

THE EXECUTIVE

13 MARCH 2006

REPORT OF THE EXECUTIVE DIRECTOR OF CHILDREN'S SERVICES

PLF: CRAMLINGTON REORGANISATION

Request to Defer the Implementation of PLF in the Cramlington Partnership.

1. SYNOPSIS

Due to delays attributed to the current Judicial Review proceedings, this report seeks permission to defer the implementation of PLF in the Cramlington partnership until September 2008.

2. IMPLICATIONS

Policy	None
Financial	If this recommendation is accepted, capital spend identified in the current Medium Term Plan would require re-profiling. The County Council would need to prepare a revised Capital Plan when further planning work had been undertaken.
Personnel	None
Property	Subject to the outcome of Judicial Review and SOC it is likely that construction work would commence around Easter 2007 rather than Summer 2006.
Crime and Disorder	This report has considered Section 17 (CDA) and the duty it imposes and there are no implications arising from it.
Equalities	None
Customer Considerations	The majority of Cramlington Headteachers believe that implementing PLF as planned in September 2007 will keep uncertainty and the associated management challenges to a minimum. However, this has been balanced against the risk associated with delivery in this timescale.

3. CONSULTATION

The content of this report has been discussed with Members of the Council's Management Board, The Leader of the Council and the Executive Member for Children's Services.

4. RECOMMENDATIONS

The Executive is recommended to:

- a. Defer the proposed implementation date of the PLF programme in the Cramlington Partnership until September 2008.

5.0 BACKGROUND

5.1 History

On 19 April 2005 the Council noted the outcomes of preliminary and Stage 1 consultations relating to a three or two tier education system. This included noting the concerns of those opposed to the Council's preferred framework for a two tier education system based on primary/secondary provision with flexibility to meet local circumstances. The Council resolved that the preferred framework be adopted as the basis for further consultation at Stage 2. In December 2004, the Council had agreed a timeline for the potential implementation of a reorganisation but at the 19 April meeting permission was given to vary this and it was agreed that the timetable would be dependent on the availability of national funding, which is subject to a bidding process. The Executive received delegated powers to make changes to the timeline and the order in which school partnerships underwent reorganisation. An account of the activities leading up to the decisions made on 19 April can be found in Section 5 of that report.

5.2 Stage 2 Consultation

Stage 2 Consultation started with the first three Partnerships (Blyth, Cramlington and Seaton Valley) in the week beginning 3 May 2005. Stage 2 consultation was designed in three steps. The outcomes of Stage 2 (Step One) were set out in a report to the Executive dated 25 July 2005 and led to the development of models for Cramlington which were used as the basis for consultation at Stage 2 (Step Two). The report to the Executive of 3 November sets out the details of the outcomes of Stage 2 (Step Two) for the Cramlington Partnership.

5.3 Stage 2 (Step Two) Consultation in Cramlington

A meeting was held at each Partnership school in Cramlington involving parents, governors, early year's providers (First Schools only). Representatives of the Diocese, the local Learning and Skills Council and local elected Members were invited as observers. The purpose of the meetings was to share the latest thinking on possible models for the Partnership under a two tier structure that preserved the best of educational provision, improved the educational environment for pupils and removed surplus places now and in the future. At these meetings, three models were offered for consideration. As a result of these consultations a single model, Model C (adjusted), was put forward as the recommended model for discussion at the final stage of consultation – Stage 2 (Step Three).

5.4 Stage 2 (Step Three) Consultation in Cramlington

Permission to move to Stage 2 (Step Three) consultation was granted by the Executive following a report presented on 3 November 2005. The outcome of this and all previous consultation contributed to the development of the model set out in the report to the Executive of the 16th January 2006.

5.5 Stage 2 (Step Three) Further Consultation in Cramlington

At the Executive of 16 January 2006, agreement was given to proceed with a further period of consultation. The purpose of this further consultation was to seek feedback on the adjustments proposed to the model (Model C adjusted) that was proposed at the start of Stage 2 (Step Three) consultations.

5.6 Judicial Review

A group opposed to the move to a two tier, primary/secondary framework for education in Northumberland, Parents for Legal Action Limited (PFLA), have put a case to the High Court under Judicial Review procedures. A hearing took place in London before a High Court judge on the 10th and 13th February 2006.

PFLA originally contested the decision made by the Council on 19 April 2005 on the basis that:

- They claim that the Council has not consulted properly, and;
- That the decision was insecure because, they claim, that one of the resolutions agreed by the Council at its previous meeting had not been enacted. This resolution referred to undertaking an independent evaluation of the financial and educational viability of the results of consultation.

These original two grounds were set out as part of PFLA's application for leave to commence Judicial Review proceedings in an application dated 5 July 2005.

PFLA filed an application for leave to introduce three further new grounds on 2 February 2006. At the hearing they withdrew two of these. During the course of the hearing PLFA were given leave to proceed with the remaining third additional ground that:

- They claim that financial information, presented to the Council on the 19th of April 2005, with regard to indicative capital costs was misleading.

The Judge was unable to deal with this during the hearing. Instead it is being dealt with via written submissions. These submissions to the Court are ongoing and it is not known when a judgment will be made.

Due to the timing of this Judicial Review, the Executive meeting planned for February 20th 2006 that was to consider the publication of Statutory notices was deferred.

6. REASON FOR REQUEST

Until the outcome of the Judicial Review is known the Council cannot justify committing significant funds to the detailed design of the proposed Cramlington schools. The original plans allowed time for a judgement to be received. However, following extensive discussions it has been established that the extra time taken to deal with the additional third ground has now exhausted any contingency.

Therefore, whatever the outcome of the Judicial Review, the delay within the legal process has led to the level of risk associated with successful delivery of the required capital programme within the current timetable reaching an unacceptable level.

7. IMPLICATIONS OF THE RECOMMENDATION

Under the current proposal the Cramlington reorganisation would be implemented in 2007. In the September of that year the First Schools would have gained an extra year group, Year 5. The Middle Schools would have remained with 3 rather than 4 year groups.

In September 2008, the First Schools would have gained a Year 6 and become full Primary Schools. The Middle Schools would have closed and all their pupils would move to the Secondary School.

If this request to Executive is agreed, it would mean that the dates above would move to 2008 for the addition of Year 5 to First Schools and 2009 for the closure of the Middle Schools.

8. CONTACT OFFICERS

This report has been prepared by Neville Gaukroger, Programme Manager for Putting the Learner First, on behalf of the Executive Director of Children's Services.

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