

Haringey Council

Report for:	Cabinet Committee	Item Number:	
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Title:	Options for the Future of John Loughborough School
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Report Authorised by:	<i>Libby Blake</i> Libby Blake – Director Children and Young People’s Service
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Lead Officer:	Jan Doust
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Ward(s) affected: All	Report for Non Key Decisions:
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1. Describe the issue under consideration

- 1.1. John Loughborough is a small secondary school with an admission limit of 300 pupils. It is a Voluntary Aided church school owned and operated by the South England Conference of Seventh-day Adventists (SEC) but maintained by the local authority.
- 1.2. Five inspections in the past ten years have shown a decreasing capability of the school to achieve the standards expected. The most recent was an inspection in December 2011 which, for the second time, placed the school in ‘special measures’. This report is the result of a review initiated by the Director of Children’s Services to examine the school’s educational and financial viability and options for its future.

2. Cabinet Member introduction

- 2.1. A number of agencies have provided extensive support to help John Loughborough to improve its standards in the last 10 years, including Haringey Council, The Seventh day Adventist Church and London Challenge. Despite this there has been a history of inadequate performance in the school helping its pupils to achieve high standards. Most recently this was articulated in an Ofsted report, the second in succession, which found the school to need ‘special measures’.



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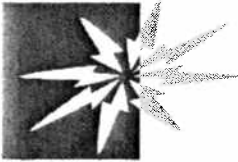
- 2.2. C&YPS officers have worked with members of the Seventh day Adventist Church on a review of the school which examined a wide range of options for its future and have concluded that only two options are open. One of these options, which will be pursued by the Seventh Day Adventist Church, is to establish the school as a sponsored academy. The other option, and the one proposed herein to Cabinet, is to consult on the closure of the school. Both of these options would be pursued in parallel, to avoid delay in finding the best solution for current and future cohorts of pupils.
- 2.3. I therefore recommend to Cabinet that the Local Authority consults on closure of the school. This consultation could be terminated should the Church secure an academy proposal and sponsor that is approved by the Secretary of State.

3. Recommendations

- 3.1. Following careful consideration of the underperformance of John Loughborough School and the lack of success in attempts to create sustained improvement from other methods of intervention, it is recommended that the Cabinet agrees to commence consultation on closure of the school.
- 3.2. Further, it is recommended that Cabinet agrees to authorise the Lead Member for Children Services, in consultation with the Director of C&YPS, responsibility for deciding whether to issue a Statutory Notice proposing closure, following the completion of the consultation period. The issuing of a Statutory Notice would mark the start of a six-week representation period, following which the final decision on the future of the school would be taken by Cabinet.
- 3.3. In parallel with this process, the South of England Conference of Seventh Day Adventists (SEC) will work to identify a sponsor that is confident that they could overcome the challenges identified in the review and support the school to become an academy. The Local Authority would terminate consultation on school closure if the Secretary of State enters into academy arrangements following any approval for an academy application by SEC for the school.

4. Other options considered

- 4.1. The following options were considered by the review group:
- Continuation of current strategy for school improvement.
 - Soft Federation
 - Hard Federation
 - Amalgamation
 - Suspension of delegated authority and/or the establishment of an Interim Executive Board (IEB) by the Local Authority.
 - Conversion to an academy
 - Closure

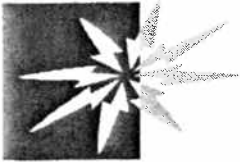


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4.2. The options appraisal is included in full in the review report (see Appendix 1), and summarised below:

- Continuation of current strategy for school improvement – This option is not recommended because several different school leadership teams, supported by extensive advice and funding from a range of sources, have failed to secure a sustainable solution to achieving the high educational standards that should be expected for pupils, parents, the Council and the SEC.
- Soft Federation – This option is not recommended as an option because it is unlikely that a ‘soft federation’ (where no formal governance is in place) will be any more successful than the previous attempts over some years using the same approach. The option would not deal with the school’s fundamental weaknesses in leadership and teaching, nor improve its popularity.
- Hard Federation - This option is not recommended because it is unlikely that an acceptable hard federation with an outstanding school can be established to achieve the expected outcomes, aligned to the faith ethos of John Loughborough School.
- Amalgamation - This option is not recommended because it is unlikely that within the expected timescale there is another successful school that would be prepared to undergo the challenge of amalgamation with John Loughborough school
- Suspension of delegated authority and/or the establishment of an Interim Executive Board (IEB) by the Local Authority – This option is not recommended as a long term solution because it has already been tried and proved unsuccessful in establishing sustained improvement.
- Conversion to an academy. In the right circumstances, the Government is supportive of schools converting to Academies. An academy is an approach that has not been tried previously and which, with the right sponsor, may have some potential to secure sustained improvement. The review concluded that the South of England Conference would pursue this option, based on their wish to see the continuation of the school.
- Closure. This option is recommended to Members as the preferred option which would best mitigate the high risk of current and future generations of pupils having an unsatisfactory education at the school.

