



HPSPC – Holland Park School Parent Collective

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OUR CHILDREN, OUR SCHOOL

Jane Farrell, Chair, HPS Board of Governors

Via Email: chair@hollandparkschool.co.uk

25th March 2022
Without Prejudice

Dear Ms Farrell,

Thank you for your time on the 17th March. However, we would reiterate our request for a meeting with the governing body and for this to exclude United Learning since they are not currently a part of either Holland Park School or its governing body.

As a matter of record, you will have seen from that meeting - with a near unanimous show of hands (mirrored at the council meeting the following Monday) - that parents present were largely against the MAT and the selection of United Learning as a preferred partner.

We appreciate there will be further opportunities for stakeholders to engage but, before then, we have a series of requests and queries for your earliest possible attention. These relate to six primary issues:

1. The absence of any Parent Governors on the Board at time of significant change; the failure to appoint new ones in good time and taking decisions without a full quorum.
2. Is a MAT the best way of dealing with questions raised in the NtI and, if so, on what basis should one be selected?
3. The appointment of a new, permanent, headteacher with undue urgency and potentially without balanced representation on the Governing Body-led interview and decision panels.
4. The issue of how the investigation into historical student complaints has been conducted and the procurement of the independent investigator.
5. The question of targeted bias and misinformation in your correspondence and interaction with the parent body and wider stakeholders.
6. Overall lack of transparency and conflict of interests.

SECTION ONE: PARENT GOVERNORS

Article 46b of the HPS articles of association state that an Academy Trust should have a minimum of two Parent Governors. This is a requirement and, in failing to have them, the board is failing to meet its governance duties. At the time of the vote to recommend a MAT, there was only one Parent Governor on the board and, as other significant decisions are being made, there are now none. This is in dereliction of your governance duties.

Article 56 of the school's articles of association states, "Where a vacancy for a Parent Governor is required to be filled by election, the Governing Body shall take such steps as are reasonably practical to secure that every person who is known to them

to be a parent of a registered pupil at the Academy is informed of the vacancy and that it is required to be filled by election, informed that he is entitled to stand as a candidate, and vote at the election, and given an opportunity to do so."

Sally Bercow stepped down as Parent Governor on 3rd December 2021 and new candidates applied for an 8th December deadline. It is not clear why the process wasn't conducted in advance so that a new parent governor could have stepped in on December 4th. For clarity, December 8th is now nearly four months ago. On 31st January 2022, one candidate wrote to inquire about the election and was told, *"The process has been delayed a little – for a couple of reasons - and I hope we can get a new timetable out to you shortly."* The parent body has only today (March 25th) received ballots for a new election, been officially informed of the second vacancy though still not informed of John Bercow's resignation on 11th March 2022. In fact, notification about the second vacancy did not go out at all to new applicants and instead, candidates who applied at the start of December are the only ones able to stand in this new, double election.

During this same period you have had many meetings without a full quorum in contempt of defined procedure.

In a reply to parent Gaelle Deschamps on 24th March you repeat the statement you made at the meeting of the 17th March that *"...we do have a parent who is a governor,"* something also reiterated by Arwel Jones in his meeting with Melanie Wolf and Charlotte Sones of the HPSPC on March 16th. You will be aware that a parent who is a governor is unelected by parents and not interchangeable with, or a substitute for, an elected Parent Governor.

We understand that on 21st March, Louisa Jane Mitchell was appointed to the board, again without the full quorum or any Parent Governor representative and we would consider this to be in breach of your own articles of association.

- a. For a school of this size, we would formally request Parent Governor slots are increased to a total of four.
- b. We understand that the process of interviewing for a new head teacher is due to begin on Tuesday. We would formally request that no decisions are made without a full quota of Parent Governors on the board in order to be operating with a full quorum.
- c. It is our belief the Governing Body have made significant decisions and taken a number of votes without a proper quorum and that all work carried out by the Governing Body since December 3rd on Sally Bercow's resignation has been done without a proper quorum and we will pursue this with RBKC, our MP for Kensington, the ESFA, Ofsted, the RSC and the Minister for Education.

SECTION TWO: THE GOVERNING BODY & MAT PROCESS

We have been told that the decision to opt for a MAT and the choice of United Learning *"...received unanimous support of all who were able to vote"* and that *"All trustees without any potential conflict of interest were present"* (Arwel Jones email to Charlotte Sones, 16 March).

