



Notice of Non-key Executive Decision

Subject Heading:	Publication of statutory notices on the proposed amalgamation of St Ursula's Catholic Infant and St Ursula's Catholic Junior schools
Cabinet Member:	Councillor Robert Benham: Deputy Leader of the Council, Cabinet Member for Education, Children & Families
SLT Lead:	Robert South, Director of Children's Services
Report Author and contact details:	Pooneeta Mahadeo School Organisation Manager pooneeta.mahadeo@havering.gov.uk Tel: 01708 431092
Policy context:	We believe all-through primary schools (infant and junior school aged children in one primary school), deliver better continuity of learning as the model for primary phase education in Havering. When the opportunity arises we will either amalgamate separate infant and junior schools into a single primary school or federate the schools.
Financial summary:	The administrative costs of publishing the statutory notice and proposal can be met from existing revenue budgets. Implementation of the notice has no capital funding implications.

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Relevant OSC:	Children and Learning
Is this decision exempt from being called-in?	Yes

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The subject matter of this report deals with the following Council Objectives

Communities making Havering	<input checked="" type="checkbox"/>
Places making Havering	<input type="checkbox"/>
Opportunities making Havering	<input type="checkbox"/>
Connections making Havering	<input type="checkbox"/>

Place an X in the [] as appropriate

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

The decision is to publish, in accordance with DfE Guidance, a statutory notice and prescribed information setting out the Local Authority's formal proposal of

- The lowering of the age range and the enlargement of the premises at St Ursula's Catholic Junior School
- the technical closure of St Ursula's Catholic Infant School

The statutory notice is included as Appendix 1

AUTHORITY UNDER WHICH DECISION IS MADE

Part 3, Section 3.5.3, under paragraph (mm) School organisation, funding and governance of the Constitution gives the Assistant Director of Education Services the responsibility to:

(iii) Keep under review school organisation, including monitoring demographic and other social changes and to take all necessary action and make any determinations in relation to the proposals for the establishment, alteration, amalgamation or discontinuance of schools.

STATEMENT OF THE REASONS FOR THE DECISION

St Ursula's Catholic Infant and St Ursula's Catholic Junior schools federated since September 2017. This means that they have a single governing body, but are still two separate schools. Amalgamation will formalise the partnerships already in place as it will provide greater flexibility and more influence when it comes to developing a self-improving culture.

Currently, St Ursula's Catholic Infant and St Ursula's Catholic Junior schools both have an interim head of school in place overseen by an interim Executive headteacher following the resignation of the Executive Headteacher. With an expensive leadership salary bill and a significant deficit (projected to be £150k in the Infant School) there was a need for the governing body to take decisive action. In addition following the criticism from Ofsted regarding the lack of a leadership structure in the Infant School there was a need to review the leadership arrangements across the federation. The proposed option, to amalgamate the two schools to form a 2 form entry primary school would enable a single leadership structure to be implemented which would cost less than the current structure. It will bring the two schools under a single headteacher with the aim of creating a robust structure at the school and ensuring its viability.

The LA is required to follow a statutory process to amalgamate the two schools

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Statutory Proposal Timeline	
Key milestones	Date
Statutory Stage 1 – Publication of Statutory Notices	28 February 2020
Statutory Stage 2 – Representation Period (formal consultation)	28 February – 27 March 2020
Statutory Stage 3 - Decision on proposals The decision-maker (usually the LA) must decide proposals within 2 months of the end of the representation period or decision defaults to Schools Adjudicator (OSA). Any appeal to the adjudicator must be made within 4 weeks of the decision.	End of April 2020
Statutory Stage 4 – Implementation	1 September 2020

OTHER OPTIONS CONSIDERED AND REJECTED

No other option considered.

PRE-DECISION CONSULTATION

Although there is no longer a prescribed 'pre-publication' consultation period for prescribed alterations, there is a strong expectation on schools and LAs to consult interested parties in developing their proposal prior to publication as part of their duty under public law to act rationally and take into account all relevant considerations.

Consultation took place from 20th January to 17 February 2020. A total of 52 consultation responses were received. Of the 52 responses received, 48 were in favour while 4 respondents were against the proposal. The main issues raised from those against the proposal were:

- Infant school is a smaller school and has a much closer relationship with parents and children than a primary school
- Resource in the school will minimise as a result of the amalgamation in terms of staffing, budget
- Job losses
- Need a good headteacher to lead the primary school as the schools became unstable since the previous Head left.

The consultation report is included as Appendix 2.

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NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: Pooneeta Mahadeo

Designation: School Organisation Manager

Signature:



Date: 18/02/2020

Part B - Assessment of implications and risks

A non-statutory informal consultation has been carried out the results of which are set out in appendix 2. The decision maker should pay careful regard to the responses received before making a determination.

The Council has a statutory duty to ensure sufficient primary and secondary education is available to meet the needs of the population of their area (Section 13 Education Act 1996).

Under Regulation 5 of the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013/3110 an enlargement of the school premises which increases capacity by either (a) more than 30 pupils; or (b) by 25% or 200 pupils (whichever is the lesser), needs to go through the statutory notice procedure. In this case the proposals require publication as St Ursula's Catholic Junior School will

- (a) Lower the age range of the school to 2 to 11 years, thereby becoming a primary school.
- (b) Enlarge its premises

It is proposed to discontinue St Ursula's Catholic Infant school. Likewise the School Organisation (Establishment and Discontinuance of Schools) Regulations 2013/3109 require a statutory notice procedure which in the context of this amalgamation will be combined with the enlargement proposals.

FINANCIAL IMPLICATIONS AND RISKS

The financial implications on Revenue Budgets of undertaking the statutory process are minimal, and will attain to the administration costs of publishing the statutory notice and proposal. These costs estimated at £200 can be contained within existing budgets of the Education Service.

There are no Capital funding implications of these proposals.

HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)

The human resources implications for the schools to be proposed for amalgamation will be managed by the schools themselves supported when required by HES HR.

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:

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- (i) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) the need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are: age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

BACKGROUND PAPERS

None

Appendix 1 – Statutory Notice

Appendix 2 – Consultation report

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Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

Proposal agreed

Delete as applicable

~~Proposal NOT agreed because~~

Details of decision maker

Signed



Name: Trevor Cook

Cabinet Portfolio held:

CMT Member title: Assistant Director, Education Services

Head of Service title

Other manager title:

Date: 19/2/20

Lodging this notice

The signed decision notice must be delivered to the proper officer, Debra Marlow, Principal Democratic Services Officer in Democratic Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on 20/2/2020

Signed 

