

Report



Cabinet Member for Education and Skills

Part 1

Date: 11 June 2021

Subject **Proposal to establish a school federation incorporating Gaer Primary School and Maesglas Primary School**

Purpose To seek approval to take forward a joint proposal with the governing bodies of Gaer Primary School and Maesglas Primary School to establish a federation under the name of "***The Gaer and Maesglas Primary School Partnership***" with effect from 1st January 2022.

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Summary Federation of schools is a legal process that enables between two and six schools to work together through a formal structured process by sharing governance arrangements and a single governing body that will make decisions in the best interest of all the schools, staff and pupils within that federation.

The governing bodies of Gaer Primary School and Maesglas Primary School have met individually and collectively with the Local Authority, and have confirmed that they wish to promote a formal federation between the two schools.

If the proposal is approved, both schools will continue to maintain their own individual identities regarding name, culture and ethos and will continue to manage their own individual budgets. The arrangement merely involves establishing a single governing body to govern the two schools. The two governing bodies have worked collaboratively since April 2019 from which time one single Executive Headteacher has managed both schools. This arrangement has positively affected both schools.

This report recommends that the proposal is taken forward jointly by the two governing bodies and the Local Authority, commencing with a period of stakeholder consultation as outlined within the **Federation of Maintained Schools (Wales) Regulations 2014**.

Proposal **To support the governing bodies of Gaer Primary School and Maesglas Primary School in taking forward a joint proposal to establish a formal federation, to be known as "The Gaer and Maesglas Primary School Partnership", with effect from January 2022.**

Action by Chief Education Officer

Timetable Immediate

This report was prepared after consultation with:

- Corporate Management Team

- Education Senior Management Team
- Senior HR Business Partner
- Senior Finance Business Partner
- Executive Headteacher, Gaer Primary School & Maesglas Primary School
- Chair of Governors, Gaer Primary School
- Chair of Governors, Maesglas Primary School

Signed

Background

The governing bodies of Gaer Primary School and Maesglas Primary School would like, in conjunction with the Local Authority, to use the powers granted under the **Federation of Maintained Schools (Wales) Regulations 2014** to establish a federation known as ***The Gaer and Maesglas Primary School Partnership*** with effect from 1st January 2022.

The term 'federation' describes a formal and legal agreement by which the schools involved work together in formal partnership with shared governance under a single governing body. In establishing the federation, a new single governing body will replace the existing governing bodies of the two schools, and will have strategic oversight of both schools.

The two schools have worked on a collaborative basis since April 2019 and have shared a single Executive Headteacher during this time. The governing bodies have consulted with the LA and all parties are in support of the proposal.

The aim of the Federation is for the two schools to work in partnership to:

- Develop the excellent shared practice that guarantees outstanding experiences and increased opportunities for pupils and staff,
- Develop the common goals and reflective approaches to teaching and learning that will ensure that both communities benefit from a quality education, and
- Ensure significant positive outcomes and improved standards for both school communities.

In order for a federation to be successful, there must be a commitment to work as a group of schools and a willingness to do things differently for the added benefit of all pupils, their wellbeing and achievements. One of the advantages of federation is that the schools within the federation remain in their communities and keep their individual identities. However, one single governing body has oversight of, and equal responsibility for, the work of all schools within the federation. Schools in a federation will maintain their own delegated budget, name, character, school uniform and ethos, and will be able to explore the advantages of sharing resources such as facilities, IT, staff, school buildings etc.

School Organisation and Standards

Geographically, Gaer Primary School and Maesglas Primary School are located less than one mile apart and both form part of The John Frost School cluster. The current collaborative arrangement has been successful and has had a positive impact on both schools. Both schools are 3-11 English-medium community primary schools, and Gaer Primary School is host to one 10-place Learning Resource Base class.

Changes to Welsh Government's performance measures have resulted in the decision that pupil performance data is no longer reported. However, and whilst there has been no national categorisation this year, Gaer Primary School has consistently been in a "green" support category in recent years. This means that it is a highly effective well run school with strong leadership and clear priorities for improvement. Maesglas Primary School has improved from "red" to "yellow" under the current collaborative arrangements, an upward movement of two support categories. This demonstrates that the current arrangements are working well and have already supported significant school improvement.

