

Corporate and Customer Services

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**To: All Members of Cabinet:
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20th March, 2008

Dear Councillor,

**MEETING OF CABINET
THURSDAY, 27TH MARCH, 2008 AT 2.00 P.M.**

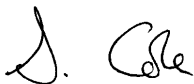
AGENDA ITEM 12 – REPORT TO FOLLOW

Please find attached the report in respect of the Wyebridge Academy, which is listed as Agenda Item 12 on your Cabinet papers, and is marked as "To Follow". Please bring these papers with you to the meeting on Thursday.

In your copy of the agenda (Item 4 – Performance Improvement Framework), part of pages 55 and 56 have not appeared properly in the printing process. I have enclosed a copy separately on an A3 sheet, therefore.

Finally, please note that Agenda Item 13 – Staunton-on-Wye Replacement Aided School Project - is a report with a Key Decision, although this is not stated on the front of the agenda.

Yours sincerely,



**SALLY COLE
COMMITTEE MANAGER (EXECUTIVE)**



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WYEBRIDGE ACADEMY – OUTLINE BUSINESS CASE

PORTFOLIO RESPONSIBILITY: CHILDREN'S SERVICES

CABINET

27TH MARCH 2008

Wards Affected

St Martins & Hinton
Belmont
Hollington

Purpose

To approve, for submission to the Secretary of State, the Outline Business Case for Wyebridge Sports College to become an Academy; and to authorise other necessary steps including the appointment of consultants to implement the project.

Key Decision

This is a Key Decision because it is likely to be significant in terms of its effect on communities living or working in Herefordshire in an area comprising of one or more wards.

It was included in the Forward Plan.

Recommendations

- THAT (a) the draft Outline Business Case for the creation of an Academy at Wyebridge Sports College be approved for submission to the Secretary of State, on the strict understanding that all capital costs associated with the project are met from within DCSF grant (£21,939,195) and that the Academy will be funded after the initial start up period on the same basis of other schools in the county;**
- (b) the relocation of a temporary unit on the Wyebridge site as an alternative provision for Redhill Residents Association be approved in principle, subject to a successful bid being made to the capital programme to secure the necessary funding, estimated at £80,000;**
- (c) the signing of the Memorandum of Understanding between the Council & Partnership for Schools be authorised, thereby agreeing the use of the National Academy Framework for the procurement of the construction of the buildings be approved; and**
- (d) the engagement of Navigant Consultants to implement the next stage of the project at the cost of £107,000 be approved.**

Reasons

- (a) To make progress with the academy project, the Local Authority has to submit the Outline Business Case to the Secretary of State for his approval;
- (b) Sole use space has not been offered to any third party user within the new academy building. Alternative solutions are therefore proposed.
- (c) The Memorandum of Understanding commits the authority to use the National Consultants and Contractors Framework for the procurement of the new building. The Head of Asset Management and Property Services and the Strategic Procurement & Efficiency Review Manager judge this to be the most sensible way forward. The alternative requires dispensation from Partnerships for Schools, and the Council publishing OJEU notices in a separate procurement process which would incur additional cost and add to the timeframe;
- (d) As part of the National Framework there is an approved list of consultants, as well as contractors, with agreed rates of engagement. Navigant Consultants is on this list, and was selected in the light of their experience locally.

Considerations

1. The complete, albeit final draft, version of the Outline Business Case is attached as Appendix 1. The completion of the Outline Business Case is dependant on the Cabinet's decisions of today e.g. third party use and procurement process. There is also a Funding Agreement which is a contract between the Sponsors (Hereford Diocese) and the DCSF setting out what the Sponsors will do in return for ongoing revenue funding, which will be received direct from DCSF. The DCSF ensures that the arrangements, including governance, admissions and Special Education Need (SEN) provision comply with statutory requirements. The sections relating to Governance, Admissions, SEN Provision and Exclusions are attached in Appendices 3, 4, 5 and 6 respectively. The Governors will have to comply with the statutory requirement in these areas, and manage within the budget allocated to them.
2. The Director of Children's Services is satisfied that the outline business case does achieve service aspirations, and the Council's financial and property interests are protected by using the DCSF and Partnership for Schools framework agreements.

New Buildings

3. Initial design work has produced an option favoured by the Sponsors, Wyebriidge Sports College, and council officers, including Planning and Highway staff. This involves the construction of the new accommodation on the existing playing field, and the subsequent demolition of existing buildings and the creation of new outside sports pitches (Appendix 7). As well as producing a better scheme in the longer run (improved access, entrance, more integrated design with buildings located away from the housing directly on the boundary) it does also have the advantage of allowing the school and third parties to operate in existing buildings until 2011.
4. This development plan is different from the initial assessment undertaken by Partnerships for Schools, which concluded that one of the existing buildings on site could remain. Partnerships for Schools have accepted the benefits of total new build and have confirmed that the capital sum has been increased to £21,939,195 to achieve the preferred option.

Lease

5. The freehold of the site will remain in the ownership of the council. The terms on which the Trustees, who are appointed by the Sponsors to manage the Academy, occupy the site needs to cover four distinct phases.
 - The period between the creation of the Academy as a legal entity and the construction phase.
 - The construction period; this allows the academy to operate in existing buildings with the third party users, and also allows contractors working for the Local Authority to construct a new school.
 - When building works are completed, the Academy moves into new accommodation, allowing the Local Authority to demolish the permanent buildings and to remove the temporary accommodation. At that point the future arrangements for third party use come into force.
 - Finally, on completion of all external works the whole site is included in a 125 year lease to the Trustees, with a caveat that the asset returns to the Local Authority if no longer used as a school.
6. The lease will follow the model created by the DCSF for Academies, and essentially safeguards the public interest in the site and buildings. The format and detail of the lease is prescribed by Partnership for Schools. The tenants under this lease are responsible for all outgoings.

Third Party Users

7. The needs of existing third party users have been discussed with the Sponsors, architects, school, and users themselves. The following is proposed:

The 2XL Youth Project/Infozone

8. This is currently accommodated in a large temporary unit funded in part (£20,000) from the Single Regeneration Budget (SRB), the internal layout designed by Wyebridge students themselves. It has proved to be a very valuable asset, offering a range of services, which students can discretely access. In the vision for the new accommodation, there is an area which will provide a range of offices and withdrawal rooms with facilities for outreach work from a GP's Surgery, which are seen as replacing and enhancing existing provision. Students, 2XL Youth Workers, School Nurse, and CLD Youth Counselling Staff will be involved in shaping these spaces.

South Wye Learning Centre

9. This was created in 2002 using Council funding supplemented by SRB grant (£75,500) and a private contribution (£23,200). Two ICT training rooms and a third general training room were created through the conversion of part of the former Marlbrook Primary School. Staff managing the centre are on the Wyebridge Sports College establishment. It has been very successful in terms of the numbers of students on roll, and in terms of attracting grants to run courses. It has been self supporting to date.
10. The proposal discussed with the Sponsors and Principal Designate, is that staff working in the centre will transfer to the new Academy and be funded from the Academy budget. Community learning programmes will be integrated to the day to day working of the Academy and be part of the Academy establishment. During the school day access will be given to facilities for adult learners, at times working alongside students of the Academy. Outside school time all the facilities, rather than just three rooms, will be available for community learning. The Sponsors are in the process of recruiting a Deputy Headteacher for all community use, who would be part of the Academy's Senior Management Team and funded from the Academy's budget.

11. Community learning is seen as part of the extended school services which the Academy would offer and is central to their vision. The funding of all these services would reflect what the Academy could afford from their budget and additional income from various organisations. It is clearly understood that there is no commitment from the Local Authority for ongoing revenue funding for adult learning on this site.

Redhill Residents Association

12. A room with small kitchen facilities was created for Redhill Residents Association from the kitchen of the former Marlbrook Primary School following extensive community consultation and needs assessment. Funding for the initial work and for a subsequent extension was provided by SRB. There has also been voluntary fund raising activity. In this space a variety of community activities including fortnightly lunch clubs, bingo, bridge and whist evenings, annual open days and jumble sales and community meetings are undertaken under the umbrella of the Redhill Residents Association Management Committee.
13. The new accommodation in the Academy could accommodate many if not all those activities, but this would be under a hiring agreement with rooms being available for hire when the timetable allowed; however this is not acceptable to the Redhill Residents Association.
14. It is incumbent on the Local Authority, if it wishes to proceed with the Academy, to pass the site over to the Trustees free of other interests; in this situation the Local Authority can:
 - Make no further provision for Redhill Residents Association. However, officers from the South Wye Regeneration Partnership, the successor body to the South Wye SRB Programme, have advised that if alternative provision is not made repayment of the grant would maybe required; this grant was paid in 2 phases and amounts to £60,024. There would also be a loss of service to the community.
 - Offer to the Redhill Residents Association the temporary accommodation currently used by the Infozone and 2XL. Planning permission would be required and a capital budget of approximately £80,000 would be needed, assuming that significant external works are not required. This would provide 136m² of accommodation compared to 96 m² which they currently occupy; Provision would need to be secured for this additional cost through the Capital Programme.
 - Offer permanent accommodation. To achieve this in a free-standing building would require a budget of at least £250,000. The council would be unlikely to fully fund this option given the capital investment needs of all other schools in the county. However, an offer could be made to Redhill Residents Association for the council to make available a site and a specified amount of funding (equivalent to that which would be incurred if the temporary accommodation option was pursued) to contribute towards a new build project to be undertaken by the Association, which would need to raise the balance of funding themselves.
15. Advantage West Midlands, from whom the original grants came, have been informed of the Council's proposals for alternative provision and have indicated that no grant will be reclaimed if the alternative proposals are carried through.
16. It is recommended that the option involving the relocation of temporary buildings is pursued as this does ensure the maintenance of service to a community.

Post –16 provision

17. The DCSF are insistent that 220 post-16 places are provided at the Academy. This is in excess of the 120 in the original Local Authority vision, this smaller provision catering for students who would not otherwise be attracted to the colleges on Aylestone Hill. There is no doubt that if the DCSF aspiration of a 75% staying-on rate is to be achieved, more students will need to be catered for. There have been discussions with the Principals of the Sixth Form College, and College of Technology, Learning Skills Council and Sponsors. The Sponsors are aware that they do run risks in proposing courses when there maybe limited uptake. It is envisaged that the Sixth Form College would remain the major provider of traditional “A Level” subjects, with them being able to offer from a range of 35-40 subjects.
18. The vision for the Academy is to build on the 14-19 Diplomas particularly in the areas of sport, health and science, offering courses which complement rather than compete with existing providers. The diploma provision will develop over the next 2-3 years and this time will be used to shape post-16 provision, which will be available for the first time on any significant scale in September 2011. DCSF has made capital funding available within the £21,939,000, for accommodation to house 220 students. The post-16 provision is specifically referred to in the statutory consultation process, and Cabinet will have the opportunity to judge the comments on this provision prior to determining the notice authorised by Cabinet on 28th February later this summer.

Procurement Process

19. The Local Authority is responsible for letting a contract for the new school within the capital allocation offered by DCSF, which currently stands at £21,939,195. To help local authorities in this, Partnership for Schools have devised a national procurement framework which has already completed the early stages of the procurement process. It does however limit the Local Authority in its choice of contractors to those within the national framework. However, those within the framework have already been vetted in terms of the legal and financial standing of their company, and also on the ability to provide a high quality cost effective school building.
20. The DCSF require the Memorandum of Understanding attached to the Business Case to be signed, if only to ensure that notes and responsibilities using this framework are clearly understood.

Governance

21. The Academy will be managed independently as a charitable body subject to the same inspection, admissions, financial, and employment frameworks as other maintained schools. This follows DCSF guidelines and requirements. The Trustees of the umbrella charitable body will appoint a governing body consisting of eight people nominated by the sponsors, one person nominated by the Local Authority, one person nominated by the staff and one person nominated by the parents.
22. In addition there will be a number of subgroups on which wider membership will be sought, one focusing on ‘stakeholders’ and the needs of parents and the wider community.
23. Governance issues are dealt with in the funding agreement; the relevant section is laid out in Appendix 3.
24. A Principal Designate was appointed in December 2007 to lead the development of the new governance and school organisation arrangements. Further supporting appointments will be progressed in the coming months.

Admissions

25. From the outset, all parties agreed that the academy will continue to serve the existing catchment area, and its admission policy will remain the same as at present. No church places will be offered. The Governors will become the Admissions Authority for the Academy, but they do have to work within the framework established by The Local Admissions Forum and be part of the coordinated admissions scheme managed by the Local Authority. These arrangements are also part of the Funding Agreement, which will not be approved by the DCSF unless the admission arrangements comply with statutory requirements;

Special Education Need

26. The Academy will be responsible for meeting the needs of all children on roll. Again the funding agreement sets out the obligations on the governing body with regard to children with special education need. The relevant section is attached as Appendix 5.

Financial Implications

27. The Local Authority is responsible for building the new Academy within the funding offered by DCSF. This currently stands at £21,939,195 and the advice is that this is sufficient to fund the proposed floor area. There is a cost in fees in implementing the project. Those relating to the detailed design and implementation stage of the project will be met from the capital allocation. Prior to that stage being reached, fees can be charged to a separate sum of £250,000 granted to the council from the DCSF to develop the scheme. The £107,000 to pay for consultants to undertake detailed design work and prepare tender documentation would be funded from this sum.
28. Alternative accommodation for the Redhill Residents Association will require capital expenditure, varying between an estimated £80,000 to relocate temporary buildings to £250,000 for a permanent structure. This cost would have to be met by the Council. At present no capital funding has been identified, and it would have to at the expense of other projects. Although £80,000 exceeds the grant that may be repayable, the Association does offer services to the community. Consultations, including those with local members, have shown that these are valued and although the recommended alternative provision is more costly than the repayment of grant, the community benefits would suggest the additional cost is justified.
29. After the initial start up period in revenue terms, the Academy will be funded on the same basis as other schools in the County, using the same LMS formula to allocate the budgets. All costs in running the Academy are the responsibility of the Trustees. The delegated budget of the Academy comes out of the Dedicated School Grant from the DCSF. There will be no call on Council resources to support the Academy budget. However, it is to be noted that the Council will continue to be responsible for the school transport according to its policies operating at the time. At present there are only 6 students who benefit from free transport from their home to Wyebriidge Sports College. In future, unless the Local Authority determines otherwise, the same entitlement rules will apply, there will be no call on funding for denominational transport as no denominational places at the Academy will be offered.
30. Cabinet should also be aware that the Academy does benefit from additional start up grants for the first 3 years, the funding for this is derived from a national budget and not from the Dedicated Schools Grant available to Herefordshire Schools.
31. The Redhill Residents Association undertakes fundraising to meet the running costs of their accommodation.

Risk Management

32. Robust project management will be put in place to deliver the new building within the allocated sum to the agreed timescale.
33. There have been discussions with a successor body for the South Wye SRB and Advantage West Midlands. If alternative provision as proposed is made for three external users whose existing accommodation was created by using SRB funding, no repayment of SRB grant is anticipated. The total value of grant is £155,524 (i.e. Infozone £20,000, South Wye Learning Centre £75,500 and Redhill Residents Association £60,024).
34. If Secretary of State approval is not secured the council will not be financially disadvantaged as preliminary external costs have been met from Partnership for Schools funding.

Alternative Options

The Local Authority could withdraw its support for the Academy proposal as a whole. This would jeopardise the very real achievement that Wyebridge Sports College has made in recent years and leave the future of high school provision in the South Wye area uncertain.

Consultees

Sponsors

Headteacher and Chair of Governors of Wyebridge Sports College
South Wye Learning Centre
2XL Youth Project
Redhill Residents Association
South Wye Regeneration Partnership

Appendices

Appendix 1 - Outline Business Case Executive Summary

Appendix 2 – Memorandum of Understanding

Appendix 3 – Governance

Appendix 4 – The Admission of Pupils to the Hereford Academy

Appendix 5 – Arrangements for Pupils with SEN and Disabilities at the Hereford Academy

Appendix 6 – Exclusions

Appendix 7 – New Build Plan Option

Background Papers

Outline Business Case

Draft Funding Agreement - Confidential

Email from Partnerships for Schools on 13 February 2008



THE HEREFORD ACADEMY

Outline Business Case

Draft E

Issued: 10th March 2008

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B	December 2007	Issued	Updated content
C	February 2008	Issued	Revised FAM
D	February 2008	Issued	Revised Appendices
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EXECUTIVE SUMMARY

Introduction

The document outlines the options appraisal, cost estimates, affordability assessment and procurement strategy for the school in sufficient detail to allow capital funding to be confirmed and gain approval to proceed with the delivery of the school via the PfS National Framework.

Overview and Commitment

Section 1 and *Appendix 1* of this OBC describe the Scheme and confirm the commitment of all parties to the procurement process.

Herefordshire Council (HC) has confirmed that the Scheme fits with its local priorities.

The Scheme involves the predecessor school Wyebridge Sports College for 900 pupils from years 7-11.

The Education Brief, the curriculum model and the accommodation schedule have been developed and signed off by the Project Steering Group (PSG) and by the Department for Children, Schools and Families (DCSF). The accommodation schedule details a total area that is within the BB98 gross area detailed in the Funding Allocation Model (FAM).

The Sponsor/Academy Trust and HC confirm their commitment to working together to procure the design and construction of the new Academy using the PfS National Framework and confirm that they will follow established PfS procedures and utilise the standard suite of documents for procurement. This includes the use of the National Framework Development Agreement and Design and Build Contracts. Both parties have satisfied themselves with the terms and conditions within these documents.

DCSF has endorsed the project to progress into procurement and engage with the National Framework Panel Members.

(DCSF approval is subject to ongoing negotiations with HC)

Procurement Strategy

Section 2 and *Appendix 2* of this OBC describe the details of the Scheme being put to the market.

The Scheme is a Single School Project and includes a new build design and construction project for the Hereford Academy. The predecessor school is the Wyebridge Sports College in South Wye, Hereford.

In addition the following services are being procured for the Academy:

- **ICT services contract**

A realistic programme of work has been put in place based on the guidance issued by PfS. A Building Completion date for the new Hereford Academy buildings will be March 2011 with the Academy being operational in the buildings in April 2011.

Design and Construction

Section 3 and *Appendix 3* of this OBC describe the site options appraisal undertaken for the building design and construction.

HC can confirm that they own the land upon which the Academy will be built and that there are no encumbrances, restrictive covenants that would place the development and operation of the Academy at risk. *(To be confirmed by HC on completion of Title Searches)*

A robust and thorough options appraisal has been carried out to determine the project proposals. The site options appraisals meet the requirements of Building Bulletin 98.

Surveys and investigations have been undertaken and the results evaluated. Collateral warranties for surveys will be secured with the objective that the Framework Panel Member can rely on their factual accuracy. *(Subject to confirmation from Sonia Rees, Director of Resources)*

An initial control option for the Scheme has been prepared which demonstrates that the Scheme is deliverable. This initial control option has been signed off by the Design Group and PSG as meeting the requirements of the Education brief and Design Brief and as acceptable to all parties.

An initial DQI Workshop took place on the 13th February 2008; HC is committed to using the DQI process throughout the design, construction and operation of the projects.

There is a commitment to achieving a BREEM 'excellent' rating.

The Design Brief has been developed. The Scheme will utilise the PfS Authority's Requirement document, amended to suit the local circumstances.

A construction phasing and decanting strategy has been developed.

All existing and proposed third party users have been identified and there is a strategy in place for providing accommodation for these users where necessary.

ICT

Section 4 and *Appendix 4* of this OBC provide an overview of the ICT Vision and the proposed delivery approach for the ICT provision. It encapsulates the preferred delivery method and validates the rationale for that choice, including whether the service is intended to integrate with the wider HC provision.

The Sponsor/Academy Trust has conducted a robust and thorough ICT options appraisal to determine the ICT approach.

Stakeholders have been consulted in developing the ICT proposals.

The Sponsor/Academy Trust has confirmed that they will procure the ICT provision through the BECTA Infrastructure Services Framework.

BECTA has reviewed the proposed delivery approach for the ICT provision and confirmed that it is acceptable.

A detailed risk register for the ICT project has been developed and a clear strategy to manage / mitigate ICT risks has been put in place.

The Sponsor/Academy Trust is in the process of appointing an ICT design consultant from the BECTA Consultancy Services Framework to advise on the ICT Output Specification.

Facilities Management

Section 5 of this OBC detail the proposals for the provision of Life Cycle and Hard FM.

The Academy Trust has set out their strategy for delivering life cycle and hard FM services and confirmed that once the LEP has been established that they will consider buying these services from the LEP.

Affordability

Section 6 and *Appendix 5* of this OBC describes the affordability position for the whole Scheme.

The OBC provides a separate cost estimate reconciled against the FAM for both the design and build and ICT elements of the project.

The estimate indicates that the proposals are affordable within the funding allocation.

This section of the OBC confirms the Council's view that the construction Scheme represents value for money.

HC has submitted their application for Project Support Funding and it has been approved by PFS.

The Sponsor and HC accept that they have to deliver the Academy building within the agreed funding envelope and they will ensure that the scope of the development work fits within this envelope with due reference to the Framework rates. The Sponsor and HC will work with the Framework Panel Members to optimise the scope and will undertake any project rescoping necessary to ensure that the project fits within the funding envelope.

The initial design options for the Scheme have been fully costed. The cost estimate includes an assessment of likely abnormal costs which consider the initial site investigations that have been carried out.

The capital costs fit within the Funding Allocation Model (FAM) agreed with PFS.

Readiness to Deliver

Section 7 and *Appendix 6* of the OBC sets out HC's project management structure and identifies the roles and responsibilities of each part of the structure. The key members of the team and the external advisers are named and information is provided on their skills, experience and time commitment to the project. This section also sets out the approved budgets (including consultant advisory fees) and the authority to negotiate, delegated decision etc. to a named senior officer within the key stakeholders.

Leading and Managing Change

Section 8 of this OBC set out HC's approach to leading and managing change.

Information has been provided on how the educational transformation will be delivered through the implementation of the procurement, prior to and post delivery of the "project".

Moving Forward

Section 9 and *Appendix 7 of this OBC* provide a critical review of the options appraisal through the completion of the DCSF Checklist. Also included in this section is the benchmarking data collected at this OBC stage and confirmation that the documents required for the procurement process have been developed.

A critical review of the options appraisal has been conducted and the benchmarking data collated by PFS has been provided.

HC Project Team is developing the PITT and draft ITT documents to be issued to the Framework Panel Members by 28th April 2008.

The evaluation team has been established and briefed.

1 OVERVIEW AND COMMITMENT

Section 1 and **Appendix 1** describe the Scheme and confirm the commitment of all parties to the procurement process.

1.1 The Corporate Vision

The vision for education in South Wye is to raise the achievement of its' students and ensure continuity of excellent provision across the whole of Hereford. In taking forward this vision, HC is guided by the following core principles based on the Children Act 2004:

- **Being Healthy**

Children and young people are physically healthy; mentally and emotionally healthy; sexually healthy; have a healthy lifestyle; and choose not to take illegal drugs.

- **Staying Safe**

Children and young people are: safe from accidental injury and death; safe from maltreatment, neglect, violence and sexual exploitation; safe from crime and anti-social behaviour in and out of school; and have security and stability and are well cared for.

- **Enjoying and Achieving**

Children and young people are: ready for school; attend and enjoy school; achieve educational standards at primary school; achieve personal and social development and enjoy recreation; and achieve educational standards at secondary school.

- **Making a Positive Contribution**

Children and young people: engage in decision-making, support the community and environment; engage in law-abiding and positive behaviour in and out of school; develop positive relationships and choose not to bully and discriminate; develop self-confidence and successfully deal with significant changes and challenges; and develop enterprising behaviour.

- **Achieving Economic Well-Being**

Children and young people: engage in further education, employment or training on leaving school; are ready for employment; live in decent homes and communities; have access to transport and material goods; and live in households free from low income.

Hereford Academy is central to the strategy for developing educational excellence and vocational opportunities within South Wye. The Academy will help demonstrate the future of education in Herefordshire – offering innovative and new opportunities whilst working within a local partnership of schools and further education colleges to raise standards for all.

1.2 Strategic Overview

There is a well defined strategic framework for the Hereford Academy. The project contributes to HC's Corporate Plan and will fully meet the priorities of the Academy's original Expression of Interest.

Years 7-11 (age 11-16)

HC's recent review of the provision of school places has confirmed falling secondary school rolls which are expected to reduce from 10215 (September 06) to 9380 (September 2011). The longer term suggests that there will be a continued fall to 2020 before rising to a peak again in 2030. The fall is not evenly spread across the county, with the fall in Hereford City being less dramatic than elsewhere. Indeed, the South Wye area is the only area of the County where the number of those under the age of 16 is actually increasing.

In Hereford City, the five schools serving the area operate at 32 FE. In future, it is envisaged that demand will be for 29 FE.

Years 12-13 (age 16-19)

For the cohort of 180, in line with government targets, the Academy target will be 75% retention in Year 12 and then 75% of the Year 12 moving into Year 13. As a result, the 6th form will have a capacity of 220.

The emphasis here is to create a centre for vocational excellence for 14+ pupils in partnership with the FE colleges, WBL providers and the local network of schools. Hereford Sixth Form College will continue to provide the great majority of mainstream academic post-16 qualifications.

1.3 The Scheme

As an Academy, this project is being delivered through the National Framework as a single school project, funded by the Department for Children, Schools and Families' (DCSF). The construction elements of the project will be procured through a Fixed Sum Design & Build Contract between HC and the preferred bidder. ICT solutions will be supported by BECTA and delivered through their framework.

The proposal is to close Wyebridge Sports College and to open the new Hereford Academy in the existing school buildings, in South Wye in September 2008 for years 7-11. Exact provision will be explored by the Academy Trust in collaboration with DCSF, LSC and other 6th Form providers. A wider post 16 curriculum offer will be made available for up to 220 pupils on completion of the new Academy buildings in March 2011.

The Academy will offer 1120 places, with a 6 form entry (FE) of 180 places from years

7-11 and post 16 places for 220; the predecessor school currently has capacity for 900 pupils.

The Academy specialisms will be sport, science and health.

Revenue Funding for the Hereford Academy is being sourced from the DCSF and its Sponsor, The Church of England, through Hereford DBE. The Hereford DBE will contribute via an anonymous donation; a capped £1.5m towards a charitable endowment/investment fund, the income of which will be used to target educational deprivation and disadvantage.

The Academy's Capital Funding has previously been calculated by Partnership for Schools (PfS) based on 100% new build.

An accommodation schedule has been developed that reflects the curriculum and organisation of the school. This schedule demonstrates that the total area required is within the BB98 gross area of 10,095m² detailed in the Funding Allocation Model (FAM). The accommodation schedule and curriculum model can be found in Appendix 3.

The Education Brief, the curriculum model and the accommodation schedule have been developed and signed off by the Project Steering Group (PSG) and by the Department for Children, Schools and Families (DCSF).

The design and construction works will be procured by HC through the PfS National Framework.

1.4 Sponsor/Academy Trust and HC Commitment

The Sponsor/Academy Trust and HC confirm their commitment to working together to procure the design and construction of the new Academy using the PfS National Framework.

The Sponsor/Academy Trust has been fully involved in the work to develop the OBC and confirms that the concept designs support the Education Brief that has been developed for the Academy.

The Sponsor/Academy Trust and HC can confirm that they will follow established PfS procedures and utilise the standard suite of documents for procurement. This includes the use of the National Framework Development Agreement and Design and Build Contracts. Both parties have satisfied themselves with the terms and conditions within these documents.

DCSF has endorsed the project to progress into procurement and engage with the National Framework Panel Members.

(To be forwarded by DCSF subject to negotiation with Herefordshire Council)

HC will sign the Memorandum of Understanding and Confidentiality Agreement subject to the OBC being approved by Cabinet on 27th March 2008.

(Above paragraph to be updated post Cabinet meeting.)

The issue of formal closure notices for the predecessor school was approved by Cabinet on 28th February 2008.

1.5 Summary

The Local Authority has confirmed that the Scheme fits with its local priorities.

The Scheme involves a single school, Wyebridge Sports College.

The Education Brief, the curriculum model and the accommodation schedule have been developed and signed off by the PSG and by the DCSF. The accommodation schedule details a total area that is within the BB98 gross area of 10,095m² detailed in the FAM.

The Sponsor/Academy Trust and HC confirm their commitment to working together to procure the design and construction of the new Academy using the PfS National Framework and confirm that they will follow established PfS procedures and utilise the standard suite of documents for procurement. This includes the use of the National Framework Development Agreement and Design and Build Contracts. Both parties have satisfied themselves with the terms and conditions within these documents.

DCSF has endorsed the project to progress into procurement and engage with the National Framework Panel Members.

The following documents are attached at **Appendix 1**:

- A letter from DCSF dated 18th February 08 confirms that changes from the EoI are acceptable and that the Education Brief, Curriculum Model and Accommodation Schedule have been approved.)
- Education Brief, Curriculum Model and Accommodation Schedule that demonstrates an area within the BB98 allocation
- A letter of support dated 18th February 08 from the Sponsor/Academy Trust ¹
- A letter of support from HC (*subject to Cabinet approval*)
- Papers and minutes of HC Cabinet meetings confirming support for the project (*subject to Cabinet approval*)
- A letter from DCSF confirming that they endorse the project to progress into procurement and engage with the National Framework Panel Members. (*To be forwarded*)

¹ Sponsors/Academy Trusts have requested that their interests are protected in relation to the Design and Build Contract. The OBC will therefore not be approved until a signed letter of support has been received from the Sponsor/Academy Trust.

- Cabinet meeting minutes dated 28th February 08 approving formal notices for school closure.

2 PROCUREMENT STRATEGY

Section 2 and **Appendix 2** of this OBC describe the details of the Scheme being put to the market.

The Scheme is a Single School Project and includes a new build design and construction project for the Hereford Academy.

In addition the following services are being procured for the Academy. The development of these services must run alongside the design and build and key interfaces will be needed to be identified and managed:

- Facilities Management (FM) services
- ICT services contract

This OBC sets out the building procurement strategy and also the FM and ICT procurement strategies.

2.1 Procurement Strategy

As HC are not at this time entering into a BSF Local Education Partnership; the Academy will be procured as a Design and Build Lump Sum contract through a National Contractors Framework which has been established by PfS under the requirements of OJEU.

Procurement and engagement via the PfS National Framework will take approximately twelve months from OBC to contract award. This Framework dictates that the Local Authority will lead a Local Competition which involves the following:

- All six Panel Members will be invited to submit their intention to bid (Preliminary Invitation to Tender);
- HC and key stakeholders will select a short list of two bidders and work with these bidders to develop proposals for the Academy (Invitation to Tender);
- Evaluate the proposals and select a Preferred Bidder;
- Finalise the designs and agreement to be entered into, which has been prescribed by the PfS as Design and Build Lump Sum contract.

2.2 Programme of Work

A detailed programme of work, which includes the development and procurement of the ICT, has been developed based on the guidance issued by PfS. The key milestones from the programme are detailed in the table below.

Milestone	Date
DCSF/PfS Approval of OBC	28 April 2008
Issue PITT to Framework Panel Members	28 April 2008
Receive PITT Submissions	19 May 2008
Announce short listed bidders	30 June 2008
Issue ITT to Bidders	30 June 2008
ICT Hardware procurement commences	6 June 2008
ICT Hardware contract awarded	25 July 2008
Receive ITT Submissions	20 Oct 2008
Announce Preferred Bidder	22 Dec 2008
Preferred Bidder to submit planning application	02 Feb 2009
Planning approval	24 April 2009
Award Design and Build for Hereford Academy	24 April 2009
Start on site	11 May 2009
Building Completion for Hereford Academy	31 January 2011
ICT Hardware installation commences	10 January 2011
ICT Hardware installation finishes	25 March 2011
Decant commences from existing buildings	March / April 2011 (Easter vacation)
Academy operational in new buildings	April 2011(Start of Summer Term)
Commence demolition of existing buildings	02 May 2011
External works complete	14 Oct 2011

2.3 Summary

The Scheme is a Single School Project and includes a new build design and construction project for the Hereford Academy.

