CABINET

<table>
<thead>
<tr>
<th>7.30 p.m.</th>
<th>Wednesday</th>
<th>Council Chamber</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>7 January 2009</td>
<td>Town Hall</td>
</tr>
</tbody>
</table>

Members 10: Quorum 5

**Councillor Michael White**

Councillor Steven Kelly (Deputy Leader)  
Councillor Michael Armstrong  
Councillor Peter Gardner

Councillor Andrew Curtin  
Councillor Barry Tebbutt  
Councillor Paul Rochford  
Councillor Eric Munday  
Councillor Roger Ramsey  
Councillor Geoffrey Starns

**Leader of the Council (Chairman)**

Social Care & Learning  
Housing, Public Protection & Regeneration  
Community Safety, Standards & Electoral Services

Culture & Communities  
StreetCare & Customer Services  
Skills & Young People  
Legal & Democratic Services  
Finance & Commerce  
Education & Children’s Services

---

For information about the meeting please contact:  
ian Buckmaster (01708) 432431 ian.buckmaster@havering.gov.uk
1. HEALTH AND SAFETY

The Council is committed to protecting the health and safety of all who attend meetings of Cabinet.

At the beginning of the meeting, there will be an announcement about what you should do if there is an emergency during its course. For your own safety and that of others at the meeting, please comply with any instructions given to you about evacuation of the building, or any other safety related matters.

2. MOBILE COMMUNICATIONS DEVICES

Although mobile phones, pagers and other such devices are an essential part of many people’s lives, their use during a meeting of the Cabinet can be disruptive and a nuisance. Everyone attending is asked therefore to ensure that any device is switched to silent operation or switched off completely.

3. CONDUCT AT THE MEETING

Although members of the public are welcome to attend meetings of the Cabinet, they have no right to speak at them.

The Chairman has discretion, however, to invite members of the public to ask questions or to respond to points raised by Members. Those who wish to do that may find it helpful to advise the Committee Officer before the meeting so that the Chairman is aware that someone wishes to ask a question.

PLEASE REMEMBER THAT THE CHAIRMAN MAY REQUIRE ANYONE WHO ACTS IN A DISRUPTIVE MANNER TO LEAVE THE MEETING AND THAT THE MEETING MAY BE ADJOURNED IF NECESSARY WHILE THAT IS ARRANGED.

If you need to leave the meeting before its end, please remember that others present have the right to listen to the proceedings without disruption. Please leave quietly and do not engage others in conversation until you have left the meeting room.
AGENDA

1  ANNOUNCEMENTS

On behalf of the Chairman, there will be an announcement about the arrangements in case of fire or other events that might require the meeting room or building’s evacuation.

2  APOLOGIES FOR ABSENCE (if any) - receive.

3  DECLARATION OF INTERESTS

Members are invited to declare any interests in any of the items on the agenda at this point of the meeting. Members may still declare an interest in an item at any time prior to the consideration of the matter.

4  MINUTES

To approve as a correct record the minutes of the meeting held on 17 December 2008, and to authorise the Chairman to sign them

5  PROPOSED TECHNICAL CLOSURE OF KING’S WOOD SECONDARY SCHOOL AND REPLACING IT WITH AN ACADEMY

6  EXCLUSION OF THE PUBLIC

To consider whether the public should now be excluded from the meeting on the grounds that it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public were present during the following item there would be disclosure to them of exempt information within the meaning of paragraph 3 of Schedule 12A to the Local Government Act 1972 which it is not in the public interest to publish; and, if it is decided to exclude the public on those grounds, Cabinet to resolve accordingly on the motion of the Chairman.

7  CONSIDERATION OF CHIEF EXECUTIVE’S REPORT CONTAINING EXEMPT INFORMATION

Cheryl Coppell
Chief Executive
MINUTES OF A CABINET MEETING
Havering Town Hall, Romford
Wednesday, 17 December 2008
(8pm – 9.10pm)

Present:

Councillor Steven Kelly (Deputy Leader), in the Chair
Councillor Michael Armstrong
Councillor Roger Ramsey
Councillor Paul Rochford
Councillor Geoffrey Starns
Councillor Barry Tebbutt*

Cabinet Member responsibility:
Social Care & Learning
Housing, Public Protection & Regeneration
Finance & Commerce
Skills & Young People
Education & Children’s Services
StreetCare & Customer Services

Councillors Clarence Barrett, Jeff Brace, Wendy Brice-Thompson, Dennis Bull, Jonathan Coles, Keith Darvill, Linda Hawthorn and Andrew Mann attended.

* for part of the meeting

A representative of the press and six members of the public were also present.

Apologies were received for the absence of Councillors Andrew Curtin, Peter Gardner, Eric Munday and Michael White

The decisions were agreed with no vote against.

On behalf of the Chairman, those present were reminded of the action to be taken in the event of an emergency.

56 MINUTES

The minutes of the meeting held on 19 November 2008 were agreed as a correct record and were signed by the Chairman.

Arising from minute 49 (Harold Hill Ambitions Plan), it was confirmed that, if the project got to the point of a Large Scale Voluntary Transfer proposal, the “consultation with local residents” referred to in decision 12 would take the form of a ballot of all tenants of Council-owned properties and a test of the opinion of owner-occupiers (including leaseholders).
SAFEGUARDING CHILDREN

Cabinet noted that, prior to the meeting, there had been a Members’ briefing on safeguarding children, details of which are set out in the Appendix to these minutes.

Councillor Geoffrey Starns, Cabinet Member for Education & Children’s Services, introduced the report

Cabinet noted that the recent OFSTED report into the death of Baby P in Haringey and the Government response was likely to require changes to chairing arrangements for Local Safeguarding Children Boards in Local Authorities. There was an expectation that Government would eventually produce mandatory guidance for a chairperson independent of the Local Authority to be appointed.

Whilst the OFSTED report dealt mainly with failures in the child protection system it also made recommendations with regard to elected members.

In a letter to all Council Leaders, the Secretary of State for Children, Schools & Families had asked all Councils to undertake an urgent review of safeguarding arrangements. A national review of safeguarding arrangements by Lord Laming was also currently under way and it was inevitable that further statutory guidance would follow.

Reasons for the decision:

To ensure the Council responds to Government Ministerial requests to review its safeguarding practices and accommodates likely changes to arrangements for Local Safeguarding Children Boards.

Other options considered:

There was no other option with regard to the request to review safeguarding practices. It is a Government requirement.

The Council could choose not to appoint an independent chair to the Local Safeguarding Board but to await further guidance or a directive to do so. If Cabinet chose to take this option, this might only delay the eventual appointment of an independent chairman.

In response to a Members’ enquiry, the Chairman re-affirmed the Administration’s view generally that it was not appropriate for any issue to be scrutinised before Cabinet had reached a decision on it. It was for the Chairman of the Children’s Overview & Scrutiny Committee to determine whether there should be a scrutiny exercise of the safeguarding arrangements.

Cabinet agreed:

1. That the Group Director for Social Care and Learning be authorised to appoint a suitably qualified and experienced independent person to act as chair of the Havering Local Safeguarding Children Board (LSCB), having firstly consulted with Board Partners.
That in the absence of any Government guidance to the contrary, the chair of the LSCB be accountable to the Havering Children’s Trust Board, chaired by the Cabinet Member, Education & Children’s Services.

That the Group Director, Social Care & Learning instigate a thorough review of the safeguarding arrangements in the Borough as directed in the letter from the Secretary of State.

That the review of safeguarding arrangements be chaired by a qualified and experienced independent person and that authority for the appointment of this person be delegated to the Cabinet Member, Education & Children’s Services.

That a report of the review of safeguarding arrangements be presented to the Cabinet meeting on 15 April 2009.

That Members of the Council be invited to complete applications for Criminal Records Bureau checks, the cost of the application to be met by the Council.

That the Group Director Social Care & Learning arrange safeguarding training for all Members.

Councillor Roger Ramsey, Cabinet Member for Finance & Commerce, introduced the report

The report gave an update on the progress of the 2009/12 corporate business plan and Medium Term Financial Strategy (MTFS).

Progress was noted with the development of proposals being considered and it was also noted that more detail would be released in January 2009 for consideration by all the relevant Committees. The report set out the approach being taken to the development of the corporate plan and service plans and summarised the current financial position and the comments provided to the Council following consultation on the MTFS with Havering Strategic Partnership members.