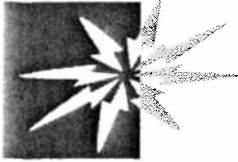
4.3. The review concluded that the last two options, Academy status and closure, should be explored further and would be best done in parallel – the former led by SEC the latter by the Local Authority - to avoid delay in finding the best solution for current and future cohorts of pupils.



5. Background information

- 5.1. John Loughborough School was originally established in 1980 in response to the dissatisfaction of Seventh Day Adventist parents of African Caribbean heritage with their children's poor level of attainment in London schools. It was established with the objectives of providing Christian education for Seventh-day Adventists and the wider faith community, and addressing the poor levels of academic attainment prevalent amongst pupils of black ethnicities at that time.
- 5.2. In 1998 the Secretary of State for Education and Employment approved the school's application for Grant Maintained status. This new status was implemented in September 1998. A year later the school was converted to Voluntary Aided (VA) status as a result of government legislation removing Grant Maintained schools from the education structure.
- 5.3. Ofsted and HMI inspections have shown that in recent years it has not been possible for the school to consistently deliver an acceptable standard of education. The school has been in an Ofsted category of concern since February 2007, and the most recent inspection in December 2011 placed the school in 'special measures' for the second time because in the view of the inspectors:

'...it is failing to give its students an acceptable standard of education and the persons responsible for leading, managing or governing the school are not demonstrating the capacity to secure the necessary improvement.'
- 5.4. Following discussion with the school's Chair of Governors and Education representatives of the SEC, the Director of Children's Services decided that there should be a formal review of the viability of the school to enable Cabinet to reach a decision about its future.
- 5.5. The school currently falls within the scope of the powers of the Secretary of State to either issue an Academy Order, direct an Interim Executive Board or direct closure. The Local Authority is required to write to the Secretary of State explaining the circumstances of any school that is subject to two subsequent periods in an Ofsted category of concern. The decision of Cabinet will provide the basis on which to write to the Secretary of State.
- 5.6. In April 2012 the Council established a review team, with representatives from Haringey Council and SEC and external challenge provided by an experienced educational consultant familiar with the school. The full report of the review team is attached at Appendix 1 and summarised below.



5.7. The review covered:

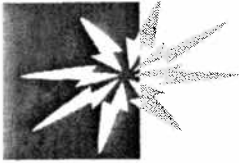
- The demand for places at the school by Seventh Day Adventist families and the services that the school provides to these families;
- The quality of education provided by the school, including the reasons for the poor outcomes and the potential for securing rapid and sustained improvement;
- The financial viability of the school in the current circumstances;
- The position of the school within Haringey's overall place planning requirements and the implications of any change in these arrangements for school organisation planning;
- Recommendations on the actions that must be taken with respect to the school in the short, medium and long term.

5.8. The objectives of the review were to:

- establish a clear decision about whether the school is:
 - Educationally viable
 - Financially viable
- If the school is both educationally and financially viable, establish:
 - The options for the most effective way to secure rapid and sustained improvement;
 - The recommended option for improvement
 - The processes and structures to ensure this is achieved
 - The outcomes expected by key milestones
 - The consequences of outcomes not being achieved.
- If the school is judged to be unviable either educationally or financially, establish:
 - The options available to SEC, LBH and DfE
 - The recommended option of the review team.

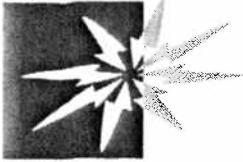
5.9. The review team examined trends in key performance indicators over 5 to 10 years. The evidence included:

- Ofsted reports of full inspections and monitoring visits
- Raiseonline data, especially outcomes for pupils
- Attendance
- The performance of minority groups
- Parental preference for school admissions
- Annual budget out-turns



