

## Minority Report

**This Minority Report is produced by Councillors Leah Fraser, Wendy Clements, Stephen Williams, Bruce Berry and Tom Anderson following a meeting of the Coordinating Committee on Thursday 2<sup>nd</sup> October 2014.**

The Committee was convened following a call in of the Cabinet's decision on 04<sup>th</sup> September 2014 regarding closure of The Lyndale School. The Call In was led by Councillor Paul Hayes and the reasons given are repeated below: -

*1. The Independent Consultant appointed to comment upon the options for Lyndale School was appointed unilaterally by the Local Authority, with no consultation with the Governors or Parent's of Lyndale School.*

*2. The Independent Consultant's report was not commissioned prior the consultation and was published once the consultation had closed, therefore not allowing any proper or adequate scrutiny of the aforementioned report.*

*3. Cabinet had prepared, prior to the meeting, a typed and printed recommendation which was moved by Cllr Tony Smith and agreed unanimously by attending members of the Cabinet. It would therefore seem that Cabinet's decision had insufficient regard to the presentations made at the Cabinet meeting, including the articulate and highly persuasive contributions from parent representative Zoe Anderson.*

*4. Education, Health and Care Plans are currently being drafted in respect of all pupils who attend the Lyndale School. In order for Cabinet, the Independent Consultant, or indeed the wider public, to have sufficient information to decide whether or not these pupils could continue their education at alternative schools the aforementioned plans should have been published prior to the opening of the consultation.*

*5. A series of questions raised by Governors and Parents of the Lyndale School to the Local Authority where not answered adequately or at all, so as to hinder the Governor's and parent's ability to fully respond to the consultation process.*

*6. The consultation meetings, although described as 'generous' by the Independent Consultant, where flawed, insofar as the Chair was an council officer and could not reasonably have been seen as independent given officers previous recommendations to Cabinet. Additionally no minutes of these meetings where published but rather 'high level notes' which were not conducive to the principle of a full and open consultation.*

*7. Owing to the above the Cabinet could not have made a properly informed decision as to whether the proposals met the SEN Improvement Test.*

Cllr Hayes called the following witnesses: -

Zoe Anderson (Parent Governor at Lyndale School)

Dawn Hughes (Parent Governor at Lyndale School)

Emma Ledbetter (Parent Governor at Lyndale School / Lunchtime Assistant at Stanley School)

Nicola Kenny (Teaching Assistant at Lyndale School)  
Tom Harney (Chair of Governors / Former Councillor for Eastham)  
Ian Harrison (Accountant and Lyndale School Governor)  
Christopher Locke (Lyndale School Fundraiser)  
Emma Howlett (Former Parent of Lyndale School Pupil)

It should be noted that Cllr Hayes also called Alison McGovern MP as a witness however she was unable to attend.

Cllr Tony Smith (cabinet member) called the following witnesses: -

David Armstrong

Lynne Wright (Consultant commissioned by the Council, it should be noted Ms Wright was called by both Cllr Hayes and Cllr Smith)

Andrew Roberts

Cllr Phil Davies

Julia Hassall

During the debate we feel that the witnesses called by Cllr Hayes were articulate in expressing not only their emotional attachment to Lyndale as a fantastic school but also their reasoned case as to why the Cabinet's proposal did not meet the 'SEN Improvement Test' was, in our opinion, convincing. From the evidence we heard we have formed the opinion that the officer's view that this school is financially unsustainable is something that can and should be addressed by the council reviewing the funding bands in place and working with the School's Forum to ensure The Lyndale School remains open. Indeed we note that a review of the funding bands is due to take place and we believe that no plans for closure should be announced prior to the outcome of this review.

Following the debate it was moved –

*"The committee having listened to evidence cannot agree with the Cabinet's decision to close the school.*

*The committee believe that due to the excellent job the Lyndale School does in caring for and educating their pupils, that the school should remain open."*

*We would also recommend that the cabinet re-considers its decision and asks the officers to work with the Wirral School's Forum to ensure reform of the current banding system that truly reflects the needs of each child."*

The aforementioned motion was supported by all signatories of this Minority Report and Cllr Gilchrist, the motion was lost. The signatories of this Minority Report also supported a motion moved by Cllr Gilchrist but this was also lost.

The majority decision of the Committee was to endorse the decision of Cabinet and for the reasons aforesaid we cannot agree and have therefore submitted this Minority Report.

We are firmly of the view that the case for Wirral Council to retain such a unique and special school has been convincingly made.