The Council anticipates a continuation of this upward trajectory under this current leadership arrangements. By entering into a formal federation, the two schools will continue to work together under this shared leadership to utilise their strengths to improve standards across the federation and together address areas in need of improvement.

Each of the two schools benefits from a full-time Deputy Headteacher, who both have a much reduced classroom commitment to support the Executive Headteacher when he is located at the other school. An overarching Leadership Team, comprising of the Executive Headteacher and both Deputy Headteachers, meet regularly to oversee the strategic planning of both schools. Each school also has a wider Senior Leadership Team. These teams meet regularly, independent of each other. This approach ensures that operational systems are robust and cater for the needs of both individual schools.

Human Resources

The governing body of a federation cannot require existing staff to work across all schools, but they can negotiate with the school staff unions over whether flexible contracts can be introduced. New staff can be appointed to work across the schools in the federation.

Governance

The membership of a governing body for a federation of schools is almost identical to the membership of an ordinary governing body with all stakeholders being represented, although there is more flexibility in the proportions of representation of each category of governor. This means that a governing body of a federation can choose a constitution and membership that suits their particular circumstances as long as they meet the minimum (15) and maximum (27) numbers of governors set out in the regulations.

The regulations outline however that there is:

- At least one but no more than two parent governors representing each school;
- At least one but no more than two teacher governors for the federation;
- At least one but no more than two staff governors for the federation;
- At least two but no more than four LA governors for the federation;
- At least two but no more than four Community governors for the federation;
- The Head or Acting Head of the federation.

The composition of the federated governing body will therefore as follows:

Governor Type	Number
Parent	4
Teacher	2
Staff	2
LA appointed	4
Community	4
Headteacher	1
Total	17

The federated governing body can also appoint additional non-voting “observer” governors where appropriate and where specific skills or experience are required.

Proposed Timeline

This proposal will be undertaken in accordance with the **Federation of Maintained Schools (Wales) Regulations 2014**. The consultation stage will enable all stakeholders, in particular pupils, staff and parents / carers, to find out more about the proposal. Due to the current public health situation in the UK, and to help limit the spread of the Coronavirus, no public drop-in events will be arranged to support this consultation. Instead, questions can be submitted to either the Education Service or the Executive Headteacher, with officers and the two governing bodies working together to provide a response within 7 days, thus enabling stakeholders to submit informed responses by the deadline date.

Formal consultation will commence early in the summer term of 2021 and last for a period of at least 6 weeks. Following this, a consultation report will be prepared which will outline any comments received. In the latter half of the summer term 2021, each governing body will then decide whether they wish to put forward the proposal for formal approval by Newport City Council’s Cabinet Member for Education & Skills. Once approved, the Council will support the establishment of the new single governing body, and the election and appointment of governors to the federation. The federation is proposed to take effect from 1st January 2022, at which point the two existing governing bodies will cease to operate.

Financial Summary

There are no additional costs associated with this proposal. The two schools in the federation will maintain their individual delegated budgets but a single governing body will manage these.

Risks

Risk	Impact of Risk if it occurs* (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect	Who is responsible for dealing with the risk?
Increased workload for and potential loss of experienced governors	L	L	The proposal is being taken forward in conjunction with the Local Authority, and governors will be supported through the process. The federated governing body can also appoint additional non-voting "observer" governors where appropriate and where specific skills or experience are required.	The Chief Education Officer and the Governing Bodies of both schools
Opposition from stakeholders in the wider local community	L	L	The two schools have been working together collaboratively since April 2019 with good relationships already established with all stakeholders. The proposal will be subject to a formal consultation which will offer the opportunity for stakeholders to share their views.	The federated Governing Body
Frustrations over the time taken for change to be implemented and embedded	L	L	The two schools have been working together collaboratively since April 2019 with good relationships already established with all stakeholders. Over the past two years, there have been numerous examples of 'best practice' that have been developed and then shared across the two schools, which has enabled both schools to deliver improved outcomes for learners	The federated Governing Body
The balance necessary to ensure a consistent approach across the two schools whilst each retains its own identity	L	L	The current approach to management across the two schools ensures that operational systems are robust and cater for the needs of both individual schools. This will continue post-federation, with the schools being encouraged to operate as distinct establishments with their own delegated budget, name, character, school uniform and ethos	The Chief Education Officer and the federated Governing Body

* Taking account of proposed mitigation measures

Links to Council Policies and Priorities

Wellbeing of Future Generations (Wales) Act 2015

Corporate Plan

Council Improvement Plan (*Aspirational People* theme)

Education Service Plan

Options Available and Considered

Option 1: To cease the current collaborative arrangements. Under this option the Executive Headteacher would return to his substantive post at Gaer Primary School, and the governing body of Maesglas Primary School would need to recruit a new Headteacher.