5.10. Review conclusions:

- i. The review team unanimously concluded that the school as currently organised has not been educationally viable because the quality of education it provides has been consistently inadequate. The main reason for these poor outcomes is largely the inability of the leadership of the school over the last five years to establish a culture of high expectations matched by effective teaching in all classes.
- ii. The school was established to meet the needs of Seventh Day Adventist (SDA) parents, although only about one third of pupils are now from SDA families. The school is selected by very few parents as a preference of secondary school for their children at age 11. A number of parents do choose the school in later years when in-year admissions help to fill vacant school places. Pupils joining the school through this route usually continue for the duration of their secondary education.
- iii. A number of consultant school leaders working with specialist advisers have previously attempted to turn the school around, without securing significant and sustained improvement. The SEC has provided extensive support both financial and advisory, again without a sustained impact on outcomes. The recent appointment by the SEC of a consultant headteacher has shown some early signs of improvement, but such indicators have been evident in earlier attempts and this experience suggests that the use of such consultants is not a sustainable solution in the long term.
- iv. Up to 2008 the school managed its budget effectively. In 2008 the pupil roll fell, leading to a large deficit. The SEC implemented a plan to eliminate the deficit by 2013, by which time it considers that the school will once more be viable. The Local Authority has some reservations about viability because of the sustained improvements that must be made in educational outcomes in order to give confidence to prospective parents selecting secondary schools.
- v. A comprehensive range of statutory intervention measures available to the Local Authority has been used previously, including suspension of delegated powers and establishing an Interim Executive Board in 2007. The IEB had some beneficial impact in the short term in establishing a new leadership team and improving governance. However, in October 2009, by which time the school had resumed responsibility for its own governance and leadership, it was judged to require special measures by Ofsted.
- vi. The review examined the potential of a wide range of options for securing rapid and sustained improvement.
- vii. All parties to the review concluded that the only potential option that might retain John Loughborough School would be for the school to become a sponsored academy. It was agreed that the SEC would work to secure a sponsor that is confident that they could overcome the challenges identified in the review and support the school to become an academy. In parallel with this, the Local Authority would put a proposal to consult on closure before the Council's Cabinet. This will not negate further work to secure a sponsor, as



consultation can be terminated if the Church secures an acceptable academy proposal and sponsor that is approved by the Secretary of State. Pursuing both options in parallel will avoid delay in finding the best solution for current and future cohorts of pupils.

5.11. Closure process and options - The five statutory stages for closing a school are summarised in the table below, with indicative timescales:

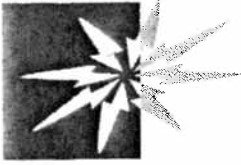
Statutory Stage	Description	Timescale
1	Consultation on proposed closure	Recommended minimum of six weeks – <i>October-November 2012</i>
2	The publication of a statutory notice setting out the proposal in detail	One day
3	Representation – an opportunity for stakeholders to express views on the proposals.	Must be six weeks and cannot be shortened or lengthened to take into account school holidays – <i>January-February 2013.</i>
4	Decision – final decision on whether the closure should go ahead, having considered all of the relevant information.	Within two months of the representation period finishing – <i>Spring 2013</i>
5	Implementation – the school closes	As set out in the published statutory notice, subject to any modifications agreed – <i>from September 2013</i>

5.12. There are three key decision points where members will decide on how to proceed:

- The first decision is whether to commence consultation on closure. This report recommends that Cabinet agrees to begin that process.
- The second decision is whether, following the first period of consultation, the Council issues a Statutory Notice setting out proposals for closure (and initiating the representation period). It is recommended that Cabinet agrees to authorise the Lead Member for Children’s Services, in consultation with the Director of C&YPS, the responsibility for this decision
- The third is to take the final decision on whether or not to close the school. It is recommended that this is a Cabinet decision.

5.13. It is proposed that closure commences from September 2013. The possible arrangements for managing closure fall under three broad approaches:

- Phased closure – the school closes to new year 7 pupils from September 2013 but remains open for all current pupils to complete their secondary education with John Loughborough
- Immediate closure and transfer – the school closes in July 2013 and all pupils transfer to other local schools in September 2013

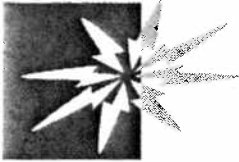


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- Some combination of the two e.g. upon closure pupils in the lower years transfer to other local schools whilst older pupils remain and sit their GCSEs at John Loughborough
- 5.14. Please see Appendix 2 'Options for the closure of John Loughborough school' for further detail on these approaches and the implications for the overall provision of secondary school places in Haringey.
- 5.15. At this stage, no preferred option for closure is being put forward. If it is agreed following the consultation period that the proposal should proceed to the next stage then we will publish a Statutory Notice setting out a detailed plan for closure of the school that takes into account both the outcomes from the consultation and the initial findings from the EqlA. There would then follow a statutory period of representation in which stakeholders can comment on the plan that is put forward. Whichever approach is taken, we want to ensure that:
- Affected children have access to education that is good or outstanding
 - Parents/carers are able to have their say in what they want for their children
 - Any transition does not impact negatively on affected children's progress
- 5.16. It is currently projected that from 2018/19, based on current admission limits, there will be insufficient year 7 places to meet demand. Around this time, the number of places will need to be increased to accommodate the higher numbers of children currently working their way through the primary sector. If John Loughborough School closes, the date for this increase in year 7 places may need to be brought forward by one or two years. There are viable alternatives for how to meet this increased demand within the remaining secondary school provision.

