

**CABINET MEMBER FOR CHILDREN, YOUNG PEOPLE AND FAMILIES'
SERVICES**

**Venue: Town Hall, Moorgate
Street, ROTHERHAM.
S60 2TH**

Date: Wednesday, 5th March, 2014

Time: 9.00 a.m.

A G E N D A

1. To determine if the following matters are to be considered under the categories suggested in accordance with the Local Government Act 1972.
2. To determine any item which the Chairman is of the opinion should be considered as a matter of urgency.
3. Apologies for absence.
4. Declarations of Interest.
5. Minutes of the previous meeting held on 12th February, 2014. (Pages 1 - 6)
6. Welcome to the new Strategic Lead, Joint Health, Education and Social Care.
7. Budget Monitoring Report to 31st January, 2014. (Pages 7 - 13)
8. Annual determination - the Local Authority (Post Compulsory Awards) Regulation 2000. (Pages 14 - 16)
9. Proposal to Amalgamate Thorpe Hesley Infant and Junior Schools - Pre-Statutory Consultation. (Pages 17 - 20)
10. Proposals to expand Cortonwood Infant School - commence Statutory Consultation. (Pages 21 - 24)
11. Proposed expansion of Brampton the Ellis Junior School - commence Statutory Consultation. (Pages 25 - 28)

12. Proposal to amalgamate Brampton the Ellis Junior and Infant Schools by the discontinuance of the Junior School and the change of age range of the Infant School - Statutory Consultation. (Pages 29 - 32)
13. Headteacher recruitment to amalgamating schools policy. (Pages 33 - 38)
14. Appointment of Local Authority Governors - applications to be circulated separately.
15. Department for Education Consultation on the constitution of Local Authority maintained school governing bodies. (Pages 39 - 42)
16. Date and time of the next meeting: -
 - Wednesday 9th April, 2014, to start at 9.00 a.m. in the Rotherham Town Hall.

**CABINET MEMBER FOR CHILDREN, YOUNG PEOPLE AND FAMILIES'
SERVICES
12th February, 2014**

Present:- Councillor Lakin (in the Chair); Councillors Beaumont and Roche.

Councillor Pickering was also in attendance.

Apologies for absence were received from Councillor Ahmed

D91. DECLARATIONS OF INTEREST.

No Declarations of Interest were made.

**D92. MINUTES OF THE PREVIOUS MEETING HELD ON 15TH AND 22ND
JANUARY, 2014.**

The minutes of the previous meetings of the Cabinet Member for Children, Young People and Families' Services held on 15th and 22nd January, 2014, were considered.

Resolved: - That the minutes of the previous meetings be agreed as a correct record.

**D93. MINUTES OF A MEETING OF THE CHILDREN, YOUNG PEOPLE AND
FAMILIES' PARTNERSHIP HELD ON 15TH JANUARY, 2014.**

The minutes of the previous meeting of the Children, Young People and Families' Partnership were considered.

Resolved: - That the minutes be noted.

**D94. WELCOME TO THE NEW STRATEGIC LEAD, JOINT HEALTH,
EDUCATION AND SOCIAL CARE.**

This item would be deferred to the next meeting of the Cabinet Member.

**D95. CHILDREN AND YOUNG PEOPLES' SERVICES PERFORMANCE
REPORT.**

Consideration was given to the report presented by the Performance and Quality Manager (Performance and Quality, Neighbourhood and Adult Services Directorate) that outlined performance of Children and Young People's Services at the end of Quarter Three of the 2013-2014 year. The report considered performance against targets, including the direction of travel against the previous year's performance, alongside comparisons with statistical neighbours and national data where it was available.

The report had been set-out in line with the proposed Corporate Plan Priorities, which showed the 'priority area', the 'outcome' and how performance would be 'measured'.

An update was provided to the Cabinet Member, and the following reporting areas were highlighted: -

- **Take up of Secondary School lunches (No. 10 / NI52b): -**

The take-up of lunches across both primary and secondary schools was subject to seasonal variation. Take-up of primary school lunches had increased on the previous year, however, take-up of secondary school lunches was below target at 37.2%, although this was up on the previous year by 1.6%.

Discussion ensued on this and it was noted that the data only included schools where the Rotherham Schools' Catering Service provided meals, schools that had chosen to use a different provider were not included in the statistics. The Rotherham Schools' Catering Service was continuing to monitor uptake of meals and the effectiveness of promotion and marketing.

The September, 2014, entitlement of Free School Meals for all Infant aged school children was noted.

- **Percentage of initial assessments for children's social care carried out within 10 working days of referral (No.12 / NI59)**

At the end of December there were 1211 initial assessments completed in the year so far. Performance within the month was 60.4%. Combining the current data for completed and outstanding assessments the projected year end performance was 53%.

- **Percentage of core assessments for children's social care that were carried out within 35 working days of their commencement (No.13 / NI60): -**

At the end of December there were 1566 core assessments completed in the year so far. Performance within the month was 54%. The total year's performance at the end of the quarter had fallen to 65.5%. Performance at the end of Quarter Three was 17.8% lower than the same time last year (83.3%).

Discussion ensued in relation to the performance of NI59 and NI60. The reasons why the performance had decreased were discussed. It was noted that the process for duty cover for the Contact, Assessment and Referral Team meant that there was a social worker each week covering duty, leading to a negative impact on performance in completed Assessments within timescales. Furthermore, there had been an increase

in the number of assessments undertaken. Independent assessment of the Service had been undertaken by an independent social worker currently looking at performance and improvements and he had confirmed his assurance that children were safe; fieldwork and visits were taking place and risk assessments had been completed, however, the writing up process was not being completed within the timeframes required. Social Workers were receiving case-based supervision but were lacking in reflective supervision, which included training and development requirements. All Social Workers were being given access to 'The Big Picture', a software package that allowed social workers to plan and monitor their caseloads. The performance levels were not due to vacant posts or worker turnover in the teams.

The Cabinet Member expected the performance against NI 59 and 60 to be improved in future reports and asked that Senior Managers pursue this as a priority through supervisions and the PDR process. Whilst recognising that fieldwork and risk assessments were in place, and consequently that vulnerable children were safe, the Cabinet Member expected that the record of activities undertaken be up to date.

- **Timeliness of placements of looked after children for adoption following an agency decision that the child should be placed for adoption (No.14 / NI61)**

At the end of December, 27 adoptions had been completed in-year representing an increase of 8 from the position this time last year. Sixteen of the 27 had been completed in timescale, giving a performance of 59.3% which, although still a 'Red' indicator, is an improvement on previous Quarters. At this point last year, performance was 47.4%.

Performance was rated as 'Red' because the Adoption Team had concentrated on family finding and matching for harder to place children. This concentration of efforts was in the best interests of the children involved.

The work of the Adoption Team was being bolstered by the Adoption Reform Grant, which was a time-limited additional source of funding. Further work needed to take place to avoid that, following the end of the Grant, the performance of the Adoption Team did not decrease.

- **Child protection plans lasting 2 years or more (No.17 / NI64): -**

This Quarter had seen a high number (104) of plans cease compared to other Quarters. 10 of these had been open for two-years or more, which was more than the rest of the year combined. This took the total number of plans ceasing to 270 of which 18 were over the two year threshold, making a performance of 6.7% and 'Red'. This was compared to the same time last year of 4%.