Option 2: To extend the current collaborative arrangements. However the regulations around informal collaboration are time limited and subject to regular review.

Option 3: To pursue a formal federation between the two schools. This is the preferred option.

Option 4: To take forward a school reorganisation proposal to amalgamate the two schools. Under this option, both schools would be closed and replaced by a single new primary school.

Preferred Option and Why

The preferred option is Option 3. The Local Authority is in support of this voluntary proposal, and taking this forward jointly will provide support to the two governing bodies in achieving a successful outcome. This represents the second formal federation proposal across Newport and serves to build on the success of the successful arrangements already in place.

Comments of Chief Financial Officer

The federation of Gaer and Maesglas Primary schools would have no additional costs or financial implications for the Authority and both schools would continue to have their individual school budgets delegated to them.

Comments of Monitoring Officer

The proposal to establish a school federation, incorporating the governing bodies of Gaer and Maesglas Primary Schools, is in accordance with the Federation of Maintained Schools (Wales) Regulations 2014, the Education (Wales) Measure 2011 and relevant statutory Welsh Government Guidance. The establishment of a single federated governing body will facilitate a unified system of governance and leadership, whilst maintaining the separate identities of the individual schools. Under the Regulations, a federation proposal needs to be the subject of extensive stakeholder consultation and engagement and any representations received will need to be properly considered before a decision is taken to proceed with the single federated governing body. At least 6 weeks should be allowed for this consultation process and any federation proposals cannot be implemented for at least 125 days, following the date of publication of the proposal. However, a proposed implementation date of January 2022 should allow for sufficient time for meaningful consultation and decision-making.

Comments of Head of People and Business Change

The proposal to federate Gaer and Maesglas will require the Council to follow a consultation process with staff and unions. The outcome of this consultation will form part of the final decision of federate. The schools have had Executive Headteacher arrangements in place since April 2019. This arrangement is time limited (as per the School Teachers' Pay and Conditions (Wales) Document and only federation will allow them to continue on a permanent basis. Option 3 will allow both the Local Authority and the governing bodies to oversee the consultation process and to confirm leadership arrangements including the appointment of a permanent Executive Headteacher and senior leaders within each school. The arrangements will provide greater resilience within staffing with options to share staff, developmental and training opportunities and best practice across both schools. There are no anticipated redundancies as part of the proposal to federate both schools.

A quality education is a key contributor to wellbeing, social inclusion and sustainable development. The Welsh Government believes that collaboration between all parts of the education system can improve outcomes for learners. School federation is a more formal way of extending collaboration and promoting closer working relationships in order to improve leadership, performance and narrow the attainment gap for deprived pupils. It is noted that consultation with stakeholders including staff and pupils will be undertaken if federation is taken forward, and this will be essential to build ownership and achieve the best outcomes.

Local issues

Comment from Cllr Stephen Marshall, elected member for the Gaer ward:

I serve on both governing bodies and regularly hear and see the great work being undertaken.

The appointment of the Executive Headteacher has led to positive workings and sharing of best practices to occur between the schools. I believe the next natural step is to follow the path to a formal federation, allowing this work to continue long term. Though, strongly note the importance of keeping an individual and community identity of each of the two schools.

Comment from Cllr Mark Whitcutt, elected member for the Gaer ward:

I very much welcome and strongly support this proposal, which will benefit both schools and their communities.

Comment from Cllr Debbie Wilcox, elected member for the Gaer ward:

I have served on both governing bodies and recognise the tremendous improvements that have been achieved by both Maesglas and Gaer Primary Schools in recent years.

