

Please find below the results of the independent investigation carried out by experienced governors appointed by the Local Authority.

Independent Investigation

Official Complaint about the Full Governing Board of the BAWB Report

Introduction

In response to an official complaint, on behalf of West Burton parents, to the BAWB Federation Board of Governors dated 30th July 2018 regarding their governance assistance was sought from the Local Authority. Stuart Boothman, Lead Adviser for Governance at North Yorkshire County Council completed the organisational preparations and approached two experienced School Governors to undertake an independent investigation.

The complaint involved the Governor's recent decision to refuse defederation for West Burton Church of England Primary School from the Bainbridge, Askrigg and West Burton Federation (BAWB). The complainants felt that the Governors were in breach of their own Code of Conduct and had acted against two of the seven principles of public life.

The two investigators spoke with the complainants, members of the BAWB Senior Leadership Team and some of the Governing Body including the Chair, officers of the LA most closely involved with BAWB since it came into being, Councillor John Blackie and temporary Executive Head Teacher. These meetings took place between the 11 th September and 27th September and lasted for up to two hours giving the participants sufficient time to explain their side of the situation and to provide supporting documentation and information in preparation of this report.

Findings

The results of enquiries are noted under the specific headings of the original complaint.

"We have a duty to act fairly and without prejudice"

West Burton has, since Federation, been the sole bearer of measures designed to mitigate the budget deficit. These measures have led to a considerable decline in the educational provision at the school. Thus, the Governors have not acted fairly or without prejudice.

Not upheld:

Following discussions with Governors, staff and LA Officers along with scrutiny of background documentation, it is deemed that the Governors behaved with a degree of objectivity. At all times they carefully considered the needs of the children and made them their main priority. The Ofsted and SIAMS reports both indicate the excellence of the educational provision provided.

"The Governors should practice Open Governance and act appropriately" The Governors have failed to disclose the reasoning behind their refusal of defederation and have had minimal contact with parents and stakeholders of West Burton School.

Not upheld:

BAWB Federation Governors have their own page on the website which indicates their role within the organisation. Evidence presented shows readiness to engage with complainants to allow open discussions to take place. The Governors have accepted the challenge of the complaint and taken on the responsibility to demonstrate the deep thought surrounding their decision-making process. Equally, with hindsight the situation may have been improved if the logic behind the conclusion had been shared earlier to the school family. (The full report of the comprehensive reasons for the decision was not issued until September, which was unfortunate in the circumstances).

“We will consider carefully how our decisions may affect the community and other schools”

The decision to refuse defederation and implement Option 3A will almost certainly lead to the closure of West Burton School. Any closure will have a significant impact on the local communities served by the school and the wider district, and is contrary to the policies of both Richmondshire District Council and the Yorkshire Dales National Park Authority, which is to increase the number of young families moving to the National Park. Further, it is in contravention of the policy of North Yorkshire County Council to avoid the closure of rural schools.

Not upheld:

The financial modelling carried out by the Local Authority Financial Management Services indicates that the BAWB Federation is stronger with three schools with the current pupil numbers and closure seems less likely by remaining in the Federation. This evidence along with external inspections demonstrate the quality of the provision within the community, which the Governors are undertaking to maintain. By providing outstanding distinctiveness and effectiveness alongside good teaching and learning the schools should attract families moving into the area.

“We will always be mindful of our responsibility to maintain and develop the ethos and reputation of our school/group of schools. Our actions within the school and the local community will reflect this.”

The constant attempts to bus children, threats of closure and other governance actions over the last two years have sullied the reputation of the BAWB Federation. Representatives of County, District and Parish Councils, as well as local residents, are all opposed to the recent decisions taken by the Governors.

Not upheld:

External inspections recognise and confirm that West Burton Church of England Primary School is at the centre of the community and is highly valued (SIAMS report October 2017). It was also recognised at this inspection the supportive role of the Governors who “make wise decisions and challenge effectively”. Difficult and challenging decisions have to be made, at times, and it is often not possible to satisfy all those involved.

“Accountability: Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.”

The Governors have shown no accountability to the stakeholders of West Burton School nor to the wider community. By failing to explain their decision adequately, they have not submitted themselves to any appropriate scrutiny of their actions.

Not upheld:

See above: The Governors have accepted the challenge of the complaint and taken on the responsibility to demonstrate the deep thought surrounding their decision-making process. Equally, with hindsight the situation may have been improved if the logic behind the conclusion had been shared earlier to the school family. The full and detailed decision was issued in September, which may have been more acceptable being published in July.

“Openness: Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.”

The decision was taken in the absence of any neutral observer. The Board has since refused to state what information was used to make the decision, and has also refused to explain its reasoning. Public interest clearly applies in this case and yet minimal information has been forthcoming.

Not upheld:

See above - The Chair of the Governing Body spoke publicly about the decision in July 2018 and was supported by the North Yorkshire Executive Member for Schools who confirmed the Governors had “explored the possibility of West Burton defederating with diligence and thoroughness and have listened very carefully to what people have had to say”. During the Full Governing Body meeting on 11th July 2018, Cllr. John Blackie was present for the first part of the meeting and contributed to open discussions surrounding the defederation. Subsequently, in September 2018, the reasons were sent to parents.

Recommendations:

It may prove more effective that the Federation Senior Leadership Team have face-to-face meetings with parents from West Burton when difficult decisions are being made. Schools in the Dales, where children are bussed from outside the villages, means that school staff do not have the opportunity to speak to parents when children are dropped off or picked as happens in urban schools and something may have to be done to counter balance this.

Every effort to be made to include the wider community when important, far-reaching decisions need to be made.

A system to be devised to ensure that an active member of the West Burton community is a member of the BAWB governing body but is also aware of the need to ensure that the children of the Federation schools are the centre of the discussion and decision making process.

There is no evidence nor do we believe that the BAWB Board did purposefully or maliciously contravene any of the Nolan Principles.

October 2018