THE VOTING PROCESS

Regarding the working group and broader voting process, please supply the following:

- a. Names of all governors in the MAT working group.
- b. Names of all governors able to vote on the long listed MATs.
- c. Names of all governors able to vote on the short listed MATs.
- d. Names of all governors able to vote on the final proposal.
- e. Total number of governors on the board at the time of the final vote.
- f. Percentage of full body required to pass such a vote.
- g. Names of all governors excluded from the vote on the grounds of conflict of interest with supporting information on said conflict.
- h. Details of all communications between the school and the DfE and minutes of all meetings since your appointment in September 2021.
- i. Minutes of all meetings regarding the MAT.
- j. Precise details of next steps to be taken by the governors in the due diligence process with UL.

In a letter of 24th March to parent Gaelle Deschamps you wrote:

"The governing body includes Mr Chappell as Academy Head and, before his retirement, Mr Hall. Both were involved in discussions on the MAT matter. Since his appointment in February 2022, Mr Jones has been engaged in the process also – as a headteacher with very significant experience, his input has been especially valuable."

We have also been told by Mr Jones, on multiple occasions, that a) David Chappell was excluded from MAT meetings because of a conflict of interest and b) Mr Jones himself was likewise excluded for the same reason.

- k. Please give details of all meetings Mr Jones attended regarding the MAT that David Chappell did not.
- l. Please expand on why David Chappell (and other SLTs) have not been "engaged in the process" in the same way as Mr Jones given their equally 'very significant experience.'
- m. Please state for the record reasons why, as a governor, David Chappell could not have been included in a substantial way in conversations relating to the MAT even if excluded from the vote on the grounds of a conflict of interest.

We understand that, despite the nature of historical allegations and specific nature of safeguarding and pastoral care in the wake of the Grenfell tragedy, no member of the safeguarding team was included in the MAT working group.

- n. Please confirm that a member of the safeguarding/pastoral care team will be included in the MAT working group with urgency and included in all future deliberations concerning the proposed conversion to a MAT.
- o. As a matter of record, we would also inquire whether there is a SEN representative currently on the board.

In your letter to the parent body on March 14th regarding the second stage of the process to select a MAT you say we "...would like to thank you for your patience and understanding as we have gone through what has been a fair and robust process; and I would also like to thank all governors for the rigour, expertise and hard work they have brought to it." However, all governors were **not** included in this process. The elementary failure to clarify who is involved in decision making, means that your use of the terminology "all governors" gives parents (what feels like) a deliberately biased view of events.

In the same letter you say, "Governors have explored a number of options, including the consideration that Holland Park School might remain a single academy trust. Given the issues facing the school and having carefully worked through all the options using a robust, open and clear process, the governors have decided the future of the school is best secured and stabilised through joining a MAT."

Again, this broadly implies that the governing body as a whole conducted this process while we understand the working body consisted of three people, at least two of whom were put in post by the DfE – i.e., the party requesting consideration of conversion to a MAT.

In Warwick Mansell's article regarding the current situation at Holland Park School he says, "Analysis of the make-up of the board during the period in which the decision to go with United Learning was made shows it has been dominated by those from the multi-academy trust sector, with all five board members who arrived in September having MAT links....According to DfE governance records for the school, there were three other trustees who were on the board at the time the decision to move to ULT was taken: two longstanding trustees and one appointed in November. I have not spotted any MAT links for these three. But this leaves the maths clear: the five appointed in September, with the deep MAT connections, were in the majority."

The presence of two Parent Governors on the board may have had a bearing on the vote, potentially representing a different point of view.

- p. Please give a detailed explanation of how it is considered a conflict of interest for David Chappell, for example, to be excluded in deliberations but not for trustees with a known MAT bias drafted in by the DfE which, likewise, has a pro MAT bias in line with the upcoming government whitepaper.
- q. We would request that parents and students are formally advised of the fact that David Chappell - as a governor and someone well known to both parties - was not included in meetings related to the longlist, shortlist or final decision of a choice of partners.

THE SELECTION PROCESS & CRITERIA

Regarding the selection of a MAT partner, please supply the following:

- r. A full list of parties who submitted a proposal and, where possible, said proposals.

- S. A full list of criteria used to select a MAT.
- T. The weight given to the different criteria used to select the shortlisted MATs.
- U. Precise details of the next steps in the due diligence process with UL.
- V. In your letter of March 14th to parents you say, *"The values of United Learning match those within the criteria set by governors."* Please outline these values.

Further, you say, *"The criteria set by the governors were based on early dialogue dating back to the autumn term with the local authority, the leadership team (including the headteacher), parent and local school representatives and historical knowledge of the school."*

To our knowledge, teachers, the Local Authority and parents have been largely excluded from any such discussions. Moreover, teachers refused to attend the meeting held by you and United Learning due to the lack of prior consultation.

