



Haringey Council

Report for:	Cabinet	Item Number:	
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Title:	Determination on whether The John Loughborough School should close
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Report Authorised by:	Pp Libby Blake, Director of Children's Services
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Lead Officer:	Jennifer Duxbury, Head of Admissions and School Organisation
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Ward(s) affected: The John Loughborough School is a faith school drawing pupils from a geographical area within and beyond the borough boundary so all wards across the borough are affected, but with an emphasis on Northumberland, Tottenham Green, Bruce Grove and Tottenham Hale wards where the largest number of pupils attending the school reside.	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 up to 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 (SEC) of the Seventh-day Adventist Church (the SEC) but maintained by the local authority.
- 1.2 Following a period of statutory consultation at the end of 2012 and very careful consideration of the outcomes, the Council published a notice on 7 January 2013 setting out its proposal to close the school. This began a statutory fixed six week representation period for stakeholders to convey their views on the proposed closure. The statutory representation period ended on Sunday 17 February 2013.
- 1.3 The Council has two months from the end of the representation period to make a final decision in respect of the published proposals. This two month period



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expires on 16 April 2013. The proposal can be approved, rejected, approved with modification or approved subject to meeting specific condition(s).

1.4 This report and the appendices set out all the relevant information that should be considered in making a decision on the proposal. These include the various alternative options considered, the statutory stages undertaken before bringing forward this proposal; consultation; publication; representation and now the decision. The report also sets out all the relevant factors, in accordance with statutory guidance, that should be considered before making a decision on the proposal. There is also reference to an equalities impact assessment undertaken and measures required to mitigate the effect of the proposal if accepted on the protected groups. At the centre of the proposal is the fact that John Loughborough is not an educationally viable school and there is the urgent need for pupils to have access to a quality of education commensurate to the **authority's duty to promote high educational standards, to ensure fair access and educational opportunity and to promote the fulfilment of every child's educational potential.**

2 Cabinet Member introduction

2.1 The John Loughborough School has been in a category of concern for some years. The proposal to close the school has come only after many efforts by the Council and by the SEC to support the school, effect real change and improve pupil attainment. However in the light of recent Ofsted Reports and poor GCSE results, the Council decided that it needed to take substantive action to give pupils at the school the opportunity to access a good education. The option of becoming an Academy rather than being closed has been pursued in parallel with the consultation on closure but no sponsor has been found which the DfE will approve.

2.2 The Council have followed very closely the statutory requirements that govern the closure of a school and have consulted widely. The Council have listened to all those involved. Some have urged closure because the school is not able to provide a good education for its pupils and many have argued that a school with such a distinctive ethos and religious framework should be allowed to continue.

2.3 At the centre of all our considerations have been the pupils and the **Council's** duty to provide a good education for all its children both now and in the future. The **Council's** concern has been for all the pupils, in particular those in Year 10 who are at a particularly challenging and difficult time and deserve good support.

2.4 This report recommends the closure of John Loughborough School and I commend this report to Cabinet. In endorsing this recommendation, I acknowledge that there are many who will be disappointed. But what enables me to endorse this recommendation is the knowledge that good educational provision



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will be made available to all the pupils who will have to move schools and that for the future there is a greater chance that all children in Haringey will be educated at secondary schools that are good or outstanding.

2.5 For next year I am very pleased that the contingency plan for the Year 10 sets out a plan for how they will have the opportunity to conclude their GCSE studies in a group together (the preferred option being at Park View) and that good provision is being made available for pupils in younger groups to decide whether they wish to continue their education at the same school as their siblings in Year 10 or to choose a different school or continue in a year group together at another school.

2.6 I believe very strongly that the Council should do all it can to provide our children with the best education to enable them to reach their potential and that the decision to close The John Loughborough School will help to achieve this.

3. Recommendations

For the reasons set out in this report, in particular, in paragraph 5, it is recommended that:

- 3.1. The Council approves the proposal to close The John Loughborough School across all year groups with effect from 31 August 2013.
- 3.2. The pupils currently on roll at The John Loughborough (with the exception of the current Year 11) be transferred to other schools with effect from September 2013 in accordance with the admissions process set out in the published notice.
- 3.3. School places are made available in other good or outstanding schools for pupils currently on roll at The John Loughborough School.
- 3.4. Staff currently employed at the school are dealt with under the provisions of the Haringey Schools Redundancy Redeployment Policies/Procedures which the school adheres to.

4. Alternative options considered

4.1 Under the Department for Education (DfE) guidance a proposal can be approved, rejected, approved with modification or approved subject to meeting specific condition(s).

Approval subject to modification

4.2 An alternative option would be to approve the proposal subject to modification, for example with a delayed implementation date. This was carefully considered across current year groups 7, 8, 9 and 10, with particular consideration given as to



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whether or not the implementation should be delayed in respect of the current year 10 cohort who will enter year 11 in September 2013 – the final year of their GCSE and other courses. On balance, a recommendation to modify the proposal and to allow the current year 10 pupils to continue as The John Loughborough School pupils on or off the current school site in the academic year 2013/14 is not recommended for the reasons highlighted in paragraph 4.3 below.

4.3 The history of improvement within the school since 2007, evidenced by consecutive Ofsted inspections (see Appendix 12), does not provide any compelling evidence that the current leadership and management arrangements would be effective in guiding and supporting this cohort through the final year of their GCSEs. Further, the impact of the support currently being provided at the school to improve the outcomes of current Year 11 pupils will not be known before August 2013 – too late to be sure that we can have confidence in the proposal to continue this support for the current Year 10 pupils. It is recommended that the management of pupils is transferred to a school where leadership has already been judged to be good or outstanding.

Approved subject to certain conditions

4.4 The proposal can also be approved subject to a specific condition or conditions being met. This option can only be used in limited circumstances as specified by the Regulations¹ referred to in the guidance – 1) to allow an agreement to be made to establish the school as an academy, 2) where the Secretary of State agrees to the extension or enlargement of an existing academy, 3) to establish a further education (FE) college, 4) to change the admission arrangements of any other school or schools specified in the proposal, or 5) where the proposals depend upon conditions being met, by a specified date, for any other school or proposed school, the occurrence of such an event. None of these circumstances apply to The John Loughborough School and so an approval with conditions is not recommended.

Rejected

4.5 Paragraph 5 of this report provides robust and compelling evidence for why the school should not remain open to pupils after the end of this academic year, 2012/13. Paragraph 5 of the report also sets out how conversion to an academy has been considered during the last twelve months and how attempts to secure a suitable sponsor have been unsuccessful. It also sets out data demonstrating how the school is failing to give its pupils the best life chances by supporting them to secure five good GCSE grades including English and maths to at least national **average levels**. It also sets out the school's history of Ofsted inspections which have placed the school into special measures and, despite targeted and

¹ The School Organisation (Establishment and Discontinuance of Schools)(England) Regulations 2007 (as amended by The School Organisation and Governance (Amendments) (England) Regulations 2007)



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considered support, demonstrates that the school has been unable to improve over any sustained period.

Other solutions to increase the viability of the education that pupils at The John Loughborough School currently receive.

4.6 As part of the Review² of the school the following options were considered (alongside the option of closure). Details of how each option was considered are included in the full Review report in Appendix 2 and summarised in the Cabinet report dated 18 September 2012 in Appendix 3,

- **Continuation of current strategy for school improvement**– this option was not recommended because a number of 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 are expected for pupils, parents, the Council and the SEC. The Review considered the extent of the improvement strategies that were being used to support the school to improve. Unlike many others with similar interventions, the school had not improved. The school and the SEC were confident that a consultant leader which they had appointed in January 2012 would be the answer and the Review noted:

“The recent appointment by the SEC of a consultant head teacher has led to early signs of improvement but such indicators have been evident in earlier attempts and this approach is not a sustainable solution in the long term.” After a year of the consultancy support and after a further year of support from the local authority, by February 2013 HMI noted in a monitoring visit that: **“... despite the ongoing support, the school has not been able to demonstrate the full impact of the training, consultancy work and other input received because improvements have not been sustained.**

- **Soft federation**³ – This option was not recommended because there is no evidence to support **that a ‘soft federation’ (where no formal governance is in place) would be any more successful than the previous attempts over some years using the same approach.** This option does not deal with the **school’s fundamental weaknesses in leadership and teaching that have been identified by Ofsted, nor improve its popularity.**

² A review of The John Loughborough School was commissioned by Haringey Children and Young People’s Service in April 2012 to assess the Educational and Financial viability of the school.

³Soft Federation - Where governing bodies want to have increased collaborative arrangements with other schools without wanting to disband their governing body. School Governance (Collaboration) Regulations 2003 enable maintained schools to have increased collaborative arrangements with other maintained schools, including joint meetings of governing bodies and joint committees. This arrangement is often referred to as ‘soft federation’



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- **Hard federation⁴** – this option was not recommended to Cabinet in September 2012 because there is no evidence to support that an acceptable hard federation with an outstanding school could be established to achieve the expected outcomes, aligned to the faith ethos of The John Loughborough School.
- **Amalgamation⁵** – This option was not recommended because there is no evidence to suggest that within the expected timescale there would be another successful school that would be prepared to undergo the challenge of amalgamation with The John Loughborough School.
- **Suspension of delegated authority⁶ and/or establishment of an Interim Executive Board (IEB) by the local authority** – this option was not recommended as a long term solution because it had already been tried and proved unsuccessful in establishing sustained improvement.
- **Conversion to an academy** – In the right circumstances the Government has set out that conversion to an academy is the preferred solution for schools that are not delivering at the expected level for their pupils. An academy is an approach that had not previously been tried at the school and which, with the right sponsor, may have some potential to secure sustained improvement. The Review into the school concluded that the SEC would pursue this option based on their wish to see the continuation of The John Loughborough School. At the time of writing this report no sponsor had been secured. Further information on an academy route for The John Loughborough School is included at para 5.7.
- **Closure** – this option was recommended to **the Council's Cabinet** in September 2012 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.

4.7 At the Cabinet meeting on 18 September 2012 members agreed with the recommendations that only the options of 1) conversion to an academy and 2) closure of the school should be pursued. At the time of writing this report there is no new or further evidence to support why any of the options previously rejected by Cabinet in September 2012 as being inappropriate should be reconsidered as viable options now.

⁴ Hard Federation is a shared governance structure which provides a basis for extensive school-to-school partnership. Hard federation involves two or more maintained schools coming together with a single governance body. Federated schools remain separate schools, maintaining their own individual budget allocations and reporting results separately.

⁵ An amalgamation occurs when two or more school join together to create one school. Detail on amalgamations and mergers is contained at paragraph 12 of the DfE's guidance **Closing a Maintained Mainstream School**

⁶ Under the DfE's guidance **Schools Causing Concern** local authorities are empowered to suspend the delegated budget of the school as well as being able to establish an IEB.



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5. Background information

5.1 The background information and appendices to this report are comprehensive.

The report makes a recommendation to close a Christian denominational school in Haringey with a high proportion of pupils who are from ethnic minorities. The decision taken today will impact upon the future of at least the 259 pupils currently at the school, pupils who may attend in the future, their families, staff employed at the school and the balance of denominational provision in our borough. In coming to a decision it is critical that all of the evidence that informs the decision is set out in detail and relevant documents referenced.

