

**Haringey** Council

Report for:	Lead Member Signing	Item Number:	
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Title:	The John Loughborough School - Outcome of Consultation with all Stakeholders on the Future of the School and Recommendation on the Next Steps
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Report Authorised by:	<i>Libby Blake</i> Libby Blake, Director of Children and Young People's Service
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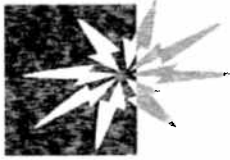
Lead Officer:	Eveleen Riordan, Deputy Head of Admissions (Place Planning), CYPS <a href="mailto:eveleen.riordan@haringey.gov.uk">eveleen.riordan@haringey.gov.uk</a> 020 8489 3607
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Ward(s) affected: this is a faith school drawing pupils from a wide geographical area within and beyond the borough boundary so all wards across the borough are affected. The largest number of pupils in the school reside in Northumberland Park, Tottenham Green, Bruce Grove and Tottenham Hale	Report for Key Decision
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**1. Describe the issue under consideration**

1.1 The John Loughborough School is a small secondary school which can take 60 pupils in each year group (Years 7 to 11) with a total capacity of 300 pupils ) across the school. 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 On 18 September 2012 the Council's Cabinet considered a report recommending consultation on the closure of the John Loughborough School. This recommendation was informed by a review of the school that had been commissioned by the Director of Children and Young People's Service. The aim of the review was to examine the school's educational and financial viability and consider options for its future. The review had been



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initiated because a number of agencies have provided extensive support to help John Loughborough to improve its standards in the last 5 years, including Haringey Council, the Seventh day Adventist Church and London Challenge. Despite this significant support there has been a history of inadequate performance.

1.3 Four Ofsted inspections in the past five years have shown no improvement by the school in reaching the standards expected. The most recent was an inspection in December 2011 which, for the second time, placed the school in 'special measures'.

1.4 In April 2012 Children and Young People's Service (C&YPS) officers worked with members of the Seventh day Adventist Church on the review of the school which examined a wide range of options for its future. An independent educational advisor also contributed to the review and its conclusions. The review concluded that only two options are open: one of these options, which has been pursued by the Seventh Day Adventist Church, was to establish the school as a sponsored academy. The other option was to consult on the closure of the school. Both of these options were to be pursued in parallel, to avoid delay in finding the best solution for current and future cohorts of pupils.

1.5 The Cabinet report in September 2012 recommended the following –

- That Cabinet agrees to commence consultation on closure of the school.
- That Cabinet agrees to authorise the Cabinet Member for Children, 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.
- In parallel with this process, the South of England Conference of Seventh Day Adventists (SEC) will work to identify a sponsor that will help them 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.

1.6 On 18 September 2012 Cabinet agreed these recommendations. A copy of the report can be viewed at Appendix 1 to this report.



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1.7 The report now before you summarises the results of stakeholder consultation that has been carried out between 1 October and 19 November 2012 and makes recommendations on the next steps to be taken in respect of the future of the school.

### **2. Cabinet Member introduction**

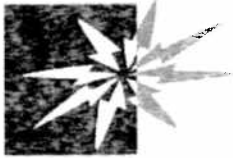
2.1 The Cabinet member's introduction is not included here as it is the Cabinet member who will consider the contents of this report and make the decision as to whether to publish the statutory notice.

### **3. Recommendations**

3.1 The report recommends that the Council publishes a statutory notice to close the school across all year groups with effect from the September 2013 Year 7 entry. This recommendation is made because:

- The education being delivered at the school has not been good enough over a long period. This is reflected by the school being in an Ofsted category of concern since February 2007. The most recent Ofsted 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.'
- The one counter proposal, put forward by SchoolsCompany Ltd, to allow the school to become a sponsored academy has been rejected by the DfE who have now acknowledged that, despite extensive work, they too had been unable to identify a sponsor who they believed had the required capacity, track record and experience to make John Loughborough a success working in partnership with SEC.
- Despite targeted support over the last ten years, no sustained or significant improvements have been made to the standard of education within the school;
- The GCSE results continue to be significantly below borough and national averages and the government's floor standards.

3.2 The pupils currently on roll at John Loughborough will be transferred to other local schools from September 2013. This closing arrangement for The John Loughborough School was consulted on as option 2 during the consultation process. It is recommended that the statutory notice should be published on 7 January 2013 after which a statutory six week period for representations will follow. This six week period is fixed and the Council cannot extend or shorten it. Further analysis of why this option has been chosen is outlined in paragraph 5 below.



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#### **4. Alternative options considered**

4.1 At the time of writing this report no alternative options are being considered. As part of the review into the school (commissioned by the LA and informed by the SEC and an independent educational advisor with knowledge of the school) a number of alternative options for the school have been considered, including federation and a continuation of a strategy for improvement. However, by the time that Cabinet members considered a report on the 18 September 2012 on the future of the school it was accepted that the only options available were to a) close the school or b) become an academy. A proposal for sponsorship put forward by SchoolsCompany Ltd was found by the DfE to lack sufficient robustness. During the consultation period, no further proposal was received which could demonstrate a rapid and sustained improvement plan that would be required in order to be a viable alternative to closure.

#### **5. Background information**

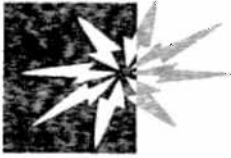
5.1 The John Loughborough School is a small sized secondary school. Its work is governed by the Seventh Day Adventist Church. About one third of its students are Seventh Day Adventists and the majority of the remaining students are from other Christian denominations. The vast majority of students are of Black African or Black Caribbean heritage with a small but growing number from Eastern Europe, there are currently no white British students in the school.

5.2 The Council's Cabinet agreed on 18<sup>th</sup> September 2012 that consultation should begin on the possible closure of John Loughborough School. The report sets out in detail why consultation on closure of the school was being recommended. The report is included at Appendix 1 to this report.

5.3 The September 2012 Cabinet report was informed by the findings of a review team commissioned in April 2012 to look at the educational and financial viability of the school. The findings of the review, including conclusions and recommendations, are attached at Appendix 2 to this report. Members considered the review as part of their decision to agree the recommendations of the September Cabinet report and proceed to consult stakeholders on the future of The John Loughborough School.

##### **Haringey's statutory duty**

5.4 Haringey, as the local authority, has a statutory duty to ensure that there are sufficient school places in the borough to meet demand, to promote high educational standards, to ensure fair access and educational opportunity and to promote the fulfilment of every child's educational potential.



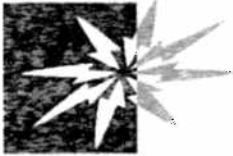
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### **Schools causing concern**

- 5.5 Section 72 of the Education and Inspections Act 2006 places a statutory duty on all local authorities in England, in exercising their functions in respect of schools causing concern as set out in Part 4 of the 2006 Act, to have regard to any guidance given from time to time by the Secretary of State. Local authorities must have regard to this guidance. The guidance sets out that a school will be “eligible for intervention” under the 2006 Act if it has not complied with a warning notice and the local authority have also given the school written notice of their intention to exercise their intervention powers under Part 4 of the 2006 Act or where it has been judged by Ofsted to require significant improvement (a “serious weaknesses” judgment under the September 2012 Ofsted framework) or “special measures).” The John Loughborough School falls within this last category.
- 5.6 **Special measures** is a status applied by Ofsted and is defined as when a school is “failing to give its pupils a satisfactory standard of education and the persons responsible for leading, managing or governing the school are not demonstrating the capacity to secure the necessary improvement in the school” (Education Act 2005). A school subject to special measures will have regular short-notice Ofsted inspections to monitor its improvement. If poor performance continues the school may be closed. 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 was “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”.

