

Cabinet Meeting

20 February 2018

Report title	Final Decision on the Proposed Merger of Whitgreave Infant School with Whitgreave Junior School	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Claire Darke Education	
Corporate Plan priority	People - Stronger Communities	
Key decision	Yes	
In forward plan	Yes	
Wards affected	Bushbury North; Bushbury South and Low Hill; Fallings Park;	
Accountable Director	Meredith Teasdale, Director of Education	
Originating service	School Planning and Resources	
Accountable employee	Bill Hague Tel Email	Head of School Planning and Resources 01902 555100 bill.hague@wolverhampton.gov.uk
Report to be/has been considered by	Education Leadership Team	5 February 2018

Recommendations for decision:

The Cabinet is recommended to:

1. Formally consider, in accordance with statutory guidance, the outcomes of Informal Consultation and Formal Consultation (Representation) on the proposed merger of Whitgreave Infant School with Whitgreave Junior School.
2. Approve the discontinuance of Whitgreave Infant School with effect from 31 August 2018 in accordance with Section 15(1) of the Education and Inspections Act 2006 to facilitate the merger of Whitgreave Infant School with Whitgreave Junior School with effect from 1 September 2018; and

3. Approve both the lowering of the age range from 7 to 11 years to 3 to 11 years and the enlargement of the school premises of Whitgreave Junior School (to include the physical capacity of Whitgreave Infant School's buildings) in accordance with Section 19(1) of the Education and Inspections Act 2006 to facilitate the merger of Whitgreave Infant School with Whitgreave Junior School with effect from 1 September 2018.

The Cabinet is asked to note:

1. That the recommendations detailed in 2 and 3 above are related proposals which are interdependent and cannot be considered in isolation of one another.

1.0 Purpose

1.1 This report details the outcomes of Informal Consultation and Formal Consultation (Representation) on the proposed merger of Whitgreave Infant School with Whitgreave Junior School. The paper seeks approval to merge the two schools to create a primary school to cater for pupils aged between 3 and 11 years with effect from 1 September 2018.

2.0 Background

2.1 Strategic policy regarding the organisation of primary school provision in the City is outlined within the Council's Primary School Organisation Strategy 2016-2018 (PSOS). This Strategy was approved by Cabinet in July 2016 following consultation with key stakeholders.

2.2 The PSOS explains that, "The 'merger' of infant and junior schools is the process of joining the schools together by discontinuing one establishment and expanding and altering the age range of the other" (PSOS 2016).

2.3 The PSOS outlines a number of advantages of bringing infant and junior schools together, including:

- "Reducing the number of major transitions that pupils face
- Reducing the likelihood of lost learning at the beginning of Key Stage 2
- Increasing the opportunity for specialist teachers to work with a wider range of pupils
- Providing the opportunity for a consistent approach to the curriculum to be adopted
- Ensuring the continuity of teaching, learning and achievement
- Cost savings through economies of scale" (PSOS 2016).

2.4 The PSOS explains that, "The 'merger' of infant and junior schools is the process of joining the schools together by discontinuing one establishment and expanding and altering the age range of the other".

2.5 Whitgreave Infant School was inspected and judged to be 'Good' by Ofsted in June 2014 and is a Local Authority Category A school. Children achieve well from relatively low starting points and performance at the end of Key Stage 1 is similar to national levels, with around 70% of children achieving the expected standard in reading, writing and maths.

2.6 Whitgreave Junior School was inspected and judged 'Outstanding' by Ofsted in November 2015 and is a Local Authority Category A school. Performance at the end of Key Stage 2 remains strong and children make significant progress in both English and maths throughout Key Stage 2.

- 2.7 In January 2017, the headteacher of Whitgreave Infant School formally announced her intention to retire at the end of the academic year 2016/17. Consequently, in line with published strategic policy within the PSOS 2016-2018, the Council invited both Whitgreave Infant School's Governing Board and Whitgreave Junior School's Governing Board to consider the future organisation of their schools.
- 2.8 The recommendation from both schools' governing boards was to merge Whitgreave Infant School and Whitgreave Junior School.
- 2.9 In order to ensure a smooth transition which does not jeopardise the existing high-quality provision and recognises the importance of effective partnership working, it was agreed to federate the governing boards, prior to seeking formal approval to propose the merger of the schools.
- 2.10 A federation is where one governing board governs two or more schools. In order to achieve federation, consultation was undertaken by the respective schools' governors between 8 May 2017 to 26 June 2017. The federation was agreed on the 19 July 2017 and came into effect on 1 September 2017.
- 2.11 On 13 September 2017, Cabinet approved the commencement of Informal Consultation on the proposal to merge Whitgreave Infant School with Whitgreave Junior School.
- 2.12 The merger would create a primary school for children aged 3 to 11 years with effect from 1 September 2018. To enable the proposed merger;
- Whitgreave Infant School would be discontinued on 31 August 2018.
 - The age range of Whitgreave Junior School would be altered from 7 to 11 years to 3 to 11 years with effect from 1 September 2018.
 - The recorded capacity of Whitgreave Junior School would be expanded to include the physical capacity of Whitgreave Infant School's buildings with effect from 1 September 2018.
- 2.13 Informal Consultation commenced on 2 October 2017 and concluded on 19 November 2017. The outcome of consultation is detailed in Section 4 below.
- 2.14 On 13 September 2017, Cabinet delegated authority to the Cabinet Member for Education, in consultation with the Assistant Director School Standards to consider the outcome of Informal Consultation and determine whether to proceed to Formal Consultation.
- 2.15 In December 2017, the Cabinet Member for Education, in consultation with the Director of Education, reviewed the outcome of Informal Consultation and approved progression to Formal Consultation (Representation). Formal Consultation commenced on 4 January 2018 and concluded on 31 January 2018. The outcome of Formal Consultation is detailed in Section 5 below.