6. Comments of the Chief Finance Officer and financial implications

- 6.1. As part of the review of the school, the Head of Finance for Children and Young People's Service contributed to the assessment of the school's financial viability. This concluded that, on the basis of the current funding methodology, the school was viable only with the extensive and sustained support from the SEC, i.e. from the Council's perspective the school is financially unviable. It further concluded that with the financial support delivering poor outcomes for children it provided poor value for money.
- 6.2. It is also clear that the changes to Education Funding being proposed from April 2013 will provide further financial challenges to small schools generally and therefore John Loughborough School specifically.
- 6.3. At the end of the 2011-12 financial year John Loughborough School had moved to a position of having a small deficit (c£52,000) with a 2012-13 budget being set to extinguish this remaining deficit; this represented the finalisation of the budget



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recovery plan supported through additional sums provided by the SEC. At the point of closure any remaining balance (either surplus or deficit) will revert to the Dedicated Schools Grant (DSG)

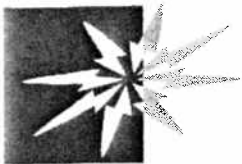
- 6.4. The closure of a school also brings a number of financial challenges as it is sometimes difficult to match the resources needed to maintain a satisfactory educational provision for the pupils remaining to those resources available. Consideration of the management of the financial issues associated with closure will also therefore be important should the ultimate decision be for the school to close.
- 6.5. If the SEC is successful in identifying a sponsor to take forward the academy proposals, any surplus remaining would, under normal circumstances, transfer to the successor academy although a deficit would again revert as a charge against the Council's DSG.

7. Head of Legal Services and legal implications

- 7.1. The Head of Legal Services has been consulted and advised on the review and notes the contents of the report.
- 7.2. *The School Organisation (Establishment and Discontinuance of Schools)(England) Regulations 2007 (as amended)* made under the *Education and Inspections Act 2006* (the 'EIA') provide that those publishing proposals bringing forward statutory proposals to discontinue a school must consult with interested parties and in doing so must have regard to the Secretary of State guidance.
- 7.3. The Department for Children, Schools and Families (now the Department for Education) *Closing a Maintained Mainstream School - A Guide for Local Authorities and Governing Bodies*, contains both statutory and non statutory guidance on the process for closing a maintained mainstream school which the Local Authority must have regard to. This guidance is attached at Appendix 4 to this report.
- 7.4. The Head of Legal Services confirms that there are no legal reasons preventing Members from approving the recommendations in the report

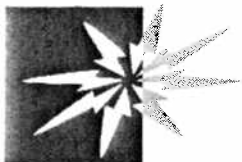
8. Equalities and Community Cohesion Comments

- 8.1. An Equalities Impact Assessment (EqIA) has been initiated and is attached at Appendix 3. This is an initial assessment of the potential impact of closure, based on the findings of the review and consideration of relevant data. It will be updated following the consultation period to address any issues arising from consultation and to provide further assessment of any detailed proposal for closure that may then be put forward. It will be further updated following the representation period, should the proposal reach that stage. This will ensure that equalities considerations inform each decision that is taken.