### **Why propose to close the school?**

- 5.7 Any school causing concern must be given intensive support to help it to improve. A number of consultant school leaders working with specialist advisers have previously attempted to turn The John Loughborough school around, without securing significant and sustained improvement to the school. The SEC has also provided extensive support both financial and advisory, again without a sustained impact on outcomes. The recent appointment by the SEC of a new head teacher has shown some early signs of improvement, for example around behaviour, but such indicators have been evident in earlier attempts. While measures have continued to be put in place to improve the school the children currently on roll at The John Loughborough School continue to receive a standard of education which falls below that which is expected.



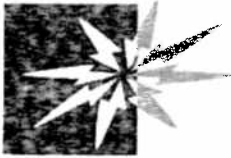
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- 5.8 The Department for Education's (DfE) guidance - Schools Causing Concern (amended October 2012), sets out that there is a clear expectation, where the school has a history of performing below the defined secondary school floor standards, that conversion to an academy with a strong sponsor will be the normal route to secure improvement. In 2012 the John Loughborough School was the only Haringey school and one of a small minority nationally to fall below the floor standard.
- 5.9 A breakdown of the exam results for The John Loughborough School (also compared with other schools in the borough and the national picture) is included at Appendix 1 (page 39) to this report.
- 5.10 It is expected that, where interventions have failed to raise the standards within a school, that conversion to an academy with a strong sponsor will be the normal route to secure improvement. Detail on how this route has been explored is included below.

### **The Academy route for JLS**

- 5.11 The governing body of JLS has sought to establish a strong sponsor to convert the school to an academy. This search for a sponsor has continued in parallel with the review of the school referred to in paras 5.3 above, and during this consultation period. Earlier this year SchoolsCompany Ltd submitted a proposal to the Department of Education to sponsor the school as an academy. SchoolsCompany Ltd is Barnet based and is a provider of consulting and professional support services in education. On the 1 November 2012 the DfE wrote to the Chair of Governors of JLS (Appendix 3) and said that they did not believe that SchoolsCompany Ltd, in partnership with the South England of the Seventh Day Adventists, would provide the radical transformation required to dramatically improve and then sustain educational standards at the school. The DfE also summarised that officials from the Department had worked with the school since April 2012 to try to secure a sponsor for the school to convert to an academy but, despite extensive work, they had been unable to identify a sponsor that they believed had the required capacity, track record and experience to make John Loughborough a success working in partnership with SEC. In May 2012 the DfE agreed that the governing body could have one final opportunity to submit a sponsorship proposal to the DfE. The failed proposal by SchoolsCompany Ltd represented this final opportunity for the school to become an academy. The DfE letter set out that the school's "history of entrenched underperformance makes John Loughborough one of the most challenging schools in the country".

### **Power of the Secretary of State to direct the closure of JLS**



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5.12 The Secretary of State (SoS) may direct a local authority to cease to maintain a school where that school is eligible for intervention other than by virtue of section 60A of the 2006 Act (non-compliance with teachers pay and conditions).

5.13 This will usually be done where there is no prospect of the school making sufficient improvements. Before this power can be exercised the Secretary of State must consult:

- the local authority and the governing body of the school;
- in the case of a Church of England school or a Roman Catholic Church school the appropriate diocesan authority;
- in the case of any other foundation or voluntary school the person or persons by whom the foundation governors are appointed; and
- such other persons as the Secretary of State considers appropriate.

5.14 To date the SoS has not initiated the actions outlined above.

**The statutory process required to close a school**

5.15 Where a local authority determines that a school should be closed, for whatever reason, a statutory process must be followed. This is set out in the DfE Guidance “Closing a Maintained Mainstream School” (Appendix 4). The five steps to close a maintained school are:

Stage	detail
1 Consultation	Not prescribed (minimum of 6 weeks recommended; school holidays should be taken into consideration and avoided where possible) Likely to be no longer than 12 months.
2 Publication of statutory notice	
3 Representation	Must be 6 weeks (this is prescribed in legislation and cannot be shortened or lengthened to take into account school holidays)
4 Decision	LA should decide the proposals within 2 months of the representation period otherwise they fall to the schools adjudicator
5 Implementation	No prescribed timescale – but must be as specified in the published notice,



	subject to any modifications agreed by the Decision Maker
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5.16 The Guidance sets out at para 1.2 – 1.3 that the SoS requires those bringing forward proposals to consult all interested parties. In doing so they should ensure a number of things:

Requirements of guidance	Evidence that this has been followed
Allow adequate time	A minimum of six weeks is required for consultation. As the half term break fell during the consultation period (29 Oct to 2 Nov inclusive) the consultation period was extended to cover a seven week period – 1 October to 19th November 2012
Provide sufficient information for those being consulted to form a considered view on the matters on which they are being consulted	The Review of the school by the LA and SEC formed part of the consultation documents and was published on the consultation webpage at <a href="http://www.haringey.gov.uk/index/children-families/education/projects_consultations_inspections/jls.htm">http://www.haringey.gov.uk/index/children-families/education/projects_consultations_inspections/jls.htm</a>  The Cabinet report dated 18 September 2012 recommending that we proceed to the first statutory step on closure of the school (consultation) was made available on the JLS consultation page. A staff meeting held at the school provided information to address questions, a public meeting held on 7 November 2012 provided information to address questions asked and the answers to the Q and A were published within the consultation period (see appendix 5).
Make clear how their views can be made known	All consultation documentation and the consultation webpage made clear how representations on the consultation could be made. This included opportunities for electronic, verbal, written and questionnaire feedback.
Be able to demonstrate how they have taken into account the views expressed during consultation in reaching any subsequent decision as to the publication	Pupils at the school were written to individually and a special meeting held with them at the school during school hours to hear their views. All stakeholders were invited to a public meeting and encouraged to complete the consultation questionnaire either online or on paper. The council arranged a pre-meeting with the Governing body. Families of pupils attended a public meeting were sent personal letters on the proposal. Teachers and staff attended a staff meeting held by the Council. A copy of the proposal was sent to every LA where current JLS pupils reside. Trade unions were sent copies of the proposals. The SEC was part of the review process and was sent the consultation document. Haringey's two MPs were sent





Requirements of guidance	Evidence that this has been followed
of proposals.	information about the closure of school and the council answered questions regarding clarification of statistics contained in the consultation document. All ward Councillors were sent a copy of the proposal and attended meetings. All schools in the borough were sent the proposal for comment. Full details on the consultation process are included at Appendix 5 to this report.

5.17 On 18 September 2012 the Council’s Cabinet agreed that, based on the findings and outcome of the review of the school and on the recommendations contained in the September 2012 Cabinet report, that the first stage of the statutory process, the consultation stage, should be implemented. Below is a summary of how the consultation was conducted and what the representations told us.