5.2 For ease of reference the paragraph number of each main heading in this paragraph 5, Background information, is given below:

1. **Haringey's statutory duty** – para 5.3
2. Schools causing concern – para 5.5
3. Power of the Secretary of State to close the school – para 5.6
4. The academy route for The John Loughborough School – para 5.7
5. Why propose to close the school – para 5.8
6. Ofsted Inspections, including section 8 inspections – para 5.9
7. Review of the educational and financial viability of the John Loughborough School – para 5.14
8. DCSF (now the DfE) guidance on closing a school and the five statutory stages – para 5.17
9. Consultation (stage 1) – para 5.18
10. Publication (stage 2) – para 5.28
11. Representation (stage 3) – para 5.29
 - a. Key themes in letters – para 5.45
 - b. Support for the school – para 5.46
 - c. Academy option – para 5.47
 - d. Objections to school closure – para 5.48
 - e. **Criticism of the Council's process** – para 5.49
 - f. Pupil questions – para 5.50
 - g. Criticism of the SEC – para 5.51
12. Decision (stage 4) – para 5.53
 - Determination of the proposal - factors to be considered – para 5.53
 - a. Effect on school standards and improvement – para 5.55
 - b. Balance of denominational provision – para 5.79
 - c. Need for places – para 5.87
 - d. Impact on community and travel – para 5.92
 - e. School Characteristics – para 5.97
 - f. Special Educational Needs – para 5.102
13. Implementation (stage 5) – para 5.108
14. Proposed contingency plan for pupils currently on roll at the school – para 5.109
15. Staff currently employed at the school – para 5.112

Haringey's statutory duty

5.3 Haringey has a statutory duty⁷ as the local authority 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.**

5.4 Part 4 of the Education and Inspections Act 2006 (EIA) sets out the Council's powers and duties in respect of schools causing concern. Section 72 of the EIA places a statutory duty on the Council to exercise its functions under Part 4 to have regard to any guidance issued by the Secretary of State (SoS). Such guidance has been issued and is contained in the DfE guidance Schools Causing Concern (amended 2012). A copy of this guidance is attached at Appendix 4 to this report. Local Authorities can exercise their intervention powers where a school has been judged by Ofsted to require significant improvement. The John Loughborough School falls within this Category. These powers of intervention are set out in the DfE guidance Schools Causing Concern.
<http://www.education.gov.uk/aboutdfe/statutory/g00192418/scc>

Schools Causing Concern

5.5 **Special measures is a status applied by Ofsted when a school is "failing to give its pupils 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 in the school" (Education Act 2005). The John Loughborough School has been in a category of concern since February 2007 with inspectors commenting in October 2009 and December 2011 that the school 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". In February 2013 inspectors commented that "despite the ongoing support the school has not been able to demonstrate the full impact of the training, consultancy work and other input received because improvements have not been sustained. Until now, the school's capacity to manage without external support has not been fully proven and there have been delays in halting this decline"**

Power of the Secretary of State to close the school

5.6 The Secretary of State (SoS) may direct a local authority to cease to maintain a school where the school is eligible for intervention other than by virtue of section 60A of the EIA (non-compliance with teachers pay and conditions). This will usually be done where there is no prospect of the school making sufficient improvements. To date the SoS has not initiated any of the actions required



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before this step can be taken (e.g. consultation with the LA, governing body and the SEC).

The Academy route for The John Loughborough School

5.7 As part of the outcomes from the Review into the future of the school (Appendix 2) in 2012 it was agreed that a parallel process of a search for a sponsor⁷ for the school would be carried out, led by the SEC. One such sponsor did submit a proposal to the Department for Education in 2012 but the DfE was not satisfied that the sponsor, working with the school and the SEC, would provide the radical transformation required to dramatically improve and then sustain educational standards at the school. Since that time the SEC have continued to work to secure a sponsor to take the school forward as an academy. At the time of writing this report no such sponsor has been forthcoming.

Why propose to close the school?

5.8 Paragraph 29 of the Guidance says that a local authority can publish proposals to close a school (see Appendix 5). The DfE guidance Schools Causing Concern sets out that where a school is causing concern it must be given appropriate support to help it to improve: this support can be evidenced in respect of The John Loughborough School. A number of consultant leaders working with specialist advisors have supported the school and the SEC has also provided extensive financial and advisory support. None of this targeted support has resulted in a demonstrable sustained impact on outcomes for pupils. The latest section 8 monitoring inspection⁸ (Feb 2013) expresses concerns that the current **Year 11 mock examination results show attainment well below the school's targets** and the current national measures for most pupils. The progress made by pupils with special educational needs and those who speak English as an additional language is similar to their peers overall. While the attainment gap is

⁷ There are two types of academies: sponsored academies and converter academies. Sponsored academies are usually set up to replace under-performing schools with the aim of improving educational standards and raising the aspirations of, and career prospects for, pupils from all backgrounds including the most disadvantaged. Sponsors are responsible for establishing the Academy trust, the governing body and the appointment of the head teacher. They come from a wide variety of backgrounds including businesses, faith communities, universities and individual philanthropists. Outstanding schools and academies may now also become sponsors themselves in order to help less able schools to improve. Sponsors no longer have to make a financial contribution, or establish or support an endowment fund, as in the past. However, the Government has said any financial contribution made "at their own discretion" would be welcomed as it would provide opportunities for pupils that are not supported through government funding.

⁸ Section 8 of The Education Act 2005 (as amended) provides power for the Chief Inspector to inspect any school in England at any time, even when not under a duty to do so under Section 5. This is often referred to as an OfSTED monitoring visit.



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being narrowed, the pace of the achievement is still not fast enough and not enough students of Caribbean heritage are making the progress expected of them. Related to this the 2012 Raiseonline⁹ report shows value added data for Black Caribbean pupils to be significantly below averages for the same group in both 2011 and 2012. This latest section 8 inspection also concludes that too much of the teaching seen requires improvement and, occasionally, the quality is inadequate. Finally, the school has not been able to demonstrate the positive impact of external training, consultancy work and other input received because improvements have not been sustained since the school went into special measures.

Ofsted Inspections including section 8 (monitoring) inspections

5.9 In four full Section 5¹⁰ Ofsted inspections between 2007 and 2011 the school has not demonstrated the improvement needed to exit its category status and be deemed to be providing at least a satisfactory standard of education. The most recent full section 5 inspection was in December 2011 which, for the second time, placed the school in 'special measures'. Since the full inspection in December 2011 the school has been subject to three section 8¹¹ inspections from Ofsted. Section 8 inspections are monitoring inspections carried out to assess progress that the school is making following a section 5 (full) inspection. The John Loughborough School has had three section 8 inspections since December 2011 – May 2012, October 2012 and February 2013. These are summarised in the table below. Copies of the section 8 inspection reports since December 2011 are attached at Appendix 6. Copies of all section 8 reports for the school prior to December 2011 are available to view on **Ofsted's website at** <http://www.ofsted.gov.uk/inspection-reports/find-inspection-report/provider/ELS/102167>

⁹ RAISEonline refers to Reporting and Analysis for Improvement through school Self-Evaluation. RAISEonline provides interactive analysis of school and pupil performance data..

¹⁰ Section 5 of The Education Act 2005 (as amended) places a duty on the Chief Inspector to inspect every school in England to which the section applies at such intervals as are prescribed in regulations and to make a report in writing. This is often referred to as an OfSTED inspection

¹¹ Section 8 of The Education Act 2005 (as amended) provides power for the Chief Inspector to inspect any school in England at any time, even when not under a duty to do so under Section 5. This is often referred to as an OfSTED monitoring visit.



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Date	Progress since being placed into special measures	Progress since previous monitoring inspection
May 2012	satisfactory	NA
October 2012	inadequate	satisfactory
February 2013	inadequate	satisfactory

Table 1: Summary of Full Ofsted Reports for The John Loughborough School

- 5.10 The table above shows that although progress has been made since the previous monitoring visits, this represents inadequate progress since the December 2011 full inspection because the pace of progress is not fast enough. The monitoring judgements suggest that if current pace of progress is maintained and not exceeded, overall effectiveness will once again be judged **inadequate in the school's next full inspection which will take place in December 2013** in accordance with procedures for schools in the 'Special Measures' category of concern.
- 5.11 **The DfE's guidance *Schools Causing Concern*** (Appendix 4) sets out the clear expectation that where a 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. Current floor standards for secondary schools are that 40% of students must achieve 5 A*-C GCSEs (or equivalents) including English and mathematics, rising to 50% by 2015. The school has not achieved this floor target as evidenced in the table below in paragraph 5.12.
- 5.12 A full breakdown of the exam results of The John Loughborough School (also compared with other schools in the borough and the national picture) is included at Appendix 7 to this report. The John Loughborough School has achieved GCSE results (5+ A*-C (including English and Maths) below the floor target in the last 3 years and it is the only maintained mainstream secondary school in the borough to achieve results below the floor target in 2011 and 2012.



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	2010	2011	2012
Alexandra Park	66	69	70
Fortismere	73	79	73
Gladesmore	41	54	54
Greig City Academy	30	37	44
Highgate Wood	46	68	72
Hornsey	53	58	56
The John Loughborough	31	29	34
Northumberland Park	40	39	41
Park View	45	53	57
St Thomas More	31	54	77
Woodside High	47	58	56
Haringey	48.0	57.3	58.6
England	53.4	58.9	59.4

The DFE floor target for the percentage of pupils expected to achieve 5+ A* - C (including English and Maths) was: 35% in 2010, 35% in 2011 and 40% in 2012.

5.13 As set out above (para 5.7), the SEC and Governing Body of the school have, to date, failed to secure an Academy sponsor and it seems unlikely a suitable sponsor who would satisfy the requirements of the Secretary of State will be found in the near future. There is no evidence to demonstrate that other intervention is likely to result in the rapid and sustained improvement required to ensure that all pupils consistently have access to good or outstanding education from September 2013.

Review of the educational and financial viability of The John Loughborough School

5.14 In April 2012 Children and Young People's Service (CYPS) officers worked with members of the SEC 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 was initiated because of concerns that the school was failing to meet the educational needs of its pupils, and that successive Ofsted inspections has set out concerns about the school. A full copy of the Review dated 2012 is available at Appendix 2 to this report, together with a Cabinet report which sets out the findings of the Review and recommends next steps. The Review considered a number of options for the future of the school:

- Continuation of current strategy for school improvement
- Soft federation
- Hard federation



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- Amalgamation
- Suspension of delegated authority for the governing body to manage the budget and/or establishment of an Interim Executive Board (IEB) by the local authority
- Conversion to an academy
- Closure

5.15 More detail on these options, including detail on how they were considered, is included in para 4.5 above and set out in the Review itself (Appendix 2).

5.16 The Review concluded that only two of the options were viable: one of these options, to be pursued by the SEC, was to establish the school as a sponsored academy. The other option - to consult on the closure of the school – was to be led by the Council. Both of these options were to be pursued in parallel, to avoid delay in finding the best outcomes for current and future cohorts of pupils.

Department for Education guidance on closing a school and the five statutory stages

5.17 The Department for Education Guidance Closing a Maintained Mainstream School sets out the statutory steps that must be followed when closure of a school is being considered. These stages are:

Stage	Detail	The dates for John Loughborough School
Stage 1 – Consultation	Not prescribed (minimum period of 6 weeks recommended: school holidays should be taken into consideration and avoided where possible). Likely to be no longer than 12 months	1 October – 19 November 2012 (seven weeks to take account of autumn half term which was 29 October to 2 November 2012 inclusive)
Stage 2 – Publication	1 Day	7 January 2013
Stage 3 – Representation	Must be 6 weeks (this is prescribed in legislation and cannot be shortened or lengthened to take into account school holidays)	7 January – 17 February 2013 (6 weeks)
Stage 4 - Decision	LA should decide proposals within 2 months otherwise they fall to the schools adjudicator	16 April 2013
Stage 5 – Implementation	No prescribed timescale but must be specified in	End of summer term 2013



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Stage	Detail	The dates for John Loughborough School
	the published notice, subject to any modifications agreed by the Decision Maker	

Table 2: Summary of statutory steps to close a school and associated timetable for this school.

Stage 1 – Consultation

- 5.18 **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.**
- 5.19 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 initiated because two successive Ofsted inspections have judged the school to need special measures.
- 5.20 Having considered the findings of the report, Council’s Cabinet decided to proceed to consult on the closure of the school.
- 5.21 The guidance sets out that those bringing forward proposals to close a school must consult all interested parties and in doing so must:
- Allow adequate time
 - Provide sufficient information for those being consulted to form a considered view on the matters on which they are being consulted
 - Make clear how views can be made known
 - Be able to demonstrate how they have taken into account the views expressed during consultation in reaching any decision as to publication of proposals.
- 5.22 On 1 October 2012 a consultation period of seven weeks with all stakeholders began on the possible closure of The John Loughborough School. Paragraphs 5.18 – 5.78 of the Lead Member Report dated 13 December 2012 sets out how the consultation was conducted and the comments received as a result of engagement with stakeholders. The report is included at Appendix 8 to this report.
- 5.23 In summary the Council received 109 responses to the consultation of which 79 respondents either disagreed or strongly disagreed with the proposal to close the school and 22 either agreed or strongly agreed with the proposal to close the school. Objections to the proposal included but were not limited to:



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- The school should continue under new management
- No evidence that the school is not educationally viable across all groups but with specific reference to Afro-Caribbean students
- No evidence that the school is not financially viable
- Dissatisfaction with the consultation process
- School is now on an upward trend and should not close if it is improving
- Christian ethos of the school is hugely important
- The small size of the school is a positive
- There will be an impact on diversity
- **Closure will interfere with pupils' exam preparation and with all learning**
- The process is too sudden and too rushed
- The future for staff needs to be set out
- The decision to close the school has already been taken
- Friendship groups will be negatively impacted upon
- More money should be given to the school to improve it

5.24 Those in favour of school closure cited the following grounds

- The school is not providing a good education and should therefore close
- There are other good schools where The John Loughborough School pupils will thrive
- English as an Additional Language (EAL) students will get more attention at another school
- **Haringey's overall GCSE results will improve if the school closes**
- The location of the school could be better
- Financial stability

5.25 The responses to the consultation are available to view in the Consultation report (Appendix 8). The outcomes from this consultation period were reported to the **Lead Member for Children's Services on 13 December 2012 together with** all other material considerations related to whether or not a statutory notice should be published proposing to close the school. The Guidance recommends that a notice should be published within 12 months of consultation being concluded.