The continuing quality assurance work that was taking place was also considered.

Resolved: - That the report be received and its content noted.

D96. BUDGET MONITORING REPORT TO 31ST DECEMBER, 2013.

Consideration was given to the report presented by the Principal Finance Officer (Financial Services, Resources Directorate), which provided a financial forecast to 31st March, 2014, based on actual income and expenditure to 31st December, 2013.

Overall, the Directorate was projecting a £1.252million over-spend outturn position at the end of the 2013/2014 financial year. This overspend represented an increase of 2.7% on the total revenue budget allocation, which was an increase of £11,000 since the previous budget monitoring report.

The forecast overspend was largely due to the continuing pressures in Safeguarding Children and Families' Services due to the needs-led nature of the budget relating to out-of-authority residential and fostering placements. The report provided an update on the main areas of variance and outlined the main pressures and areas of under-spend and/or over-spend for each Service.

The management actions taken relating to the Services for Looked After Children included a drive to recruit more in-house foster carers, prevention and early intervention strategies including an increased use of Special Guardianship Orders, and the Invest to Save Programme in Fostering and Adoption Services.

Disability Services were projecting an over-spend of £52,000 due to staffing requirements in residential homes where agency staff could not be used, and also by an increase in Direct Payments. Although representing an over-spend, the additional charges incurred had avoided an out-of-authority payment, which was a better outcome for the individual child/young person and their family/carer/s. An out-of-authority placement would likely have also been at a greater cost than the direct payment.

A number of continuing budget management actions were being taken to avoid costs: -

- Prevention and early intervention strategies, including an increased use of Special Guardianship Orders and efforts concentrating investments in Fostering and Adoption Services;
- Proactive management actions continued to concentrate on avoiding costs relating to placements for looked after children, the fostering framework and through block commissioning and negotiation of placements. These efforts had achieved savings of £588,000;

- The Multi-Agency Support Panel was continuing to make efficient multi-agency management actions and decisions, and continuing to avoid costs wherever possible;
- Agency costs had increased compared to the same period in the previous year primarily as a result of covering vacant posts within Safeguarding Children and Families' Service, and covering sickness absence and maternity leave to ensure that safe staffing ratios were maintained. Recruitment was underway in relation to vacant posts to save on agency costs;
- Non-contractual overtime for Children and Young People's Services had increased compared to the same period in the previous year as a result of the need for fully trained staff to maintain cover in residential homes. Agency staff could not cover these posts due to training requirements;
- Consultancy costs had decreased compared to the same period in the previous year.

Discussion ensued with the following issue raised: -

- The continuing efforts that were taking place with Partner organisations regarding the residential placements and achieving an equitable charging structure.

Resolved: - That the latest financial projection against the budget for the year based on actual income and expenditure to the 31st December, 2013, be noted.

D97. ESUITE DATA MANAGEMENT SYSTEM - CONTINUATION OF SUPPORT AND MAINTENANCE.

Consideration was given to the report presented by the Childcare Sustainability Manager (Early Years and Childcare Strategy, School Effectiveness Service, Schools and Lifelong Learning, Children and Young Peoples' Services Directorate) that outlined a proposal to exempt Standing Order 47 in relation to the eSuite Data Management System.

An existing contract was in place with Capita Children's Services for the provision of 'eSuite', which was the performance and activity monitoring software system used by Rotherham's 22 Children's Centres. The exemption from the provision of Standing Order 47.6.3 (the requirement to invite at least three written quotations for contracts valued between £20,000 - £50,000) was proposed as there were no alternative suppliers who could provide a compatible licence other than Capita Children's Services.

The licence related to the period 1st April, 2014 – 31st March, 2015, and was valued at £29,060.24, which would be met within existing budgets.

Discussion ensued on the proposal. The Cabinet Member questioned why the licence agreement was agreed annually and asked that the possibility be explored of signing a longer licence agreement.

Resolved: - That Exemption from Standing Order 47.6.3 (the requirement to invite at least three written quotations for contracts valued between £20,000 - £50,000) be agreed, and the eSuite Data Management System contract be awarded to Capita Children's Services for the period 1st April, 2014 – 31st March, 2015, as set out in the submitted report.

D98. DATE AND TIME OF THE NEXT MEETING: -

Resolved: - That the next meeting of the Cabinet Member for Children, Young People and Families' Services take place on Wednesday 5th March, 2014, to start at 9.00 a.m. in the Rotherham Town Hall.

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1	Meeting:	Cabinet Member for Children, Young People and Families' Services
2	Date:	5th March, 2014
3	Title:	Children and Young People's Service Revenue Budget Monitoring Report to 31st January 2014
4	Directorate :	Children and Young People's Service

5 Summary

This Budget Monitoring Report provides a financial forecast for the Children and Young People's Services Directorate to the end of March 2014 based on actual income and expenditure to the end of January 2014.

The Directorate is currently projecting an overspend outturn position of £1.124m (2.4%) principally as a result of continued pressures in the Safeguarding, Children and Families Service. This has reduced by £128K since the December monitoring report.

6 Recommendations

That the Cabinet Member receives and notes the latest financial projection against budget for the year based on actual income and expenditure to the end of January 2014.

7 Proposals and Details

7.1.1 Considerable, concerted proactive management actions to contain and where possible reduce the projected outturn position are continuing. So far, within this financial year, these actions will have helped the service avoid £701K of costs that would otherwise have been incurred. Further detail on the actions is presented at 7.1.5.

7.1.2 The table below summarises the forecast outturn against approved budgets for each service division:

Division of Service	Net Budget	Forecast Outturn	Variation	Variation
	£000	£000	£000	%
Directorate Wide Costs	2,139	2,122	-17	-0.8
Schools and Lifelong Learning Service Wide	109	109	0	0
School Effectiveness	862	839	-23	-2.7
Special Education Provision	2,296	2,243	-53	-2.3
Early Years	4,954	4,641	-313	-6.3
Integrated Youth Support	4,400	4,145	-255	-5.8
Specific Grant Support	0	0	0	0
Traded Services	82	74	-8	-9.8
Safeguarding, Children & Families Service Wide	3,053	3,113	60	2.0
Child Protection Teams	1,024	1,068	44	4.3
Children in Need Social Work Teams	5,917	6,098	181	3.1
Looked After Children	18,394	19,816	1,422	7.7
Disability Services	3,050	3,136	86	2.8
Total Children and Young People's Services	46,280	47,404	1,124	2.4

7.1.3 Presented below is an analysis of the main variances and the underlying reasons beneath them:

School Effectiveness (-£23K)

Rockingham PDC is currently projecting to achieve £1K of additional income over its £33K target & the School Effectiveness Service has had delays in filling vacancies resulting in a £22K underspend.

Special Education Provision (-£53K)

Forecast overspends on Education Welfare (+£3k) due to loss of academy income caused by a change in legislation, SEN Assessment/Admissions Team (+£22k) due to additional hours to cover sickness & additional printing and SEN Complex Needs placements (+£1K) are all offset by staff savings, some of which are from Voluntary Early Retirement/Voluntary Severance, Learning Support Service (-£14K), Children in Public Care (-£10K), Parent Partnership (-£11K) and Education Psychology Service (-£44k).