**Consultation**

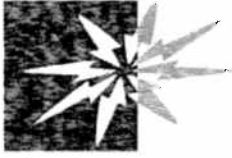
5.18 Stakeholders were informed of the September Cabinet report referred to in para 5.3 above before the cabinet met. Letters were sent out before the Cabinet on 10 September 2012 and then a further letter advising that Cabinet had approved the recommendation to consult on the closure of the school was sent out on 20 September 2012.

5.19 On 1 October 2012 a consultation period of seven weeks with all stakeholders began on the possible closure of John Loughborough School. A full report on the consultation is included at Appendix 5 to this report.

5.20 The consultation is a genuine exercise by the council to understand the opinions of all stakeholders who will be impacted upon by the closure of the school. The Cabinet report dated September 2012 clearly set out that only two options remain for the school’s future – to become an academy or closure. The September Cabinet report recommended to members, based on the two remaining options for the school’s future, that consultation on the closure of the school commence. The report agreed by members in September 2012 is attached at Appendix 1 to this report.

5.21 The consultation aims to collect the views and opinions of all stakeholders on the closure of the school and to feed them into the decision making process. Views expressed will help inform and influence how closure of the school is implemented. This consultation is not, however, a referendum on whether or not the school should be closed.

5.22 The local authority understands that how implementation of the closure is handled will influence the impact that this closure has on all stakeholders.



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5.23 During the consultation period letters and/or a dedicated consultation leaflet or email was sent out to the following groups:

- Pupils at the school
- Parents and carers of pupils at the school
- Teachers and all staff at the school
- The school's Governing Body
- South England Conference of Seventh Day Adventists (SEC)
- Neighbouring local authorities and any other local authority who have pupils attending
- The Westminster Diocese and London Diocesan Board for Schools
- Trade unions
- All secondary and primary schools across the borough
- Local residents (fliers to approximately 7500 households and consultation posters in libraries )
- Children's Centres
- All councillors
- Haringey's Members of Parliament

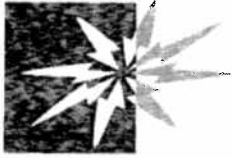
5.24 A copy of all consultation material is included at Appendix 5 to this report.

**Consultation with parents/carers**

5.25 The Council wrote to the parents of all pupils at the School in September 2012 to set out that the Council was going to consultation on the closure of the School. A further letter was sent in October 2012 explaining that there would be a public meeting to hear views on the proposal to close the school. The public meeting was originally arranged for Monday 22 October. However, a joint decision was taken by the governing body and local authority that the venue should be moved from the school to a neutral venue.

5.26 To ensure that parents/carers were aware of the new venue and to ensure the highest possible attendance, the meeting date was moved to 7 November 2012. This was the first available date after the half term break.

5.27 The consultation correspondence set out the different ways that they could respond to the consultation. These options are set out below at para 5.31.



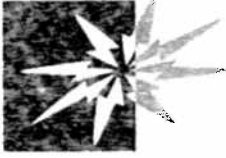
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- 5.28 Parents and carers were among those that attended the public meeting at Tottenham Green Leisure centre on the 7 November and their representations in respect of the proposal are included as part of the consultation report at Appendix 5 to this report.
- 5.29 At the public meeting the Chair of Governors said he would like a further dedicated meeting for the parents and carers of pupils currently on roll at the school. The Chair of Governors undertook to arrange this meeting and Council Officers agreed to attend. At the time of writing this report, no date has been confirmed for a meeting with parents/carers and Officers despite Officers contacting the school on a number of occasions.

### **Objectives of the consultation**

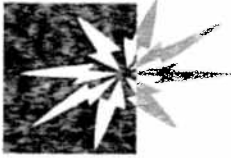
- 5.30 The objectives of the consultation were to:
- Inform stakeholders of why the Council is considering the closure of JLS
  - Set out the possible options for how the closure might be implemented if it is agreed
  - Obtain the views of all stakeholders on the closure for consideration to inform this report as part of the decision making process
  - Feed these views, along with all other material considerations into the decision making process on the future of JLS.
- 5.31 Stakeholders were invited to submit representations to the consultation in the following ways:
- By calling the Council's Admissions and School Organisation team and speaking to an officer
  - By emailing a dedicated email address for JLS
  - By writing into the council
  - By filling in a consultation form (part of the consultation leaflet)
  - By completing an online questionnaire
  - By attending a public meeting on 7 November at Tottenham Green Leisure centre, chaired by an independent facilitator and comprising of a Q and A session with, among others, the Leader of the Council, Cllr Kober, and the Director of Children's Services, Libby Blake.

### **Summary of the outcomes of the consultation**



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- 5.32 A total of 109 representations were received during the consultation period. Of these 85 respondents were against the proposal, 22 respondents were in favour of the proposal and 2 were either neutral or did not know.
- 5.33 As part of the above representations we received 6 written responses, which were either formal letters or emails sent in as a response to the consultation. Four emails were received which detailed the reasons why the respondents were against the proposal to close The John Loughborough School. We received a letter from the John Loughborough Association outlining why its members disagree with the proposal to close the school. The Friends and Founding members of the John Loughborough School circulated an information sheet at the public meeting entitled "The case against the closure of the John Loughborough School" which was also sent into the council, and included within this information.
- 5.34 As part of the 109 representations, 103 were in the form of consultation response forms (questionnaires) of which 54 respondents filled out the questionnaire online and 49 respondents sent in hard copies through the post.
- 5.35 From the consultation questionnaire 22 respondents either agree or strongly agree with the proposal to close the school and 79 respondents either disagree or strongly disagree with the proposal to close
- 5.36 The representations opposing the closure of the school were strongly made. The representations made in objecting to the closure of JLS set out the following grounds:
- The school should open under new management/senior leadership team
  - There is no evidence that the school is not educationally viable across all groups but also with specific reference to Afro-Caribbean students at the school (and with particular reference to Afro-Caribbean students at other Haringey schools and nationally)
  - There is no evidence that the school is not financially viable
  - Dissatisfaction with the consultation process, including that it is too rushed
  - The School is on an upward trend in performance terms and should not close if it improving
  - The Christian ethos of the school is important to its pupils
  - The small size of a school is positive
  - There will be an impact on diversity
  - Closure will interfere with pupils' exam preparation and more generally with all pupils' learning
  - The process is too sudden and too rushed
  - The future for staff needs to be set out



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- The decision to close the school has already been taken

5.37 Some representations supported the closure of the school. Reasons for this support included:

- The School is not providing a good education and should therefore close.
- There are other good schools where the JLS pupils will thrive.

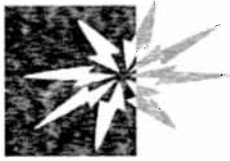
5.38 We consulted the current pupils of the school through the School's Council (who come from year groups 7 – 11) on 22 October and 25 October 2012. The pupils have fed back to us that they do not want their school to close. Full details of the comments received are included in the consultation report at Appendix 5 but a summary of the pupils' objections to the closure are set out below –

- The legacy of JLS will be destroyed
- There will be an impact on diversity
- The Christian ethos will be lost
- We are not being judged fairly on educational attainment because some of the pupils join the school without being able to speak English and need time to learn
- The process is too sudden and too rushed
- There will be an impact on friendship groups
- The impact of adapting to a new school and its environment will be huge
- The impact will be on Y10 and Y11 GCSE results
- What schools will we go to
- More money should be given to support the school
- The consultation and any closure hugely disrupts learning
- The GCSE results to not reflect the more general progression of the school
- What will happen to teachers who are displaced?

