

Report title: Proposed amalgamation of St George's Infant School and Nursery and St George's New Town Junior School	
Report to: Councillor Ray Gooding - Cabinet Member for Education	
Report author: Clare Kershaw, Director, Education	
Date: 28 July 2020	For: Decision
Enquiries to: Kevin Wilby – School Organisation Officer, email: kevin.wilby@essex.gov.uk - Telephone 03330 131147	
County Divisions affected: Abbey	

1. Purpose of Report

- 1.1. To report on the responses to the consultation that closed on 9 July 2020 about the proposal to discontinue St George's Infant School and Nursery, on 31 December 2020, and to expand the age range of St George's New Town Junior School to create a primary school with effect from 1 January 2021.

2. Recommendations

- 2.1. Authorise the Director, Education to publish statutory proposals to:
 - Discontinue St George's Infant School and Nursery, with effect from 31 December 2020; and
 - Lower the age range of St George's New Town Junior School, from 7 years old to 3 years old, to create a community primary school and nursery with effect from 1 January 2021.

3. Summary of issue

- 3.1. When the position of headteacher became vacant at St George's Infant School in 2019, the governing body considered the range of options available to it in relation to securing the future leadership of the school.
- 3.2. A decision was taken by the governing bodies of both schools to consult on a proposal to amalgamate the two schools, as the governors saw significant advantages in combining the schools into a primary school under the leadership of the headteacher at the junior school to continue to drive up standards and performance. This decision was supported by ECC. This would involve the formal closure of the infant school on 31 December 2020 and decreasing the lower age range of the infant school from 7 to 4 to become a primary school from 1 January 2021.
- 3.3. Since the proposal to consult on amalgamation was agreed by the governing bodies the infant school was rated by Ofsted as inadequate, and the governing body has been replaced by an Interim Executive Board (IEB). The IEB

supports the proposal to amalgamate the two schools. The junior school is rated good by Ofsted.

- 3.4. In considering the proposal to amalgamate the schools, the impact on other local schools has been considered. It is not expected to have any detrimental impact upon other local schools, as the proposal does not change the number of primary phase school places within the area.
- 3.5. Consultation
- 3.6. A consultation on the proposed amalgamation was conducted by Essex County Council (ECC) with the support of the governing bodies/IEB between 11 June and 9 July 2020. The consultation process was originally started in March 2020, but because of the impact of COVID-19 on schools, both ECC and the schools decided to pause the process.
- 3.7. The consultation document is included in the background papers, which contains the proposals for consultation. The consultation document and a response form were made available on the ECC website and the consultation document was distributed to parents of children at the schools via the schools. Copies of the document were also posted to other interested parties by email. Responses to the consultation could be made through the organised drop-in sessions and/ or via the electronic response form, by letter or email.
- 3.8. The consultation period ran for four weeks from 11 June 2020 to 9 July 2020, which is in line with good practice as promulgated by Department for Education (DfE) guidelines.
- 3.9. Because of social distancing restrictions, it was not practical to hold public meetings to discuss the proposals. Instead, stakeholders were able to book 10-minute time slots with ECC officers at the school, if they wished to. This allowed social distancing rules to be maintained, but still gave the opportunity for face-to-face interaction:
 - Drop-in session for staff of both schools on 23 June 2020. Representatives from trades unions were informed of the drop-in session and the social distancing restrictions, with any potential questions from their members being signposted directly to the relevant Trade Union;
 - Drop-in sessions for parents and the local community of both schools on 24 June 2020, one at 2pm and another at 6:30pm.
- 3.10. In addition, a feedback and questions asked sheet was prepared, which was posted on the ECC website and the schools' websites. This was updated with questions and appropriate answers during the consultation period and allowed responses to the community's concerns to be shared widely. The final version of the feedback sheet is included at Appendix 1.

3.11. Only a small number of people attended the drop-in sessions. Six members of staff from the infant school attended the staff session and nobody attended the public drop-in sessions.

3.12. Issues raised and comments made at the meetings and in the written responses included:

- There was concern that staff might be made redundant as a result of the amalgamation;
- It was felt that the infant school was being “taken over” by the junior school and that this was unfair;
- Would the primary school have less funding than the separate infant and junior schools?
- What would happen if amalgamation didn’t happen?
- Primary school would be better for the children;
- Parents were generally supportive of amalgamation.

3.13. ECC’s views on the main issues set out in paragraph 3.12 are:

- Staffing and possibility of redundancies - All the teaching and support staff employed at the junior school (at the time of the proposed amalgamation) would automatically continue their employment in what will become the primary school, save for where any workgroups are subject to restructuring. The staff currently employed in the closing infant school will be able to be recruited to the new primary school staffing structure although, in common with staff at the junior school, there may be a need to reduce potential duplication of posts/job roles and some of the current posts/ job roles and grades may need to change. Any external staff appointments will only be made after current post holders at the infant and junior schools have been considered.
- “Take-over” by the junior school - The proposal being consulted upon is for a closure and an expansion of schools. The infant school would close on 31 December 2020 and the junior school would expand its age range on 1 January 2021 to become a primary school with a nursery. With this arrangement Mr Messer the headteacher at the junior school would be the headteacher of the primary school, ensuring continuity of approach to teaching and learning and retaining his many years of experience of the schools and the needs of the area. The governance bodies have secured Mr Messer as Executive Headteacher of both schools whilst the amalgamation process is running, with Heads of School appointed to ensure the day-to-day running of the schools. The junior school governing body has committed to ensuring that its membership has representation from the infant school. Both governance bodies are committed to a process that is fair and transparent. Mr Messer has committed to ensuring that the views of all members of staff at both schools are heard if the amalgamation goes ahead.
- Funding - The amalgamation proposal has not been prompted by financial reasons. If the schools were to amalgamate the resulting primary school

would be funded in line with the existing funding formula. The primary school would be in receipt of just one lump sum amount each financial year, so overall funding would be reduced when compared with the joint budgets of the infant and junior schools. However, to offset this the primary school would only require one headteacher and would also be eligible to receive a split-site grant.