In addition the following services are being procured for the Academy:

- **ICT services contract**

A realistic programme of work has been put in place based on the guidance issued by PfS. Building Completion for the Hereford Academy is March 2011, to be occupied by the Academy in April 2011.

- A detailed programme of work (Gantt chart, including ICT development and procurement)

3 DESIGN AND CONSTRUCTION

Section 3 and *Appendix 3* of this OBC describe the site options appraisal undertaken for the design and construction works.

3.1 Site Options Appraisal

The following sections describe the outline reference scheme that has been put together by the Design Team. This level of detail was provided to ensure that the Sponsor/Academy Trust and HC could be satisfied that a scheme was achievable on the existing site. The reference scheme was compiled using a number of different assumptions that the bid teams would be expected to challenge and improve upon.

Whilst there is some level of detail in the following sections it is acknowledgeable by the Sponsor that other options may become preferable as some more work is carried out. Again, it would be expected that the bid teams would challenge these assumptions and provide innovative solutions. A stipulation would be that all would remain within the overall budget defined by PfS.

3.1.1 Site Selection

Following an initial visit to the school and discussions with representatives of the Sponsor and the Predecessor School, it became apparent that there are two design scenarios for the new Academy. The first scenario followed PfS initial recommendation to retain and refurbish the Grove Building (9%) and rebuild all other accommodation (91%) and the second is (100%) new build; the former scenario investigated the extent of “value added” by retaining the Grove Building.

From the initial visit the Design Team highlighted a number of assumptions listed below which were presented to the Design User Group for comment and agreement:

1. To consider the viability of developing at the top and bottom areas of the school site.
2. To assume that the users of the South Wye Learning Centre and Redhill Housing Association Hall will be using the new school accommodation.
3. Other than the schedule of accommodation as defined by Building Bulletin 98 make allowance for a faith room, bookshop, café, additional health and well being facilities and additional meeting rooms for community use.
4. The Sponsor’s vision for the school structure being split into four clusters does not aspire to a school separated into four areas, with four halls and dining area. The vision is to design flexibility into the school to enable a full school assembly (900-1120 pupils) or four individual house assemblies (290 pupils). The individual house assemblies do not necessarily require a designated assembly hall but the flexibility to use larger school spaces such as the drama studio, gymnasium and dining hall. The sponsor does see a number of recreational spaces which could be associated within each cluster.
5. There are some items of the school structure which are clear – the clear

identity of the post 16-19, the location of sports facilities and halls, IT and LRC for enhanced community use and administration facilities.

6. To test incorporating the Grove Building within the overall school master plan as the only building which may need to be retained.

The site is triangular in shape with a level difference of approximately 8m from north to south and a gentler fall from east to west. The existing school buildings cluster around the northern central parts of the site and incorporate a number of level changes. The converted single storey primary buildings and temporary prefabricated buildings are located on the higher ground to the north, with the most recently built “Grove Building” linking the original secondary buildings to the south. Sports pitches are currently located along the lower southern end of the site.

Aerial view of Wyebridge Sports College site.



1. Grove building
2. Converted primary school building
3. Original school building
4. Sports pitches

It became clear that there were two key options to explore; developing to the north and incorporating the Grove Building (Option 1) and developing to the south of the existing school buildings (Option 2). Although it is acknowledged that there may be a number of variations there are only two principle solutions for site selection.

Two site options were presented by the Design Team to the Design User Group on 30th October 2007, chaired by the Sponsor’s representative, John Chapman. An evaluation sheet was circulated to members of the Design User Group prior to the meeting; the options were assessed on a number of issues such as meeting Sponsor’s vision, supporting the school specialisms, suitability, deliverability, disruption and community use. The weightings for each criteria were agreed by the Design User Group and individual evaluation scores were then averaged into an overall matrix which can be found below.

Criteria	Weighting	Average		Average x Weighting	
		Opt 1	Opt 2	Opt 1	Opt 2
Meets the Sponsor’s Education Vision	5	4.4	6.4	22.1	32.1
Supports the Academy’s specialisms of sport, health	5	4.4	6.6	22.1	32.9
Supports the School Travel Plan	2	5.3	6.1	10.6	12.3
Improves suitability across the estate (flexibility,	3	3.0	7.6	9.0	22.7
Minimises disruption to students during	4	4.1	6.4	16.6	25.7
Deliverability (programme risk, planning risk, land etc)	5	4.4	7.1	22.1	35.7
Improves links with feeder primaries	2	4.7	5.3	9.4	10.6
Supports extended school model and community use	5	4.4	6.3	22.1	31.4
Incorporation of the Grove building adds value into the overall design	1	3.3	2.4	3.3	2.4
Total		38.1	54.3	137.4	205.9

As can be seen from the evaluation matrix, the Design User Group favoured the option for 100% new build. Key decisions which informed the preferred choice to build to the south of the existing school were:

- *Sponsor’s Vision*

The Design User Group considered option 2 to have the greatest potential to express

the Sponsor's vision for a transformational Academy for all local pupils, staff and community. Locating the school nearer to the southern end of the site moves the school out of the blind corner into a more prominent and inclusive position.

- ***Supports Academy's Specialism***

The Academy's specialisms are sport, science and health. Both options offer comparable open space for sports but in option 1 the flexibility of developing sports facilities is restricted by maintaining the Grove building. For the health specialism option 2 offers a more suitable building location for developing a health facility provision in the community with more options for discreet community use. Potential area for science specialism is equal in both options.

- ***Supports School Travel Plan***

Pupils of the predecessor school generally walk or cycle to school; the majority of staff and members of the community use the car. It is envisaged that the Academy will adopt the predecessor school's travel plan. The Academy sponsor foresees minimal change in methods of transport to the school, but from a sustainability position will continue to encourage school users to walk and cycle and will provide a sufficient level of car parking. Both options support the ethos of the predecessor school travel plan.

- ***Suitability***

The southern position in option 2 enables more flexibility to develop the initial Academy and for future expansion as the Academy evolves. Option 1 has limited flexibility for future expansion because of the constrained site footprint, incorporating a connection to the existing Grove building and adhering to planning requirements for set back distances from adjoining residential areas.

Option 2 is more successful than option 1 in terms of security. Security and access is a key factor because of the projected greater movement of post 16 pupils and community use of facilities. The predecessor school has serious concerns around site security because currently security is difficult to manage and supervise from a remote entrance. Historically the school was not on a fenced site and the grounds were adopted as a public shortcut. Recent fencing has been installed but security is currently compromised by permanently open manual gates. Option 2 locates the building close to the main pedestrian and vehicular entrance which would ensure complete supervision of pupil/staff/public and services access in and out of the Academy site.

Access to option 1 through the housing estate is less suitable than the main corner entrance that opens onto a 2 lane carriageway.

- ***Disruption***

Option 2 has the advantage over option 1 by being able to construct the new Academy buildings whilst the Academy continues to operate in the existing buildings. Although there will be a loss in sports pitches during construction of option 2, the Design User Group were confident that this could be resolved by an understanding with neighbouring Marlbrook Primary School to share their sports facilities. Option 1 is significantly more disruptive than option 2 because of high levels of noise affecting school operations from the neighbouring construction site and managing school operations through decanting programmes as phases are handed over to the Academy.

- *Deliverability*

Option 2 can be built as a single phase on an open site, whereas option 1 would need to be built over a number of phases prolonging the construction programme. Option 2 would deliver transformational buildings in a shorter timeframe than option 1.

Option 1 is located close to local residents and there are concerns around the planning risk relating to the building heights and set back distances from the boundary; whereas option 2 has more flexibility to comply with any planning requirements. A key part of the extended school model is the use of a floodlit All Weather Pitch (AWP). Both options can accommodate the AWP, but option 2 may receive fewer objections.

In terms of cost, option 1 has less new build but an extended programme will add to a contractor's preliminaries on site.

- *Links with Feeder Primary Schools*

As can be seen by the matrix the Design User Group felt that the options do not present any significant difference in managing links with feeder primary schools.

- *Supports Extended School Model and Community Use*

Option 2 enables community use during school hours because facilities could be arranged with community focused areas being located closer to the entrance of the Academy thereby restricting members of the public from school activities.

Moving the building footprint closer to the original secondary main entrance achieves a greater civic presence within the local community.

Preferred Option

Having discussed the operations of the new Academy in detail during the course of this feasibility study, the Design User Group consider that a complete new building presents the best option for maximising utilisation and efficiency, offering flexibility and delivering educational transformation.

3.1.2 Appraisal of optimum build zone

An optimum build zone was established through the process of site selection described above. The Design Team consider that the key principles defining this zone are:

- The build “envelope” (i.e. footprint x height) is generated by the required floor area (approximately 10,095 m² new build);
- Main entrance and community facilities to be concentrated near junction of Stanberrow and Standale Road; south east of the site.
- External sports pitches to be located north and west of the new building; indoor sports facilities to be adjacent to external pitches and easily accessible from the main entrance.

3.1.3 Site Constraints

The Site Analysis drawing 01, in Appendix 3 shows the site and existing buildings and some of the principal constraints, which include:

- Maintaining pedestrian and vehicular access in and out of the site and its impact on the site compound;
- Noise impact on school, management of construction works to reduce excessive noise during sensitive times of the school day;
- Mature trees along the site boundary;
- Construction site access through a residential area and possible restrictions on hours of operation particularly around the start and end of the school day;
- Relationship to local residents; views out and views in (likely to be an issue in relation to planning consent);
- Floodlit All Weather Pitch (likely to be an issue in relation to planning consent);
- Ecological consideration along the Western Way Cycle Path;
- Change in levels across the site;
- Height of surrounding residential buildings.

3.1.4 Access Routes

There are two entrances used by the school from Stanberrow and Standale Road both on the east side of the site triangle.

Hereford Academy’s visitor access and “main gate” for the preferred Option 2 will be at the junction of Stanberrow and Standale Road, vehicular and service access in and out of the site will need to be segregated from pedestrian and cycle users. The existing entrance to the north of the site from Stanberrow Road may provide a controlled secondary access for pupils and for the sports pitches service vehicles. For Option 2 the main entrance for all pedestrians and vehicles would be from Stanberrow Road, this is not ideal on the basis that the road is not a double carriageway. Herefordshire Council Planning Officers have also indicated a desire to

introduce a third direct pedestrian/cycle access from the Western Way into the school grounds to increase usage and safety along the cycle path. This would also be a secondary controlled access at the start and end of the day. This does cause some concerns to the Academy in terms of managing site security.

3.1.5 Community Use

The objective adopted for this project has been to provide new facilities which will allow Hereford Academy the potential to expand, adjust and develop its extended school activities and work within the community as the school sees fit over the coming years. The Academy will offer the potential for controlled and secure use of a part of the school outside school hours and/or in conjunction with curriculum activities, depending on the policy and educational philosophy of Hereford Academy.

To support the Academy's specialism in sport, the proposals will provide a wide range of indoor and outdoor sports facilities that will be made available to community use out of school hours. Currently there is no floodlit AWP facility in the South Wye vicinity; the nearest being at Hereford Leisure Centre or Whitecross Sports College, 3 or 4 miles respectively from the predecessor school. The Academy will include a floodlit AWP and Multi Use Games Area (MUGA). These facilities will enable community users/clubs to let the facilities after school hours to play outdoor sports such as hockey and 5-a-side football all year round.

Another Academy specialism will be health. The Sponsor's vision is to build and expand on the predecessor school's "Infozone"; a facility which has been funded through partnership between the school, Herefordshire Council Children Services and South Wye Regeneration Board. The Infozone was initiated as a response to the "Every Child Matters" agenda and its objective was to provide pupils with a wide range of support from counselling, to health, bereavement counselling careers and housing advice. Currently the services are provided by the following external agencies; school nurse, Connexions, 4US Clinic, SHYPP and Noah's Ark. The Academy vision is to build on the health services provided and in partnership with the Primary Care Trust offer community users a health facility. Funding, as yet, has not been secured for this aspect of the brief.

3.2 Land

HC are undertaking a Title Search for the site and they will warrant the information contained in the Title Search as required by the Contract. HC has commissioned a third party to undertake the title search and this work has been warranted. (*Letter on HC headed paper confirming the Title Searches are warranted to be forwarded on completion.*)

A plan of the site to be transferred to the Academy Trust has been agreed.

There is no land disposal associated with this Scheme. The entire whole of the site will transfer to the Academy Trusts. There is no land acquisition associated with this Scheme.

HC can confirm ownership of the site and will confirm that the site is clear and unencumbered on completion of the Title Searches.

Table to be completed if appropriate

Issue	Description	Action to Mitigate
Covenant		
Easement		

3.3 Surveys and Investigations

The development of initial options has taken into account pre-existing Asset Management Plan (AMP) data, record drawings and previous surveys and investigations.

These records have been supplemented by the additional surveys listed in the table below. The surveys have collateral warranties that are capable of being novated to the two successful bidding Framework Panel Members Post PITT and then to the Academy Trust.

Survey	Date Completed	Findings	Cost Implication (Yes/No)	Collateral Warranty Provided (Yes/No)	Location of Survey Report (Sent to PfS Project Director or available on website)
Topographical survey	06.09.07	No significant findings	No	Yes (Post PITT)	
Underground utilities investigation, including drainage survey		No significant findings	No	NA	
Type 2 Asbestos Surveys	27.07.00	Refer to Appendix 1 Worcestershire Scientific Services Asbestos Report for Haywood School dated 27.07.00	Yes (demolition of existing buildings)	Yes (Post PITT)	
Fully dimensioned measured building surveys, including floor plans and elevations		All available existing drawings held by HC will be made available to bidders.	No	Warranty from HC	
Intrusive ground investigation including factual and interpretive report	Sept 2007	Refer to Geotechnical preliminary recommendations in section 3.3.1	Yes (allowance for contamination in abnormals)	Yes (Post PITT)	

Survey	Date Completed	Findings	Cost Implication (Yes/No)	Collateral Warranty Provided (Yes/No)	Location of Survey Report (Sent to PfS Project Director or available on website)
Statutory Utilities searches	26.04.07 10.05.07 04.05.07 25.04.07	Electricity – E-ON Gas – Transco Water - Welsh Water Telecoms –BT	NO	Yes (Post PITT)	
Phase 1 Ecology Habitat Survey		To be commissioned in April / May	TBC		
Visual Structural Inspection	N/A	All buildings to be demolished	N/A		

3.3.1 The following is a summary of the preliminary recommendations given in the Geotechnical Appraisal for the suitability of ground conditions:

- ***Excavations***

Excavations from this site should be manageable. Generally, the pit sides remained stable during excavation. Where the formation comprises clays and silts excavations should be kept open for as short a time as possible. A layer of blinding concrete may be laid to protect the base of foundation excavations.

- ***Foundations***

Conventional strip footings will be suitable for use at this site. The minimum foundation depths should be 0.75m and 0.9m for low and intermediate plasticity materials. An allowable increase in bearing capacity of 100kN/m² can be taken for preliminary design purposes, subject to medium strength clay being present at formation level.

- ***Stability of Existing and Proposed Slopes***

No signs of instability were observed on the existing slope and no pre-existing shear surfaces were revealed in the trial pits.

Based on the material encountered during the investigation it is considered that cut and fill slopes should remain stable with a sideslope of around 220.

- ***Earthworks***

If earthworks are involved as part of the proposals it is likely that the majority of the materials encountered will be acceptable for use.

It is anticipated that any unacceptable fill material will be re-usable as Class 4 landscape fill.

- ***Retaining Walls***

Adequate drainage should be provided behind retaining structure to avoid the build up of pore water pressures.

- ***Concrete Protection***

The laboratory testing indicates there are no special precautions required to protect buried concrete.

- ***Drainage***

Soakage tests were beyond the scope of this investigation and drainage proposals are not known as present. However, based on the materials encountered in the exploratory holes it is unlikely that disposal of surface water to soakaways will be

feasible. If a soakaway option is pursued then it is recommended that a full soakage test is undertaken at the position of each of the soakaways to determine the infiltration rates necessary for design purposes.

- *Radon*

It is unlikely that radon protection measures will be required.

- *Land and Contamination*

Following the observation of nickel contamination at various locations across the site, it is recommended that any further testing should include heavy metals (including nickel) but also include a broad screen of contaminations.

3.4 Design Brief

The Design Brief has been developed and it reflects the Sponsor/Academy Trust's and Design User Group's aspirations expressed during the development of the initial options, design presentations and evaluation. The Design Brief contained within the OBC contains a summary identifying the design developments to date. This will be included within the Invitation to Tender (ITT) documents at the procurement stage, which will also include the Education Brief.

The Scheme will utilise the PfS Authority's Requirements, amended to suit the local circumstances.

Design Quality

Two distinct measures of design quality will be used in the Hereford Academy development processes. These will be linked to the Key Performance Indicator (KPI) and benchmarking data:

- *The Design Quality Indicator (DQI)*

The initial part of the process is the 'FAVE' evaluation. A workshop was held with key stakeholders on 13th February 2008, which was led by Andy Thompson an accredited DQI facilitator. From this, a consensus view on the design quality priorities for the Academies was identified and agreed.

The Sponsor/Academy Trust and LA are committed to the use of the DQI process throughout the design, build and operation of the projects.

- *BREEAM for Schools*

The requirement for an 'excellent' BREEAM (Building Research Establishment's Environmental Assessment Method) score will be encapsulated within the procurement documentation upon which bidders designs will be benchmarked. It

will be a requirement for bidders to demonstrate during their design development that the required score can be met within the funding allowance.

3.5 Construction Phasing/Decant Strategy

The construction phasing and decanting strategy will be completed in the following phases:

New build and ICT Hardware complete	March 2011
Use of alternative sports pitches	June 2009 – October 2011
Decant from existing school	Through Easter vacation April 2011
Academy operational in new buildings	Start of Summer Term April 2011
Demolition of existing buildings	May 2011 – June 2011
External works (including AWP)	July 2011 – October 2011

In considering the options for transition, the effects on pupils and staff of construction work and decanting have been taken into full account, with the aim of balancing the need to minimise both the cost of the decanting and the extent of the disturbance and disruption.

3.6 Carbon Neutral

HC wherever possible within the design, construction and operation of the new Academy will follow best practice to aim to achieve a carbon neutral new building.

3.7 Third Party Agencies

Herefordshire Council will provide an unencumbered site for the Academy.

The predecessor school currently provides accommodation for the Redhill Residents Association and the South Wye Learning Centre.

The Redhill Residents Association is not satisfied with the accommodation or terms being offered within the new Hereford Academy buildings but are ready to accept Herefordshire Council's offer of alternative accommodation in a temporary building on another site. Relocation of the Redhill Residents Association will be programmed to tie in with availability of the allocated temporary building. It is envisaged that the temporary building will become available by April 2011.

The South Wye Learning Association (*HC to advise*)

Funding for the relocation of any third parties will not be met by the funding allocation for the academy project.

The table below details all the current and proposed third party users on the site and identifies where they will be located once the building works have been completed.

The table below details all the current and proposed third party users on the site and identifies where they will be located once the building works have been completed.

Third Party	Current Users			Users once Building Works Completed			
	No. of Staff (FT/PT)	CRB Checked? (Yes/No)	Accommodation (Location, no. of rooms, area of each room)	No. of Staff (FT/PT)	CRB Checked? (Yes/No)	Entrance Requirement	Accommodation (Location, no. of rooms, area of each room)
Youth Offending Team	TBA						
Police							
Redhill Residents Association	TBC	TBC	71.5m ² - large meeting room and kitchen facility	N/A	N/A	N/A	No specific dedicated space to be provided on the school site
South Wye Learning Centre	TBC	TBC	195m ² - two ICT suites and ancillary accommodation, reception and toilets.	N/A	N/A	N/A	No specific dedicated space to be provided on the school site, Academy to work community use throughout design of the school.
Connexions	TBA		Accommodated in the Infozone				
4US Clinic	TBA		Accommodated in the Infozone				

Third Party	Current Users			Users once Building Works Completed			
	No. of Staff (FT/PT)	CRB Checked? (Yes/No)	Accommodation (Location, no. of rooms, area of each room)	No. of Staff (FT/PT)	CRB Checked? (Yes/No)	Entrance Requirement	Accommodation (Location, no. of rooms, area of each room)
SHYPP	TBA		Accommodated in the Infozone				
Noah's Ark	TBA		Accommodated in the Infozone				

3.8 Summary

HC can confirm that they own the land upon which the Academy will be built and that there are no encumbrances, restrictive covenants that would place the development and operation of the Academy at risk.

A robust and thorough options appraisal has been carried out to determine the project proposals. The site options appraisals meet the requirements of Building Bulletin 98.

Surveys and investigations have been undertaken and the results evaluated.

An initial control option for the Scheme has been prepared which demonstrates that the Scheme is deliverable. This initial control option has been signed off by the Design Group and PSG as meeting the requirements of the Education brief and design Brief and as acceptable to all parties.

An Initial DQI Workshop has been held and there is a commitment to using the DQI process throughout the design, construction and operation of the projects.

There is a commitment to achieving a BREEM 'excellent' rating

The Design Brief has been developed. The Scheme will utilise the PFS Authority's Requirement document, amended to suit the local circumstances.

A construction phasing and decanting strategy has been developed.

All existing and proposed third party users have been identified and there is a strategy in place for providing accommodation for these users where necessary.

The following documents are attached at *Appendix 3*

- Plan of the site to be transferred to Academy Trust
- Certificate of Land Title
- Warranty for Land Title search
- Site options appraisals
- Collateral Warranties for surveys and investigations
- Output from DQI Workshop

- Design Brief
- Construction Phasing/Decant Strategy

4 ICT

Section 4 and *Appendix 4* of this OBC provide an overview of the ICT Vision and the proposed delivery approach for the ICT provision. It encapsulates the preferred delivery method and validates the rationale for that choice, including whether the service is intended to integrate with the wider HC provision.

The ICT capital budget for hardware (£1,450/pupil) is delivered to the Sponsor/Academy Trust to procure ICT solution. The ICT solution includes the provision of a learning platform, helpdesk arrangements, training & CPD requirements and a Local Choice Fund as included in the ICT Output Specification.

HC is not part of an imminent wave for BSF and therefore will be unable to deliver a BSF ICT Managed Service for the Academy. As HC is unable to deliver a service to the Academy, the Sponsor/Academy Trust will procure an ICT solution from the BECTA Infrastructure Services Framework. The Sponsor/Academy Trust will engage Educational and Technical ICT Advisers to develop:

- ICT Vision
- ICT Output Specification
- ICT draft costings
- Strategy and programme for ICT procurement

4.1 Options Appraisal

HC set about identifying options that would enable the Academy to achieve its' Sponsors transformational ICT Vision as part of the wider Academy project. The Sponsor's ICT vision clearly specified that provision should underpin teaching and learning with flexibility and personalisation key factors in meeting this vision. It should be noted that the procurement of a Learning Platform and a Management Information System were not considered as part of any of the options.

The options identified were:

- *Do minimum*

Maintaining the ICT provision in the Academy at the same levels as the predecessor school with development funded piecemeal through existing budgets and ICT focussed grant provision.

- *Enhance existing ICT provision*

Investing in a similar model of ICT provision that exists in the predecessor school resulting in additional ICT suites based around existing provision.

- *Transformational ICT provision with fully outsourced support model*

This consists of delivering a level and type of provision that maps to flexibility required. This would be supplemented by a comprehensive change management and professional development programme.

These options were selected because they are representative of the options facing the Academy at this time. Any other option for meeting the ICT Vision would be, to a greater or lesser degree, a variation of one of these three. They were evaluated using the professional judgement of the Authority supported by their technical advisors. In addition, there was significant consultation with the Sponsors and with the predecessor school.

The evaluation was conducted using a set of robust and transparent criteria extrapolated from BECTA, PfS and DCFS guidance. These criteria were:

- Provision of transportation in learning and teaching;
- Robust, scalable and sustainable;
- Delivery of the Sponsor's ICT Vision; and
- Conforms to BECTA and PfS guidance and requirements.

The preferred solution was Option 3, transformational ICT provision with fully outsourced support model.

Based on the evaluation criteria above option 3 was the only solution that could deliver in all four aspects. Primarily this option would deliver the requisite transformation in teaching and learning because pupils and teachers will be provided with appropriate levels and type of technology augmented by a comprehensive CPD and change management programme.

Option 3 would be robust inasmuch as it would be managed through a contract in which KPIs would compel the service provider to deliver a certain level of service. However, a slight question remains over the robustness of the service given the lack of support staff in the school. This is essential to effective delivery of an ICT service in an education context.

The service would be specified in such a way that it should be scalable should the school wish to enhance provision in the future or become part of a wider programme such as BSF.

This option would be sustainable over the length of the ICT contract due to the capital investment arising out of the Academies Programme and the per pupil per annum (ppaa) contributions described in the ICT Vision.

This Option would deliver the Sponsor's vision of an innovative 21st Century learning environment. All ICT provision will underpin teaching and learning to enable the required transformation.

BECTA guidance points toward the deployment of an ICT Managed Service. As such, this is the only option that conforms to BECTA and PFS guidance and requirements.

4.1.1 Scope of Services

The scope of the ICT project will not include the Learning Platform (LP) or the Management Information System (MIS). The ICT Managed Service Provider will have to accommodate the predecessor school's current provision.

It should be noted that the broadband provision and associated services are currently delivered through the Authority and is limited to 10Mbps. The necessity for enhanced bandwidth is to be investigated in the soft market testing of available suppliers and will be informed by consultation with the successful ICT Managed Service Provider.

Further clarification of the scope is set out below and this follows the BECTA Framework educational ICT procurement.

- *Infrastructure*

The Academy will procure infrastructure services as they are described in the BECTA Framework. In brief, these services are infrastructure design, provision, implementation, maintenance, service and technical support and training and change management services for staff and users.

- *Consultancy*

The Academy will procure Consultancy Services off the Framework to develop the Academies requirements for the ICT Output Specification.

- *Learning Platforms*

The predecessor school currently has a learning platform which is effectively deployed. In addition to this, there is regionally procured local authority solution available to the school. The decision whether to migrate the existing solution across to the Academy or utilise the authority provision is one for the Principal Designate. Either way, there is no need for the Academy to specify a learning platform as part of this procurement.

- *Internet Services*

The Academy will source an internet connection and the associated services around email, filtering and antivirus from the Authority through the Regional Broadband Consortia.

4.2 Interface with Design and Construction Contract

The ICT Scope within the D&B Contract with HC will require the Framework Panel Member to deliver the ICT Infrastructure (funded at £225 per pupil) only. The ICT Equipment/Hardware (funded at £1,450 per pupil) will be procured by the Academy Trust. HC and the Academy Trust understand that due to the nature of the Procurement of the D&B Contract, it is not possible to add or attach an Interface Agreement to the D&B Contract to address the ICT interface. HC will advise in detail in the Authority Requirement the following matters:

- (a) What information he expects to provide to the Framework Contractor and the timing of such;
- (b) What information he expects from the Framework User and the timing of such;
- (c) What regularity of meetings and correspondence related to ICT interface matters that is expected on the project; and
- (d) Access requirements needed from the D&B Contractor towards to end of the Construction programme to allow the ICT Services provider to access the near completed infrastructure to begin to install the ICT Equipment

HC can confirm that the ICT Functional Specification will be made available to the Bidders during the ITT stage to enable the Bidders to design the ICT infrastructure.

HC and Sponsor/Academy Trust will address the alignment of the ICT Infrastructure (delivered through the D&B Contract) and the ICT Hardware (delivered through the BECTA Framework) through the development, procurement and delivery phases by the following:

- Identifying ICT champions for HC and the Sponsor/Academy Trust, Martin Fowler and Bruce Freeman respectively.
- ICT Working Groups will be set up with representation from the ICT champions, members of the DUG and support from the Sponsor/Academy Trust's ICT consultant (selected from the BECTA consultancy services framework) as the ICT Functional Specification is developed and agreed.
- The ICT Working Group will also be responsible for revising the ICT risks on the risk register and managing actions required.
- The D&B Framework Panel Member will be required to work closely with the ICT Hardware contractor to resolve any site co-ordination issues. The two successful bidders will be required through the ITT stage to identify any areas of the design that may be handed over to the ICT Hardware contractor ahead of Practical Completion.

The alignment of the two procurement processes for the ICT and the Design and Construction is highlighted as one of the top 10 risks to the Scheme.

4.3 Summary

The Sponsor/Academy Trust has conducted a robust and thorough ICT options appraisal to determine the ICT approach.

Stakeholders are being consulted in developing the ICT proposals.

The Sponsor/Academy Trust has confirmed that they will procure the ICT provision through the BECTA infrastructure framework.

BECTA has reviewed the proposed delivery approach for the ICT provision and confirmed that it is acceptable.

A detailed risk register for the ICT project been developed and a clear strategy to manage / mitigate ICT risks has also been put in place.

The ICT Output Specification also been completed to a satisfactory level

The following documents are attached at *Appendix 4*:

- ICT Vision
- ICT Risk Matrix (identifying the top 10 risks)
- Email from BECTA confirming that proposed delivery approach for ICT provision has been reviewed and is acceptable

5 FACILITIES MANAGEMENT

Section 5 of this OBC details the proposals for the provision of Life Cycle and Hard FM.

The Sponsor/Academy Trust has agreed to adopt the existing Facilities Management services procured by the predecessor school, Wyebridge Sports College when the Academy opens in the existing buildings in September 2008. The Sponsor/ Academy Trust will continue to outsource Facilities Management Services until the Academy moves into the new buildings in April 2011. Once a LEP has been established the Sponsor/ Academy Trust will consider buying Lifecycle and Hard FM services from the LEP.

To ensure the Facilities Management Services provide value for money the Sponsor/Academy Trust will continue to procure the services through a competitive process.

The following table is indicative of the current existing Facilities Management Costs for the predecessor school.

Area	Supplier	Length of Contract	Contract Expires	Current Cost	What it covers currently
Insurance	Herefordshire Council	Annual	31.03.08	£32,847	Buildings Contents, plus Optional Buildings Contents On and Off Site visits Mini bus Insurance
Cleaning	Mavis Russell Cleaning Ltd	3 years	31.03.08	£58,799	1 main contract plus 2 variations covering school buildings
Security	CTAC Ltd	Annual	Dec 08	£2,400	CCTV off site monitoring
	Hereford Security Services	Annual	Dec 07	£520	Key holding Service
Catering	Catering for Education	Annual Started June 05 -	June 08 (tbc) 3 months	Income of - £1,500	Licence Fee paid to school £500 per term

		06	notice can be given		
ICT	Edu Tech Solutions Ltd	Annual	March 08	£10,500	Bought in hours for network support
Maintenance Contracts	Herefordshire Council Service Contracts from different suppliers	Annual	March 08	£14,197 approx.	Heating Gas Soundness Electrical Inspections Security Alarms Lift Service Dust Extraction Beam System
Waste Removal	Herefordshire Council	Annual	March 08	£5,040	Two collections per week. Additional collections at extra cost.
Grounds Maintenance	Countrywide Grounds Maintenance	Every 3 years – started Jan 06	Finished December 2008	£6,895 in 3 rd year	Grass mowing, hedge trimming etc.
Total				£126,968	

5.1 Summary

The Academy Trust has set out their strategy for delivering life cycle and hard FM services and confirmed that once the LEP has been established that they will consider buying these services from the LEP.