3.0 Statutory Consultation and Decision Making Processes

3.1 As indicated above, when proposing to merge schools, authorities must follow statutory processes and timescales. The following process has been undertaken in relation to this proposal:

2 October 2017 – 19 November 2017 (Stage 1 – Informal Consultation – 7 weeks) (Completed)

Informal consultation with stakeholders including pupils, parents, employees and governors.

December 2017 (Completed)

The Cabinet Member for Education in consultation with the Director of Education, considered the outcome of Informal Consultation and determined to proceed to the next stage of the process.

4 January 2018 (Stage 2 – Publication) (Completed)

A public notice was published summarising the proposal. A copy of the full proposal and the reasoning behind was also made available.

4 January 2018 – 31 January 2018 (Stage 3 – Formal Consultation – 4 weeks) (Completed)

Formal consultation period (representation) – Offered stakeholders the opportunity to make formal comments or objections regarding the proposal.

20 February 2018 (Stage 4 – Decision)

The Cabinet of the Council considers the outcome of consultation and make a final decision on the proposals. This decision would then be subject to a four-week appeals period.

1 September 2018 (Stage 5 – Implementation)

Subject to approval, proposals would be implemented as published.

3.2 As detailed within the Department for Education's (DfE) statutory guidance the Council is the decision-making body regarding proposals to discontinue and to make prescribed alterations to mainstream community schools.

3.3 Decisions must be made within two months of the end of the Representation Period or they must be referred to the Schools Adjudicator.

3.4 There are a number of factors that Cabinet are required to have regard to when making decisions on the proposals. DfE statutory guidance for decision-makers can be found at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/514570/16-04-06_FINAL_SO_Guidance_DM.pdf

3.5 Decision-makers must consider all the views submitted, including support for, objections to and comments on the proposal. All responses to consultation are included within the body of this report in Appendices 2a – 2d.

3.6 When issuing a decision, the Cabinet can;

- Reject the proposal;
- Approve the proposal without modification;
- Approve the proposal with modification;
- Approve the proposal (with or without modification) subject to certain conditions being met.

3.7 The following bodies may appeal the decision:

- The local Church of England Diocese
- The local Roman Catholic Diocese.

Should an appeal be lodged responses and decision rationale will need to be sent to the Schools Adjudicator for review.

4.0 Outcome of Informal Consultation

4.1 At the start of the consultation period over 580 individual letters and consultation documents were distributed to stakeholders. Stakeholders included the Federated Governing Board, staff and parents/carers of pupils attending Whitgreave Infant School and Whitgreave Junior School. A complete list of those stakeholders who were consulted can be found at Appendix 1.

4.2 During the Informal Consultation period, 46 written consultation responses had been received by the City of Wolverhampton Council. These were completed by a range of stakeholders including Governors, staff and parents/carers of pupils.

Number of responses received	Respondents in favour of the proposal	Respondents against the proposal	Respondents who 'Don't know'	Not Stated
46	39 (85%)	5 (11%)	1 (2%)	1 (2%)

Copies of all consultation responses can be found at Appendices 2a – 2d and must be given due consideration.

4.3 A number of supportive comments regarding the proposal were received during Informal Consultation including:

- “Think it will make an easier transition for children entering the school from a nursery without having to keeping moving from one school to another. Primary also makes the school more of a unit instead of 2 separate schools. Teachers should be able to pass on information more easily from infant to junior schools.” (Response 3 – Parent or Carer of a pupil at Whitgreave Infant School).
- “This is positive for continuity in all areas.” (Response 16 – Member of staff at Whitgreave Junior School).
- “I feel this is an opportunity for children, staff and the schools to progress and move forward.” (Response 19 – Member of staff at Whitgreave Junior School).

