

School Organisation Proposals – Process and Timetable

Introduction

This document sets out the proposed process for school organisation changes in Shropshire. The procedure can start at P1, P2 or M1, but cannot start directly from M2 or S as Government guidance on consultation requires a stage of consultation where issues are expressed but the response to issues is not constrained (M1), a stage where the Council consults on clearly stated proposals (M2) and a statutory period of representations (S1). It is important to note that there are several potential break points in the process, where, following consultation, the Council's Cabinet could decide to abandon or significantly change proposals. The inclusion of all stages in this document does not mean that the Council has already decided to proceed to the end of the process.

This process is based on the Government guidance published in February 2010.

Dates in the table refer to the 2010/11 consultation timetable.

Shropshire School Organisation Model Process

Stage	Stage Name	Actions
<i>P</i>	<i>Policy</i>	<i>Cabinet considers whether the school organisation policy needs to be reviewed, consults on any changes in one or more stages and finally makes recommendations to Council which decides on any proposed changes to the policy.</i>
P1a	Policy review (P1 has already been already undertaken in this school organisation round)	Officers identify an issue regarding school organisation policy (in this round, a unified vision and criteria for school organisation).
P1b	Cabinet report	Cabinet receives a report on the issues and is asked to authorise consultation on options to address the issues.
P1c	Policy Consultation	Policy consultation should normally last for twelve weeks and include briefings for consultees. In the current round, this was undertaken starting Summer term 2010 and continued until 17 September.
P1d	Report	A report is prepared for Cabinet on the outcome of the policy consultation

Stage	Stage Name	Actions
P2	Review of Policy Implications (Optional)	After the report on the policy consultation is prepared, the Corporate Director of People may choose to share the recommendations with key partners in order to inform Cabinet's debate and avoid the possibility of the law of unintended implications applying to agreed policies. Partners might include Diocesan Directors of Education (DDE), primary and secondary CPGs, SSGC, Unions, the opposition, backbenchers, Safe and Confident Communities Scrutiny Committee, or even all heads and chairs of governors, depending on the scope of the change to policy envisaged. In the current round, informal briefings for DDE, CPGs, SSGC and Unions have or will be taking place. Wider consultation with Scrutiny Committee and schools is planned (see below) and briefings for the opposition and backbenchers are envisaged once the final draft report is available.
P2a	Safe and Secure Communities Overview and Scrutiny Committee (published 13/10/10, meeting 20/10/2010)	The draft Cabinet report on policy consultation outcomes is recast for the Scrutiny Committee. Comments from the Committee will be reported to Cabinet and will be incorporated into the Cabinet report.
P2b	Briefing for Schools (8/11/10 to 22/11/10)	The basic recommendations and data supporting them are shared with headteachers and chairs of governors in a series of wide area briefings, followed by a period of reflection and response which lasts until the consideration of the wider consultation parameters by Cabinet (see M1c below). This period could be curtailed by a decision by Cabinet or Council not to proceed with the new policy (P3a or P3b, below).
P3a	Cabinet considers new policy proposals (Report published on 3/11/10, meeting 10/11/10)	Cabinet considers the recommendations of the Corporate Director of People, informed by any pre-consultation or review of the recommendations (see P1 and P2 above), and is asked to make recommendations to Council on the acceptance, amendment or rejection of the new policy proposals.

Stage	Stage Name	Actions
P3b	Council considers new policy (Report published on 3/11/10, meeting 11/11/10 with note of meeting of Cabinet tabled at Council.	Council considers the recommendations of Cabinet and decides whether to accept, amend or reject the new policy proposals.
M1	<i>Consultation on Issues</i>	<i>Cabinet decides which school organisation issues ought to be considered more widely, consults on the issues and, if necessary, makes proposals to address any issues.</i>
M1a	Identification (only relevant if the process starts at this stage – usually an issue at a single school)	The Corporate Director of People identifies an issue with the organisation of schools, as a result of surplus/insufficient places, performance or pupil intake numbers, and raises this with the Cabinet Member for Children and Young People’s Services
M1b	Briefing (only relevant if the process starts at this stage – usually an issue at a single school)	If the Cabinet Member agrees that there is sufficient concern to consider a public consultation, a confidential briefing will be held for the elected member for the area(s) concerned, and for the Head and Chair of Governors of the school(s) potentially affected, during which potential solutions can be explored.
M1c	Report to Cabinet (published 17/11/10, meeting 24/11/10)	If no solutions can be identified, or if the identified solution requires statutory notices, a report is prepared for Cabinet setting out the issues and requesting permission to consult wider on what solutions might be available.
M1d	Review Consultation (25/11/10 to 21/01/11)	A public consultation is held on the issue in question. The consultation will last for six term-time weeks (in line with Government guidelines) and will include the distribution of information on the issues and a public meeting in the area(s) affected towards the start of the consultation period.
M1e	Briefing (31/1/11 to 9/2/11)	If the Director’s recommendation in the report to Cabinet (see below) is to close or amalgamate any school(s), a confidential briefing will be held for the local Member(s), and then for the Head and Chair of the school affected prior to publication of the report.