Safeguarding, Children and Families Service Wide (+£60K)

The forecast over spend on legal fees (+£81k) due largely to an increase in court fees notified to us in July 2013, agency costs (+£9K) & inspection consultancy costs (£38K) is offset by staff slippage (-£68K) in Business Support.

Child Protection Teams (+£44K)

This forecast overspend is due to confirmation of a reduction in the DSG contribution from schools.

Children in Need Social Work Teams (+£181K)

This forecast overspend is on Agency staff costs & additional staff appointments within the Children in Need North team & the Borough Wide team (+£155K) and a charge for call handling for the Out of Hours Team (+£46K) offset with staff slippage from the Early Intervention teams (-£16K) & the Children in Need South team (-£4K).

Looked After Children (+£1,422k)

The service is forecasting an over spend mainly due to out of authority residential placements (+£1,605K), remand placements (+£180K) and independent fostering placements (+£254K). Further details of placements are below:

Placement Type	2011/12		2012/13		2013/14 as at 31 st January		
	Average No. of placements	Average Cost of Placement £ per week	Average No. of placements	Average Cost of Placement £ per week	Average No. of placements	Average Cost of Placement £ per week	Actual Number of placements
	Out of Authority Residential	18	3,022	21.1	3,206	24.3	3,191
<i>R1 Accommodation only</i>	U/A	U/A	U/A	U/A	U/A	U/A	8
<i>R1 Accommodation & additional staffing</i>	U/A	U/A	U/A	U/A	U/A	U/A	3
<i>R2 Accommodation & therapy</i>	U/A	U/A	U/A	U/A	U/A	U/A	10
<i>R3 Accommodation, therapy & education</i>	U/A	U/A	U/A	U/A	U/A	U/A	5
<i>R4 Parent & Baby</i>	U/A	U/A	U/A	U/A	U/A	U/A	0
<i>Secure</i>	U/A	U/A	U/A	U/A	U/A	U/A	3
<i>Remand</i>	U/A	U/A	U/A	U/A	1.7	2,873	0
Independent Fostering Agencies	125	887	121	874	107.5	883	105
<i>Standard</i>	U/A	U/A	74.8	745	66.7	762	63
<i>Complex</i>	U/A	U/A	27.2	938	23.3	1,177	29
<i>Specialist</i>	U/A	U/A	19	1,287	17.5	955	13
In-house Fostering	158.8	230	162	246	165.5	249	161
Note: U/A - This detailed breakdown was unavailable at the time but will be in the future							

Out of Authority Residential

- The number of children in residential out of authority placements as at end of January 2014 is 29 (no change since December but an increase of 4 since 31 March 2013).

- Due to the increasing complexity of children's needs that are going into residential out of authority placements & despite successful negotiations by the Commissioning team to minimise the cost of these placements, the average cost per week of these placements has increased from £3,022 in 2011/12 to £3,191 currently – an increase of 5.6%.
- The average number of placements in the same period has risen by 6.3 (35%)
- From 1 April 2013 children's remand placements are fully funded by the Local Authority & RMBC was provided with a national grant of £78k to cover these additional costs. The cost of these placements in 2013/14 so far is £258k, which shows that the grant was grossly inadequate. There are currently no remand placements.

Independent Fostering Agencies

- The number of children in Independent foster Care as at end January 2014 is 105 (no change since December & a reduction of 8 since the end of March 2013).
- The average cost of a placement has reduced by an average of £4 or 0.5% since 2011/12.
- The average number of placements during the same period has decreased by 17.5 (14%)

In-house Fostering

- The number of children in in-house fostering placements as at end of January is 161 (an increase of 13 since December & a reduction of 10 since the end of March 2013).
- The average cost of a placement has risen by an average of £19 or 8% since 2011/12.
- The average number of placements during the same period has increased by 6.7 (4%)

The number of looked after children was 386 at end of January, an increase of 14 since December but a reduction of 9 since the end of March 2013.

Additional overspends in this area are (+£28k) Consultancy costs to review health care contributions towards children's continuing health care needs, (+£12K) court ordered care package. These pressures are partially offset by projected underspends in Children's Homes (-£113k) mainly due to not staffing the Silverwood annexe, Fostering Services (-£220k) due to a forecast underspend on fostering allowances & equipment, Residence Orders & Families together placements, (-£151k) due to the re-profiling of adoption placements and the impact of this on inter-agency adoption costs & maximising grants, (-£63k) reduced use of transport for LAC children & (-£109k) in Leaving care on accommodation costs & a reduction in the number of weekly payments.

Disability Services (+£86K)

This service is now forecasting an overspend mainly due to overtime & agency costs at Cherry Tree & Liberty residential homes due to needing to cover sickness & vacancies (+£69K) and an overspend on Direct payments (+£88K) offset by staffing slippage in the Disability Team (-£71K). The overspend on Direct payments is due to providing carers to support families with

children with extremely complex needs which would otherwise require OOA residential placements at a much higher cost.

Remaining CYPS Services (-£593k)

The overall CYPS overspend is also partially offset by projected under spends on Pension costs (-£17k) due to a reduction in numbers receiving pension payments, (-£313k) due to ceasing non essential spend & reallocation of funding in the Early Years service, (-£255K) staff cost savings, ceasing non essential spend & maximising grants in the Integrated Youth Support Service and a further contribution from the Education Catering Service (-£8K).

7.1.4 Prevention and Early intervention strategies

These include:

- Increased use of Special Guardianships (76 as at the end of January, an increase of 7 since 31st March 2013) and Residence Orders (128 as at 4th January, an increase of 8 since 31st March 2013). There is a continuing push to secure permanency for some children via this route rather than becoming or remaining looked after children. This seeks to reduce the LAC numbers but also provides better outcomes for the children and young people.
- The investment received in Fostering & Adoption is showing results. The service is projecting to have 31 new adopters by the end of March 2014 which is 10 above the invest to save target and 13 above the number approved in 2012/13. The Adoption Service has also been helped by the governments Adoption Reform Grant. The service is projecting to be on target for the recruitment of new foster carers at the net gain of 21.

7.1.5 Impact of Management Actions

Considerable, concerted proactive management actions to contain and where possible reduce the projected outturn position are continuing – within 2013/14 to date, these actions have helped the service avoid £701K of costs that would otherwise have been incurred:

- Reduction in placement costs of £553K through renegotiating contracts with external providers;
- The Fostering Framework has achieved £83K of reductions on standard fostering placements
- The Block contract has achieved £65K savings on complex fostering placements
- The continued effectiveness of the multi-agency support panel from which through efficient multi agency management actions and decision making, continues to avoid costs wherever possible.

7.1.6 Agency Costs

Total expenditure on Agency staff for Children and Young People's Services for the 10 month period ending 31st January 2014 was £694K. This compares with an actual cost of £404K for the same period last year.

