

Executive Advisory Panel for Education, Skills and Employment

Wednesday 26 January 2022

Report Title	Proposed Amalgamation of Tennyson Road and Alfred Street Schools
Report Author	Senior Responsible Officer AnnMarie Dodds Interim Assistant Director Education Report Author(s) Chris Wickens / Jo Hutchinson
Executive Member	Cllr Scott Edwards, Executive member for Children, Families, Education & Skills

Key Decision	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is the decision eligible for call-in by Scrutiny?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Are there public sector equality duty implications?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information (whether in appendices or not)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Applicable paragraph number/s for exemption from publication under Schedule 12A Local Government Act 1972	

List of Appendices

Appendix A – Equality Impact Screening Assessment

1. Purpose of Report

- 1.1. This report is to seek approval to commence the DfE amalgamation process for Tennyson Road and Alfred Street Schools at the request of the respective governing bodies with the support of officers.

2. Executive Summary

- 2.1. To address several financial and operational challenges at Alfred Street and Tennyson Road schools the council was approached by the governing bodies from both schools to support an amalgamation.
- 2.2. Officers support the request of the governing bodies and agree that the proposed amalgamation would be to the benefit of children in the local area.

It would also seek to address financial concerns regarding the long-term viability of operating as two separate schools.

- 2.3. There are strong views regarding the potential site of a new school and therefore an open and transparent consultation should be conducted to gather the views of all interested parties.
- 2.4. To progress the amalgamation a statutory process as defined by the Department for Education must be followed.

3. Recommendations

- 3.1. The Executive Advisory Panel is asked to note the proposals to be submitted to the Executive requesting:-
 - a) Support to progress the statutory process relating to the amalgamation of the Tennyson Road and Alfred Street schools;
 - b) Support to consult on the potential location of the proposed 'new' school.
 - c) A follow-up report for further consideration following the first consultation.

Reasons for proposals

- 3.2. The recommended course of action
 - Ensures full transparency of the process being followed.
 - Allows for all interested parties to have their views heard and considered as part of the decision-making process.
 - Will evidence that appropriate steps are taken in line with statutory guidelines and within appropriate timescales.
 - Allows the Executive to be further updated on the outcome of the consultation ahead of any further decision making.
 - Is in accordance with the DfE legislation and policy on amalgamations.
 - Demonstrates to the governing bodies of each school that the council are progressing a shared solution in line with their request.
- 3.3. Based upon the financial position and evidence of school performance it is not a viable solution to take no action to progress the consultation on the amalgamation.

4. Report Background

- 4.1. Tennyson Road Infant School provides education for children aged 4 to 7 years.
- 4.2. Alfred Street Junior School provides education for children aged 7 to 11 years.
- 4.3. Both schools are in Rushden on separate sites 0.7 miles apart. The schools are linked i.e children from the Infant School complete their primary phase of education at the Junior School. Both schools have community status.
- 4.4. Both schools currently have 'requires improvement' Ofsted ratings.
- 4.5. There are several challenges currently facing both schools. They include:
- A decreasing number of pupils on school role.
 - Financial challenges due to falling numbers.
 - Staff retention issues because of ongoing uncertainties.
 - High levels of pupil mobility.
- 4.6. Local authority officers have been supporting management challenges for both schools over a lengthy period.
- 4.7. The governing bodies at each school believe that the most comprehensive option for addressing the combined challenges would be to amalgamate. This could provide an all-through provision and would be the preferred route for each governing body.
- 4.8. It is the preference of the governing bodies to locate the newly amalgamated school on a single site.
- 4.9. On the 22nd of March 2021 the respective governing bodies of Tennyson Road and Alfred Street formally approached Northamptonshire County Council and requested an amalgamation to form a 'new' all through primary provision.
- 4.10. To progress the amalgamation the statutory process outlined by the DfE must be followed.
- 4.11. The DfE guidance identifies specifics relating to the amalgamation of linked infant and junior schools and how the amalgamation can be achieved.
- 4.12. The options are as follows:
- A technical closure is undertaken at one of the linked schools.
 - The school that remains open extends its age range to become a full primary school.
 - The new school retains the DfE number and the Ofsted rating and becomes an all through primary provision
- OR
- Both schools are formally closed.

