

CABINET (SPECIAL) MINUTES

28 MAY 2013

Chairman: * Councillor Thaya Idaikkadar

Councillors: * Nizam Ismail * Asad Omar
* Krishna James William Stoodley
* Zarina Khalid

**Non Executive
Non Voting
Councillors:** * Susan Hall * Barry Macleod-Cullinane

In attendance: David Perry Minute 638
(Councillors)

* Denotes Member present

637. Declarations of Interest

RESOLVED: To note that the following interests were declared:

Agenda Item 3 – Future Organisation of Cannon Lane First School (4-7 years)
and Cannon Lane Junior School

Councillor Kam Chana declared a non pecuniary interest in that he was a governor of Cannon Lane First and Junior Schools. He would remain in the room to listen to the discussion and decision on this item.

Agenda Item 4 – Special Needs Transport Change Programme 3 (SNT 3) –
Referral by Call-In Sub-Committee

Councillor Graham Henson declared an interest in that, as a former Portfolio Holder and Cabinet Member, he had participated in the original decision on this matter. He would remain in the room to listen to the discussion and decision on this item.

Councillor Barry Macleod-Cullinane, declared an interest in that he had participated in the decision made by the Call-In Sub-Committee meeting on this matter. He added that, as a non voting non-Executive Cabinet Member, his interest was non pecuniary.

638. Petitions

With the agreement of the Leader of the Council and the Leaders of the main opposition Groups, the following petitions were received:

(1) Petition Registering Disdain at the different treatment experienced by lower graded Harrow Council employees

On behalf of Harrow Unison, Mr Gary Martin presented a petition, signed by 325 members of staff, with the following terms of reference:

“We the undersigned, the majority of whom are composed from the lower pay grades of Harrow Council, draw to the attention of Cabinet that its recent decision to enact a “pause” in a process that directly impacts senior & higher graded (managerial) staff through redundancies has created an unsavoury example of differential and unequal treatment of the worst kind.

We point to the fact that while one process pauses redundancies at a managerial level, processes that will see numerous redundancies concentrated on frontline and lower paid staff through the Medium Term Financial Strategies across all directorates (MTFS) continue unabated and devoid of the political influence that has been clearly exerted in favour of those within managerial grades.

Such actions defy the legal right of all Harrow Council staff to receive natural justice in their employment and clearly breaches the Council’s Equal Opportunity Policy ensuring that all staff shall be treated fairly and equally and free from less favourable treatment, which is clearly identified within the Harrow Council’s contractual employment policies.

In recognising that possible political influences outlined in the local media have engendered a feeling of unfairness, resentment and further lowered the morale of the workforce, we request that Cabinet formally respond to each and every employee of the Council to explain how this situation has come about and what will be done to correct a situation of less favourable treatment which would directly impact on the requirements of section 139 of the employment rights act 1996 (the redundancy act) equal treatment for all.”

RESOLVED: That the petition be received and referred to the Corporate Director of Resources and the Leader of the Council and Portfolio Holder for Performance, Customer Services and Corporate Services.

(2) Petition – No. 50 Warrington Road

Councillor David Perry presented a petition, signed by 24 residents of Warrington Road, with the following terms of reference:

“The above property has been in a derelict condition for many years and after many letters to and conversations with Harrow Council, they are finally in the process of taking legal proceedings against the owner.

However, it has been indicated by the Empty Properties Officer, a petition by the Warrington Road residents would be of value and help in the case against the owner. No. 50 is not only an eyesore but a health hazard, as mice, rats and pigeons are inhabiting this house. The state of this property can only detract from the value of the street.”

RESOLVED: That the petition be received and referred to the Corporate Director of Community, Health and Wellbeing and the Portfolio Holder for Housing for consideration.

639. Public Question

RESOLVED: To note that the following public question had been received:

1.

Questioner: Teresa Jones, Chair of Governors, Cannon Lane Junior School

Asked of: Councillor Zarina Khalid, Portfolio Holder for Children, Schools and Families

Question: Why does the Council continue to follow an outdated Amalgamation Policy which will now result in a loss of Government funding of £154,000 per annum under the new school funding arrangements, and which will have a significant impact on the Education of the children of Cannon Lane Junior School (which is one of the consistently top performing schools in Harrow) when by staying separate the schools would retain all of the funding?