The provisional Revenue Support Grant settlement for 2009/10 had now been announced and was in line with the expectations set out in the report. The key points of the Government’s pre-Budget report, which had been released in late November, were summarised.

Reasons for the decision:

The Council was required to set a budget for 2009/10 and, as part of that process, to undertake relevant consultation in respect of the proposals included within it. It was also prudent for the financial prospects and progress with the development of the MTFS to be considered by Cabinet ahead of the bulk of the detailed budget work and the announcement of the settlement.
Other options considered:

There were no options insofar as setting a budget was concerned. However, there were options in respect of the various elements of the budget. These would be considered in preparing the budget and cover such things as alternative savings proposals, the totality of budgetary pressures and the different levels of Council Tax.

It was noted that the effect on car parking charges of the recent temporary reduction in the rate of VAT was under consideration and would be dealt with in a current review of charges. In response to enquiry, it was noted that, of the current budget overspend, the greatest amount was a consequence of the significant reduction in the level of land transactions leading to much reduced income from local land charge fees. The resources available were nevertheless considered to be sufficient for the Council’s purposes.

Cabinet:

1. Noted with approval progress to date with the development of the corporate business plan and the Medium Term Financial Strategy.

2. Noted the further work being undertaken by officers and the timetable outlined in the report.

3. Noted the potential impact of the Settlement and the pre-Budget report.

4. Noted the expectation that Havering would remain a floored authority for grant purposes, and that the need for financial prudence remained a key factor in the Council’s financial planning approach.

5. Noted the current financial position.

6. Agreed that the full detail of the final options would be reported in January 2009.

7. Noted the current position relating to levying bodies and the GLA.

REFURBISHMENT OF ROMFORD CENTRAL LIBRARY

In the absence of Councillor Andrew Curtin, Cabinet Member for Culture & Communities, Councillor Roger Ramsey, Cabinet Member for Finance & Commerce, introduced the report

In November 2007, Cabinet had approved for the refurbishment of Romford Central Library up to a value of £3.65 million, the funding being identified as part of the MTFS capital strategy process. Subsequently, the addition of £282k the budget for the project had been agreed, including funding to cover part of the costs of providing office accommodation in the library.
It was now noted that a recent review had concluded that it was no longer advantageous, financially or in service terms, to move the PASC to the Library: the existing location was perceived as more accessible for customers and gave room for expansion if required in the future.

It was therefore now proposed that the first floor space in the library be used for office accommodation, to compensate for the loss of planned office space consequent upon keeping the PASC in its current location. Tenders for the main building contract to refurbish the Library were due to be returned in January 2009 with a start on site in March and a completion date of January 2010, for re-opening in February. A temporary library would be provided in High Street, Romford.

Approval was now sought of the delegation of authority to the Cabinet Member for Culture & Communities, in consultation with the Cabinet Member for Resources, to award the main building contract to refurbish the library, in order to minimise length of the closure.

**Reasons for the decision:**

To ensure that the Romford Central Library project proceeded to the next stage.

**Other options considered:**

To produce a report to Cabinet at a later time, seeking a decision on the award of tender – this was rejected as it would delay the project unnecessarily and result in the existing Library being closed for a longer period than would otherwise be the case.

**Cabinet agreed:**

1. To delegate authority to the Cabinet Member for Culture & Communities, in consultation with the Cabinet Member for Finance & Commerce, to award the main building contract to refurbish Romford Central Library.

2. That the Public Advice Service Centre (PASC) remain in Mercury House, in view of the significant costs of moving the facility to Romford Central Library and the service benefits associated with retaining the PASC in its current location.

3. That office accommodation be provided in the space at the refurbished Library where the PASC had been due to be located, on the basis that this would compensate for the loss of potential office space within Mercury House as a result of the PASC remaining where it is.

4. To delegate authority to the Cabinet Member for Culture & Communities, in conjunction with the Cabinet Member for Finance & Commerce and the Group Director Finance and Commerce, to allocate funding from the Council’s Property Strategy funding to cover the cost of providing additional office accommodation in Romford Central Library.
QUEEN’S THEATRE CORPORATE GOVERNANCE ARRANGEMENTS

In the absence of Councillor Michael White, Leader of the Council, Councillor Steven Kelly, Deputy Leader, introduced the report.

Cabinet agreement was now sought to new corporate governance arrangements for the Queen’s Theatre Trust. Approval was also sought of the transfer of responsibility for small scale repairs and maintenance from the Council to the Trust.

Reasons for the decision:

To improve the Queen’s Theatre’s corporate governance arrangements and to deal with day to day, small scale repair and maintenance issues in a more efficient and economic manner.

Other options considered:

To make no changes – rejected for the reasons set out in this report; to reduce further the number of Council representatives in the proposed new Board – this was rejected as 3 representatives was considered to be the right number given the Council’s level of interest in the successful development of the Trust.

Cabinet:

1. Agreed the proposal of the Havering Theatre Trust that the Council shall have the right to nominate 3 representatives to sit on the Queen’s Theatre Board once the Havering Theatre Trust have implemented their new corporate governance arrangements.

2. Agreed in principle to transfer small scale repair and maintenance responsibilities (including the current budget) from the Council to the Queen’s Theatre.

3. Agreed ro delegate responsibility to finalise changes to repair and maintenance arrangements, as well as health and safety arrangements, to the Leader of the Council.

4. Noted that the discussions on the draft lease and funding agreement were ongoing and would be reported, once finalised.

5. Agreed that, in due course, the Governance Committee be recommended to determine nominations to the Havering Theatre Trust in line with normal Group representation arrangements.
CLIMATE CHANGE ACTION PLAN FOR THE LONDON BOROUGH OF HAVERING

Councillor Michael Armstrong, Cabinet Member for Housing, Public Protection and Regeneration, introduced the report

Approval was sought of the three-year Climate Change Action Plan (as appended to the report submitted) for the Council to reduce energy costs and increase efficiency within its operations, towards meeting its carbon dioxide (CO\(_2\)) reduction targets and fulfilling its contribution to addressing climate change.

The Action Plan had been developed by the Corporate Climate Change Strategic Working Group, following on from the approved Climate Change Strategy, the Sustainable Energy Strategy and the LAA2 National Indicator 185. It outlined the proposed actions to achieve a 7% reduction in CO\(_2\) emissions. Members noted that the Council currently spent approximately £4.7 million on fuel and energy and that, although rising energy costs and growing requirements would lead to increased expenditure on energy over the coming years, the Council would achieve an estimated 10-15% annual saving on energy costs, having already realised savings before all actions had been undertaken. There was now great potential for future savings, leaving a legacy of efficiency and cost savings for the Council.

Initial surveys would be required in the first year of the Action Plan to determine the range of actions that can be implemented (particularly for Council buildings) and investigate the funding available. Drawing from these surveys, on a case-by-case basis Services would determine which actions offer the greatest cost-benefit and incorporate them into their planning.

Reasons for the decision:

The Council had highlighted the environment as one of its five goals within the Living Ambition for Havering, aiming for the highest quality of life in London. In accordance with quality of life indicators, from the Audit Commission, a cleaner and greener borough includes reducing air pollution and CO\(_2\) emissions.

The Climate Change Action Plan was a key document that would contribute measurable progress towards the Environment goal of Havering’s Living Ambition, enabling It will the Council to meet its LAA2 target, report on National Indicator 185, achieve LAA1 targets and also report to the Audit Commission on the Use of Resources assessment for the Comprehensive Area Assessment.

Continually rising energy, electricity and fuel prices had cost the Council £4.7 million in 2008 (£2.8 million General Fund). Many London borough councils had found it more cost effective and were generating savings through reducing consumption and investing in energy saving measures. These measures would require upfront expenditure but energy efficiencies, reduction of energy consumption and alternative energy supply could produce an estimated 10-15% annual cost reduction for the Council. The initiatives within the Action Plan were to be considered within the context of rising energy costs.
and as a beneficial investment that would lead to positive effects on the environment and reduced Council expenditure.

**Other options considered:**

To agree to some of the actions proposed to move forward on Climate Change Action Plan; or not to agree to any of the actions proposed.