6 AFFORDABILITY

Section 6 and *Appendix 5* of this OBC describe the affordability position for the whole Scheme.

6.1 Design and Construction

HC has adopted the new build PfS funding rates as confirmed by the Framework Panel Members and there is no variance in estimated construction costs. The table below sets out HC's cost estimate for a 100% new build design and build contract.

Category	FAM (£)	LA Estimate (£)	Variance (£)
Construction Costs	12,937,368	12,937,368	0
External Works	1,552,484	1,552,484	0
Abnormals	646,868	646,868	0
Fees	1,892,090	1,742,090	-250,000
Inflation (to Construction start - June 09)	1,722,014	1,722,014	0
FFE (inclusive of inflation to Construction start)	1,312,371	1,312,371	0
ICT Infrastructure	252,000	252,000	0
D&B Contract sub-total			
Project Support Funding	0	250,000	250,000
ICT Hardware	1,624,000	1,624,000	0
Total	21,939,195	21,939,195	0

Notes:

Construction Start Date: June 2009

Location Factor: 0.96

The cost estimate makes allowance for the sum of £250,000 for Project Support Funding for delivery costs. This sum is top sliced from the funding allocation agreed with PfS. HC has submitted their application for Project Support Funding and it has been approved by PfS.

6.2 Abnormal Costs

During the development of the initial designs, HC has undertaken surveys and investigations and considered the results. The abnormalities identified have been costed and the costings agreed with PfS. The abnormal costs are summarised in the table below:

Abnormal	LA Estimate (£)
Asbestos Removal	20,000
Type 3 asbestos survey	5,000
Demolition of existing buildings including grubbing up and removal from site	200,000

Break up roads and paving	15,000
Site clearance, contamination or gas in ground	40,000
Unusual site level variations need retaining walls and/or ramps	346,868
Environmental matters	20,000
Total	£646,848

Notes:

Construction Start Date: June 2009

Location Factor:0.96

6.3 ICT

This section sets out the cost estimates for the ICT solution across the whole project which includes:

- The indicative capital costs of the selected ICT option will be as set out in the FAM, an ICT infrastructure allowance of £225 per pupil and for ICT Hardware an allowance of £1450 per pupil;
- Monies required to maintain the operational and maintenance (revenue) costs will be within the recommended £80 - £160 per pupil per annum, an exact allowance is subject to the discretion of the Principal Designate in April 2008;
- As the Academy is opening in existing buildings in September 2008 any monies associated with installation, implementation & transition of ICT provision within the existing buildings will be met by the GAG;
- The ICT Output Specification will address scalability and flexibility and therefore there will be no supplementary costs.

The indicative capital costs of the selected ICT option will be met through funding from PfS and maintenance and lifecycle costs for any ICT works will be afforded through the annual GAG funding from DCSF. The Sponsor/Academy Trust will confirm the annual allowance dedicated to the ICT solution are sufficient to maintain the asset for the life cycle of the project, subject to the Principal Designate advising on the recommended ICT allowance per pupil.

6.4 Lifecycle/Hard FM costs

The Academy Trust will be responsible for the ongoing life cycle costs which have been calculated at £6,142,975 over 25 years, this equates to 28% of the Capex cost £21,939,195.

Hard FM costs for the Academy are based on the predecessor schools FM costs of £126,968 with utilities estimates at £66,000.

The Academy Trust has agreed in principle to meet both lifecycle and Hard FM costs from the General Annual Grant (GAG.)

6.5 Other sources of funding

There are no other sources of funding available for the procurement of the Academy.

6.6 Summary

The OBC provides a separate cost estimate reconciled against the FAM for both the design and build and ICT elements of the project.

The estimate indicates that the proposals are affordable within the funding allocation.

This section of the OBC confirms the Council's view that the construction Scheme represents value for money.

HC has submitted their application for Project Support Funding and it has been approved by PfS.

The Sponsor and the HC accept that they have to deliver the Academy building within the agreed funding envelope and they will ensure that the scope of the development work fits within this envelope with due reference to the Framework rates. The Sponsor and the HC will work with the Framework Panel Members to optimise the scope and will undertake any project rescoping necessary to ensure that the project fits within the funding envelope

Design and Construction

The initial design options for the Scheme have been fully costed. The cost estimate includes an assessment of likely abnormal costs which consider the initial site investigations that have been carried out.

The capital costs fit within the Funding Allocation Model (FAM) agreed with PfS

ICT

The OBC sets out the cost per pupil in relation to the ICT Option.

Capital Costs - The initial design options for the Academy have been fully costed and it has been identified what is to be delivered through the £1450/pupil funding. The relevant cost split and mechanism for transfer of required ICT Hardware Funding has been agreed between the Sponsors/Academy Trust and HC.

We can confirm that the capital costs fit within the Funding Allocation Model (FAM) agreed with PfS.

Ongoing Costs - ICT costs have been estimated for a 25 year period. The estimated annual cost is between £80 and £160 per pupil, (a finalised cost to be agreed when the Principal is appointed in April 2008) - the Sponsor/Academy Trust has confirmed his commitment to meeting these costs through the General Annual Grant (GAG).

Facilities Management

Life Cycle and Hard FM costs have been estimated for a 25 year period. The Sponsor/Academy Trust has confirmed his commitment to meeting these costs through the General Annual Grant (GAG) that will be received.

The following documents are attached at ***Appendix 5***:

- PfS Funding Allocation Model
- LA Cost Estimate
- Schedule of Abnormal Costs
- Facilities Management Cost Estimate
- ICT Cost Estimate (*to be forwarded by Academy Trust ICT Consultant*)
- A letter from the Section 151 Officer confirming the affordability of the Scheme
- Letter from Becta confirming that the ICT costings have been reviewed and are acceptable
- A letter from the Sponsor/Academy Trust confirming their commitment to investment in ICT. (*Draft letter from HC to be forwarded to the Sponsor subject to Cabinet approval*)
- A letter from the Sponsor/Academy Trust confirming their commitment to investment in life cycle and hard facilities management costs

7 READINESS TO DELIVER

Section 7 and Appendix 6 of the OBC sets out the LA's project management structure and identifies the roles and responsibilities of each part of the structure. The key members of the team and the external advisers are named and information is provided on their skills, experience and time commitment to the project. This section also sets out the approved budgets (including consultant advisory fees) and the authority to negotiate, delegated decision etc. to a named senior officer within the key stakeholders.

7.1 Project Management

HC has established and maintained a fully resourced project management regime for the successful delivery of the Hereford Academy. The Academy Delivery Team includes the following personnel HC and an indication of their time commitment in days per month:

<i>Job title</i>	<i>Name</i>	<i>days</i>
Head of Commissioning and Improvement	George Salmon	(tbc)
Head of School Place Planning	Rob Reid (tbc)	(tbc)
Secondary School Improvement Manager	Paul Murray	(tbc)
Principal Lawyer – Corporate	Peter Crilly	(tbc)
Head of Financial Services,	David Powell	(tbc)
Head of Asset Management and Property services	Malcolm MacAskill	(tbc)
Property Services Manager	Colin Birks	(tbc)
Capital Project Manager,	Richard East	(tbc)
14-19 Advisor	Polly Garnet	(tbc)
HC Design Champion	To be agreed	(tbc)

This Team is supported by the following external consultancy team:

Technical Advisor	Navigant Consulting	(15)
Architectural Advisor	To be agreed	(tbc)
Cost Consultant	To be agreed	(tbc)
Client Design Advisor	To be agreed	(10)

The Council proposes to fund the Technical Advisor and any other Design Team support with Project Support Funding drawn from Partnerships for Schools (part of the capital funding allocation).

The relevant skills and experience of the key members of the team are detailed below:

Project Director, George Salmon

George Salmon has been involved in the planning of school places, and implementation of school capital projects in Hereford and Worcester and subsequently Herefordshire since 1985.

Since 1998 he has been responsible as Head of Policy and Resources for strategic planning of school places, the delivery of the Directorate's Capital Programme, and for the Revenue Budget.

Project Manager, Richard East

Richard East has 9 years experience of working in HC, RICS qualified and recently completed project managing Whitecross High School.

Technical Advisor, Navigant Consulting - Julia Chambers

Julia Chambers has over ten years experience in the construction sector, managing design teams and contractors and overseeing procurement through tender to completion.

ICT Adviser, Mark Compton-James

Over five years experience in the public and private sector advising on the programming and procurement of ICT services.

Legal Adviser, Peter Crilly

Over 15 years of Local Authority legal experience and has for the previous two years held the position of Principal Corporate Lawyer dealing with planning, contracts, general local government issues.

HC 14-19 Adviser, Polly Garnet

(email sent 23.01.08 to R East)

HC Secondary School Improvement Manager, Paul Murray

(email sent 23.01.08 to R East)

The Sponsor/Academy Trust and HC, in conjunction with the DCSF, has followed the project structure and governance for National Framework Academy projects established by PfS, which includes the creation of a Project Steering Group, a Design User Group and HC Project Team.

The Project Steering Group

The PSG has the responsibility to develop the project plan and define the Academy's ethos and vision. A number of sub-groups feed back into the PSG which meets on a monthly basis, membership of this group is as follows:

Paul Suthern	<i>Vice-Chairman, Hereford DBE (CHAIR);</i>
Ian Terry	<i>Hereford Diocesan Director of Education, Hereford DBE;</i>
John Chapman	<i>Chairman, Hereford DBE;</i>
Christopher Whitmey	<i>A Company Director, Hereford DBF;</i>
Mark Evans	<i>DCSF Academies Division, Project Lead and/or Debbie Bratton, Assistant Project Lead</i>
Bruce Freeman	<i>Education Liaison Officer, South Wye Team Ministry;</i>
Paul Murray	<i>Children and Young Peoples Directorate, HC;</i>
Lara Newman	<i>Navigant Consulting, Overall Project Manager;</i>

Iain Main

Navigant Consulting, Assistant Project Manager.

Design User Group

The DUG are guardians for the Sponsor’s Education Vision and ethos and are the key group responsible for ensuring the design proposals are within the agreed funding envelope. Their role prior to OBC has been to input into the Design Brief and agree site options for the Academy, beyond OBC. DUG will be consulted on all design related matters. During the tendering stage the group will continue to meet to discuss the proposals and select a preferred bidder. Part of this process will involve hosting clarification meetings with the two short listed bidders after the Preliminary Invitation to Tender (PITT) stage.

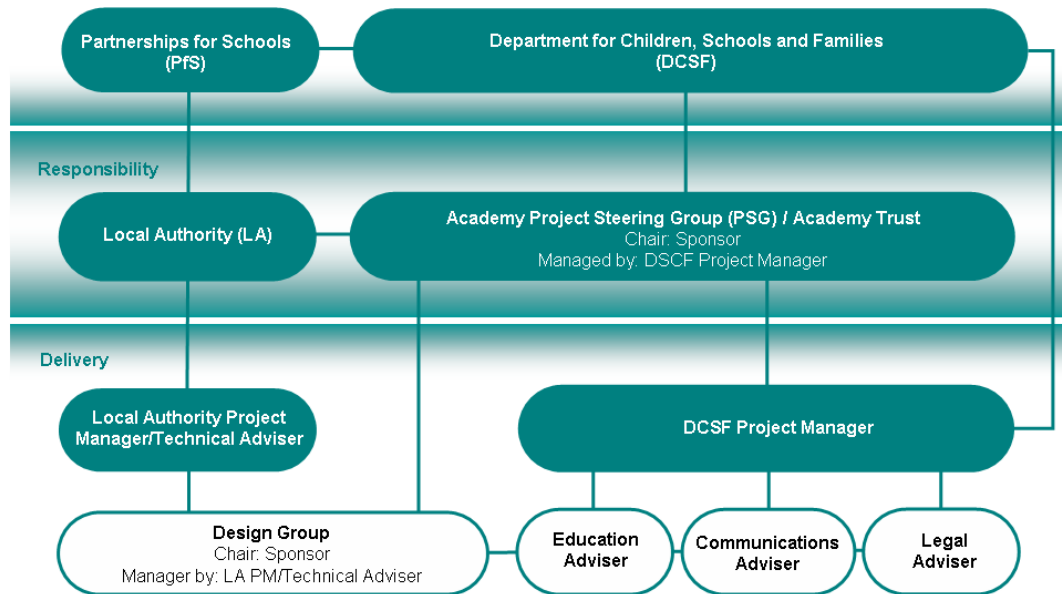
John Chapman	<i>Chairman, Hereford DBE</i>
George Salmon	<i>Head of Commissioning and Improvement</i>
Paul Murray	<i>Secondary School Improvement Manager</i>
Richard East	<i>Capital Project Manager</i>
John Shepherd	<i>Principal Designate</i>
Bruce Freeman	<i>Education Liaison Officer, South Wye Team Ministry</i>
Julia Chambers	<i>Technical Advisor</i>

Technical Advisor

Navigant Consulting has been appointed from the PfS’ Project Management Framework to provide Technical Advice and Support through the project development phase including assisting with the delivery of the Outline Business Case. Navigant’s appointment has been extended to provide support in procuring a design and build contractor, preparation of output specifications and employer’s requirements and submission of the Final Business Case.

The Technical Advisor will liaise with the Sponsor’s Overall Programme Manager and support the work of the Hereford Academy Design User Group and co-ordinate the work of the Council, Architectural Advisors and other consultants.

The organisational structure for the project is represented in the following diagram:



In addition, PfS has provided support during the project development, and has monitored progress to ascertain whether the requirements of the new Academies Framework have been met. The PfS Project Director is Paul Adam.

The budget for the procurement and delivery phases of the budget has been approved and authority has been delegated as follows:

The senior officer representative of key stakeholders with delegated authority will be George Salmon.

HC will use the agreed Project Support Funding to pay for the resource and other options appraisal costs and HC confirms that it will meet the costs of any overspend above the agreed £250,000 sum.

7.2 Consultation and Statutory Approvals

The following consultation has taken place in relation to the Scheme:

Planning

The Project Team has liaised with the Planning Authority. The following key planning concerns have been identified:

- Building over existing sports pitches
- Consultation with Sport England to avoid planning delay
- Level of proposed traffic and its impact on surrounding roads

- Possible opposition from local residents
- Location of proposed floodlit synthetic turf pitch within residential area

The following has been obtained:

Letter of Comfort from HC Planning Authority dated 26th November 2007 confirms the Project Team has consulted with HC Planning Authority on the proposals and there are no material objections.

Sport England

Consultation has taken place with Andy Sacha, Head of Investment at Sport England. It is understood that Sport England support the preferred feasibility design subject to the final sports provision being equal if not exceeding the exceeding provision and a strategy to manage sports provision through construction. Formal endorsement is expected once a full review has taken place.

A further meeting with Bob Sharples, Senior Planning Manager for Sport England has been arranged on Thursday 10 April to secure formal endorsement.

7.3 Market Testing

A Bidders day will be held on 10th April 2008. All Framework Panel Members will be invited to an introductory presentation, followed by focus groups for Capital Build and ICT.

7.4 Risk

A risk workshop has been held and a risk strategy developed. This risk register is reviewed on a regular basis.

The Risk Register details:

- The risks identified
- Who is responsible for the mitigation
- Measures being taken to mitigate each risk

7.5 Summary

The Sponsor/Academy Trust and HC, in conjunction with the Department for Children, Schools and Families (DCSF), has followed the project structure and governance for National Framework Academy projects established by PfS, which includes the creation of a Project Steering Group, a Design Group and the LA Project Team.

HC has put in place resources for the duration of the project, including post

contract, to monitor and maintain ongoing relations with the Framework Panel Member and ensure that performance is continually reviewed.

A Bidder day will be held on 10th April 2008 for the Framework Panel Members.

A risk workshop has been held and a risk strategy developed.

The following documents are attached at *Appendix 6*:

- Budget for procurement and delivery
- Letter of comfort from the Planning Authority
- Letter from Sport England
- Consultation report
- Risk Register (detailing top 10 risks)

8 LEADING AND MANAGING CHANGE

Section 8 of this OBC sets out the LA's approach to leading and managing change.

During the present feasibility stage of the project, the following strategies and activities have been used to prepare for and support the educational transformation to an Academy School: consultation meetings with school staff, governors and community stakeholders have been held to brief them and enlarge on the vision; the Chairman of Governors has held regular meetings with the sponsors; Herefordshire Association of Secondary Heads and the Herefordshire 14-19 Consortium have been consulted and their in principle support obtained, including that of the local area network. The South Wye Education Officer and Community Officer have been engaged in disseminating information on the development of the project within the local community.

Within the LA, an informal project group consisting of the Head of Commissioning and School Improvement, the Secondary School Improvement Manager, Asset Management Officer, Admissions and Transport Manager and the Manager of LMS and Planning have met regularly with other relevant officers to plan and prepare for effective transformation, including briefings and recommendations to cabinet and scrutiny committees of the council.

The School Improvement Service has been constructing professional development programmes for staff at all levels both within and without the existing school that specifically address change management issues. Some of these have gained grant funding from NCSL and TDA through the "Tomorrow's Leaders Today" and other CPD initiatives which focus on succession planning, in particular "A New Kind of Leadership for New Kinds of Schools" and organisational development.

The Workforce Development Adviser and CPD Manager are fully engaged in the implementation of these programmes and are working with the Curriculum Development Officers (two seconded heads) and Secondary Strategy Manager to ensure an effective rollout and involvement of teaching and non teaching staff in the in-service training.

Herefordshire Governor Services will support the existing and projected governing body in its reconstitution and changed procedures. The Human Resources division within Children's Services will continue to advise staff and governors throughout transformation on their rights and responsibilities in the TUPE process. All of Children's Services staff can access and take advantage of the Employee Assistance Programme, which provides external and impartial advice and guidance on a range of employment issues.

The School Improvement Service, its consultants and subject leaders will continue to work in negotiation with the school, contact inspector and School Improvement Partner to maintain standards, target available resources and sustain current trends of improvement throughout the construction process.

8.1 Summary

Information has been provided on how the educational transformation will be delivered through the implementation of the procurement, prior to and post delivery of the “project”.

9 MOVING FORWARD

Section 9 and *Appendix 7* provide a critical review of the options appraisal through the completion of the DCSF Checklist. Also included in this section is the benchmarking data collected at this OBC stage and confirmation that the documents required for the procurement process have been developed.

9.1 Preparation for Procurement

In parallel with the work required to complete this OBC, HC Project Team has also been developing the documents required for the procurement process. The following documents are ready for issue to the Framework Panel Members:

- Preliminary Invitation to Tender (PITT); and
- Draft Invitation to Tender (ITT).

The evaluation team will meet on the 11th March 2008 for an initial start up meeting and briefing about the roles of the evaluation team through PITT and ITT.

9.2 Summary

A critical review of the options appraisal has been conducted and the benchmarking data collated by PfS has been provided.

HC Project Team are developing the PITT and draft ITT and will be ready to engage with the Framework Panel Members in April 2008.

The evaluation team will be established and briefed on 11th March 2008.

The following documents are attached at *Appendix 7*:

- OBC Required KPI data
- Completed DCSF Checklist

APPENDIX 1 – OVERVIEW AND COMMITMENT

- A letter from DCSF dated 18th February 2008 confirming that any changes from the EoI are acceptable and that the Education Brief has been approved.
- Education Brief, including the Curriculum Model and Accommodation Schedule that demonstrates an area within the BB98 allocation
- A letter of support from the Sponsor/Academy Trust dated 18th February 2008.
- A letter of support from the LA (*subject to Cabinet approval*)
- Papers and minutes of LA Cabinet meetings confirming support for the project (*subject to Cabinet approval*)
- A letter from DCSF confirming that they endorse the project to progress into procurement and engage with the National Framework Panel Members. (*To be forwarded from DCSF subject to ongoing negotiations with Herefordshire Council*)
- Confirmation of School Closure, minutes of Cabinet meeting dated 28th February 2008.

APPENDIX 2 – PROCUREMENT STRATEGY

- A detailed programme of work dated 19th February 2008

APPENDIX 3 – BUILDING DESIGN AND CONSTRUCTION

- Plan of the site to be transferred to Academy Trust (*to be forwarded by HC*)
- Certificate of Land Title (*to be forwarded by HC*)
- Warranty for Land Title search (*to be forwarded by HC*)
- Site options appraisals

Drwg 01	Site plan (analysis)
Drwg 02	Site photos
Drwg 04	Option 1 site layout (new build and part refurbishment)
Drwg 05	Option 1 decanting/phasing
Drwg 06	Option 2 site layout (new build)
Drwg 07	Option 2 decanting/phasing

- Collateral Warranties for surveys and investigations (*HC to forward collateral warranty proforma with covering letter signed by Owen Williams*)
- Output from DQI Workshop, 13th February 2008
- Design Brief dated 14th February 2008
- Construction Phasing/Decant Strategy – refer to Drwgs 05 & 07

APPENDIX 4 – ICT

- ICT Vision dated 12th November 2008
- ICT Risk Matrix dated 19th February 2008
- Email from BECTA confirming that proposed delivery approach for ICT provision has been reviewed and is acceptable

APPENDIX 5 - AFFORDABILITY

- PfS Funding Allocation Model issued 14th February 2008 with funding start June 09
- Schedule of Abnormal Costs
- Facilities Management Cost Estimate, refer to section 5
- A letter from the Section 151 Officer confirming the affordability of the Scheme (*sent to George Salmon for signature 20.02.08*)
- A letter from the Sponsor/Academy Trust confirming their commitment to investment in ICT. (*Draft letter from HC to be forwarded to the Sponsor subject to Cabinet approval*)
-
- A letter from the Sponsor/Academy Trust dated 18th February 2008 confirming their commitment to investment in life cycle and hard facilities management costs.

APPENDIX 6 - READINESS TO DELIVER

- Budget for procurement and delivery – drawdown profile dated 19th February 2008
- Letter of comfort from the Planning Authority dated 28th November 2007
- Letter from Sport England (*to be forwarded*)
- Consultation report dated 19th February 2008
- Risk Register dated 7th November 2007

APPENDIX 7 - MOVING FORWARD

- OBC Required KPI data
- Completed DCSF Checklist (*copy sent to George Salmon for signature 19.02.08*)

Department for Children, Schools and Families
Sanctuary Buildings
Great Smith Street
London
SW1P 3BT

Paul Adam
Project Director
Partnerships for Schools
Fifth Floor
8-10 Great George Street
London
SW1P 3AE

Dear Sirs

Hereford 2 Academy – DCSF Approval of Changes to EoI/ Education Brief

I am writing to confirm my support for the ongoing changes to the Education Brief for Hereford 2. The changes will enhance the transformational aspects of the curriculum and pedagogy but will not require changes to the building design.

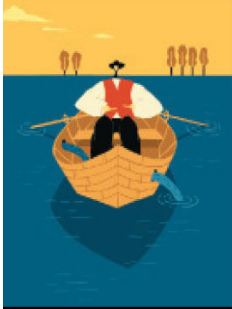
I can confirm I approve of these changes.

DCSF can also confirm that the Education Brief, Curriculum Model and Accommodation Schedule have been signed off as approved by themselves.

Yours sincerely

A. Colhart

18th February 2008



THE HEREFORD ACADEMY

EDUCATION BRIEF

Draft F

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1.0 INTRODUCTION

This Education Brief has been created as an initial draft for the Hereford Academy, and has been put together by a variety of parties involved in the Academy project, most notably the Sponsor and the Department for Children, Schools and Families (DCSF). As the Brief develops, Wyebridge Sports College will be involved in the process, in the hope that the strengths of the current school can be matched to the Vision of the Sponsor. Other Stakeholders, especially those in the South Wye community, will also have a significant role in commenting on the Brief.

The purpose of the document is to provide the Design Team with guidance on the design of the building and site, in order for them to develop the Initial Design Brief needed at Feasibility for an Academy delivered under Partnerships for Schools' National Framework.

2.0 BACKGROUND

2.1 The Diocese of Hereford

The Hereford Academy is sponsored by the Diocese of Hereford. The Diocese was founded in 676 AD, and covers the whole of the county of Herefordshire, southern Shropshire, Hereford and a few parishes in Worcestershire, Powys and Monmouthshire. The Diocese supports 84 Church of England Schools including two secondary schools, and hence brings extensive knowledge of Christian educational values and school management to the project. The Church of England has extensive experience of education provision for all people, whether members or not. The Church's historic and ongoing contribution to education for all is well documented and has been acknowledged by successive Acts of Parliament.

2.2 The Academy Project

Funding for the Hereford Academy is being sourced from the DCSF and its Sponsor, The Church of England, through the Diocese of Hereford. The Sponsor will contribute via an anonymous donation, a capped £1.5m towards a charitable endowment / investment fund, the income of which will be used to target educational deprivation and disadvantage in South Wye. The exact focus of this endowment will be developed in parallel with the project.

2.3 ICT

In order to create an innovative, 21st Century learning environment and an efficient school, ICT will be woven into the operation of the Academy, and facilitate much of the teaching and learning within it. This document includes an ICT Vision for the Academy (Appendix 1). A particular focus of any ICT Vision will be the role it will play in closing the 'IT divide' between those who have access to

computers and Broadband communications, and those who do not. ICT will be a significant tool in the engagement of the whole community in learning – a key aspect of this project.

2.4 The Feasibility Stage

The Hereford Academy project progressed to the Feasibility Stage in February 2007. Detailed work to establish the Academy's constitution, key policies, building related requirements and funding is currently taking place in tandem with the preparation of the Outline Business Case for the project, by Herefordshire Council. This will cumulate in the completion of the Funding Agreement between the Secretary of State and the Academy Trust, and the progression of the project into the operational 'Implementation' stage.

3.0 ETHOS STATEMENT

The Hereford Academy will serve its community by providing an education of the highest quality within the context of Christian beliefs and practice. It will encourage an understanding of the meaning and significance of faith and continue to promote Christian values through the experience it offers to all its pupils and families. The Academy aims to build a culture founded on respect, generosity, collaboration and creativity fostering success and achievement. The guiding statement of the Academy, 'Life in all its fullness', will be a right for all those who have the opportunity to work, teach and learn in the establishment, and for the communities it serves.

The objectives of the Academy include building on the clear strengths of its predecessor school, as highlighted in a recent OFSTED report. The Academy will further develop Sport, Science and Health, and will include extensive use of ICT. It is believed success in these specialisms will breed success in other parts of the school curriculum by building confidence and teaching leadership skills. A high quality education, inclusive of all faiths and beliefs will prevail.

4.0 VISION STATEMENT

The Hereford Academy will develop and enrich the mind, body and spirit, and create an environment for learning and growth. It will be a place strengthened by shared values of empowerment, honesty, integrity and respect, where learners of all ages enjoy achieving.

The Academy will be:

- A happy creative place where all can thrive;
- A place where all learning is valued , achievement is exciting and success is celebrated;
- An environment where students are viewed as unique individuals who bring essential gifts to the life of the Academy;
- A place that provides opportunities for students to develop personally and make a beneficial contribution to society;
- A place in which everyone takes pride and contributes to decision-making.

The Academy will be a dynamic learning environment which responds to the needs of the South Wye area and which puts students at the centre of all aspects of achievement, regardless of individual ability. Christian faith and principles including challenge, courage, forgiveness and service, will inform all of the Academy's activities.

5.0 SPECIALISMS

The Sponsor, working with others, will help create an inclusive and aspirational Academy. At its heart will be the Specialisms of Sport, Science, and Health. The disciplines of these specialisms will be interrelated (Sports and psychology, for example) future focussed and will provide an opportunity to engage the learners in the local community, and maximise the support of an ICT-rich environment.

5.1 Sport

Building on the predecessor school's sporting success, the Sponsor envisages significant engagement and outreach work, carried out in partnership with a variety of organisations, to enrich this programme at the Academy. The Academy campus should reflect this specialism through separate sports halls, a Multi-Use Games Area (MUGA), all-weather outside spaces, and a playground. Those with particular sporting gifts will be targeted through specialist support and coaching, to achieve at the highest national and international levels. It is the aspiration that no sporting or athletic gifts will be left unsupported.

5.2 Science

Science will be deep-rooted in the curriculum of the Hereford Academy. Not only will the students get a sense of the significance of science through high quality specialist chemistry, physics and biology facilities, but also through an understanding environmental and sustainability issues, as mentioned later in 9.1. Specialist sciences such as Forensic science and Astronomy will also be available to students at the Academy via the post-16 offer.

5.3 Health

Improving the well-being of children is a priority of the Sponsor, Herefordshire Council Children's Services and the Local Primary Care Trust. The safe-guarding of vulnerable children is a particular objective. The Academy will promote the five outcomes as specified in the Children Act 2004:

- Being healthy;
- Staying safe;
- Enjoying and achieving;
- Making a positive contribution;
- Achieving economic well-being.

The Hereford Academy will further develop the work of Wyebridge Sports College with the local NHS, to further emphasize the significance of health in South Wye. The needs of vulnerable children will continue to be addressed within the sponsors' core priority on the holistic development of the spiritual self, and the emotional and psychological stability this encourages.

6.0 THE CURRICULUM

6.1 Introduction

The proposed outline curriculum and organisation has been developed to reflect the Hereford DBE's Vision for the Academy and is intended to retain maximum flexibility, yet maintain the centrality of the Academy's vision. To ensure this, the Sponsor and other stakeholders will contribute to the further development of proposals and maintain ownership of an on-going process.

The Hereford Academy will be a Christian-ethos foundation in the heart of the South Wye community. Christian ideals will be embedded through everyday life in the Academy, in the attitudes of staff and pupils, in behaviour, and in operation and management. The Christian status is known, understood and assumed by all, rather than being in any way overtly explicit. Pastoral support for children and families will be a key tool in fostering this ethos.

6.2 Curriculum Aims

It is the goal of the Hereford Academy to develop all attributes of the student: intellectual, cultural, physical, social, and spiritual. It will be important to develop the curriculum/educational learning and 'life' skills of students in parallel, and ensure that the correct amount of emphasis is placed on each. The Academy will work with the community to ensure that no child or young person misses out on the opportunities available to them and to their families.

The Academy's teaching environment will be stimulating, exciting, vigorous and effective in its delivery of knowledge, and the competences and skills that underpin it. All staff will be responsive and sensitive to other members of the Academy community in order to promote an open, trusting and happy atmosphere, which encourages self-confidence in students. People learn when they are happy: this is an over riding aspect of the Sponsor's Vision for the Academy.

The Hereford Academy will be an integral part of the South Wye community and will encourage partnership with educational establishments in South Wye and the wider Hereford area. Open and trusting relationships between Academy students and other learners will be a key factor in diversifying the range of experiences the Academy curriculum can offer, especially through collaborative provision at post 16.

6.3 Curriculum Values

Christianity will inform the life of the Academy, and Christian values will influence and contribute to its underlying ethos. To further promote Christian values there will be regular acts of collective worship, assemblies and morning “thoughts for the day”. In their own way, each of these will help and inspire all to share and establish firmly the collective values of the Academy, which are:

Integrity;	Responsibility;	Pride;
Dignity;	Independence;	Hard work;
Co-operation;	Active citizenship;	Obedience;
Trust;	Achievement;	Creativity;
Ambition;	Diversity;	Challenge;
Courage;	Humour;	Confidence;
Honesty;	Respect for the environment;	Humility;
Respect for people;	Punctuality;	and
Self-worth;	Politeness;	Respect for authority;

The exploration of these values will be key to the development of all learners, the direction of the Academy, and can provide a framework outside that provided by the “formal” taught curriculum.

