

Consultation analysis

Proposal for the Governing Bodies of Mellers Primary and Nottingham Nursery Schools to become a Federation

The Governing Bodies consulted all key stakeholders on this proposal over a 6-week period, from 2nd November to 13th December 2021.

The attached proposal document was circulated to all parents, carers and staff of both schools, other stakeholders and the Secretary of State for Education. The following is the full list of stakeholders who were invited to submit their views on the proposal to federate:

- Staff – Mellers and NNS
- Parents / carers – Mellers and NNS
- Governors – Mellers and NNS
- NST
- Local primaries
- Published in SCENE
- Local Trusts – LEAD and Transform
- Published on school websites
- Local Ward Councillors
- NCC Portfolio Holder – Cllr Eunice Campbell-Clark
- NCC Trade Union Reps
- LA Education colleagues
- NCC HR / Finance / Legal
- Department of Education / Secretary of State

Consultees were invited to specify whether they agree with the proposal to federate (yes, no or do not know) and any further comments they wished to add. They were also invited to raise any queries or requests for further information, by email or phone call.

Consultation responses

A total of 10 responses were received (all by email) and 8 of these were in support of the proposal to federate. The other 2 (from UNISON and the DfE) gave no opinion but did raise some questions, as detailed in the responses below.

This table shows the number of respondents in each category and the percentage analysis:

Analysis %	Total	Do you agree with the proposal to federate?		
		Yes	No	No opinion
Respondents				
Overall	10	8 (80%)	0	2 (20%)
Parent/carer of a pupil	0			
Member of staff	5	100%		
Governor	2	100%		
Trade Union	1			1
Other	2	1		1

The following is a summary of the consultation comments. A response to any question raised is also provided under the relevant point in *bold*:

Agreement was expressed by 8 of the 10 respondents in support of the proposal for a formal federation between Mellers Primary School and Nottingham Nursery and Training Centre. Comments that it will be hugely beneficial to both settings, as set out in the proposal document, and that it has been an effective partnership since it commenced in 2019 and so should continue. Concern was expressed for the future of the Nursery School if this proposal did not go ahead, stating that other possibilities had been explored, but which are not viable in the long term.

In relation to Special Education Needs and Disabilities (SEND): the view that having a joint approach towards assessment, monitoring and implementation of an inclusive curriculum would only be benefitted by this proposal. Looking forward to the opportunity to work closely with staff members of both settings to deliver the best education for children in our local community.

A teacher from the Nursery School: having enjoyed working with members of the senior leadership team at Mellers in the past, they welcome the opportunity to work with them again. The view that they are some of the most considerate, kind, understanding and child centred managers they have worked with. They believe that they would operate the federation for the good of the community and the students within the nursery. The benefits that could come from collaboration including shared expertise and the economics of scale could be further enhanced in the future with potential for some shared support in staffing shortages and retention. There may be roles that would be needed at each site and kept separate. These may include some middle leadership and potentially SENCO roles (due to the intake of pupils) but a shared and strengthened leadership, governors, ethos and direction would benefit the smooth running of the nursery. Expressed that they are positive and excited about the progressive input that this alliance has already started to offer especially the can do attitude, experience and creativity of the Acting Head.

Comments from another Nursery School staff member that it will bring stability and extra security for the Nursery. One area of potential concern was raised about the Forest Garden, which has been leased from Radford Academy and that the lease is up for renewal next year. As this is such a unique selling point for the Nursery, reassurance is sought that this can continue upon federation.

Answer: School Business Manager will follow this up with the Head of School, in liaison with the Head at Radford Primary.

Update: School Business Manager is confident this arrangement will continue. The nursery children make great use of the Forest Garden and Radford Academy are happy for the current arrangements to remain in place.

Queries raised by the UNISON rep: Is this a hard federation e.g. have one DfE number, one budget, one Gov body, Staff could be employed over both sites; and is there any implications for staffs pay or hrs? If it's not a hard federation will the schools have adequate insurance that will cover staff at a site not formally employed at, and what will the arrangements be for reporting child protection and other issues; investigations and where would the mutuality of obligation lay?

Answer: both Mellers Primary and Nottingham Nursery will continue to be individual schools, keeping their existing DfE category. Admission to each school continues to be determined by the appropriate admission authority.

Each school will still receive their own budget; the federation will consider the extent to which any resources are pooled. There will be one Governing Body, the constitution of which is stated in the proposal document.

The arrangements for reporting child protection and other issues would continue as is, but with a new formalised leadership and governance structure.

The staffing position is that there would only be a small number of staff who could be required to work across the two settings: the Executive Head, Head of School, SENCO and Business Management roles. Those affected individuals would require contractual changes to reflect this and any other changes to their posts required to operate the federation, i.e. for the new Exec Head and Head of School posts.

There would be no other implications for staff pay or hours.

Finally, a response from the DfE was received, regarding the structure of the governing body, as follows:

The DfE firstly confirmed our understanding that the Federation Regulations state that the Secretary of State must be notified within one week of the decision being determined by both Governing Bodies.

Observations were made about the proposed number for the federation governing body; that the proposal of 15 governors is a large board and is not in keeping with the Department's view that it is important for boards to be tightly focused and no larger than they need to be to have all the necessary skills to carry out their functions effectively.

When schools are creating a federation, the purpose is to have one governing body overseeing the running of all schools in the federation. Our expectation is that the board should not be much larger than a single maintained school governing body or that of a trust board within a multi-academy trust and not an amalgamation of the original boards.

Noted that the proposal document states 4 Parent Governors. The [School Governance \(Constitution Federations\) \(Amendment\) regulations 2016](#) which supersedes the 2012 Regulation in regards to parent governors, substituting 'one parent governor elected or appointed...in respect of each school in the federation' to 'two parent governors.' So the Department would expect to see only two parent governors being proposed.

Additionally, it is suggested that there will be two staff governors. However, in [The School Governance \(Federations\) \(England\) Regulations 2012](#), it states 'one staff governor' and, again, we would expect to see one staff governor listed, therefore ensuring compliance with the legislation. That staff governor will be representative across all schools in the federation. Should the body wish to appoint a member of staff to the board because of their skills/knowledge then they could be appointed as a co-opted governor. (As long as the total number of co-opted governors who are also eligible to be elected as staff governors does not exceed one third of the total membership of the governing body.)

Regarding the 'head of school,' there is no requirement or entitlement for them to be on the governing body, as they are not the 'head teacher' of the school(s) and will not fulfil the *ex-officio* role on the federated board. However, they may attend the governing body meetings, but not as a governor and therefore, they would not have a vote on decisions, unless the board decided to have them as a co-opted governor, keeping in mind the requirement mentioned above about the number of governors eligible as 'staff governors.'

Answer: on reviewing the amendments to the regulations, it states that the Governing Body "must include.. two parents." The same applies for staff. It does not say "limited to", which is ambiguous. Consideration needs to be given to having the Head of School and any other staff members as Co-optees.

The minimum size of the GB would still have to be at least 12 and 15 may be more practical in terms of workload sharing across both schools.

The structure and number of the federated governing body will be discussed and agreed by the shadow / temporary governing body at a meeting in early January 2022. Proposing that each school holds a staff and parent election if required. Those to be co-opted plus the LA governor will be invited to attend the inaugural meeting of the new governing body and co-opted/appointed respectively.