Both options would hinder the Council’s ability to implement its own adopted Climate Change Strategy, report to the Audit Commission and meet its LAA2 target, reduce the amount of potential savings and impair the Council’s ability to mitigate against current and future rising energy costs.

**Cabinet:**

1. **Approved the overall Climate Change Action Plan.**
2. **Agreed that actions proposed in the Plan be funded from within existing budgets where appropriate.**
3. **Agreed that bids be submitted to secure external funding where possible.**
4. **Agreed that £1,000,000 be set aside in the capital programme as part of developing the future capital programme for implementing the Plan.**
5. **Agreed that a revenue fund be created, initially of £200,000, to progress revenue actions, which will be replaced by the base savings generated from Action Plan measures.**
6. **Agreed that £60,000 be allocated from the 2008-09 contingency to undertake initial surveys as the first stage of implementing the Action Plan.**

**RISE PARK INFANT AND JUNIOR SCHOOLS – PROPOSED AMALGAMATION FROM SEPTEMBER 2009**

_Councillor Geoffrey Starns, Cabinet Member for Education & Children’s Services, introduced the report_

Cabinet was reminded that the Council had been supporting the amalgamation of separate infant and junior schools since the early 1990s, as set out in the Schools Organisation Plan. Certain actions, such as in this case the retirement of the Junior school headteacher, would trigger a review of whether the Council considered that it would be appropriate to consult on the amalgamation of the schools.

Having considered the preliminary case for the Rise Park Schools, the Council decided that it would be beneficial to consult on amalgamation. Amalgamation proposals would now normally be accomplished by closing both schools and establishing a new primary school. This is the preferred route as both schools (staff and governors) received equality of treatment during the change process. Normally the creation of a new school would
require a school competition to be held but the government had acknowledged that current regulations were not intended to capture changes of this kind and Havering had the option of applying for exemption should it be decided to pursue an amalgamation.

During September and October 2008 consultation had taken place with all stakeholders and the report submitted set out the result of that consultation. A significant level of objections were lodged and strong grounds set out for the Council to consider not proceeding to the next stage of a formal amalgamation proposal.

**Reasons for the decision:**

It had previously been agreed that the Council should consult on the possible amalgamation of Rise Park Junior and Infant Schools in line with its stated policy.

**Other options considered:**

None.

It was noted that there had been considered to be sound educational and financial advantages from an amalgamation. It was emphasised that, despite local rumours otherwise, the amalgamation was not a “cost cutting” exercise.

**Having compared the relative advantages of the proposal reported with the various points made in response to the consultation, Cabinet decided to proceed no further with the proposed amalgamation of the schools.**
APPENDIX
(Minute 57)

SAFEGUARDING CHILDREN – MEMBERS’ BRIEFING

Prior to the Cabinet Meeting, the Head of Children & Young People’s Services gave a presentation of current issues relating to safeguarding children.

Present were: Councillors Steven Kelly (in the Chair), June Alexander, Michael Armstrong*, Clarence Barrett, Robert Benham, Jeff Brace, Wendy Brice-Thompson, Dennis Bull, David Charles, Jonathan Coles, Keith Darvill, Ted Eden, Chris Fox, Georgina Galpin*, Linda Hawthorn, Coral Jeffery*, Lesley Kelly, Andy Mann, John Mylod, Pat Mylod, Fred Osborne, Roger Ramsey, Paul Rochford, Geoffrey Starns, Mark Stewart*, Barry Tebbutt, Lynden Thorpe, Frederick Thompson, Keith Wells, and Mike Winter

* for part of the meeting

Following the presentation, the Head of Service responded as follows to Members’ questions:

- There were approximately 60 children with a child protection plan, although numbers varied
- The social work approach to safeguarding children was not a “tick box” exercise. Information gathered through observations of the children and families concerned by both social workers and professionals from other involved agencies was used to assess the degree of risk each case presented. There was no hesitation in removing children from dangerous situations
- There were about 200 Looked After Children known to the Council, and around 35 cases currently the subject of legal action
- Meticulous recording of case information was a vital tool, not simply bureaucracy for its own sake. There were issues at national level about the time spent by social workers on recording information. The amount of time needed to record each case depended on the nature of that case. Members were advised that many social work staff were working long hours to deal with their workloads conscientiously
- Agency social workers were subject to the same pre-employment checks, induction arrangements and supervision as permanent staff. When the social workers handling particular cases changed, proper handover procedures were observed to ensure continuity of care and cover
- The frequency of visits to particular cases depended on a judgement as to the need but every visit had a purpose and at each one the child/ren would be seen alone as well as with the family
- Careful management of case-loads was arranged to minimise the risk of individuals becoming “burned out”; but good morale and a decent working environment also helped
- Case conferences were chaired by independent persons, who were accountable for the decisions taken at them
- If parents were known alcohol or drug abusers, there would be grounds for considering the removal of children but it would not follow automatically that they would be removed. Removal would only be authorised by a court if it was convinced that there was sufficient evidence to support removal; but such orders would always be sought if the evidence was available
- Children subject to a child protection plan and Looked After Children were more likely to come from the more deprived areas of the borough but not exclusively so
- Intelligence gathered from sources such as family members or neighbours was always used as background information but such evidence would have more credibility when used in court if they did not wish to remain anonymous. A coherent picture had to be prepared, based on all the evidence available
It was important to bear in mind that social workers dealt with all sorts of children, not just those at risk. High risk cases had priority but the aim was to ensure a balanced workload.

There was no room for complacency – the aim had to be continuous improvement.

Cases were audited on the quality of information gathered and information shared with, and between, all agencies involved.

Training would be available to Members on safeguarding issues, which would enable them, among other things, to know what they should look for if they became aware of a child who might be at risk. All information reported would be considered and evaluated.

Apart from Children's Services, agencies involved in safeguarding children included the police, health services (including hospitals, General Practitioners, community nurses and midwives, health visitors and mental health practitioners), schools and voluntary organisations/bodies such as child-minders and nurseries. There was a huge range of agencies that could potentially be involved in particular cases.

No fixed number of visits triggered concerns in any particular case; each case was dealt with on its merits and the assessment of its particular risks.

Morale among the Council’s social work staff was considered to be good, despite the disappointment triggered by the recent revelations of problems in Haringey. There was no room for complacency but the indications were that staff relationships were good.

Note – a copy of the slides presented to the Briefing follows.
Scope of Presentation

- Legal Issues
- Role of the Social Worker and Decision Making
- Problems, Quality Assurance and Future Considerations

Children Act 1989

Section 44 - Orders for emergency protection of children

(a) there is reasonable cause to believe that the child is likely to suffer significant harm if:
   (i) he is not removed to accommodation provided by or on behalf of the applicant; or
   (ii) he does not remain in the place in which he is then being accommodated;

EPOs

- In relation to emergency protection orders, Munby J held that 'separation is only to be contemplated if immediate separation is essential to secure the child's safety; 'imminent danger' must be 'actually established'.

EPOs

- An EPO was a 'draconian' and 'extremely harsh' measure, requiring exceptional justification' and 'extraordinarily compelling reasons'.

EPOs

- Cases of emotional abuse will rarely, if ever, warrant an EPO, let alone an application without notice;
- Cases of sexual abuse where the allegations are inchoate and non-specific with no evidence of immediate risk will rarely warrant an EPO;
- Cases of fabricated or induced illness with no medical evidence of immediate risk of direct physical harm to the child will rarely warrant an EPO;

Children Act 1989

Section 31 Care and supervision orders

(2) A court may only make a care order or supervision order if it is satisfied:
   a) that the child concerned is suffering, or is likely to suffer, significant harm; and
   b) that the harm, or likelihood of harm, is attributable to
      i) the care given to the child, or likely to be given to him if the order were not made, not being what it would be reasonable to expect a parent to give to him
Social Worker’s Role

- Assess risk
- Assess parenting
- Assess child’s development
- Assess parent’s ability to change within child’s timescales
- Assess whether child should remain with parents

Social Worker’s Considerations

- What is causing them to behave like this?
- Is this poor parenting or dangerous parenting?
- What are the triggers?
- How can I stop it?
- If it won’t stop how serious are the consequences?
- Have I got the evidence to convince a court?