The advancement of a sense of community within the Academy will be accomplished through corporate responsibility of the Academy Trust, but will also be reflected in the recognition by all staff of the extra-curricular needs of students. All people, especially the young, will learn from their experiences, both in and out of the Academy and a consistent message will be conveyed by staff.

6.4 The Core Curriculum

The Curriculum at the Academy will be divided into four core curriculum “clusters”, which will have their own integrity, but will be delivered as a whole to create balanced learning including both traditional and vocational learning. The names of the core curriculum clusters will be consulted upon and finalised at a later stage. Initial suggestions are:

- *Numbers and Symbols*: ‘subjects’ include Maths, Sciences, and Technology;
- *Communications*: ‘subjects’ include English, Taught ICT, and Foreign Languages;
- *Humanities*: ‘subjects’ include History, Religious Education, Geography;
- *Aesthetics and the Senses*: ‘subjects’ include Art, Drama, Music, Dance, Health and Physical Education.

The facilities for each “cluster” will be physically located together and arranged to maximise the efficient learning and movement of students, their sense of identity and ownership and the use of space. This shared use of space and focus will enable better links between individual subject knowledge and competences within a cluster, and enable coherence in students’ learning. Each cluster will be managed by an Assistant Principal who will be the Curriculum Coordinator for that particular cluster and be responsible for developing the curriculum offer. He or she will ensure the effective learning of every pupil in their care and developing a holistic approach to learning.. The Assistant Principal will work closely with the Senior House Tutor, as outlined in section 8.4. It is the Sponsors’ aspiration that the overall vision for the Academy, as outlined above, will not be diluted by this specific cluster system, or indeed the dedicated pastoral care also proposed.

Creative links across the clusters will ensure that subjects are not unnecessarily categorised, and that learners benefit from an understanding of how for example Art and Maths, or Sport and Religion, are related. The development of thematic weeks within the academic year will be explored.

6.5 11-16 Curriculum

Learning at the Hereford Academy will begin in Year 5, with an exemplary transition programme that seeks to extend the experiences of students at primary level, integrating each child and their family harmoniously into the learning, pastoral structure, and ICT-rich environment of the Academy. In this way the new students will be familiar with the ethos and high ambitions of the Academy. In key stage three timetabling will be as flexible as possible to enable long periods of focused learning that may be necessary to overcome individual challenges. The Sponsor is keen that students should be able to progress through stages of learning regardless of their age. This is challenging as an aspiration and will be the main focus of much of the work done in the Implementation stage of the project.

The Academy will promote high quality opportunities through a mix of both traditional and vocational pathways. There will be a genuinely comprehensive curriculum with a focus upon personalising learning by accepting that each student will be able to achieve their personal and academic goals in tandem. Each student will experience early success by developing a flexible curriculum that meets their needs. There will be level one and level two courses on offer and a structured pathway for each learner that is supported by the pastoral and careers guidance within the Academy. Vocational tasters will be on offer from year 9 and each student will be further supported with an individual learning plan that is monitored and reviewed. The foundations that are established at this stage of learning will prepare the student for progression to post-16 opportunities both within the Academy and through partnership with other learning providers.

6.6 Post-16 provision

Post-16 opportunities will be an integral part of the Academy, and will extend the aspirations of students, their families and the wider community. The curriculum offer will be extensively consulted upon during the Implementation phase however there are a number of key principles that need to be

established. The post-16 provision will be a distinct but integral part of the Academy with its own centre and social area. There will be a post 16 manager/Assistant Principal who will be responsible for the wider curriculum offer and will work with the business manager to establish and promote wider community engagement. The 16-19 provision will be timetabled in tandem with the lower school programme and taught within the main school facilities. However, the curriculum offer will be sufficiently flexible to build upon the collaborative arrangements of the 14-19 consortia, as well as offering a range of new and distinct opportunities from the Academy.

The post-16 offer made at the Academy will take very careful note of the needs of the students who have spent five years at the Hereford Academy, and of the Academy's specialisms. Subjects will include Science, Maths, Sports, Psychology, Sociology, Media, Humanities and Modern Foreign Languages. Wider vocational areas will be establishing best practice in Society, Health and Development specialised diplomas, Sports BTEC/specialised diplomas and Science related courses. This will be underpinned by pastoral support and active citizenship. The post 16 provision will provide stepping stones to progression by providing alternative level two, ASDAN, work related learning and 'Entry Employment' type courses. This enables a comprehensive mix of both traditional and future focussed curriculum opportunities. This can be further extended to adult learning by building in a responsive 'Lifelong Learning ' offer that supports the Academy ethos and values as well as addressing local priorities.

The Sponsor is keen to provide as many external influences as possible to students at the Academy, and will seek to establish links with such organisations as local employers in all sectors, the PCT and higher education establishments within Hereford, nationally and internationally. A key challenge currently being addressed is the collaboration between post-16 providers that will be necessary to provide the broadest possible offering for Hereford.

The Sponsor expects an improvement in retention rates post 16, reducing the numbers not in education or training and, with an aspiration of 80-90% retention for 16-19 year olds three years after the construction of the new Academy buildings. Those students who do not choose to continue their education at the Academy will be fully supported through and beyond their next choices by, among other methods, the community liaison input at senior management level. No student or family will be invisible to staff.

6.7 Extended Curriculum

It is the Sponsor's intention that the Academy timetable will be extremely flexible, and will include the option for diverse activities, such as trips and workshops, to be introduced into the school day, with the intention of enriching the learning process. In addition to these enrichment sessions, the extended curriculum will aim to raise aspiration and further learner development through:

- Pastoral care;

- Contact with employment partners;
- Work experience;
- Clubs and sports-related activities;
- Charitable links with overseas partner organisations, also known to the Diocese of Hereford;
- Health and Science workshops with FE and HE partners, and local PCT.

The Hereford Academy will also provide a range of services aimed at gifted and talented students, with the aim of developing these special gifts. Students on the Gifted and Talented register may apply themselves to an extensive and directed programme in the extended curriculum, aimed at providing opportunities to:

- Develop independence as a learner;
- Pursue personal interests and individual enquiries;
- Respond to open-ended questions;
- Engage in interdisciplinary activities;
- Excel in the Specialisms of the Academy;
- Develop plans for engagement in further and higher education.

6.8 Additional Educational Needs (AEN)

The Hereford Academy will operate in line with the Special Educational Needs Code of Practice (2001) and will hence embrace students with AEN so that their gifts may flourish, and they may interact meaningfully with everybody at the Academy.

As a member of the family of Secondary educational establishments within the Local Authority, the Academy will ensure that all children in the South Wye community are properly catered for, and that the best possible provision is deployed. As the Academy will be pursuing a policy of personalised learning¹ all students will receive support and challenge, tailored to their needs, interests and abilities. The Academy will thus operate a 'whole school' approach to AEN.

The policy will be based on the following principles:

- That all students with AEN are fully integrated into the life and culture of the Academy;
- That all students with AEN have access to a broad and balanced curriculum, including the National Curriculum;
- That all teachers are teachers of students with AEN and therefore are responsible for meeting those needs.

All teachers and learning support staff in the Academy will:

- Need to be aware of the Academy responsibility for students with AEN;

¹ Personalised Learning, in practical terms, means the focusing of each student's learning in a structured way, to enhance progress, achievement and participation in Academy life.

- Have regard to the guidance in the Code of Practice;
- Apply that guidance effectively in identifying, assessing and teaching students;
- Work together in the classroom to seek to raise standards for all students.

Communication with partner establishments prior to a student's arrival will ensure that his or her needs are identified and met as soon as possible. Parental/carer concerns will equally make vital contributions to identification.

Assuring the quality of provision for students with behavioural difficulties will be one of the most urgent tasks for any Academy or school. It will be essential that an effective behaviour policy is established; one in which positive teaching and pastoral support lead personal esteem to be rebuilt.

Looked after Children (LAC) will remain an important priority group that will be fully supported.

WORKING WITH OTHER SCHOOLS & THE WIDER COMMUNITY

A very significant part of the Academy's vision is that it will contribute to the local family of schools and have a link with all partner schools in the area. The Hereford Academy will have a strategy in place for working with other organisations and the wider community, including Children's Services, to deliver national agendas (e.g. Every Child Matters, 14-19 reform and extended schools).

6.9 Extended Services

The Hereford Academy will provide opportunities for lifelong learning both in the day and during out-of-school hours. The Academy will communicate, at all levels, with the South Wye community, and cooperate with local regeneration initiatives and resident-focused organisations.

It is one of the primary goals of the Sponsor that the Academy will be a catalyst of regeneration in South Wye. The Sponsor will explore the 'Communiversality of South Wye' vision prepared for the St Francis Initiative, and seek to further the work of the initiative in areas such as personalised learning for all ages, and community leisure, music and dance, crafts and design. Linked provisions with other community facilities are integral features of the Academy. The Sponsor will work with local partners to explore opportunities for providing the following additional services onsite:

- Additional use of learning and ICT services;
- Informal provision of youth activities;
- Lending library/bookshop and learning resource centre;
- Community use of sports facilities;
- Café and shop (linked to enterprise and work related learning initiatives);
- Meeting facilities for local organisations;
- Evening classes for adult learning;
- Flexible space for communal worship/reflection;
- Health Services and Education Welfare assistance (see 8.7.2).

The 'Every Child Matters' Agenda will be integral to The Hereford Academy on all levels. The Academy will:

- Protect children and help them achieve what they want in life;
- Find out what works best for children and young people;
- Protect children from falling through the net;
- Narrow the attainment gap between disadvantaged students and their peers;
- Establish a new relationship with families and carers.

6.10 Generating Enthusiastic Family and Community Participation

The Academy will take a leading role in helping to regenerate the local area and economy. The Project Steering Group (PSG) will consult widely with all stakeholders during the Feasibility Stage to ensure the Academy provides services and facilities which will generate 'bottom up' regeneration and growth. The Hereford DBE will aim to boost the employability of pupils and the local community by increasing skills sets, and stimulating personal enterprise.

During the Feasibility and Implementation stages, the PSG will explore the possibility of basing a range of community and meeting facilities at the Academy, which can be used by local people, including sports and recreation facilities, community library and bookshop and internet cafe. In this way parental interest, involvement, and support will be improved thereby enhancing pupil achievement.

7.0 SCHOOL ORGANISATION STATEMENT

7.1 Organisation and Length of Day

The Academy will be open throughout the year from 8am-10pm, and many of the facilities will be open and available for the Academy community to use during the opening hours: the dining area for breakfast, social areas, quiet rooms, library, additional ICT facilities etc.

7.2 School Year and Terms

Herefordshire Council is reviewing the structure of term time arrangements. It is likely that the Academy year will utilise a 6-session system, and will initially be spread over the standard 3 term arrangement. This will fit appropriately with partner schools, and the expectations of families.

7.3 Proposed schedule of a Day in the Hereford Academy

6:00am to 8:00am	Early cleaning
8:00am to 8:40am	Breakfast and social time
8:40am to 9:00am	Tutorials/Assembly/"Thoughts for the day" in Home Room
9:00am to 10:30am	Learning Session 1
10:30am to 10:45am	Morning break. Refreshments available in Cafés
10:45am to 12:15pm	Learning Session 2
12:15pm to 1:45pm	Learning Session 3, incorporating staggered lunch
1:45pm to 3:15pm	Learning Session 4
3:15pm to 5:00pm	Voluntary activities. (The extended day time: - homework; study time; sports; teams; clubs and societies; etc...)
5:00pm to 7:00pm	Closed for cleaning and maintenance
7:00pm to 10:00pm	Community groups, activities and classes.

The four 90 minute Learning Sessions will enable a multitude of flexible options for the formal curriculum to be divided and used as required for teaching of an individual subject. The age and ability of students may also determine how each session is divided:

- The Sessions could be used as 90mins, 2 x 45mins, 60 + 30 mins, or 3 x 30 mins;
- Session 3 will be divided into two 45 minute periods to create a staggered lunchtime where the lower half of the Academy will eat at 12:15, and will be followed by older students at 1pm.

Each subject cluster will be allotted a certain number of 45 minute periods. The simple relationship between clusters and Learning Sessions will create an easily manageable timetable.

7.4 The Tutor System: Pastoral Support

One of the aims of the Sponsor is a learning environment which is personalised for all students. This is dependant upon a structure that enables each and every student to have a positive and meaningful relationship with a member of staff who is responsible for the monitoring, assessment and target setting for that individual.

Outside of the classroom, appropriate staff members will also be Tutors and run a Tutor Group. The Tutoring System will be the primary means of pastoral support in the Academy. It is the Tutor's role to champion, challenge, and coach the children throughout their educational experience at the Hereford Academy.

Each Tutor Group will consist of no more than 25 students. The group will be mixed age (11-16 years): a vertical group. Each group will receive 5 new students each year of entry, so forming a "family" group. (The Tutor therefore will receive the statistical and other data from the Primary school for the 5 students in contrast to the more commonly used horizontal Year grouping of 25 students.) Every Tutor will remain with their group as students grow older thus ensuring continuity of relationships, and will be assisted by the 16-19 year olds if this is necessary, and acceptable to older students. The initial 900 students likely in the Academy will create 36 tutor groups.

Tutors will monitor student's progress daily, and communicate with parents/carers and families. Plans for the assessment of students will be developed further during implementation.

7.5 The House System

Several tutoring or "family" groups will be combined to form a House. There will be four Houses in the Hereford Academy. The Houses echo the four learning clusters and students will be consulted upon relevant names for each cluster:

The Houses will occupy separate areas in the Academy building; each headed by a Senior House Tutor, and will contain the classrooms for one of the four main curriculum clusters.

Each House will have a staff workspace, a gathering/social space and an associated 'green' space to be designed and cared for by the students.

Whilst this aspect could be used for the traditional inter-House competitions, and we do not discourage this, it should be noted that the prime purpose of this house/cluster system is the provision of a learning environment which is personalised, rather than structure for the sake of structure.

7.6 Family Links

The relationship between family and the Academy will be of crucial importance to the educational and personal development of students.

Parents /carers must themselves become engaged in the process of education in order to support their children in responding to the learning challenges faced at the Academy and in future life. Families who have not themselves experienced a valued growth of knowledge and understanding through school and therefore cannot relate to contemporary learning will be targeted by Academy staff, in partnership with local organisations. Communication will encourage strong and meaningful relationships between families and the Academy, with the aim of providing constant and appropriate support to students.

The 'Transition' programme will establish links beginning in the summer term two years prior to arrival, with visits to the Primary school for induction and meeting the "family" group. Prior visits to Academy facilities by partner schools and families, transition projects and summer schools will mean that the specialisms and culture of the school are familiar to those becoming more formally involved.

Assistant Principals will issue termly reports from each subject cluster, and attend meetings between families, students and Tutors. These formal sessions will also take place termly and will be used to discuss progress and future target setting. The ICT Vision for the Academy (found at Appendix 2) will include proposals for parental monitoring of students through virtual reporting systems and the Family Portal.

7.7 Staffing

The Academy Governing Body will be fully defined during the Implementation stage of the project, but will be representative of all stakeholders to the Academy, including staff, parents, local organisations and the Local Authority. Advisory Governing panels, made up of parents, students and community representatives will also be able to advise the main Governing Body on diverse issues, and may include students at the Academy to ensure representation.

Although a hierarchical structure will be in place at the Academy all staff are empowered and make a full contribution to the corporate life of the Academy, in the spirit of democracy envisaged by the Sponsor.

7.7.1 Senior Management Team

The *Principal* will make decisions through the participation and involvement of all. He/she will be sympathetic to the Christian faith and diversity of the Anglican Church, and will be the figurehead of the school and guardian of the Sponsors' Vision. He/she will provide a unified view of all elements which make up the Academy, and will be accountable to all.

The *Vice-Principal* will support the Principal in all aspects of his or her role as the champion of the Academy, and will also manage key external inputs described below as ‘support functions.’ The Vice-Principal’s role will focus on all aspects of student learning strategies at the Academy.

The *Assistant Principals* are the heads of their particular curriculum ‘cluster’ and govern the administration and delivery of learning within it. They may also be head of an individual subject within the cluster. They will communicate on a regular basis with the Senior Tutors who lead the pastoral care within the house. The areas of pastoral and academic care will be related and communicated, and thus the complete spectrum of student development is monitored.

The *Senior House Tutors* lead Tutors and hence bridge the link between senior management and individual students.

The *Business Manager* will control services related to the bursary, administration, reception and office staff, site manager, catering, cleaning, reviewing service contracts and developing business at the Academy.

7.7.2 *Support Functions*

A *chaplaincy* role will be developed between the Academy’s Governing Body during the implementation stage. The Hereford Diocese Board of Education, whose members make up part of the Academy Trust, will be suitably positioned to provide advice and guidance if this is necessary.

The *ECM* and *Health Officer* will support the Principal and Vice-Principal in adherence to the ECM agenda, and will also play a key role in maintaining the Health specialism with external stakeholders such as the local PCT and designated child protection responsibility.

The *Additional Needs Manager (ANM)* will be responsible for managing the effective delivery of education and learning support to students with AEN. He/she will promote the inclusion of special needs students in all learning environments at the Academy, and ensure that while individual support is available, a minimum amount of separation is experienced by Additional Needs students.

The *Community Liaison Officer* will manage the Academy’s links with the community and external organisations, inform the Senior Management group of relevant issues in the South Wye area, and promote the Academy wherever this is deemed to be necessary.

Aside from the tutoring system at the Academy, there will be a number of other Academy student support services, for example, an education welfare officer and a full-time Nurse.

Staff from other agencies will be in communication with The Hereford Academy to provide extra services if necessary.

7.8 A Day in the Life of a Student at the Hereford Academy

The account below attempts to detail some of the experiences that may be possible at the Academy, in the hope that the reader can become more familiar with the ‘feel’ of the organisation. It assumes many facets of the new school, and is thus a ‘Vision’ rather than a proposal, narrated by ‘a student’ at the Academy:

It is 8.15am and I have just arrived at the Academy. Although Assembly doesn’t start for another twenty-five minutes, I walked in slightly early today. I prefer it this way, as the extra time means I don’t have to rush, and can check my e-mails, and look at my timetable for the day or catch some breakfast. When I arrive, I enter the Academy by using my individual electronic swipe card, which automatically updates with information for the day. Because the walk to school is quite long, my Mum likes to check that I arrive safe and on time. Previously, she would have to phone and speak to someone directly to ask if I had arrived; now she can check on the internet. The ICT Learning Gateway also lets parents check up on our progress at school – I know my parents check this every week to make sure I’m doing my work properly or if I need any help. They can also check on my conduct at school, a feature which admittedly makes me behave a little better than I previously did!

Before Assembly starts at 8.40am, I head straight for the lockers in my house. I love my new locker; they are all twice the size of the old ones, and are now large enough to fit all my belongings – the laptop provided by the Academy, my games kit and even the second-hand guitar I recently bought. They are recessed into the wall, and the wide corridors mean there is much more space. If I have some spare time before Assembly starts, I use the instant messaging feature on my personal networked device to organise when and where I will meet people from other houses at break time.

As it’s a Tuesday, I make my way to House Assembly, which takes place in an open area mainly being used for Year 9 drama at the moment. Students also have meetings with their Tutor at this time in the morning. These tutorials comprise of around fifteen students from across the lower Year groups. During these twenty minute tutorials, targets and assessments are assessed, and the Tutor provides encouragement if he feels we are under-achieving. This timeframe presents the best opportunity to discuss work related issues or any other problems. Yesterday, I talked to my tutor about the range of opportunities there are for me at post 16. I am getting quite excited about it..

This morning is different, as Year 7 is reporting on their ongoing project, which has reached an important stage after many weeks of work. The interactive whiteboard feature allows the rest of the school to see both live and pre-recorded images of Year 7’s experiments being conducted in the Science labs. Before leaving Assembly there is a ‘Thought for the week’, where the Assembly focuses on a particular theme: ‘Love in Human Relationships’ being today’s example.

The first Learning Session starts at 9.00am. If we’re not working individually, we are put into small groups, or sometimes even into pairs; it is good to get to know other people who you may not have spoken to before, and people are not as shy as they used to be. Teachers use multi-media, interactive activities and online resources, and everyone gets involved. I feel that these heavily interactive sessions encourage us to participate and ask questions.

During break, which starts at 10.30am, all of the students have the chance to buy healthy snacks from the cafeteria. I'm still impressed by this high-tech process; the cafeteria doesn't take cash – my swipe card can be used like a debit card. In the same way that the card records data when I enter the Academy in the morning, more information is updated to the ICT portal. This allows us and our parents to check on our purchases and diet.

Lunch comes after Session 2, and lasts for 45 minutes. The lunch break is staggered, meaning that half of the Academy eats whilst the rest continue with Session 3. After 45 minutes, the first half then goes to their 45 minute Session 3. Lunch is usually in the house social area, or in the main dining hall, where the cafeteria service offers a wide choice. If the weather is nice, we can even sit outside under the pergola. By accessing the Learning Portal before lunch, we can also pre-order lunch through the catering system.

Learning Session 4 begins at 1.45pm, and the subjects taught vary just like those in the morning. Sometimes the afternoon sessions comprise of double lessons, which is something the teachers greatly encourage for those taking a subject specialism. Although afternoon lessons are not hugely popular, I myself don't mind them. This is especially the case when I have Science, as we always have a great time in the lab, sometimes we do experiments and analyse the results electronically other times it can be hands on, and there is a lot of tidying up later.

Following on from the afternoon sessions are the Voluntary Activities. These activities start at 3.15pm and last for around two hours, with staff, support staff, older students, and local people meeting at the Academy. It can get quite hectic sometimes. Although some students decide to return home, my friends and I are staying back to play football. We don't have to choose sport as our activity as there is the option of study time, music practice, or involvement with clubs and societies.

There is nothing formal organised between 5pm and 7pm as the Academy closes for cleaning. I will make use of this time by getting my homework out of the way. From 7pm, the Academy offers Community Learning events, which presents a wide range of vocational and interest-based courses that are open to both students and members of the surrounding community who seek to make an improvement on their lives. It's certainly not uncommon for a family member of a student to come in the afternoon for a family learning session in IT. I regularly attend the Youth Club, which is very popular, especially since the Academy's facilities have been substantially renovated. The building is usually open until 10pm, and maybe even later if there is a special event like a lecture or concert.

In the evenings, homework will take around 30 minutes for younger pupils, but those on examination courses are likely to do a lot more work. Many assignments can be completed and submitted online by the next morning. As I completed the homework earlier today, I have the evening free to relax at home, or catch up with some friends from town who are coming down to the Academy for a Cinema evening, which is being held in the main hall. Sometimes I access the Learning Portal, where I have added an avatar (an Internet representation of myself). Although my parents did not use the Portal much at first, they are really starting to get involved. Tonight they are talking to other members of the Parents Association about our forthcoming trip to the Eden Project with the environmental group.

They are using a internet free phone called Skype, which is easy because our broadband connection at home is really fast. My granny is even thinking about joining the 'silver surfers' IT group at the Academy.

8.0 GENERAL BUILDING DESIGN CONSIDERATIONS

The Sponsor envisages an Academy that is welcoming to students, families, staff and the local community. The whole Academy should feel clean, light and airy from the inside. In addition, the following design features have been identified as important:

- A range of different sized working areas for students and staff;
- Multi-purpose spaces - each classroom to be as flexible and adaptable as possible to support a range of teaching approaches and to include the necessary hardware for teachers and support staff;
- An open environment, without long corridors, narrow staircases or hiding places;
- Adaptable communal spaces which may be used for informal mentoring, wireless ICT access, break-out and social time;
- Open-plan offices for administration staff, with some small rooms for private activities;
- A natural well-lit and colourful communal environment;
- A quiet library and resource centre, including a separate space for post-16 study;
- Separate gym and sports facilities;
- A sports Hall;
- An larger assembly area for Houses , curriculum clusters , exams and performances;
- A main hall for drama, film etc, possibly joined to one of the dining areas;
- Quiet areas for reflection and study;
- Facilities for an ICT-managed system, including well-ventilated server rooms;
- An obvious reception area that is open and welcoming whilst still secure and preventing access to other areas of the Academy;
- Display areas for art, sculpture and other presentations;
- 4 separate Houses in which each contains:
 - Lockers in an open area for the students in the house;
 - A staff work space /room;

- A flexible ‘gathering space’ – which can be used for assemblies and performances;
 - A seated area where food can be consumed and students ‘chill out’ space;
 - Classrooms that have some specialist facilities aligned to each ‘cluster’ offer;
 - Outdoor ‘green space’ designated for each cluster.
-
- A place of communal reflection and worship for students and the community;
 - A main kitchen with a flexible dining area, where food can be consumed throughout the day.

8.1 Sustainability

The Sponsor’s Group and Sub-Groups have prioritised sustainability. It is essential to the Hereford DBE that the Academy’s construction and operation, environmental design and energy use is sustainable. The BRE Group and other consulting organisations may be used to achieve this goal, and will have an input into the Outline Business Case prepared by Herefordshire Council.

Other design features that are seen as important are integration of buildings with nature, a sophisticated Building Management System (BMS), intelligent lighting, and efficient heating and energy practices. Sustainability fits in with our wider environmental theme and supports core curriculum aims.

APPENDIX 1 – ICT VISION

The Diocesan Board of Education
The Diocesan Office
The Palace
Hereford
HR4 9BL

To Whom It May Concern:

The Hereford Academy – Sponsors’ Support

This letter, to be included within the Outline Business Case (OBC) for the Hereford Academy, is evidence that the individuals below, on behalf of the Hereford Diocesan Board of Education, support the delivery of Academy buildings, working with the Local Authority through Partnerships for Schools (PfS) National Framework of Contractors. We can confirm that we will follow established PfS procedures and utilise the standard suite of documents for procurement.

The Sponsor is satisfied that, through the ongoing work of the Design User Group and scrutiny by various parties during the procurement stages, appropriate designs and cost options will be produced.

Best Wishes

Janet Chapman

February 18 2008

Hereford 2 Academy	Area per room/unit (m ²)	The Hereford Academy App 1- 900 students (11-16) and 250 (16-18)	
		Typical School	
		No of rooms / units	Total Area
1. BASIC TEACHING			
Timetabled Spaces			
General teaching			
Seminar room	43	4	172
Min Classroom	56	0	0
Classroom	56	23	1288
Classroom (Specialist)	60	0	0
Large classroom	66	0	0
further classroom area	4	20	80
ICT/BS room	60	6	360
ICT room	77	2	154
ICT clusters	32	0	0
Science laboratory			
6th form study room	90	9	810
Science preparation rooms			
Design & technology			
Food room	101	1	101
Resistant material incl. heat bay or CAD/CAM	112	2	224
Resistant material prep room			
Electronics & control systems	90	0	0
Constructional textiles	90	1	90
Textiles (Specialist)	77	0	0
Graphics room	77	1	77
Graphics (Specialist)	90	0	0
Graphics - practical store rooms			
Art			
Large art room (textiles or 3D)	105	2	210
General art room	90	1	90
Music			
Music recital	90	1	90
Music classroom	67	2	134
Drama studio			
A/V studio	90	0	0
Halls			
4 court sports hall	594	1	594
Multi-gym	40		0
Activity studio	150	1	150
Main hall	240	1	355
Subtotal timetabled spaces		78	4979

Hereford 2 Academy	Area per room/unit (m ²)	The Hereford Academy App 1- 900 students (11-16) and 250 (16-18)	
		Typical School	
		No of rooms / units	Total Area
Non-timetabled Spaces			
Learning Resource Areas			
SEN resource base	20	1	20
Small group room (SEN etc)	16	1	16
Small group/interview room (FLA etc.)	10	3	30
Music group/practice rooms	7	2	14
Music ensemble room	20	0	0
Recording/control room	12	1	12
Kiln room	4	1	4
Dark room	12	0	0
Library resource centre & careers	140	1	179
Sixth form study area	90	1	90
Art/design resource areas	43	1	43
Subtotal non-timetabled spaces		12	408
Subtotal teaching spaces		90	5387
2. Other Areas			
Staff & Administration			
Head's office	12	1	12
Meeting room	16	1	16
Offices (SMT, head of year)	8	14	112
Community and other offices	8	4	32
SEN therapy/MI room	18	1	18
Entrance/reception & adjacent sick bay	16	1	16
General office	56	1	56
Staff room (social)	60	1	60
Staff work rooms	24	5	120
Reprographics	26	1	26
ICT technician	8	1	8
Storage (teaching)			
General teaching/IT/library	3	17	51
Off practical, music or drama spaces	6	16	96
Instrumental and external stores	10	2	20
PE store	87	2	174
Science prep room and chemical store	13	9	117
Food prep room	12	1	12
Multi-materials prep room	50	1	50
Storage (non-teaching)			
Central stock & library	15	1	15

Hereford 2 Academy	Area per room/unit (m ²)	The Hereford Academy App 1- 900 students (11-16) and 250 (16-18)	
		Typical School	
		No of rooms / units	Total Area
SENCo/wheelchair/appliances	12	1	12
Secure/exam/community stores	8	3	24
Lockers for personal storage			86
Community lockers (out of hours)	4	1	4
Chair store	18	1	18
Maintenance store	8	1	8
Cleaners' stores/FM Stores	1.5	8	12
Server	8	0	0
Dining/social areas			
Dining area (hot meals)	295	1	295
Social & sandwich areas	35	1	35
Sixth form social			120
Subtotal non-teaching spaces		97	1625
Total Net Area for teaching and non-teaching spaces		187	7012
Catering Facilities			
Kitchen (incl staff and stores)	129	1	129
Toilets and personal care			
Pupil changing rooms & showers		2	188
Staff & visitor changing rooms and showers			
Hygiene facilities	42		42
Pupil toilets	3	varies	163
Staff toilets	4	varies	43
Circulation (assumes net 70.2% gross)			1995
Plant including server			199
Partitions			319
Total Non-Net Area			3078
GROSS INTERNAL FLOOR AREA			10090

EXTRACT FROM CABINET MEETING MINUTES, 28th February 2008

This cabinet of 28 February resolved that

- (a) the issue of statutory notices to enable the opening of an Academy at Wyebriidge Sports College for 900 students aged 11-16 on 1 September 2008, and post-16 provision for 220 students at the start of the academic year following completion of the new building be authorised; and**
- (b) a further report be made to Cabinet on 27 March 2008.**



The Hereford Academy

Design Brief

Issued: 14th February 2008

For further information please contact:

Julia Chambers, Senior Consultant
Navigant Consulting (Europe) Ltd

Centurion House
24 Monument Street
London, EC3R 8AJ

Tel: 020 7469 1111

Fax: 020 7469 1110

E-Mail: julia.chambers@navigantconsulting.com

Hereford Academy - Design Brief

The feasibility design is based on the area recommendations as set out in BB98 for 6FE and 220 post 16 pupils (1120 in total) for an unconstrained site; this gives a gross area of 10,095m² and a net area of 7,076m².

