
Report to

Scrutiny Board (2)
Cabinet

23rd May, 2007

5th June, 2007

Report of

Director of Children, Learning and Young People

Title

Accelerated Opening of Grace Academy Coventry - Replacement for Woodway Park School

1 Purpose of the Report

The purpose of this report is to seek agreement to the opening of the new Grace Academy, which will replace Woodway Park Community School, from the 1st September 2008 – one year before the date originally proposed.

2 Recommendations

Cabinet is recommended:

- 2.1 To agree in principle to the accelerated opening of the new Grace Academy in the existing Woodway Park buildings from the 1st September 2008.
- 2.2 To delegate authority to the Director of Children, Learning and Young People in consultation with the Cabinet Member (Children, Learning and Young People) to discuss and agree details of the accelerated opening with the DfES and the Sponsor
- 2.3 Assuming that the discussion in 2.2 above reach a satisfactory conclusion, approve that an application be made to the Office of the Schools Adjudicator to agree the accelerated opening – this body holds the statutory power to make this decision.

3 Information/Background

- 3.1 At a meeting on April 11th 2006 the City Council made the decision to close the existing Woodway Park Community School so that it could be replaced with a new Academy. The Sponsor of the Academy is to be Mr. Robert Edmiston of the IM Group. Subsequently, Statutory Notices were issued proposing that the date for the closure of Woodway Park and the opening of the new Academy would be September 2009. This was finally agreed at a meeting of the City's School Organisation Committee on 18th July 2006.
- 3.2 In January 2007 the City Council and the Sponsor were approached by the DfES and asked to consider the possibility of fast-tracking the opening of Grace Academy to

September 2008 – one year earlier than originally agreed. This was related to the Government policy announcement to continue the development of Academies and to aim for an increased target of four hundred Academies to be opened by September 2010.

- 3.3 Since then initial discussions have taken place to establish that there is the potential for agreement to such a fast track opening between the City Council, the DfES and the Sponsor. The DfES are in particular keen to progress this matter as soon as possible.

4 Proposal and Other Option(s) to be Considered

- 4.1 It is proposed that the City Council support the accelerated opening of the Grace Academy in the existing Woodway Park Buildings from September 2008.

- 4.2 This would mean in practice that the new Academy operated the school in the existing buildings for a year prior to the completion of the new buildings to the original target date of September 2009. The Academy would then be in a position to manage the transition from the old school buildings to the new. It could also begin to develop its ethos values and strategies for change more quickly.

- 4.3 The accelerated opening would be on the same basis as the original Academy and in particular the City Council's conditions for agreeing to the Academy would be maintained. These are:-

- That the new Academy would continue to operate the same admissions policy as the existing Woodway Park School.
- That this new Academy will agree to work in partnership with the City Council and other schools in the City.

- 4.4 The accelerated opening will mean that staff at the existing school will transfer from the employment of the existing Governing Body/City Council to the Governing Body of the new Academy a year earlier than anticipated, i.e. in September 2008. All staff are protected by TUPE Regulations, and the Sponsor has undertaken that staff at the new Academy will enjoy at least National Terms and Conditions.

- 4.5 There are potential advantages to the school and the City Council from such an accelerated transfer:-

- The City Council, the DfES and the Sponsor have already made the decision to proceed with the Woodway Park Academy. There will be a period of considerable uncertainty between now and when that decision takes effect. By bringing forward the implementation date from September 2009 to September 2008 this period of uncertainty is reduced. We can be clearer more quickly to staff, pupils, parents and carers about the details of the transition to the new Academy.
- The DfES will make additional resources available to the Sponsor and the school to help the process run effectively and to help the school improve its standards.
- The Sponsor would be operating both the existing school buildings and the new school buildings over the period of transfer from one to the other. This is always an extremely difficult operation and is likely to be easier with one party managing both sites.