Quality Assurance

- Knowing the worker has got the right skills
- Checking their records
- Asking searching questions
- Comparison with views of other agencies
- Auditing
- Regular supervision
- Having good managers

Common Errors

- Losing focus
- Not looking for evidence that contradicts your view
- Being lulled into false sense of optimism
- Being scared of the family
- Being overwhelmed by the amount of information
- Not having enough information

Response

- What went wrong in Haringey was a failure in practice and ultimately poor management
- Therefore:
- Response should be to improve practice and management not to change the structures

Reducing Risk

- High staff turnover raises risk in terms of critical judgement and accountability
- Therefore:
- Have good staff care
- Good quality first line supervision
- Retain the best staff in practice
- Investment in training
- Controlled caseloads
- Close working with critical partners
Future Focus

- Improved training for all key disciplines
- Specific high quality training in areas of high risk, physical and sexual abuse and the links to alcohol and drug misuse and domestic violence
- Mandatory compliance with multi-disciplinary training for health visitors, GPs, police and social workers

Future Focus

- Career paths and better remuneration set within competence framework
- More “consultant” practitioners to help keep the best in practice
- Training for supervisors in the specific area of protecting children across all disciplines
- Consider how technology could be used for monitoring

Future Focus

- Independent chairs of Safeguarding Boards who have experience of child protection work
- Process to alert Chief Executives and Cabinet to cases of children at risk of serious physical harm
- Annual report by Safeguarding Board to Cabinet and full Council
- Chief Executives of other bodies to report to their equivalent boards e.g. Police Authority, PCTs
REPORT OF THE CHIEF EXECUTIVE

SUBJECT: PROPOSED TECHNICAL CLOSURE OF KING’S WOOD SECONDARY SCHOOL AND REPLACING IT WITH AN ACADEMY

WARD: Gooshays/Heaton

SUMMARY

This report sets out:

- The context of the consultation process on the technical closure of King’s Wood School from 31 August 2010, which is required in order to replace it with an Academy;

- The analysis of the consultation process held on the closure proposal;

- The next steps in implementing the proposal should members agree with the recommendation in this report.

RECOMMENDATION
Having considered the responses to the consultation to approve the proposal for the closure of King’s Wood Secondary School from 31 August 2010 and to authorise the issue of the required Public Notice.

Any decision to close King’s Wood School will be conditional upon the Secretary of State approving the establishment of the Academy.

CONSIDERATION OF CONSULTATION AND DECISION MAKING

1.0 Introduction and context

The Council has high ambitions for the regeneration of Harold Hill aiming to transform the quality of life for its residents. The programme includes the building of new and improved facilities and creating new opportunities for local people. Improving education facilities is central to this regeneration and there is the potential to create a new Academy in the area, replacing King’s Wood secondary school, which will be able to respond to meeting parents’ expectations of a high quality education for their children accelerating the recent improvement in educational standards through a wide range of initiatives.

The new Academy will be sponsored by the Drapers’ Company in association with Queen Mary (University of London) and it will be an all-ability school specialising in mathematics and science.

It is proposed that the Academy will be at the heart of a Learning Village on the current site of King’s Wood, Pyrgo and Dycorts Schools which would provide primary, secondary, special needs, further and adult education.

In order to achieve the establishment of the Academy it is first necessary to reach a formal decision to technically close King’s Wood School on the day before the Academy opens. The first step in achieving that technical closure is to consult on the proposal seeking views from all interested parties on the Council’s plans.

At its meeting on 29 October 2008 members recommended that the Council should consult informally on the technical closure of King’s Wood School.

2.0 The Proposal

The proposal is to close King’s Wood School on 31 August 2010 and replace it with an Academy on the same site from 1 September 2010.

King’s Wood School is a community school providing 900 school places for 11-16 year olds and it has an admission number of 180. There are currently 542 pupils on roll.
It is proposed that the Academy will also have an admission number of 180 for 11-16 year olds with a sixth form. Although King’s Wood currently recruits below its admission number it is anticipated that a new Academy will be popular with parents and would fill its 180 places. The birth rate for the area, supports the case.

Initially, from September 2010 the Academy will operate in the existing King’s Wood buildings but these would be replaced by a completely new school that will be ready for occupation from September 2012.

The pupils currently at King’s Wood School will be guaranteed a place in the new Academy so their continued attendance would not be affected. The sixth form will be established as soon as the new facilities become available.

3.0 Why propose the closure of King’s Wood School?

The Council has a statutory duty to ensure that there are sufficient school places in their area, to promote high educational standards, to ensure fair access to educational opportunity and to promote the fulfilment of every child’s potential. It must also ensure that there are sufficient schools in the area and promote diversity and increase parental choice. It is in this context that the proposal is brought forward.

The main reason for considering the future provision of secondary school places in Harold Hill was the low take up of places at King’s Wood. The school has not been popular with the local community and currently has 40% spare places. This has impacted on the finances of the school as falling numbers places significant pressure on a school’s budget. The Local Authority also has a duty to review schools in its area and organise its provision to raise standards and opportunities for young people. Although it is acknowledged that King’s Wood School is improving standards, as measured by performance at GCSE, they are below the Local Authority average.

There is undoubtedly a need for a secondary school in Harold Hill and the resident population is sufficient to support a 6 form entry school. The transformation of King’s Wood school into an Academy will provide the opportunity to secure the provision of secondary education in the area and increase and enhance the opportunities for learning for both children and their families. New buildings will replace the existing accommodation which would otherwise require considerable modernisation if they are to meet the needs of the modern curriculum and be accessible to all members of the community.

4.0 The Consultation Process

The consultation document, incorporating a response form, was distributed, on 31 October to all key stakeholders explaining the proposal and the nature of the consultation process. The document is attached as Appendix 1. The GCSE results for the school for 2008 quoted in the document were provisional, which wasn’t indicated, and therefore a separate letter was sent out (Appendix 2) giving the correct data.
The material in the document, articulated in all discussions and meetings, set out Council’s view that the closure of King’s Wood school and its transition into an Academy would transform the education of pupils on Harold Hill with their opportunities for learning enhanced and increased.

Meetings were held for King’s Wood staff, to which TU representatives were invited, governors and parents as well as local secondary and primary schools. The Council Lead Member for Children’s Services and the sponsor of the Academy participated in the public meetings. Notes were taken of the meetings and have been made available on the Council’s website. The King’s Wood School Council also met to consider the proposal. Every opportunity was provided for responses to be made electronically, through web forms and email, and by more traditional means of post and fax.

Consultees were advised that responses to the consultation would be required by 5 December 2008.

Only six consultation response forms were received and two responses on the website.

Three other forms of return were received: a letter from the NASUWT, a joint letter from the NUT, NASUWT and Unison, and a response from King’s Wood School Student Council.

5.0 Response to the Consultation: Comments of Consultees

The Council set out its consultation document its rationale for proposing the closure of King’s Wood and its transformation into a new Academy. The factors considered included:

- The current breadth of education on offer at the school
- The standards of education at the school
- The quality and suitability of accommodation at the school
- Pupil numbers at the school
- The consequential financial constraints on the school

These factors are discussed in more detail in the consultation document.

Consultees were invited to submit comments on the proposal as well as indicate simple support or not. The key themes that emerged from the comments are listed below:

From the consultation response form and website:

The total of eight responses received through the consultation form and website were equally divided between being in favour and being strongly in favour of the proposal as they anticipated the proposal would deliver better facilities with a higher standard of education and it would provide for and keep local students inside the borough.
From the King’s Wood School Council:

The King’s Wood School Council met and made a number of observations based on student responses. 43% of the students who responded were either strongly in favour /in favour of the proposal, with 19% strongly against/ against with 37% neither for nor against. The full response is attached as Appendix 3 but in summary those that support the proposal were looking forward to the better facilities and the opportunities that come with that. Those against did not want change and would prefer the school remaining as it is with an investment in the current buildings.

From the Unions:

The Unions are opposed to the closure of King’s Wood in principle citing their opposition to the ‘privatisation’ of education. Their full response is attached as Appendix 4 and Appendix 5 but in summary they are concerned that: the Academy will ‘cream off’ the borough’s gifted pupils, other schools will be financially disadvantaged, there are no guarantees the quality of education will improve, there will be a lack of community representation on the governing body, terms and conditions for staff will change and there is the potential of a two tier workforce, and there is no requirement on Academies to recognise professional associations.

