

**Action Plan to Implement Recommendations arising from the West Lodge Complaint Investigation Stage 2 and Stage 3**

	<b>Summary Recommendations</b>	<b>Action</b>	<b>Timescale</b>	<b>Outcome</b>
<b>Clarifications of the 2007 Amalgamation Policy</b>				
1	The Amalgamation Policy that was adopted in October 2007 requires further clarification and improvement.			
	a) It should clarify that the final decision making process on an amalgamation rests with the Local Authority. It should explain how the amalgamation policy and process fits into this, in that effectively the Local Authority is asking the Governing Bodies to form a Steering Group to undertake the consultation. It would be helpful to also add in a section on the statutory process for closing a school so that all involved are clear on this. The flow chart in the policy could be updated to reflect the stages of the Statutory process and to clarify responsibilities for decision making.	The policy is being reviewed and revised to take into account comments from the School Organisation Unit about clarification of the decision making process. This work will incorporate this recommendation, and will incorporate experience from amalgamation processes that have been undertaken.	Report to Education Consultative Forum 11 Sept 2008  Report to Cabinet 23 October 2008	<b>ACHIEVED</b>
	b) A section on legal responsibilities should be added describing the respective powers of Governing Bodies and the Local Authority and the key legislation under which each operates.	This will be included in the policy and supporting documents and guidance		<b>ACHIEVED</b> As above
	c) Clearer terms of reference need to be developed for Steering Groups either establishing rules for decision making or highlighting that the Steering Group needs to agree such rules at the outset. It would also be helpful to include a protocol for agreeing and circulating reports.	An exemplar model will be included in the policy and supporting guidance for schools to consider how the Steering Group will work as a representative group		<b>ACHIEVED</b> As above
2	The Local Authority should apologise for misleading the Governing Bodies through its 2005 Amalgamation Policy and remedy these shortcomings in a revised policy.	A letter has been sent to the complainants to this effect. A separate letter will be sent to the Chair of Governors.	1 July 2008	<b>ACHIEVED</b> Recommendation addressed.

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	<b><i>Improvements to the Local Authority's Complaints Process</i></b>			
1	The Local Authority needs to develop a process for resolving disputes with Governing Bodies.	LA to draft a dispute resolution process for disputes between Governing Bodies and the LA and send to Chairs of Governing Bodies for consultation.	December 2008	<b>ACHIEVED</b> Dispute Resolution process published
2	The Local Authority's Corporate Complaints process should be amended to include clearer guidance on whether, in certain circumstances, an investigation should be escalated directly to stage 2.	Council to review and amend the Corporate Complaints process to provide clearer guidance on how to escalate to stage 2 directly.	December 2008	<b>ACHIEVED</b> Revised Corporate Complaints Process started 1 Jan 2009
3	New guidance needs to be developed for handling complaints about Governing Bodies and for clarifying the circumstances under which these should be sent to the Governing Body involved for comment.	Representations relating to consultations should be sent to the correct consultation procedure. Complaints: complainants should be advised the Governing Body is the correct body to complain to. The LA will also advise the complainant that the LA will not send the complaint directly to the Governing Body. It is for the complainant to choose if they want to make a complaint direct to the school.	December 2008	<b>ACHIEVED</b> Guidance for LA Officers and Chairs of Governors. Complaint template letter now reflects this

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	<b>Clarifying the Local Authority's Position on the Initial Feasibility Study</b>			
1	The Local Authority should issue a statement clarifying its reasons and objectives in re-opening consultation and that these were to firmly establish the views of parents. It should clarify that it was responding to the views of parents in expressing a concern about the initial Feasibility Study and clarify that it has not formed such a view itself. It should also clarify that it acknowledges that both Governing Bodies have acted with the best intentions and that the MSGB worked hard to complete the initial Feasibility Study.	Statement to be drafted and included in communication with parents, staff and governors.	Before end of Summer Term  22 July 2008 letter to staff, parents and governors 24 Nov 2008 letter to stakeholders	<b>ACHIEVED</b>  Letter from Paul Clark  Statement from Portfolio holder in letter from Paul Clark

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	<b><i>Subsequent Reports to Cabinet</i></b>			
1	Subsequent reports to Cabinet on making a decision to amalgamate schools should include an analysis of the educational benefits that are expected to be achieved.	<p>The revised Amalgamation Policy and guidance documentation will retain the educational rationale for the policy on amalgamation.</p> <p>Reference to the DCSF guidance will be included in the policy and supporting documents and guidance.</p> <p>All Cabinet reports include information on Performance as required by Corporate Guidance.</p> <p>A section on educational standards has been included in reports to Cabinet about decision making on proposals to amalgamate schools.</p>	<p>Report to Education Consultative Forum 11 Sept 2008</p> <p>Report to Cabinet 23 October 2008</p>	<p><b>ACHIEVED</b> Agreed clarified Amalgamation Policy and supporting guidance documentation</p> <p>Belmont schools 18 December 2008; Roxeth Manor schools 15 January 2009.</p>