5.39 The pupils also set out some potential positives as a result of any closure –

- Financial stability
- EAL students will get more attention
- Haringey's GCSE results will improve if JLS closes
- It would give the school the chance to start again
- The location of the school could be better

5.40 At the public meeting held on the 7 November 2012 two pupils spoke eloquently and passionately about the education and support that they have



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received as pupils at JLS. They expressed concern about where they would complete their education if the school was to close.

- 5.41 A separate staff meeting was also held by officers at the school. The overwhelming theme of the staff feedback was that they did not want the school to close. Full details of what the staff at the school told officers is included in the Consultation Report at Appendix 5.

#### **Representations made and Council responses**

- 5.42 The representations set out below provide comments and evidence in response to the representations made during the consultation period which ran from 1 October 2012 to 19 November 2012. These representations were made in a variety of ways – via email, completed questionnaire, letter and at the public meeting. A list of questions and answers dedicated to the public meeting held on the 7 November 2012 is included as part of Appendix 5 to this report. For ease of reference the representation is set out in bold and the Council's response to the representation is set out immediately beneath it.
- 5.43 The representations cover issues raised through all modes of representation – email, letter, phone calls, questionnaires and the comments received at the public meeting. There was no one mode of feedback that raised issues(s) that hadn't been raised through at least one other mode of feedback. Appendix 5 sets out in detail what was said via questionnaire, email, letter and at the public meeting. The minutes of the public meeting are included as part of this appendix.
- 5.44 **Representation - The School should open under new management and a new senior leadership team**  
**Response :** A number of consultant school leaders and specialist advisers have attempted to turn the school's performance around in the last ten years without significant and sustained improvement. The SEC has also provided extensive support both financial and advisory, without a sustained impact on outcomes for children at the school. The recent appointment by the SEC of a new Headteacher has led to very early signs of improvement but such indicators have been evident in earlier attempts and this approach is not considered a sustainable solution in the long term. Since 2008, there has been a downward trend in the main indicator of attainment (5 GCSEs at A\*-C including English & Maths), and the school is now significantly below the Haringey and England averages.
- 5.45 At the recent public meeting (held as part of the consultation on the 7 November 2012) it was asked if the school could be given a further period of five years to embed the small improvements that have been seen under the current leadership of the school. Standards have been of concern for a



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period of ten years and, despite interventions, improvement has not been significant or sustained. The five year improvement time-frame suggested equates to an entire generation of pupils. No evidence has been received to demonstrate how the school's performance could be dramatically improved and sustained within this timeframe. Small improvements have previously been demonstrated but these have not been able to be sustained and built upon.

5.46 **Representation - There is no evidence that the school is not educationally viable across all groups but also with specific reference to Afro-Caribbean students at the school (and with particular reference to Afro-Caribbean students at other Haringey schools and nationally)**

**Response:** Since 2008, there has been a downward trend in the main indicator of attainment (5 GCSEs at A\*-C including English & Maths), at the school across all groups and the school is now significantly below the Haringey and England averages. The table below shows the percentage of pupils attaining 5 or more A\*-C GCSE passes (including English and Maths) of pupils at John Loughborough school and the attainment of African and Caribbean pupils in Haringey.

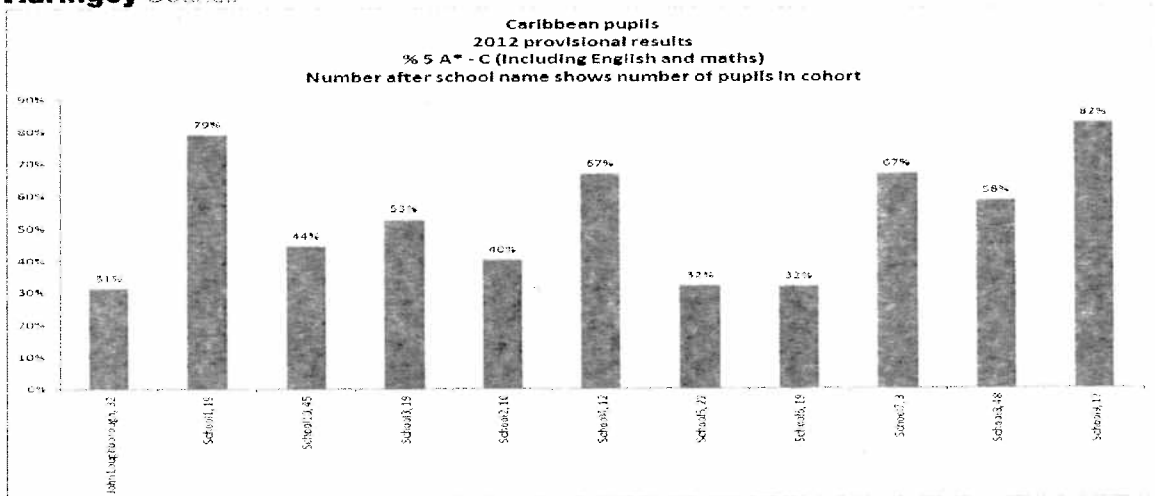
5.47 From 2002 to 2004 a higher percentage of pupils at John Loughborough attained 5 or more A\*-C GCSE passes (including English & Maths) than African and Caribbean pupils in Haringey as a whole. From 2005 onwards (with the exception of 2008) a greater percentage of African and Caribbean pupils in Haringey as a whole attained 5 or more A\*-C GCSE passes (including English & Maths), than pupils at John Loughborough.

5.48 The exam data shows that African and Caribbean students **do not** do better at The John Loughborough School than the overall for African and Caribbean students in Haringey schools.

Percentage of 5 or more A\*-C GCSE passes including English and Maths

Year	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012 Provisional
John Loughborough	19%	36%	24%	15%	13%	19%	39%	34%	31%	29%	35%
Afro-Caribbean pupils Haringey	15.3%	23.5%	18.5%	21.1%	23%	24%	30%	34%	31%	42%	50%

5.49 The graph below shows the provisional results for African and Caribbean students in all Haringey schools in 2012. It shows that the percentage of African and Caribbean students attaining 5 or more A\* - C (including English and Maths) passes in The John Loughborough school is the lowest of all Haringey schools.