Increased agency costs during the year have been incurred as a result of the need to cover the Interim Director of Safeguarding, Children & Families post

until permanent recruitment takes place; vacant social worker and team manager posts, and social work posts where staff are on long term sick or on maternity leave; and vacancies, sickness and maternity leave in residential care. The statutory responsibilities and performance and inspection regimes in children's social care mean that posts can only be left unfilled for short periods, and colleague cover for absence is not sustainable. Overall, sickness and turnover is at acceptable levels, below the council average.

Recruitment to the permanent Director post started in early January and interviews will be held early March. If a successful appointment is made, the earliest start date for the new Director is likely to be July 2014 due to notice periods.

All team manager posts were filled through recruitment in late 2013. However, the notice periods mean that start dates are up to four months after appointment. The Interim Team Manager for fostering left in early January, although this was forecast to last until February. The Team Manager for Fostering starts in late January. The Team Manager for Looked After Children starts in early March. This post is being covered by an Agency Manager at present.

Monthly recruitment of social workers has resulted in successful appointments; two vacancies were filled through the January recruitment, and February recruitment is under way. Two extra posts, over establishment, have been recruited to – these are peripatetic staff that can be used to provide cover for emergent gaps due to vacancy, sickness or maternity leave rather than using agency staff. One member of staff has transferred from the fostering team temporarily to fill a vacancy in the Looked After Children's Team from November to March 2014. There has been a reduction in the use of agency staff, but there is still a need for a small number of agency staff to cover sickness, maternity leave and the time between a social worker leaving and their replacement starting.

7.1.7 Non contractual Overtime

Actual expenditure to the end of January 2014 on non-contractual overtime for Children and Young People's Services (excluding schools) is £104K which is mainly in Residential units, compared with expenditure of £75K for the same period last year.

OfSTED requirements are that, if possible, agency staff are not used to cover vacancies, hence the reliance on overtime in the short term pending recruited staff taking up position.

7.1.8 Consultancy Costs

Total expenditure on consultancy costs to the end of January is £183K compared to £260K for the same 10 month period last year.

The majority of these costs are in the School Effectiveness Service and externally funded areas. School effectiveness is funded by a combination of Revenue, Dedicated Schools Grant and other income & within external grant funded services.

The actual costs of agency, non contractual overtime & consultancy are included within the financial forecasts.

8. Finance

Finance details are included in section 7 above.

9. Risks and Uncertainties

Principal risks and uncertainties relate to the 'needs led' nature of budgets for looked after children.

The recruitment of in house foster and adoptive carers remains a challenge and we must always ensure a high quality of placements.

Our decisions to place children with independent fostering agencies and in residential out of authority establishments will always be in the context of the best interests of our children. The budget need can only be an estimate given its volatile nature. For example, one out of authority residential placement for a child with very complex needs can now cost up to £364,000 per annum.

10. Policy and Performance Agenda Implications

The delivery of the Council's Revenue Budget within the limits determined by Council in March 2013 is vital in achieving the objectives of the Council's Policy agenda. Financial performance is a key element within the assessment of the council's overall performance.

The expenditure in the Children and Young People's Service continues to be mitigated by constantly reviewing budgets and the continuation of a moratorium on spending within the Directorate.

11. Background Papers and Consultation

- Report to Cabinet on 6 March 2013 – Proposed Revenue Budget and Council Tax for 2013/14.

This report has been discussed with the Strategic Director of Children and Young People's Service and the Director of Finance.

Contact Name: Joanne Robertson, Financial Services - Finance Manager (Children and Young People's Services), *ext: 22041, email:*
joanne.robertson@rotherham.gov.uk

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	Cabinet Member for Children, Young People and Families' Services
2.	Date:	5th March, 2014
3.	Title:	Annual Determination- The Local Authority (Post-Compulsory Education Awards) Regulations 2000
4.	Directorate:	Children and Young People's Services

5. Summary

Under the Local Authority (Post-Compulsory Education Awards) Regulations 2000, LAs are required to make an annual determination on exercising powers to make financial awards to new Higher Education (HE) and Further Education (FE) students.

6. Recommendations

It is recommended that the Authority determines not to take up the power in any circumstances and not make provision for considering applications for awards to new FE and HE students, and to 16-19 year olds who are still attending school.

7. Proposals and Details

The Teaching and Higher Education Act 1998 removed the power for LAs to make discretionary awards to FE (and HE) students under the 1962 Education Act. Prior to this, the LA had run a scheme of financial support to FE, sixth form and some HE students who would otherwise have not been eligible for funding. Section 129 of The School Standards and Framework Act 1998 conferred a revised power on LEAs, should they wish to use it, to make awards to new FE (and HE) students, and to 16-19 year olds who are still attending school

In parallel with the removal of the power to make discretionary awards, funding was withdrawn from the then Standard Spending Assessment (SSA) from 1999-2000. From that date, the LA determined not to make any new awards. New funding was available to students from a new Standards Fund (now YPLA allocated grant) in the form of Learner Support Funds. From the academic year 2011/12 onwards the discretionary Learner Support has been replaced by the 16-19 Bursary Fund, which is administered by schools and colleges.

Authorities are however still required to make an annual determination for each financial year in regard to the revised power conferred in 1999. They have 3 main choices under the regulations:

- i) to determine not to take up the power in any circumstances and not make any provision for considering applications;
- ii) to decide to exercise the power only in respect of certain groups or categories of student; or
- iii) to decide to exercise the power generally and consider applications from all students - still in accordance with its policies on eligibility.

The Authority has to date determined each year not to make any provision.

8. Finance

There is no allocation under the Formula Grant to for financial awards to HE and FE students.

9. Risks and Uncertainties

None.

10. Policy and Performance Agenda Implications

None.

11. Background Papers and Consultation

Statutory Instrument 1999 No 229 -The Local Education Authority (Post-Compulsory Education Awards) (England) Regulations 2000.

Contact Name:

Marie Boswell. Consultant, Raising Participation Team, CYPS, Riverside House.
marie.boswell@rotherham.gov.uk

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	Cabinet Member for Children, Young People and Families' Services
2.	Date:	5th March, 2014
3.	Title:	Proposal to Amalgamate Thorpe Hesley Infant and Junior Schools – Pre-Statutory Consultation
4.	Directorate:	Children and Young People's Services

5. Summary

This report seeks approval from the Cabinet Member for Children, Young People and Families' Services to commence Pre-statutory Consultation on the amalgamation proposals.

6. Recommendations

It is recommended that Pre-statutory Consultation should commence on proposals to amalgamate Thorpe Hesley Infant and Junior Schools and that a further report be brought to Members in due course.

7. Proposals and Details

It is proposed to amalgamate Thorpe Hesley Infant and Junior Schools by the discontinuance of the Infant School and change of age-range of the Junior School from 7 - 11 to 3 - 11 to establish a 'through' primary school.

The proposed 'through' School would have 490 places (Reception(FS2) to Y6) with a Nursery (FS1) unit of up to 52 places (26 FTE). (This is the combined numbers of the current two schools). The 'through' school would have a Published Admission Number (PAN) of 70. There will be no changes to existing premises or site arrangements.

The principal objectives of amalgamation are:

- 1) to provide a continuous primary entitlement across the key stages; and
- 2) to provide a unified management structure with a single school ethos which will be more efficient and make more effective use of resources.