- A new school is established as a primary school.
 - The new school will have a new DfE number and will be rated by Ofsted in due course.
- 4.13. Either option is available to the amalgamation of Tennyson Road and Alfred Street schools.
- 4.14. To assist in local decision making on the proposed amalgamation a steering group has been set up. The steering group comprises of members from both schools governing bodies, members of the school effectiveness service at North Northants Council (NNC) and school place planning representatives.
- 4.15. HR support has been established to assist both schools whilst consultation and decision making are underway. This steering group is chaired by an independent and experienced senior school leader.
- 4.16. There are several questions under consideration by the steering group which include:
- Options relating to technical closure of one or other school.
 - The proposed site for an all through primary provision.
 - The proposed staffing structure of a new school.
 - The budget setting of the proposed new school.
 - The naming of the proposed school.

5. Issues and Choices

- 5.1. There are several issues and choices that can be made relating to the amalgamation.
- 5.2. **Maintain the status quo.** This would not seek to address the issues outlined above in 4. This option does not compare well to good practise and fails to address the issues that are current for both schools. This decision would not be in line with the desired outcome of the governing bodies at each of the current schools. Further problems for both Schools are likely in relation to their ability to meet curriculum requirements and to maintain and improve their current Ofsted ratings. Financial deficit recovery plans would be required to address the financial challenges now and in the future.
- 5.3. **Support a consultation** on the proposed amalgamation of the two schools to create a new all through primary school. **Including a reduction of the pupil admission numbers.** This option would be in line with best practise. It would also be in line with the wishes of the governing bodies at each school. It would allow for future improvement on the effectiveness of the schools from a curriculum and learning perspective as well as a financial perspective. This option is deemed the most appropriate option by officers responsible for school effectiveness.
- 5.4. **Support a consultation** on the proposed amalgamation of the two schools to create a new all through school **without a reduction in pupil admission**

numbers. Where the amalgamation would be deemed good practise this alone cannot address all the challenges faced by the new all through school. Without a reduction in the pupil admission numbers it would not be possible to locate the new school at either of the existing school sites. This would consequently fail to address some of the benefits that might be realised from locating the new school on one of the current operating sites.

- 5.5. **Reduce the pupil admission numbers from 60 to 30 at each school** without an amalgamation. This would pose challenges to both schools and would place pressure on both in relation to their ability to deliver on the curriculum and their ability to operate financially. Challenges to teaching and learning could place each school at risk of failing to maintain their existing Ofsted ratings and/or their ability to improve the Ofsted ratings.
- 5.6. If the decision is taken to support the amalgamation, then the consultation on the most appropriate site for the new school must then be considered and should be consulted separately.

6. **Next Steps**

- 6.1. The proposal to amalgamate any two schools is subject to a statutory process defined by legislation and DfE guidance. This statutory process and any future decisions are detailed in full in section 7.5.2 of this report.
- 6.2. The decision to proceed with the proposed amalgamation would be shared with the respective governing bodies.
- 6.3. An indicative timetable would be shared with the steering group in support of both schools.
- 6.4. Officers from the LA would continue to work with both schools to address the ongoing operational and financial issues.

7. **Implications (including financial implications)**

7.1. **Resources and Financial**

- 7.1.1. There is a financial risk to both schools.
- 7.1.2. At present Alfred Street is operating a deficit budget. Where a deficit recovery plan is currently being worked up with school finance colleagues and the governing body. This recovery plan is not believed to be sufficient in isolation to both stabilise and recover the financial model for the school.
- 7.1.3. It will be increasingly difficult to run a financially viable school if structural measures are not put into place. The necessary changes to staffing e.g. a reduction in staffing will place additional pressures on the school to deliver a sound curriculum offer.

