

Contact Officer: Andrea Woodside

## **KIRKLEES COUNCIL**

### **CABINET**

**Monday 28th November 2016**

Present: Councillor David Sheard (Chair)  
Councillor Shabir Pandor  
Councillor Peter McBride  
Councillor Naheed Mather  
Councillor Musarrat Khan  
Councillor Erin Hill  
Councillor Viv Kendrick  
Councillor Masood Ahmed  
Councillor Graham Turner

Observers: Councillor Donna Bellamy  
Councillor David Hall, Conservative - Leader  
Councillor Judith Hughes  
Councillor Robert Light  
Councillor Andrew Marchington, Liberal Democrat -  
Group Business Manager  
Councillor Bernard McGuin  
Councillor Cathy Scott  
Councillor Julie Stewart-Turner  
Councillor Linda Wilkinson

#### **112 Membership of the Committee**

All Cabinet Members were present.

#### **113 Interests**

No interests were declared.

#### **114 Admission of the Public**

It was noted that all Agenda Items would be considered in public.

#### **115 Deputations/Petitions**

Cabinet received a petition, submitted by Alexia Place, in support of the proposal to change the age range of All Hallows' CE (VA) Infant and Nursery School (in relation to Agenda Item 7 Minute No 118 refers).

**116 Public Question Time**

No questions were asked.

**117 Member Question Time**

No questions were asked.

**118 Statutory proposal made by the Governing Body of All Hallows CE(VA) Infant and Nursery School to change the upper age range from 3-7 years to 3-11 years and become an all through primary school.**

(Under the provisions of Council Procedure Rule 37, Cabinet received representations from Alexia Place, Jane Sargent, Muhammed Naveed and Valerie Coles. Under the provisions of Council Procedure Rule 36 (1), Cabinet received representations from Councillors McGuin, Hughes and Wilkinson)

Cabinet gave consideration to a report which sought a decision regarding the published statutory proposal by the Governing Body of All Hallows' CE (VA) Infant and Nursery School to change the age range of the school from 3 to 7 years to 3 to 11 years, thereby becoming an all-through primary school, with effect from 1 September 2017.

Cabinet noted that a four week period of statutory consultation on the proposal had commenced on 4 September 2016. A meeting of the School Organisation Advisory Group (SOAG) took place on 14 October to review the process undertaken by the proposer and the representations received.

The report explained that the school had set out its rationale for change by stating that it wished to build on its existing strengths and improve educational outcomes by providing consistency and continuity, sustaining the provision of a rich and balanced curriculum, supporting sustained pupil progress by removing the transition point, enhancing parental choice and meeting the needs of the local community.

The Officer commentary advised that the proposal had been well thought through, and was supported by stakeholders in the local area. However, it explained that the introduction of additional places where there is no evidence of need would potentially have a much wider and significant impact upon the Almondbury area, and in particular a serious adverse impact upon Almondbury Community School, which could result in destabilisation and the school becoming financially unsustainable. On balance, it was recommended that the proposal of the Governing Body be rejected.

Cabinet noted the written and verbal representations which were presented to the meeting, including the receipt of a 228 signature petition in support of the proposal to change the age range of the school.

## Cabinet - 28 November 2016

Appendices to the considered report included the minutes of the meeting of the School Organisation Advisory Group held on 14 October 2016, the consultation proposal, a summary of written responses received during the consultation, and statutory guidance for decision makers regarding prescribed alteration, establishment and discontinuation proposals.

In reaching their decision Cabinet reviewed all of the information in the All Hallows' CE(VA) Infant and Nursery School Governing Body's published proposal, the 203 responses received as part of the representation period, submissions received by the LA examined as part of the SOAG meeting and the further submissions received following the SOAG meeting.

Consideration was also given to additional factual information which included; admissions data over the past 4 years, pupil demographic data and the pattern of pupil distribution as published by the Council in the document 'Rounded, Resilient and Ready - Securing Sufficient High Quality Learning and Childcare Places - School Organisation - Planning and Development for 2015-2018 (Kirklees Council, November 2015)', relevant financial information that models the likely impact of approving the proposal for both All Hallows' CE(VA) Infant and Nursery School and Almondbury Community School, and relevant financial information that illustrates the likely consequence of the introduction of 120 additional Key Stage 2 places that could ensue now and in the future for the children and their families in the area, staff employed in local schools, the wider community and the council.

Whilst financial implications for both of the schools concerned were material, Cabinet considered all of the information to objectively determine the outcome, and had due regard to the relevant statutory guidance which explains; 'The purpose of this guidance is to ensure that additional good quality school places can be provided quickly where they are needed; that local authorities and governing bodies do not take decisions that will have a negative impact on other schools in the area, and that changes can be implemented quickly and effectively where there is a strong case for doing so'.

