

Subject:	Notice of Motion - Moulsecoomb Primary School Survey of Parental Views		
Date of Meeting:	14 June 2021		
Report of:	Executive Director Families, Children and Learning		
Contact Officer:	Name:	Richard Barker	Tel: 01273 290732
	E mail:	Richard.barker@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 At Full Council on 25 March 2021 a Notice of Motion requested a special meeting to consider the need to conduct a further urgent ballot of parents and carers of children at Moulsecoomb Primary School on whether they are in favour or oppose the forced conversion of the school to an academy trust selected by the Regional Schools Commissioner.
- 1.2 The pre-election period meant that the matter is being considered at the first Children, Young People and Skills (CYP&S) committee meeting since the elections held on 6 May 2021.
- 1.3 This report recommends that the CYP&S Committee do not facilitate the holding of a further ballot by the school for the reasons set out in this report.

2. RECOMMENDATIONS:

- 2.1 That the Committee does not pursue a further ballot of parents and carers of children at Moulsecoomb Primary School.
- 2.2 That the Committee note that the Department for Education have announced the appointment of Pioneer Academy Trust as the sponsor for the school.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 On 16 September 2019 the CYP&S Committee noted that a ballot of parents/carers was to take place at Moulsecoomb Primary School with the full results of the ballot being reported at the next CYP&S Committee meeting.
- 3.2 The ballot was only for parent/carers who had children registered at the school at the start of the academic year 2019/20. Parents/carers were able to respond either yes or no to the question, "Do you want the school to become an academy?"
- 3.3 The report detailed that it was appropriate to allocate one response form to the family of each child registered at the school and it required the family to determine how they vote should the views within the family not be the same.

- 3.4 On 7 October 2019 a count of ballot papers took place. 142 ballots were counted (61% turnout). Of these 137 said 'No' when asked should the school become an academy. 96.5% of ballots said that the school should not become an academy.
- 3.5 The Notice of Motion at Full Council on 25 March 2021 included a request that the Chair of the Children, Young People & Skills Committee call a special meeting to consider the need to conduct a further urgent ballot of parents and carers of children at Moulsecoomb Primary School on whether they are in favour or oppose the forced conversion of the school to an academy trust selected by the Regional Schools Commissioner (RSC).
- 3.6 Since then the Department for Education has announced that Pioneer Academy Trust will be the sponsor of the school. In response to this announcement a range of local protest initiatives are taking place including a staff strike in April 2021. A special meeting of the Committee was planned but was unable to proceed due to the pre-election period for the local by-elections and election of the Police and Crime Commissioner and the subsequent process.
- 3.7 Whilst the previous survey of views took place 18 months ago it is unclear that there would be a significant benefit to have a more up to date view of parents and carers that will be able to inform the governing body and council of the strength of opinions.
- 3.8 Any survey will remain outside of the academy process and therefore does not play a statutory role in the process.
- 3.9 Whilst the school considered it was possible to undertake the process of surveying parents and carers this would have been an additional logistical challenge whilst maintaining Covid secure arrangements.
- 3.10 In addition to remaining focussed on building on the progress of improving the delivery of education at the school, the circumstances following the announcement of the sponsor mean that careful consideration must be given to the benefit of holding a ballot of parents and carers.
- 3.11 The impact of the Covid pandemic may affect the response rate which was 61% in October 2019. Parents and carers may feel uneasy about handling ballot papers and have an impact on the quantity of response forms received back.
- 3.12 A ballot paper and return envelope that sends the ballots back to the council could be arranged and similar Covid mitigations will need to be in place to verify and count the ballot papers. The first class return postage would be £0.62 per item and the school would incur costs from initially posting out the ballots and letters unless they are given to the children or parents are required to collect them from the school directly.
- 3.13 There would also be a cost for count staff depending upon how this was conducted.
- 3.14 The governing body are currently focussed on taking the steps it considers appropriate to represent the community and the best interests of the school

under the Academy Order. The necessary engagement of the governing body to undertake a further survey of parent and carer's views may lead to the governing body being unable to fulfil its wider role and jeopardise the continuity in leadership that they have achieved.

- 3.15 Ofsted have completed monitoring inspections on 24 February 2021, 20 October 2021 and 4 February 2021. On each occasion Ofsted said, "Leaders and managers are taking effective action towards the removal of the serious weaknesses designation." The last monitoring visit to the school was on 5 May 2021 and at the time of writing no report has been published.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The survey is not part of the formal academy order process and the council is not compelled to help facilitate any survey undertaken by the school's governing body. However, a previous ballot was undertaken and it would be possible to do so again. Supporting a ballot at the current time would place the governing body in a very difficult position given the appointment of an academy sponsor and the continuity and community representation that they hold would be lost.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The governing body could wish to seek the views of parent/carers with children in attendance at the school irrespective of the council's decision. However, a previous ballot held in 2019 provides an indication of the strength of feeling of parents and carers with children at the school, at that time.

6. CONCLUSION

- 6.1 The Committee are asked to consider the need to conduct a further survey of parent and carer views.
- 6.2 Following discussion with the Chair of Governors it can be expected that the governing body would not support proposals to undertake a further ballot to provide a more up to date view of parent/carers responses to the Academy Order for reasons outlined in paragraphs 3.7 - 3.14.
- 6.3 This is not a formal part of the academy order process. Whilst the council has previously provided support and guidance to the governing body of the school and can do so again this report does not recommend that such action is taken. The appointment of the sponsor by the Department for Education, the logistical challenge of undertaking a ballot during Covid restrictions and the potential impact on the governing body of supporting such action indicates that the benefits of a ballot are outweighed by not taking steps to hold a ballot.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 Financial implications relating to a survey of parental views would be minimal however the recommendation is for such a survey to no longer be carried out.

Wider financial implications regarding the budget position of the school and ownership of a deficit should the school transfer to sponsored academy status were included in the report to committee in March 2021.

Finance Officer Consulted: Steve Williams

Date: 10/05/21

Legal Implications:

- 7.2 The Local Authority and the school have a duty under section 5B of the Academies Act 2010 to take all reasonable steps to facilitate the conversion of the school into an Academy. This includes facilitating the making of academy arrangements with the sponsor.
- 7.3 As stated in the body of the report, any ballot conducted of parent/carer views would not form part of the statutory conversion process. The RSC would be under no obligation to consider these views when making decisions about the future of the school.

Lawyer Consulted: Serena Kynaston

Date: 10/05/21

Equalities Implications:

- 7.4 An Equality Impact Assessment has not been carried out. The report recommends that the committee do not undertake a ballot. Should one take place the school and council are confident that all parent/carers with children attending the school at the start of the academic year 2020/21 will be able to respond to the survey and have their views recorded as such.

Sustainability Implications:

- 7.5 There are no sustainability implications because of this report.

Brexit Implications:

- 7.6 There are no Brexit implications in relation to this report.

Any Other Significant Implications:

None