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	<b><i>Setting up the Combined School</i></b>			
1	<p>The Local Authority should undertake early consultation on its programme for fully integrating the schools, explaining how it will seek to minimise disruption. It should organise a meeting with staff to talk through its plans at the earliest opportunity.</p> <p><i>As a result of the determination of proposals beginning referred to the Office of the Schools Adjudicator (OSA) and the subsequent High Court Challenge to the OSA decision, the outcome of the Statutory Proposals was not final until Monday 15 December 2008. The end of term was on Friday 18 December 2008. The implementation date for the proposals as determined was 1 January 2009.</i></p>	<p>Letters to all staff, parents and governors were sent by the Chair of the Steering Group before Cabinet decision.</p> <p>Letters were sent by the LA to all staff, parents and governors after Cabinet decision.</p> <p>LA to make all reasonable efforts to secure agreement with the GBs of both schools to how this process will move forward.</p> <p>LA to draft proposals for establishing a Working Group and a GB for the all-through school if Cabinet decides to proceed.</p> <p>When agreement with the GBs is secured, a letter will be sent to staff, parents and governors outlining proposals.</p>	<p>25 April 2008</p> <p>22 May 2008 22 July 2008 19 Sept 2008 11 Nov 2008 24 Nov 2008 5 Dec 2008 17 Dec 2008</p> <p>25 Nov 2008</p> <p>5 Dec 2008 17 Dec 2008</p>	<p><b>ACHIEVED</b> Agreed approach to partnership working between the GBs and LA.</p> <p><b>ACHIEVED</b> Letters sent during the autumn term to keep stakeholders informed.</p> <p>Letter to GBs and Headteachers 25 November 2008 outlining proposed approach to implementation as included in the Amalgamation Policy and Implementation Guidance.</p> <p>Letters written to all staff, parents and governors to keep them informed.</p>

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2	<p>Guidance should be offered to the Interim Governing Body on a recommended approach for the recruitment of a new Head Teacher.</p> <p><i>As a result of the determination of proposals beginning referred to the Office of the Schools Adjudicator (OSA) and the subsequent High Court Challenge to the OSA decision, the outcome of the Statutory Proposals was not final until Monday 15 December 2008. The end of term was on Friday 18 December 2008. The implementation date for the proposals as determined was 1 January 2009.</i></p>	<p>Advice will be given in relation to how to move forward with implementation.</p> <p>Guidance note will be included in the revised amalgamation policy and supporting papers.</p>	November 2008	<p><b>ACHIEVED</b></p> <p>Guidance Note included in the Amalgamation Policy and Implementation Guidance.</p> <p>Letter to Chairs of Governors and Headteachers 25 November 2008, outlining proposed process and enclosing the relevant guidance.</p>
3	<p>Communication should start straight away with staff in both schools about the recommended process for the appointment of a new Head Teacher and a new Governing Body. This should be done to explain how concerns about a sense of 'take over' can be allayed. A positive story about the combined school now needs to be communicated.</p> <p><i>As a result of the determination of proposals beginning referred to the Office of the Schools Adjudicator (OSA) and the subsequent High Court Challenge to the OSA decision, the outcome of the Statutory Proposals was not final until Monday 15 December 2008. The end of term was on Friday 18 December 2008. The implementation date for the proposals as determined was 1 January 2009.</i></p>	<p>MS staff and Unison questions answered by Chair of Steering Group during consultation process.</p> <p>Letters to all staff, parents and governors regarding the outcome of the consultation and Steering Group recommendation to Cabinet.</p> <p>Letter sent after Cabinet decision.</p> <p>Meeting with Middle School staff and Governors</p>	<p>4 April 2008 10 April 2008</p> <p>21 May 2008</p> <p>22 May 2008</p> <p>23 June 2008</p>	<p><b>ACHIEVED</b></p> <p><b>ACHIEVED</b></p> <p><b>ACHIEVED</b></p> <p>Letter to all staff. Staff engaging positively with the new leadership</p>

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		<p>LA to make all reasonable efforts to secure agreement with the GBs of both schools to how this process will move forward.</p> <p>Communication to staff once Governors agree position and following outcome of Cabinet decision on 18 Sept.</p>	<p>Letter to staff of both schools 5 Dec 2008.</p>	<p>Officer discussion with Chairs of both schools and attendance at GB meetings in Dec 2008.</p> <p>Letter to Chair of WLMSGGB 11 Dec 2008, in response to letter dated 7 Dec 2008</p>