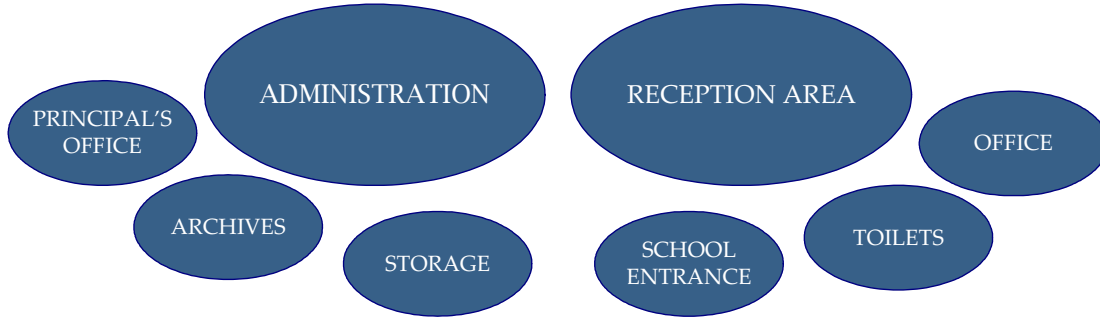
The Academy ethos and vision is founded on four learning clusters, Numbers and Symbols, Communications, Humanities and Aesthetics and the Senses. In keeping with the Academy vision there needs to be four principal spaces that can accommodate a quarter of the school for House assemblies – the areas identified for this are the main hall, sports hall, dining, and drama studio.

A DUG workshop on 15th November 2007 generated discussions around adjacencies of specific areas within the Academy and its vision for four learning clusters; the following diagrams reflect the outcomes from the DUG meeting.

The bubble diagrams are an illustration of the principal spaces with supporting areas and are indicative of how key spaces should relate to one another within the Academy; the diagrams do not suggest quantity of any multiple spaces, refer to the accommodation schedule for numbers of room types.

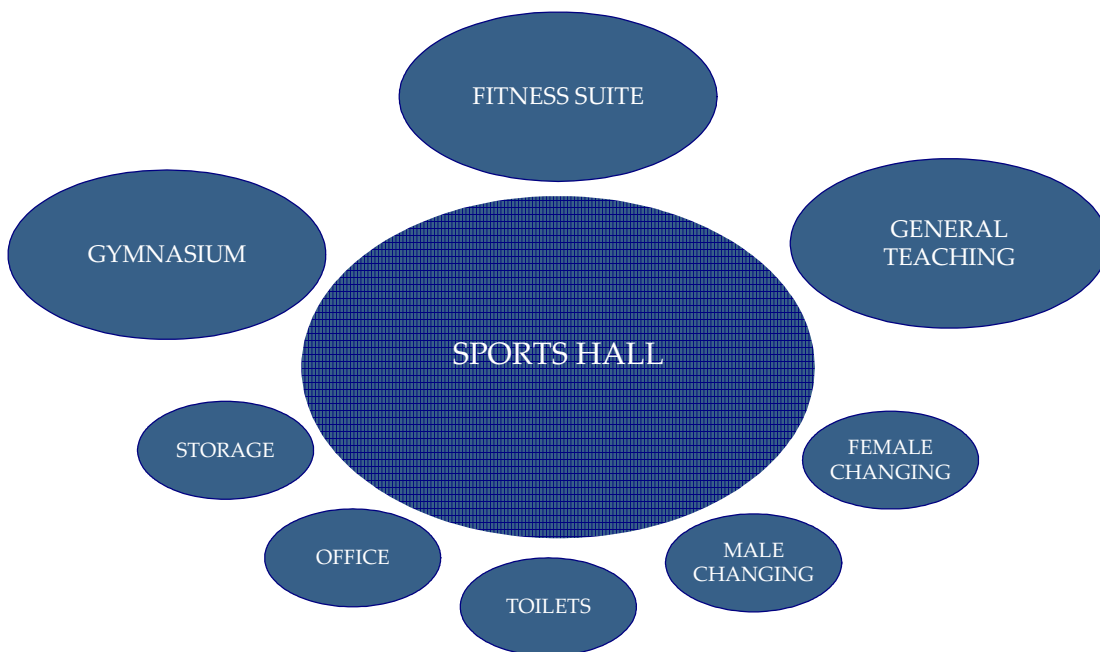
Entrance and Administration

Access for all Academy users is to be through a single Main Entrance, generous enough to accommodate high numbers at the start and end of the school day to move through efficiently and safely. The main entrance will include a reception area for visitors and late pupils, the reception will need back up support from the main Academy administration and the close proximity of a senior member of staff's office will be needed for day to day referrals. Public toilets are required for visitors. The Head teacher's office should be close to the school administration but inaccessible from the main reception area for privacy.



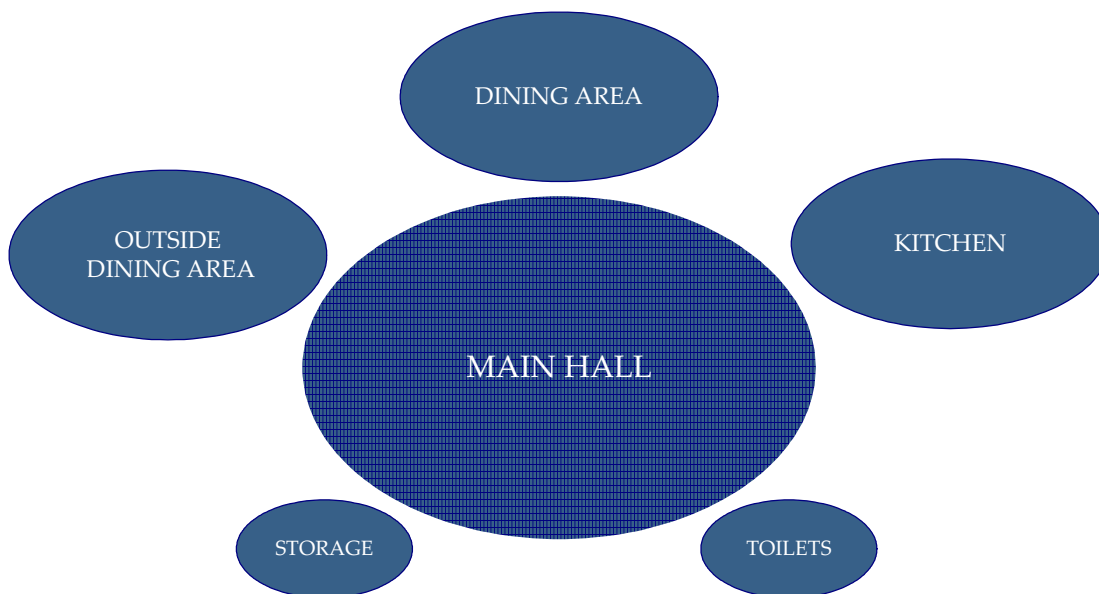
Fitness

One of the Academy's specialism is sport and the aspiration is to have internal sports facilities in close proximity to external sports facilities. The sports provision ideally needs to be close to the main entrance, this enables other parts of the Academy to be secured during out of school hours. The sports hall is the main hub with adjacent gymnasium and fitness suite, the volumes of these spaces vary and this may lead to spaces being connected vertically as well as horizontally. Changing rooms need to work for both indoor and outdoor facilities. A provision for some general teaching space and a staff office near to the sports facilities will be required to deliver the sports curriculum.



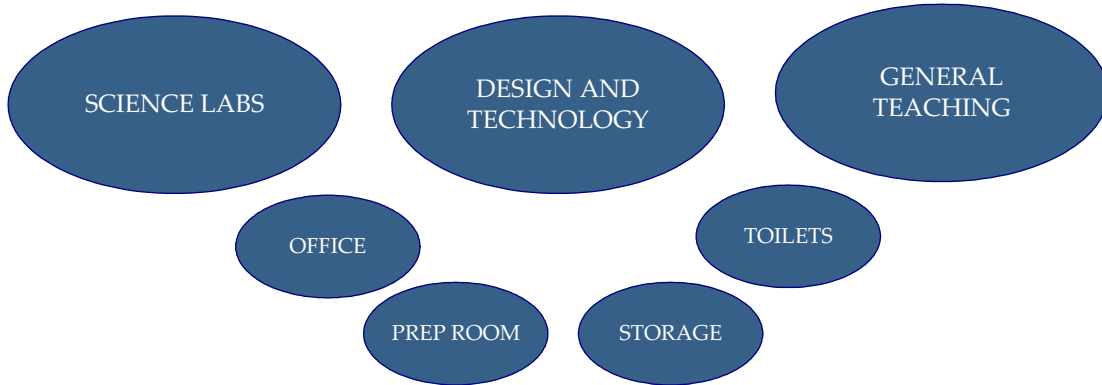
Main Hall and Dining Area

The Main Hall is an essential part of the Academy; this is a space where the whole school will gather to listen to the corporate message given on a regular basis. The hall will be designed with flexibility and storage to support performances and other extended school use. The dining area is to be adjacent to the Main Hall to allow further flexible use between the two large spaces. Ideally the dining area is to open out onto an external dining zone, giving pupils / community users a choice to dine outdoors in times of good weather. Kitchen and storage need to be closer to the service access and deliveries.



Numbers and Symbols

This cluster consists of specialist classrooms for science and design technology and general teaching areas for mathematics. The core subjects would be supported by specialist preparation rooms, staff offices and storage. The facilities could be physically connected either in a vertical or horizontal structure.



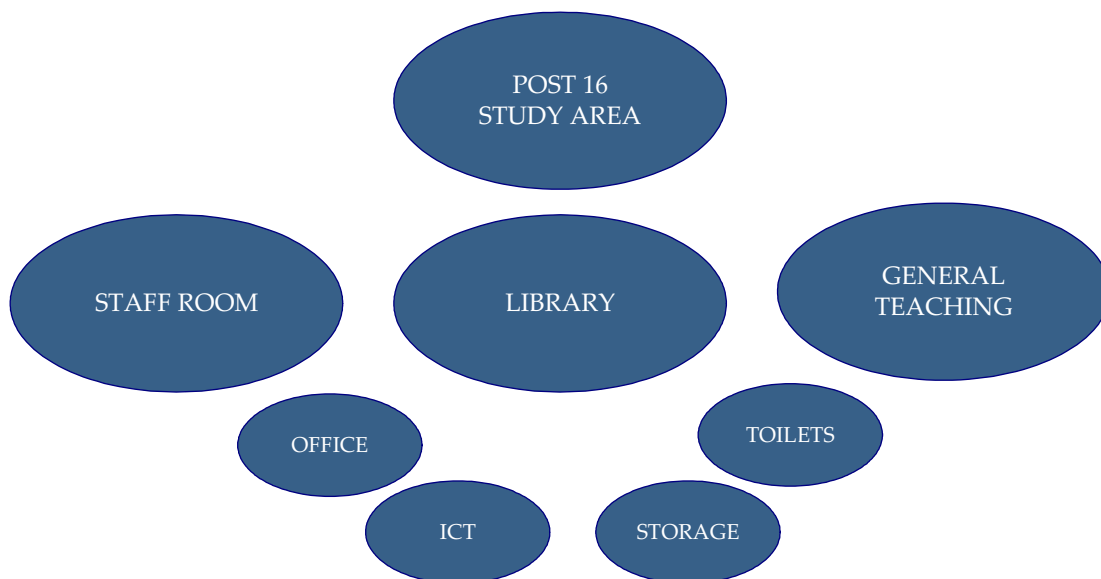
Aesthetics and the Senses

The Aesthetics and Senses cluster is generated around the drama studio, being its principal large space. Adjacent to the drama studio will be a dance studio which may have the flexibility to open onto the drama studio; the dance studio will have strong links with both the performance and sports curriculum. Art, music and general teaching spaces will be in close proximity but may be linked vertically or horizontally around the drama studio. It is believed the drama and dance studio will be utilized by community users out of school hours, the DUG has considered a secondary managed entrance would be suitable for community users. Although all general teaching spaces will be equipped with ICT, the DUG recognized the value of an ICT resource for community; access will be programmed and managed by the Academy.



Communications and Humanities

The Communities and Humanities clusters will focus on providing general teaching spaces and resource areas. The Library will be the primary focus in this cluster and this could be designed vertically or horizontally linking with other learning spaces. The post 16 study area needs to be adjacent to the library to encourage post 16 pupils to use its resources in non-timetable periods. Without the limitations of specialist teaching spaces, the Communications and Humanities cluster becomes a very flexible group of areas that can be designed as vertical or horizontal adjacencies. The cluster is perceived as being a relatively fluid and central space within the Academy and this links with the idea of a centrally located staff room, accessible to all departments around the school.



Learning Spaces

General learning spaces are to be designed to allow for flexibility, change in class sizes and teaching delivery. All teaching spaces are to be equipped with ICT provision as stated in the ICT vision and scope of works.

Sports Facilities

The Academy sports provision will include re-providing the following existing external and internal sports facilities: artificial cricket pitch, rugby pitch (grass approx 100m x 55m), football pitch (grass approx 83m x 46m), Athletics track (grass - 400m), 4 x Hard Courts (tennis and netball courts – approx 37m x 22m each) – *(the DUG is to consider the number of courts in relation to the added provision of a new All Weather Pitch)*, 2 x long jump sand pits, 1 x shot putt circle, gymnasium, 4 court sports hall (badminton courts, climbing wall, cricket nets), fitness suite (20 stations).

In addition the Academy proposes to install a full size floodlit All Weather Pitch (AWP) that can be used for football and hockey all year round. The location of the AWP will need to ensure the requirement for no light spill beyond the school boundary.

Staff

The staff meeting room is to have a central location within the Academy; ensuring staff are accessible to pupils throughout the school day and maximizing passive staff supervision. The size of the staffroom must be sufficient for all staff members to attend regular staff briefings. The staffroom will also need to be a recreational social space with a kitchenette area to prepare food and beverages.

Dining

The Academy is to be designed with a dining space sufficient for a single sitting of all pupils in years 7-11. The dining experience should reflect the schools healthy eating agenda, be an inviting and sophisticated environment, promote choice with a selection of hot and cold food and be furnished to be suitable for pupils and adult use.

Ideally the dining area will have access to an adjoining external area giving pupils or community user's flexibility to dine internally or externally.

The kitchen is to be located near to the service access for ease of deliveries and waste collection. Post 16 will have a more flexible timetable and will be encouraged to use the dining facilities but will need additional facilities within their social area.

Storage

General storage is to be dispersed throughout the Academy, with storage for cleaning and maintenance, for learning resources and for pupils. The DUG have considered that learning spaces should be designed to have access to a resource space that provides storage.

Cleaning and maintenance storage needs to be dispersed throughout the Academy to facilitate efficiency and accessibility.

Locker storage for pupils is to be located in public circulation spaces and is to be designed to align flush with the internal wall face avoiding supervision issues around hidden corners. Lockers are to be accessed using RFID cards.

Toilets

Toilets are to be accessed directly from the circulation areas; to be dispersed around the Academy building in small clusters of 2 or 3 toilets. For security reasons the DUG felt toilets should be accessed using RFID cards (radio frequency identification) and be in close proximity to staff admin areas to utilize passive supervision.

External Areas

External social spaces must offer variety for differing play and recreation, from wide open spaces for energetic physical activities and other more intimate landscaped spaces for small group gatherings. Covered external space is required to provide sheltered social space on wet days and a shaded area on sunny days. This covered space could be an external circulation route attached to the school building or part of a courtyard area.

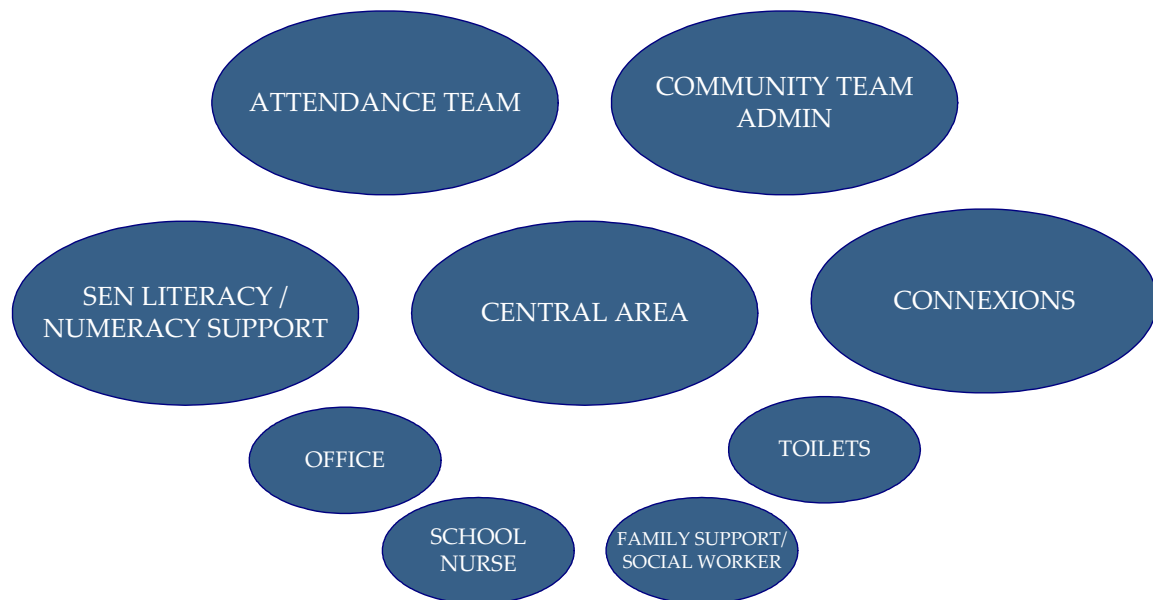
Access

Access to the school is to be controlled from the reception through one main entrance. The preference is to use the existing main entrance at the lower end of the site. Pupil access will be controlled by RFID cards.

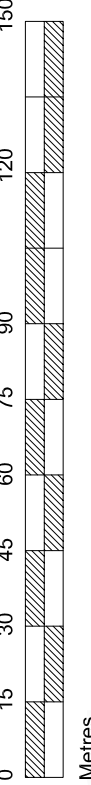
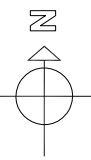
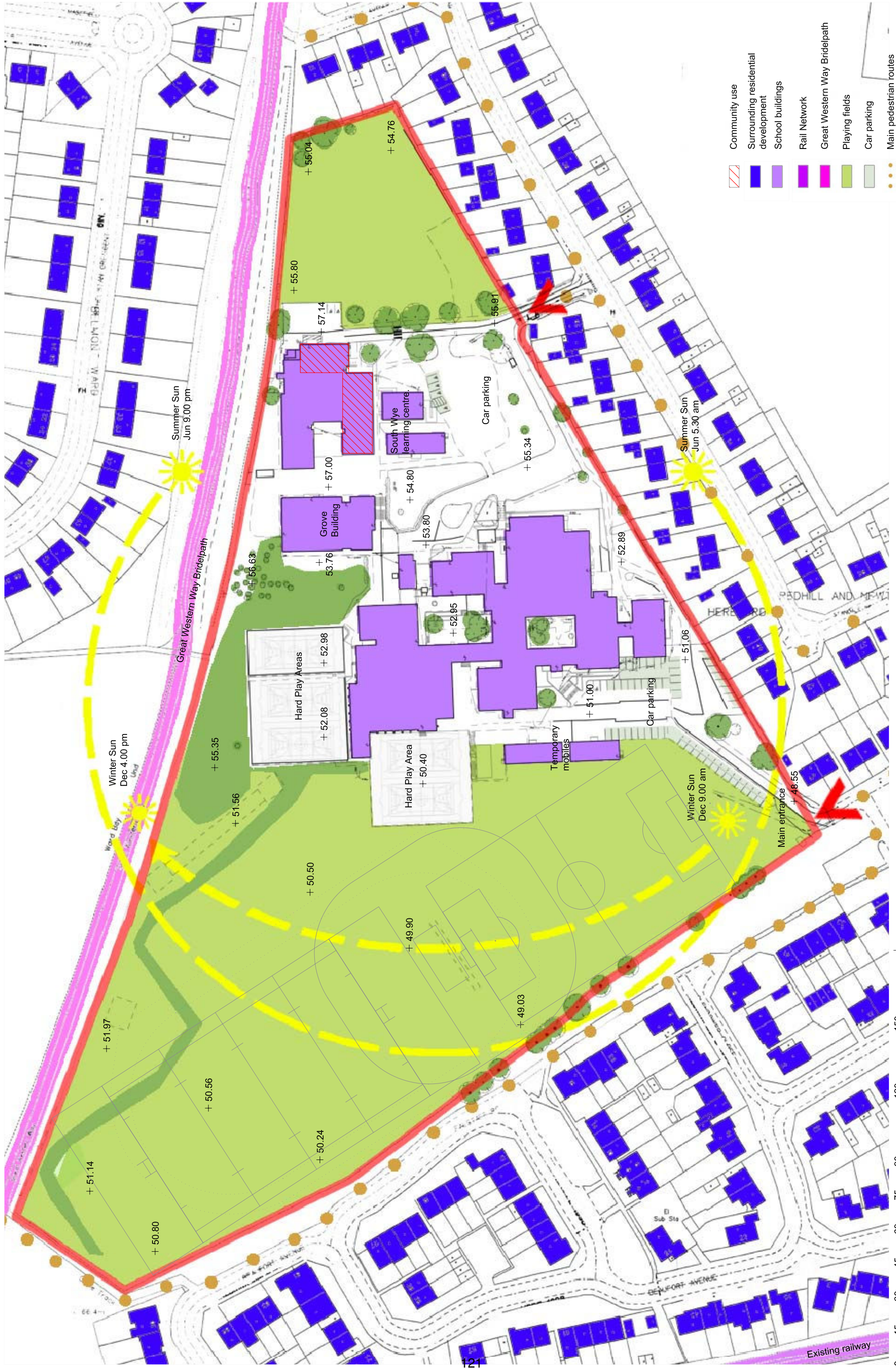
ICT

Refer to the ICT vision and specification.

Welfare Aspirations



This should be in a **central** part of the school, where pupils are able to access services readily. If they are altogether it will promote collaboration and multi – agency working. Should not be typical school environment but with settees, lamps etc and interactive white board for lessons.



Metres

Project: Hereford 2 Academy

Stage: OBC

Drawing: 07076 - Existing Site Analysis

Scale: 1:1250

Date: 26-11-07



HEREFORDSHIRE COUNCIL

NAVIGANT CONSULTING

avanti architects



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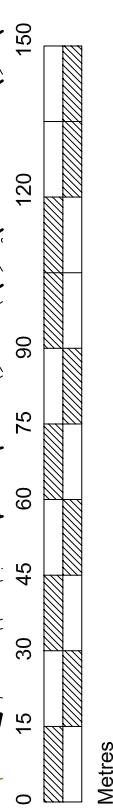


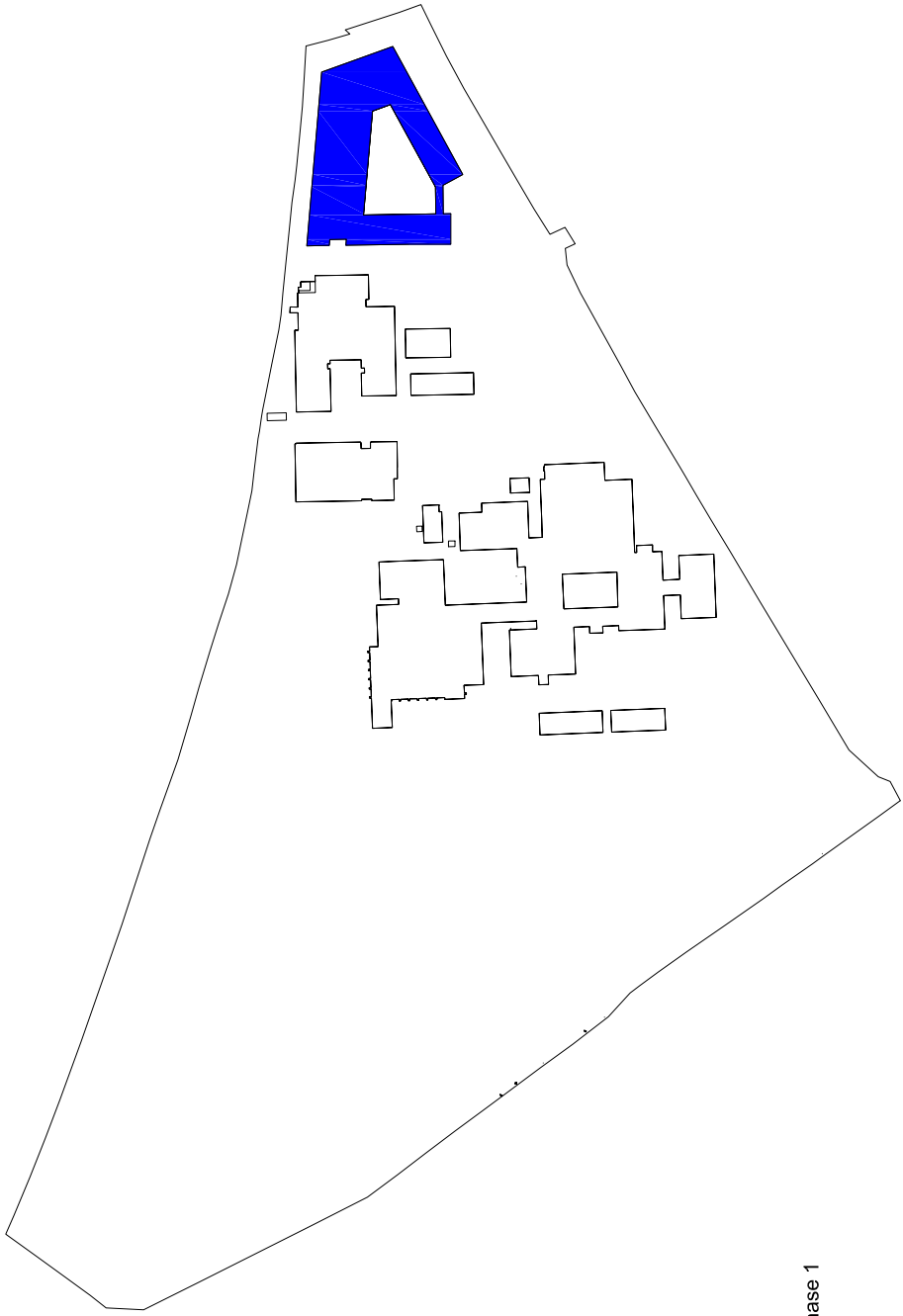


New school gross building areas

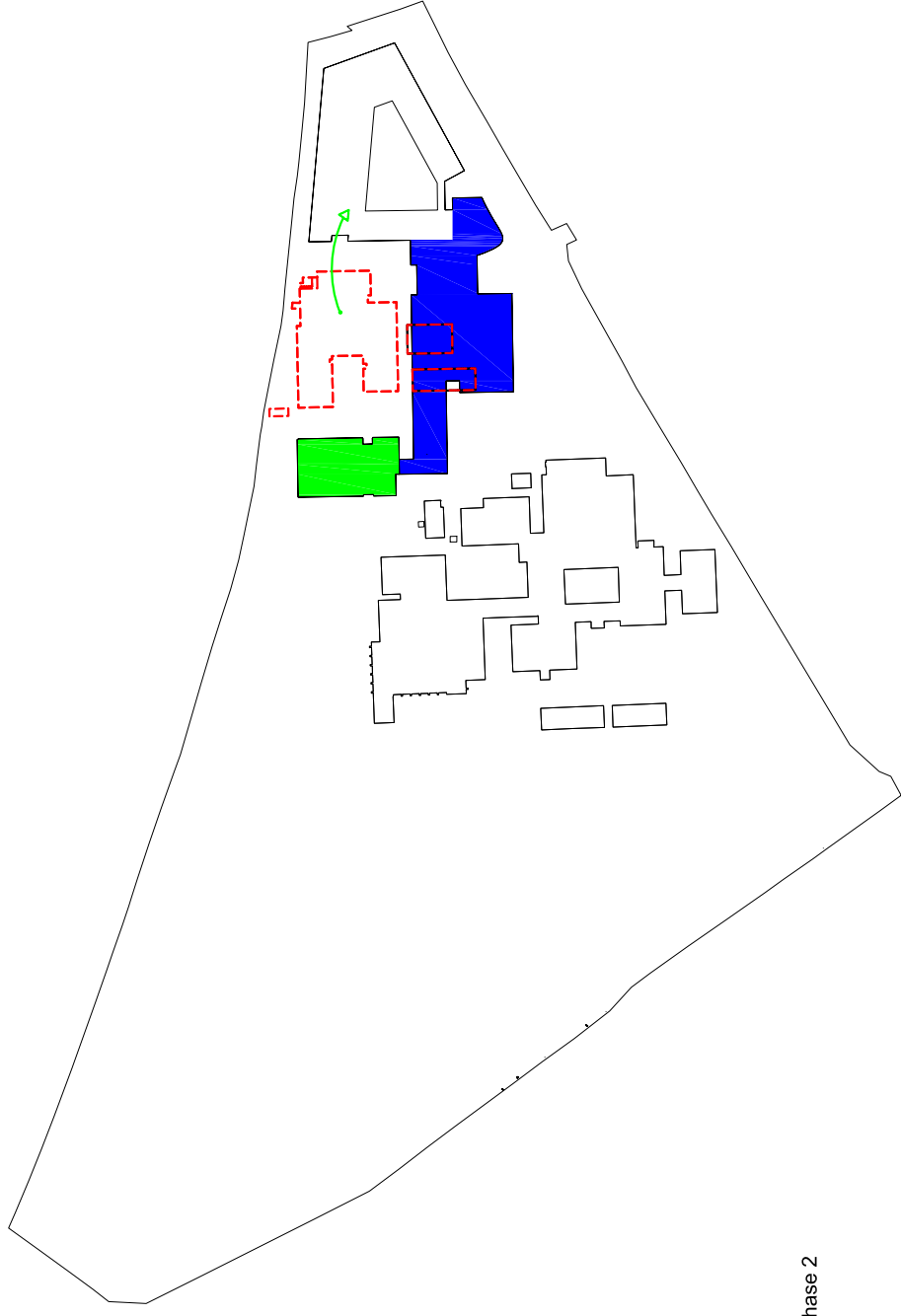
G	4250 m ²
1st	3845 m ²
2nd	2000 m ²
Total:	10095 m²