- 7.1.4. The financial benefits of amalgamation can be significant, and savings will be made via the rationalisation e.g. senior roles within an amalgamated school. Schools finance colleagues have indicated that an amalgamated school would receive a net benefit to its budget of £264,358 in its first two years of operation and £90,814 per year thereafter.
- 7.1.5. The financial benefits identified above would allow an amalgamated school to recover the current deficit budget position at Alfred Street.
- 7.1.6. Should any deficit recovery plan enacted at Alfred Street not be achievable, the deficit will become a liability against NNC's Dedicated Schools Grant.

7.2. **Legal and Governance**

- 7.2.1. The Legal and Governance implications arising from the decision as to begin the statutory process for a school organisational change of this nature will be limited in scope. Implications will relate solely to ensuring that any initial period of consultation on this matter be conducted in full compliance with the relevant legislation and guidance that govern the proposed amalgamations of schools.
- 7.2.2. The statutory process that will be followed by NNC in relation to this proposal has been reviewed by the Council's legal advisers and complies with all relevant DfE guidance on the subject and legislation that prescribes how school organisational changes of this nature must be enacted. The statutory process is defined in section 7.5.2 of this report.
- 7.2.3. Both schools are "community schools", their employees are direct employees of NNC. Accordingly, there is no change of employer arising from any potential amalgamation and the Council's internal HR policies will apply to the process of dealing with any specific job changes which arise from the alteration.

7.3. **Relevant Policies and Plans**

- 7.3.1. The DfE guidance booklet 'Opening and closing maintained schools' defines the process that all local authorities must follow when considering amalgamating two schools (section 4);
[Opening and closing maintained schools1012.pdf \(publishing.service.gov.uk\)](#)

7.4. **Risk**

- 7.4.1. There are limited risks associated with this decision as to whether to begin the statutory consultation process.
- 7.4.2. Future risks associated with this proposal are explored below.
- 7.4.3. Risk(s) associated with undertaking the proposal.

Risk	Mitigation	Residual Risk
Proposals not supported by stakeholders	Process begun at the behest of respective Governing Bodies. Full and comprehensive programme of consultation detailing benefits that can be realised from the proposal, to be distributed to all stakeholders.	Amber

7.4.4. Risk(s) associated with not undertaking the proposal.

Risk	Risk Rating
Pupil numbers continue to fall at each school and each school budget is adversely impacted as a result. Lack of available budget begins to impact upon each school's ability to effectively deliver the curriculum to pupils and impacts upon individual pupils' levels of attainment.	Red
Deficit budget recovery plans at one or both schools are unsuccessful, and any remaining budget deficit becomes a liability to NNC's 'Dedicated Schools Grant'.	Amber
Each school becomes non-viable from a financial perspective because of falling pupil numbers.	Amber
Lack of pupil progression and accountability between Key Stages 1 and 2, resulting from separate infant and junior schools being responsible for individual Key Stages, rather than one 'all-through' school being responsible for pupil progression across the entire primary phase of education.	Red
The linked infant and junior school convert (or are required to convert by the DfE) to academy status with different academy sponsors, exacerbating the problems outlined above and increasing the chance of a pupil attending two schools with different ethos and methods of curriculum delivery, which could impact upon a pupil's level of attainment and education experience.	Amber

7.5. Consultation

7.5.1. The statutory consultation process required of any local authority wishing to progress an amalgamation of a linked Infant and Junior School is defined in the DfE guidance booklets, 'Making significant changes ('prescribed alterations') to maintained schools' October 2018 and 'Opening and closing maintained schools' November 2019.

7.5.2. As the amalgamation will require a 'technical' closure of one school, NNC is required to follow the statutory consultation process that is prescribed for any school closure. This process (and the proposed timescales for it) is set out

below. Items 2 to 4 are dependent upon the decision of the Executive Committee following the initial period of consultation.

Stage	Description	Timescale	Comments
1	Initial consultation period	17 th February – 7 th April 2022	7 weeks beginning at start of Spring Term (to incorporate Feb half term). Following Exec approval to begin on 10/02/22
2	Publication of Statutory Notice	26 th May 2022	Dependent on approval to proceed given at NNC Executive Meeting 19/05/22
3	Representation (formal consultation period)	26 th May – 23 rd June 2022	Period of representation must be for a period of 4 weeks
4	Decision	July 2022	Final decision made at NNC Executive meeting in July (yet to be arranged)
5	Implementation	None prescribed. To be confirmed	Decision on when schools will formally amalgamate to be confirmed with Steering Group

7.5.3. Although the DfE guidance booklet does not prescribe that a ‘pre-consultation’ stage is statutory, it does state that there is a ‘strong expectation’ that any local authority would conduct this stage prior to making a decision on the publication of any statutory notice relating to a proposal of this nature.