5.26 Taking account of all of these material consideration, which include outcomes for pupils, the recommendation to publish a notice to close the school was made because:

- The education being delivered at the school has not been good enough over a long period of time
- A sponsor to support the school in becoming an academy has not been secured despite intensive work to make this happen



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- Targeted support for the school by the local authority, the SEC over an extensive period has seen no sustained or significant improvements 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 (see Appendix 7).

5.27 The recommendation to publish the notice was agreed by the Lead Member for **Children's Services on the 13 December 2013. Full details of the decision** making can be read at <http://www.minutes.haringey.gov.uk/ieListDocuments.aspx?CId=435&MId=6182&Ver=4>

Stage 2 – Publication

5.28 On 4 January 2013 a notice dated 7 January 2013 was published in the **Haringey Advertiser setting out the Council's** proposal to close The John Loughborough School with effect from the end of the summer term 2013. A copy of the notice is attached to this report at Appendix 9 together with a copy of the complete proposal that accompanies the notice (Appendix 10).

Stage 3 – Representation

5.29 This report provides a detailed summary of representations received during the period following the publication of a statutory notice on 7 January 2013. Any person can submit representations which can be objections as well as expressions of support for the proposal. The representation period is the final opportunity for people and organisations to express their views about the proposals and ensure that they will be taken into account by the Decision Maker (the decision maker is the local authority or, if the decision has not been made within two months of the end of the representation period, it falls to the schools adjudicator to make the decision).

5.30 The representation period is specified in legislation as 6 weeks and must not be altered e.g. cannot be shortened or extended to fit in with scheduled meetings or to take into account school holidays.

5.31 The representation period for the published proposal pertaining to The John Loughborough ran from Monday the 7 January 2013 to Sunday the 17 February 2013 inclusive, a period of six weeks. In addition to setting out the proposal to close the school, the published notice also included detail on how an admissions process for displaced pupils would be delivered if the school did close.

5.32 This six week representation period was arranged to coincide with the first half of the spring term and the end date of 17 February was the Sunday before the spring half term break commenced (18 February 2013). In accordance with the



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guidance the Council had made clear to stakeholders during the consultation period that, if a statutory proposal was to be published, this would happen at the beginning of January 2013.

5.33 A summary of the engagement with stakeholders during the representation period is included in the table below and is also set out in detail in the Representation Report that accompanies this report at Appendix 11.

Description	Date	Notes
Decision to issue statutory notice	Thursday 13 December 2012	At the Civic Centre in Wood Green, the Lead Member, Children Services, considered a report on the future of The John Loughborough School. This report included all the responses to consultation carried out between 1 October 2012 and 19 November inclusive. The recommendation to publish the notice in January 2013 was agreed at this meeting
The publication of a statutory notice setting out the final proposal	7 January 2013	
Representation - a statutory fixed six week opportunity to express views on the proposals	7 January to 17 February 2013 (six weeks)	Three meetings were held during this period for the public, staff and parents/carers. These meetings were: 28 January – public meeting held at Tottenham Green Leisure Centre from 7.30pm 29 January – parents, carers and pupils meeting held at The John Loughborough School from 7.30pm 11 February – a meeting



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Description	Date	Notes
		held at The John Loughborough School for staff

Table 3: Timetable for representation period including dates of meetings

5.34 The table below sets out how stakeholders were kept informed of key events and information during the representation period. It sets out actions taken by the Council to distribute information to stakeholders and shows the range of methods that were used to ensure the widest range of interested parties had access to this information. This is in accordance with para 2.3 of the Guidance that sets out that proposers may circulate a notice more widely in order to ensure that all those substantially affected have the opportunity to comment. The regulations and guidance have been complied with in communicating with stakeholders.

Activity	Date	Comments
Statutory notice published and start of representation period	Monday 7 January 2013	Published on the school gate and fence, in the Marcus Garvey Library, and the Haringey Advertiser.
Informing stakeholders of the publication of the notice	Monday 7 January 2013	Letters or emails were sent to the following stakeholders to inform them of the publication of the notice and the commencement of the six week representation period: Parents and carers of pupils at the school The Director of Children's Services across every London Borough and to any out of London borough where a pupil currently residing in their borough attends the school All diocesan boards The governing body of The John Loughborough School All staff at the John Loughborough School The Secretary of State (via School Organisation Unit) Members of Parliament for



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Activity	Date	Comments
		constituents in Haringey All Haringey Councillors All Directors in Haringey Council All primary and secondary head teachers in Haringey Approximately 11,000 local residents and businesses All unions representing staff employed in schools across the borough
Public meeting	28 January 2013	Location: Tottenham Green Leisure Centre, 1 Philip Lane, N15 4JA
Parents meeting	29 January 2013	Location: The John Loughborough School
Staff Meeting	11 February 2013	Location: The John Loughborough School
End of Representation period	17 February 2013	The period of representation cannot be moved or altered.
Website Updates	Ongoing	Website has been updated throughout the process with information about meeting and publication of minutes

Table 4: How stakeholders were kept informed during the representation period

- 5.35 Stakeholders were invited to submit written representations to the council in respect of the published proposal. Representations could be posted or emailed to the School Admissions section of the **Children and Young People's Service**.
- 5.36 In order to inform and engage with stakeholders on the published proposal a number of meetings were held. On 28 January 2013 a public meeting was held at Tottenham Green Leisure Centre. This meeting was publicised on the **Council's dedicated** John Loughborough School webpage at www.haringey.gov.uk/jls and detailed in dedicated representation literature sent to stakeholders including approximately 11000 leaflets that were sent to local businesses and households close to the school.
- 5.37 Approximately 85 stakeholders attended the public meeting on 28 January 2013. Represented in the audience (as shown by the sign in sheet) were current and past parents, carers, staff, and governors. Members of the SEC



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were also present at the meeting as were local residents. Members of the SEC made up the biggest single group at this meeting.

- 5.38 The chair of the meeting was independent of the local authority and her past experience including chairing the Stephen Lawrence Charitable Trust, the Bernie Grant Arts Centre and Newlon Housing Trust. The chair clearly set out at the meeting that her role was to ensure that the meeting ran smoothly and to time enabling as many people as possible to share their views and ask questions. The meeting took the form of a question and answer session that was minuted. The meeting was attended by council officers including the Assistant Director for Prevention and Early Intervention, Finance Manager (Schools) and the Head of Admissions and School Organisation. In addition the leader of the Council, Cllr Kober attended the meeting as did the lead member for **Children's Services**, Cllr Waters. Questions were responded to at the meeting and minuted and the Council also undertook to produce a question and answer (Q and A) document from the meeting in addition to the minutes and publish it on the dedicated John Loughborough School webpage **on Haringey's website within a week of the meeting.**
- 5.39 Both the minutes to this meeting and the Q and A document are included as part of the Representation Report at Appendix 11 as are responses to the theme of the questions that came up at this and the subsequent parent and carer meeting on the 29 January 2013. The minutes to the meeting are also **available on the Council's dedicated** John Loughborough School webpage at www.haringey.gov.uk/jls
- 5.40 On the 29 January a dedicated meeting for parents and carers was held at The John Loughborough School. This meeting was chaired by the same independent chair referred to in para 5.38 above who has chaired all public and parent meetings on the proposed closure of The John Loughborough School. The meeting was minuted and was attended by approximately 80 parents and carers as well as a number of children and a small number of staff members. Following liaison with the head teacher of the school translators for Polish, Portuguese and Romanian were available at the meeting to translate and provide assistance for those who may have had difficulty in following proceedings because of a language barrier. The meeting also took the form of a Q and A session which is detailed in minutes attached to this report in the Representation Report at Appendix 11. The meeting was attended by the **Director for Children's Services, Head of Admissions and School Organisation, Finance Manager (Schools), and Cllrs Kober (Leader of the Council) and Waters (Lead Member, Children's Services).**
- 5.41 In addition to the public and parent/carers meetings held all stakeholders were invited to submit representations to the council within the representation period – 7 January to 17 February 2013.



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5.42 During this representation period the Council received a total of 1719 representations. These representations are set out in the Representation Report at Appendix 11. In summary, of the overall total of 1719 representations, 14 were individual representations and of these 14 representations, 4 were from parents with a child at the school, 6 were from public and local residents, 3 were from staff members or governors at the school and 1 was received from a neighbouring local authority.

5.43 The Council also received four sets of a standardised letter sent in by The John Loughborough School. In total there were 1705 standardised letters. The letters were signed and dated by individuals and can be grouped as 1) parents, 2) pupils, 3) Haringey residents and 4) members of the public. The total of these responses are summarised in the table below.

Response type	Pupils	Staff/school/gvoernors	Parents	Public (SDA)	Haringey Residents	Other	Grand Total
Individual written representations		3	4		6	1	14
Standardised letters	128		14	1554	9		1705
Total	128	3	18	1554	15	1	1719

Table 5: Representations received

5.44 A number of themes emerged from the two meetings outlined above. While many of these themes were heard at the meetings held as part of the consultation meetings (October and November 2012) the main themes are repeated here together **with the Council's response and how these issues have** been taken into account through the statutory stages. The main themes raised are set out below.

Key Themes in letters

5.45 There were a number of themes running through the letters and emails to the Council during the representation period. These have been summarised below.

Support for the school:

5.46 Almost all respondents were supportive of the school remaining open and to be given time and support to improve. Several acknowledge that improvements must be made, but many felt that the school provided the best environment for its pupils, particularly for black pupils and Seventh-day Adventists. Some respondents suggested that the school had a disproportionate number of pupils



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with a limited understanding of English, which adversely affects the school's results¹².

Theme	Issue	Council Response
Support for the school	Respondents feel that the school:	
	<ul style="list-style-type: none"> provides a strong standard of education is making positive progress (as evidenced in Ofsted reports) 	Full Ofsted reports in 2007, 2008, 2009 and November 2011 judged that the school was providing an inadequate standard of education. Whilst interim monitoring reports have noted improvements between these inspections, full inspections have concluded that teaching, leadership and management are inadequate. The last two monitoring reports conclude that progress since special measures has been inadequate.
	<ul style="list-style-type: none"> provides good moral and spiritual support for its pupils 	All schools must provide support for children's spiritual, moral, social and cultural (SMSC) development, which is inspected by Ofsted. In the last full inspection the school's SMSC was judged to be 'satisfactory' (grade 3). No reference to SMSC has been made in subsequent monitoring reports. Where reference is made to SMSC in other Haringey secondary schools it is judged to be good (grade 2) or outstanding (grade 1).
	<ul style="list-style-type: none"> needs more time to address its weaknesses 	The last two monitoring visits have concluded that progress has been inadequate. There is little to suggest that more time is the answer and if the school does not improve, the education of more pupils will be adversely affected.
	<ul style="list-style-type: none"> needs further advice, support and resources to improve 	Higher levels of support have been provided in the past than are available in the current national and local financial situation. The school has not effectively used these high levels of support to secure sustained transformational change.

¹² In fact the data suggests the opposite, that results of EAL pupils at JLS are better than the average.