- 5.50 If you look at levels of progress 70% of students make at least 3 levels of progress and are meeting and surpassing national standards of progress. There is a need to look at the value added the school provides for its students
- 5.51 Below is an analysis of Contextual Value Added (2008-2010) and Value Added 2011 of Haringey schools for African and Caribbean pupils at the end of GCSE years 2008 – 2011. Value added is a prediction based on prior attainment (in SATs (standard assessment tests) at the end of primary school (key stage 2 or KS2)
- 5.52 The value added scores are shown as a measure based on 100. Scores above 100 represent schools where pupils on average made more progress than similar pupils nationally, while scores below 100 represent schools where pupils made less progress.
- 5.53 Contextual Value Added (CVA) is a statistic used to assess the performance of schools. The statistic is intended to show the progress children have made whilst attending a particular school. Unlike statistics such as exam performance, contextual value added attempts to take into account the circumstances of children attending the school that are beyond the school's control.
- 5.54 The statistic works by comparing a child's performance with that of children with a similar prior performance and similar circumstances. There are three levels – 1, 2 and 3 but it is Level 2 CVA measures performance of secondary schools and is based around a median score of 1000. CVA takes into account nine factors that are known to affect the performance of children, but outside of the schools control. The factors are gender, Special educational needs (SEN), eligibility for free school meals, first language, whether pupils move between schools (mobility), ethnicity, the age (i.e. the





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month they were born) of different pupils within the year group, whether a pupil has been taken into care at any stage, and the level of deprivation in the area that the pupil lives.

- 5.55 The data is taken from the DFE/Ofsted Raiseonline<sup>1</sup> reports and the DFE school and college performance tables website. Prior to 2011 the analysis was based on contextual value added. In 2011 the DFE changed the way the calculations were done and removed the contextual aspect, so that it now only involves the prior attainment of pupils and does not include contextual aspects. (VA data for 2012 is not currently available)
- 5.56 The higher the CVA or VA score is, the more progress pupils have made. So a score of 1014 is better than a score of 1003 etc.
- 5.57 The information on schools overall value added scores is freely available on the DFE website.

	2008 CVA	2009 CVA	2010 CVA	2011 VA
John Loughborough	994	995	1000	958.6
Alexandra Park	1027	1034	1014	1015.2
Fortismere	1017	1013	1006	1006.4
Greig City Academy	1024	1023	1008	996.2
Gladesmore	1037	1047	1044	1027.5
Highgate Wood	1002	978	987	999.0
Hornsey School for Girls	1009	1007	984	997.9
Northumberland Park	1033	1028	1028	1009.8
Park View	1033	1017	1010	1013
St Thomas More	1002	1002	980	1009.1
Woodside High	998	1014	1026	1029.2

- 5.58 The value added data for all pupils at The John Loughborough school show they do not make more progress than students at other schools.
- 5.59 The following information is broken down by ethnic background to make comparisons of the progress made by Afro-Caribbean students at John Loughborough School and other Haringey secondary schools.
- 5.60 The rank numbers show the position of the school's value added relative to the other Haringey schools. A rank of 1 is the highest in terms of the value added for pupils in the school. A rank of 11 is the lowest.

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<sup>1</sup> Raiseonline is a secure web-based system that provides schools, local authorities and inspectors with a range of analyses including: Attainment at the end of Key Stages 1 and 2, progress from Key Stage 1 to 2, absence and exclusions; and the characteristics (often referred to as 'context') of pupils. For each type of analysis, a school is compared to national averages for secondary schools.



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- 5.61 John Loughborough African pupils. The rank of the school compared to the other secondary schools in Haringey was 11th (bottom) in 2008, 8th in 2009, 5th in 2010 and 11th in 2011.
- 5.62 John Loughborough Caribbean pupils. The rank of the school compared to the other secondary schools in Haringey was 8th in 2008, 10th in 2009, 7th in 2010 and 11th in 2011.
- 5.63 The value added data shows that Afro-Caribbean students at The John Loughborough School do not make more progress than Afro-Caribbean students at other schools.

**CVA and VA for African pupils**

School	Eth	2008 CVA	2009 CVA	2010 CVA	2011 VA	Haringey Rank 2008 (out of 11)	Haringey Rank 2009 (out of 11)	Haringey Rank 2010 (out of 11)	Haringey Rank 2011 (out of 11)
John Loughborough	African	983	1010.9	1006.7	958.9	11	8	5	11
Sch1	African	1014.8	1024.4	1035.3	1035.8	4	2	1	2
Sch2	African	1020.3	1025.6	1019.8	1020.9	3	1	2	5
Sch3	African	1032.1	1012.2	1006.7	1033.3	1	6	5	3
Sch4	African	999.5	996	979.1	1016.4	9	10	11	6
Sch5	African	987	1017.1	1010.3	1025.8	10	5	3	4
Sch6	African	1010.8	1019.8	1005.7	1039.1	6	3	7	1
Sch7	African	1014.6	1011.8	1005.2	1008.5	5	7	8	8
Sch8	African	1025	1018	1007	1016.1	2	4	4	7
Sch9	African	1003	1001	993	996.9	8	9	9	10
Sch10	African	1006	991	987	1001.8	7	11	10	9

**CVA and VA for Caribbean pupils**



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School	Eth	2008 CVA	2009 CVA	2010 CVA	2011 VA	Haringey Rank 2008 (out of 11)	Haringey Rank 2009 (out of 11)	Haringey Rank 2010 (out of 11)	Haringey Rank 2011 (out of 11)
John Loughborough	Caribbean	1000	988	998.7	963.4	8	10	7	11
Sch1	Caribbean	1026.9	1037.5	1032.4	1030.8	1	1	1	2
Sch2	Caribbean	1024.1	1026	1029.7	963.9	2	3	2	10
Sch3	Caribbean	1016.8	1009.1	1004.7	1002.6	4	6	6	3
Sch4	Caribbean	1009.7	1006.8	979	992.9	6	7	9	6
Sch5	Caribbean	991.6	1012.2	1017.4	1051.8	10	5	3	1
Sch6	Caribbean	1021.3	1031	1017.3	1000.8	3	2	4	4
Sch7	Caribbean	996.4	1003.5	975.3	993.3	9	8	10	5
Sch8	Caribbean	1011	1014	1005	978.7	5	4	5	8
Sch9	Caribbean	986	969	969	966.5	11	11	11	9
Sch10	Caribbean	1005	999	986	987	7	9	8	7

**5.64 Representation - There is no evidence that the school is not financially viable**

**Response:** The Head of Finance for Children and Young People's Service contributed to the review by assessing the school's financial viability, concluding that the school provides poor value for money because it delivers an inadequate education for children. From the Council's perspective the school is not financially viable because, in the current funding methodology, it requires extensive and sustained financial subsidy and resource support from the SEC, without which the school would be faced with a significant budget deficit.

5.65 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. In particular it removes most of the site and school specific factors that gave a degree of stability to smaller schools. Factors that have gone include universal grants and teacher threshold grants. Although a degree of protection for smaller schools has been achieved by providing a significant lump sum, a much greater proportion of funding is now through the pupil led funding that directs money to larger schools. This will place further pressure on John Loughborough School to remain financially viable.

5.66 The Section 251<sup>2</sup> budget return shows that the school is currently more highly funded than the average secondary school in Haringey with a cost of £7577 per pupil. The average cost of funding per pupil across all secondary schools in the borough is £6901 although it must be noted that this average amount is artificially boosted by funding to Heartlands which is temporarily higher as this is a growing school that is growing incrementally (currently only

<sup>2</sup> Section 251 of the Apprenticeships, Skills, Children and Learning Act 2009



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years 7 – 9 are on roll). In summary, currently JLS has the highest funding per pupil and the lowest education outcome per pupil in terms of GCSEs.