Answer: Thank you for your question.

Firstly, I would like to say that Harrow Council's Amalgamation Policy is based on an educational rationale that will contribute to school improvement and I have read up and researched this and I do believe that this is the case. The benefits of having an all-through primary school on a single site are the basis for the policy and growing national evidence shows that all through primary schools create more consistency between year groups.

In relation to the loss of funding I would make the following points:

The government introduced this 'lump sum' funding change as an interim measure for two years and is currently reviewing all factors within the School Funding Reform, including the lump sum with regards to any changes in the

2014/15 school funding.

In 2013/14 the lump sum amount per school is £142,230. If the amalgamation were to be agreed from September 2013, the combined school would retain these lump sums for this financial year and there would be no claw back of funding. One lump sum would then be received in 2014/15, unless as part of the recent government consultation this changes from 2014/15.

This amalgamation, I believe will lead to economies of scale. There are immediate savings as a combined school, not least in only having one headteacher salary, and as a combined school the governing body would be able to plan ahead strategically across the combined school to achieve efficiencies as all other primary schools in Harrow currently do.

The complete range of information about the proposal to amalgamate these schools was presented during the consultation, including financial information about the lump sum issue. I note that following the consultation there was strong support from parents and I believe that the figure was about 73% in support from parents for the amalgamation.

For all these reasons, the Council does not accept that the funding issue would have any significant impact on the education of children at a combined Cannon Lane School and I believe the benefits do outweigh the costs in this case.

Supplemental Question: Under the process set down in the amalgamation policy, which does not recognise the change in educational landscape, it has been a requirement to consult with the school community so why has all of the published information, including the Cabinet papers, withheld the fact that the Council has already applied for funding to permanently expand the Cannon Lane Schools, which is an issue that the parents and staff of Cannon Lane Junior School have shown is intrinsically linked to their view on the proposed amalgamation demonstrated by the high response rate from the Junior School parents and staff of 152 respondents to our recent questionnaire which indicates that only 37.5 are now in favour of amalgamation and a potential single 840 pupil school?

Supplemental Answer: I do see what you are saying. The decisions about the amalgamation of schools and the expansion of schools are subject to their own separate processes and forgive me but I am going to read from the notes I have.

Now it was stated during the amalgamation consultation process that any proposals under the Primary School Expansion Programme would be decided separately from

these amalgamation proposals. The level of increased demand for school places is such that all schools in Harrow will need to be part of the solution. There is a growing number of children in Harrow and I am sure you are aware of that, so we have to find school places and I do recognise the contribution Cannon Lane Schools are making and admitting 30 additional pupils in Reception for September 2012.

On 1 March 2013, the government launched the Targeted Basic Need Programme of Additional Capital Funding with a closing date for applications of 30 April 2013, so they had to get submissions in very quickly. The Cannon Lane Schools fulfil the key criteria set by the government and we were keen to submit applications in order to maximise funding opportunities for Harrow, which you would understand. We were very mindful that the timing of this application occurs at a time the schools are undergoing amalgamation processes and this timing would not be of our making. A tight deadline from the government to submit applications means that the applications in relation to schools are effectively expressions of interest in principle to consider the provision further. If the application is successful we would need to complete the feasibility study on the school site. All due statutory processes in relation to any permanent expansion of the school, I can assure you, would be undertaken.

Thank you.

RESOLVED ITEMS

640. Future Organisation of Cannon Lane First School (4-7 Years) and Cannon Lane Junior School

The Portfolio Holder for Children, Schools and Families introduced the report, which sought Cabinet's approval to enable the Cannon Lane First School and Cannon Lane Junior School to combine in September 2013 following the publication of the statutory proposals in March 2013 to effect the amalgamation.

The Portfolio Holder made reference to the Council's vision to provide high achieving schools and to continue to make improvements in schools with a view to making education better. She added that in 2007, Cabinet had agreed its strategic approach to school organisation which had included an amended amalgamation policy that was further clarified in 2008. As a result, Cabinet was being asked to agree the amalgamation and the Portfolio Holder commended the report to Cabinet.