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- 8.2. The proposal to consult on closure flows from the review team's judgement that all other options open to the Local Authority carry an unacceptably high risk of current and future generations of pupils continuing to receive an unsatisfactory education. Nevertheless, school closure would cause significant disruption to existing pupils and reduce the range of secondary school choices available to prospective pupils.
- 8.3. Undoubtedly, closure would have a negative impact on those Seventh Day Adventist families who prefer their children to be educated in a school that embodies the ethos of their religion (over a third of current pupils are Seventh Day Adventists). John Loughborough is the only state Seventh Day Adventist secondary school in the country. Stanborough School in Watford is a Seventh Day Adventist secondary school, however it is a considerable distance away and is fee-paying so would not be a suitable alternative for many parents.
- 8.4. The disruptive effect of closure on pupils attending John Loughborough School would disproportionately fall on pupils from BME groups, as no White British pupils currently attend. Relative to Haringey secondary schools overall there are particularly high proportions of Black Caribbean, Romany Gypsy, East European and Latin/Central/South American pupils, therefore these groups would be particularly affected.
- 8.5. Whilst John Loughborough has a relatively low proportion of pupils with SEN, they nevertheless are a vulnerable group who could be particularly affected by closure of the school (though this could be mitigated by good transition planning).
- 8.6. Potentially set against these negative impacts is the opportunity for school closure to lead to current and would-be future pupils receiving a better quality of education elsewhere. This potential positive impact cannot yet be assessed in detail as no specific proposal for closure is being put forward at this stage. It will be a central consideration when evaluating possible arrangements for closure and will be looked at in relation to the protected groups.
- 8.7. Specific actions to mitigate negative impact and maximise positive impact will be identified as part of putting forward a detailed proposal for closure. Any proposal will be informed by the initial findings of the EqIA:
- Maximising positive impact – consider potential for closure to improve educational attainment for current and future pupils
 - Religion – consider suitability of arrangements for different religious groups (including choice of alternative schools available), whether any group would be disadvantaged and how this could be avoided or minimised
 - Ethnicity – proposals will need to be cognisant of the predominant ethnic groups amongst John Loughborough pupils and consider suitability of proposed arrangements in light of this. Any proposal for transfer of pupils will need to consider historical attainment of predominant ethnic groups in receiving schools.



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- SEN – proposals will need to take into account the needs of pupils with SEN. The Council's inclusion Service will be involved in further work on options.

8.8. Whilst in the review the most significant consideration was given to the needs of pupils to receive a good education, closure would also have an impact on the staff at the school. In the consultation period, the staff of the school will form an important consultative group where their views will be gathered and considered. In the event of school closure a separate Equalities Impact Assessment would be carried out as part of the process.

9. Policy Implications

9.1. Council Priority 4: Improve school standards and outcomes for young people.

The report outlines the concerns about the quality of education at John Loughborough school, which does not meet with the Council's vision, aim and expectation that all children have the opportunity to achieve their potential.

9.2. Resources

Significant resources, including a major capital investment through Building Schools for the Future (supported by a £500k contribution from SEC) and revenue in the form of grants to support school improvement have not been built on by the school to secure improvements. The school does not therefore give value for money because of the inadequate education it provides.

9.3. Staff

Any proposal to close John Loughborough School would also affect school staff. Proposed changes to their employment would be the subject of a separate staff and trade union consultation, supported by a specific Staffing Equalities Impact Assessment.

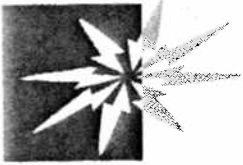
10. Use of Appendices

Appendix 1 – John Loughborough Review report June 2012

Appendix 2 – Options for the closure of John Loughborough School

Appendix 3 – Equalities Impact Assessment

Appendix 4 – Closing a Maintained Mainstream School - A Guide for Local Authorities and Governing Bodies



11. Local Government (Access to Information) Act 1985

The review on which this report is based drew on a wide range of information, principle amongst which was:

- The appendices to this Cabinet paper
- Ofsted inspection reports on the school from 2002 to 2011 (10 reports)
<http://www.ofsted.gov.uk/inspection-reports/find-inspection-report/provider/ELS/102167>
- *Schools Causing Concern – guidance for Local Authorities*
<http://www.education.gov.uk/aboutdfe/statutory/g00192418/scc>
- School Standards and Framework Act 1998
<http://www.legislation.gov.uk/ukpga/1998/31/contents>
- Education and Inspections Act 2006 (“the 2006 Act”)
<http://www.legislation.gov.uk/ukpga/2006/40/contents>
- Apprenticeships, Skills, Children and Learning Act, 2009 (ASCL Act)
<http://www.legislation.gov.uk/ukpga/2009/22/part/10/chapter/1>
- The School Governance (Transition from an Interim Executive Board)(England) Regulations 2010 (Transition Regulations)
<http://www.legislation.gov.uk/uksi/2010/1918/contents/made>
- Academies Act 2010
<http://www.legislation.gov.uk/ukpga/2010/32/contents>
- Education Act 2011
<http://www.legislation.gov.uk/ukpga/2011/21/contents>
- *Closing a Maintained Mainstream School* (Feb 2010) – Department for Children, Schools and families (now the Department for Education)
<http://dera.ioe.ac.uk/11215/>
- *The School Organisation (Establishment and Discontinuance of School) (England) Regulations 2007 (as amended)*
<http://www.legislation.gov.uk/uksi/2007/1288/contents/made>
- *Equality Act 2010*
<http://www.legislation.gov.uk/ukpga/2010/15/contents>

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