- The DfES and the sponsor are looking to appoint a principal elect to the new Academy from September 2007, so that work can commence on establishing the new Academy as soon as possible – this will involve close liaison with the existing school. Following a recruitment process a provisional appointment to this post has been offered to Mr. Steve Allen – the current Headteacher of Woodway Park School.
- 4.6 There are also disadvantages of the accelerated opening. In particular there may be some opposition from staff and parents/carers at the existing school given this unexpected change to plans. The new timescale of September 2008 is tight and challenging but on balance is deliverable.
 - 4.7 If the new Academy opens in September 2008 it means that parents, carers and children will be potentially applying for places in the new Academy in September 2008 during the Autumn 2007 School Admissions Process. If the final decision is made to proceed with accelerated opening there will need to be significant publicity to make sure that the community is aware of the changed option available to them. There is wording included in the City Council's Admissions Documents for the 2007 Application round which flags the possibility of an accelerated opening.
 - 4.8 There are a number of matters still under negotiation with the Sponsor and DfES in relation to the new Academy. These include finalisation of the Land Transfer; agreement to the details of the pre-school facility to be located on the site; the future location of the Coventry Core of Drums (which is currently based on the school site); and the agreement to the areas of the new school building which will be available for extended school facilities. Although provisional agreement has been reached between the Council and the sponsor on all of these points. The negotiations between the Sponsor and the DfES will need to be progressed in the context of a new opening date requiring goodwill and co-operation between the City Council and the Sponsor on agreements already made.
 - 4.9 On balance it is proposed that the accelerated opening is in the best interests of the school and of the community it serves. It is therefore recommended that the Cabinet agrees in principle to the closure of Woodway Park School from 1st September 2008.
 - 4.10 Advice has been received from DfES about the process that needs to be followed to put this in principle decision into practice. The advice is that the power to vary the opening date contained in the original Statutory Notice and subsequently approved by the City's School Organisation Committee lies with the Office of the Schools Adjudicator. Because the change being requested is a technical change only to the dates, no further consultation is required other than with the Governing Body of Woodway Park School. A consultation meeting with the Governing Body will be held on 22 May 2007.
 - 4.11 There are a number of detailed practical issues, outlined in 4.8 above that need to be resolved before acceleration could be proceed. It is proposed that Cabinet delegates authority to the Director of Children, Learning and Young People in consultation with the Cabinet Member (Children, Learning and Young People) to discuss and agree details of these details with the DfES and the Sponsor.
 - 4.12 On the assumption that these discussions will reach a satisfactory conclusion, Cabinet is requested to approve that an application be made to the Office of the Schools Adjudicator to agree the accelerated closure of the Woodway Park School by one year to 1st September 2008.

5 Other specific implications

	Implications (See below)	No Implications
Neighbourhood Management		
Best Value		
Children and Young People	√	
Comparable Benchmark Data		
Corporate Parenting		
Coventry Community Plan		
Crime and Disorder		
Equal Opportunities		
Finance	√	
Health and Safety		
Human Resources	√	
Human Rights Act		
Impact on Partner Organisations		
Information and Communications Technology		
Legal Implications	√	
Property Implications	√	
Race Equality Scheme		
Risk Management		
Sustainable Development		
Trade Union Consultation	√	
Voluntary Sector – The Coventry Compact		

5.1 Children and Young People

The report proposes that on balance accelerated opening of the Woodway Park/Academy September 2008 is in the interests of Children and Young People in the City.

5.2 Finance

It is likely that the School will benefit from the additional financial support from the DfES as a consequence of the decision to accelerate opening.

From the City Council's point of view the adjustments to its overall allocation of Direct Schools Grant from Government will be made a year earlier than anticipated. In very broad

terms this will be neutral to the City Council. The Academy will receive an amount of funding direct from Government that is in line with the levels of funding allocated to maintained secondary schools in the city under the City Council's fair funding scheme.

5.3 Human Resources

Consultation and information will need to be made available to all staff affected by this proposal as it will involve their formal transfer of employment in accordance with the Transfer of Undertakings (Protection of Employment) Regulations (TUPE) 1981 and 2006 the Governing Body of the existing school/City Council/ to the Governing Body of the new school – a separate legal body. Consultation in relation to this TUPE transfer will need to be moved forward

5.4 Legal Implications

Legal documentation will need to be prepared to allow the Land Transfer from the City Council to the Sponsor at an earlier date than anticipated. It is anticipated at this stage that the original Land Transfer will be completed (as is already been agreed) and then a second Transfer with the new date will be subsequently developed to cover the changed situation.

5.5 Property Implications

See Legal Implications above.

5.6 Trade Union Consultation

There will be formal consultation with the Trade Unions on the TUPE transfer of staff, which will under this proposal take place one year earlier than originally envisaged.

The Sponsor has indicated that staff at the Academy will enjoy at least National Terms and Conditions.

6. Timescale and expected outcomes

6.1 It is important to progress a decision in this matter as soon as possible so that parents can be given maximum notice of the basis on which the school will be operating before admission in September 2008. This will allow them to make informed choices about secondary schools for their children.

	Yes	No
Key Decision		X
Scrutiny Consideration (if yes, which Scrutiny meeting and date)		
Council Consideration (if yes, date of Council meeting)		X

List of background papers

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Papers open to Public Inspection

Description of paper

Location

None