We would now formally request the following:

- W. A list of people included in this early dialogue, specifically which governors, who at the LA, which members of the SLT and which parent representatives.

In support of conversion to a MAT you state, *"Criteria included matters of governance, finance and autonomy, as well as outstanding education for children... In particular, the governors were concerned to ensure the school becomes inclusive and open to parts of the North Kensington community who have felt excluded."*

Holland Park School has a very small catchment area due to its status as an Outstanding school and its over subscription is testament to the fact that places are highly sought after. The school has a policy of taking an academically diverse range of students with 25% intake from each band. A further 24 places (10%) are reserved for children accepted into the art aptitude programme which is open to all, regardless of background, catchment or academic ability. The borough is hugely diverse with one of the highest mixes of poverty and wealth sitting geographically back to back meaning the catchment is the very definition of diverse. The proportion of students at HPS from minority ethnic backgrounds and those eligible for pupil premium are both higher than the national average. The largest ethnic group is of mixed ethnic heritage. Admissions to Year 7 are run and overseen by the council. In year admissions are, as with other similar comprehensives, controlled by the school but, due to over subscription, are very few. The report into alleged 'cherry picking' in the sixth form suggested that the HPS policy of requesting a personal statement *'could'* leave them open to the charge of cherry picking, *not* that they had carried out any illegal practice. In fact, the practice is not unique to Holland Park School. While the sixth form at Holland Park School caters only for academic rather than vocational qualifications, admission to sixth form and further education is not limited by catchment area in the same way as Key Stage 4. This means student are free to choose an institution that best fits their educational needs. Furthermore, Holland Park School is not alone in offering academic-only further education.

The Press view of Holland Park School as 'The Socialist Eton' is lazy media shorthand and widely, and unhelpfully, touted without real insight into the current school, its teachers, pupils or parents or admissions process. We would hope that you have not put the media's perception about a school above its current teachers, staff, parents or pupils in this process.

You may have seen current HPS sixth former Ajani Craig's speech on 21st March at the K&C Town Hall in front of the Family Services Select Committee. He asked that his voice be heard in this process. *"We are told by the governing body that students have been consulted, which we have not. Thus far only ex pupils have been listened to. We are told that the school needs to connect with North Kensington: I am North Kensington. My school friends are North Kensington. We are told more engagement is needed within the Grenfell community. My school friends and I are the Grenfell community."* You can see a video of his speech [here](#):

We would therefore ask that you:

- X. Clarify and provide supporting evidence for the implication that Holland Park School's admission policies could be held responsible for making people feel excluded or that they could increase or further diversify their intake either geographically or academically.
- Y. Give detailed clarification of how you believe United Learning would address such claims and why Holland Park School as a SAT (with your suggested amendments) could not do the same?
- Z. If Holland Park School *were* to enter into a MAT, why a union with KAA would not better address the above allegation?

UNITED LEARNING

With regards to your chosen MAT partner, in your letter of March 14 you say, *“United Learning met or exceeded all of our requirements and we have every confidence that it will prove to be the perfect partner for Holland Park School. United Learning is a strong, very well-run, academically rigorous trust with high standards across all areas. It is inclusive, offers outstanding extra-curricular opportunities, strong pastoral care, and excellent staff development and teacher training. United Learning has local presence. The school’s context and community are well-known to United Learning, which was an essential criterion for governors.”*

As well as multiple negative stand alone accounts, there are currently at least two petitions by schools in the UL ‘family’ with allegations ranging from unfair pay, fire and rehire tactics, bullying and unequal treatment of staff. At the meeting of the 23rd March, Jon Coles, CEO of United Learning, responded to a parent’s question regarding the allegations of bullying of staff and pupils within the UL group by saying they were *“markedly inaccurate”* and *“exaggerated.”* Your own appointment was triggered by similar accusations at HPS which for years some dismissed as ‘exaggerated’ or ‘inaccurate’ when they should have been taken seriously and now form the cornerstone of our proposed conversion to a MAT.

- a. Please outline in detail your position on current complaints of bullying of staff and students at schools within the United Learning family and how you believe this fits in with the process to address past allegations at Holland Park School.