**5.67 Representation – there is dissatisfaction with the consultation process, including that it is too rushed**

**Response:** The DfE Guidance, Closing a Maintained Mainstream school, sets out how any proposed closure should be approached. The guidance says that the proposer must allow “adequate time” for the consultation (para 1.2). Para 1.6 advises that the proposers should allow at least 6 weeks for this consultation. Careful consideration was given to the length of time that stakeholders should have to respond to the consultation. We wanted to ensure that all stakeholders had adequate time to make their views known. In this instance a period of 7 weeks was provided to allow sufficient time for meaningful engagement, while balancing the need for the consultation to be carried out in a timely manner and with all due regard to any specified statutory timeframes to ensure that that certainty with regard to the school’s future is established in the most expedient manner.

5.68 The council recognises the uncertainty and anxiety that comes when any consultation starts. Comments were also received relating to the release date of information on possible closure. Early information on the consultation and possible closure of the school could not be released to wider stakeholders until the outcomes of the review and its recommendations were firmly established as it would have introduced uncertainty to these stakeholders on the future of the school before any evidenced recommendations on the school’s future could be made.

5.69 A representation was made on why we are consultation at this point in time. We are considering closure now because that is where we are now, prior interventions have not seen sustained and continued improvement to the school’s exam results, we need to act now to stop further deterioration. The Ofsted inspection regime works on a national timescale and there are expectations on schools and local authorities when schools are placed into categories, which are highlighted in the consultation document.

5.70 Following the 2007 Ofsted inspection, which placed the school in special measures, the local authority put in a Interim Executive Board (IEB). Despite extensive resources to support the school and the best endeavours of the IEB to establish rapid change, including the appointment of a new head teacher and revised governing body, the Ofsted reports in 2009 and 2011 showed that improvements were not embedded and that fundamental weaknesses remained.

5.71 The council could not allow this situation of poor standards at the school to continue any longer. A review in May 2012 of all the possible intervention options open to the council and the South of England Conference to improve



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standards at the school concluded that the best way forward was a twin track approach where the local authority would consult on the closure of the school while the governing body would pursue the academy route and seek a sponsor. Should the DfE agree the academy sponsor and for John Loughborough to convert to an academy, the local authority would withdraw the proposal to close the school.

**5.72 Representation - The School is on an upward trend in performance terms and should not close if it improving**

**Response:** a response to the request for an extension of time to see if the school can maintain any measured improvement has been covered in the representation above which proposed a new senior leadership for the school.

**5.73 Representation - The Christian ethos of the school is important to its pupils and its loss will impact upon diversity of secondary provision within the borough**

**Response:** The Council recognises that The John Loughborough School is the only non fee-paying Adventist secondary school in England, and the Council are recommending closing the school based on the consideration of a number of material issues including the educational outcomes for the pupils at the school. The SEC has been fully engaged in discussion with the council about the options for the future of The John Loughborough School. We understand that The John Loughborough School was established to meet the needs of Seventh Day Adventist (SDA) parents, although approximately only one third of pupils are now from Seventh Day Adventist families. The school is selected by very few parents as a preference of secondary school for their children at age 11 – for 2012 entry only 11 parents specified it as a first preference for their child. 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.

**5.74 In recommending closure of the school, the LA has weighed up all material considerations. The educational outcomes of pupils at the school has been at an unacceptably low level for a sustained period now, despite interventions to reverse this trend. If the school were to close, we would seek to ensure that pupils' spiritual needs would continue to be met through home life, church and Sunday school attendance.**

**5.75 Representation -The small size of a school is a positive aspect of JLS**  
**Response:** The LA acknowledges and recognises the unique aspect of JLS's size when compared with other Haringey schools and the very special environment that this can create for pupils and staff. However, the benefits identified as a result of the small size of the school cannot override the unacceptable educational outcomes for its pupils.



**5.76 Representation - Closure will interfere with pupils' exam preparation and more generally with all pupils' learning**

**Response:** If the decision to close the school is taken, full regard will be had to the optimum transition arrangements for all pupils to minimise any disruption to learning. It is acknowledged that this will be a sensitive and delicate process and we will work with the school, parents, carers, educational providers and other professionals to ensure that the process is as smooth as it is possible to be. The aim of any future decisions is to improve educational outcomes for all of the young people currently at the school as well as future pupils. We have been in open discussions with the governing body and school staff around what support can be offered to students at the school to assist them through this difficult time. Inevitably there is a period of uncertainty when consultation on any possible closure of the school is taking place, but the timeframe for the consultation and the options being considered all seek to minimise this uncertainty and improve outcomes for all these pupils as we move forward. This report recommended that the school is closed across all year groups from July 2013 and current pupils at the school (with the exception of the current Y11 who will have finished key stage 4 of their education in July 2013) moved to other school(s). Where the pupils will move to will be determined as part of the admission process following the approval of any statutory notice to close the school.

**5.77 Representation - The future for staff needs to be set out**

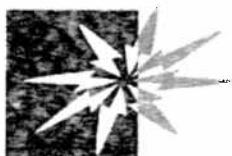
**Response:** Staff and unions will continue to form part of the consultation process on the future of the school. The unions have been informed of this consultation and will continue to be consulted at every stage of the process. In the event of school closure, a separate Equalities Impact Assessment will be carried out.

**5.78 Representation - The decision to close the school has already been taken**

**Response:** This is a genuine consultation, but the LA has an issue to resolve which has been highlighted by inspection reports and by young people's attainment. Two possible solutions emerged from the review into the school - school closure or an academy sponsor. To date no approved academy sponsor has been secured and no alternative solution has been established, despite interventions.

**Recommendations for next steps**

**5.79 Staff and parents and carers of pupils at the school have, in the majority, said that they do not want the school to close. This must be balanced against the findings of the review that took place earlier this year that recommended only two viable options: academisation or closure. The academy route has now**



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been closed off as the DfE outlined in November 2012 that the final sponsor proposing to support the school as an academy was not viable.

5.80 It is therefore recommended that a statutory notice is published on the closure of the school and a further Cabinet report on the representations received as a result of the statutory notice be brought before Cabinet in March 2013.

5.81 The publication of a statutory notice sets out the Council's intention to close the school. If representations are received in respect of the notice the local authority, as the decision maker, must take into account the content of the representations and make a final determination on closing the school. This final decision, in the event of receiving representation(s) will be taken by the Council's Cabinet in March 2013.

### Popularity of alternative schools

5.82 In assessing options for the implementation of the closure of John Loughborough School, the Council has considered the popularity of other secondary schools in the borough. The table below sets out the first place preferences for other secondary schools in the borough. First place preferences are a good (but not conclusive) indicator of the popularity of a school. For the academic year 2012/13 JLS had 12 first place preferences for the 60 available Year 7 places – representing 20% of the 60 available places. Of the other secondary schools in the borough, Gladesmore, most local to John Loughborough, had 299 first place preferences for the 243 available Year 7 places.