There will be a recruitment and selection process for the position of Headteacher at the Primary School. This will ensure an open and transparent recruitment and selection process enabling the Governing Body to appoint the strongest possible candidate to the position of Headteacher for the new 'through' school.

8. Finance

Financial savings which arise are savings on staffing, mainly from the reduction of a Headteacher's post from the school's combined budget.

The proposed amalgamation will allow the Headteacher and Governing Body to structure financial resources to best support a through school ethos across the Infant and Junior sites.

9. Risks and Uncertainties

There are always risks and uncertainties when school place provision is considered since future pupil numbers are based on estimations. Over provision at one school could influence pupil numbers at other schools. Local Authorities are obliged, however, to provide sufficient places, promote diversity and increase parental preference. (CYD0015/018 - Corporate risk register).

If the Local Authority progresses to the statutory consultation phase, then formal objections may be lodged during the representation period following the publication of statutory notices. A final decision should be determined by the Cabinet Member as 'decision maker' within 2 months from the end of the representation period. If this fails to be done, then the matter is referred to the Schools Adjudicator for determination.

The risks and uncertainties associated with an amalgamation are detailed below:

The principal ADVANTAGES of amalgamation are:

- removal of the school transfer at the end of key stage 1;
- provision of a whole school curriculum across the primary age range;
- a unified management structure with a single school ethos;
- the potential to organise and arrange the staffing structure and to safeguard the staffing establishment when pupil numbers change across the key stages;
- a whole school approach to staff development across the primary phase;
- more efficient and effective use of resources, especially accommodation, when numbers fluctuate across the infant and junior phases.

The principal DISADVANTAGES of amalgamation are:

- the reduction to only one head teacher post which could impact upon accessibility to staff, parents and pupils (this may have particular relevance where schools serve areas of social and economic disadvantage);
- potential difficulties in bringing together two different sets of working practice;
- possible fear of and resistance to change amongst staff, governors and parents;
- in some (but by no means all) cases, a lack of staff expertise in teaching and management across the two key stages.

10. Policy and Performance Agenda Implications

The major theme supported by the proposal is 'to ensure that everyone has access to skills, knowledge and information to enable them to play their part in society'.

Rotherham School Improvement Mission:

- ~ All children will make at least good progress
- ~ There will be no underperforming cohorts
- ~ All teachers will deliver at least good learning
- ~ All schools will move to the next level of successful performance

11. Background Papers and Consultation

The School Organisation (Establishment and Discontinuance of Schools) Regulations 2013

The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013

School Organisation (Maintained Schools) guidance for proposers and decision makers (January 2014)

Proposed consultation timeline

Cabinet Member to agree to consultation	5 th March 2014
Pre statutory consultation period With stakeholders.	
Report to the Cabinet Member detailing the Outcome of pre statutory consultation and seeking approval to commence Statutory Consultation.	21 st May 2014
Publication of statutory notices and proposals (4 week period)	30 th May 2014
Report to Cabinet Member and final Determination of proposals and notification to the Department for Education	16 th July 2014
Implementation Date	1 st September 2014

Consultation meetings / correspondence should be undertaken with the Governing Bodies of both Schools, Staff and Trade Union representatives, Parents / Carers of pupils at the schools, local Councillors, any local Parish Council and the local MP.

Additionally consultation will also need to be undertaken with the Governing bodies of any other school that may be affected plus the Diocese of any school likely to be affected and any other stakeholders.

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ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	Cabinet Member for Children, Young People and Families' Services
2.	Date:	5th March 2014
3.	Title:	Proposals to expand Cortonwood Infant School – commence Statutory Consultation.
4.	Directorate:	Children and Young People's Services

5. Summary

This report seeks approval to commence Statutory Consultation on proposals to expand the School.

6. Recommendations

It is recommended that Statutory Consultation on the proposal to expand Cortonwood Infant School should commence and that a further report be brought to Members with details of the outcome of that consultation.

7. Proposals and Details

It is proposed to expand the numbers on roll at Cortonwood Infant School from September 2017 in Foundation Stage 2 (Reception) and subsequent Foundation Stage 2 (Reception) cohorts thereafter. The school will be expanded in order to accommodate 50 children per statutory year group ($50 \times 3 = 150$ places) rather than its current capacity of $40 \times 3 = 120$ places. The school would have a phased published admission number (PAN) of 50.

As the proposal is linked to the proposed expansion of Brampton the Ellis Junior School and the outcome of one proposal will impact on the other, the 2 proposals will be consulted upon simultaneously.

SCHOOL: BRAMPTON CORTONWOOD INFANT

Admission Number: 40 (50)

Net Capacity: 120 (150)

Pupil Numbers (historical data as at School Census date in January)

Year	R	Y1	Y2	Y3	Y4	Y5	Y6	TOTAL
02/03	22	29	21	-	-	-	-	72
03/04	33	20	30	-	-	-	-	83
04/05	32	30	21	-	-	-	-	83
05/06	25	34	31	-	-	-	-	90
06/07	26	26	33	-	-	-	-	85
07/08	31	29	23	-	-	-	-	83
08/09	35	14	29	-	-	-	-	78
09/10	22	34	14	-	-	-	-	70
10/11	30	20	35	-	-	-	-	85
11/12	39	32	22	-	-	-	-	93
12/13	39	40	33	-	-	-	-	112

Numbers from current School Census and forward planning projections

	REC	Y1	Y2	Y3	Y4	Y5	Y6	TOTALS
13/14	40	39	40	-	-	-	-	119
14/15	40	40	39	-	-	-	-	119
15/16	40	40	40					120
16/17	40	40	40					120
17/18	50	40	40					130
18/19	50	50	40					140
19/20	50	50	50					150

8. Finance

The capital cost of the building project is currently estimated at £200,000. This will provide further teaching and learning spaces and other required spaces to be developed further in conjunction with the CYPS Capital Projects Team, Architects and the school. Funding for the project is from 'Basic Need funding' allocated to the Authority from the DfE (Basic Need funding is provided for the provision of sufficient school places) and Section 106 developer contributions (subject to trigger points).

The school will need to plan for the expansion and appoint additional teaching and non teaching staff. Funding for the additional staffing will be generated from the additional pupils on roll and will be part of the school's annual budget. However, in the first year of operation, as the pupils will not be on roll in time for the school's budget to be allocated, additional funding will need to be requested from the Contingency for pupil growth to cover the 7/12 funding gap via Schools Forum.

9. Risks and Uncertainties

There are always risks and uncertainties when school place provision is considered since future pupil numbers are based on estimations. Over provision at one school could influence pupil numbers at other schools. Local Authorities are obliged, however, to provide sufficient places, promote diversity and increase parental preference. (CYD0015/018 - Corporate risk register).

If the Local Authority progresses to the statutory consultation phase, then formal objections may be lodged during the representation period following the publication of the statutory notice. A final decision should be determined by the decision maker within 2 months from the end of the representation period. If this fails to be done, then the matter is referred to the Schools Adjudicator for decision.

10. Policy and Performance Agenda Implications

The major theme supported by the proposal is 'to ensure that everyone has access to skills, knowledge and information to enable them to play their part in society'. It is likely that the expansion would enable more parents to access their first preference school for their child and, therefore, increase that performance indicator.