- What would happen if amalgamation didn't happen - If a decision was made not to amalgamate, then the schools would remain as they are now, as separate infant and junior schools. The infant school would need to consider the appropriate way forward, which might be to join an academy trust. The infant school would in any case need to appoint a permanent headteacher.
- If the amalgamation went ahead there could be a number of benefits for the children at the school, including greater consistency of approach to teaching and learning from ages 3 to 11, increased potential for strong leadership and governance and continuity of experiences for young children.

3.14. A list of the issues raised and ECC's response to them is shown on the feedback sheet at Appendix 1. A list of all responses to the consultation is included as Appendix 2.

3.15. A total of 27 electronic responses (including those from March) were received during the consultation period. The analysis of the responses by category (as identified by the respondents) is as follows, which shows that the consultation reached a range of different stakeholders:

Category of Respondent:	Total	%
Parents/ carer	3	11.1%
Member of staff (schools in consultation)	7	25.9%
Elected representative	2	7.4%
Local resident (s)	1	3.7%
Not known	0	0.0%
Other	14	51.9%

3.16. An analysis of individual responses received in terms of support for or opposition to the proposals is as follows:

For/ Against Proposal	Total	%
In Favour	26	96.3%
Neutral	0	0
Not in Favour	1	3.7%
Grand Total	45	100

3.17. Conclusions

- 3.18. The consultation with all interested parties that has been undertaken in respect of the proposal to amalgamate the two schools showed a strong preference for amalgamation.
- 3.19. It is recommended that statutory notices are published to cease to maintain St. George's Infant School and Nursery, with effect from 31 December 2020 and to lower the age range of St George's New Town Junior School, to create a primary school and nursery with effect from 1 January 2021.

4. Options

- 4.1. The governing body of the infant school considered the range of options available to it in relation to securing the future leadership of the school after the headteacher left in 2019.
- 4.2. **Option 1 Become an academy (not recommended):** The governing body of the infant school considered the potential benefits of becoming an academy at that time. It was considered preferable for the schools to amalgamate and then to consider academisation at a later date as a primary school if this were to be appropriate.
- 4.3. **Option 2 Do not amalgamate and recruit a headteacher (not recommended):** Should ECC not amalgamate the schools, the infant school would be required to find a headteacher to replace the interim arrangements which will cease in December 2020
- 4.4. **Option 3 Amalgamate the schools (recommended):** The proposed amalgamation has the support of the governing body of the junior school and the IEB at the infant school. This option is considered by the governing body to secure the additional benefits set out in this report. The responses to the consultation and the feedback sheet have been shared with both bodies.

5. Issues for consideration

5.1. Financial implications

- 5.1.1 There are no financial implications as this decision is only to publish statutory proposals. However, before any amalgamation proposal can proceed, a further decision must be taken which would outline the financial implications for that particular proposal.

5.2. Legal Implications

- 5.2.1 Section 15 of the Education and Inspections Act 2006 requires a Local Authority to publish statutory proposals where it is considering discontinuing a maintained school. Section 16 of the Act requires the local authority to consult

such people as they feel to be appropriate and to have regard to guidance published by the Secretary of State, before publishing such proposals.

- 5.2.2 The process for publishing statutory proposals is set out in the School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2013 and the School Organisation (Prescribed Alternations to Maintained Schools) (England) Regulations 2013. Those Regulations only apply to schools maintained by a local authority, and not to Academies which are independent of the local authority.
- 5.2.3 As set out in this report, ECC is satisfied that the consultation process is sound and compliant with all legislative and procedural requirements. Notice of the public drop-in sessions, on 24 June 2020 was given in the Colchester Gazette on 11 June 2020. Drop-in sessions were held with staff and parents of the two schools. Details of the representations received during the consultation period are included as an appendix. The requirement to consult has therefore been complied with.

6. Equality and Diversity implications

- 6.1. The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:
 - (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc on the grounds of a protected characteristic unlawful;
 - (b) Advance equality of opportunity between people who share a protected characteristic and those who do not;
 - (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- 6.2. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).
- 6.3. The equality impact assessment indicates that the proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic.

7. List of appendices

- 7.1. Appendix 1 – Feedback sheet
- 7.2. Appendix 2 – Consultation responses
- 7.3. Appendix 3 – Equalities Impact Assessment
- 7.4. Appendix 4 – Consultation document

8. List of Background papers

8.1. Consultation documents

I approve the above recommendations set out above for the reasons set out in the report.	Date
Councillor Ray Gooding, Cabinet Member for Education	

In consultation with:

Role	Date
Executive Director for Corporate and Customer Services (S151 Officer) Margaret Lee	N/A
Director, Legal and Assurance (Monitoring Officer) Susan Moussa on behalf of Paul Turner	04/08/2020