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	<ul style="list-style-type: none"> • is more than its exam results 	Examination results form one of the key national indicators of school effectiveness. Ofsted provides a broader evaluation of other elements of school performance. On both measures the school is not achieving the performance expected of all secondary schools.
	<ul style="list-style-type: none"> • is addressing its shortcomings 	Some progress is being made in addressing some weaknesses, but the overall judgement of Ofsted is that progress is inadequate since the school was put into special measures.
	<ul style="list-style-type: none"> • manages behaviour well 	Behaviour is much better at the school than previously, but good behaviour should also be a platform for achieving high standards. Behaviour is good or outstanding in all other Haringey secondary schools.
	<ul style="list-style-type: none"> • has undergone a turbulent recent past but is now stable 	The history of the school has been turbulent and more stable conditions in the school should lead to a better education, but as yet there are no clear signs of educational transformation.
	<ul style="list-style-type: none"> • has been popular with Black Caribbean pupils, especially those that are not doing well at other schools 	The school has a high proportion of black Caribbean and Black African pupils, although it is not a popular school at Year 7 entry. Some pupils move from other schools into higher years and on the whole stay at the school, which suggests they are satisfied. However, by age 16 they do not achieve standards as high as in other Haringey schools and nationally.
	<ul style="list-style-type: none"> • gives a greater sense of pride than other schools 	There is no evidence that pupils at The John Loughborough have a greater or lesser pride in their school than their peers in other schools.
Other schools cannot provide the same support	Other schools:	



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for pupils		
	<ul style="list-style-type: none"> cannot nurture and care for pupils as well 	The only available evidence to test this assumption is through Ofsted reports, which suggest that all other Haringey schools nurture and care for pupils at least as well as The John Loughborough School.
	<ul style="list-style-type: none"> cannot manage behaviour as well 	Again Ofsted is the key indicator and reports show that behaviour is as good or better than at The John Loughborough School
	<ul style="list-style-type: none"> cannot provide good role models 	Good adult and student role models exist in all other Haringey secondary schools.
	<ul style="list-style-type: none"> Comments received in relation to the SEC or the Seventh-day Adventist Church 	Other schools are not specialist Adventist schools. However, all schools are sensitive to the diversity of faiths in their pupil population. If The John Loughborough School closes, the Council will seek advice from the SEC on how best to advise schools on the needs of Adventist pupils.

Table 6: Main themes arising from questions and comments made as part of the public and the parent/carer meetings and from comments received.

The table below shows the proportion of pupils with English as an additional language across all secondary schools in Haringey –

School	EAL (not including 6th Form)	Roll (not including 6th Form)	% EAL
Alexandra Park Secondary	382	1080	35%
Fortismere	130	1208	11%
Gladesmore Community	657	1267	52%
Greig City Academy	509	921	55%
Heartlands High School	134	324	41%
Highgate Wood	311	1216	26%
Hornsey School for Girls	585	1072	55%
The John Loughborough	128	280	46%
Northumberland Park	742	1031	72%
Park View	862	1145	75%



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St. Thomas More Catholic School	309	511	60%
Woodside High	588	845	70%
Total	5337	10900	49%

Table 7: Proportion of children with EAL across Secondary schools in Haringey Academy option

5.47 One proposal was put forward to change the school to an academy with the sponsorship of the Council. Where major change was accepted, respondents felt that this was best achieved by converting the school to an academy.

Theme	Issue	Council Response
Academy	Why not convert the school to an academy?	The SEC is responsible for finding and agreeing an Academy proposal with the Secretary of State. To date no sponsor has been found that is acceptable to the Secretary of State.
	The Council can sponsor conversion to an Academy	The Council has neither the capacity, financial resources or expertise needed to re-open the school as an academy. It is unlikely that the Secretary of State would support such a proposal.
	Why not get large companies to sponsor the school?	It is the responsibility of the SEC and governors to find an Academy sponsor. Sponsors should be able to demonstrate the experience, capacity and capability to turn a failing school around.

Table 8: Summary of issues surrounding Academisation and council response

Objection to School Closure

5.48 Almost all respondents do not want to see the school close. In one case a respondent proposed that closure should happen when all current pupils had worked their way through to the end of Year 11(2017).

Theme	Issue	Council Response
Objection to school closure	School closure:	
	1. will cause more harm than good	The school has a poor track record for a number of years. Whilst there are risks to



		major change, maintaining the status quo is a higher risk for children’s outcomes.
	2. will cause upset and disruption to pupils’ education and relationships	There is a risk to closing the school and the upset and disruption that this may cause, which must be balanced with the potential benefits to pupils if the school was to become an academy or if pupils transfer to other schools.
	3. cannot be the best solution	The 2012 Review explored all feasible options and concluded that only two options likely to achieve rapid improvement in pupils’ education were – conversion to an academy or closure. To date no acceptable proposal has been approved by the Secretary of State for conversion to an academy.
	4. needs to consider the wider needs of pupils’ moral and spiritual well being	Ofsted inspections show that pupils’ spiritual and moral wellbeing is at least as good in other schools. Should a decision to close be taken, advice will be sought from the SEC about how best to ensure other schools address the moral and spiritual needs of pupils.
	5. cannot come soon enough	Elected members will decide on April 16 on the published proposal on whether to close the school.

Table 9: Summary of issues surrounding School Closure and council response

Criticism of the Council’s process

5.49 Many responses were critical of the Council.

Theme	Issue	Council Response
The Council has not carried out its responsibilities	The Council has:	
	1. misrepresented data and Ofsted reports, failing to show where there has been	The key point here is that little reference has been made to where some GCSE subject results have been good and to where Ofsted monitoring reports have identified satisfactory progress in the key



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	improvement or good performance	<p>issues from the full inspection.</p> <p>In examination data the main issue is that the key indicator is 5A*-C (inc En and Ma). This is a national benchmark, but it disguises the fact that some subjects in the school perform well. Despite the good outcomes in some subject areas, overall the school is not meeting its national floor targets.</p> <p>Whilst Ofsted monitoring reports have articulated progress on the key issues, in four full inspections the school has shown significant inadequacies. In the latest two monitoring reports the overall judgement on progress since special measures is inadequate.</p>
	2. acted unfairly and unreasonably in its treatment of the school	The Council has a duty to act in a fair and reasonable way in its management of this process. The Review was undertaken in partnership with the SEC and moderated by an independent educational expert and the consultation on closure has followed government guidance.
	3. been discriminatory	An Equalities Impact Assessment articulates the key issues in the process and informs actions both during the process and afterwards.
	4. been trying to close the school for years	The Council has not before consulted on school closure
	5. refused to support the school	The Council's actions before the current process have been targeted on improving the school through a range of support and intervention methods.
	6. interfered with the running of the school	Under the Council's powers and following unsatisfactory performance of the school, an Interim Executive Board was appointed



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		as a temporary measure to improve governance. Governance was returned to the school when signs of improvement were evident.
	7. attempted to install its own governors on the board	
	8. does not care about The John Loughborough School pupils, especially the needs of the current Year 10	The Council is committed to ensuring that all pupils achieve their best. Should the Council decide to close the school very careful consideration will be given to supporting next year's Year 11 pupils and to all other pupils too.
	9. is reducing choice in secondary schools	Greater choice has been made in the past 6 years through the opening of a new school in Haringey Heartlands, a free school in Muswell Hill (primary) and a sixth form centre in Tottenham
	10. is failing to meet the faith needs of Adventist families	If the school closes the Council will work with the SEC to find ways to mitigate its closure on its faith community.

Table 10: Summary of issues surrounding Council Process and council response

Pupil Questions

5.50 The table below summarises questions and concerns that were voiced by pupils at the John Loughborough School.

Theme	Issue	Council Response
Staff	What will happen to the teachers at The John Loughborough School?	<p>If the Council makes a decision to close the school, the redeployment or redundancy of staff will be inevitable. In order to support staff through this process a dedicated HR advisor will advise staff on:</p> <ul style="list-style-type: none"> • Redundancy • Redeployment • Signposting to vacancies • CV skills & application support



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<p>Pupil Place Planning</p>	<p>What will happen to year 10? Will they be given a school?</p>	<p>If the school closes, parents would be given advice on the choices of schools available to them. In this process the Council sees the continuity of current Year 10 pupils moving into their examination year as a high priority. The Council will work with other Haringey secondary schools to find solutions to this challenge.</p>
<p>EAL support</p>	<p>How much support has the government given to the EAL students?</p>	<p>Pupils at The John Loughborough School who have EAL have received the same support as at other schools. Where English is an additional language appropriate support is given to ensure those pupils are integrated as quickly and as efficiently as possible so as to minimise any detrimental impact on their and all students' learning (see Table 7 above)</p>
<p>School standards and pupil progress</p>	<p>When you found out that the educational rate was decreasing, what actions did you take to help?</p> <p>If you did, how useful was it? If not, why did you have no input?</p>	<p>It is the responsibility of the school's governors, head teacher and staff to address falling standards. In 2007 and 2008 Ofsted served a 'Notice to Improve' because the school was not performing to the expected standards. In 2009 and 2011 it was judged to need 'Special measures'. Throughout this period and before extensive support has been provided by central government, Haringey Council and the SEC to help the school to improve. These are too numerous to list but the focus was on improving teaching and leadership. However, in the end staff of the school need to take responsibility for securing improvement. To date, following more than six years of help, the school is still not providing the education expected.</p>
	<p>You say you want what's best for us; do you think immediate closure would help our education? Disturbing</p>	<p>There are no easy solutions to this situation, but keeping the situation as it is not an acceptable option. After a generation of pupils have experienced an unsatisfactory education, two options emerged as the only</p>



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	<p>our education, having us focus more on the school closing down than our education, how does this help us? In what way?</p>	<p>viable way forward to avoid continuing failure. The first, which has been explored by the SEC, was to find an organisation that would help the school to become an academy. One proposal was given to the Secretary of State for Education, who rejected it and no other proposals have yet come forward. The only other option is to close the school and for parents to choose another school where standards are better and there is a track record of good teaching and school leadership. Although this will be upsetting in the short term, in the long term and for future generations it could be a better solution.</p>
	<p>Why is it that The John Loughborough School has been targeted as the school who is failing yet many of the children who get sent to the school are at low progress and can hardly speak English?</p>	<p>This is not the case. Parents have a choice of schools at transfer into Year 7. Many do not select The John Loughborough school, thereby leaving vacancies. This happens in some other schools also. Then, when families arrive in the Borough, they are offered schools where there are vacancies. No reference is made to ethnicity or level of prior achievement in this process</p> <p>In fact exam results show that pupils at The John Loughborough School who had English as an additional language achieved better than pupils whose sole language was English.</p>
	<p>Did you look at the fact that The John Loughborough School is not a miracle worker but have tried hard to ensure that they make at least 3-4 levels of progress and speak English better?</p>	<p>This is termed 'value added' and yes this was looked at in the Review. The data show pupils at The John Loughborough School consistently make lesser progress than students at other schools.</p>

Table 11: Summary of Pupil Questions and council response



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Questions received in relation to the South England Conference (SEC) of the Seventh-day Adventist Church

5.51 The South England Conference (SEC) of the Seventh-day Adventist Church was the subject of some criticism in that it had:

- failed its constituency and in its educational responsibility
- **handed pupils' education to the state**

Council Response - These are matters for the SEC and its constituency.

5.52 This report makes recommendations on the future of The John Loughborough School and the pupils who attend the school having full regard to all material considerations related to the proposed closure including, but not limited to:

- representations received from all stakeholders,
- the academic social and psychological impact on pupils
- effect on standards and school improvement,
- balance of denominational provision,
- need for places,
- impact on the community and travel,
- specific age characteristics and
- special educational needs.

Stage 4 - Decision

Determination of the Proposal – factors for consideration

5.53 When determining any school closure paragraphs 8(6) and 17 of Schedule 2 to the Education Inspections 2006 provides that both the LA and the schools adjudicator must have regard to the guidance issued by the Secretary of State when a decision is taken. The contents and relevance of this guidance, **Closing a Maintained Mainstream School: A Guide for Local Authorities and Governing Bodies”, is outlined, including the five statutory steps it sets out, in paragraph 5.17 above.**

5.54 Paragraphs 4.16 to 4.63 of the Guidance sets out that the following factors that must be considered by Decision Makers (the local authority or the schools adjudicator). **Para 4.16 of the guidance sets out that the “factors should not be taken to be exhaustive. Their importance will vary depending on the type and circumstances of the proposals. All proposals should be considered on their individual merits”.** Within the prescribed factors set out by the guidance are further areas, including denominational provision, to be considered. The factors for consideration are:

- a) Effect on Standards and School Improvement,
- b) Need for Places,
- c) Impact on the Community and Travel,

- d) School Characteristics,
- e) Special Educational Needs (SEN) Provision,

These factors are considered in turn below.

a) Effect on School Standards and improvement

A system shaped by parents

- 5.55 The guidance sets out a school system that is shaped by parents and that delivers excellence and equity. In this dynamic system the government wish to see weak schools closed quickly and replaced by new ones, and the best schools being able to expand and spread their ethos and success.
- 5.56 The demand for places at The John Loughborough School is very low compared with other school in the borough. This is clear from the number of first preferences the school receives. For admission to the school in September 2012 there were 12 parents who named The John Loughborough School as the school they most wanted their child to go to at the time of their secondary transfer. For 2012 entry the Council received a total of 2303 first place preferences. The percentage of families putting The John Loughborough School as their preferred school is 0.5% of this 2303.
- 5.57 From this statistic, it is clear that The John Loughborough School is a school that is demanded by very few parents in the borough. Further the standards at the school currently are not delivering excellence and equity to these families when compared with other schools in the borough.

