

**CHILDREN AND YOUNG PEOPLE
SCRUTINY AND PERFORMANCE PANEL**

**Agenda
Item No.**

DATE: 26 JANUARY 2007

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Consultation on School Organisation Matters

Ward(s) All

Portfolios: Cllr Zahid Ali – Children’s Services

Summary of report:

This report provides updated details of the consultation arrangements for the consideration of school organisation matters in Walsall and provides a comparison with practice elsewhere.

Background papers:

DfES Guidance
School Standards and Framework Act, 2000
Cabinet reports relating to school organisation matters

Reason for scrutiny:

Following recent representation from parents, the Scrutiny and Performance Panel requested details of the consultation arrangements for the consideration of school organisation matters.

Helen Denton, Managing Director, Education Walsall

January, 2007

Resource and legal considerations:

When local authorities wish to make significant changes to the organisation of schools in their area, there is a requirement to follow the procedures set out in the School Standards and Framework Act 2000 and, when the relevant sections are implemented, the Education and Inspections Act 2006.

Significant changes to schools include: opening a new school, school closure, change in age range, establishing designated SEN provision, some changes of site.

In all such cases, there is a requirement to consult prior to decision-making and for a representation period to follow the publication of statutory proposals.

The table provided as Appendix 1 provides details of DfES guidance on this matter, common good practice in Walsall and elsewhere, and the enhanced process followed in Walsall where appropriate.

Following approval by Cabinet, a period of consultation, usually one month, is held. This is in line with national practice. At the commencement of this period a consultation document and an invitation to attend consultation meetings is issued to parents, staff and governors at the school(s) concerned. Follow-up meetings and drop-in sessions with an opportunity for individual discussions are also offered.

The responses to the consultation are summarised in a report to Cabinet and in the light of **all** the available information, Cabinet then decides whether it wishes to proceed with the proposal. If it does, a statutory notice is published in the local press and a statutory representation period follows. Parents, staff and governors are advised of this and the arrangements for the submission of comments and/or objections.

At the end of the representation period, the final decision is taken by the School Organisation Committee (if objections have been received) or by Cabinet (if no objections have been received). The School Organisation Committee has followed the practice of inviting objectors to attend the Committee's meeting and providing an opportunity for them to present their case.

The consultation arrangements followed in Walsall are in line with national good practice and provide significantly greater opportunities for parents to participate. Increasingly, local authorities are ceasing to hold public meetings for parents and replacing them with drop-in sessions. Very few local authorities hold further meetings during the representation period.

Citizen impact:

The process outlined above provides an opportunity for school communities and other stakeholders to contribute to the decision-making process by providing their views.

At each stage, the decision makers must take account of the circumstances which prompted the proposed change, and make the most appropriate decision. Given the seriousness of the issues in the majority of instances, this can result in a decision which is totally justified in educational terms but which is not the preferred outcome of parents, some of whom perceive the consultation process to be a vote.

Environmental impact:

None arising from this report.

Performance management:

Equality Implications:

None arising from this report.

Consultation:

Not applicable

Contact Officer:

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Appendix 1

Period	Government Guidance	Common Good Practice (Walsall & other Local Authorities) eg Rushall Community College	Enhanced Process in Walsall (supplementary to good practice) eg Beechdale Primary School
Pre-Consultation		<ul style="list-style-type: none"> ▪ Initial discussion with Chair of Governors and Headteacher ▪ Write Cabinet report asking for permission to consult on proposal. ▪ Letter sent to parents, staff and governors regarding proposals to be considered by Cabinet ▪ Cabinet paper released to the public ▪ Press release issued ▪ Cabinet meeting and decision regarding consultation. 	<ul style="list-style-type: none"> ▪ Meetings held with parents, staff and governors regarding issues at the school in advance of consideration by Cabinet. ▪ Education Walsall staff attend Cabinet meeting and discuss decision with school representatives and parents at end of meeting.
Consultation	<ul style="list-style-type: none"> ▪ Requirement for consultation with stakeholders. Length of consultation period not specified but should be within 12 month period prior to the publication of statutory proposals. 	<ul style="list-style-type: none"> ▪ Consultation period of usually one month. This gives a reasonable length of time in which to seek views on the proposals without creating too long a period of uncertainty. ▪ Letter regarding consultation process and meeting dates sent with copy of Consultation Document to parents, staff and governors at the schools . ▪ Letter and Consultation Document sent to other interested parties including all schools and statutory consultees. ▪ Consultation Document is put on Education Walsall website ▪ Walsall: 3 separate meetings held with parents, staff and governors at each of the schools affected by the proposal with offer of follow-up meetings and drop-in sessions. Other LAs: many no longer hold meetings for parents but offer drop-in sessions; some hold joint meetings for parents from all of the schools affected. ▪ Consultation responses collated ▪ Cabinet considers report on outcome of consultation and decides whether to proceed. ▪ If the decision is to proceed, a statutory notice is published. 	<ul style="list-style-type: none"> ▪ Walsall: 3 separate meetings held with parents, staff and governors at each of the schools affected by the proposal with offer of follow-up meetings. ▪ Drop-in sessions held with parents ▪ Further meetings with Chair of Governors and Headteacher. ▪ Staff offered individual discussions with HR staff. ▪ Education Walsall staff attend Cabinet meeting and discuss decision with school representatives and parents at end of meeting.

Representation	<ul style="list-style-type: none"> ▪ Statutory proposal notice must be published in local press, be displayed at the school and sent to statutory consultees. ▪ The representation period follows the publication of a statutory notice and usually lasts for 6 weeks; for special schools it is 2 months and for schools in special measures it is 1 month. 	<ul style="list-style-type: none"> ▪ Letter sent to parents, staff and governors advising them of Cabinet's decision to proceed with the proposal and publish a statutory notice, details of the representation period and how submit comments and/or objections, and an invitation to further meetings. ▪ Statutory notice published in local newspaper and displayed at the school ▪ Representation period according to statutory requirements. ▪ Letter and a copy of the statutory notice sent to other interested parties including all schools. ▪ Walsall: meetings and drop-in sessions held at the school(s) with parents, staff and governors. Other LAs: most do not hold this further series of meetings. 	<ul style="list-style-type: none"> ▪ Walsall: 3 separate meetings held with parents, staff and governors at each of the schools affected by the proposal with offer of follow-up meetings. ▪ Drop-in sessions held with parents ▪ Further meetings with Chair of Governors and Headteacher. ▪ Staff offered individual discussions with HR staff.
Decision	<p>Decision taken by:</p> <ul style="list-style-type: none"> ▪ LA (Walsall Cabinet): proposals at community and controlled schools for which no objections have been received ▪ School Organisation Committee: all proposals at aided and foundation schools; proposals at community and controlled schools for which objections have been received. 	<ul style="list-style-type: none"> ▪ Determination of statutory proposal in line with legal requirements. ▪ Cabinet meetings are open to the public ▪ Meetings of the School Organisation Committee are open to the public; schools and objectors are invited to attend and have an opportunity to address the Committee 	<ul style="list-style-type: none"> ▪ Education Walsall staff attend Cabinet / School Organisation Committee meeting and discuss decision with school representatives and parents at end of meeting.
Post-Decision	<ul style="list-style-type: none"> ▪ Requirement to notify Chair of Governors of school(s), DfES and objectors 	<ul style="list-style-type: none"> ▪ Letter sent to parents, staff and governors at the school(s) informing them of the decision. ▪ DfES notified of decision. ▪ Any objectors notified of decision. ▪ Walsall: project team set up to oversee the implementation of the proposal. 	<ul style="list-style-type: none"> ▪ Project team meets regularly with headteacher and chair of governors (as appropriate) to manage the implementation arrangements ▪ Meetings on a group and individual basis with parents ▪ Staff offered individual discussions with HR staff