The relevant factors for Cabinet to consider within this proposal were; Related Proposals, Conditional Approval, Publishing Decisions, Consideration of Consultation and Representation Period, Education Standards and Diversity of Provision, A school-led system with every school an academy, Demand versus Need, School size, Proposed Admission Arrangements, National Curriculum, Equal Opportunity Issues, Community Cohesion, Travel and Accessibility, Funding and School Premises and Playing Fields.

On balance, Cabinet determined that approving the proposal would have a damaging impact upon the local area, taking into account the school places available and the impact that the proposal could have upon the neighbouring school. Cabinet noted that the potential destabilising effect upon the neighbouring school could result in an overall loss to the community of sufficient Key Stage 1, 2, 3 and 4 places.

Cabinet recognised that the Governing Body and leaders of All Hallows' CE (VA) Infant and Nursery School had put considerable time and effort into bringing forward the proposals, and fulfilling the requirements of the statutory process.

It was noted that, as the Decision Maker, Cabinet needed to take into account the DfE's published guidance in reaching their decision, and that they have a duty to consider the impact of any decision for all of the families in the Almondbury area.

**RESOLVED –**

That the proposal made by the Governing Body of All Hallows' CE (VA) Infant and Nursery School to change the upper age limit from September 2017 be rejected.

**119 Putting Children First - Post Ofsted Inspection - Next Steps**

(Under the provisions of Council Procedure Rule 36 (1), Cabinet received representations from Councillors D Hall, Light and Marchington)

Following an Ofsted inspection of 'Support to Children and Young People in Need' during September and October 2016, and the consequential publication of the judgements, Cabinet gave consideration to a report which set out the proposed actions in relation to the inspection outcome. It was noted that the provisional overall judgement was inadequate, which would result in intervention from Ofsted and the department for Education to assist the Council with the improvements required. A timeline in respect of the improvement process was set out at Appendix A of the considered report.

The report explained that a Commissioner would be appointed to undertake a three month review regarding the capacity for improvement within the Council and would (i) make recommendations for immediate improvement of Children's Social Care, including additional support required (ii) review the Council's leadership and management capability and capacity to drive the necessary changes and (iii) make a recommendation to the Secretary of State as to whether alternative delivery arrangements are the most effective way of securing and sustaining improvement. Following the review, a report would be produced by the Independent Commissioner which would make a judgement as to whether Children's Services would remain within the Council or sourced to a Children's Trust arrangement. Details of the Improvement Framework were set out at Paragraph 3 of the considered report.

Cabinet noted that there was an immediate workforce capacity issue, caused by a high number of agency workers leaving at short notice. In order to alleviate the current pressures and stabilise the workforce, it was proposed that an experienced social work team be commissioned from the independent sector, for a period of six months. The commission would help to reduce the level of unallocated cases, reduce high and unsafe workloads, and provide capacity for cover which create additional pressures on staff. The report advised that the cost of the commission would be £448,707 and that this would be funded from the earmarked risk reserve in line with the Cabinet decisions of 23 August 2016 and 15 November 2016.

**RESOLVED –**

- 1) That the proposed approach in response to the outcome of the OfSted Inspection, as set out within the considered report, be noted and endorsed.
- 2) That the proposed governance arrangements as set out in Appendix B of the considered report, be endorsed.
- 3) That the key dates as prescribed by OfSted be noted, and that the proposed approach to enable partnership ownership of the improvement process, as outlined in Appendix A of the considered report, be supported.
- 4) That the actions as set out in paragraph 4.1 of the considered report, and the resource implications upon the New Council Development Reserve, be noted.
- 5) That approval be given to a sum of £448,707 to commission an independent agency to provide social work capacity, as detailed in paragraph 4.2 of the considered report.

**120 Christmas Parking Concessions 2016 - Amendment to previous Cabinet Report**

(Cabinet agreed to the consideration of this item as a late and urgent matter due to the need for the decision to be implemented as quickly as possible in advance of the Christmas period)

Pursuant to the decision of Cabinet on 15 November 2016, it was requested that urgent consideration be given to a further report in order to correct an anomaly relating to the 2016 parking concessions in Dewsbury. Cabinet noted that the previous report should have identified that the concessions for Dewsbury would apply for all Saturdays in December, and would commence at 1.00pm in order to be consistent with the provision in Huddersfield.

**RESOLVED -**

That, pursuant to the decision of Cabinet on 15 November 2016, the amendments to the concessions as detailed in paragraph 2.2 of the considered report be approved.