



DERBY CITY COUNCIL

**COUNCIL CABINET**  
**16 MARCH 2004**

Report of the Director of Education

## High View School – Collaborative Re-start

### RECOMMENDATION

1. To recommend to the School Organisation Committee the collaborative re-start of High View School and Technology Centre, with closure on 31 August 2003 and re-opening on 1 September 2004.

### REASON FOR RECOMMENDATIONS

- 2.1 Council Cabinet approved on 13 January 2004 the publication of statutory notices proposing the collaborative restart as part of a wider package of measures to bring about urgent and substantial improvement in the performance of the school.
- 2.2 One objection was received during the statutory period. During earlier consultation there was support for the proposal.

### SUPPORTING INFORMATION

- 3.1 At its meeting on 28 October, Council Cabinet agreed to implement a radical range of measures in the light of the continuing failure of High View School and Technology Centre to provide a good standard of education for its students, and the lack of prospects of improvement. These measures include:
  - an interim partnership with Lees Brook Community Sports College, with an Executive Headteacher over both schools, and Associate Headteachers in each school, plus other shared management and staffing support
  - replacement of the governing body with an Interim Executive Board, which has been approved by Ministers
  - the 'collaborative re-start' and
  - the planned replacement of the school buildings under the Grouped Schools PFI project.
- 3.2 There was full public consultation on the collaborative re-start proposal before Council Cabinet agreed the publication of statutory notices at its meeting on 13 January.
- 3.3 Public consultation showed support for a proposal to close and re-open High View School and Technology Centre as part of a range of measures to bring about significant and rapid improvement.

- 3.4 In these circumstances there is a legal requirement to publish two notices in accordance with the School Standards and Framework Act 1998. The notices proposed to cease to maintain a school and to establish a new school respectively.
- 3.5 The statutory notices were published on 16 January 2004 for a period of a month in the local press and posted at the school. One objection was received during the consultation period.
- 3.6 The one objection to the proposal focuses on the situation for staff at the school and is attached as Appendix 2. As stated in the previous report, current terms and conditions for staff and policies of the City Council mean that:
- teaching staff appointed to posts of lower responsibility and remuneration will have current terms and conditions protected in perpetuity. Support staff have protection for three years. Under the funding formula for schools, schools receive support for protected salaries for three years
  - continuity of service will be protected
  - no enhanced early retirement or redundancy packages are available in advance, but consideration may need to be given to individual cases during the conduct of the staffing procedures
  - staff employed by Commercial Services working in the school are not subject to these processes - a change in management and governance may mean different purchasing decisions on services, but such decisions are made annually by schools
  - every effort would be made to ensure that there were no compulsory redundancies. Staff would be considered for posts in the new school, in alternative schools (subject to decisions of individual governing bodies), in the wider City Council or in alternative employment. Staff who were not reappointed to the new structure or alternative posts in schools or the City Council would be redundant at 31 August.
- 3.7 In accordance with the School Standards and Framework Act 1998, and subsequent statutory regulations, Council Cabinet makes the final decision to proceed on the collaborative re-start after considering the objection. The School Organisation Committee will then consider the proposals on 25 March 2004. If the proposal is not agreed by the School Organisation Committee, it will need to be submitted to the Schools Adjudicator.
- 3.8 Since the previous consideration of this issue, there has been a monitoring visit by Ofsted. This has shown good progress on three of the five key issues since the last monitoring visit, which represents a distinct improvement and success in the initial phase of the partnership. In the light of this, NASUWT has followed up its objection to the proposal stating that it should not be necessary to go through the 'collaborative re-start' to bring about improvement, as changed leadership is having the required impact. That is indeed a vital element, but it is also part of a range of management and teaching support through the partnership with Lees Brook, alongside other measures.

## OTHER OPTIONS CONSIDERED

- 4.1 One other option was considered by Cabinet on 13 January 2004: to close and reopen in August / September 2005, rather than 2004. It is felt, however, that this would unnecessarily prolong the process and be a potential barrier to planning for the future and to implementation.
- 4.2 The Council could decide not to proceed with the collaborative re-start aspect of the overall plan, and bring about changes through internal restructuring. This would be inconsistent with the scale of transformation needed to bring about the necessary rapid improvement. The DfES also has clear expectations about the changes that are required to ensure that national floor targets are reached.

**For more information contact:** G Nizzer / 01332 716951 / Gurmail.nizzer@derby.gov.uk

**Background papers:**

**List of appendices:** Appendix 1 – Implications

## IMPLICATIONS

### Financial

- 1.1 The package of proposals put forward by the Council has very strong support from Government Education Ministers. This has attracted funding that would not be available to the authority if there were not a will to take the necessary radical action to bring about urgent improvement. For the current financial year, approximately £180,000 has been made available, particularly to support the partnership arrangements. It is expected that similar amounts, uprated for full financial years, will be available over the following two financial years. This is dependent on the approval of a 'recovery plan' and establishment of a School Improvement Partnership Board.
- 1.2 Council Cabinet has already created a one-off reserve of £133,861 to support school intervention work. The first call on this funding will be to support measures at High View.
- 1.3 If the decision on closure is made before 31 March 2004, separate budgets will be issued for the old school from April to August 2004, and for the new school from September 2004 to March 2005. If the decision is taken after 31 March, then a full year budget will be issued and the new school would subsequently be issued with a part year budget funded from the old school's underspend.

### Legal

2. The publication of the statutory notices and decision-making process are covered in the main body of the report. For schools in special measures, the statutory notice period is reduced and there is a presumption in DfES statutory guidance that closure will be approved. As there has been an objection to the published proposal, this needs to be referred to the School Organisation Committee for a decision.

### Personnel

- 3.1 A temporary governing body for the re-opened school has now been established with the members of the IEB forming the core. Appointments to the new school have begun with Assistant Principal posts.
- 3.2 An external consultancy company has been engaged to carry out the personnel work including individual discussions with members of staff about their wishes and futures in the new structure.
- 3.3 Other personnel issues are covered in the main body of the report.

### Corporate Themes and Priorities

4. The purpose of this plan is to secure a better standard of education for pupils served by High View. It therefore contributes to **'improving children's and young people's prospects'** and **'improving life chances for disadvantaged people and communities'**.



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21<sup>st</sup> January 2004

Dear Mr Allwood

I write to present the formal response of NASUWT to Derby City Council's consultation on proposed closure of High View School.

NASUWT opposes the closure of High View School, until or unless guarantees are given of: No compulsory redundancies and preservation of existing pay and conditions (salary protection in perpetuity). Even so, agreement with any closure would be conditional on the agreement of members at High View School. As a guarantee of no compulsory redundancies has been refused by the LEA, NASUWT opposes the closure of the school.

Yours sincerely

Dave Wilkinson (Derby NASUWT Branch Secretary)

Cc Andrew Flack  
Simon Longley  
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