Standards

- 5.58 Ofsted Inspections of The John Loughborough School since it was placed in special measures for the second time in December 2011 are shown in the table below.

Date of Inspection	Inspection Type	Outcome
6 February 2013	Section 8 inspection report	Progress since being subject to special measures – inadequate Progress since previous monitoring inspection - satisfactory
9 Oct 2012	Section 8 inspection report	Progress since being subject to special measures – inadequate Progress since previous monitoring inspection – satisfactory
10 May 2012	Section 8 inspection report	Progress since being subject to special measures – satisfactory
6 Dec 2011	Section 5	Overall effectiveness: how good is the school?



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Date of Inspection	Inspection Type	Outcome
	School inspection report	Inadequate The school's capacity for sustained improvement Inadequate

Table 12: Ofsted Inspections of the John Loughborough School since it was placed in special measures for the second time in December 2011

5.59 The table in Appendix 13 setting out the full history of Ofsted inspections at the school since 2002 shows that The John Loughborough School moved from **being judged as “satisfactory”** to requiring “significant improvement” between two inspections dated 2002 and 2007. A summary of the Ofsted inspections since the school was placed into special measures is set out above in Table 12.

5.60 In 2007 and 2008 the school was twice inspected and was **served a ‘notice to improve’**. **In 2009 and 2011 it was judged to need ‘special measures’**.

5.61 Full inspections identify key issues that must be addressed and between full inspections monitoring visits are carried out to evaluate the progress being made on the key issues. While progress was sometimes judged to be satisfactory on key issues during monitoring visits, progress since being placed **in special measures alternated between “satisfactory” and “inadequate”**. **At the latest two monitoring visits progress since being subject to special measures was judged to be “inadequate”**.

5.62 As part of consultation with stakeholders on the future of The John Loughborough School one of the most frequently asked questions, especially by parents of pupils at the school, has been to question why the consultation is being carried out now and why the school can not have more time to improve.

5.63 The school was first judged to be inadequate in February 2007, more than six years ago. For a pupil who had entered the school in September of that year (September 2007) he or she would have now left the school having finished Y11 (the GCSE year) in July 2012. Those pupils who entered the school in September 2007 would have spent their Key Stage 3 (KS3) and Key Stage 4 (KS4) education in a school that has been judged to be inadequate for almost all of their secondary school life. Continuing to allow the school to fail to improve its outcomes for young people over a sustained period of time will leave many of its cohorts to continue to underachieve. Intervention becomes more imperative as the timescale of inadequacy continues and so it is the responsibility of the Council to protect the interests of the affected children.

5.64 The ability of a school to improve when it has been judged unsatisfactory over a long period of time was looked at in research by Bristol University¹³ in March

¹³ How we should treat under-performing school? A regression discontinuity analysis of school inspections in England – Rebecca Allen and Simon Burgess.



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2012. This research evaluated the impact of intervention in secondary schools in England that had been judged to be “unsatisfactory” and concluded that schools failing their Ofsted inspections improve their subsequent performance relative to the pre-visit year. The magnitudes are quantitatively very significant: around 10% of a (student-level) standard deviation or one grade in between one and two of their best eight exam subjects. The main impact arises two years after the visit in this data – not unreasonable given that the exam scores used for the study derive from two-year courses. The typical time pattern in the results studied is that there is little effect in the first post-visit year, increasing considerably the following year, then remaining flat or slightly increasing in the third post-visit year. For a school such as The John Loughborough School where a judgement of “unsatisfactory” has existed in excess of six years this research does support the pattern that some improvement is made but that this tails off the further away from the inspection it is as this improvement is not embedded and the school is not able to come out of special measures.

- 5.65 GCSE results and Raiseonline data for the John Loughborough School and other neighbouring school(s) have been a material consideration throughout the process of the consideration of school closure and as part of the Review carried out into the future of the school. GCSE results and a summary of Raiseonline data are included at Appendix 7 to this report and provide an evidence base for this consideration. The latest available data for mock GCSE results for the current year 11 pupils have been described by Ofsted inspectors as indicating that **“attainment is well below the school’s targets and the current national measures for most groups of students....while the attainment gap is being narrowed, the pace of achievement is still not fast enough to enable most students to attain at least the national averages in GCSE examinations”**.

GCSE Results

- 5.66 The table below shows the percentage of pupils attaining 5 or more A*-C GCSE passes (including English and Maths) for pupils at John Loughborough school and the attainment of African and Caribbean pupils across all Haringey schools as an average. 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.

GCSE trend

- 5.67 The table below shows the GCSE trend in Haringey schools. It shows that in the last 5 years there has been no improving trend at John Loughborough. Results in 2012 are below the results in 2008. John Loughborough is the only school below the DfE target of 40% of pupils achieving 5+ A* - C (including English and maths).



% 5+ A* - C (including English and maths)

	2008	2009	2010	2011	2012
John Loughborough	39	34	31	29	34
Alexandra Park	60	62	66	69	70
Fortismere	70	73	73	79	73
Gladesmore	42	46	41	54	54
Greig City Academy	30	40	30	37	44
Highgate Wood	46	51	46	68	72
Hornsey	42	51	53	58	56
Northumberland Park	38	35	40	39	41
Park View	30	31	45	53	57
St Thomas More	36	30	31	54	77
Woodside High	28	38	47	58	56
Haringey	42	45.7	48.0	57.3	58.6
England	47.6	49.7	53.4	58.9	59.4

Table 13: Haringey Secondary Schools % 5+ A* - C (including English and Maths)

Results for Caribbean and all other Black pupils in John Loughborough compared to Caribbean and all other Black pupils in Haringey schools

5.68 The majority of pupils attending John Loughborough School are from Caribbean and other Black ethnic backgrounds. How do the results of these pupils compare with their peers in Haringey?

5.69 The table below shows that the results for Caribbean pupils at John Loughborough have been at or below Haringey Caribbean results since 2009. Results for all other Black pupils have been below the Haringey all other Black pupils' results for all 5 years.

	2008	2009	2010	2011	2012
John Loughborough Caribbean pupils	46	33	31	40	31
Haringey Caribbean pupils	28	34	31	43	50
John Loughborough Black (excluding Caribbean)pupils	18%	37%	36%	19%	44%



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Haringey Black (excluding Caribbean) pupils	35%	38%	42%	57%	58%
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Table 14: Results for Caribbean pupils at John Loughborough school

Results in 2012

5.70 The two graphs below show the 2012 results for Caribbean pupils and all other Black pupils in John Loughborough and all other Haringey schools. The graphs show that the results for Caribbean pupils in John Loughborough are the lowest compared to all other schools. The results for all other Black pupils at John Loughborough are the 2nd lowest compared to all other schools.

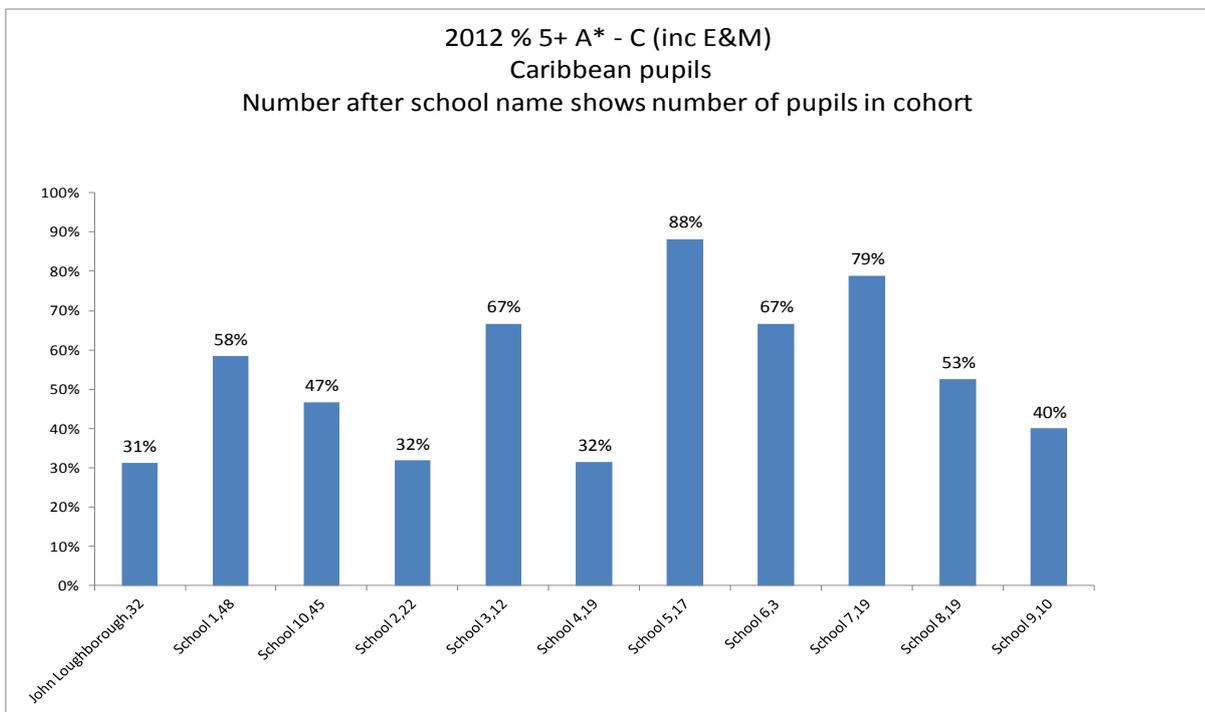


Figure 1: 2012 % 5+ A*(including English and Maths) Caribbean Pupils



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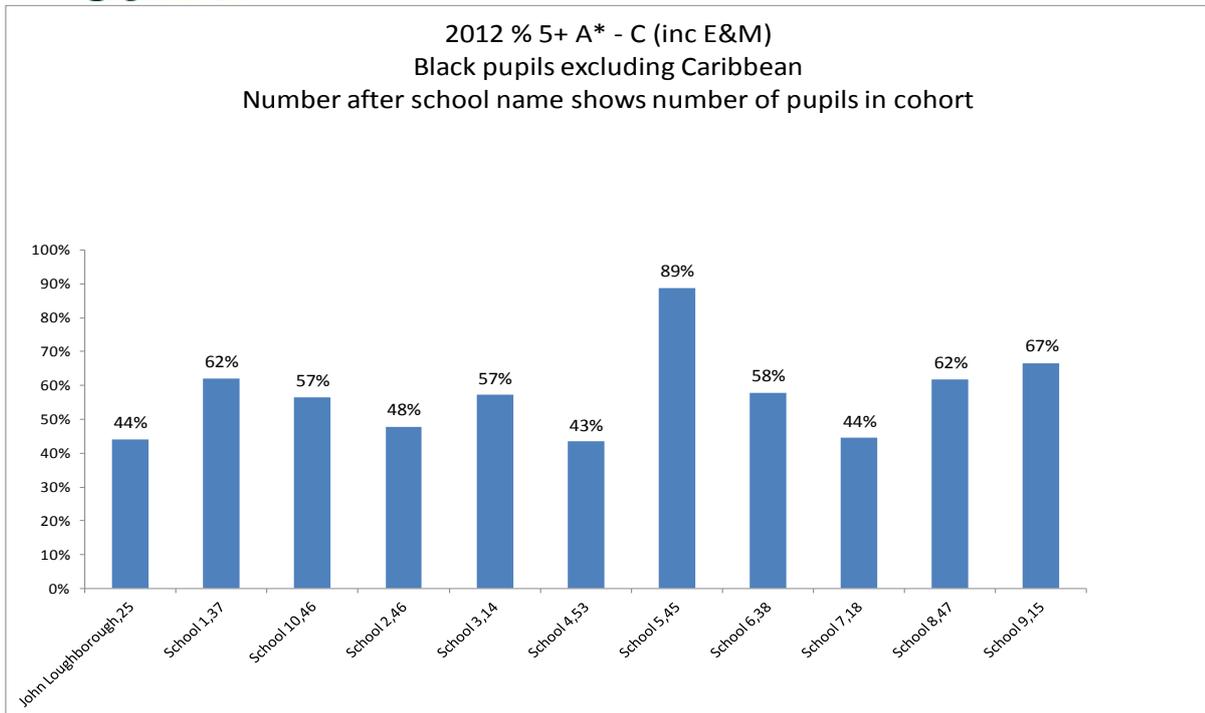


Figure 2: 2012 % 5+ A*(including English and Maths) Black pupils excluding Caribbean Pupils

Value Added

Have Caribbean pupils made more progress in John Loughborough than in other Haringey schools?

