

Executive Report

Leadership Team Meeting – 18 April 2012

Lead Member Briefing – 24 April 2012

Executive Briefing: 22 May 2012

PROPOSED REORGANISATION OF BRAUNSTONE FRITH JUNIOR SCHOOL

Lead Director: Rachel Dickinson

Useful information

■ Ward(s) affected: New Parks

■ Report author: Jasbir Mann, Head of Service, Learning Transformation and Development 0-19 and Primary 0-11

■ Author contact details: Jasbir.mann@leicester.gov.uk Tel 2526057

1. Decision Summary:

To seek agreement to publish proposals to close Braunstone Frith Junior School and change the age range of Braunstone Frith Infant School to become an all-through primary school.

The school is currently subject to special measures and could be targeted for DfE intervention as a forced Academy. The above proposal is being offered as a structural solution.

2. Why it is needed:

Following concerns raised by LA officers, the School Improvement Adviser and experienced governors about leadership and management, standards, HR practices and weak governance, the LA conducted a review of the school in November 2011. The Review, led by an ex-HMI Inspector, included LA colleagues from School improvement, Human Resources, Health and Safety and Governance and focused on:-

- The very low standards of attainment of the pupils
- The quality of teaching and learning across the school
- The health and safety of pupils
- The relationships and effectiveness of leadership and management
- The effectiveness of school governance
- The quality of school's recruitment processes

The review outcome was that the overall effectiveness of the school was inadequate in all areas. Various meetings were held with staff and governors where the findings of the review were shared and a Raising Achievement Plan was drawn up to address the issues. In addition, an Executive Headteacher was appointed for 2 days a week to strengthen the leadership of the school and to bring about improvements.

During the early part of the Spring Term 2012, the substantive Headteacher secured a headship at another school and submitted his resignation, effective from the end of the Spring Term 2012.

Meetings were subsequently held with staff (23rd January 2012) and the governing bodies of both Braunstone Frith Infant and Junior Schools (1st February 2012) to discuss structural solutions to strengthen leadership and management and address priorities from the review.

On 1st and 2nd February 2012 the school was subject to an Ofsted Inspection and was found to require special measures.

A meeting was held on 6th March 2012 with both governing bodies and LA officers from Governance, Human Resources and School Organisation to explore further the options for a structural solution. Both governing bodies agreed that the best option for both schools was to change the age range of one school (Braunstone Frith Infant) to an all through primary and to close another school (Braunstone Frith Junior).

Additional leadership support is being provided by the Headteacher of Braunstone Frith Infant school and other senior staff as an interim measure.

3. Options

When the joint meeting was held on 6th March, both governing bodies considered the three options below and associated risks:-

- Changing the age range of one school (BFI) to all through primary and closing another school (BFJ)
- Federation
- Appointment of Headteacher at Braunstone Frith Junior School
- It was felt that neither federating both schools under a single governing body or appointing a headteacher for the Junior School would be the appropriate solution to deliver the required outcomes. Both governing bodies stated their preference to work much closer together and felt that changing the age range of Braunstone Frith Infant School to all through primary and closing Braunstone Frith Junior School would be the best option for the pupils, staff, parents and the community.

4. Tell us how this issue has been externally scrutinised as well as internally?

Consultation

As detailed above, meetings have been held with both governing bodies who are fully supportive of the proposal to close Braunstone Frith Junior School and change the age range of Braunstone Frith Infant School to an all-through primary.

Staff at both school have also been kept fully informed of initial discussions and decisions made.

Full consultation will be undertaken as part of the statutory process and this will include staff, parents, trade unions, the Surestart Children's Centre currently on the shared site and other interested parties.

5. Financial, legal and other implications

5.1 Financial implications

If the re-organisation takes place in the financial year 2012/13 the existing budgets for the two schools will be combined arithmetically.

For 2013/14 a new budget will be prepared for the combined school which will be different from a simple sum of the existing budgets. The details have yet to be calculated. Under our existing funding provisions it would be possible to provide transitional relief in 2013/14 if the combined school was being disadvantaged financially from the new arrangement. It is expected that in the medium term, there would be some economies of scale from such a combination.

However it is worth noting in any event that the funding for schools from 2013/14 is changing significantly. The Department for Education have only just released (in April) the details in a consultation document. This is currently being evaluated. As a result funding for all schools will change from 2013/14 and our flexibility in applying transitional funding may be limited to a greater extent than currently.

Martin Judson, Head of Finance

5.2 Legal implications

1. The LA has the power to make proposals to close BFJ. It must follow the published Statutory Guidance on Closing a Maintained Mainstream School. This involves a five stage process of consultation, publication of proposals, allowing for a period of representations, making a decision and implementing the decision. See also point 3 below for “related proposals” regarding changes to BFI
2. Owing to its categorisation by Ofsted and the provisions of Part IV Education & Inspections Act 2006 the Secretary of State also has a separate power to order closure of the school, without going through the rigorous process described above. Presumably dialogue will/has been had with the DfE over whether the current LA proposals for BFJ and BFI meet with the approval of the DfE such that the Secretary of State does not exercise his separate powers.
3. The expansion of BFI will be regarded either as
 - (i) a “change” to its upper age range for which a set procedure (similar and running in parallel with proposals at point 1. above as “related proposals”) needs to be adopted; or

- (ii) a proposal to “establish” a new mainstream maintained school. Usually such proposals under (ii) require the LA to run a “competition” however new legal provisions under s.11(A3) Education & Inspections Act 2006 appear to permit such schools to be proposed by the LA without the requirement for a competition or for the approval of the Secretary of State beforehand. The decision-maker would be the Schools Adjudicator, not the LA. Again, route (ii) would represent “related proposals” to be run in tandem with the closure proposals.

Because of the potential for two routes to be adopted to achieve a similar end, it is advisable that early dialogue with the DfE is sought to clear the path for the desired process. The Council’s preference is for route (i) as it will retain control of decision-making and preserve the status of the current reputation of BFI.

Nevertheless it would be unwise to embark upon that route without clarification and buy-in from the DfE lest it attracts opposition that either undermines the validity of the route chosen, or provokes the Secretary of State to apply his own powers of closure and Academy creation. In any such dialogue it would be wise to be explicit about the routes identified, and the preference of the LA for one over the other, with reasons. To that extent, it is advised that the “Decision Summary” at page 1 of this report is made contingent upon clear dialogue with the DfE having taken place first.

Kamal Adatia
Barrister, Ext 7044

5.3 Other Implications (You will need to have considered other implications in preparing this report. Please indicate which ones apply?)

Although both schools are on a shared site, there are no buildings that link the two schools together. There could therefore be a request from both governing bodies for some associated capital build funding in relation to physically joining the schools to create the all through primary provision.

Helen Lansdown
Environmental Team, Ext 6770

6. Background information and other papers:

7. Summary of appendices:

8. Is this a confidential report (If so, please indicated the reasons and state why it is not in the public interest to be dealt with publicly)?

9. Is this a “key decision”?

No