- “Because that merge will reduce the likelihood of lost learning from the kids who entered primary school.” (Response 24a – Parent or Carer of pupils at Whitgreave Infant School and Whitgreave Junior School).
- “I think that the proposal is a fantastic idea, for a variety of reasons. A) The number of transitions that children will face will be reduced. B) The highly effective policies and procedures introduced at the Juniors by Sarah Redfern can be implemented at the Infants. C) Methods/routines will run across both schools. D) High expectations in both schools. E) Staff currently teaching in either school will be given the opportunity to broaden their experiences by working with new staff and teaching a wider age range of children.” (Response 31 – Member of staff at Whitgreave Junior School and Member of the Governing Board of Whitgreave Infant and Whitgreave Junior Schools).
- “...it would be a fantastic opportunity to ensure consistency, continuity and progression for both schools, which will positively impact upon teaching and learning for all pupils. It will also ensure that all expectations for all pupils will be the same, thus making it clearer for parents/carers....” (Response 45 – Member of Staff and Member of the Governing Board of Whitgreave Infant and Whitgreave Junior Schools).

4.4 A number of concerns and considerations regarding the proposal were also identified during Informal Consultation including:

- “The infant staff are being subjected to numerous changes, changing all infant school policies and working ways to those of the junior school. This is happening with immediate effect putting a ridiculous amount of stress on staff and thus putting strain on the children who are also having to deal with these changes to the way they work. This is making a very stressful working environment and is detrimental to the staff and children who have been stable in their working environment and through no fault of their own have been forced to make changes that in most cases are unnecessary or could have been introduced gradually.” (Response 35 – Member of staff at Whitgreave Infant School).
- “I am happy with how the school was run before. The kids have had to have new uniform and have new lessons and and [sic] the staff seem to be rushed off their feet and stressed out trying to fit in all the new things they are having to do. It’s not fair on them as they are all so nurturing and should be left as an infant school doing a great job as they always have.” (Response 37 – Parent or Carer of a pupil at Whitgreave Infant School).
- “The infant school is fine as it is the staff are all settled and don’t need to have the worry of having to possibly move classes and work with older children when they are happy working in the infant school with the ages they want to work with....” (Response 38 – Parent or Carer of a pupil at Whitgreave Infant School).

4.5 A number of consultation meetings also took place during the Informal Consultation period. Representatives from the Education Department outlined the proposal and stakeholders were offered the opportunity to ask questions, raise queries or offer comments. A summary of these meetings is outlined below with full details of each meeting available at Appendix 3. Decision makers must consider all responses to consultation when determining whether or not to proceed.

Stakeholder Group	Date of Meeting	Number of Attendees
Whitgreave Infant School & Whitgreave Junior School staff	10 October 2017	46
Whitgreave Infant & Whitgreave Junior parents/carers	11 October 2017	11
Whitgreave Infant & Whitgreave Junior parents/carers	11 October 2017	1
Whitgreave Infant & Whitgreave Junior pupils (Pupil Voice)	11 October 2017	23
Whitgreave Infant School & Whitgreave Junior School Federated Governing Body	19 October 2017	13

5.0 Formal Consultation

- 5.1 Formal Consultation commenced on 4 January 2018 and concluded on 31 January 2018. At the start of the consultation period, a Statutory Notice (Appendix 4) was published in the Express and Star Newspaper. In addition, consultation documentation including the Complete Proposal (Appendix 5) and the Statutory Notice were published on the City of Wolverhampton Council's consultation website, and were also distributed to relevant stakeholders. A complete list of those stakeholders who were consulted can be found at Appendix 6.
- 5.2 The Council received one response to Formal Consultation. The response stated, "This is to confirm my support for the recommendations of both governing bodies for the merger of Whitgreave Infant School with Whitgreave Junior School to create a Primary School with effect from 1st September 2018".

6.0 Responses to Consultation

- 6.1 In response to the outcomes of consultation, representatives from the Education Department would like to make the following comments:
- 6.2 **Leadership:**
Following the announcement of the retirement of the Infant headteacher, the governing boards agreed to appoint the headteacher of Whitgreave Junior School, as the Acting headteacher of Whitgreave Infant School with effect from 1 September 2017. It is understood that changes have already been implemented at the Infant School. The organisation and management including setting of policies and staff workload is the responsibility of the headteacher and Governing Board.
- 6.3 **Governance:**
In line with the Primary School Organisation Strategy 2016-18 and as detailed in Section 1 of the report, the governing boards of both schools recommended to propose the merger to become a primary school. If the merger does not go ahead the two schools would remain separate, overseen by the federated Governing Board.

6.4 Uniform:

The Council are aware that there have been changes to the school uniform. Decisions such as these are the responsibility of the headteacher and the Governing Board.

