

DRAFT 5
Version: 130406

PROPOSED PROTOCOL AND PROCEDURES FOR CONDUCTING A REVIEW OF PRIMARY SCHOOL PROVISION

1. AIM OF THE PROTOCOL

The Local Authority (LA) is responsible for the planning of school places. The aim of this protocol is to:

- Establish a broad framework whereby future provision planning reviews are conducted in a manner that engages all interested parties at the appropriate stage(s) in the process.
- Ensure that information from all sources is collected and confirmed.
- Ensure that partners understand the LA's strategic role in this area.
- Ensure that the LA, and any other proposers, conduct the consultation in a manner which conforms to the law and in accordance with DfES guidance.
- Enable elected members (Cabinet and Scrutiny) and, as necessary, the School Organisation Committee, to be in a position to make informed decisions on proposals in the knowledge there has been thorough consultation and proper examination of all relevant issues.
- Ensure that the processes are consistent with the Council's overall policy on Consultation.

2. STAGES IN THE PROCESS

Usually, the need for a review will be identified through the processes of school organisation planning, with the initiative being taken either by a school or group of schools in response to the particular set of circumstances facing them or by the local authority.

The proposed stages of the process and approximate timings are set out below.

3. STAGE 1: INITIAL DISCUSSIONS

Communication with schools

Chairs and Headteachers of schools included in the review will be invited to a meeting, the purpose of which is to:

- Explain the review process;
- Identify the issues that need to be addressed both in the area (and more generally across the LA);
- Provide a provisional timetable for various stages in the review; and
- Explain the LA's strategic role.

At this point, all schools involved in the review process will be informed that throughout the review period any planned capital works will be postponed unless they are:

- Urgent for reasons of health and safety;
- Urgent condition works required to maintain the continued operation of facilities;
- Pupil specific adaptations for accessibility purposes.

Postponed works will be included in a future capital programme as appropriate, following agreement of Stage 7.

Communication with Local Members (MKC administration, members of other parties and parish/town councils)

Local Members will be informed of the review and the relevant facts and be given an early opportunity to incorporate their views.

Initial briefing for Cabinet

To inform Cabinet of proposals to review the area and to secure permission for officers to proceed with the preparatory work.

4. STAGE 2: INFORMATION GATHERING

Information gathering-School visits

Each school to be included in the review will be visited to confirm relevant school-based information and to seek initial comments from the Headteacher and Chair of Governors.

Collection of further information

At the same time, further information will be gathered from:

- Planning and Transport – on new housing developments, the Local Plan for the area, school travel and transport and related issues
- Neighbourhood Services –Housing and related issues
- Community and Leisure
- Financial Services – on school budget positions.

- Land & Property – on Council owned land availability and early feasibilities on extended provision.
- Planning and Information Team – Pupil number projections; catchment areas; pupil migration; pupil turbulence; pupil capture and retention.
- School Improvement Team – for information on standards etc.
- Early Years and Child Care Team – for information on early years provision across all sectors.
- Capital Development Team - Asset Management Plan – school condition, suitability and sufficiency; site areas; accommodation schedule; site and buildings plans; temporary accommodation etc.
- Health Trust – to provide most recent information on births.

It could also be necessary to seek information from:

- Other Partners – external funding agencies, parish councils
- Other LAs, where appropriate, about cross-border movements of pupils and place availability in neighbouring schools.
- Learning and Skills Council, for proposals that relate to 16 to 18 provision.

Initial meeting with Diocesan Bodies

Where the review will involve church schools, diocesan officers representing the schools in the area will be consulted when all the factual information has been collected. They will be asked for an initial informal view and to report back a formal view from the Diocesan Board later in the process.

Initial feedback to schools

Each school will be provided with a summary of the data collected for their own school during Stage 2. Schools will have 2 weeks to provide comments regarding the accuracy of the data and whether there are any significant omissions.

Establishment of a project group

A project group will be established to consider all the information received and establish a number of options for the way forward. The project group should have membership including representatives from Planning and School Organisation, SEO Small Schools, (where a small school is included), HR, Capital Development, Communications, Finance, Pupil Support, and the attached advisor for the group of schools. A headteacher and governor representative will also be invited to form part of the group.

The project group will be tasked with appraising the information received and proposing a broad range of options to DMT.

Report on Data Collection to Departmental Management Team (DMT)

DMT will be informed of statistical information in relation to the area and the options proposed by the project group. They will determine the options to be fed back to schools in Stage 3. (informal briefing of Cabinet members at this stage too.)

5. STAGE 3: FEEDBACK TO SCHOOLS

Feedback on options established and comments on possible options sought from schools

Schools will be presented individually with the range of broad options and invited to comment. Schools will also be asked to submit any views on their preferred options / solutions in writing. This can be done either individually or as a group. Schools will have up to 4 weeks to respond.

Other consultees will also be kept updated on developments.