Rotherham School Improvement Mission:

- ~ All children will make at least good progress
- ~ There will be no underperforming cohorts
- ~ All teachers will deliver at least good learning
- ~ All schools will move to the next level of successful performance

11. Background Papers and Consultation

The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013

School Organisation (Maintained Schools) guidance for proposers and decision makers (January 2014)

Consultation timeline

Cabinet Member to agree to consultation	24 th July 2013
Pre statutory consultation period Commences including meetings with governors, Staff and parents etc.	
Report to the Cabinet Member seeking approval to commence Statutory Consultation	5 th March 2014
Publication of statutory notices	14 th March 2014
Report to Cabinet Member and final Determination of proposals and notification to Secretary of State for Education	21 st May 2014
Implementation	1 st September 2017

This proposal is linked to the proposed expansion of Brampton the Ellis Junior School from a Published Admission Number (PAN) of 70 to 80 from September 2014 and 80 to 90 from September 2020.

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ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	Cabinet Member for Children, Young People and Families' Services
2.	Date:	5th March, 2014
3.	Title:	Proposed expansion of Brampton the Ellis Junior School
4.	Directorate:	Children and Young People's Services

5. Summary

This report seeks permission to enter a Statutory Consultation phase in relation to the proposed expansion of Brampton the Ellis Junior School.

6. Recommendations

It is recommended that Statutory Consultation on the proposal to expand the school on a permanent basis should commence and that a further report be brought to Members with details of the outcome of that consultation.

7. Proposals and Details

The proposal to be consulted on is:-

It is proposed to expand the numbers on roll at Brampton the Ellis Junior School from September 2014 in Year 3 and subsequent year groups thereafter, from a Published Admission Number (PAN) of 70 to 80 initially. The school will be expanded in phases in order to accommodate an eventual 90 children per statutory year group (90 x 4 = 360 places) rather than its current capacity of 70 x 4 = 280 places. The school would have an eventual published admission number (PAN) of 90 with effect from September 2020.

SCHOOL(S): BRAMPTON THE ELLIS CE JUN

Admission Number: 40 (INF), 70(80-90) (JUN)

Net Capacity: 120 (INF), 270(360) (JUN)

Pupil Numbers from the latest October 2013 School Census and future projections

	REC	Y1	Y2	Y3	Y4	Y5	Y6	TOTALS
13/14				72	63	73	51	(259)
14/15				80	72	63	73	(288)
15/16				79	80	72	63	(294)
16/17				80	79	80	72	(311)
17/18				80	80	79	80	(319)
18/19				80	80	80	79	(319)
19/20				80	80	80	80	(320)
20/21				90	80	80	80	(330)
21/22				90	90	80	80	(340)
22/23				90	90	90	80	(350)
23/24				90	90	90	90	(360)

8. Finance

The capital cost of the building project is currently estimated at £500,000. This will provide additional teaching and learning spaces and other required spaces to be developed further in conjunction with the CYPS Capital Projects Team, Architects and the school. Funding for the project is from 'Basic Need funding' allocated to the Authority from the DfE. (Basic Need funding is provided for the provision of sufficient school places) and Section 106 developer contributions (subject to trigger points being met).

The school will need to plan for the expansion and appoint additional teaching and non teaching staff. Funding for the additional staffing will be generated from the additional pupils on roll and will be part of the school's annual budget. However, in the first year of operation, as the pupils will not be on roll in time for the school's budget to be allocated, additional funding will need to be requested from the Contingency for pupil growth to cover the 7/12 funding gap via Schools Forum.

9. Risks and Uncertainties

There are always risks and uncertainties when school place provision is considered since future pupil numbers are based on estimations. Over provision at one school could influence pupil numbers at other schools. Local Authorities are obliged, however, to provide sufficient places, promote diversity and increase parental preference. (CYD0015/018 - Corporate risk register).

If the Local Authority progresses to the statutory consultation phase, then formal objections may be lodged during the representation period following the publication of the statutory notice. A final decision should be determined by the decision maker within 2 months from the end of the representation period. If this fails to be done, then the matter is referred to the Schools Adjudicator for decision.

As the proposal is linked to the proposed expansion of Cortonwood Infant School and the outcome of one proposal will impact on the other, the 2 proposals will be consulted upon simultaneously.

10. Policy and Performance Agenda Implications

The major theme supported by the proposal is 'to ensure that everyone has access to skills, knowledge and information to enable them to play their part in society'. It is likely that the expansion would enable more parents to access their first preference school for their child and, therefore, increase that performance indicator.

11. Background Papers and Consultation

Consultation meetings have been undertaken with the Governing Body for the School, Staff and Trade Unions, Parents (families), local Councillors, the Parish Council and local MP.

Additionally consultation has been undertaken with the Governing bodies of any other school that may be affected plus the Diocese and Trust Board of any school likely to be affected.

Timeline:

Cabinet Member to agree to consultation	24 th July 2013
Pre statutory consultation period Commences including meetings with governors, Staff and parents etc.	
Report to the Cabinet Member seeking approval to commence Statutory Consultation	5 th March 2014
Publication of statutory notices	14 th March 2014
Report to Cabinet Member and final Determination of proposals and notification to Secretary of State for Education	21 st May 2014
Implementation - phased	1 st September 2014/ 2020

This proposal is linked to the proposed expansion of Cortonwood Infant School from a Published Admission Number (PAN) of 40 to 50.

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ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	Cabinet Member for Children, Young People and Families' Services
2.	Date:	5th March, 2014
3.	Title:	Proposal to amalgamate Brampton the Ellis Junior and Infant Schools by the discontinuance of the Junior School and the change of age-range of the Infant School – Statutory Consultation
4.	Directorate:	Children and Young People's Services

5. Summary

This report seeks approval from the Cabinet Member for Children, Young People and Families' Services to commence Statutory Consultation on the amalgamation proposals.

6. Recommendations

It is recommended that Statutory Consultation should commence on proposals to amalgamate Brampton the Ellis (CE Aided) Infant and Junior Schools and that a further report be brought to Members in due course.

7. Proposals and Details

This proposal is also linked to the proposals to expand Cortonwood Infant School from a published Admission Number (PAN) of 40 to 50 with effect from 1st September 2017 and expand Brampton the Ellis Junior School from a Published Admission Number of 70 to 80 by 1st September 2014 to accommodate rising feeder school numbers and to 90 in due course (2020/21 academic year) to accommodate rising pupil number cohorts following the expansion of Cortonwood Infant School.

The proposed 'through' School would have 120 infant places (40 X 3 = 120 FS2/Reception to Y2) and 280 Junior places (70 X 4 = 280 presently, rising to 80 X 4 = 320 WEF 1st September 2014 and eventually 90 x 4 = 360 WEF 1st September 2020). The school would have a Published Admission Number (PAN) of 40 for the Infant School and 80 (rising to 90 for the Junior School).

The principal objectives of amalgamation are:

- 1) to provide a continuous primary entitlement across the key stages; and
- 2) to provide a unified management structure with a single school ethos which will be more efficient and make more effective use of resources.