6.0 Conclusion

The consultation process created an opportunity for key stakeholders to express their views on the closure of King’s Wood School and its development into an Academy. As noted above there was a very limited written response to the consultation. There were no objections from governors, parents/guardians or individual staff. The views expressed largely reflect matters raised at the consultation meetings. At those meetings some consultees expressed support for the proposals seeing this as an exciting opportunity for the Harold Hill community. Understandably there were some concerns and the meetings were an opportunity to correct misunderstandings and clarify how provision for the pupils would be organised in the future.

There was concern that the Academy would not become part of the local family of schools, would be selective and the local community would not be represented on the new governing body. In response the sponsor has given a commitment to the Academy working in partnership with other schools. It will be an all ability school which will respond fully to the needs of SEN pupils in the area. The governance of the Academy will include parent and community representation and the sponsor is committed to opening up the school longer for the community and, in partnership with the learning village, offer a range of programmes for local people.

The Academy has the standard budget share in accordance with the local formula plus 1.34% to recognise that the school is self-managing. It will be for the Schools Forum to decide how that will impact on other schools but the
impact will be modest. In addition to central government funding the sponsor will invest £2m which will provide an interest fund to support a wide range of educational activities.

In governor and staff meetings staff currently employed by the school were naturally concerned about their futures. The majority of staff will have an automatic right to transfer, on existing terms and conditions of employment, to the Drapers’ Academy under TUPE Regulations. The sponsor is committed to engaging with existing staff and has already held 1 to 1 meetings with staff.

7.0 Decision Options

Cabinet can decide to:

7.1 End the process at this stage and take no further action on the proposal to close King’s Wood School.

7.2 Proceed to the next stage of the process. That would involve the publication of Statutory Notice with a period when formal objections could be lodged. That process would lead to the matter being considered by the Cabinet who would make the final decision.

If Cabinet decides to proceed with option 7.2, then the statutory notice must be placed in the local press, posted in appropriate locations and circulated to key stakeholders in accordance with guided lists. Interested parties will have a minimum period of 6 weeks in which to make representations, register objections or comments. The decision maker (in this case the Council) must consider and make a decision within two months of the close of the 6 week period. If it fails to do that the matter must be referred within a month to the Government appointed Schools’ Adjudicator for consideration and decision within one week of the end of the two month period.

It should be noted that any decision to close King’s Wood School will be conditional upon the Secretary of State approving the establishment of the Academy.

The timetable for the process of closing King’s Wood and establishing the new Academy is summarised in the table below:

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consultation closes</td>
<td>5 December 2008</td>
</tr>
<tr>
<td>Cabinet considers publication of Statutory Notices</td>
<td>7 January 2008</td>
</tr>
<tr>
<td>Period of Statutory Notices</td>
<td>16 January to 6 March 2009</td>
</tr>
<tr>
<td>Cabinet makes a final decision following Statutory Notice period</td>
<td>18 March 2009</td>
</tr>
<tr>
<td>Secretary of State asked to release funds to build the new Academy</td>
<td>April 2009</td>
</tr>
<tr>
<td>King’s Wood becomes an Academy in current buildings</td>
<td>September 2010</td>
</tr>
<tr>
<td>New buildings ready for occupation</td>
<td>September 2012</td>
</tr>
</tbody>
</table>
8.0 Financial Implications and risks

There will be some closure costs which will be quantified near the time of completion of transfer to the Academy. These costs will be met from existing budgets. The responsibility of transfer and closure costs will need to be clearly defined (i.e. who pays for what) for clarity and to move forward on a sound basis.

The risk of not closing the school is that consultancy and other feasibility fees will have been incurred unnecessarily, i.e. they would be sunk costs to the council. The value of this would be the costs and fees incurred up to the point where a decision was made not to proceed.

Should King's Wood close as a community school and then become an Academy, Havering's allocation of Dedicated Schools Grant (DSG) will be reduced by the amount the schools would have received through the Schools' Funding Formula. Once the funding is transferred the Local Authority relinquishes financial responsibility for the school.

If the school were not to close there would be a lost opportunity to develop a Learning Academy which could be quantified by an opportunity cost. King's Wood School has declining pupil numbers which currently puts the management of the school budget at risk.

Further reports will be brought back to cabinet on the development of an Academy, this report deals with the closure of King's Wood school and Financial Implications and risks have been written as such.

9.0 Legal implications and risks

The Education and Inspections Act 2006 placed new duties on Local Authorities in respect of school organisation planning and as commissioner of school places. Related guidance brought in towards the end of May 2007 set out the manner in which reorganisation proposals should be managed through consultation and decision making. The Council has conducted its consultation processes in line with those regulations and guidance, by adopting a robust, transparent and meaningful process, which provided sufficient information and time for responses from all those potentially affected by the proposal as well as other stakeholders.

In reaching its decisions the Council must take the views expressed during the consultation process into account. It must do so conscientiously. If it does so there is only a minimal risk of a successful legal challenge.

Whilst Cabinet is entitled to rely on the accuracy of the information set out in this Report if it is in doubt about any aspects it should seek further clarification. Cabinet members are advised to read all the consultation material to ensure they are fully briefed. Cabinet members are also reminded that the previously circulated DCSF Decision Maker's Guidance for closing
schools and opening new schools should be used to guide decision outcomes.

As a statutory notice has to be published anybody aggrieved by the proposal has another route of challenge and this reduces the risk of a successful challenge to this part of the process.

10.0 Human Resources Implications and risks

Staff with permanent contracts of employment, who are employed under the control of the Governing Body at King’s Wood School at the date of closure, will generally have an automatic right to transfer, on existing terms and conditions of employment, to the Drapers’ Academy under TUPE Regulations. Following the transfer, these staff will be employed directly by the Governing Body of the Drapers’ Academy. Drapers’ have applied for Admitted Body Status to the Teachers’ Pensions and Local Government Pension Schemes to allow staff to continue to maintain benefits accrued.

Staff can object to transferring to the employment of Drapers’ Academy, although if they choose to do so, there is no legal obligation on the Council to find alternative employment and there is no right to a redundancy payment.

Statutory as well as local consultation processes and timescales will apply. There will be active staff and trade union engagement throughout the period of consultation and change.

Drapers have attended staff meetings in October 2008 and issued a staff newsletter, informing staff of their rights under the TUPE Regulations. Drapers have indicated that due to the enlargement of the school, to include a sixth form, they anticipate a growth in jobs and development opportunities for staff. They have also stated that all staff will be clear about their position in the new Academy by 31st May 2010.

11.0 Equalities and Social Inclusion Implications and risks

Equality issues affecting staff were fully covered in the consultation and are covered in the report. The consultation process was designed to take account of the community’s views of the impact of the proposed change. The change that is proposed is intended to support and improve social inclusion practice by making difficult transition issues easier to manage for both the schools and the pupils.

12.0 Reasons for the decision:

It was previously agreed that the Council should consult on the technical closure of King’s Wood School. A decision on the outcome of the consultation process is required.

13.0 Alternative options considered:
The two options for decision are set out in section 7.0 and Cabinet is invited to decide on the way forward. The Council ambitions include renewal of the school estate, regeneration of infrastructure on Harold Hill and the creation of a learning village. No other option brings government grant to create a new secondary school.

**Staff Contacts:** John Farry, Social Care & Learning, Capital and School Organisation Manager

**Telephone:** 01708 431706  john.farry@havering.gov.uk

CHERYL COPPELL
Chief Executive
Appendices

Appendix 1: Consultation document
Appendix 2: Correction letter
Appendix 3: King’s Wood School Council consultation
Appendix 4: NASUWT response
Appendix 5: NUT/NASUWT/UNISON response

Background Papers List

Meeting notes from the following meetings held at King’s Wood School:

- Meeting with staff of King’s Wood Schools on 6 November 2008;
- Meeting with governors of King’s Wood School on 6 November 2008;
- Meeting with parents/guardians of King’s Wood School on 11 November 2008;
- Meeting with parents/guardians of King’s Wood School on 20 November 2008;
- Meeting of King’s Wood School Council on 21 November 2008
- Meeting with local primary and secondary schools on 25 November 2008.

Letters to staff, governors, and parents/carers of King’s Wood School

6 consultation responses received.
Replacing King’s Wood School with an Academy: consultation on the technical closure of King’s Wood School.

