment and Discontinuance of Schools)(England) Regulations 2013 Education Development Plan (Jan 2015) Cabinet Report for Amalgamation Policy 2004

List of Appendices accompanying this Report (if any):
1. Copy of the full proposals 2. Copy of the consultation documents and public notice 3. Copy of consultation responses 4. Relevant Extract from Statutory Guidance on 'School Organisation – Maintained Schools:

Report Version	4	Dated	05/01/2016
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