8. Finance

The proposed amalgamation will allow the Headteacher and Governing Body to structure financial resources to best support a through-school ethos across the Infant and Junior sites.

9. Risks and Uncertainties

There are always risks and uncertainties when school place provision is considered since future pupil numbers are based on estimations. Over provision at one school could influence pupil numbers at other schools. Local Authorities are obliged, however, to provide sufficient places, promote diversity and increase parental preference. (CYD0015/018 - Corporate risk register).

If the Local Authority progresses to the statutory consultation phase, then formal objections may be lodged during the representation period following the publication of the statutory notice. A final decision should be determined by the decision maker within 2 months from the end of the representation period. If this fails to be done, then the matter is referred to the Schools Adjudicator for decision.

The principal ADVANTAGES of amalgamation are:

- removal of the school transfer at the end of Key Stage 1;
- provision of a whole school curriculum across the primary age range;
- a unified management structure with a single school ethos;

- the potential to organise and arrange the staffing structure and to safeguard the staffing establishment when pupil numbers change across the key stages;
- a whole school approach to staff development across the primary phase;
- more efficient and effective use of resources, especially accommodation, when numbers fluctuate across the infant and junior phases.

The principal DISADVANTAGES of amalgamation are:

- potential difficulties in bringing together two different sets of working practice;
- possible fear of and resistance to change amongst staff, governors and parents;
- in some (but by no means all) cases, a lack of staff expertise in teaching and management across the two key stages.

10. Policy and Performance Agenda Implications

The major theme supported by the proposal is 'to ensure that everyone has access to skills, knowledge and information to enable them to play their part in society'.

Rotherham School Improvement Mission:

- ~ All children will make at least good progress
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11. Background Papers and Consultation

The School Organisation (Establishment and Discontinuance of Schools) Regulations 2013

The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013

School Organisation (Maintained Schools) guidance for proposers and decision makers (January 2014)

Proposed consultation timeline

Cabinet Member to agree to consultation	15 th January 2014
Pre statutory consultation period Commences including meetings with governors, Staff and parents etc.	
Report to the Cabinet Member seeking approval to commence Statutory Consultation	5 th March 2014
Publication of statutory notices	14 th March 2014
4 week period for representations and objections closes	11 th April 2014
Report to Cabinet Member and final Determination of proposals and notification to Secretary of State for Education	21 st May 2014
Implementation	2 nd June 2014

Consultation meetings have been undertaken with the Governing Bodies of both Schools, Staff and Trade Unions, Parents (families) of pupils at the schools, local Councillors, the local Parish Council and the local MP.

Additionally consultation has also been undertaken with the Governing bodies of any other school that may be affected plus the Diocese and Trust Board of any school likely to be affected.

These proposals are linked to the proposals to expand Cortonwood Infant School from a Published Admission Number (PAN) of 40 to 50 from 1st September 2017.

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ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	Cabinet Member for Children, Young People and Families' Services
2.	Date:	5th March, 2014
3.	Title:	Recruitment to Headships during school amalgamation policy
4.	Directorate:	Children and Young People's Services

5. Summary

This report seeks reaffirmation of previously agreed processes for the recruitment of Headteachers to newly amalgamated Schools and approval of amendments to existing policy.

6. Recommendations

It is recommended that the Cabinet Member approves the amended policy in relation to the recruitment of Headteachers where schools are to be amalgamated.

7. Proposals and Details

Prior to the implementation of the policy in November 2011 there had been a presumption that where separate Infant and Junior Schools were to be amalgamated that one of the current Headteachers would automatically be appointed to the post of Primary School Headteacher following amalgamation. This practice had previously led to newly amalgamated schools in some cases not making expected progress and in some cases adversely affecting the school's OFSTED inspection outcomes.

8. Finance

Where schools are amalgamated there are savings in relation to a Headteacher's post allowing the Governing Body to structure staffing and resources to best meet the needs of a through-primary school.

9. Risks and Uncertainties

The principal ADVANTAGES of amalgamation arise from the continuous primary education entitlement:

- removal of the school transfer at the end of key stage 1;
- provision of a whole school curriculum across the primary age range;
- a unified management structure with a single school ethos;
- the potential to organise and arrange the staffing structure and to safeguard the staffing establishment when pupil numbers change across the key stages;
- a whole school approach to staff development across the primary phase;
- more efficient and effective use of resources, especially accommodation, when numbers fluctuate across the infant and junior phases.

The principal DISADVANTAGES of amalgamation are:

- the reduction to only one head teacher post which could impact upon accessibility to staff, parents and pupils (this may have particular relevance where schools serve areas of social and economic disadvantage);
- potential difficulties in bringing together two different sets of working practice;
- possible fear of and resistance to change amongst staff, governors and parents;
- in some (but by no means all) cases, a lack of staff expertise in teaching and management across the two key stages.

(CYD0015/018 - Corporate risk register).

10. Policy and Performance Agenda Implications

The major theme supported by the proposal is 'to ensure that everyone has access to skills, knowledge and information to enable them to play their part in society'. It is likely that the expansion would enable more parents to access their first preference school for their child and, therefore, increase that performance indicator.

Rotherham School Improvement Mission

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11. Background Papers and Consultation

The School Organisation (Establishment and Discontinuance of Schools) Regulations 2013

The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013

School Organisation (Maintained Schools) guidance for proposers and decision makers (January 2014)

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Children and Young People's Services

Headteacher recruitment policy in the case of amalgamation

Rationale

The purpose of this policy is to outline the arrangements with regard to re-organisation of Primary Schools in the Borough through amalgamation. The policy is intended to improve outcomes for pupils through accelerating pupil progress particularly at points of transition between schools, strengthen school leadership and provide improved value for money from financial and human resources.

The risks and uncertainties associated with an amalgamation are detailed below:

The principal ADVANTAGES of amalgamation arise from the continuous primary education entitlement:

- removal of the school transfer at the end of key stage 1;
- provision of a whole school curriculum across the primary age range;
- a unified management structure with a single school ethos;
- the potential to organise and arrange the staffing structure and to safeguard the staffing establishment when pupil numbers change across the key stages;
- a whole school approach to staff development across the primary phase;
- more efficient and effective use of resources, especially accommodation, when numbers fluctuate across the infant and junior phases.

The principal DISADVANTAGES of amalgamation are:

- the reduction to only one head teacher post which could impact upon accessibility to staff, parents and pupils (this may have particular relevance where schools serve areas of social and economic disadvantage);
- potential difficulties in bringing together two different sets of working practice;
- possible fear of and resistance to change amongst staff, governors and parents;

- in some (but by no means all) cases, a lack of staff expertise in teaching and management across the two key stages.

Rotherham School Improvement Mission

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Arrangements for the appointment of Headteachers in the case of amalgamation

Prior to November 2011 when the policy was first introduced there was a Local Authority presumptive policy that should an existing Headteacher of one of the schools be leaving the post then the other sitting Headteacher would automatically be appointed to the post of primary Headteacher. In some cases this had resulted in the new primary school suffering a decline in pupil outcomes and subsequently OFSTED rating of the school being affected adversely.