Settle Road, Harold Hill, Essex. RM3 9XR

Consultation Document
October 2008

- About the proposed closure
- About the new Academy
- How you can respond
Proposal to close King’s Wood Secondary School, Harold Hill

Summary

It is proposed to close King’s Wood School on 31 August 2010 and replace it with an Academy* on the same site from 1 September 2010.

King’s Wood is a co-educational community school providing 900 school places for 11-16 year olds and it has an admission number of 180. There are currently 542 pupils on roll (Sept 2008) and 358 spare places which means that 40% of its capacity is surplus.

It is planned to close the school so it can be replaced by an Academy. Initially the Academy would open within the existing school buildings. These would be replaced by completely new buildings on the existing site which is planned to be ready for occupation in September 2012. The Secretary of State for Children Schools and Families has approved funding for a feasibility study to be carried out on the creation of an Academy to replace King’s Wood School. The closure of King’s Wood would be conditional on the Secretary of State approving the establishment of the Academy.

A new Academy is the central part of the Council’s proposal to create a Learning Village in Harold Hill, which would also potentially include Havering College of Further and Higher Education, Pygro Primary School and Dycorts Special School. It is planned to create a Learning Village Master Plan of new buildings for all of these establishments to make sure they fit together and complement each other both operationally and architecturally.

This document sets out the background to the proposal for the closure of King’s Wood School. There is a form on the back for your comments with details about how to return it.

* Academies are publicly funded independent schools established in partnership with business and voluntary sector sponsors. All Academies are required to share their facilities and expertise with other schools and the wider community.

To find out more, attend the appropriate meeting below:

- Staff of King’s Wood School at 3.30pm on 6 November 2008.
- Governors of King’s Wood at 7pm on 6 November.
- Parents or guardians of King’s Wood at the Public Consultation meeting at 3.30pm on 11 November.
- Parents or guardians of King’s Wood pupils at the Public Consultation meeting at 7pm on 20 November.
- Pupils of King’s Wood in school time on the afternoon of 21 November.
- Local primary and secondary schools at 5pm on 25 November.

All these meetings will be held at King’s Wood School.

Write your comments on the form and send it by 5 December 2008 to:

King’s Wood Closure Consultation
Capital & School Organisation (BE),
Social Care & Learning, Scimitar House,
23 Eastern Road, Romford RM1 3 NH

Send your form via the internet by 5 December 2008:
Go to our website www.havering.gov.uk and follow the on-line instructions. You can complete the form online or the form can be downloaded and returned by email to schoolorganisation@havering.gov.uk

[Image -0x-10 to 595x574]
Havering is currently consulting on the major regeneration of Harold Hill. A key component of that regeneration is meeting parents’ expectations of a high quality education for their children. The creation of an Academy is the first step in achieving our vision for the area. This is in line with Council’s policy of providing the best possible education facilities for the children of Havering. We hope that you will support these proposals, which are designed to meet local needs and improve educational opportunities for pupils and the community.

Geoff Starns
Council Lead Member for Children’ Services
Havering Council recently announced its Harold Hill Ambitions proposals to improve the quality of life in the local area. One of the most exciting proposals was for a groundbreaking Learning Village on the current site of King’s Wood, Pygors and Dycorts Schools which would provide primary, secondary, further and adult education.

At the heart of this Learning Village proposal is a plan to create a new Academy in place of the existing King’s Wood School to accelerate the improvement in educational standards through a wide range of new initiatives. This does not detract from the excellent work of the current school which has shown excellent progress through hard work and the use of some key innovations.

The Council is developing plans for the Academy. The establishment of the Academy would have to be approved by the Secretary of State so if the Council decides to close Kings Wood that decision would be conditional upon that approval.

There are a number of factors which have been considered in reaching a decision to consult on the closure of King’s Wood. They include:

- the breadth of education on offer
- the standards of education at the school
- the quality and suitability of accommodation at the school
- pupil numbers at the school
- the consequential financial constraints of the school

Rather than a closure this proposal should be viewed as a transformation of King’s Wood School into a new Academy where pupils’ education will be secured and their opportunities for learning enhanced and increased.

## Standards of Education

Although standards have been improving the GCSE results of the school are well below the Local Authority average as shown in the following table:

<table>
<thead>
<tr>
<th>Year</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2007</th>
<th>2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>National Average</td>
<td>56.3%</td>
<td>58.3%</td>
<td>60.9%</td>
<td>46%</td>
<td>53.6%</td>
<td>55%</td>
</tr>
<tr>
<td>Havering Average</td>
<td>61.1%</td>
<td>63.1%</td>
<td>64.4%</td>
<td>67%</td>
<td>53.6%</td>
<td>55%</td>
</tr>
<tr>
<td>King’s Wood School</td>
<td>31%</td>
<td>34%</td>
<td>35%</td>
<td>44.8%</td>
<td>32%</td>
<td>33.6%</td>
</tr>
</tbody>
</table>

## School buildings

The existing buildings were constructed as two separate schools in the 1950s and would need in excess of £1m to be spent over the next 3 to 5 years just to prevent further deterioration. To meet the needs of the modern curriculum they would require substantial further investment for modernisation. Improvements to the accessibility of the buildings would also be needed particularly in the South Block where ground floor rooms are on different levels.

Partnership for Schools, the agency involved in building a new Academy, considers the building should be demolished and replaced.

## Finance

As a school’s funding is closely related to the number of pupils on roll falling pupil numbers place significant pressures on a school budget. Currently King’s Wood has a significant budget deficit.

### Pupil numbers

King’s Wood has been under-recruiting pupils for a number of years and currently 40% of its pupil capacity is surplus. The following table shows that the number of pupils in each year group is well below the capacity of 180.

<table>
<thead>
<tr>
<th>Sept 2008</th>
<th>Year 7</th>
<th>Year 8</th>
<th>Year 9</th>
<th>Year 10</th>
<th>Year 11</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pupil numbers</td>
<td>99</td>
<td>96</td>
<td>116</td>
<td>113</td>
<td>118</td>
<td>542</td>
</tr>
</tbody>
</table>

Falling pupil numbers impact on the efficiency of education in a school and the Council has a duty to consider the future of a school with a surplus capacity of more than 25%.
What would happen to the pupils currently attending King’s Wood if it closes?

The pupils on roll at King’s Wood would be guaranteed a place at the new Academy so their continued attendance would not be affected.

The lack of existing facilities means that that it would not be possible to establish a sixth form when the Academy plans to open in Sept 2010. Sixteen plus education is however a high priority and a sixth form would be created as soon as suitable facilities become available.

Will the proposed Academy be part of the community?

The Academy would be at the heart of the regeneration of the area and would play an active part in developing community cohesion. It would also play a key part in the local community by providing a focus for learning and other facilities, not only for its pupils but also for their families and other local people.

Drapers’ Academy would be at the heart of the regeneration of the area. From 2012 it would be in buildings that should make a significant architectural impact and demonstrate the regeneration aspirations of Harold Hill Ambitions. But from the outset the sponsors want the Drapers’ Academy to be a focus for learning and other facilities, not only for its pupils but also for their families and other local people.

Where would the proposed Academy be built?

It is proposed that the existing King’s Wood buildings, with some environmental improvements, will be used by the Academy from September 2010 to September 2012. The feasibility study that has been set up will determine all necessary improvements.

The design of the new buildings, to be constructed on the current King’s Wood site, will support the delivery of the modern curriculum and the use of the buildings by the local community.

What would the proposed Drapers’ Academy be like?

The Academy would be sponsored by the Drapers’ Company and Queen Mary College (University of London). The Drapers’ Company is a major City of London charity which has been involved in education in London for hundreds of years. Queen Mary is a leading university with its principal campus on the Mile End Road. The university already has close links with the borough. The Drapers’ Company was involved with the creation of the College in the nineteenth century and the sponsors continue to have close links with each other.

The Academy would be an all-ability, co-educational school for ages 11 to 19. The sponsors want to foster an ethos rooted in high aspiration, an ambition to succeed, personal responsibility and respect for others. Overall the sponsors want to foster a culture of high expectation within a caring environment. It is proposed that the school would specialise in Science and Mathematics. The sponsors are particularly keen to make the best use of the exceptional site and will ensure that every opportunity is taken to offer a wider range of activities over a longer school day.

