

HERTFORDSHIRE COUNTY COUNCIL

**CABINET
MONDAY, 9 JULY 2018 AT 2.00PM**

<u>Agenda Item</u> <u>No</u> 6

PROPOSAL TO CHANGE THE CATEGORY OF BARLEY (VC) C OF E FIRST SCHOOL, ROYSTON, FROM VOLUNTARY CONTROLLED TO VOLUNTARY AIDED FROM SEPTEMBER 2018

Report of the Director of Children's Services

Author: Alice Bearton, Planning Officer, Tel: 01992-555725

Executive Member: Terry Douris, Education, Libraries & Localism

Local Member: Fiona Hill

1. Purpose of report

1.1 For Cabinet to consider the change of school category proposed by the governing body of the Barley/Barkway First Schools Federation following the statutory notice period which ran 4 May 2018 to 31 May 2018.

2. Summary

2.1 Governing bodies of maintained schools may propose to change category by following the statutory process as set down in The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 and its associated Guidance. The Local Authority is the final decision maker.

2.2 On 29 March 2018, the governing body of the Barley/Barkway First Schools Federation authorised the publication of statutory proposals to change the category of Barley (VC) Church of England First School from Voluntary Controlled (VC) to Voluntary Aided (VA) from September 2018. The 4-week statutory notice period ended on 31 May 2018.

2.3 No responses have been received to the statutory notice.

3. Recommendations

- 3.1 That Cabinet approve the change of category of Barley (VC) Church of England First School, Royston, from Voluntary Controlled to Voluntary Aided from September 2018.

4. Background to the published statutory proposals

- 4.1 The governing body of the Barley/Barkway First Schools Federation carried out a public consultation on their proposal to change the category of Barley (VC) Church of England First School to VA between 20 January 2018 and 8 March 2018. A copy of Barley School's consultation letter is attached at Appendix A.
- 4.2 Although the governing body of the Barley/Barkway First Schools Federation initiated the consultation on this proposal, following the publication of a statutory notice, due to the relevant legislative framework, it is for Hertfordshire County Council as decision-maker to make the final decision.
- 4.3 If the proposal is implemented it will change the category of Barley (VC) C of E First School ("the School") to VA and the School will then have the same category as Barkway VA (C of E) First School. Having a school category in common would allow both schools within the Federation to have the same legal responsibilities and it is felt that it would be strategically beneficial for the two schools to be aligned in terms of their category. It had been the intention to alter the category of Barley (VC) C of E First School prior to the Federation process but due to an administrative error this had not occurred.

5. Response to the statutory proposals.

- 5.1 No responses have been received to the statutory proposals.

6. Financial Implications

Capital

- 6.1 There will be no capital cost to the County Council.

Revenue

- 6.2 There are no identified revenue implications.
- 6.3 All employees are due to transfer to the employment of the governing body in accordance with the relevant regulations (Transfer of Undertakings (Protection of Employment) Regulations). Governors have not identified any measures regarding changes they wish to make in connection with the transfer, meaning that employees will not experience any changes other than to the natural alignment of policies and governance arrangements connected to the transfer. The schools will continue to receive their budgets in the usual way.
- 6.4 The County Council has no on-going maintenance responsibility for Voluntary Aided Schools.

7. Property Implications

- 7.1 There are no property implications in this particular instance in relation to the proposal.

8. Equality Act Implications

- 8.1 When considering proposals placed before Members it is important that they are fully aware of, and have themselves rigorously considered the Equality implications of the decision that they are making.
- 8.2 Rigorous consideration will ensure proper appreciation of any potential impact of that decision on the County Council's statutory obligations under the Public Sector Equality Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA).
- 8.3 The Equality Act 2010 requires the County Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics under the Equality Act 2010 are age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief, sex and sexual orientation.
- 8.4 An Equalities Impact Assessments (EqIA) has been prepared for this school proposal by the School Governing Body. No equalities issues have been identified since the start of this consultation. A copy of the EqIA is attached at Appendix B.

Background Information
None