THE SAT & LOCAL/SMALL MAT OPTIONS

REMAINING A SAT

AT the meeting of 17th March, Vanessa Ogden said, *“We have dealt with the regulatory and compliance issues raised by the NTL.”*

Please supply the following:

- a. If you are satisfied you have created a governing body with an underlying structure fit for purpose, please outline in detail why you feel this newly structured board with new structural guidance would be unfit to govern the school going forward without outside input and remain a SAT?
- b. Detailed evidence of how you believe becoming part of the UL MAT would bring any further resolution or benefit to the issues raised in the regulatory and compliance issues of the Ntl?
- c. Further, please outline in detail how you believe UL would provide better governance over the body you yourselves have put in place?

A LOCAL MAT

We were told a local MAT did not meet your criteria and was not a viable. At the Family Services Select Committee on March 21st, Cllr Josh Rendall, Lead Member for Family and Children’s Services, said the following:

“On the first question about the SAT, the Governing body as currently constituted can do that. They can recommend a SAT. They can recommend a little MAT, they can recommend a big MAT. They have that in their gift to do that....In terms of the KAA option...David Benson and the entire trustees of KAA, which at the moment is a SAT, were ready and in a position to become a MAT by September this year, for two reasons. One is that they have extremely strong governance, of which Ofsted have said that KAA, likewise Holland Park, is Outstanding....Secondly that RBKC as a council would be a co-sponsor for the new MAT at Holland Park so it would be KAA and RBKC together ...we do that at KAA already, so KAA is a SAT with RBKC and Aldridge itself... And, since those two schools are Outstanding...we thought that was the best option for Holland Park...The third option is that Sir David Carter, who is the former National School’s Commissioner, volunteered to help KAA form a MAT by the 1st September... So our... response as a council is that this should be paused, processed and reconsidered because the KAA option, I think, is a good one.”

You can see his full speech [here](#):

At the same meeting, Cllr Robert Atkinson, councillor for Notting Dale Ward, stated, *“I think it’s very important that the message goes out from this meeting and this committee that the issue is not decided, that we don’t accept the solution put forward in the last week....I think it’s very important tonight that this committee on behalf of the councils and behalf of all the people here, writes again to the DfE and writes to those who took the decision to say that we reject what has happened and we insist they start again. There has never been a proper explanation as to why this has been rushed through.... I think the most important thing we have to say is ...this is not a school that’s failing. This is a school which has an excellent reputation and is regarded as outstanding. It has lazily been treated by the DfE as if it’s a failing school. We need to make it very clear that it’s not a failing school and we are not going to accept the fait accompli which was rushed out this last week.”*

- d. Please give clear, substantive details of how you felt the KAA proposal as outlined above did not meet your criteria as a partner for Holland Park School.

We have been informed that a PR firm has been procured in order to liaise with us.

- e. If this is the case, please confirm which firm has been selected and outline the procurement process followed.

SECTION THREE HEAD TEACHER APPOINTMENT

In your letter to parent Emily Seymour you say, *"We are currently sifting candidates. The governors are overseeing the appointment process"*

Please clarify the following:

- a. Which governors, by name, are overseeing this process?
- b. Who will be on both the interview panel and the panel to make a final decision on the appointment?
- c. That there will be **at least** one member of existing staff in the SLT – excluding the interim head – Arwel Jones, on both panels.
- d. Details of measures to ensure existing staff applications will be treated without bias.
- e. That an independent person be appointed to both the panel interviewing and selecting the new head.
- f. In light of the historical allegations and their bearing on the Ntl, that a member of the safeguarding team is likewise represented on both panels.

SECTION FOUR THE INVESTIGATION

Whilst you have told parents how seriously you take these complaints (as do we), verbally and in writing, you have failed to highlight the many changes in pastoral care and safeguarding that have been put in place on the back of the 2020 Ofsted report and its recommendations. Neither have you made it clear to parents that the vast majority of pupil allegations pre-date this inspection and these changes. You have also failed to make clear to the parent body that you have – to date – conducted this investigation without the input of staff and that you have refused them access to the allegations or to inform them whether they are named in said allegations.

This is in no way to deny, reject or belittle any allegations from former students, they deserve an investigation of the highest standard.

As to the process of the investigation itself, we again stress the need to institute procedures that give faith in the impartiality of the decisions made and the legitimacy of the process.

In particular could you outline the following in detail:

- a. The criteria against which Jessica Joels was selected to lead the investigation into historical allegations and her relevant experience.
- b. A list of other candidates considered in the selection process and the reasons they were turned down.
- c. Supply other details of the procurement process followed in selecting her for the post.

Since procurement was one of the things called into question in the Ntl we expect that you will be following the correct procedure yourselves and look forward to receiving the above details.

