

**For general release**

**Meeting:** Children, Families and Schools Sub-Committee

**Date:** Monday 26 January 2004

**Report of:** Director Children, Families and Schools

**Subject:** Consultation on the protocol for all through primary schools; and the federation of schools

**Wards affected:** All

**1. Purpose of the Report**

1.1 The report is to consult members on the draft protocol for all through primary schools; and the federation of schools.

**2. Recommendations**

2.1 That comments on the proposed protocol be provided.

2.2 That the Director Children Families and Schools, be authorised to finalise the protocol and publish it following consultation.

**3. Information/Background**

3.1 In September 1999 three primary schools (Carden, Moulsecomb, Whitehawk) were created in Brighton & Hove from the amalgamation of separate infant and junior schools. There was a Scrutiny Panel and report, the protocols are based on the recommendations of that Report made in 2000.

3.2 Headteachers have requested that a protocol be developed on creating all through primary schools; and federating schools.

**4. Consultation**

4.1 Consultation on the draft protocol has taken place through a working group of headteachers, who have been affected by mergers/amalgamations in the past or who thought that they could be affected in the future, and LEA Officers. The draft protocol has also been circulated to the workforce unions/staff associations and to all headteachers for comment. Comments were requested by 20<sup>th</sup> January 2004. The comments received will be considered and where appropriate will be incorporated in the protocol. Comments from CFS Sub Committee are requested at this drafting stage.

## **5. Conclusion**

- 5.1 Once comments have been received, it is intended to revise the protocol in the light of these comments and publish. The aim is to have the protocol finalised by the end of January for publication in February 2004.

## COMMITTEE REPORT APPENDIX

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### **Financial implications**

All funding will be contained within the LMS formula. An all through primary school would receive less funding than two separate schools, and there would be a saving in terms of staff costs (only one headteacher instead of two and reduced administrative support). The remaining balance of funding would be contained within the LMS formula and distributed to all schools.

*Finance Officer consulted: Andy Moore Date: 23.12.03*

### **Legal implications**

Specific reference is made in the protocol annexed to the report to the effect of section 24 Education Act 2002. In any planning process for merger or amalgamation of schools a proper consultation with interested and affected parties must be carried out to ensure compliance with the Human Rights Act 1998 (Article 6 of the European Convention on Human Rights - Right to a Fair Trial). Compliance with current employment legislation and Brighton and Hove employment policy is also essential where a merger or amalgamation has an effect on employees' terms and/or conditions of employment.

*Lawyer consulted: Sandra O'Brien Date: 19.12.03*

<p><b>Corporate/Citywide implications</b> The creation of an all-through primary school and the federation of schools have implications for the city in terms of the provision of school places. Full consultations would be carried out and the protocol aims to clarify the process.</p>	<p><b>Risk assessment</b> None.</p>
<p><b>Sustainability implications</b> All-through primary schools and federations of schools are potentially more sustainable.</p>	<p><b>Equalities implications</b> None</p>
<p><b>Implications for the prevention of crime and disorder</b> None.</p>	

**Background papers**

None

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