Where separate Infant and Junior Schools are to be amalgamated, as existing Headteachers were appointed to a single phase of primary education eg Infant or Junior Headship there will need to be an open and transparent recruitment process to enable Governors to ensure that the strongest possible candidate is appointed to the post of Primary School Headteacher. Current sitting Infant and Junior school Headteachers at the affected schools are encouraged to apply for the new post of primary Headteacher.

There are certain cases where this policy is not applicable and these cases are outlined below:

There will not need to be a recruitment and selection process for the position of Head Teacher at a proposed Primary School in the case of Federation Schools amalgamating, where the Governing Body have already appointed an Executive Headteacher across the Infant and Junior School federation with a view to longer term arrangements being established.

There will not need to be a recruitment and selection process for the position of Headteacher at a proposed Primary School in the case of one of the current Infant and Junior Schools being in 'special measures' and a local solution can be established, as the proposed Headteacher in these cases will have a proven track

record of outstanding leadership endorsed by the Department for Education and OFSTED.

Recruitment procedure

Where a Headteacher recruitment and selection process is necessary to appoint to the new Primary School Headship, a consultant Headteacher will be appointed to advise and support the Governing Body to recruit the strongest candidate possible to the position. Human Resources Officer support will be available as required.

Policy Approved by:

Cabinet Member for Children, Young People and Families Services

Date:

Review Date:

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	Cabinet Member for Children, Young People and Damilies' Services
2.	Date:	5th March, 2014
3.	Title:	DfE Consultation on proposed changes to the constitution of maintained school governing bodies
4.	Directorate:	Children and Young People's Services

5. Summary

The Department for Education published a consultation, on 13th January 2014, setting out proposed changes to regulations and guidance that govern the constitution of governing bodies in maintained schools and federations of maintained schools in England.

This report summarises the main changes proposed by the consultation and aims to provide the Cabinet Member with an opportunity to consider the detail of a response to be submitted, before the 14th March deadline, on behalf of the Local Authority.

6. Recommendations

- (i) That Cabinet Member determines the content of a response to the DfE consultation on behalf of the local authority**
 - (ii) That, in due course, a further report be brought to Cabinet Member outlining the implications on the procedure for appointing LA governors**
-

7. Proposals and Details

Governing bodies have a vital and demanding role as the strategic leaders of schools. Since the introduction of the revised school inspection framework (September 2012), expectations of effective governance have raised significantly, and every inspection report now contains a comment on the quality of governance as part of the overall judgement on the quality of the school's leadership and management.

The consultation proposals aim to ensure that governing bodies have, or can develop, within their membership, the skills and experience that governing bodies need to be effective by ensuring that the primary consideration in decisions about the constitution and membership of governing bodies is the skills that they require to be effective. Following the outcomes of the consultation, the DfE intends to lay amendments to regulations in the spring of 2014 to come into force on 1st September 2014.

Changes to the **regulations** are proposed in the following key areas: -

- All maintained school governing bodies must reconstitute in accordance with the revised regulations before 1st September 2014, unless they have already reconstituted in accordance with the 2012 regulations (this will impact upon the number of LA governor positions on governing bodies)
- The eligibility criteria for all categories of **appointed** governors, including local authority governors, is to be amended to require that the appointing person or body ensures that any newly-appointed governor has "*the skills required to contribute to the effective governance and success of the school*". This could include specific skills such as an ability to understand data or finances as well as general capabilities such as the capacity and willingness to learn (this will impact upon the appointment of LA governors)
- Following reconstitution, the removal of any "surplus" governors should be based on skills required rather than the current "juniority" principle, i.e. "last in, first out".

In addition, the following changes to **statutory guidance** are being suggested: -

- Governing bodies should be no bigger than they need to be to have all of the skills necessary to carry out their functions effectively
- Governing bodies should carry out regular skills audits and use the process of filling vacancies (as well as through a commitment to continuous professional development) to fill any skills gaps
- Eligibility criteria for **elected** governors, i.e. parent and staff governors, will remain unchanged, however governing bodies will have greater flexibility to identify specific skills or experiences that would be **desirable** in a new governor. The parents and staff bodies, as appropriate, would still be able to vote for the candidate(s) of their choice.

These proposals will have implications for the governance of all schools and, in particular, for maintained schools. The proposals will also have implications in relation to local authority governors.

The changes introduced in September 2012, which **enabled** governing bodies to reconstitute in accordance with the revised regulations, has already led to an overall reduction in the number of LA governor positions. Up to 1st March 2014, 32 governing bodies had already reconstituted in accordance with the regulations, leading to a reduction in the overall number of LA governor positions by 64.

On another issue not related to the consultation but pertinent to the above issue, the increasing number of Academy schools is also impacting on the number of LA governor positions because Academy school governing bodies are not required to have any LA-nominated governors within their membership. At 1st March 2014, there are now 22 academy schools in Rotherham, with a further 7 conversions to Academy status agreed by the Secretary of State up to July 2014, and a number of other governing bodies investigating the possibility of conversion. Of the 22 existing Academy schools, 7 no longer have an LA-nominated position on the governing body, which together with a reduction in the number of LA-nominated governors at the other 15, has led to a reduction in the number of LA-nominated governors in Academy schools of 39 positions.

Across all schools within the LA, there are now 209 LA governor positions. Ignoring the impact further Academisation might have on the number of LA governor positions, the impact of **requiring** all LA-maintained school governing bodies which have not already done so, to reconstitute would mean a further reduction of 95 LA governor positions on Rotherham school governing bodies by 1st September 2015.

The process of appointing to LA governor positions in accordance with the regulations will also need to be reviewed. The current situation is not ideal, in that appointments to LA governor positions follow two different processes; those prescribed by the 2007 Constitution regulations where the decision of Cabinet Member is final, and those prescribed by the 2012 Constitution regulations where Cabinet Member nominates an eligible person as a LA governor, but the governing body determines whether the nominee has the skills to contribute to the effective governance and success of the school and meets any other eligibility criteria they have set. This is an issue that will require further discussion before another report is brought to Cabinet Member for discussion.

8. Finance

There are no financial implications for the LA as a consequence of this report.

9. Risks and Uncertainties

Research suggests that an effective governing body is a key component of a successful school. The local authority can support improvements in schools by appointing as LA governors those who have the necessary skills and experience to help schools improve.

If the procedures adopted by the local authority are cumbersome, long-winded and complicated, this will delay the process for appointing LA governors which could negatively impact on the quality of provision within schools.

10. Policy and Performance Agenda Implications

Transforming Rotherham Learning is one of the “4 Big Things” within the Children and Young People’s Plan. The defining principles of TRL are:

- We are all responsible for Rotherham’s children and young people
- All children and young people in Rotherham will achieve; no one will be left behind.
- Learning is the core business: investment, policy and strategy must be driven by opportunities for learners.
- Learning Communities will be rooted in and responsive to the needs of local people

By appointing people with key skills and experience as LA governors to Rotherham school governing bodies, this can make a major contribution to achieving the defined principles of TRL.

11. Background Papers and Consultation

- DfE Consultation document – Constitution of governing bodies of maintained schools – proposed changes to regulations
- The School Governance Constitution Regulations 2012 – draft statutory guidance
- CSN Policy Briefing – constitution of maintained school governing bodies

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