School	PAN	First	Second	Third	Fourth	Fifth	Sixth	Total Preferences
Alexandra Park School	216	277	373	321	193	113	64	1341
Fortismere Secondary	243	291	341	246	165	101	61	1205
Gladesmore Community	243	299	172	129	76	44	60	780
Greig City Academy	200	88	81	88	57	54	44	412
Heartlands High School	189	218	243	192	140	114	55	962
Highgate Wood	243	242	165	184	154	105	70	920
Hornsey School for Girls	216	99	73	79	77	52	42	422
Northumberland Park	210	125	66	59	44	23	32	349
Park View	216	113	120	102	62	41	44	482
St Thomas More Catholic School	192	17	29	31	17	22	19	135
The John Loughborough	60	12	16	8	14	9	6	65
Woodside High School	162	128	105	93	66	72	44	508
<b>Grand Total</b>	<b>2390</b>	<b>1909</b>	<b>1784</b>	<b>1532</b>	<b>1066</b>	<b>750</b>	<b>541</b>	<b>7581</b>



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### **Options for closure of the school**

- 5.83 The review carried out in April 2012 into the future of the school concluded that the school was failing to give its pupils an adequate standard of education and was not financially viable. The review made the following recommendations – a ‘twin track’ approach to finding an academy sponsor and to consult on school closure. It was agreed that progress made by the SEC to secure an academy sponsor will be taken into account by the Local Authority in its statutory processes. If a sponsor was secured and agreed by the Secretary of State, the council would terminate its closure consultation process.
- 5.84 As of the date of writing this report no sponsor has been secured to sponsor the school as an academy. Further, a letter from the DfE dated 1 November 2012 sets out that the failed academy sponsor proposal submitted by SchoolsCompany Ltd was the final opportunity to secure an academy sponsor for the school.
- 5.85 The option to close the school was recommended by the review panel as the only option available under the local authority’s powers which would mitigate the high risk of current and future generations of pupils continuing to receive an unsatisfactory education at the school.
- 5.86 It has been proposed that closure commences from September 2013. The possible arrangements for managing closure, as outlined in the Cabinet report from September 2012, 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.
  - 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

### Pupil placements

- 5.87 If the Lead Member agrees the recommendation to issue the statutory notice proposing the closure of the John Loughborough School, the statutory notice will be issued on 7 January 2013 and the representation period will run until 18 February (a statutory six week representation period which cannot be lengthened or shortened).



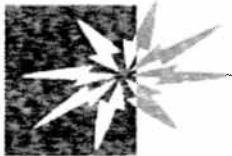


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- 5.88 Following this period of statutory representation, the Council's Cabinet would make the final decision on whether to close the John Loughborough School on Tuesday 19 March 2013.
- 5.89 If the decision is made to close the school, it is essential that pupils currently attending the John Loughborough School secure alternative school places for September 2013 in a clear and transparent manner with access to admissions advice and support and with time to visit preferred alternative schools. The following paragraphs set out how that process would be delivered.

Proposed Admissions Process

- 5.90 **Application period** - The application process will open on Monday 25 March 2013. Application forms will be provided to each pupil via The John Loughborough School. Parents/carers will be asked to complete the application form and return in to The School Admissions Service by a deadline of Friday 26 April 2013. Parents/carers will be able to list up to 6 preferences for their child for September 2013.
- 5.91 **How places will be offered** - On the date that the application process opens we will provide the number of available places in each year group at each school in Haringey. Places will be carefully identified taking a number of factors into account. Close attention will be paid to ensure that every opportunity will be given to ensure that the that achievement of all pupils, including BME pupils, (currently all of the pupils are BME at the school although this could change with the arrival of any new pupil(s) to the school) will be better than if they were to remain at the John Loughborough School. We will look to provide information about alternative faith schools within a reasonable distance of where the pupils live. We will continue to liaise closely with neighbouring and other authorities to ensure that they are fully aware of the proposed closure of the school and the impact of this on pupil(s) resident within their boroughs. If there are more applications than places available at a specific school, then the published admissions criteria will be used to determine who will be offered the place. If a parent/carer lists a school in another borough, then this application will be sent securely to the relevant borough who will inform us whether or not a place can be offered. If more than one school place can be offered, then the highest possible preference offer will be made. For example, if the 2nd preference and 4th preference school can offer a place, then the 2<sup>nd</sup> preference school will be offered to the pupil. If a place is offered to a pupil who is resident in another borough, we will inform their borough that the offer has been made.
- 5.92 If we cannot offer a place at any of the schools listed on the application form (because every school is full in the relevant year group) then Haringey residents will be offered a place in the nearest school with an available



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place. Pupils who live outside Haringey will be sent a list of schools with available places (on the given offer day) so an alternative school can be requested, if the parent so desires. Their applications will also be passed to their home authority who will be responsible for ensuring that their child has a school place.

- 5.93 If a parent is refused a place at any school listed on their application form, they will have the right of appeal.
- 5.94 **Late applications** - If a parent/carer applies after the stipulated deadline for applications, then their application will be considered after those who have applied on time. Every reasonable effort will be made to ensure the applicant is offered a school place on the given offer day.
- 5.95 **No application** - If parents/carers of Haringey residents do not complete a form, they will be allocated a place at the nearest school with an available place. If parents/carers of pupils who live outside Haringey do not complete an application form, then their details will be sent to their home local authority who will be responsible for ensuring that they have a school place.

### **Summary timetable for transfer of current JLS pupils**

Date	What will happen
25 March 2013	Application process will open
26 April 2013	Application process will close
13 May 2013	Offer Day

## **6 Comments of the Chief Finance Officer and financial implications**

- 6.1 The Head of Finance for Children's Services has been involved in, and contributed financial information to the review of JLS. Finance representatives also attended the public consultation meeting and provided answers to relevant questions raised during the public consultation process.
- 6.2 This report is recommending the publishing of notices in order to commence the statutory period for representations and as such at this stage there are no significant additional financial implications to consider.

## **7. Head of Legal Services and legal implications**

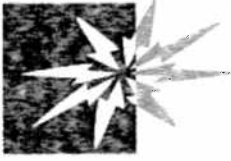
- 7.1 The Head of Legal Services notes the content of this report.
- 7.2 Section 14 of the Education Act 1996 states that a local authority shall secure that sufficient schools for providing primary and secondary education are available in the authority's area with particular regard to the need to



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securing diversity in the provision of schools and increasing opportunities for parental choice.

- 7.3 Part 2 Sections 15 to 17 of the Education and Inspections Act 2006 (the 'EIA') provide for discontinuance of schools. Section 15 relates to the publication of proposals for discontinuance of schools maintained by the local authority.
- 7.4 The School Organisation (Establishment and Discontinuance of Schools)(England) Regulations 2007 (as amended) (the Regulations) made under 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. The authority must also have due regard to that guidance when considering or determining proposals to close a maintained mainstream school.
- 7.5 PART 4 section 14 of the Regulations specifies the Information that must be contained in discontinuance proposals, these are as detailed in Schedule 4 of the Regulations. An extract of Schedule 4 of the Regulations can be found at annex A of the guidance in Appendix 3.
- 7.6 PART 4 section 15 of the Regulations specifies the manner in which the LA must submit and publish details of the discontinuance proposals.
- 7.7 Part 4 Section 15 Paragraph 2 of the Regulations provides details of the manner of publishing of the proposal and Part 4 Section 15 Paragraph 3 of the Regulations provides the category of recipients that the proposal should be sent to.
- 7.8 Guidance has been published by 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 for those considering publishing proposals to close a maintained mainstream school under section 15 of the EIA 2006, those deciding proposals and also in relation to information for those affected by the school closure proposals for the school, attached at Appendix 3.
- 7.9 Paragraph 2.1 of Stage 2 of the guidance states that proposals should be published within a reasonable timeframe following consultation in order that proposals are informed by up-to-date feedback that is within 12 months of consultation being concluded.
- 7.10 Following publication of the proposals a statutory six week representation period for comments on the proposal follows this representation period is specified in legislation and cannot be altered.