5.71 The tables below show the value added (VA) results for all pupils and for Caribbean pupils in Haringey schools. These values are calculated by the DFE and measure the progress that pupils have made in the school from different starting points when they entered the school. The starting points are based on the Key Stage 2 results that pupils got at the end of primary school.

5.72 The higher the VA score is, the more progress pupils have made. So a score of 1014 is better than a score of 1003 etc. The table for all pupils, listing all Haringey schools comes from information published by the DFE on the school performance website – so the names of schools have been left. The table for Caribbean pupils is published in Raiseonline and is not made public in the same way.

5.73 The table for all pupils shows that in both 2011 and 2012 the value added in John Loughborough was the worst in Haringey. The table for Caribbean pupils shows that in 2011 the value added in John Loughborough was the worst and in 2012 was the 2nd worst in Haringey.



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5.74 This means that all pupils at John Loughborough make poor progress in comparison with all pupils at other Haringey schools and the same is true for Caribbean pupils at John Loughborough.

Value added scores for all pupils 2011 and 2012

	2011 VA	2012 VA
John Loughborough	958.6	980.3
Alexandra Park	1015.2	1008.3
Fortismere	1006.4	995.2
Greig City Academy	996.2	980.5
Gladesmore	1027.5	998.2
Highgate Wood	999	1002.7
Hornsey School for Girls	997.9	1010
Northumberland Park	1009.8	1009.7
Park View	1013	990.7
St Thomas More	1009.1	1041.8
Woodside High	1029.2	1014.7

Table 15: Value added scores for all pupils 2011 and 2012

Value added scores for Caribbean pupils 2011 and 2012

School	Eth	2011 VA	2012 VA
John Loughborough	Caribbean	963.4	959.5
Sch1	Caribbean	1030.8	974.3
Sch2	Caribbean	963.9	998.3
Sch3	Caribbean	1002.6	907.9
Sch4	Caribbean	992.9	1021.8
Sch5	Caribbean	1051.8	1042
Sch6	Caribbean	1000.8	999.4
Sch7	Caribbean	993.3	969.9
Sch8	Caribbean	978.7	979.7
Sch9	Caribbean	966.5	963.3
Sch10	Caribbean	987	990.3

Table 16: Value added scores for Caribbean pupils 2011 and 2012

5.75 In 2008 The John Loughborough School received funding as part of National Challenge (formerly called London Challenge - one of four schools to receive this funding, the others being Woodside High, Greig City and St Thomas More schools). National challenge was a national programme of support to secure



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higher standards in all secondary schools so that by 2011 at least 30 per cent of pupils in every school would gain five or more GCSEs at A* - C, including English and mathematics. Haringey also invested £4.9 million in The John Loughborough School as part of the Building Schools for the Future (BSF) programme to rebuild facilities and invest in state of the art ICT facilities at the school. A full breakdown of the investment made at the school and the benefits derived is included at Appendix 13.

5.76 The most recent Ofsted inspections for the other three schools that received funding as part of National Challenge are Woodside – Outstanding (2012), Greig City Academy – Good (2011) and St Thomas More School – satisfactory (2009).

5.77 Appendix 12 to this report sets out the outcomes of the Ofsted Inspections since 2002 at The John Loughborough School in table form. It is important that disadvantaged communities are served by the best schools, because a good or outstanding school can be the key to transforming opportunity in these circumstances.

5.78 The John Loughborough School is in Tottenham Hale ward. A significant proportion of the pupils at The John Loughborough School come from Tottenham Hale and surrounding wards. A map of the wards in Haringey is included at Appendix 14 to this report.

5.79 Not Used

Table 17: Not Used

5.80 Not Used.

5.81 Not Used

Balance of denominational provision

5.82 The John Loughborough School is a Christian school operated by the SEC. It is one of three Christian secondary schools in the borough, the other two being St Thomas More School (Catholic) and Greig City Academy (Church of England). Together these three schools provide 452 year 7 places out of a total of 2417 available year 7 places in Haringey, representing 18.7% of the overall number of year 7 places available. Without the 60 year 7 places at The John Loughborough School this percentage would fall to 16.2%.

5.83 The most recent data shows that 34% of the pupils at The John Loughborough School are practising Seventh-day Adventists. Part of the EqIA at Appendix 1 to this report sets out a summary of the ethos and beliefs of Seventh-day Adventists and contains information pertaining to, among other things, why the



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menu in the school is vegetarian, the need for a 2pm finish on Fridays and why school curriculum or activities can never take place on a Saturday morning.

5.84 The table below shows the historic data for the numbers of pupils at John Loughborough School who are Seventh-day Adventists. This data is extracted from the Seventh-day Adventist Trans-European Division School Statistics.

YEAR	SDA population	Non-SDA population (including other Christians)	Total population	% of SDA pupils
2007	101	189	290	35%
2008	81	163	244	33%
2009	100	151	251	40%
2010	95	184	279	34%
2011	94	185	279	34%

Table 18: Number of pupils of SDA at the John Loughborough School

5.85 The John Loughborough School is one of only two SEC schools in the south east of England, and the only non fee paying one. The other school – the Stanborough School in Watford - is a coeducational independent day and boarding school. If The John Loughborough School was to close it would mean that pupils currently at the school would not be able to receive an education from a Seventh-day Adventist provider unless they were able and prepared to travel to Watford and to pay a fee.

5.86 Para 4.32 of the Guidance sets out that the Decision Maker should not normally approve the closure of a school with a religious character where the proposal would result in a reduction in the proportion of denominational places in the area. However, the guidance states within the same paragraph that such advice does not apply to schools where, among other things, standards have been consistently low. Appendix 7 to this report sets out the GCSE results for The John Loughborough School for the past five years. Analysis of these results shows that The John Loughborough School pupils have consistently failed to reach government floor standards for their GCSE cohorts. When taken in context it is considered that this failure is interpreted as meeting the exception criterion set out in guidance which says that the closure of a school with religious character should not normally be approved.

5.87 Our data indicates that demand for places at The John Loughborough School is not high. The first place preferences for a school provide an indication of its popularity. The first place preference for the last two academic years and the coming (2013/14) academic year are set out in the table below.

5.88 Our data indicates that The John Loughborough School is not a popular school in the borough. Very few parents are selecting the school as a first place



preference for their child. The table below provides information for the past 3 years on the number of preferences and offers made to the John Loughborough School as of offer day (1 March) for the relevant year. The school received further applications after offer day.

		Year of secondary transfer round					
		2011		2012		2013	
		Preference*	Offered	Preference	Offered	Preference	Offered
Preference	First	17	17	12	12	10	10
	Second	11	4	11	3	14	1
	Third	11		8		9	1
	Fourth	11		14		14	1
	Fifth	11	1	7	1	13	1
	Six	17	1	6		9	
	Late	4	2	4		6	2
	Allocation						26
Total		82	25	62	16	75	42
Number of vacant places on offer day			35		44		18

Table 19: Preferences and offers made for Year 7 places at the John Loughborough School

*Where the number offered is less than the preferences made it is because the applicant was offered a place at a higher preference school

5.89 The information in the table below shows the current number of pupils on roll at The John Loughborough school, by year group. With the exception of the current year 10 cohort, the figures show a fall in roll numbers.

PAN	National Curriculum year group					Grand Total
	7	8	9	10	11	
60	37	41	53	66	62	259

Table 20: Current number of pupils on roll by year group

Admission information

b) Need for Places

5.90 In considering whether to close a school and so remove places from the local area regard must be had to the demand for and supply of secondary places in the borough and surrounding areas. The **Children and Young People's Service (CYPS)** provides an annual School Place Planning Report (SPPR) which sets out



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demand for and supply of school places across primary, secondary and special school settings. The latest SPPR is dated July 2012 and is available to view on **the Council's website** at www.haringey.gov.uk/schoolplaceplanning

5.91 The 2012 SPPR sets out that there are currently 2390 Y7 (year 7) places in the borough and that the academic year 2012/13 saw a demand for 2,303 Y7 places (measured by the number of on-time applications received) leaving a surplus capacity of just under 12% in the current year 7 cohort. Based on these figures demand going into the future shows that we would be able to accommodate the 60 or less displaced pupils if the school were to close. Our projections show that we have capacity within the current system to provide sufficient places for year 7 pupils up until 2017/18 even allowing for 60 less pupils at The John Loughborough School.

5.92 If The John Loughborough School closes at the end of the academic year 2012/13 not only does it mean that there will be no places available for the current year 6 in the school as they move into year 7 in the academic year 2013/14, but it also means that pupils currently at the school will be displaced. A summary of the pupils that will be displaced with any closure is set out in the table below. The table also shows the number of available places in other secondary schools in Haringey

	Year 7	Year 8	Year 9	Year 10	Year 11
Total number of current vacancies in Haringey schools (excluding at The John Loughborough School)	273	136	205	80	86
Total number of pupils on roll at The John Loughborough School	37	41	53	66	62

Table 21: Summary of pupils that will be displaced (this information is correct as at the January 2013 pupil census)

5.93 From the above table it can be seen that, with the closure of the school, 197 pupils will be displaced for the academic year 2013/14 and alternative places will have to found for them.

5.94 There are sufficient places available in alternative secondary schools in Haringey to accommodate pupils currently on roll at The John Loughborough School, should the decision be made to close the school. As set out in Appendix 18, the Council's favoured option for the current year 10 cohort is to work with the



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governing body at Park View School to explore how the pupils in year 10 could be educated together on the site of Park View. The reasons supporting this preferred option are set out in Appendix 18. Parents/carers of all current pupils (including parents of year 10 pupils) would be invited to state their preferences in the application procedure set out in Appendix 18

c) Impact on Community and Travel

Community

- 5.95 Our consultation with stakeholders since October 2012 has fed back to us the importance that the school plays in the religious and social ethos of many of its pupils. Families see The John Loughborough School as providing much more than an academic education for their child(ren) and many have placed this provision above the education value that the school imparts. As part of the consultation we heard information including that academic success is very important to parents and carers but, as a Seventh-day Adventist (SDA), that the school shares equal importance with that of the church; it is not just academic achievement that is important for parents and carers but also the spiritual guidance and ethos of the school. Parents and carers chose The John Loughborough School for their child because of its religious ethos and not because of its educational outcomes. Put simply, parents want their child(ren) to attend a Seventh-day Adventist school and The John Loughborough School fulfils this desire for them.
- 5.96 The Council is mindful and respectful of the religious dimension that the school is able to give its Seventh-day Adventist pupils and have seen the strength of feeling that this provision holds across the parent and carer group of pupils at the school. However, the Council must balance the denominational provision against other factors in the overall delivery of a rounded education to current and potential future pupils of the school. This must include the quality of education being delivered at the school and the GCSE outcomes for pupils. The importance of achieving good grades at GCSE level is paramount in helping young people to achieve well later in life in terms of the job market and income. While these results are not the only factor in determining what the school provides for its pupils, and some parents have explicitly said that ethos is more important to them than educational outcomes, it is nonetheless the main factor that must be considered as part of the overall decision making.
- 5.97 The closure of the school will have wider social ramifications in this respect and the alternative provision for these pupils will need to have careful consideration if it is to continue to meet the needs of these families and pupils. Should the school close, the Council will need to work in partnership with the SEC to mitigate its impact on SDA pupils and their communities.