Finally we would like to stress that the report into the allegations made by former students and staff which triggered the investigation and subsequent Ntl has **not yet been concluded**. Despite repeated requests, teachers have not seen the allegations nor know whether they are named. Yet the decision to recommend conversion to a MAT has now been made prior to the conclusion or publication of the report. **In the interests of due process and transparency, we would formally request all further due diligence with UL be suspended until the report has been concluded and reviewed by the full Governing Body.**

SECTION FIVE:

BIAS & MISINFORMATION

You have made statements in your correspondence with parents which we believe to contain significant bias at a time when you are asking them to enter into a period of consultation prior to submission of their view on the decision to convert to a MAT. The terminology and phrasing you have used has repeatedly reinforced a one sided, often misleading, overview of the current situation and, as such, is leading the parent body through a period of consultation with significant bias.

- a. Whilst you have told parents how seriously you take the historical complaints, verbally and in writing, (and we take them no less seriously) you have simultaneously failed to highlight the manifold changes in pastoral care and safeguarding put in place on the back of the (unannounced) 2020 Ofsted visit and its recommendations.
- b. Further you say: *"We share your view that Holland Park School is a very special school. All our decisions are taken in the best interests of making it as successful as possible, and so that your children receive the very best education and experience. We have a great many superb members of staff, the parent body is engaged and – above all – we have a wonderful group of students."* To any parent not actively involved in the HPSPC, this is a very misleading statement given that you have had very little engagement (if any in some cases) with staff, teachers or pupils; that the teaching body were so enraged by your announcement they boycotted your meeting and that they are currently doing their jobs under extremely stressful conditions created by their inability to express themselves without fear of reprimand; that most students had no idea of who you were or what process the school was contemplating prior to the parent demonstration on the morning of 15th March. Students have since staged and organised a demonstration themselves on March 21st asking for their opinions to be heard. Once again, we consider this wide distribution of misleading, biased opinion an abuse of power.
- c. You have said, *"With the school's arrangements for governance and oversight, issues which had already led (in September 2021) to the Department for Education (DfE) to appoint a large number of new governors. A Notice such as this can lead to a termination of the school's funding agreement with the DfE and therefore its ability to remain open."* In fact, a school with an Outstanding Ofsted would be in no real danger of closing under these circumstances and it is once again, a misleading, statement.
- d. At the meeting on 17th March, it was claimed that staff turnover at HPS was close to 40%. Documentation, even on your own [website](#), tells us turnover is c.21%. We ask that a formal retraction of this statement is made to the parent body as a whole.

Taking these points into consideration, it is our belief that you have communicated with the parent body via official channels in a biased and misleading manner while, to date, simultaneously refusing to include our contact information and stance in the last edition of IN THE KNOW on the grounds that it would look like it came from the school. There were many, simple ways this could have been avoided and we have to assume we were refused on the grounds it would make it easier for us to share our views with the wider parent body. Please feel free to correct us with an explanation.

To conclude we would remind you that United Learning already has in excess of 90 schools in its family comprising over 55,000 children and would draw your attention to the recent [article](#) by Guardian Education Correspondent, Sally Weale, detailing a report by the Commons public accounts committee. She cites Committee Chair Meg Hillier as saying: *"Parents deserve a lot more visibility and clarity over exactly what is being provided to their children, in what facilities, for the vast amounts of public money pumped into the school system.... This unacceptable lack of transparency and accountability to parents and taxpayers must be resolved before the DfE presses ahead with plans to consolidate all of our schools into academy trust groups."*

MPs on the committee also stated, *"We are concerned that there is a risk that a trust becomes too big to fail and could therefore see large sums of public funds being pumped into it to keep it afloat."*

We are sorry you felt unable to answer the questions we raised with notice prior to the meeting of the 17th and that your response on March 14th was that "In terms of the individual points you raise, these will be discussed and addressed during the stakeholder engagement including on Thursday afternoon but also after this week, when there will be many more opportunities for dialogue."

We are sorry you felt unable to answer the questions we raised with notice prior to the meeting of the 17th and that your response on March 14th was that "In terms of the individual points you raise, these will be discussed and addressed during the stakeholder engagement including on Thursday afternoon but also after this week, when there will be many more opportunities for dialogue."

We hope, given that we have the support of the Bi Borough Director for Education at RBKC, the Lead Member for Family and Children's Services and the Family Services Select Committee itself together with with Felicity Buchan, MP for Kensington and c.300 parents currently in our collective, that you will find time to answer our questions and respond to our requests in a timely manner and in writing.

Finally we would ask that the length of the consultation period does not include the upcoming Easter holidays and that before any further steps are taken stakeholders are provided with a clear and coherent pathway of next steps.

Yours, **HPSPC**