- Grassed area
- Demolition
- Refurbishment
- New Build

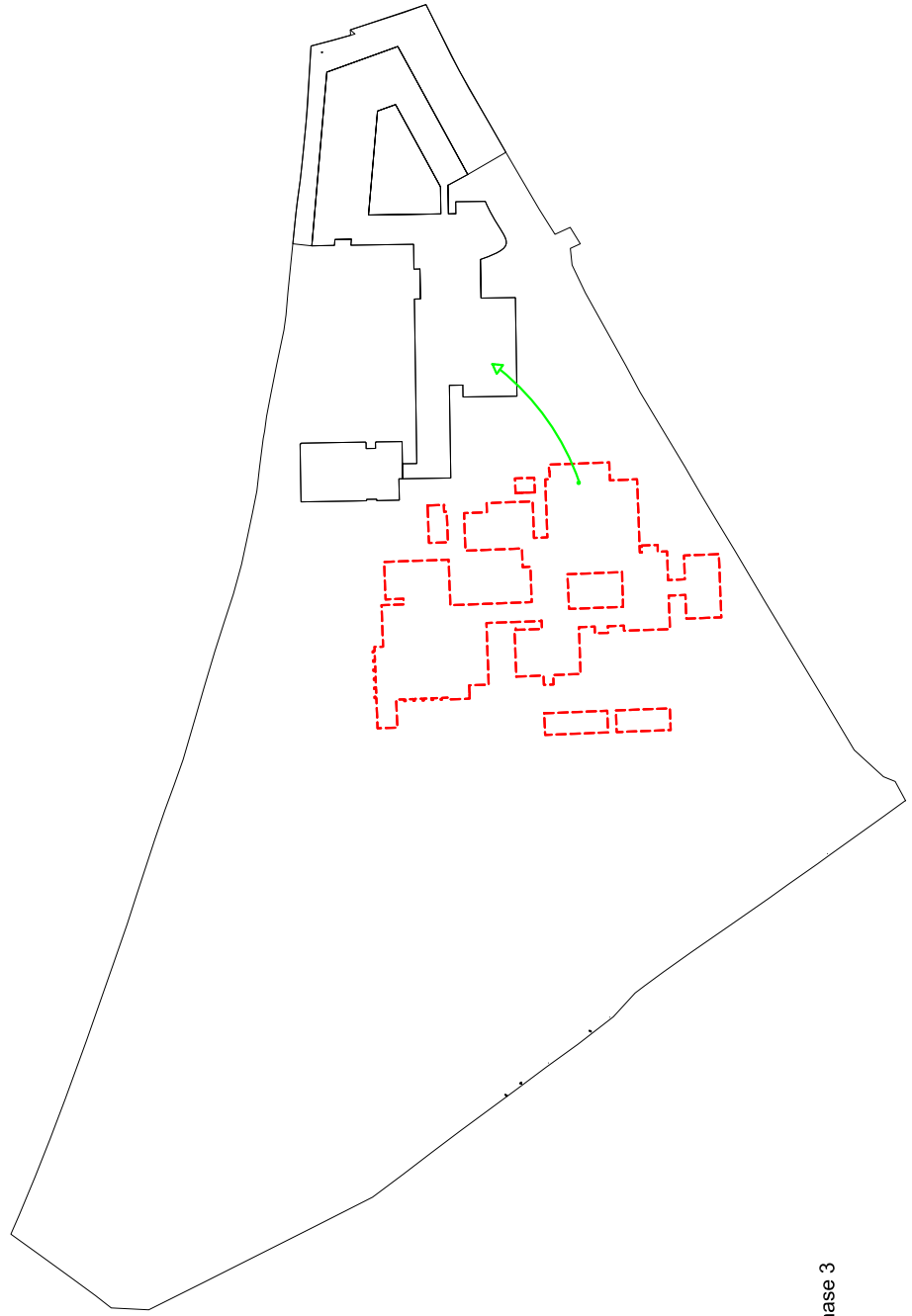




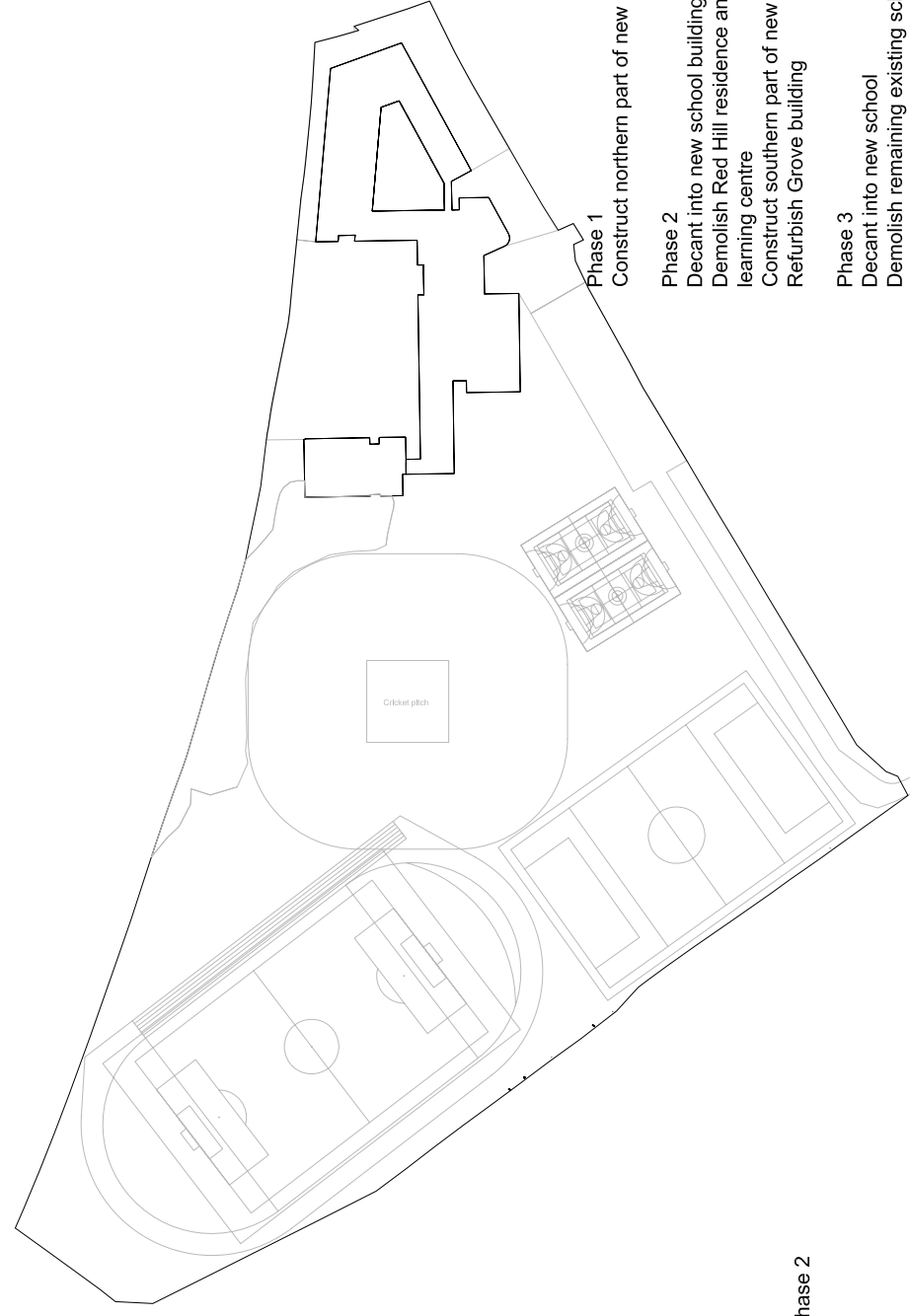
Phase 1



Phase 2



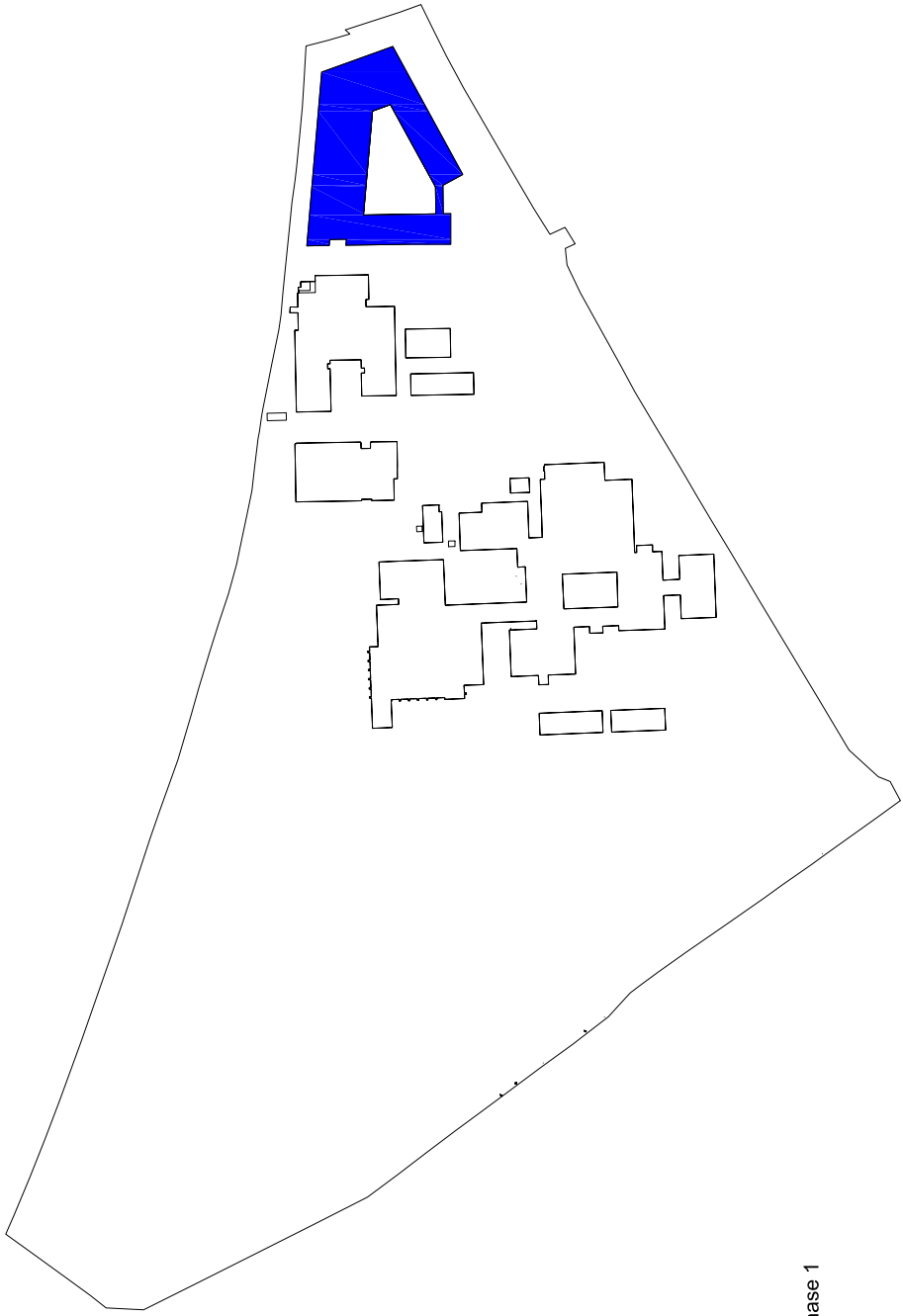
Phase 3



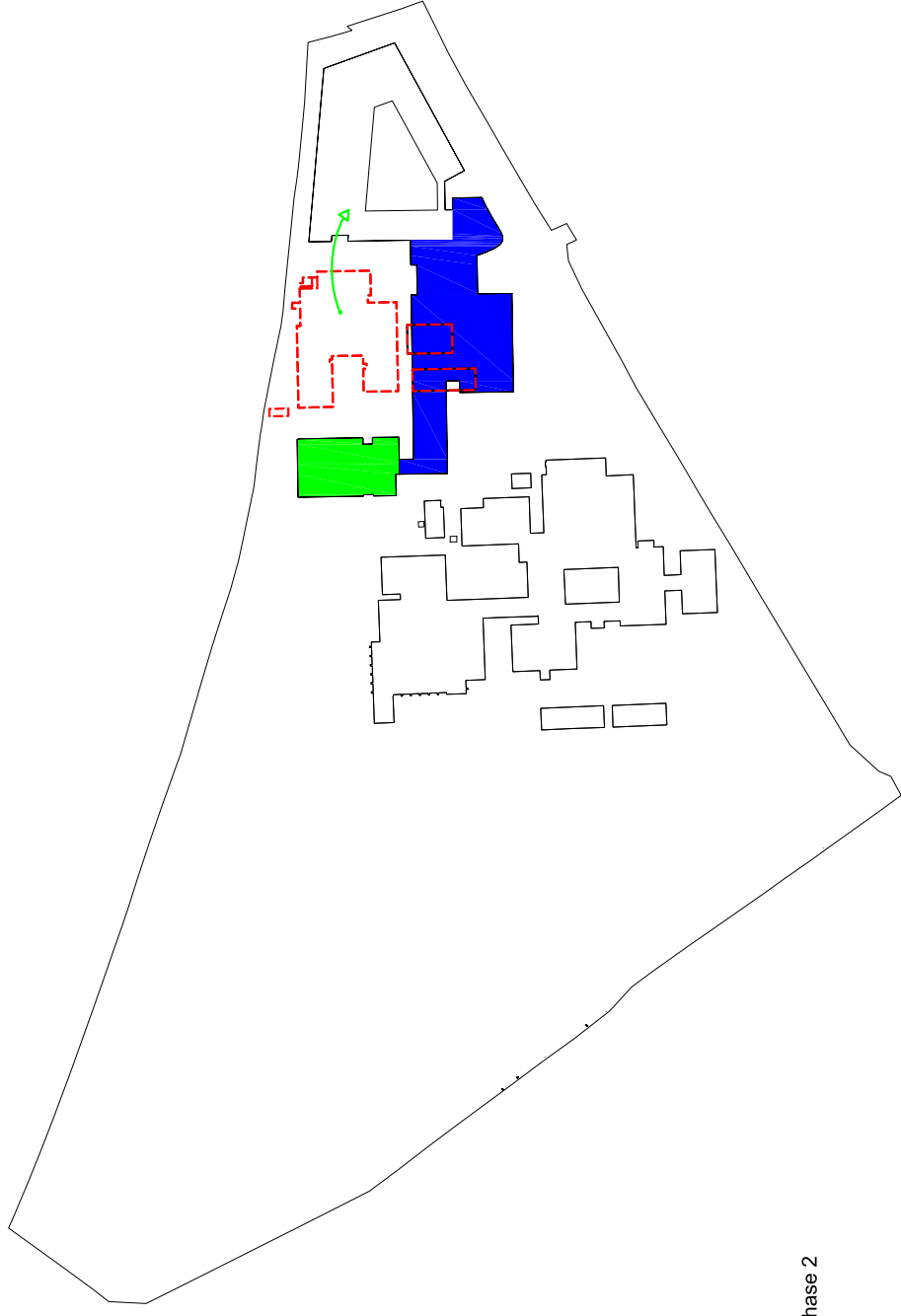
Phase 4

- Phase 1
Construct northern part of new school building
- Phase 2
Decant into new school building
Demolish Red Hill residence and South Wye learning centre
Construct southern part of new school building
Refurbish Grove building
- Phase 3
Decant into new school
Demolish remaining existing school building
- Phase 4
Reform landscape

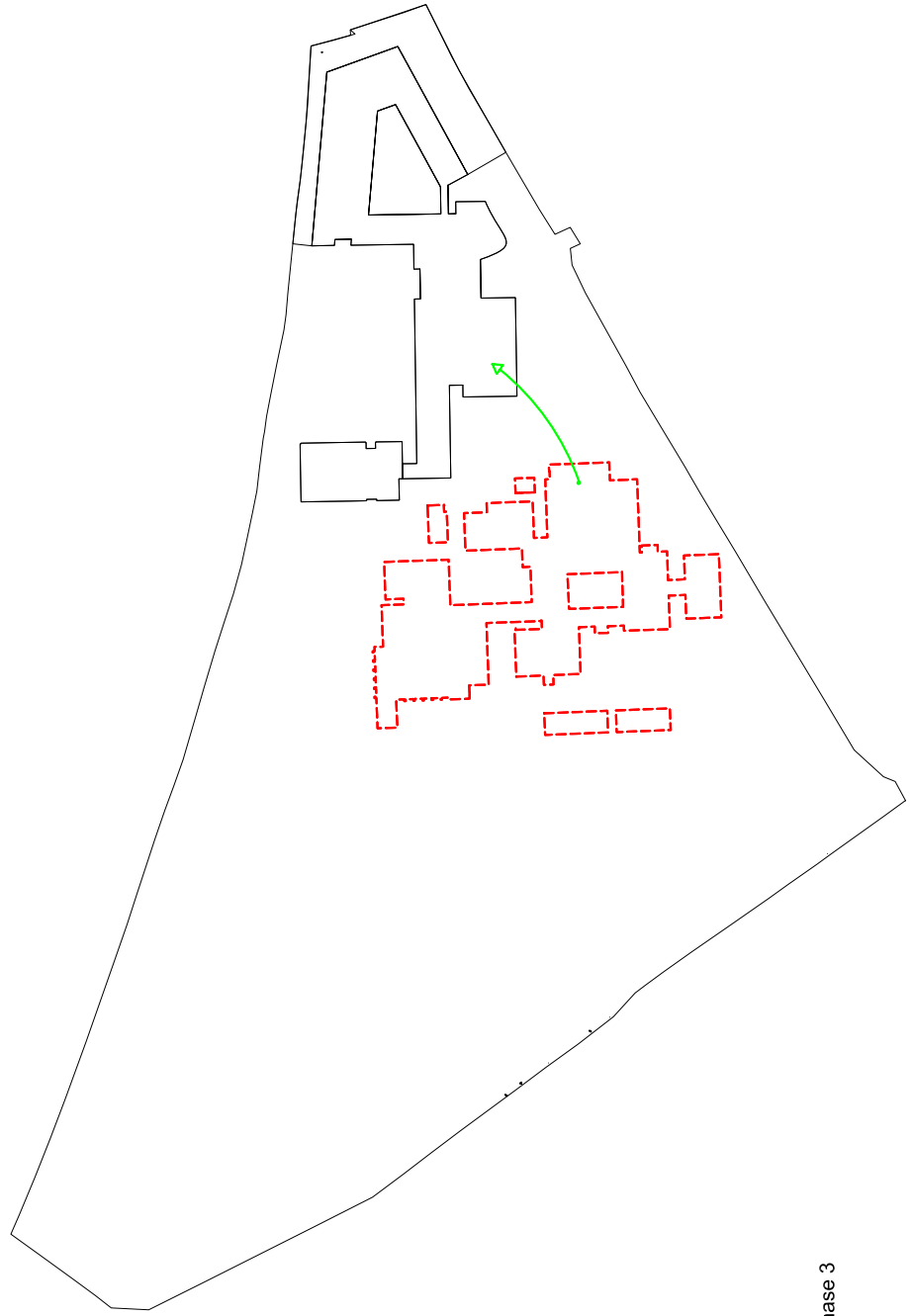
■ Build
 ■ Refurbished
 Demolition
 → Decanting



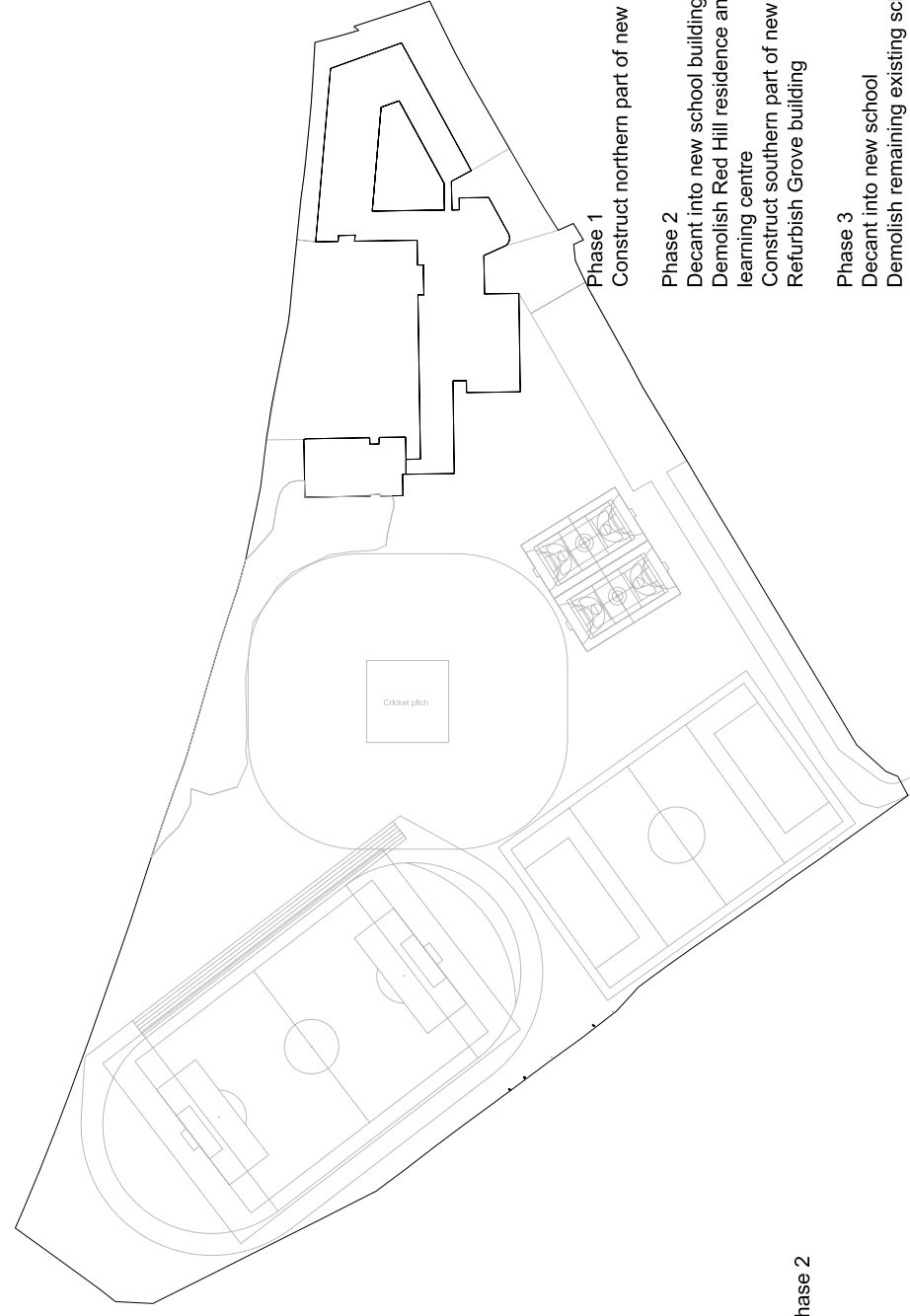
Phase 1



Phase 2



Phase 3



Phase 2

- Phase 1
Construct northern part of new school building
- Phase 2
Decant into new school building
Demolish Red Hill residence and South Wye learning centre
Construct southern part of new school building
Refurbish Grove building
- Phase 3
Decant into new school
Demolish remaining existing school building
- Phase 4
Reform landscape

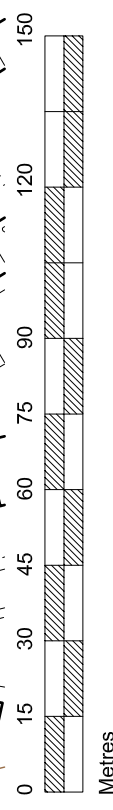
- Build
- Refurbished
- Demolition
- Decanting

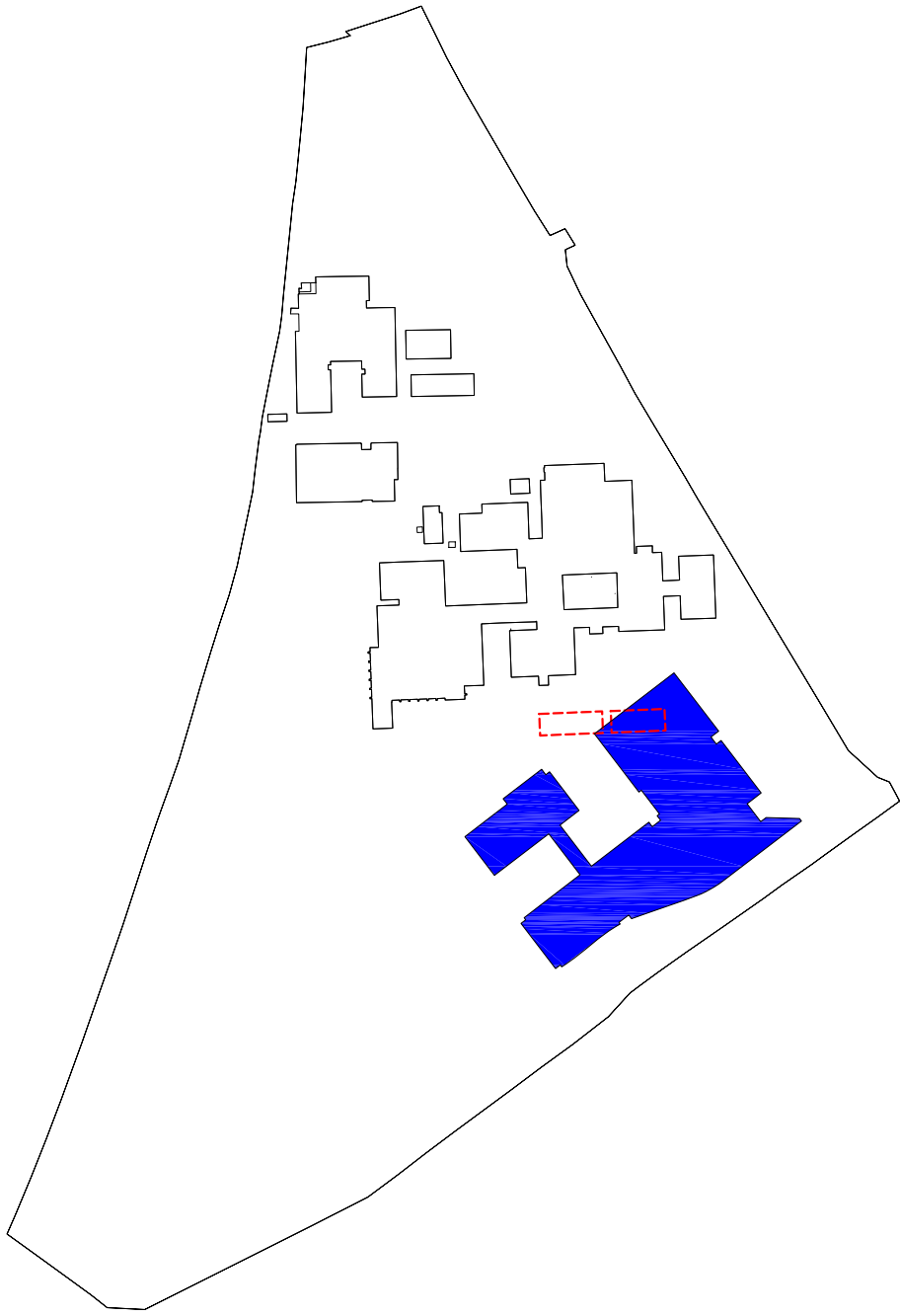


New school gross building areas

G	3995 m ²
1st	3050 m ²
2nd	3050 m ²
Total:	10095 m²

- Grassed areas
- Demolition
- New Build
- Refurbishment

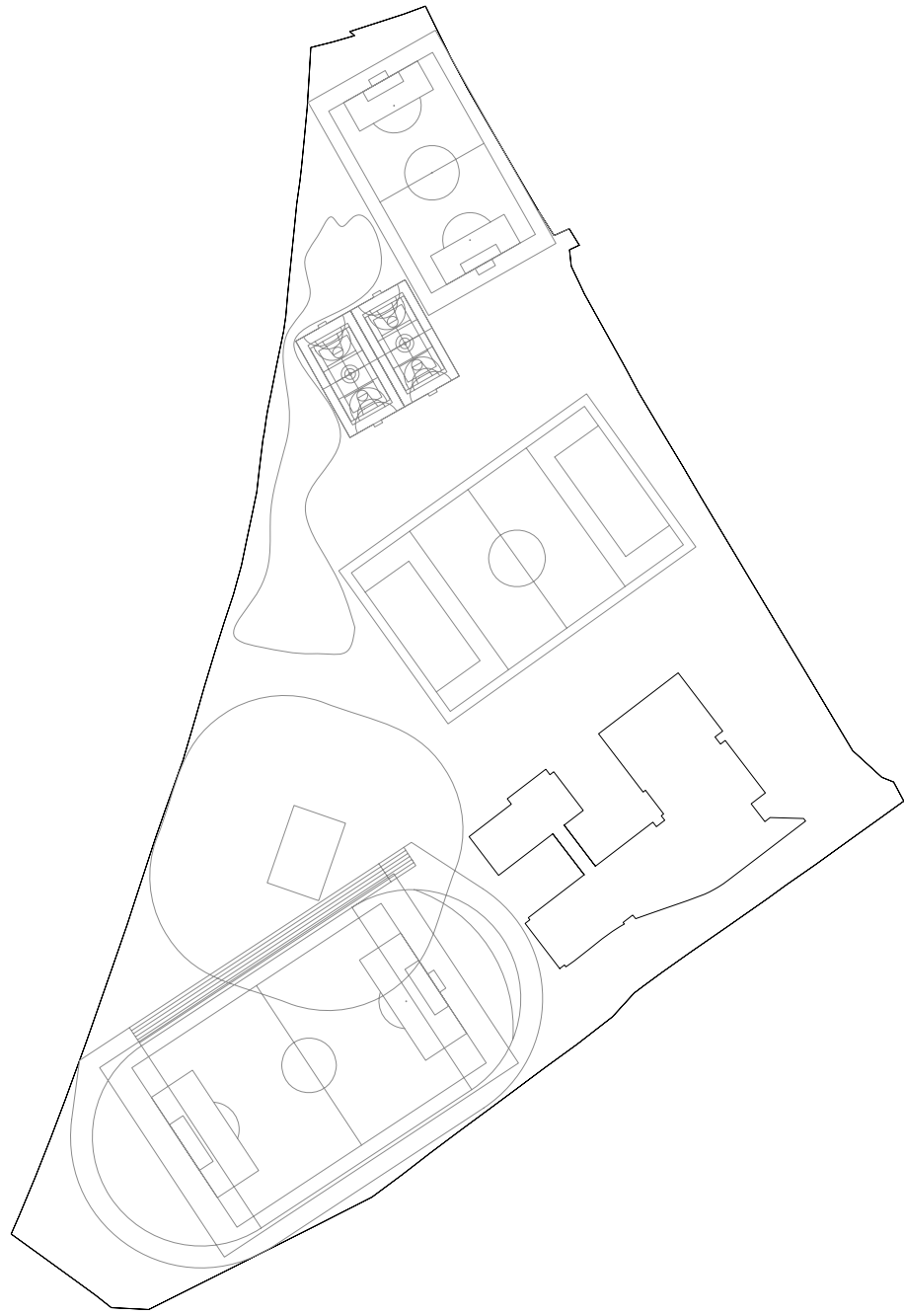




Phase 1



Phase 2



Phase 3

Phase 1
Clear prefabricated classrooms
Construct new school building

Phase 2
Decant into new school building
Demolish existing school

Phase 3
Reform landscape

Build Demolition Decanting

Facilitators Report on Briefing Stage Design Quality Indicators (DQI) Workshop at The Hereford (Wyebridge) Academy – Hereford on Wednesday 13th February 2008

1. Andy Thompson, DQI Facilitator, was invited to facilitate a briefing stage workshop for the proposed new Academy building on the Wyebridge Sports College site in Hereford . Arrangements for the workshop were made with Richard East, Hereford Council's Project Manager who is taking the role of DQI Leader in liaison with the sponsor, the head teacher and project technical advisors from Navigant Consulting.
2. Prior to the workshop the facilitator had the opportunity to see the following documentation: the Academy's Education Vision Statement and the 'outline' design brief; they included a summary of key statistics and an outline of the two option proposals to-date.
3. At the beginning of the workshop it was explained that the Design User Group (DUG) had been developing the educational vision and the design brief towards achieving an Outline Business Case to put to government for the development of the Academy. On agreement the project will move to invite bids for the design and construction of the Academy buildings. The sponsors, governors, designate head teacher, local authority and technical advisors were all represented on the DUG. There were currently two outline feasibility designs prepared by Avanti Architects; one involves significant new build (91%) to the North of the existing school footprint to incorporate the Grove Building (constructed in 1997) which would be retained and refurbished. The second option is a 100% new build to the South of the existing school, close to the natural main entrance to the site. The preferred option is the latter, new build option.
4. The following people represented a range of 'stakeholder' interests at the workshop, held between 11-30am and 4pm on Wednesday 13th February 2008.