- 5.98 In terms of travel and accessibility, distances between schools in London generally and in Haringey are relatively small and the public transport network means that pupils who attend schools at alternative local settings are unlikely to add significantly to their travel times and in many instances may have a reduced journey. Of course there will be instances for those pupils living very close the school where the journey to school increases but it is not anticipated that any increase will be so significant or so costly as to be prohibitive in terms of travel or of sustainability. Children under sixteen years of age travel free on buses in London through the use of an Oyster zip card.
- 5.99 Appendix 16 sets out the boroughs that the pupils come from to attend The John Loughborough School and this Appendix also contains a map showing the location of the pupils attending The John Loughborough School who are currently resident in Haringey.

d) School Characteristics

- 5.100 The accompanying Equality Impact Assessment (EqIA) a live document, attached at Appendix 1, to the proposal to close the school has and continues to assist in analysing the impact of any closure on the eight equality strands (age: disability: gender reassignment: pregnancy and maternity: race: religion or belief: sex: and sexual orientation). The EqIA has necessarily remained open through the process of considering the closure of The John Loughborough School and it is constantly revisited, added to and amended. It is intended that the EqIA will remain as a working document if the school closes and will be used to track the progress of pupils who have been displaced from the school and who finish their KS3 and KS4 education in an alternative setting. We will use the EqIA to assess the impact of the closure on the outcomes for pupils currently at the school.
- 5.101 In summary the EqIA draws out the potential impact if The John Loughborough School does close on the protected characteristics as identified in the Equality Act 2010. The relevant protected characteristics are: age, disability, race, sex and religion or belief.
- 5.102 From the assessment it is clear that Black and Minority Ethnic (BME) pupils and Seventh-day Adventist (SDA) will be disproportionately affected if the school **is to close; this is as a result of both the school's faith characteristics** and of the general school population in Haringey which has a higher than national average representation of BME school aged children resident in the wards.
- 5.103 The different barriers John Loughborough pupils may face in receiving an education at an alternative setting are identified within the EqIA and this document is used to assist the Council in making a decision that takes into



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account the impact on all pupils including their protected characteristics. The EqIA sets out actions that would be put into place in the event of school closure to ensure that all pupils at the school will have signposted access to pastoral and educational support. The receiving schools for all pupils will be provided with the resources and information to enable the support of pupils in their education and faith practices. The achievement of the existing BME pupils at receiving schools will also be taken into account when proposing that pupils could move to these alternative school(s).

- 5.104 A separate EqIA for staff currently employed at the school is also a live document and will be used to track staff members if the school does close and their current contract of employment ends as a result. The EqIA for staff is attached at Appendix 17.

e) Special Educational Needs

- 5.105 If the decision is taken to close the school we will want to be assured that the proposed alternative arrangements for all pupils, including those with special educational needs, will lead to improvements in the standard, quality and/or range of educational provision for children with special educational needs.
- 5.106 Statements of Special Educational Needs will remain in place for those pupils who already have them. The Council will contact the parents/carers of pupils with statements at John Loughborough School to identify their parental preferences. Those schools will be consulted in accordance with the SEN Code of Practice. Once a new school is agreed the statement will be amended to reflect this in Part 4.
- 5.107 Detailed transition plans will be drawn up with the family and receiving school to ensure successful transfer is achieved. Close monitoring will take place during the first term to ensure that provision as identified in the statement is in place following transfer.
- 5.108 It is recommended that an Annual review is held in the term prior to the transfer and includes the receiving school. Top-up funding identified in the statement will follow the pupil to their next school.

Implementation (Stage 5)

- 5.109 If the decision to close the school outlined in this report is agreed the implementation for the proposal would take effect from the end of the summer term 2013 which means that the current cohorts in years 7, 8, 9 and 10 would transfer to alternative schools in September 2013.



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Proposed contingency plan for pupils currently on roll at the school

- 5.110 Critical to the recommendation to approve the proposal to close the school is the outlook for education provision available to those pupils currently on roll at the John Loughborough School.
- 5.111 When considering alternative schools for those pupils currently on roll, it is essential that the establishment can demonstrate that the quality of education provided in a new setting is of better-quality when compared to the education pupils are currently receiving. It is also fundamental that any negative effects of moving schools during key stage 3 or 4 are considered and mitigated against. Careful thought has been given to how pastoral and spiritual needs of the pupils could be met. Further detail is outlined in Appendix 18 to this report.
- 5.112 The Council is committed that every pupil currently on roll at The John Loughborough School will have access to:
- good or outstanding school education
 - pastoral and spiritual support
 - a personalised transition programme to ensure smooth integration in to a new environment
 - teachers/ support staff who have been briefed about the most effective approach to support pupils
 - an ethos which values pupil voice and an opportunity to talk to about the present and the future.

Staff currently employed at the school

- 5.113 The John Loughborough School currently employs approximately 55 members of staff. This figure includes all teaching and non teaching staff currently on the pay role at the school whether in a full or part time capacity.
- 5.114 The school has accepted Haringey Schools Redundancy and Redeployment Policies/Procedures. If the decision by the Council is to close the school this will make the redeployment or the redundancy of the staff inevitable, should such a decision be made, staffing consultations would need to concentrate on redeployment and on mitigating the consequences of dismissal for those staff not redeployed, rather than on ways of avoiding the termination of the staff's employment at the school. Subject to this, the Procedures would be adhered to.
- 5.115 Staff would be notified in advance of informal/formal consultation meetings. All unions would be notified of the first formal consultation meeting. Staff would automatically be placed on to the LBH redeployment register with a view to seeking alternative employment elsewhere in the boroughs schools or with the Council itself. Staff would be provided in advance with their redundancy breakdowns along with any details relating to pension entitlements. In regards to Teaching Staff, the Burgundy book for Teachers would also be adhered too, for



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example in respect of entitlement to notice of dismissal, insofar as its provisions were incorporated into the employment contracts of teaching staff. The usual due diligence measures would be applied to limit any potential legal risk to the Council regarding this process.

5.116 There is a live Equalities Impact Assessment (EqIA) which assesses the impact of any closure on the protected characteristics under the Equalities Act 2010. Because of the relatively small number of staff involved and the potential to identify individual staff members from the EqIA, certain aspects of this document is not public but is included for Cabinet as an exempt document to the published agenda items. The EqIA includes the following areas for consideration:

- Workforce profile analysis
- Assess the likely impact of the proposal and how this can be addressed
- Consultation process
- Consider mitigation measures and their implications
- Sign-off and publication

5.117 The decision on whether or not to close The John Loughborough School is being taken based on outcomes for pupils at the school and having regard to the possible outcomes for future pupils who would attend the school if it remains open. If the school is to close the redeployment or redundancy of staff will be inevitable. As part of that process the following factors are or will be given full consideration:

- Redundancy
- Redeployment
- Signposting to vacancies
- CV skills & application support
- Support for non teaching staff
- Access to a dedicated HR advisor throughout the process

Summary

5.118 In conclusion the published statutory notice sets out a proposal to close the school with effect from the end of the summer term and begin an admissions process to secure alternative provision for The John Loughborough School pupils at good or outstanding schools. This recommendation is made because the school has failed to improve the standard of education being offered to pupils over a sustained period despite targeted intervention to help standards and **outcomes for pupils to improve. The school is currently in a category 'special measures' as defined by Ofsted and is failing to show adequate progress to improve standards in the school since it last had a section 5 Ofsted inspection in 2011.**



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- 5.119 The alternative route for the school, to find a suitable sponsor that the DfE are satisfied can work with the school and convert it to an academy, has not been successful despite work to secure such an end.
- 5.120 In approving this recommendation the current pupils of The John Loughborough School will have the opportunity to finish their key stage 3 and 4 education at a setting that is judged to be good or outstanding and, in doing so, will improve their chances to achieve at least five A* - C grade GCSEs including in English and maths. At the present time the percentage of pupils from The John Loughborough School who achieve this is substantially below both national and borough averages.
- 5.121 The John Loughborough School is a Seventh-day Adventist school and the Council will work with alternative providers to ensure that provision to support this faith aspect of school life is provided for as far as is possible at any alternative setting, including the need to finish school early on a Friday and to have access to a vegetarian diet. The spiritual aspect of the faith of practicing Seventh-day Adventist pupils will also be respected and supported at the alternative settings. The open EqIA will monitor how this future provision is provided and the outcomes of former pupils of The John Loughborough School as they work their way up to year 11 and GCSE exams.
- 5.122 The recommendation to close the school is the only viable option now available to secure improved outcomes for the pupils of The John Loughborough School following a number of inadequate Ofsted inspection judgements since 2007. If the school is not closed we risk consigning another generation of young people to an education which falls well below that which can maximise their outcomes and improve their life chances as they venture on into adulthood and the wider world.

6 Comments of the Chief Finance Officer and financial implications

- 6.1 Haringey Council has received funding in the Dedicated Schools Budget (DSB) for 2013-14 that takes account of the pupil numbers at The John Loughborough School in October 2012. A School Budget Share for The John Loughborough School has been calculated in accordance with this number and with The School and Early Years Finance Regulations 2012 (The Regulations).
- 6.2 Section 3.4 of Haringey Council's Scheme for Financing Schools provides that:

'Budget shares of schools for which approval for discontinuation has been secured will be made available until closure on a monthly basis, even where some different basis was previously used.'



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6.3 If the decision is to close the school this provision will allow funding to continue to be provided for a phased winding down of the school.

The balance of funding from the removal of places would remain in the DSB and would, subject to School Forum approval, be transferred into the Growth Contingency. The Forum would be asked to agree the formula through which this money is distributed to support transferring pupils and meet the costs of the closing school.

7 Head of Legal Services and legal implications

7.1 Cabinet is required to make a decision on the proposal to close The John Loughborough School. Before making this decision, Cabinet must not only take into account relevant primary and secondary legislation and statutory guidance, but must also ensure that they have been complied with. For this purpose, Cabinet must carefully consider all the relevant information contained in this report including the appendices.

7.2 The report covers the main statutory provisions and guidance. However, Cabinet should note the background legislative provisions contained in this paragraph 7.2 to 7.4. Section 13(1) of the Education Act 1996 imposes on the Council an obligation to contribute towards the spiritual, moral, mental and physical development of the community by securing that efficient secondary education is available to meet the needs of the population of their area.

7.3 Section 14 of the Education Act 1996 provides that the Council shall secure that sufficient schools for providing secondary education are available in the **authority's area with particular regard to the need to securing diversity in the provision of schools and increasing opportunities for parental choice.**

7.4 Section 86 of the School Standards and Framework Act 1998 provides for the Council to make arrangements for enabling the parent of a child in the area of the authority to express a preference as to the school at which he wishes education to be provided for his child and to give reasons for his preference except in certain circumstances.

7.5 Sections 15 to 16 of the **Education and Inspections Act 2006 (the 'EIA')** provide for discontinuance of schools. This provision and the supporting regulations and statutory guidance are more pertinent to the decision under consideration. Section 15(1) of the EIA states that where the local authority proposes to discontinue a maintained school they must publish their proposals which must contain such information and be published in such a manner as may be prescribed by regulation. Section 16 requires the local authority to consult such persons as they deem appropriate before publishing their proposals. Cabinet must be satisfied that these requirements have been met, in particular, as to consultation before the publication of the proposal. This is covered in paragraphs 5.18 – 5.27 in the report under the heading Stage 1 – Consultation.



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- 7.6 The School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007 (as amended), (the Regulations) made under the EIA set out what is required in relation to proposals for discontinuance. Regulation 14 with Schedule 4 prescribes the information that has to be contained in proposals made to discontinue a maintained school. Regulation 15 with Part 7 of schedule 5 prescribes the manner in which the details of proposals to discontinue a school must be published by the local authority, the requirement to make copies available and also those bodies to whom copies of the proposals must be sent. Cabinet must also be satisfied that these requirements have been met. This is covered in paragraph 5.28 in the report under the heading Stage 2 – Publication and paragraph 5.34.
- 7.7 Regulation 16 provides that any person may send objections or comments in relation to the proposals within 6 weeks of the publication of the proposals. Before making its decision on the proposals, Cabinet must carefully consider the responses received to the publication of the proposals, in particular, responses from those stakeholders likely to be most directly affected by the proposals. An overview of the response are set out in paragraphs 5.29 to 5.52 of the report under the heading Stage 3 – Representation and Appendix 11. Further information in relation to the consultation is provided in the Equality Impact Assessments at Appendices 1 and 17.
- 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. This 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, including those deciding proposals and also in relation to information for those affected by the school closure proposals for the school. Local authorities must have due regard to the Guidance when considering or determining such proposal. Therefore, Cabinet's attention is drawn to the Guidance which is attached as Appendix 5 to the report.
- 7.11 Paragraph 4.7 of the Guidance sets out four key issues which Cabinet should consider before making a decision on this proposal. This include being satisfied that the published notices comply with the statutory requirements and that the statutory consultation was carried out. These are also dealt with in paragraphs 7.5 to 7.7 above and in Appendices 9 and 10.
- 7.12 The Guidance contains a list of factors that should be considered by Cabinet before making a decision on the proposals. These include the effect on standards and school improvement (paragraph 4.17-4.18); standards (paragraph 4.19-4.21); schools causing concern (paragraph 4.22-4.23); balance of denominational provision (paragraph 4.31-4.32); need for places (provision for displaced pupils and surplus places) (paragraph 4.34-4.436); and special educational needs provision (4.56-4.57). These factors are covered in the report under the heading



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Stage 4 – Decision (Determination of the Proposal – factors for consideration - at paragraphs 5.53 to 5.108)