Since the appointment of the Executive Headteacher these improvements have continued apace. A formal Federation is the next logical step in the process of ensuring that the best possible teaching and learning opportunities are available to the children of Maesglas and the Gaer whilst maintaining an individual and community identity on each school site.

Scrutiny Committees

None

Equalities Impact Assessment

The Equality Act 2010 contains a Public Sector Equality Duty which came into force on 06 April 2011. The Act identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The new single duty aims to integrate consideration of equality and good relations into the regular business of public authorities. Compliance with the duty is a legal obligation and is intended to result in better informed decision-making and policy development and services that are more effective for users. In exercising its functions, the Council must have due regard to the need to: eliminate unlawful discrimination, harassment, victimisation and other conduct that is prohibited by the Act; advance equality of opportunity between persons who share a protected characteristic and those who do not; and foster good relations between persons who share a protected characteristic and those who do not. The Act is not overly prescriptive about the approach a public authority should take to ensure due regard, although it does set out that due regard to advancing equality involves: removing or minimising disadvantages suffered by people due to their protected characteristics; taking steps to meet the needs of people from protected groups where these differ from the need of other people; and encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low. A Fairness & Equality Impact Assessment (FEIA) has been developed to support the decision to take forward this proposal and will be published on the Newport City Council website.

Children and Families (Wales) Measure

The pupils attending Gaer Primary School and Maesglas Primary School will be consulted as part of the stakeholder consultation and engagement process.

Wellbeing of Future Generations (Wales) Act 2015

Report writers need to indicate how they have considered the five things public bodies need to think about to show they have applied the sustainable development principle put into place by the Act. You will need to demonstrate you have considered the following:

- **Long term:** the importance of balancing short- term needs with the need to safeguard the ability to also meet long – term needs: ***A federation should be seen as a long-term commitment and not as a quick fix. In taking forward this proposal, the LA and governing bodies have considered in depth the benefits and risks of establishing a federation in relation to the impact on children and young people’s achievements. Nonetheless, the 2014 Federation Regulations do allow for a federation to be dissolved.***
- **Prevention:** How acting to prevent problems occurring or getting worse may help us meet our objectives: ***The Local Authority is responsible for promoting high educational standards and for delivering efficient primary and secondary education. Having effective leaders in its schools is intrinsic to this. The Welsh Government’s policy objective is to promote collaboration between all parts of the education system to improve outcomes. School federation is a more formal way of extending collaboration and promoting closer working relationships and is the principal initiative for achieving formal partnership working amongst schools to improve performance and narrow the attainment gap for deprived pupils.***
- **Integration:** Consider how the proposals will impact on our wellbeing objectives, our wellbeing goals, other objectives or those of other public bodies: ***This proposal supports the “A prosperous Wales”, “A more equal Wales” and “A Wales of cohesive communities” Well-being Goals and has no adverse effect on any of the other Well-being Goals. In addition, this proposal supports the Newport City Council Well-being Objective “To improve skills, educational outcomes and employment opportunities”.***
- **Collaboration:** have you considered how acting in collaboration with any other person or any other part of our organisation could help meet our wellbeing objectives: ***This proposal is being taken forward jointly with the governing bodies of the two affected schools. A full programme of stakeholder consultation and engagement will be carried out and a report prepared on the conclusion of this. The federation will enable Gaer Primary School and Maesglas Primary school to continue to work together and have a shared vision and common purpose of what needs to be done to improve attainment and achieve at all levels across the partnership. By working together, each school will provide support to the other school when in difficulty and school strengths can contribute to the learning of others. The schools working together can help deliver objectives and improve by helping each other tackle problems and sharing expertise.***
- **Involvement:** The importance of involving people with an interest in achieving the wellbeing goals, and ensuring that those people reflect the diversity of the City we serve: ***This proposal is being taken forward jointly with the governing bodies of the two affected schools. A full programme of stakeholder consultation and engagement will be carried out and a report prepared on the conclusion of this.***

Crime and Disorder Act 1998

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

Consultation

The governing bodies of both schools have confirmed that this wish to take this proposal forward. There will be a period of formal consultation and stakeholder engagement, the feedback from which will be considered in determining whether to proceed with the proposal.

Background Papers

None

Dated: 27 May 2021