6. STAGE 4: FEEDBACK TO MEMBERS

Review of consultation responses by project group

The project group will receive schools' views on the options put forward and will make a recommendation to DMT about those options that should be put forward to members for agreement to consult.

Report on outcomes of Stages 1 to 3 and options to DMT

An internal report will present all the findings of the review and the views and options of all parties involved. DMT will determine which options to be put forward to Members for agreement to consult. (Informal briefing of Cabinet Member at this stage too)

L&D Policy Development Committee and Cabinet

A report detailing all relevant information plus proposed options for review will be considered by L&DPDC and Cabinet.

Cabinet has the responsibility to identify specific options on which to consult. *More than one option will be identified wherever possible, although clearly this may be constrained if option appraisal and feasibility studies rule out many of the options on the table.*

Feedback to schools

Immediately after Cabinet, all schools will be invited to a meeting (or will be telephoned or visited depending on circumstances) to inform them of the informal stage consultation options.

Initial briefing of the School Organisation Committee

A report will be provided for SOC at this stage to give forewarning of possible developments and the need for consideration of the matter as part of the SOC's future work programme.

Detailed option appraisals and feasibility studies

This work will have been developing over the course of the review but will need to be in a late stage of drafting in order to inform the options put forward in documentation for the public consultation.

7. STAGE 5: CONSULTATION ON OPTION(S)

Informal Public Consultation

This will be conducted over a period of 12 weeks during term time, where possible.

Consultation documents will be issued to all interested parties (listed at Appendix A) and will be available from the Council's Website.

Written consultation responses will be requested.

Separate meetings will be held with:

Governing Bodies and Staffs of the schools immediately concerned.
(Notes will be taken of the meeting(s).)

Public meeting(s) will be held in the area. (Notes will be taken of the meeting(s).)

L&D Policy Development Committee and Cabinet.

Results of the informal consultation will be reported, together with the results of the option appraisals and feasibility studies.

Members will choose preferred option(s) or choose an alternative course of action.

If one or more of the options are chosen permission will be granted to publish statutory notices.

If a new option emerges as a result of the consultation, then a second round of informal public consultation may be held.

Report back to Schools

Schools to be informed of Council's preferred option(s).

Public Consultation: Publication of Statutory Proposal

This is for a statutory 6-week period, and the LEA as proposer has 1 month after the close of consultation to consider and to respond to comments and objections. Public Notices will be issued/posted in accordance statutory requirements. Schools will be advised well in advance of this occurring. Objections and comments must be made in writing and acknowledged by the LA in the case of community schools and by Secretary to the School Organisation Committee (SOC) in the case of voluntary schools. Objectors will be informed of SOC meeting date, so that they may attend to observe and, if they wish, to speak. Information will be given about where to access a summary of all objections received and proposers' observations on them - (usually in LDD, local libraries and schools named in proposals). Objectors will have the opportunity to correct any errors of fact only.

8. STAGE 6: SECURING FUNDING

Any capital funding required for proposals to be implemented must be secured prior to SOC consideration of proposals. This includes making bids to DfES for funding and possible Section 77 approvals for disposal of land.

NB: This stage needs to be managed to meet DfES deadlines on bidding and may have to be completed prior to Council choosing its preferred option. Funding can be awarded provisionally and will not be allocated if proposed schemes are later withdrawn.

9. STAGE 7: DECISION ON OPTION(S)

School Organisation Committee

The SOC will receive all prescribed information at the same time as publication of notices, if possible, or by the end of the consultation period at the latest.

The SOC will be sent copies of all objections received, together with the LA's comments on them no later than 1 month after the end of statutory consultation period.

A copy of the summary of objections will also be sent to SOC members.

A further copy will be available for inspection prior to the SOC meeting.

The objections to Voluntary Controlled and Aided proposals are the property of the proposers, (usually the governors), and the SOC, so these cannot be shared in the same way.

The SOC will make the final decision if it votes unanimously. If not, the decision passes to the Schools Adjudicator. There is no further avenue of appeal.

Note: the steps described above relate to community schools. Proposals for voluntary and foundation schools follow a similar route, but the mechanics of which organisation completes various stages in the process varies according to the Diocese. In the case of proposals for voluntary and foundation schools, close liaison is required between the LA and Diocese.

DRAFT SUMMARY TIMETABLES

SEPTEMBER 2008 IMPLEMENTATION

STAGE	COMPLETION OF THE STAGE PROCESSES
STAGE 1 – Initial Discussions	End January 2006
STAGE 2 – Information gathering	End March 2006
STAGE 3 – Feedback to Schools	End May 2006
STAGE 4 – Feedback to Members	End July 2006
STAGE 5 – Consultation on Options	End December 2006
STAGE 6 – Securing Funding	End December 2006
STAGE 7 – Decision on Options	End April 2007
Planning and preparation for determined change	May 2007 to August 2008
IMPLEMENTATION	September 2008