Stage	Stage Name	Actions
M1f	Report to Cabinet on Review (published 9/2/11, meeting 16/2/11)	A report on the review consultation will be made to Cabinet. All written responses will be made available to Cabinet Members in advance of the meeting, and a summary of the issues raised will be included in the report, along with recommendations from the Corporate Director of People on the potential solutions to be explored. At this stage, the Cabinet can decide not to proceed with the process.
M2	<i>Consultation on Proposals</i>	<i>The Council consults on proposed solutions to the school organisation issues raised in M1 and agrees what, if any, statutory proposals are required. The 2010 Government Guidelines refer to this as Stage 1 of the Statutory Process.</i>
M2a	Consultation on Proposals (28/2/11 to 8/4/11)	A public consultation is held on each proposal accepted by Cabinet in stage M1f. The consultation will last for six term-time weeks (in line with Government guidelines) and will include the distribution of information on the proposal and a public meeting in the school(s) affected.
M2b	Briefing (19/4/11 to 26/4/11)	If the Corporate Director's recommendation in the report to Cabinet (see below) is to close or amalgamate any school(s), a confidential briefing will be held for the local Member(s), and then for the Head and Chair of the school affected prior to publication of the report.
M2c	Report to Cabinet on Review (published 27/4/11, meeting 4/5/11)	A report on the consultation on each proposal will be made to Cabinet. All written responses (including those made at stage M1d) will be made available to Cabinet Members in advance of the meeting, and a summary of the issues raised will be included in the report, along with a recommendation from the Corporate Director of People on whether the proposal should progress to the next stage. At this stage, the Cabinet can decide not to proceed with the process, or significantly amend the proposals, which would require a further consultation period.
M2d	Scrutiny (meeting 5/5/11 to 13/5/11, with 11/5/11 preferred)	This is the most appropriate stage for the Council's scrutiny arrangements to scrutinise the process and decision making thus far. The scrutiny process could refer the decision back to Cabinet or to full Council, but cannot amend the proposals.

Stage	Stage Name	Actions
S1	Statutory Consultation	The Council publishes formal proposals to change the organisation of schools in an area. The Government Guidance refers to this as Stage 2 of the Statutory Process
S1a	Publication (16/05/11)	The Council publishes each of the proposed changes. Publication involves a notice in a local newspaper, a notice displayed locally to the site of any school(s) or proposed school(s) affected by the proposals, information to consultees, and notice being given to the Secretary of State, along with a statement of the Council's case for making the changes. The Government Guidance refers to this as Stage 2 of the Statutory Process
S1b	Representations (16/05/11 to 24/6/11)	The Council receives representations on the proposals. It should be noted that the Council could only make very limited changes to the proposals at this stage, so representations are largely in the form of statement in favour of or opposing the proposals. The period of representations lasts for six calendar weeks, and all representations must be in writing. The Government Guidance refers to this as Stage 3 of the Statutory Process
S1c	Briefing (4/7/11 to 12/7/11)	If the Corporate Director's recommendation in the report to Cabinet (see below) is to close or amalgamate any school(s), a confidential briefing will be held for the local Member(s), and then for the Head and Chair of the school affected prior to publication of the report.
S1d	Report to Cabinet (published 13/7/11 meeting 20/7/11)	A report on each proposal must be made to Cabinet no later than two months after the end of the period of representations, or the proposals are automatically referred to the Office of the Schools Adjudicator for determination. The All written responses (including those made at stage M1d and M2a) will be made available to Cabinet Members in advance of the meeting, and a summary of the issues raised will be included in the report, along with a recommendation from the Corporate Director of People on whether the proposal should be agreed. The Government Guidance refers to this as Stage 4 of the Statutory Process.
S2	Review by the Office of the Schools Adjudicator	Certain consultees have the right to refer certain categories of proposals to the Office of the Schools Adjudicator for a review of the Council's decision.

Stage	Stage Name	Actions
S3	Implementation (<i>Sept 2011 – July 2012 (primary) or July 2013 (secondary)</i>)	Once the Council or the Schools Adjudicator has agreed a statutory proposal, the Council are required by law to implement it, or to publish a further round of statutory proposals to revoke the original proposals. Further guidance on implementation would be issued in due course.

Consultees

The normal consultees at each stage of the process are:

- The Governing Body of any school(s) in the affected area;
- The staff of any school(s) in the affected area;
- Trade Unions representing any affected staff;
- The pupils of any school(s) in the affected area (usually via the school);
- The families of pupils of any school(s) in the affected area and any other school likely to be affected;
- The Shropshire Councillor(s) for any affected area;
- The Dioceses of Lichfield, Hereford and Shrewsbury;
- The Parish Council(s) for any affected area;
- The MP for any affected area(s);
- The Trustees (if any) for any affected school(s);
- Other LAs likely to be affected by the proposals;
- The successor bodies to the LSC if any proposal affects 16-19 education and any local early years and childcare partnership body if any proposal affects pre-school education and/or childcare.

This list is not exhaustive. The Council welcomes comments from any interested body or individual.