7.0 Evaluation of alternative options

7.1 Alternative options have been considered, including;

- Amalgamation – The closure of both schools and the establishment of a new primary school. Whilst this option would ultimately result in the establishment of a primary school and offer the corresponding benefits, it would also result in a new school number being issued. As such, both establishments' existing Ofsted judgements would no longer be recognised.
- Maintaining two separate schools – Continuing with the current organisation of provision. This option would not offer the anticipated benefits detailed in paragraph 2.3. In addition, should the two schools remain separate, a new headteacher would need to be appointed at the Infant school, one who could maintain and build upon the current good standards of educational provision. Steps would also need to be taken to ensure the Senior Leadership Teams at both schools remain stable and provide support for both schools in continuing to perform at a high level.

8.0 Reasons for decisions

8.1 This proposal is in line with the Council's strategic policy as detailed within the Primary School Organisation Strategy 2016-2018 and would maximise the opportunity for the benefits detailed in paragraph 2.3 to be realised.

9.0 Financial implications

- 9.1 The proposed merger of the schools would provide opportunities for efficiency savings and maximise the use of school resources. The Local Authority schools funding formula includes a lump sum payment of £125,000 per school so the proposed merger would eventually release £125,000 of the Dedicated Schools Grant which would be available for allocation across the remaining schools in the city. In the year of conversion, the primary school would retain the full allocations originally made to the separate schools. A transitional year then follows, where the primary school would receive a proportion of lump sum that would equate to £87,500, in addition to its own £125,000 lump sum.
- 9.2 Subject to approval of the proposal, it is recognised that there would be a need to invest in ICT to consolidate the infrastructure and server/backup environment. This cost would need to be met by the primary school utilising a proportion of the aforementioned lump sum allocation.
- 9.3 Subject to approval of the proposal, investment would also be required to merge the SIMS databases from Whitgreave Infant School and Whitgreave Junior Schools into one database. This cost would need to be met by the primary school utilising a proportion of the aforementioned lump sum allocation.

9.4 Based on the budget forecasts received, both schools are expected to have surplus balances at the anticipated point of transfer, 1 September 2018. Such balances would be combined for use in the single school, subject to the discretion of the local authority. Should, either of the schools move into a deficit position, the combined deficit/surplus will transfer to the newly created primary school.

9.5 As the schools are located on separate sites, a path is required to support the transition to one school, facilitating movement of employees, pupils, parents and equipment between the sites. Estimated costs of this work are between £75,000 to £125,000. It is anticipated that the cost of delivering the path will be met through a combination of school reserves and existing maintenance budgets.

[DB/01022018/I]

10.0 Legal Implications

10.1 The legal implications arising from this report are stated in the body of the report. In addition, any proposals to alter the structure of school provision in the area would need to comply with the detailed provisions in the Education and Inspections Act 2006 to ensure sufficient consultation is undertaken and that relevant stakeholders are notified of the proposal/decisions in a timely manner.

[RB/08022018/X]

11.0 Equalities implications

11.1 This report has equal opportunity implications as the contents have direct relevance to educational provision for children and young people in the City.

11.2 A full equality analysis has been completed with regard to the proposals. This analysis is available at Appendix 7. In line with the prescribed decision-making process decision-makers are required to pay due regard to this analysis.

11.3 There are no outstanding equalities issues that would prevent Councillors from taking the decisions.

12.0 Environmental implications

12.1 There are no environmental implications to this report.

13.0 Human resources implications

13.1 The employees of the schools in scope are employed by the local authority. There would therefore be no transfer of employment and it is anticipated that terms and conditions of employment would remain unaffected. However, it may be required to review the leadership structures of the schools. The appropriate human resources policy and process would be followed ensuring consultation with the affected employees, should the proposal be adopted.

14.0 Corporate Landlord implications

14.1 Any works undertaken on the site that may impact upon the condition data held by Corporate Landlord will be updated to reflect the changes. Corporate Landlord will also work with Legal Services and the Geographic Information System (GIS) Team to inform them of the changes to the site and its change in status from infant and junior schools to a primary school.

15.0 Schedule of background papers

- IEDN (12 December 2017) Outcome of Informal Consultation on the Proposed Merger of Whitgreave Infant School with Whitgreave Junior School.
- Cabinet (13 September 2017) Re-organisation of Educational Provision
- Whitgreave Infant School Ofsted Inspection Report – 18 June 2014 (www.ofsted.gov.uk)
- Department for Education statutory guidance 'Making 'prescribed alterations' to local authority maintained schools' April 2016 (<https://www.gov.uk/government/publications/school-organisation-maintained-schools>)
- Department for Education statutory guidance 'Opening and closing maintained schools' April 2016 (<https://www.gov.uk/government/publications/school-organisation-maintained-schools>)
- Whitgreave Junior Ofsted Inspection Report – 3 November 2015 (www.ofsted.gov.uk)