RESOLVED: That, having determined the statutory proposals in relation to Cannon Lane First School (4-7 Years) and Cannon Lane Junior School, the two schools be amalgamated in September 2013, namely to:

- extend the age range of Cannon Lane First School (4-7 Years) to establish a primary school with an age range of 4 years (Reception) to 11 years (Year 6) from 1 September 2013;
- expand the capacity of Cannon Lane First School (4-7 Years) from 1 September 2013;
- discontinue Cannon Lane Junior School on 31 August 2013.

Reason for Decision: In line with the Council's amalgamation policy, combining the two schools would give the opportunity to further improve educational standards by enabling planning as a coherent whole across the primary phase of the national curriculum and providing greater flexibility across and between key stages. Access to the whole primary curriculum would support and inform whole school planning, assessment, pastoral systems, etc., and provide opportunities for wider staff development and experience across the full primary phase.

Alternative Options Considered and Rejected: To (1) reject the proposals; (2) approve the proposals with modifications, for example, in relation to the implementation date; (3) approve the proposals subject to meeting a separate condition.

Conflict of Interest relating to the matter declared by Cabinet Member / Dispensation Granted: None.

641. Special Needs Transport Change Programme 3 (SNT 3) - Referral by Call-In Sub-Committee

Cabinet received a report of the Director of Legal and Governance Services, which set out the decision of the Call-In Sub-Committee meeting held on 29 April 2013 following the receipt and consideration of a Call-In notice in relation to Cabinet's decision of 11 April 2013 on the Special Needs Transport Change Programme 3 (SNT 3).

The Leader of the Council welcomed the report from the Call-In Sub-Committee and thanked the Members involved for their scrutiny in regard to SNT3. The Portfolio Holder for Children, Schools and Families commended the recommendations of the Call-In Sub-Committee to Cabinet, including the recommendation from the Corporate Director of Children and Families, at appendix 5 to the report, which would allow for fuller consultations.

The Non-Executive (non-voting) Cabinet Members commented that the commitment to consult should be genuine and fair and residents and staff should feel engaged. It was important to listen to the views of those consulted and not to be seen to have drawn any prior conclusions. They sought assurances in this regard and suggested that the Council's consultation process with staff and residents be re-examined to ensure a holistic and thorough approach. In response, the Leader of the Council stated that he was aware of the issues surrounding the Council's consultation process and had asked the Head of Communications to lead on this matter with a view to presenting a paper.

The Corporate Director of Children and Families explained that additional work relating to the consultation on the SNT3 was required. She added that the Call-In Sub-Committee did not raise any concerns over the Equality Impact Assessment (EqIA) submitted in relation to the SNT3 but that, in any case, the EqIA would be refreshed when a further report was submitted to Cabinet in September 2013.

The Portfolio Holder for Children, Schools and Families commended the recommendation of the Call-In Sub-Committee and it was

RESOLVED: That

- (1) having considered the submission and additional recommendation proposed by the Corporate Director of Children and Families at appendix 5 to the report, and having reconsidered the decision of the Cabinet meeting held on 11 April 2013 set out at appendix 3 to the report as a result of the decision of the Call-In Sub-Committee, the original decision of Cabinet be amended, as follows:

That, given that trades unions and staff members had expressed significant interest in the key decision to externalise a greater percentage of the service, Cabinet reconsider the Key Decision in relation to SNT3 in September 2013 to allow fuller consultation with trades unions, staff and service users and for the decision to be made with the benefit of the consultation responses.

- (2) a report outlining the process of drawing up and approving Equality Impact Assessments (EqIAs) for Cabinet level decisions be submitted to a future Cabinet meeting.

Reason for Decision: To reconsider the decision at the earliest opportunity following the referral by the Call-In Sub-Committee and to allow progress to be made on the SNT3.

Alternative Options Considered and Rejected: To confirm the decision made by Cabinet on 11 April 2013.

Conflict of Interest relating to the matter declared by Cabinet Member / Dispensation Granted: None.

(Note: The meeting, having commenced at 7.30 pm, closed at 7.49 pm).

(Signed) COUNCILLOR THAYA IDAIKKADAR
Chairman