- 7.13 Cabinet can decide to approve the proposal, reject the proposal, approve with modification or approve subject to meeting specific condition(s). **Cabinet's** attention is drawn to paragraph 4.67 of the Guidance which states that all decisions must give reasons for the decision, irrespective of whether the proposals were rejected or approved, indicating the main factors/criteria for the decision. The reasons for the recommendation for closure are also articulated in paragraph 10 of the report. Cabinet may choose to adopt or amend the reasons set out in the paragraph.
- 7.14 The proposals must be implemented in the form in which they are approved.
- 7.15 Due regard must be had to European Convention on Human Rights (ECHR), Article 2 of the First Protocol to the ECHR provides that: "No person shall be denied the right to education. In the exercise of any functions which it assumes in relation to religion and teaching, the state shall respect the right of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions".
- 7.16 Article 14 of the ECHR, provides that "The enjoyment of the rights and freedoms set forth in the Convention shall be secured without discrimination on any ground **such as sex, race, colour... religion**".
- 7.17 The United Kingdom Government has made a reservation to Article 2 of the First Protocol because Schedule 3 Part II of the Human Rights Act 1998 declared: "that, in view of certain provisions of the Education Acts in the United Kingdom, the principle affirmed in the second sentence of Article 2 is accepted by the United Kingdom only so far as is compatible with the provision of efficient instruction and training, and the avoidance of unreasonable public expenditure". The report contains reasonable and objective justification for the closure of the school which are not discriminatory. Further, there is no right to be educated at any particular school. If the recommendation for closure is accepted, the children will continue to be educated at schools with better academic results than those achieved at The John Loughborough School. The report through the EqIA contains measure to mitigate any impact on faith practices.
- 7.18 Cabinet must also give due regards to the public sector equality duty under Section 149 of the Equality Act 2010 when determining the proposal for closure. An Equality Impact Assessment has been undertaken to consider the impact of the proposals on protected groups and measures to remove or minimise the disadvantage suffered as a consequence of the proposals. The Equality Impact Assessments are attached at Appendices 1 and 7.



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- 7.19 Given the schools' Governing Body employs approximately 55 members of staff, should the Council decide to close the school then the Governing Body would be under a duty under section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992 to consult about the proposed redundancies with whichever trade unions are recognised by the Governing Body for collective bargaining purposes. If trade unions are not recognised by the Governing Body for some or all of the staff, employee representatives would need to be elected by the relevant staff.
- 7.20 The consultation would need to start at least 30 days before the first of the proposed dismissals takes effect. The consultation would need to be with a view to seeking agreement with the trade union/employee representatives about ways of reducing the numbers of employees to be dismissed and about mitigating the consequences of the dismissals. For the purposes of the consultation the Governing Body would need to provide the trade union representatives with written information e.g. concerning how redundancy payments are to be calculated. Although this duty lies on the Governing Body as the employer, and not on the Council, it will be important for the Council to ensure it is carried out. This is because if the duty is not carried out the trade union/employee representatives could bring proceedings in the Employment Tribunal for breach of section 188. Liability for these claims would, on the school closing, transfer to the Council, unless the Secretary of State directed they were to transfer to the governing body of another maintained school.

8 Equalities and Community Cohesion Comments

- 8.1 In compliance with our public sector equality duty, in July 2012, the council undertook an initial Equality Impact Assessment to consider all the relevant equality data relating to The John Loughborough School and how its closure might impact on the various equality protected characteristics associated with the school. The EqIA was updated in November 2012 to address the issues subsequently raised during a period of consultation which ran from 1st October to 19th November 2012. It was further updated in March 2013 to take account of the outcomes from a **Public and Parents' Meeting, Pupil Meeting and Staff Meeting, all of which took place in February 2013**; these meetings were part of the consultation process and were organised and attended by CYP officers.
- 8.2 The key issues highlighted in the EqIA are that:
- 8.3 The John Loughborough School is one of three Christian secondary aged schools in Haringey and its closure would reduce the capacity of Christian secondary schools in the borough and remove the only free provision available for Seventh-day Adventists (SDA) in the UK. The educational system of The John Loughborough School is based on the beliefs and faith of SDA and with just over a third of pupils in 2011 adherent of SDA, 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. Whilst Stanborough School in Watford is a Seventh-day Adventist



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secondary school, it is a considerable distance away and is fee-paying so would not be a feasible alternative for many parents.

- 8.4 Since a significant majority of the pupils at John Loughborough School are from BME communities, the disruptive effect of closure on pupils attending John Loughborough School would fall almost entirely on pupils from BME groups. Relative to overall Haringey secondary schools population, 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 John Loughborough has a relatively low proportion of pupils with SEN. They nevertheless a vulnerable group who could be particularly affected by closure of the school. It is recognised that dealing with SEN children will be a sensitive and delicate process and others will need to 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.
- 8.6 Set against these negative impacts of closure is the potential opportunity for current and pupils of The John Loughborough School to finish their secondary education at schools that are judged good or outstanding and so improve their chances to achieve the minimum five A* - C grades including in English and mathematics. At present, the proportion of The John Loughborough School pupils who achieve this minimum is substantially below both national and Haringey average. This will be a central consideration in evaluating possible arrangements for closure and will be looked at in relation to the protected groups. In all cases the council will work with parents to identify what is needed to ensure that their children can achieve the best they can.
- 8.7 A major concern of all parties is that the current year 10 students should complete their statutory schooling without disruption or detriment to their learning. These potential negative impacts are being carefully considered in terms of several factors including: the location, the quality of teaching that may be available to them and the match with examination courses that the pupils and school are already committed to.
- 8.8 If Members agree the proposal to close the school they must take account of the outcomes from the representation period and findings of the equality impact assessment (EqIA) including specific measures to mitigate the negative impacts and other risks identified in the EqIA. It would include specific measures to:
- i. Minimise disruption and uncertainty to all current The John Loughborough School pupils.
 - ii. Secure improved educational attainment for all current pupils of The John Loughborough School.
 - iii. Minimise disruption to Year 10 pupils as they go into the second and final year of their GCSEs and to ensure their subject options are at least the same or improved.



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- iv. We will take account of the predominant ethnic groups among The John Loughborough School pupils and consider the most suitable arrangements to meet their education needs, taking consideration of historical attainment of predominant ethnic groups in receiving schools.
- v. Take account of the religious needs of pupils and parents of The John Loughborough School.
- vi. Take full account of Special Educational Needs (SEN) pupils.

8.9 A full Equality Impact Assessment is appended to this report.

Impact on The John Loughborough School teaching and support staff

8.10 The closure of the school would obviously have employment implications for the teachers and support staff currently employed by the school. A separate EqIA will need to be undertaken to assess the full impact on those employees and what mitigation measures might be put in place. Attached is the anonymised Equalities Impact Assessment for staff for information at this stage. If the decision is taken to close the school this EqIA will form part of how any closure is delivered.

9 Policy Implication

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

Pupils

9.2 This report provides information on feedback received following the publication of a statutory notice dated 7 January 2013 and the six week statutory representation period that immediately followed. The decision to issue the statutory notice proposing closure of the school was made after extensive consultation with all stakeholders and following the Review into the education being provided at the school and the outcomes for all pupils at GCSE level.

9.3 Evidence gathered over a long period of time, including conclusions from a number of Ofsted inspections, have repeatedly shown that the education at the school does not meet floor standards for GCSE results and does not meet **with the Council's** vision, aim and expectation, reinforced by the Outstanding for All report, that all children are given every opportunity to achieve their potential.

Resources

9.4 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. For further detail on financial implications see the Finance comments above.



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Staff

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

10 Reasons for Decision

- 10.1 It is recommended that the school closes with effect from the end of the summer term 2013 for the following reasons:
- 10.2 Four Ofsted inspections since 2007 have shown no sustained improvement in the standards expected at the school. The most recent full inspection was in December 2011 which, for a second time, placed the school in **'special measures'**. A monitoring inspection in February 2013 determined progress since the school was subject to special measures to be **'inadequate'**.
- 10.3 A number of support measures have been put into place over the last ten years to try to turn the school around and to raise standards but, despite these, the school has not been able to show sustained improvement over any significant period of time. The support put into place is outlined in this report at para 5.8 but the continuation of this support was not educationally or financially viable in the long term.
- 10.4 A Review of the school by the local authority working in partnership with the SEC. The Review also had the input of an independent education consultant and it was concluded that there were only two viable options for the future of the school:
- closure or
 - conversion to academy status with the support of an external sponsor.
- 10.5 **In September 2013 the Council's Cabinet agreed that these were the only two viable options for the future of the school and agreed that consultation should commence on the possible closure of the school. In parallel with this consultation the SEC would continue to seek to secure an appropriate sponsor to allow the school to convert to an academy.**
- 10.6 In December 2012, following consideration of the feedback received from the consultation that took place with stakeholders, along with all other material **considerations, the Lead Member for Children's Services agreed that a statutory notice should be published setting out the Council's proposal to close the school with effect from the end of the summer term 2013.**
- 10.7 The feedback from the representation period of six weeks that followed the publication of the statutory notice showed that many stakeholders do not want the school to close and have set out that more time should be given to allow the school to respond to the challenge to improve the standard of education being delivered at



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the school and the resultant impact on the outcomes for its pupils. However, the evidence base set out in this report, including successive Ofsted inspections, GCSE results for The John Loughborough School pupils compared with local and national averages, and the sustained and targeted level of support provided to the school to support improved outcomes, illustrates robustly that the school has failed over a long period of time to secure the required outcomes for its pupils and that a delay now in the implementation of the closure of the school runs the risk of consigning further cohorts of pupils to a standard of education that falls well below that which is expected locally and nationally and the resultant impact for life chances on those pupils as they move into adult life and the wider world. Even a delay of one or two years risks impact on outcomes for between 60 and 120 young people to realise their potential and for all of them to be given the opportunity to achieve to their highest potential.

11 Use of Appendices

1. Equality Impact Assessment Pupils
2. The John Loughborough School Review commissioned April 2012
3. Cabinet report dated 18 September 2012
4. Department for Education's (DfE) guidance Schools Causing Concern (amended 2012)
5. Department for Children, Schools and Families (now the Department for Education) Guidance - Closing a Maintained Mainstream School; A Guide for Local Authorities and Governing Bodies
6. Section 8 inspections since 2011
7. Exam results for The John Loughborough School/other schools in borough/national average
8. December consultation report
9. Statutory notice
10. Proposal
11. Representation Report
12. Ofsted Summary of Inspections in a table format



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13. Building Schools for the Future investment into ICT
14. Map of Haringey wards
15. Tottenham Hale Ward Profile
16. Table showing home authority of pupils at The John Loughborough School and map showing location of The John Loughborough School Haringey pupils
17. Equality Impact Assessment for Staff
18. Proposed contingency plan for pupils currently on roll at the school

Tables:

- Table 1: Summary of Full Ofsted Reports for The John Loughborough School
- Table 2: Summary of statutory steps to close a school and associated timetable for this school
- Table 3: Timetable for representation period including dates of meeting
- Table 4: How stakeholders were kept informed during the representation period
- Table 5: Representations received
- Table 6: Main themes arising from representation period
- Table 7: Proportion of children with EAL across Secondary schools in Haringey
- Table 8: Summary of issues surrounding Academisation and council response
- Table 9: Summary of issues surrounding School Closure and council response
- Table 10: Summary of issues surrounding Council Process and council response
- Table 11: Summary of Pupil Questions and council response
- Table 12: Ofsted Inspections of the John Loughborough School since it was placed in special measures for the second time in December 2011
- Table 13: Haringey Secondary Schools % 5+ A* - C (including English and Maths)
- Table 14: Results for Caribbean pupils at John Loughborough school
- Table 15: Value added scores for all pupils 2011 and 2012
- Table 16: Value added scores for Caribbean pupils 2011 and 2012
- Table 17: Summary of Tottenham Hale Ward characteristics
- Table 18: Number of pupils of SDA at the John Loughborough School
- Table 19: Preferences and offers made for Year 7 places at the John Loughborough School
- Table 20: Current number of pupils on roll by year group
- Table 21: Summary of pupils that will be displaced

Figures:

- Figure 1: 2012 % 5+ A*(including English and Maths) Caribbean Pupils
- Figure 2: 2012 % 5+ A*(including English and Maths) Black pupils excluding Caribbean Pupils



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12 Local Government (Access to Information) Act 1985

12.1 This report has drawn on a wide range of information. The principle sources are:

- Previous Cabinet papers
- The Review into the future of The John Loughborough School
- 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>
- Raiseonline data
- National GCSE data