

## **CABINET MEMBER DECISION**

### **Date of Decision - 27 February 2020**

# **APPROVAL FOR PUBLIC NOTICE OF THE PROPOSAL TO CHANGE THE AGE RANGE OF FLYFORD FLAVELL FIRST SCHOOL**

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#### **Relevant Cabinet Member**

Mr M J Hart

#### **Relevant Officer**

Director of Children's Services

#### **Local Member**

Mr R Adams

#### **Recommendation**

- 1. The Cabinet Member with Responsibility for Education and Skills is recommended:**
  - (a) to approve the publication of Public Notice of the proposal to alter the age range of Flyford Flavell First School by two year groups from 4-9 to 4-11 as per his delegated authority in relation to prescribed alterations to maintained schools;**
  - (b) to note that in accordance with the delegation of authority given by the Leader on 25 April 2018, the Director of Children's Services will decide the proposals in respect of which no objection to the Public Notice or other proposal is received; and**
  - (c) to review all representations received during the Public Notice stage should objections be received in order to decide on the proposal.**

#### **Background**

2. In April 2018 the Leader of the Council delegated authority for the publication of statutory proposals for prescribed alterations to maintained schools to the Director of Children, Families and Communities and Cabinet Member with Responsibility for Education and Skills. This delegated authority was endorsed by Cabinet in January 2020 (see Appendix 1).
3. In 2019, three academy first schools and one academy high school in the Pershore pyramid were approved by the Regional Schools Commissioner to change their age range to a two-tier system of education.

4. Following this, a request was made by Flyford Flavell First to the Local Authority to consider a change of age range at the school to comply with the two-tier structure (alteration of age range from 4-9 to 4-11).

5. As per the prescribed alterations regulations outlined in 'Making significant changes ('prescribed alterations') to maintained schools: Statutory guidance for proposers and decision makers October 2018' any proposal to alter the age range of a community school must follow the statutory process, which includes a 4-week representation period before a decision is taken. In this instance, only the Local Authority can be the formal proposer and decision maker of such alterations.

6. The Council's revised policy on responding to change of age range requests (approved by Cabinet 30 January 2020) identified several criteria that must be considered and satisfied prior to a decision being taken to propose such a change. These conditions have been reviewed in relation to this proposal and summarised below:

a) *The school has a good or outstanding Ofsted judgement, or can demonstrate how the change would support improvement at the school*

The school has been judged as being 'Good' by Ofsted in November 2016.

b) *Open and fair consultation has taken place with parents and other relevant stakeholders and the school can clearly demonstrate how any objections or issues raised will be managed*

The school has undertaken appropriate and fair consultations in February/March 2019 in respect of this proposal and has kept all stakeholders fully informed as the process has progressed.

c) *The school involved can demonstrate the capacity to manage any curriculum changes or has secured appropriate support to do so*

The school, as part of its submission to the Local Authority, has recognised the implications of this change and its impact on the curriculum, and has identified that there are currently appropriately trained and experienced teachers in post to support this change.

d) *The school involved can demonstrate that appropriate facilities, staff and systems will be in place, including how they will manage additional revenue costs*

The school in its application has confirmed that it has resources in place and is able to ring fence funding in support of this change. The Local Authority would expect the Governors to ensure that this is appropriate to meet expected needs.

e) *There is an agreed, clear and practical pathway for children to move on from each school affected by the change. The consultation document should clearly inform parents of all their options for future school places for their children. Where a pathway school has not formally changed its admissions policy but has committed in writing to do so, this should be attached to the*

*consultation document and it made clear to parents that this is subject to a formal consultation on admissions change by the pathway school*

The consultation paper submitted by the school in 2019 confirmed a pathway which was not yet in place. A letter dated 18 January 2019 from Pershore High School had been issued confirming intentions to consult further on Year 7 admissions. Subsequent to this, the school placed this information on the school website and featured within subsequent meetings held with parents. This means parents now have clear information on which to base any future decisions.

*f) Any reduction in Published Admission Number or change in admission criteria required has been consulted upon and agreed, or a clear and transparent timetable for this change has been provided to stakeholders as part of the consultation process*

The school has always made it clear in conversations with the Local Authority that they intend to consult in the future on reducing their PAN. This has now been added to the website, making it clear to parents about the proposals, timelines and appropriate process.