7.5.4. NNC intends to consult the following persons or bodies in relation to this proposal, using the following mechanisms. The DfE guidance booklet, ‘Opening and closing maintained schools’ prescribes a number of statutory consultees when any local authority proposes to close a school, statutory consultees are identified in bold text.

Consultee	Mechanism
Governing Body of the school(s);	Direct Email/Press release/online questionnaire
Pupils at the school;	Via the school(s)
Teachers and other staff employed by the school(s);	Direct Email/Press release/online questionnaire
Relevant Diocesan authorities;	Direct Email/Press release/online questionnaire

Any other LA likely to be affected by the proposal;	Direct Email/Press release/online questionnaire
Governing Bodies or Academy Trusts, teachers and other staff at schools that may be affected by the proposal;	Direct Email/Press release/online questionnaire
Parents of pupils at any other school that may be affected by the proposal;	Press release/Online Questionnaire
Any Trade Union that represents members of staff at the school(s);	Direct Email
The local MP;	Direct Email
NNC Ward Councillors for the area;	Direct Email
Rushden and Higham Ferrers Town Councils;	Direct Email
All other interested stakeholders.	Online Questionnaire

7.5.5. Subject to the Executive approving an initial consultation, a full summary of all the feedback received during the initial period of consultation will be presented to the Executive prior to the meeting of 14th April 2022 and be given full consideration as part of any future decisions relating to this proposal being made.

7.5.6. The feedback received from all stakeholders as part of the initial period of consultation will be used to inform any future decisions required in relation to this proposal.

7.5.7. To ensure corporate awareness and to enable an organisational overview of the proposed consultations, the Consultation and Engagement Team has been contacted regarding this proposed amalgamation.

7.6. **Consideration by Executive Advisory Panel**

7.6.1. Any comments received by the Executive Advisory Panel in respect of this report and its proposals, will be provided to the Executive in advance of its consideration of any final recommendations on the school admission arrangements outlined in this report.

7.7. **Consideration by Scrutiny**

7.7.1. This report has not been taken to scrutiny.

7.8. **Equality Implications**

7.8.1. An 'Equalities Screening Assessment' has been completed in respect of this proposal and is attached as Appendix A.

7.8.2. This report outlines proposals to begin the initial phase of consultation required by the statutory process governing school organisational changes of this nature. The equality implications relating to this report are therefore limited. No detrimental impact on any protected characteristic has been identified as arising from this proposal.

7.9. **Climate Impact**

7.9.1. The decision to begin consultation (or not) on this proposal will have a negligible, if any, climate impact.

7.10. **Community Impact**

7.10.1. The decision to begin consultation on the possible amalgamation of these schools itself will have a limited community impact. The community impact of future decision making will be considered in subsequent reporting relating to the outcome of the proposed consultation.

7.10.2. A decision not to proceed with the initial period of consultation and fully explore the option of amalgamation, will result in children within the community attending schools that do not provide the best possible educational environment because of the financial challenges each school is facing.

7.11. **Crime and Disorder Impact**

7.11.1. This proposal will have a negligible, if any, crime and disorder impact.

8. **Background Papers**

8.1. The statutory process that must be followed by the local authority if they wish to progress the amalgamation is laid out in the Department for Education guidance booklet 'opening and closing maintained schools'. This guidance booklet is underpinned by the 'education and inspections act' of 2006 and the school organisation (prescribed alterations to maintain schools) England regulations 2013.

[Opening and closing maintained schools1012.pdf](#)
([publishing.service.gov.uk](#))

[Making significant changes \('prescribed alterations'\) to maintained schools](#)
([publishing.service.gov.uk](#))

[Education and Inspections Act 2006](#) ([legislation.gov.uk](#))