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4	<p>The Local Authority should also recommend a process for the appointment of a new Governing Body to ensure that it is representative of the full age range of pupils and can move on from the current tensions.</p> <p><i>As a result of the determination of proposals beginning referred to the Office of the Schools Adjudicator (OSA) and the subsequent High Court Challenge to the OSA decision, the outcome of the Statutory Proposals was not final until Monday 15 December 2008. The end of term was on Friday 18 December 2008. The implementation date for the proposals as determined was 1 January 2009.</i></p> <p>The opportunity for mediation in this process should be considered.</p> <p>Reassurance needs to be given to staff and families about how the recommended process will enable the school to move on and will avoid any fears of recrimination that staff and families may have.</p>	<p>Advice will be given in relation to how to move forward with implementation based on outcomes of decision making process. Guidance note will be included in the revised amalgamation policy and supporting papers. Constitution considered by Governing Body and draft Instrument of Government agreed and effected from 1 Jan 2009. Former Middle School representation arranged - two staff on Governing Body, and five representatives on working groups. Further consideration of constitution occurring, with a view to reconstituted GB and instrument of government being in place by 20 April 2009.</p> <p>Mediation support has been offered in a letter from Paul Clark to complainants.</p> <p>Letter to all staff, parents and governors will be sent once the way forward is agreed.</p>	<p>Clarified Amalgamation Policy and Implementation Guidance agreed by Cabinet in Oct 2008 and distributed to schools.</p> <p>1 July 2008</p> <p>19 Sept 2008 11 Nov 2008 24 Nov 2008 5 Dec 2008 17 Dec 2008</p>	<p>Written guidance to the GBs.</p> <p><b>ACHIEVED</b></p> <p>Offered throughout <b>ACHIEVED</b></p> <p><b>ACHIEVED</b> Letter to all staff, parents and governors. OSA impartial involvement will have reassured stakeholders</p>

**Actions arising post decision of the Office of the School Adjudicator:**

The OSA determination approved the proposals. This was published on 24 November 2008. Since then the High Court ruled in favour of the OSA decision. The Governing Body of the First School have developed an Implementation Action Plan and the proposals to amalgamate the schools have been implemented with effect from 1 January 2009.

The Governing Body's action plan supersedes the local authority action plan.

### Stage 3 Investigation Outcomes Action Arising from Up-held Complaints

	<b>Complaint Group/Summary Recommendations</b>	<b>Action</b>	<b>Timescale</b>	<b>Outcome</b>
	Complaint 3A, 11A, 11B and 11C Feasibility Study conducted properly	Finding upheld and the Chief Executive response to ensure that terms of reference and guidelines are provided for the completion of final reports.	Letter 3 November 2008	Guidance included in Amalgamation Policy. <b>ACHIEVED</b>
	Complaint 9 Not made clear that all members of the Steering Group had to agree the report.	Finding up-held and the Chief Executive response to ensure that terms of reference and guidelines are provided for the completion of final reports.	Letter 3 November 2008	Guidance included in Amalgamation Policy. <b>ACHIEVED</b>
	Complaint 11M Disproportionate to reopen consultation <b>[Partially upheld by the Review Panel but rejected by the Chief Executive]</b>	N/A		OSA determined the proposals for amalgamation. The High Court ruling upheld the decision of the OSA.
	Complaint 12D Portfolio holder told call-in the MSGB had acted inappropriately. <b>[Outside complaints remit. Complaints about Members have a separate procedure]</b>	The Portfolio Holder wrote a letter of apology to all stakeholders and particularly to MSGB	Letter 3 November 2008 Letter to stakeholders	<b>ACHIEVED</b>
	Complaint 14A decision to close middle school shows bias <b>[Rejected by the Chief Executive]</b>	N/A		The Amalgamation Policy is clear the local authority will usually discontinue the school where the headteacher has resigned and the vacancy occurs.

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	Complaint 14E Local authority and chair of steering group provided inconsistent information	Chief Executive response accepts this and confirms the process.	3 November 2008	<b>ACHIEVED</b> Guidance included in revised Amalgamation Policy.
	Complaint 15C New amalgamation policy not consulted on  The policy should be widely published among stakeholders once clarified	Consultation on revised amalgamation policy and implementation guidance carried out. The Amalgamation Policy is available on the Council website, and is provided to schools when trigger circumstances arise. The local authority consulted on proposals to change school organisation across Harrow from September to December 2008. Cabinet agreed to publish statutory notices at their meeting in January 2009. During the consultation period, no new schools commenced the amalgamation process to avoid confusion for stakeholders. Those schools in the process, continued and were sent the implementation guidance.	The draft documents were sent to primary Heads and Chairs, and to the complainants, on 10 Sept 2008, requesting comments and responses by 30 Sept 2008.	<b>ACHIEVED</b> Cabinet agreed revised policy on 23 October 2008.
	Chief Executive respond to Panel's findings	The Chief Executive wrote to complainants 3 November 2008.	Letter 3 November 2008	<b>ACHIEVED</b>

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	The Panel questioned if a rapid move to amalgamate was beneficial	The Schools Adjudicator made this decision and not the Council. The OSA advocated a prompt amalgamation as the best solution to address the situation		<b>N/A</b>
	The Chief Executive should offer a more comprehensive and meaningful apology.	Not only did the Chief Executive, Corporate Director of Children's Services and the Director of Schools and Children's development apologise but the Portfolio Holder wrote to all stakeholders apologising.		<b>ACHIEVED</b>