The Academy’s Academy wants to be an integral part of the Harold Hill community and, as part of the Harold Hill Learning Village, provide a strong community focus. Further afield the Academy will want to be an active member of the local education community and establish close links with local businesses and other employers.

What size is the proposed Academy and would there be a sixth form?

It is proposed that the Academy will have an admission number of 180 and it will also have a sixth form. Although currently the school recruits below its admission number at Year 7, the number of pupils living in Harold Hill exceeds 180. It is expected that a new Academy would be popular with parents and would fill its 180 places.

The birth rate for the area, at almost double the proposed admission intake, also supports the case that there will be enough pupils in the area to support a school of that size.

What would happen to the staff if King’s Wood closes?

Staff with permanent contracts who are employed under the control of the Governing Body at King’s Wood School at the date of closure would generally have a right to transfer, on existing terms and conditions of employment, to the Academy under TUPE Regulations. Following the transfer, these staff will be employed by the Academy Trust.

Staff can object to transferring to the employment of the Academy, although if staff choose to do so normally there is no legal obligation on the Council to find alternative employment and there is no right to a redundancy payment. However, Havering has a very good track record of finding a place for staff in schools who become displaced and so subject to redeployment.

Statutory as well as local consultation processes and timescales will apply. There will be active staff and trade union engagement throughout the period of consultation and change.

Conclusion

The Local Authority is under a statutory duty to ensure that there are sufficient school places in their area, to promote high educational standards, to ensure fair access to educational opportunity and to promote the fulfilment of every child’s educational potential. It must also ensure that there are sufficient schools in their area and promote diversity and increased parental choice.

The Local Authority in proposing the closure of King’s Wood linked to the opening of a new Academy as part of a new learning village is responding to this statutory duty. It has every reason to believe that the new Drapers’ Academy will be popular with parents, will raise standards and will be a major community resource.
What happens next?

The Local Authority is consulting all interested parties on its proposals including parents and staff at the school, all schools in Havering, and neighbouring boroughs.

We would welcome your views on this proposal and hope that they will support our plans for the future regeneration of Harold Hill. The timetable for the process is planned to be:

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consultation closes</td>
<td>5 December 2008</td>
</tr>
<tr>
<td>Cabinet considers publication of Statutory Notices</td>
<td>7 January 2009</td>
</tr>
<tr>
<td>Period of Statutory Notices</td>
<td>16 January from to 6 March 2009</td>
</tr>
<tr>
<td>Cabinet makes a final decision following Statutory Notice period</td>
<td>18 March 2009</td>
</tr>
<tr>
<td>Secretary of State asked to release fundsto build the new Academy</td>
<td>April 2009</td>
</tr>
<tr>
<td>King’s Wood becomes an Academy in current buildings</td>
<td>September 2010</td>
</tr>
<tr>
<td>New buildings ready for occupation</td>
<td>September 2012</td>
</tr>
</tbody>
</table>

Consultation Response form

Select one of the following which most closely matches you:

- [ ] I am a student attending King’s Wood School
- [ ] I have children attending King’s Wood School
- [ ] I live in the area and have children aged under 11
- [ ] I live in the area and have children 11-18 attending another school
- [ ] I am a member of school staff at King’s Wood School
- [ ] I am a governor at King’s Wood School
- [ ] I live in the area and do not have children of school age
- [ ] Other (please state)

Post code: [ ] Male [ ] Female

Do you support the proposal to close King’s Wood School and replace it with a new Academy? (please tick)

- [ ] 1 Strongly in favour
- [ ] 2 In favour
- [ ] 3 Neither for or against
- [ ] 4 Against
- [ ] 5 Strongly against

Please explain your reasons. This is especially important if you are against the proposal.

Thank you very much for taking part in this consultation. Please return your completed form in one of the following ways:

SEND it by 5 December 2008 to King’s Wood Closure Consultation (Capital & School Organisation [BE], Social Care & Learning, Scimitar House, 23 Eastern Road, Romford RM1 3 NH

SEND your form via the internet by 5 December 2008:

Go to our website www.havering.gov.uk and follow the on-line instructions. You can complete the form online or the form can be downloaded and returned by email to schoolorganisation@havering.gov.uk
Consultees

This document has been sent to all interested parties including:

King's Wood School: pupils, parents, staff and governors
King's Wood Student Council
All maintained secondary and special schools in Havering
All locality primary schools and potential feeder primary schools
Havering Independent Schools
Youth Centres
Libraries
The Primary Care Trust
General Practitioner (GP) surgeries
Havering Governors’ Forum
Admission Forum
Brentwood and Chelmsford Dioceses
Learning and Skills Council
Harold Hill Residents’ Association
Trade Unions
Havering MPs
Redbridge Council
Barking and Dagenham Council
Essex County Council
Thurrock Council

Interpreting and translation Service

This document contains information regarding the proposed closure of King’s Wood School. It includes details about how you can let the Council know what you think about the proposal. If English is not your first language and you would like to see this document in your preferred language, please tick the appropriate box, complete your name and address, and return the whole form to the address below.

This document can also be made available on:  
- [ ] Audio Tape  
- [ ] Braille  
- [ ] Large Print

This document can also be made available in:  
- [ ] Albanian  
- [ ] Somali  
- [ ] Hindi  
- [ ] Turkish  
- [ ] Punjabi  
- [ ] Utdu

Your details:

Name
Address
Telephone No.

Please return to:  
Capital & School Organisation (BE)  
Havering Social Care & Learning  
schoolorganisation@havering.gov.uk
Dear consultee

Replacing King’s Wood School with an Academy:
consultation on the technical closure of the King’s Wood School

A document was sent to you recently consulting on proposals to close King’s Wood School to enable a new Academy to be opened on the same site.

The GCSE results for the school for 2008 quoted were provisional, which wasn’t indicated, and the correct data is given below:

<table>
<thead>
<tr>
<th></th>
<th>GCSE results</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>5 or more GCSEs grade A*-C</td>
</tr>
<tr>
<td>National Average</td>
<td>56.3%</td>
</tr>
<tr>
<td>Havering Average</td>
<td>61.1%</td>
</tr>
<tr>
<td>King’s Wood</td>
<td>31%</td>
</tr>
</tbody>
</table>

Yours sincerely,

John Farry
Capital Programme Manager

[Signature]

John Farry
Capital Programme Manager

Social Care & Learning
London Borough of Havering
Scimitar House, 23 Eastern Road
Romford RM1 3NH

Telephone: 01708 431706
Fax: 01708 433893
email: john.farry@havering.gov.uk
Textphone: 01708 433175

Date: 12 November 2008
Dear John

As a greed we carried out a student consultation regarding the technical closure of King’s Wood School, using the copy of student friendly information provided. Following on from this, the School Student Council met to put together a set of general observations based on the student responses received.

The Council’s findings were as follows:

<table>
<thead>
<tr>
<th>Strongly in favour</th>
<th>In favour</th>
<th>Neither for nor against</th>
<th>Against</th>
<th>Strongly against</th>
</tr>
</thead>
<tbody>
<tr>
<td>16%</td>
<td>27%</td>
<td>37%</td>
<td>4%</td>
<td>15%</td>
</tr>
</tbody>
</table>

Common questions, comments and concerns raised by students were as follows:

- Most people were interested in the equipment, education and buildings being better.
- Some concerns over a change in uniform.
- New facilities and new building were seen as being great.
- Secondary curriculum has been brought up a lot.
- People want better learning opportunities for the future King’s Wood students.
- Most people are looking forward to the new school facilities and the opportunities that come with it.
Those students neither for nor against identified their reasons as:
- Not going to be here
- Bigger and better building
- Better education for the young ones
- Does not affect them
- Do not really care either way

Other concerns raised were:
- Some students did not want their education effected by changes
- They want the buildings improved bur not the whole school changed.
- Some think there has been money wasted as the school has just got its new cooking room.
- Some do not want change as the school has been here a long time.
- A fear of the school changing and people's learning going down hill.
- People may not want to come here.
- Students like to school as it is.
- Students and the community like the name of 'King's Wood'.
- Feeling that things are already getting better as the school is now a technology college and do not need to change again.
- Money could be spent making the existing school safer and better.
- Concern about getting lost, new uniforms and changing friends.
- Will the uniform have to be changed?
- Will the classes and groups of students for lessons have to change?
- Do not want the name to just disappear. Some are looking forward to the fact that there is going to be a college as part of the Academy.
- Others are more interested in socialising and making new friends and a fresh start.
- There are a lot of people talking about the effect it will have on the local community and surrounding area.
- Some people think there will be better facilities ad the current facilities are poor.