*g) There is no significant detrimental impact on other local schools*

Flyford Flavell is a small rural school and the changes proposed will not result in the closure of another school, so reducing local parental choice. In addition, work being undertaken together by the schools in Pershore means this change should not undermine the quality of education provided by good or outstanding schools in the area. It will increase additional places and there is significant overcapacity in the system. However, officers believe this is not a reason to oppose this change given the other changes that have already taken place.

*h) The proposal is clear and precise on how the school will continue to work with other local schools to the educational benefit of all children*

Officers are satisfied that the school has made it clear that it can demonstrate intention to work collaboratively with other local schools to ensure a local approach that is child focussed and in support of best education outcomes.

*i) Where the proposer is a small, rural school, as defined by the DfE rural schools' policy and WCC small schools' policy, the proposal makes it clear how the proposed change will support the school to stay viable and so support local need and parental preference*

Officers have been in discussion with the school and are satisfied that the proposal will support the school to stay viable.

*j) Any proposals should support the best education for all children in the area. Proposers should be clear how their proposal will work alongside the existing school systems operating in the area;*

Work being undertaken in the Pershore area and the discussions the Local Authority has had with the school, reassure us that the school is happy to work cooperatively with other schools in the area in the best interests of all children.

*k) Funding for any necessary accommodation changes has already been secured*

Should any funding be required to make this change happen, this will need to be funded by the school. The Local Authority reiterates that no funding is available to support this proposed change.

*l) Appropriate planning permission and any other consent required have been secured or a clear and transparent timetable for this change has been provided to stakeholders as part of the consultation process*

As above, should any changes to accommodation be required as a result of this change, the Local Authority expects these to be undertaken following correct processes, including any landlord consent, and that costs will be funded by the school.

Any approval from the Council to the Change of Age Range proposal should not be taken as approval of any planning and/or landlord requirements as set out above.

*m) Individual factors for specified school*

Cabinet Members have recognised Flyford Flavell as a small school and have voiced their wishes to support it as much as possible to allow it to maintain a high standard of education. The Local Authority appreciates the difficulties the school is having in entering a Multi Academy Trust and that the school is proactive in attempting to find alternative ways to remain viable and provide the best education for their children.

## **Recommendations**

7. Given the above information, the Cabinet Member with Responsibility for Education and Skills is recommended to approve the publication of Public Notices for this proposal and approve the publication of the Representation Stage documents for a significant change in line with the prescribed alterations' regulations.

8. The Public Notice period is proposed to begin on 5 March 2020 and will end at noon on the 2 April 2020, following which, a final decision on the approval of this proposal will be made, taking into account any representations received during this period.

9. If no objection is received in this period to the Public Notice, then in accordance with the delegation the final decision will be made by the Director of Children's Services. Should objections be received, all representations will be reviewed by and final decision made by the Cabinet Member with Responsibility for Education and Skills.

## **Legal, Financial and HR Implications**

10. No funding is required to carry out this change as proposed.

11. There are no other legal or HR implications.

## **Privacy and Public Health Impact and Equality and Diversity Implications**

12. A Joint Impact Assessment (JIA) screening was completed in respect of the change of age range proposal. The screening did not identify any potential concerns requiring further consideration during implementation (Appendix 2).

### **Supporting Information**

- Appendix 1 –Delegation of authority given by the Leader on 25 April 2018, endorsed by the Cabinet on 30 January 2020 (see link below)

<https://worcestershire.moderngov.co.uk/mgChooseDocPack.aspx?ID=3165>

- Appendix 2 – Joint Impact Assessment

### **Contact Points**

#### County Council Contact Points

County Council: 01905 763763

#### Specific Contact Points for this report

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### **Background Papers**

In the opinion of the proper officer (in this case the Director of Children’s Services) the following are the background papers relating to the subject matter of this report:

‘Prescribed Alterations’ regulations: *Making significant changes (‘prescribed alterations’) to maintained schools: Statutory guidance for proposers and decision makers October 2018*

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