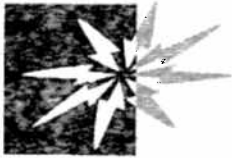


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7.11 The Head of Legal Services confirms there are no legal reasons preventing the Lead Member from approving the recommendations in this report.

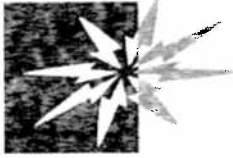
## **8. Equalities and Community Cohesion Comments**

- 8.1 An Equalities Impact Assessment (EqIA) was initiated to inform the September 2012 Cabinet report and is being updated following consultation. It is an evolving document that continues to inform and support the process and its current form as of 4 December 2012 is attached at Appendix 6 to this report. The EqIA is an assessment of the potential impact to this report of relevant data. The EqIA, is currently being updated following the consultation on closure of the school, and will continue to be further updated following the representation period, should the Lead member determine that the proposal should reach that stage. The EqIA will be completed and signed off at this point. This will ensure that equalities considerations continue to inform each decision that is taken.
- 8.2 The proposal to consult on closure flowed 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, in particular based on the religious ethos, and the educational attainment of BME pupils at the school. Close attention will be paid to ensure that disruption is minimised at every stage of the application process and that measures will be put in place to mitigate against the above risks.
- 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 the only state Seventh Day Adventist secondary school in the country. There is another Seventh Day Adventist school - Stanborough School in Watford is a Seventh Day Adventist independent 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 It is unlikely that all John Loughborough pupils would transfer to other Haringey schools because out of borough pupils may choose to attend schools closer to where they live. Pupils on roll at John Loughborough School, January 2012, showed 190 pupils are Haringey residents, and 90 live out of borough. Of the out of borough pupils, 55 live more than 3 miles distant from the school. It is however safest to plan for the possibility that all pupils will need to be relocated.



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- 8.5 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 at JLS and therefore these groups would be particularly affected.
- 8.5 Whilst John Loughborough has a relatively low proportion of pupils with SEN, and no pupils who currently have a statement of special educational need, they nevertheless are a vulnerable group who could be particularly affected by closure of the school, although this can 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 will be a central consideration when evaluating arrangements for closure and will be looked at in relation to the protected groups. This work will be carried out during the representation period immediately following the publication of any statutory notice.
- 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. This will flow from consultation following the publication of any statutory notice. Any proposals for how the closure will be dealt with 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 including faith schools), 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.
  - 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 carried out the most significant consideration was given to the needs of pupils to receive a good education, closure would also have



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an impact on the staff at the school. In the consultation period, the staff of the school formed an important consultative group and their views were gathered and considered. In the event of school closure a separate Equalities Impact Assessment would be carried out as part of the process to assess the impact on the staff of the school.

### **9 Policy Implication**

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

9.2 The report provides information on the representations received as part of the consultation into the closure of John Loughborough School. The consultation has taken place following acknowledged concerns about the quality of education at the school which does not meet with the Council's vision, aim and expectation that all children have the opportunity to achieve their potential.

#### **Resources**

9.3 Significant resources, including a major capital investment through Building Schools for the Future (supported by a £500,000 contribution from SEC) and revenue in the form of grants to support school improvement have not been built on by the school to secure educational improvements. The school therefore represents poor value for money because of the inadequate education it provides to its pupils.

#### **Staff**

9.4 The closure of John Loughborough School will affect school staff and proposed changes to their employment will be the subject of separate staff and trade union consultation which will be supported by a specific Staffing Equalities Impact Assessment.

### **9. Reasons for Decision**

10.1 The reason that the recommendation is being made to issue the Statutory Notice is as follows:

10.2 Four Ofsted inspections since 2007 have shown no improvement in the standards expected. The most recent was an inspection in December 2011 which, for the second time, placed the school in 'special measures'. The school's financial viability is also challenged and it provides poor value for money because it delivers an inadequate education for children.

10.3 A number of support measures (outlined in the Review and in para 1.2 above) have been put in place over the past ten years in an attempt to turn the



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school around and raise standards but, despite these, the school has not been able to show sustained improvement over any significant period of time.

10.4 A review of the school by the LA in partnership with the SEC and with the input of an independent education consultant, concluded that there were two viable options open for the future of the school –

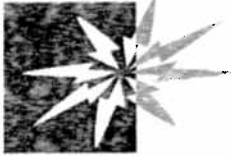
- Closure
- Conversion to an academy status with the support of an external sponsor.

10.5 The Council's Cabinet agreed in September 2012 that these were the only two viable options left open for the school and agreed that consultation should commence on the school's closure. In parallel to this process the SEC would continue to seek an academy sponsor to support the school. Since the Cabinet made that decision the DfE have written to the school (1 November 2012) setting out that, despite support from the DfE to secure a sponsor, and despite the proposal from SchoolsCompany Ltd submitted to the DfE, they had now concluded that there was no prospect of a sponsor being found that could provide the radical transformation required to dramatically improve and then sustain educational standards at the school.

10.6 The consultation feedback showed a strong support for the school to continue. Of the 107 responses, 85 responses were against the closure of the school. The consultation section in paras 5.18 – 5.41 above set out in more detail the representations received and provides comment on those representations.

10.7 It is recommended that a statutory notice setting out a proposal to close the school and inviting representations on the proposed closure is published because:

- The education being delivered at the school has not been good enough over a long period.
- No successful counter proposal to allow the school to become an academy has been forthcoming and the DfE have now acknowledged that, despite extensive work, they had been unable to identify a sponsor who they believed had the required capacity, track record and experience to make John Loughborough a success working in partnership with SEC.
- Despite target support over the last ten years, no sustained or significant improvements have been made to the standard of education within the school;
- The GCSE results continue to be significantly below borough and national levels.



## 10. Use of Appendices

Appendix 1 - Cabinet Report dated 18 September 2012 recommending consultation on the closure of John Loughborough School

Appendix 2 – JLS Review report commissioned April

Appendix 3 – DfE Guidance Closing a Maintained School – A Guide for Local Authorities

Appendix 5 – Consultation report setting out representations received between 1 October and 19 November 2012

Appendix 6 – Equalities Impact Assessment (EqIA) (evolving)

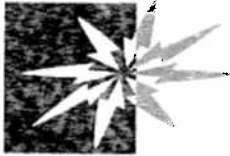
- 11.1 The appendices to this report are set out in a separate document because of the file size.

## 11. Local Government (Access to Information) Act 1985

The review on which this report is based has drawn on a wide range of information. The principle sources are:

- 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





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<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/>

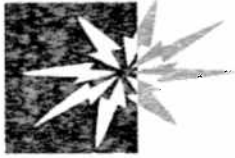
- The School Organisation (Establishment and Discontinuance of School) (England) Regulations 2007 (as amended)

<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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