Please also find enclosed all the student responses.

Where possible the Student Council have sorted these into categories according to the indications of being for or against.

I trust this information is helpful.

Yours sincerely,

Marian Spinks
Headteacher
Dear,

I am making this submission on behalf of the members of NASUWT in Havering.

The academy school programme embodies all that concerns the NASUWT and others across the trade union movement about the Government’s direction of travel on public services.

Academies exemplify the emergence of marketisation and privatisation policies that promote a range of alternative providers, academies and trusts, open up public services to commercial activity and sponsorship and hand previously public assets over to private sponsors and companies.

The independent study Academy Schools: Case Unproven undertaken by the think-tanks Catalyst and Public World, sponsored by the NASUWT, demonstrates that to date there is little to indicate that the huge investment in academies is having an equal impact on raising standards.

High standards of education rely on a well-paid, highly motivated workforce. Having secured an agreement on working practices and pay designed to raise standards, the Government exempted academy schools from this national framework. Many academy sponsors have nevertheless adopted the national framework. Where variations have been made it has usually focused on extending the working year or reverting to the working practices of the past that diverted teachers from teaching and learning, focusing them on tasks which do not require the skills of qualified teachers. It is, therefore, increasingly evident that some academy sponsors want to change things not because it will be for the better or on the basis of evidence and research, but just to be different because they feel under pressure to be innovative.

Academy schools are based on a flawed premise that standards will be raised and disadvantage tackled by passing to private sponsors the ownership of a school building, its grounds and facilities, taking these assets from the local community, investing in sponsors the power to hire and fire staff, set their own pay levels and conditions of service and apparently seeking to replicate the independent sector, which has itself many difficulties and inadequacies.
For this, local democratic accountability has been severed and risks have been incurred to the public purse.

The quasi-independent school status of academies reinforces the arguments of the detractors of public services that they are in meltdown, that clients are at risk and that state education is a service of default for those who cannot afford private education rather than the sector of choice.

The time has come for the Government to pause for thought and reflect on this programme, not because millions of pounds are being invested or because the merits remain unproven or because the motivation that conceived them is in any way flawed, but because of their potential impact on the state education service, which is about ensuring a just, democratic and inclusive society. The recent announcements by the Secretary of State that all new academies will follow the core National Curriculum in English, mathematics, science and ICT and that there will be changes to the sponsorship arrangements to ensure a commitment to act in the public interest are moves in the right direction but there remain fundamental issues to be considered and addressed.

The existing academies have staff who are as dedicated and hardworking as those in any other school. They should be afforded the confidence of automatic access to the benefits and entitlements in pay and conditions of service that other teachers in the state sector enjoy. The pupils they teach should have the same advantages which come from a national framework of pay and conditions designed to reward teachers as highly skilled professionals and to raise educational standards.

Collaboration and co-operation between schools is a key part of effective and equitable public service provision. The public service ethos is about working together for the benefit of all, not about competition. Academies must be reconstituted so that they genuinely become part of the family of state schools.

The promotion of social cohesion is at the heart of public service provision. Academies must demonstrate that they make a meaningful contribution to the promotion of social cohesion.

Yours sincerely,

Keith Passingham

Keith Passingham
This is a joint submission by the Havering Branches of NASUWT, NUT and Unison. In submitting this document, each union reserves the right to provide a supplementary submission outlining the individual perspectives of that organisation.

We note that the decision to close King’s Wood school is a step that Havering Council is required to take if it were to pursue its’ proposals to create an Academy on the site that it currently occupies. Due to our concerns over the proposed Academy, we must oppose the closure of King’s Wood. It is our contention that our members, the Council, together with the residents, the current and future pupils of Harold Hill, will be better served by the continuation of a community school on the site, rather than they would be by an Academy.

The stated aim of the government’s Academy programme is to turn around failing schools. However, we must state that King’s Wood School is not a failing school, and is performing well, especially given the high level of SEN pupils together with the demographics of the local community. We all want to see a continuing improvement in the outcomes for King’s Wood pupils, as with any school, but note the recent comments by Peter Mortimore, former Director of the Institute of Education:

...there are two distinct ways to improve a school. The hard one is to enhance the quality of teaching through extra training and rigorous self-evaluation and by improvements in the way pupils are treated. These tasks take years to accomplish and are difficult to sustain.

The easier way to turn a school around is to change the pupils it recruits and to alter the examinations by which it is judged. If academies begin to discourage needy ‘slow to learn’ children or those with behavioural or emotional difficulties and seek to attract, in their place, easier pupils their results will improve.

Which of these methods of school improvement will Academies adopt?

It is our concern that an Academy placed in the Borough will choose the easy road to school improvement in order to justify the money that is invested in it. We believe that an Academy will attempt to ‘cream off’ the Borough’s gifted pupils, whilst reducing the number of children with SEN or behavioural difficulties who enter the school. The Borough has already stated that there is an issue with gifted pupils being concentrated in certain schools whilst those who need extra support are concentrated in others. The solution must be to have a good mix of pupils in all schools, but it is likely that the creation of an Academy will take the Borough further away from that position, to the detriment of the remaining community schools.
The remaining community schools will also be disadvantaged financially. When King's Wood is closed, all of its existing debts will be returned to the Local Authority, and will have to be distributed amongst the remaining community schools. It is clear therefore that the creation of this Academy will impact severely on the education of pupils across Havering.

We would also remind Havering Council that the national experience of Academies has not been one of unalloyed success. Indeed, some Academies have been identified as failing schools. The Local Authority will be aware that of the schools identified by the DCSF earlier this year as failing, and threatened with conversion to Academy status, some 26 were already Academies. There is no guarantee, therefore, that closing King's Wood will lead to an improvement in the education on that site. There is every possibility that the quality of education may get worse.

We also feel obliged to remind the Council that its recent record of externalisation has not been good. The creation of Homes in Havering and the externalisation of Leisure services have not led to an improvement in the services provided, nor have they improved the funding that these services have received. Indeed, it is our view that these services may well have become more costly than they had been when they were in-house. We have no reason to assume that the creation of an Academy will be managed any more successfully.

As Trade Unions, we are opposed to the creation of Academies on principle; not only because we are not convinced that they provide value for money in terms of improving education, but also because our schools are a vital community resource and should remain in the ownership of the community through the stewardship of the Council. We will always oppose handing over the education of Havering's Children to a private concern, and attempts by the Local Authority to abrogate its responsibility to educate those children to other, unaccountable bodies. King's Wood, unlike the Academy which is proposed to replace it, is required to have community representation on its governing body through the election of parent governors. We reject the loss of this right of parents to have influence over the running of the school as anti-democratic and disempowering of the local community.

Naturally, we have a range of concern about the future of our members who are working in King's Wood. The school has a team of loyal, dedicated and hardworking staff and it is due to their efforts that the school has already made great improvements. The staff are an asset to the Havering and should be prized as such, not handed over to a private employer. Whilst we recognise that there will be TUPE rights, there are no guarantees that terms and conditions will be maintained beyond transfer, and the experience of many Academies has been that transferred staff often face increased workloads, without due reward, following post-transfer reorganisations. We oppose the inherent unfairness of a two tier workforce, and fear that the creation of an Academy in the Havering will only work to create one.

We are also concerned that there is no requirement on Academies to recognise professional associations. We note with alarm that Bancroft's
School, which is already run by the Drapers Company, does not recognise Trade Unions, and fear that the proposed school may choose to take the same route.

In conclusion, while the creation of an Academy on the King's Wood site may bring in investment in the short term, it does so with no guarantee of an improvement in education. Further, there is no guarantee against the exploitation of education staff. An Academy will have a detrimental effect that will negatively impact on the provision of education across the whole of the Local Authority. We urge the Council to reconsider the direction it is taking here, and not to close King's Wood School.

Keith Passingham  
Branch Secretary  
NASUWT

Sue Kortlandt  
Joint Branch Secretary  
NUT

Dave Malbon  
Joint Branch Secretary  
NUT

Garry Chick-Mackay  
Branch Secretary  
Unison