Name	Role	Organisation	Stakeholder Group
Richard East	Council Project Manager	Herefordshire Council	LA Client (D)
John Chapman	Education Officer	Hereford Diocesan Board of Education	Sponsor Client (D)
Christopher Whitmey	Governor	Company Director, DBF	Governor (D)
Bruce Freeman	Education Liaison Officer	South Wye Team Ministry	Client Advisor (D)
John Shepperd	Designate Head	The Hereford Academy	Senior Management (D)
Sarah Longville	Deputy Head Teacher	Wyebridge Sports College	Senior Management (D)
Albert Pitcher	Teacher	WSC	Staff (D)
Elahna Shaw*	Technology Teacher	WSC	Staff (D)
Cameron Andrews	Y7 Student	WSC	Pupil (D)
Amanda Evans*	Regeneration Manager	South Wye Regeneration	Community (D)
Mark Compton-James	Specialist ICT Support	Navigant Consulting	Client Advisor (D)
Annabel Choppen	Assistant Technical Advisor	Navigant Consulting	Design Advisor (D)

D – Demand / Client side *present for part of the time

S – Supply / Design side

5. The objectives of the workshop were explained as:
 - To introduce participants to the working of the DQI for Schools tool;
 - familiarise participants' with a number of indicators or questions that will be used at later stages to assess how well the building **design** meets aspirations; and then how the

finished **building** and the building after 12 to 18 months of use is meeting the original aspirations;

- discuss the questions, agree their relevance to the Hereford Academy project, identify which ones in each group might be most important and reach a consensus on any statement of emphasis, aspiration or priority that might be relevant to set alongside the indicators. These statements would help inform the detailed brief and complement the brief when the designer/contractor is developing proposals in response to them.
6. The facilitator did offer a brief explanation for the tags given to each of the indicators on the DQI worksheet of F, AV or E. An explanation is offered below, however little time was to be given in this workshop to debating the default settings other than an explanation that they represent a target for a very good building design; they will be used as an additional weighting of scores at subsequent workshops (appraising the design and then the completed building) to show how well the design or building for the Academy is matching up with aspirations for a really good design. The facilitator suggested that he would recommend to the DQI Leader some possible changes to the default setting where the clear aspirations, emphasis and priority given as a consensus view by participants of the workshop suggest it is appropriate. These are included in the attached spreadsheet at Appendix 1 and also summarised on the attached 'Heat Chart' at Appendix 2.
- F,AV,E stands for **Fundamental, Added Value and Excellence**. These are tags given to each of the 111 Design Quality Indicators as a default of what represents a really good building. There is scope to adjust these slightly at the Briefing Stage DQI Workshop, to make them more bespoke to the particular project; it is also possible to remove individual indicators that are simply not relevant to the project.
Drawing upon the experience of working with the F, AV and E tags the owners of the DQI tool, the Construction Industry Council (CIC), is now in the process of changing the tags as follows: Fundamental to **Required**, Added Value to **Desired** and Excellence to **Inspired** with the following definitions:
Required: Compliance with standards, regulations and quantified minimum targets.
Desired: Setting targets for building performance beyond the minimum required.
Inspired: Inspiring goals and statements. Reference to special buildings.
It should be appreciated that the emphasis is on the building design's contribution to transformative design not to indicate what in educational/learning terms is more important. One way to interpret it is to say that those *fundamental* or *required* factors are measurable and can easily be defined in the brief; they are all very important to achieve if set at *F/R* (and will be flagged up if it is viewed that they are not being met, when appraised at later workshops). The other factors are not necessarily of less or more importance but they are things that are less tangible and would require the designer to work harder to create the outcome and if it is demonstrated and the workshop participants recognise it then the design gets a higher score.
7. We started the workshop with an exercise aimed at participants understanding how they might express their responses to buildings that they either like or dislike. Some of these have been captured in the table below. A series of slides, drawn from the CABA CD 'Picturing school design' were used to illustrate the risks of design failure in the past. They show what can be done by attention to detail in a range of design solutions to create buildings and spaces that are more inspirational to a wide range of stakeholders. Finally there was some explanation of how the DQI process works and the different characteristics it has at the 'briefing' and subsequent stages.

Buildings Liked	Reasons Why	Buildings Disliked
The Old Vic Theatre, London; Metropolitan Cathedral, Liverpool; Own Home; International School, Guildford; Kingstone Surgery.	Use of colours; impressive scale; originality; light; circular shape; functionality inside; uneven fading; ugly, not weathering well; orange carbuncle (porch); functional spaces; spacious; good blend of old and new; regard for the environment (efficient); narrow corridors; good accessibility; works well on a number of different levels; good visual links.	Christian Life Centre.

8. The structure of the workshop was a mixture of small group discussion followed by whole group discussion where we would capture areas of consensus view. Working with the A3 sheet containing all the 111 questions, grouped under Functionality, Build Quality and Impact we worked our way across, allowing up to 15 minutes for each small group of 3 or 4 to look, at either, Access, Spaces or Uses and then, in turn, lead in discussion with the whole group. The process for small group and full group discussion was followed through Build Quality but only full group discussion for Impact.
9. The discussion and agreed consensus comments were recorded by the facilitator, with supplementary notes taken by the Technical Advisor. These are now incorporated on the notes section of the DQI web site for this project and as represented in the attached spreadsheet at Appendix 1. Some changes to the default setting of FAVE have been suggested by the facilitator as appropriately reflecting the consensus comment, and these have all been identified in the relevant note on the spreadsheet. A summary of these changes is included in Appendix 2. This information will be accessible to participants carrying out appraisals (on-line) of the design and the building at future stages.
10. The facilitator recorded the following points from the discussion which are more appropriately recorded as areas for more discussion by the project team, or DUG:
 - Minimum requirements for car parking and parameters for innovation by designer/contractor.
 - Clarification of requirements for any separation of access to the site and to the buildings by different users.
 - Clearer definition of staff work and social facilities required.
 - Determine the level of electronic control of access that can be afforded.
 - Approach to ICT for initial installation to balance with flexibility and adaptability over time.
 - Possible pooling with other schools to access the National Schools Academy Grid training plan, to address local regeneration issues.
 - Further discussions over use of Academy Framework Contractors to address local regeneration issues.
 - Further discussion over a logo or main sculptural feature to the building entrance.
11. Finally, immediate feedback from most of the participants was captured on a form. This information has been compiled into a summary sheet that is attached at Appendix 3.

A. C. Thompson 20th February 2008

Appendix 1

DQI Briefing Workshop 13th February 2008

Spreadsheet of Outputs from Workshop

Project		The Hereford (Wyebridge) Academy		Appendix 1	
				Briefing Workshop 13th February 2008	18-Feb-08 Briefing set of Priorities, Aspirations and Emphasis.
		Default FAVE			
FUNCTIONALITY					
Access					
1	There should be good pedestrian and public transport access	F	F	F	Development is on existing site and public transport services and pedestrian access is acceptable - location as new building at bottom of site will improve accessibility and clarity.
2	There should be sufficient car parking	F	F	F	It is acknowledged that car parking will have to comply with planning requirements and will be constrained by site area and funding. However, consideration should be given to increasing parking facility at certain times through use of materials such as Grascrete etc: Car Parking should not be located in front of the building.
3	The building should provide good access for everyone	F	E	E	Perhaps the most important indicator along with 12 (below). Separation of cars (and other vehicles) from pedestrians and cyclists is essential. Suggest that this indicator is changed from Fundamental to Excellent (F to E) in recognition of the contribution to design quality that achieving good access for all will make. The fundamental requirements are addressed in separate indicators.
4	The building and site layout should cater for cyclists	F	F	F	Cycle accessibility and encouragement is important. Storage should be overlooked and robust. As a successful design will be prominent it should be attractive, secure and possibly covered.
5	The layout of the external environment around the school building should provide safe access for everyone	F	F	F	It is desirable to provide a relaxing garden type courtyard area for pupils to come into at the front entrance. This will emphasise the need for separation from vehicles and consequent safety. Well lit and naturally supervised spaces without hidden areas around the school will feel safe.
6	There should be safe and secure access for goods and the storage of waste awaiting collection	F	F	F	Separation of delivery and collection of goods or waste from pedestrians is very important. Storage facilities of waste and re-cycled materials to be carefully designed.
7	The layout should be easily understood	AV	AV	AV	Use of colour coding inside and outside the buildings, introduction of split levels with visual connections once inside the building will assist understanding of layout without relying on signs.
8	It should be easy to find your way around the school	AV	AV	AV	It was felt a single, wide entrance was desirable with a reduction in entrance and increased policing after certain times. Visitor, pupil and staff entrance should generally be the same but attention to be given to the brief for particular functions and separate buildings offering separate access.
9	The signage should be clear	F	F	F	Where used this must be clear and functional.

10	The building will cater for the needs of people with impaired sight	F	AV	Provision for this is covered adequately by 12 (below). No additional or special facilities are required but improved functionality will be recognised. Suggest change this from (F to AV).
11	The building will cater for the needs of people with impaired hearing	F	AV	Provision for this is covered adequately by 12 (below). No additional or special facilities are required but improved functionality will be recognised. Suggest change this from (F to AV).
12	The building will be accessible to pupils, staff and visitors with SEN, and / or disabilities	F	F	This is very important and must meet all 'brief and statutory requirements.
Space				
1	The building should be the right size for its functions	F	F	It is important to draw on existing experience in agreeing the brief. Spaces, such as the science preparation room are too small.
2	The building's layout and relationships between rooms, and the outdoor environment, should work well	F	F	
3	The circulation space should work well	F	F	Corridors should be at a minimum by combining them with break-out work and social spaces.
4	Teaching spaces should be adequate and appropriate for the curriculum and organisation of the school	AV	AV	Along with 7,8 & 9 this is considered a most important indicator.
5	Halls should be of an appropriate size and design for their intended purpose	AV	AV	
6	Learning resource areas should be sufficient and appropriately located	F	F	The Library as an important Learning Resource area should be located near to the reception to be part of the shop window for the Academy. Break-out works spaces should be spread throughout the Academy, making effective use of circulation spaces.
7	Staff and administration areas should be suitable for the needs of the school workforce	AV	E	One of the most important indicators, together with 4, 8 & 9 in this aspect. It is essential that appropriate space is available for staff work and administration. Apart from appropriate provision at reception, staff work space should be located around the building in curriculum areas. This is not for informal supervision but to create a sense of learning communities, pupils and staff together. A central, large staff room is not preferred over local, informal provision. Ideally staff will eat in the school restaurant. The client will respond to creative suggestions from the design team on how this might be achieved. It is recommended that this might be changed from (AV to E)
8	There should be adequate and appropriately located storage space	F	F	Along with 4, 7 & 9 this was considered one of the most important indicators in this section. Currently science preparation is too small. Storage needs to be large enough and centrally located. Lockers for pupil storage should be large enough and centrally located for safe and secure use.

9	Dining and social areas should be sufficient to allow for healthy eating, relaxation and recreation	AV	E	Along with 4, 7 & 8 this is considered a most important indicator in this section. Flow into and out of dining space(s) need to be addressed. There must be enough space overall, possibly a mix of types of space, an adjacency to the hall for overflow when required and an ability to flow outside and into social spaces, possibly in corridors. Informal social spaces should be provided inside and outside for both staff and pupils to help create a feeling of a learning community. This might be changed from (AV to E).
10	Toilets and changing rooms should be of high standard and appropriately located	AV	AV	There is a desire to see toilets not as social spaces but a number of self contained units (wc and washbasin) distributed well around the school. There is a wish to avoid open spaces (such as central, unisex washbasin areas) which just become debating areas. However, this is an area that designers should look to offer innovative solutions backed up by good examples of successful operation.
11	The building's layout should provide the right balance and distribution of space	AV	AV	
12	The grounds should provide for the formal and informal curriculum needs of all pupils, including social and recreational use, and for the needs of the wider school community	AV	AV	Outside spaces are very important. Raised planting beds can create calming areas to enter school through, relaxing spaces for social interaction and offer an extension of the curriculum.
13	The school grounds should have adequate space to meet all school and community needs	AV	AV	Good quality hard play areas to enable all those wishing to take active breaks to be brought together at the same time.
14	The school grounds should provide a safe and stimulating environment for children and young people	AV	AV	The ability to be outside, even when wet, is important and consideration should be given to part covered and open courtyards, incorporating greenery so that a range of types of space can be created for different activities.
Uses				
1	The building should contribute to the efficiency of the school	AV	AV	
2	The building should enhance the activities of teaching and learning	E	E	Important for the buildings and the grounds. A covered amphitheatre outside was an example of this.
3	The building should be inclusive for those with special educational needs	F	F	
4	The building should provide good security	F	F	Security into the site is currently a problem, generated by the dual entrance and relationship of surrounding houses and residential streets to the school. This should be addressed in the design. Security into and around the building would preferably be through electronic swipe card control of access and the avoidance of remote, hidden areas that cannot be naturally policed.
5	The building should be adaptable to changing needs	AV	E	This is possibly the most important indicator of this section. Short, medium and long term adaptability of classrooms particularly important. The brief and room data sheets will be able to identify a limited number of rooms that might benefit from day to day flexibility using high quality (acoustic) moving screens or walls. Others may achieve long term adaptability by removal of walls. Attention to acoustics and ease of changing services and ICT infrastructure must be demonstrated. Suggest change from (AV to E).
6	The lighting should allow for different use requirements	AV	AV	This must be demonstrated, linked to 5 above.

7	The layout should allow for changes of use	AV	AV	
8	The heating, ventilation and ICT installations should allow for changes of use	AV	AV	This is important, linked to 5 above.
9	The structure should allow for changes of use	AV	AV	
10	The ICT infrastructure should be fully integrated and easily accessible throughout the school	F	F	The ICT strategy is an important contributor to efficiency of use of the buildings and support teaching and learning. Consideration of the use of 2/3 plasma screens around a space rather than using a single location whiteboard.
11	The furniture, both fixed and loose should be appropriate for all users	F	F	
BUILD QUALITY				
Performance				
1	The building should be easy to clean	AV	AV	
2	The building should withstand wear and tear in use and minor vandalism	F	F	
3	The building should be easily maintained	F	F	Ease of maintenance and attention to avoiding selection of materials that suffer visual deterioration when aging is considered important.
4	The building design should respond to the site microclimate	AV	AV	
5	The building should weather well	F	F	There is a feeling that timber is not the right material to use as most known examples weather unevenly and poorly. There is a preference for stone finishes and avoid traditional red brick.
6	The building's finishes should be durable	AV	AV	In considering the durability of materials it is also important to consider the way in which they might become open to mis-use (sliding on robust stainless steel balusters). If staircases can have more than just single function of movement up and down, possibly being within larger spaces so that they could be used also for performance or by an audience with ability to separate those going up from those going down then better quality materials might be justified.
7	There should be sufficient daylight in the building	F	F	
8	There should be sufficient artificial lighting levels in the building	F	F	
9	The thermal climate in the building should be appropriate to its use	F	F	
10	The acoustic quality should be appropriate to its use	F	F	Achieving the right acoustic conditions within the building is considered very important, particularly in lessons and outside and in break-out spaces.
11	The air quality should be appropriate to its use	F	F	
12	The building should be easy to operate	F	F	As much as possible the building should manage itself automatically but where intervention is required it must be clear and straight forward.
13	The building should produce few complaints / faults	AV	AV	
Engineering Services				

1	The building should enable efficient use of energy and water	AV	AV	This was one of the most important factors and it was felt essential that the consumption of energy and water should be monitored for educational use within the academy. This monitoring should be presented in a way that gives high visual impact for the students.
2	The components of the building should be easily and safely replaced when necessary	F	F	
3	The engineering systems should work well	AV	AV	Automatic switching off of lighting and other systems when not required is important.
4	The engineering systems should be easy to operate	AV	AV	This is considered second most important indicator in this section. There should be a feeling, by staff that they can affect and modify their environment (such as opening windows) should this be necessary.
5	The engineering systems should operate quietly	AV	AV	
6	The building and engineering systems should be designed to minimise CO2 emissions	E	E	
7	The requirements for heating should be minimised by the design of the building	AV	AV	
8	The design should minimise the requirement for mechanical ventilation	AV	AV	
9	The design should minimise the requirement for cooling	AV	AV	
10	The building controls systems should be simple to use and work well	F	F	
11	There should be a clear fire safety strategy	F	F	
12	Engineering systems should be well co-ordinated	AV	AV	There is a preference in most spaces towards the use of suspended ceilings so that services are largely covered up. Where this is not possible particular attention to co-ordination and attractive design of services will be essential. There is a balance to be struck between educational value of seeing the services of the building and the risks of access and mistreatment. The design team will need to solve the problems of achieving the required Excellent BREEAM rating, which points away from suspended ceilings, offering educational value with the desire for clean and tidy lines.
13	The building should be comfortable and healthy to use	AV	AV	
14	The building should be safe to use	F	F	
15	The engineering services and ICT infrastructure should be adaptable	AV	AV	A high priority and there is an expectation that this will be demonstrated in the design solution. The design team may have to demonstrate how to balance the wish to use suspended ceilings against the ability to provide floor boxes, which may improve ICT and other services flexibility.
Construction				
1	The materials should be appropriate for the building's purpose	F	F	
2	The methods and materials used in construction should have been well thought through	F	F	

3	The building should be designed so that it can be safely constructed	F	F	
4	The building should be designed for demolition and recyclability	AV	AV	
5	The layout, structure and engineering systems should be well integrated	E	E	An important indicator along with 7 and 9 in this section, to do with sustainability issues and the target of achieving an Excellent BREEAM rating rather than just Very Good.
6	The building's fixtures, fittings and finishes should be well integrated, and specified with low solvent content	AV	AV	
7	Future climate change should be considered in the design of the building	E	E	Important, along with 5 and 9 for the Excellent BREEAM target.
8	The building's structure should be efficient	AV	AV	
9	The building should use sustainable and renewable systems, and materials which have low embodied energy	AV	AV	An important indicator in light of the Excellent BREEAM target.
10	Any demolition and construction should minimise waste and reuse materials on site where possible	F	F	
11	Removal or containment of hazardous materials should be managed safely	AV	AV	
12	The building should be able to extend if the school expands	E	E	It is important, at the outset that the designers demonstrate how the building could expand, perhaps to accommodate more extended school opportunities. The feeling is that it would be preferable to see this expansion horizontally not vertically.
IMPACT				
The School in its Community				
1	The building should be sited well in relation to its context	AV	AV	The proposed location of a completely new building will assist this and create an improved relationship to the community.
2	The area between the building and the edge of the site should be pleasant	AV	AV	
3	The quality of the school's outdoor environment should enhance the quality of the neighbourhood	AV	AV	The building should face the housing and the community rather than tucked behind it as at present.
4	The building should be well considered in relationship to local facilities	F	AV	As this is a re-build on the same, or nearly the same site there is less opportunity to influence this factor. However, it is important to demonstrate how every opportunity has been taken to enhance the relationships. Recommend changing this from (F to AV)
5	The building should help create a sense of ownership by local people	AV	AV	The co-location of community facilities on site of the main sports specialism, plus use of the hall, drama and IT should help enhance a feeling of local ownership. Special care will be necessary to balance the 51 weeks of the year use, 8am to 10pm with the needs of the very local neighbours.
6	The building should enhance and uplift its neighbourhood	E	E	It must improve its aspect from the housing, which will make it more appealing. It is important that its presence helps to raise aspirations in the locality.

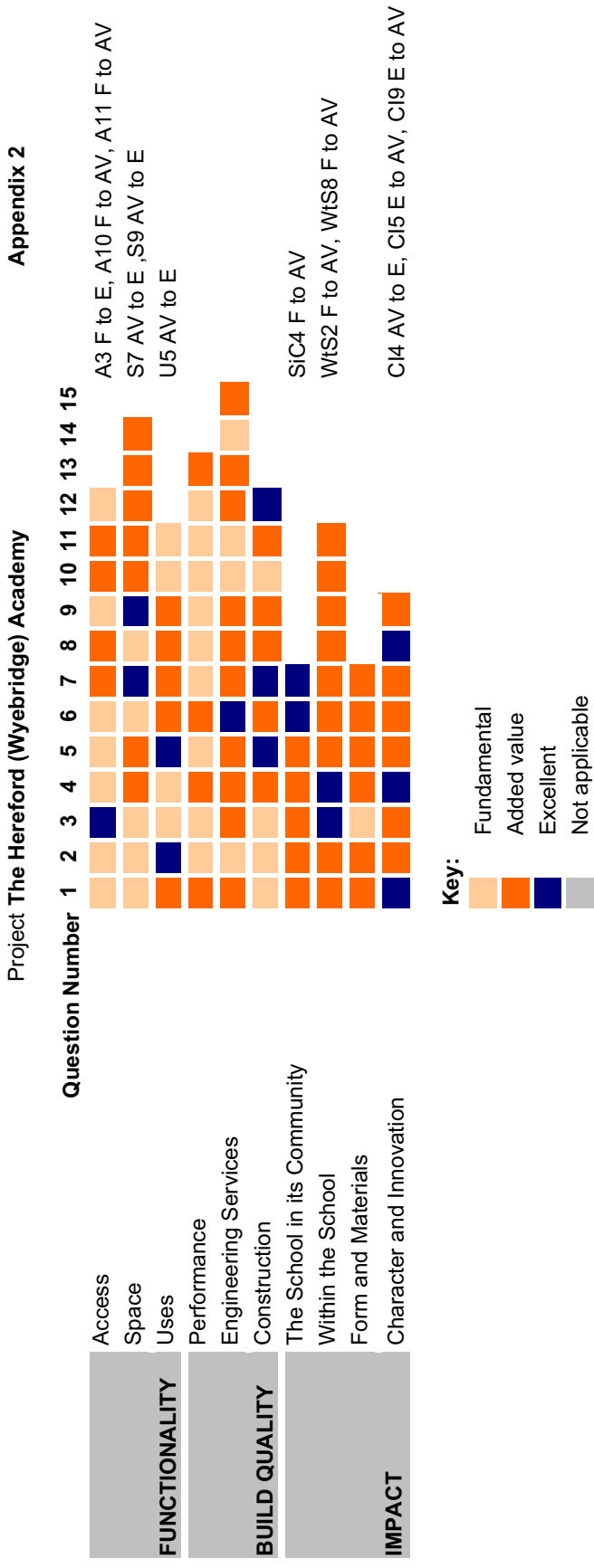
7	The building should significantly contribute to social and economic regeneration	E	E	This is a key aspect and defines what Academies are actually about. Every encouragement should be made for main contractor and sub-contractors to be drawn from the locality and involve local labour. This will be sought in the ITT but the intention should be demonstrated by tenderers. The ongoing support functions for the Academy should give local employment opportunity.
Within the School				
1	The building should be a pleasure to use	AV	AV	
2	The building should not feel cramped or overcrowded	F	AV	This is thought to be an important indicator and should be facilitated through appropriate use of break-out spaces and avoiding any narrow corridors. Recommend that this is changed from (F to AV) as it is difficult to measure but should be demonstrated and will contribute to the quality of the building.
3	The building should reduce stress for users	E	E	Colour was thought to be an important contributor to creating a sense of calm which results in stress reduction. Measures should be demonstrated in the design.
4	The circulation spaces and common areas should be enjoyable	E	E	This is most important and they are not just spaces to walk along to get from A to B. They should accommodate discrete quiet area, break out spaces and opportunity to sit and socialise.
5	The natural light in the building should be of high quality	AV	AV	
6	The artificial light in the building should be of high quality	AV	AV	
7	The indoor temperature in the building should be comfortable in all seasons	AV	AV	
8	The indoor air quality should be pleasant	F	AV	Together with the other factors that require demonstration of quality this is important but it is recommended should change from (F to AV) as it is not easily measurable.
9	The building should have good acoustics	AV	AV	This was considered to be an important indicator, going beyond the demanding requirements of 'attenuation' in the acoustics bulletin towards quality.
10	The building should have good visual connection with the outside	AV	AV	
11	The level of personal control of the internal environment should be appropriate	AV	AV	Appropriate is the correct description as it must be a balance of automatic and energy efficient control balanced with the occasional need to intervene and override.
Form and Materials				
1	The shape of the building should be pleasing	AV	AV	The use of curves, not necessarily in corridors which often has disadvantages, but perhaps at the entrance to draw people in. Consider the use of unusual shapes to courtyards.
2	The building should be well composed	AV	AV	Consider the use of appropriate features to identify the entrance clearly.
3	The building and external spaces should take advantage of its orientation on site	F	F	
4	The form and materials should be well detailed	AV	AV	
5	The materials used in the building should add to its quality	AV	AV	
6	The use of colour and texture should enhance the enjoyment of the building	AV	AV	Colour is important to delineate areas but also to create appropriate moods. This should be demonstrated with examples.

7	The materials used in the external areas should be appropriate to their use and the locality	AV	AV
Character and Innovation			
1	The building and its grounds should lift the spirits and raise aspirations	E	E
2	The building design should make apparent the educational vision of the school	AV	AV
3	Visitors should want to come here	AV	AV
4	The building should reinforce the ethos of the school	AV	E
5	The building should be widely acclaimed for its quality	E	AV
6	The building should have character	AV	AV
7	The building should contribute to a sense of security	AV	AV
8	The building should make you think	E	E
9	The building's design and construction should contribute to development of new knowledge	E	AV
<p>This is the most important indicator in this section.</p> <p>Both visitors and pupils.</p> <p>The educational vision makes clear the priorities and the overall ethos of 'Life in all its fullness'. Suggest that this changes from (AV to E).</p> <p>The greatest importance is achieving 1 and 4 above so suggest changing from (E to AV).</p> <p>This is considered a most important indicator - feeling safe is most important - currently some areas do feel less than safe.</p> <p>As much as possible in the use of generators and solar panels - to help enhance learning.</p> <p>This is not of the highest importance and there is a risk in using untried techniques or materials. There is great merit in enhancing the learning experience for those inside than knowledge for its own sake. Suggest changing from (E to AV).</p>			

Appendix 2

DQI Briefing Workshop 13th February 2008

'Heat Map' of FAVE Changes



Appendix 3

DQI Briefing Workshop 13th February 2008

Summary of Participants' Feedback

DQI Workshop Feedback Summary for the Wyebridge/Hereford Academy

Appendix 3

DQI Leader: Richard East

DQI Facilitator: Andy Thompson

Date: 13th February 2008

DQI Stage: Briefing

Number of participants returned: 10 **Total number of participants:** 12

1. Appropriateness of the DQI tool to this project					
	Excellent	V. Good	Satisfactory	Unsatisfactory	Poor
Response split	1	6	3		
%	10%	60%	30%		
Comments					
<ul style="list-style-type: none"> ▪ Covered much detail – money factors expected to be covered; but lots of useful discussion and agreement. ▪ Helpful to focus thinking. ▪ Once clear on the purpose, it was a very good way of proceeding. 					

2. Format of the DQI session					
	Excellent	V. Good	Satisfactory	Unsatisfactory	Poor
Response split	2	4	4		
%	20%	40%	40%		
Comments					
<ul style="list-style-type: none"> ▪ Would have liked further examples of designs. ▪ Each stage worked through ready for design by architect, very useful. ▪ Good exchange of ideas. ▪ No issues. 					

3. Quality of facilitation?					
	Excellent	V. Good	Satisfactory	Unsatisfactory	Poor
Response split		6	4		
%		60%	40%		
Comments					
<ul style="list-style-type: none"> ▪ Building change. ▪ Thoughtful and helpful. 					

4. Any other comments?					
<ul style="list-style-type: none"> ▪ FAVE criteria needs <u>very</u> careful explanation initially as so much relies upon a clear understanding of these definitions. ▪ Thoroughly worthwhile meeting. ▪ A very informative and useful day, thank you. ▪ Fine, except fire alarm moving us to new location! ▪ Enjoyable and challenging. ▪ A valuable day. 					

"Mark Hyatt" <Mark.Hyatt@becta.org.uk>

12/11/2007 23:24

To
"Mark Compton-James" <MCompton-
James@NavigantConsulting.com>
cc

Subject
RE: Hereford 2 ICT Vision

Hello Mark,

Happy to confirm our approval of the ICT Vision.

Kind regards,

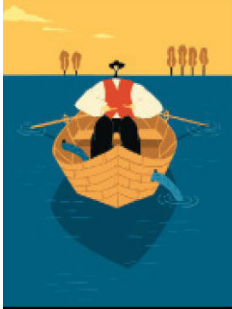
Mark.

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THE HEREFORD ACADEMY

The Sponsor's ICT Vision

Issued: 12 November 2007

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1.0 INTRODUCTION

The following paper outlines the Sponsor's vision for Information Communication Technology (ICT) which is central to the Academy's vision to support, enhance and transform teaching and learning whilst playing a major role in the shaping of school leadership and management. ICT will also be required to underpin the Academy's specialism of Science, Health and Sport.

2.0 TRANSFORMATION OF TEACHING AND LEARNING

The Sponsor's Vision for the Academy is to create an innovative 21st Century learning environment. Within this environment teaching and learning will be transformed and a key lever in that transformation will be a robust, scalable and effective ICT solution. It will provide learners with as many external influences as possible as well as offering lifelong learning through the extended school model. This will build upon existing investment in the predecessor school (Wyebridge Sports College) in which ICT has been effectively integrated into both learning and teaching and the management and administration of the school.

From the very first year of learning at the Hereford Academy the ICT-rich environment will underpin both pedagogical practice and the pastoral structure. This will result in the teacher relinquishing their traditional role as the gatekeeper of knowledge and moving toward the role of a manager of learning. The ICT provision will also free the teacher from the front of the classroom enabling them to move through teaching spaces in a more flexible manner offering support, challenge and guidance to learners. This is due to the interactive nature of a whiteboard allowing it to be controlled from either a laptop or an interactive tablet device liberating the teacher from the traditional position of 'back to the class' writing on a chalkboard or similar. This will be strengthened by a comprehensive professional development and change management programme, drawing in both teaching and non-teaching staff, learners and, where relevant, parents and other stakeholders.

The curriculum itself will be divided into four core clusters which will be developed independently of each other but delivered in unison. The united model of delivery will be managed through a Learning Platform (LP) to fit the concept of four clusters. Enabling staff to use the LP to deliver the four core clusters will be part of the professional development and change management programme to be delivered in the new Academy.

This shift in classroom practice and the deployment of a curriculum cluster model will make the Academy a very different environment from any of the feeder primary schools in the area. Given the issues that currently exist around the transition from primary to secondary school, the Academy will need to ensure that the step change in ICT provision will not serve as a further obstacle in the successful integration into secondary school life. This will be done by offering years 5 and 6 in the feeder primary schools online access to the LP so they will have built up a familiarity with the Academy's key mechanism for curriculum delivery. The programme will run in conjunction with a range of events designed to familiarise primary pupils with life at the new Academy.

3.0 CURRICULUM VALUES

The Hereford Academy has a broad and pervasive set of curriculum values commensurate with the school ethos and the Academy specialisms. The exploration of these values will be key to the direction of the Academy as well as providing a framework for all learners outside the formal confines of Academy life. Subsequently, it is critical that the ICT solution sourced for the Academy not only reflects but also strengthens these values. A comprehensive list of values can be found in the Education Brief. The key curriculum values that can be supported through ICT are:

- Co-operation;
- Independence and challenge;
- Achievement; and
- Punctuality.

Co-operation

The functionality of the LP will facilitate peer co-operation and collaboration on a broad range of projects and work modules. It will be delivered through an appropriate blend of file sharing, 'wiki' sites, email, instant messaging and ubiquitous connectivity, allowing all learners to develop their skills in a group setting as well as permitting informal peer review. The collaborative and co-operative ethos will be extended beyond the confines of the physical Academy as learners reach out to national and international experts on a range of subject matters using video conferencing, appropriate online mentoring and email.

Independence & Challenge

Personalised learning opportunities will be delivered through the LP. Content and curriculum resources will be presented on the users' desktop in accordance with the skill level and requirements of the individual, supporting learners in their journey towards independence. This will also integrate with the teachers' new role as a manager of learning rather than a gatekeeper of knowledge. They will maintain oversight of the learner as he or she explores individual learning opportunities. Given that the learning pathways would, within teacher defined parameters, be bespoke, they would also serve to challenge learners ensuring that material they engage with will stretch them to reach their full learning potential.

Achievement

One of the key drivers of the Academies programme is to improve attainment levels, and ICT will, as a natural consequence, support the Academy's curriculum value of Achievement. As described elsewhere in this vision, the ICT provision will allow learners to consider data and statistics relating to performance, enabling them to become more involved in improving their own attainment. This may involve peer-tutor target-setting, with regular reviews of progress towards these agreed targets.

There will also be opportunities to celebrate achievement by using plasma screens around the school, which could relay recordings of Sports Day, school productions, presentations, assemblies, etc.

Punctuality

The Management Information System (MIS) will manage a broad range of pupil level data including developing a timetable. As the MIS will be integrated with the LP, every user will receive an RSS ¹ feed (or equivalent technology) to their LP desktop allowing them access to real time timetabling data. Not only will this promote punctuality but it will also allow the management to offer shorter notice of timetabling changes in the event of a staff sickness or room unavailability. (Use may also be made of the plasma screens, although this will not be their principle function.)

4.0 ICT PROVISION

The sponsor does not see ICT provision as an end in itself. All ICT provision must underpin teaching and learning to enable the required transformation. As such, the ICT provision will include Teacher Toolkits for every teacher. This equates to a networked mobile device, a whiteboard and projection facility in every teaching space and access to a range of curriculum support tools accessed through the LP. In addition there will be high quality support and ICT training available to all staff, teaching and non-teaching.

In addition to the teacher focussed provision, every teaching space will have a set of networked mobile devices, RFID² protected, that can be used by each class using the room, thus removing the need for students to carry such a device with them around the academy. When not in use, the devices can be left to charge in specialised racks provided. Remote projection facilities will also be universally available, supported by the academy's own WiFi system, in addition to interactive whiteboards.

The Sponsor considered the 1:1 model offering every pupil a networked mobile device for the duration of the school day and for them to take home and use. However, the levels of deprivation in South Wye, teaching experience of the sponsor and colleagues in the predecessor school and concerns over security influenced the Sponsor to adopt a model that ensured that during the school day there was access to ICT for all.

The networked mobile device will negate, in the long term, the need for ICT suites. However, the transition from the existing school to Academy will require effective and focussed change management. As such, there will be a period of 18 to 24 months where ICT suites will provide an effective tool for teachers as they migrate across to a transformed pedagogy reflecting the 'four clusters' model and the enhanced ICT provision. The Grove Building in the existing school will probably be retained as part of the new school, and currently houses some ICT suites. As such, it will then offer an ICT suite to teachers for the duration of the build programme.

¹ RSS (which, in its most recent format, stands for "Really Simple Syndication") is a family of web feed formats used to publish frequently updated content such as blog entries, news headlines or podcasts to a webpage.

² Radio-frequency identification (RFID) is an automatic identification method, relying on storing and remotely retrieving data using devices called RFID tags or transponders.

For those with Additional Education Needs (AEN), timetabling will be as flexible as possible to enable long periods of focused learning that may be necessary to overcome individual challenges, alongside additional user specific ICT equipment provided when necessary.

The ICT provision will support the Academy's specialisms of Science, Health and Sport.

ICT, for example, can offer a range of different tools for use in school **Science** activity, including:

- Tools for data capture, processing and interpretation including data logging systems, graphing tools and modelling environments;
- Multimedia software for simulations and 'virtual experiments';
- Publishing and presentation tools;
- Digital recording equipment;
- Computer-controlled microscopes.

ICT provision can also be used to enhance learning in **Sport**. Broadly speaking, the ICT provision will consist of technology that supports the following:

- Timing; and
- Recording results and visual images for feedback and analysis;

This will need to be supported by hardware including but not limited to:

- Digital cameras with video and still facilities;
- Display screens, whiteboards, and projectors, including the Sports Hall;
- Sound systems with recording facilities;
- Laptops, ultra-mobile PCs or handheld devices; and
- IP enabled stopwatches.

Exemplar activities will include pupils using the following:

- Heart and pulse rate monitors plus a variety of other measuring and recording devices to collect, analyse and interpret data;
- Data-recording and analysis software to analyse patterns of play and individual contributions;
- Stop watches linked to data-collection devices to analyse and evaluate performance; and
- Spreadsheets to record and track progress.

As part of the **Health** specialism, the digital cameras, with video and still facilities, and sound systems with recording facilities, will form part of a highly specified media provision that will enable the delivery of a broad range of Performing Arts activities. There will be a dedicated space in the Academy for Music and Drama to combine and it will be equipped with the best quality sound and lighting technology. This will also include the necessary facilities to create "Student TV" which can be relayed through the plasma screens around the school. It is the view of the sponsor that the creative outlet offered through the Performing Arts is essential to the psychological and pastoral well being of young people and is as much part of a Health specialism as healthy eating and regular exercise. This

holistic view of health, as opposed to just focussing on physical well being, reflects the Sponsor's belief that an ICT-rich environment can support the pastoral needs of learners.

The wide range of indoor and outdoor sports facilities supported by ICT will provide important fitness and health information to all students. Regular electronic fitness checks will feed into the health programme and students will have access to the data through the LP. These facilities will be integrated with the ICT provision that supports the Sport specialism, and will be available to students, staff, parents and the wider community, as part of the extended schools programme.

Academies procured through the National Framework are expected to procure an ICT Managed Service via Becta's Infrastructure Services Framework and this Academy will be no different. However, it is envisaged that the LP and the MIS will be out of scope for this procurement. The managed service will, in the transitional period, be a mixed economy of external support and existing onsite resources. The exact operational model to be deployed will be determined through the options appraisal that is part of the Outline Business Case. It is envisaged that, in the longer term, and after extensive user training and support, the need for onsite technical support will become less acute.

5.0 THE CHANGE AGENDA

14 – 19 Agenda

The Academy is fully committed to national and local 14-19 reforms. ICT will support learning and be a key motivator for students. The opportunity to collaborate with their peers, create their own material and personalise and reflect upon their learning will lead students to engage more effectively in their study. This engagement is a key element in improving retention and achievement for all students.

ICT will be used to strengthen:

- Broad, balanced and flexible curricula;
- Attainment and retention at age 16;
- A wider range of assessment levels to promote inclusion;
- The improvement of core skills for employability;
- Closing the gap between vocational and academic provision providers; and
- Partnership working across providers.

ICT will be embedded to enable:

- The effective use of ICT to record and synthesise learners' achievements into an assessment record;
- Effective systems for sharing data with and between organisations, learners and stakeholders in education and training;
- The use of e-portfolio services to promote reflection, personal learning and thinking skills;

- e-Assessment functionality to support the 14-19 Diploma in particular where learning occurs in the workplace;
- Improved communications between providers so that duty of care is fully effective; and
- Re-engagement of disaffected learners with the wider curriculum and the development of core ICT skills for the workplace.

Every Child Matters and the Government's e-Strategy – 'Harnessing Technology'

Other recent Government policies, initiatives and developments promote improved integration and delivery of services. These include: "Transformational Government", "Connecting the UK: The Digital Strategy", "Every Child Matters" and the national E-Strategy, "Harnessing Technology". The Academy will be a key agent in turning these policies into deliverable outcomes. The key thread running through these national documents is that of ICT and digital development, underpinning and promoting success, supporting transformational change and the management of change.

"Every Child Matters" sets the challenge of integrating services for learners, families and children to offer a seamless service and range of support. The integrated use of ICT systems is crucial if improvement is to be ensured. "Harnessing Technology" is the national ICT strategy for learning and children's services and sets out how ICT can enhance the delivery of ECM. The document demands the development of innovative and responsive ICT systems which will support life-long learning and transformation. These systems must be safe from intrusion, protect users from abuse and ensure the safe storage of key data and resources. There are clear interdependencies between these two initiatives and the Academy will strive to ensure that the ICT solution facilitates and supports the delivery of the ECM agenda.

Personalisation is an important theme within ECM as a means of raising standards and promoting improvement. Effective integration and improved services targeted at individual needs demand effective integrated data systems, including back up and disaster recovery. These electronic and computerised systems will need to interact with each other and data will need to be interchangeable at local, regional and national levels. The use of the LP in personalising learning and delivering user specific content is a key part of the ICT Vision. Again, the Academy will seek to use this functionality to support the delivery of ECM.

ICT has a key role within Workforce Remodelling. The LP is crucial within this agenda to reduce duplication and bureaucracy, improve collaboration and communication and share best practice. Linked with this will be a major commitment to staff development with high quality support and training to improve assessment, care and teaching. This may be delivered "in house" or via online and remote training courses, or through remote experts via video conferencing.

6.0 LEADERSHIP AND MANAGEMENT

The Senior Management Team (SMT) will provide the Academy with strategic leadership in ICT with a member of the team being responsible for the strategic operation and development of ICT. This member of the SMT will work closely with the Governor responsible for ICT. The structure will

ensure that ICT remains at the heart of curriculum delivery for the Academy and is managed in a strategic way.

An MIS will enable the effective monitoring of student performance through the collation of an academic dataset which will flag any possible need for intervention. In addition, the MIS will collate data as part of the day-to-day management of the school delivered to the appropriate user's desktop through the LP in the context of a robust and secure online environment. Access to this data will enable the SMT to adopt a more flexible but focussed approach to the management of the Academy.

The integration of the LP and the MIS will allow learners to access their own dataset. This will include a variety of Key Performance Indicators (KPIs) reflecting educational attainment, attendance and behaviour, as well as the more nuanced KPIs that reflect educational added value. It is envisaged that this will help to stimulate and motivate disaffected and disengaged students.

A RFID card, given to each student, will become a key aspect of their Academy life. The card will grant each student access through the Main Entrance, to other authorised areas and to the separate community facility, within the extra safeguards that will be put in place, including separate security zones. This information is immediately updated to the LP where parents can check if their children have arrived at the Academy safely. All hardware used in the academy will also be RFID protected, as will the mobile devices leased to students for use at home.

7.0 PARENTAL AND COMMUNITY INVOLVEMENT

The relationship between parents and the Academy will be of crucial importance in the educational and personal development of students. In parallel with termly reports from the four subject clusters and termly parent-student-teacher/tutor meetings, parents will be able to track student performance through the LP. This will extend to real time tracking of student attendance through text messaging and email, allowing the parent/guardian to take appropriate action in the short-term, and work with the school in the medium to long term to prevent future absences. Access to this kind of information will allow for the development of the school/home relationship based on common access to shared information facilitating a more meaningful dialogue.

It is one of the primary goals of the Sponsor that the Academy becomes a catalyst of 'bottom up' social regeneration in South Wye and the wider Hereford area through the provision of services and facilities. An example of this would be the offering of ICT training to members of the community focussing on the following:

- ICT skills training for the workplace e.g. basic, intermediate and advanced business ICT courses;
- Professional ICT training e.g. certification, web design and graphic design;
- Using the Internet as a resource e.g. online employment searches and the use of online services;
- Utilising local authority online services in the context of the eGovernment Agenda.

The underlying aim is that the porous boundaries of the Academy will turn it into a magnet for the local community. In addition, the Academy will attempt to address the issue of the digital divide which is prevalent in this part of Hereford given the levels of deprivation and associated social issues.

The “Digital Divide” is the gap in ICT provision that exists between an ICT rich school environment and the wider community. It is important to remember that this is not just a financial issue. In the words of Niel McLean (Director, Evidence and Practice, Becta)

“Those on the wrong side of the digital divide are not one homogeneous group. They vary in terms of their socio-demographic make-up and the reasons why they are excluded. There are qualitative differences between:

- *the ‘have and have nots’, who lack access;*
- *the ‘can and cannots’, who lack the necessary skills and perceptions; and*
- *The ‘do and do nots’, where the focus is more on structural issues and the relevance of ICT and content to various excluded individuals.”*

The Academy will strive to address these three areas as part of its engagement with the local community. It will explore the possibility of leasing ICT provision to local households that currently do not have ICT provision³. In addition, the Academy will integrate existing technologies into the overall solution, including using mobile phones, satellite television and gaming consoles as a further means of communication. The leasing of devices to the ‘20%’ of households without ICT provision is seen as preferable to offering each student a device that can be taken home. It is the transferring of the device from home to school and back again on an almost daily basis that exposes the pupils to unacceptable risk. The leasing option allows a device to be taken home and remain there until the leasing arrangements comes to its natural conclusion.

The Academy will also seek to use ICT to build relationships and forge links with local employers, such as those on the Rotherwas Industrial Estate and the local Chamber of Commerce , and explore more work-related learning opportunities. This will create broader scope for learners following a vocational pathway as well as exploiting opportunities for learners to interact and learn from the local community. This will be central to securing as many external influences as possible for learners as described in section 1. ICT will offer communication functionality through email, online discussion forums, and video conferencing. In addition, Anywhere Anytime access to the LP will be critical to learners who are regularly based offsite in pursuit of a vocational qualification with the business or industry partner.

8.0 CONNECTIVITY, INFRASTRUCTURE, AND BROADBAND

The idea of ‘Anywhere, Anytime Learning’ is integral to the ICT vision for the Academy. It will allow students to direct their learning at a pace that best suits them and emphasises the role of a teacher as a Manager of Learning. As such, the LP will be accessible 24/7 via any internet connection.

³ A recent school survey indicated that 80% of pupils have access to a PC at home.

The institutional infrastructure of the Academy will provide a converged network capable of delivering Video Conferencing, CCTV over IP and associated security and access, IP telephony, library management and building management systems (BMS) through implementation of VLANs⁴ over the network backbone. This will be supported by broadband internet connectivity. This will ultimately allow the Academy to connect to other world class institutions and expand both its resources and learning opportunities.

It is the sponsor's wish that the idea of a "wireless cloud" for Hereford be explored with the Local Council, and other interested parties, in the future. The sponsor feels that this would further assist in closing the "digital divide" in South Wye and enhance connectivity between the Academy and its 3 main "feeder" Primary Schools.

The sponsor, the Academy and the Authority will work with the Regional Broadband Consortium (WMNet) to deploy and develop the educational services offered through WMNet

9.0 BUILDING MANAGEMENT

The Academy will use ICT to create living, intelligent buildings integrating BMS into the design and management of the buildings. This will drive down management costs as the Academy will have effective control over utilities, as well as access and secure entry systems for students, staff and parents. In addition, the BMS will collate environmental data and make it available to learners for their consideration. Access to the dataset will further underpin the Academy's science specialism.

New school buildings must have the right physical spaces, correctly configured for the different requirements of class teaching and individual learning, with accessible power and ICT networking and appropriate environmental precautions standards – heating, lighting, ventilation, window blinds etc. The Academy will reflect this. The building management will also facilitate the constant ebb and flow of learning space use both in terms of ICT provision and number of people. Issues such as ventilation, environmental conditions and solar gain will need to be managed in a proactive and flexible manner.

The deployment of RFID cards (as mentioned previously in this document) will allow zoning within the school and management of the building to better reflect user needs and greatly improve security. This will include allowing community use in parallel with school use by isolating community users in the necessary zone thereby ensuring the appropriate level of interaction with the pupils, but still allowing flexible, yet controlled, access to community facilities.

10.0 CONCLUSION

⁴ A virtual LAN, commonly known as a VLAN, is a group of hosts with a common set of requirements that communicate as if they were attached to the same wire, regardless of their physical location. A VLAN has the same attributes as a physical LAN, but it allows for end stations to be grouped together even if they are not located on the same LAN segment. Network reconfiguration can be done through software instead of physically relocating devices.

ICT will be a critical component of the curriculum in the Academy and will be a key enabler in the following:

- The transformational agenda for learning and teaching;
- The delivery of the Academy's specialisms;
- The delivery of the curriculum; and
- The management and administration of the Academy.

ICT will contribute to the Academy having an innovative and efficient 21st century learning environment acting as an enabler for parental and wider community involvement in the Academy.

Hereford Academy - ICT Risk Register

19th February 2008

Ref:	Risk	Mitigation
1.	Change Management - the delivery of the ICT vision will require a significant change management exercise to ensure it is embraced by staff and students alike.	Require ICT service provider to deliver change management support as part of their managed service delivery and continuous professional development offering.
2.	Capacity of the market to respond – the increased number academy projects, the location factor and the maturation of the BSF & Academy programmes may limit the Education ICT market’s ability to respond to the Academy’s requirements.	Comprehensive soft market testing exercise has been conducted to ensure market is primed and ready when the Academy goes to market.
3.	Stakeholder Engagement – key stakeholders such as existing teachers, students and parents may not engage with ICT solution thereby limiting its effectiveness.	Allow existing ICT staff at the Academy input into all ICT components of the Academy programme. Deliver world class Professional Development programme. Integrate ICT into wider stakeholder engagement programme.
4.	Lack of transformation – the ICT service will not be able to underpin the envisaged transformation.	The project will secure ICT advisory services to articulate the Output, Functional and Technical Specifications.
5.	Lack of revenue funding	Affordability questions were included as part of the soft market testing exercise and received a positive response. Secure detailed cost models for any proposed ICT solution.
6.	Lack of capital funding – as a ‘new school’ the Academy will not receive any capital funding for 3 years after it has opened.	The procurement process will need to ensure that the ICT solution will not require capital investment for the first 3 years. Given the current refresh requirements around classroom based technology this is not unrealistic.
7.	MIS Integration – If the MIS is not coherently integrated into the Learning Platform then power of that data will be lost.	The procurement process will need to ensure that the ICT service provider is able to deliver a solution offers a Learning Platform integrated with an MIS.
8.	Interface between ICT Managed Service, MIS and Learning Platform because the MIS and Learning Platform are in situ and out of scope of the ICT procurement.	Requirement for interface analysis and resolution to be clearly articulated in the Output, Functional and Technical Specifications.

9.	Interface between design and build and ICT contractors during the ITT stages and the subsequent build programme.	The ICT procurement is programmed to encourage ongoing dialogue between the two parties. The Academy (through the ICT advisory expertise to be procured post OBC) will actively manage this interface.
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Children & Young People's Directorate

Director: Dr. S. Menghini

John Chapman
Chairman, Hereford DBE
The Hereford Academy Trust
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Hereford
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Your Ref:

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Please ask for: George Salmon

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19 February 2008

Dear John

Hereford Academy – Provision of ICT

Further to the development of the initial designs for this Academy project and the development of the ICT vision, ICT output specification, ICT draft costings, strategy and programme for ICT procurement we are now seeking your commitment to:

- Develop the fully Functional Output Specification detailing the Academy's ICT system and required outputs. The specification should be functionally referenced and defined by educationalists, managers and administrators;
- Develop the Technical Specification detailing a schedule of the technical equipment, infrastructure and services required;
- Provide ICT integration advice ensuring that the buildings and FF&E development support and embrace the use of ICT;
- Manage the procurement process for the ICT and ensure that the Academy's requirements are met by the technical solutions offered by suppliers. This will involve the evaluation of tender responses, creation of briefing documents and ensuring the highest standards of service from suppliers. You will also be responsible for ensuring that the process is conducted open and fairly and within the European legislation;
- Ensure a full understanding of all ICT interface matters and ensure that these are comprehensively addressed in the Output Specification that will go out in the ITT;
- Actively manage the interfaces between ICT, buildings and FF&E during ITT development and construction. We would expect a champion to be identified to work on behalf of the Sponsor;
- Make an annual index linked contribution to the service which your ICT Advisers have anticipated to be between £80 and £160 per year per pupil; and



Putting People First **Providing** for our Communities **Preserving** our Heritage **Promoting** the County **Protecting** our Future

County of Herefordshire District Council, PO Box 185, Blackfriars Street, Hereford HR4 9ZR

Main Switchboard (01432) 260000 - www.herefordshire.gov.uk

- Engage in the service for the first 5 years with level of service reviewed by the Governing body annually

We seek your commitment to deliver these elements in accordance with the Design and Build Programme detailed below:

Milestone	Date
Final OBC Approval	28 April 2008
Issue PITT to Framework Contractor	28 April 2008
Receive PITT bids	19 May 2008
Announce short listed bidders	30 June 2008
Issue Draft ITT	18 April 2008
Approve ITT	12 June 2008
Issue ITT to bidders	30 June 2008
Receive ITT bids	20 October 2008
Announce Preferred Bidder	22 December 2008
Award D&B contract for Hereford Academy	24 April 2008

We would be grateful if you would sign a copy of this letter to indicate your commitment in principle. Please keep a copy for your own records.

If you have any comments or queries, please do not hesitate to contact me on 01432 260802 or on gsalmon@herefordshire.gov.uk.

Yours sincerely



GEORGE SALMON
HEAD OF COMMISSIONING AND IMPROVEMENT – SCHOOLS AND SERVICES

Paul Adam
Partnership for Schools
Fifth Floor 8-10 Great George Street
London
SW1P 3AE

18th February 2008

Dear Paul

Hereford Academy, Herefordshire – FM and Lifecycle Costs – New Build Option

The Hereford Academy Trust Company (the Trust) is responsible for forming and running the Hereford Academy. We can confirm that the company is aware of its responsibility to undertake facilities management (FM) and lifecycle elements to maintain the new Academy building, to be procured by Herefordshire Council via a Design and Build Contract within the National Framework, to a standard commensurate with other schools in the area funded through the National Academies and BSF Programmes.

The Academy will carry out a suitable procurement of a hard FM and lifecycle sinking fund to secure the expected level of maintenance.

Initial estimates suggest total lifecycle costs at 28% of the capital build allowance, i.e. £6,142,974.60. Based on the current FM costs, Academy expenditure is indicated to be £120,000, with utilities costs of £ 66,000 per annum. We can confirm that the GAG grant will be sufficient to cover FM costs, but that these may be subject to change during the period of Academy occupation of predecessor school buildings.

The Trust will take responsibility for procuring FM and lifecycle provision, in consultation with Herefordshire Council and the DCSF as appropriate, and in accordance with the requirements of the National Framework.

I trust this letter will be taken as confirmation of The Hereford Academy's commitment to the approach required under the framework.

Yours sincerely

John A. Chapman

February 18 2008

SCHOOL CHARACTERISTICS		PROJECT CONTEXT	
BSF Project Title:	Hereford Academy	Proposed project location	61137 (m ²)
School Name	Hereford Academy	Total area of site(s)	10310 (m ²)
School Number		Total net area of site(s)	
Specialism(s)	Sports/Science/Health	Proposed school GIFA	
Type of school	academy	Proposed net building area	
Age Range of school	11-18	Number of sites with buildings	1
		Area of off-site playing fields, if available	0 (m ²)
		Nature of ground	Strip foundations
		Site levels	Level
		Water table	
		Other features	

SCHOOL CHARACTERISTICS		PROPOSED GIFA (m ²)			BUILDING TYPE TO BE REFURBISHED			
	Current	Proposed	Base (m ² GIFA)	Supplementary (m ² GIFA)	Total		GIFA	% GIFA
Pupil places								
KS1 and KS2 (5-11)			10095		10095	A. Victorian		
KS3 (11-14)	540	540			0	B. Interwar		
KS4 (14-16)	360	360			0	C. Post-war		
Post 16		220			0	D. 1960's - 70's		
PRU					0	E. >1980		
SEN PLASC A, B, C*					0	NEW BUILDINGS CONFIGURATION		
SEN PLASC D					0		GIFA	% GIFA
Total	900	1120			0	Below ground		Average ht, m
*type of SEN					0	Single storey		
BB98 GIFA comparator	0 middle	0			0	2 storey		
BB77 GIFA comparator	0 hydro	0			0	3 storey	10095	100%
					0	storey		
					10095			
					0			
					10095			

OTHER INFORMATION		to be demolished, m ²		type of site	
Total current NOR					as existing
Existing School GIFA					LA % PFS %
Date of Estimate (quarter)					
Construction duration (months)					
Number of phases, exc. demolitions					
					Main contractor Overheads & Profit
					Prelims
					(inflation covered in FAM) Contingency

EXTERNAL WORKS ITEMS (except demolitions)	UNIT	QUANTITY	UNIT RATE (£)	ESTIMATE BY LA (£)	DESCRIPTION
Site clearance, excavation and earthworks [related to building work]				20,000	
Access roads and separate vehicle/pedestrian entrance	m ²	906	80.00	72,480	
Car Parking and circulation routes	m ²	2113	70.00	147,910	
Pavements and pedestrain walkways	m ²	682	40.00	27,280	
Hard surfaced areas including Multi-use Games Area (MUGA) - including floodlit full size all weather pitch	m ²			675,444	
soft landscaping and habitat areas	m ²	6857	10.00	68,570	
sports pitches including equipment	m ²	14080	10.00	140,800	
Incoming services and statutory connections (incl. new sub-stations)				200,000	
land drainage				50,000	
site lighting				20,000	
Fencing (2.4m or similar)	m	1	10,000.00	10,000	
Other external works, including outdoor furniture and signage				20,000	
Site Drainage				100,000	
EXTERNAL WORKS TOTALS				1,552,484	
Total including overheads and profit, prelims and contingency (as above)					

ENABLING ITEMS (including fees)	UNIT	QUANTITY	UNIT RATE (£)	ESTIMATE BY LA (£)	DESCRIPTION/ JUSTIFICATION					
DEMOLITIONS AND SITE CLEARANCE										
including grubbing up and removal from site	m ²	10000	20.00	200,000						
protection and making good adjacent to demolition	m ²			-						
break up roads and paving	m ²	3000	5.00	15,000						
site clearance, contamination or gas in ground	m ²	40000	1.00	40,000						
Demolitions sub-totals				255,000						
Asbestos removal										
Asbestos survey level 3 (while buildings are unoccupied)				5,000						
Asbestos removal (estimate based on level 2 survey)	m ²	10000	2.00	20,000						
Asbestos removal sub-total				25,000						
Survey fees										
Archaeological investigations (beyond desktop)				-						
Other abnormal fees										
Abnormal fees sub-totals				-						
TEMPORARY WORKS										
Temporary Accommodation enabling works and decanting										
Temporary Accommod foundations and service connections	m ² footprint			-						
Temporary Classroom Accommodation hire costs	room			-						
Temporary Practical Accommodation hire costs	room			-						
Temporary Halls and kitchens Accommodation hire costs	space			-						
Protection of existing school during construction										
other temporary works										
Temporary Works sub-totals				-						
ABNORMALS WITHOUT LIFECYCLE TOTALS				280,000						
Total including overheads and profit, prelims and contingency (as above)										
(PIS assume fees to be within price for enabling items)										
<hr/>										
ABNORMAL ITEMS (except asbestos removal and fees)	UNIT	QUANTITY	UNIT RATE (£)	ESTIMATE BY LA (£)	DESCRIPTION/ JUSTIFICATION					
INFRASTRUCTURE COSTS: for additional infrastructure that is not included in External Works (but not generally funded by DCSF or PIS)										
Diversion of mains utilities not servicing the site				-						
new/ improved access roads, cycle routes, pick-up/ drop-off, crossings				-						
bridge or tunnel to facilitate safe movement of students				-						
Other infrastructure costs										
Infrastructure costs sub-totals				-						
SITE RESTRICTIONS: Where the site is constrained in that new buildings or refurbishment proposals will incur additional cost										
phasing and out of hours working				-						
All weather pitch on restricted site	m ²			-						
extra over for 4 storey or above due to constrained site	m ²			-						
Other site restrictions										
Site restrictions sub-totals				-						
SITE CONDITIONS: Where site conditions impose more expensive solutions										
Bearing capacity requires piling, so foundations beyond standard	m ² footprint			-						
very poor ground conditions, eg mineshafts, water table										
unusual site level variations need retaining walls and/or ramps				346,868						
extreme noise pollution				-						
Other site conditions										
Site conditions sub-totals				346,868						
OTHER ABNORMALS: including other costs which may accrue due to unusual circumstances relating to the project										
Planning Requirements & Planning Constraints / Conservation Areas				-						
Work to listed elements of listed building										
Boundary ballstop/ security fencing above 2.4m	m run			-						
extra security matters, e.g. extra security of contractors' area										
Environmental matters				20,000						
Party Wall matters										
Other abnormalities with lifecycle - multi purpose synthetic turf pitches										
Other abnormalities sub-totals				20,000						
ABNORMALS WITH LIFECYCLE TOTALS				366,868						
Total including overheads and profit, prelims and contingency (as above)										
TOTAL ABNORMALS				646,868						

The Hereford Academy

Consultation Report V2 (Short Version)

Introduction

Consultation regarding the proposed Academy to replace Wyebridge Sports College has been wide-ranging, and inclusive. Several consultation events, aimed at the general public and Wyebridge representatives, have taken place alongside more specific meetings. A large amount of informal consultation by the project team has also taken place. A contacts list has been established so that key individuals are included in the circulation of news updates and invites to events.

Consultation Meetings

The purpose of consultation events is to convey information regarding the Academy, while also addressing community questions and concerns. The overall aim of the consultations was to ensure that the needs of the South Wye area are properly addressed and that community surrounding the Wyebridge Sports College was afforded the opportunity to give feedback. An overview of each of the formal consultation meetings is included below.

Event 1

Date: 4th July 2007, 7.00pm – 8.30pm

Location: Oak Centre, Wyebridge Sports College.

Invitees: Local residents (by mail), elected members, parents, South Wye Regeneration Partnership, other contacts.

Attendance: Circa 40, including 10 Wyebridge parents

Consultation: Academy representatives available to answer questions, information provided.

Event 2

Date: 10th December 2007, 10am – 6pm

Location: The Kindle Centre, Belmont Road, Hereford.

Invitees: Local residents (by mail), elected members, parents (by e-mail), South Wye Regeneration Partnership, other contacts. An advertisement was also included in the Hereford Journal newspaper on the 6th Dec 2007. The circulation of this publication is roughly 20,000.

Attendance: 23, including 4 Wyebridge parents.

Consultation: Academy representatives available to answer questions, information provided.

School Staff meetings

Two main staff meetings have been held, on the 4th July and 7th November 2007. Attendance was good at both meetings, where staff were addressed by representatives of the Sponsor, DCSF, Herefordshire Council, and Headteacher, John Sheppard. Open question and answer sessions were held at both meetings.

School Governors

The DCSF and Sponsor have attended meetings of the Wyebridge Sports College governing body on several occasions. Martin Erwin, Chair of Governors at Wyebridge Sports College, has also been invited to join the Academy Project Steering Group.

Newsletter Circulation

An Academy Newsletter, defining the project and inviting questions, was circulated to local and national contacts during June 2007.

Trade Unions

Herefordshire Council and the Academy Sponsors met with 8 Union representatives on the 31st January, to discuss TUPE issues and staff welfare related to the transition to the Academy.

Informal Consultation

The Academy project team, especially Bruce Freeman (South Wye ELO) and Ian Terry (Hereford Diocesan Director of Education), have consulted and communicated with a large number of other parties regarding the Academy. Notably, Dr. Terry has met school management and staff at The Bishop's and Aylestone schools. A list of over 100 contacts made, with details of consultation, is available on request.

Website

The Academy website (www.theherefordacademy.co.uk) has been live since the 4th July 2007, and has received over 1000 hits. A consultation facility exists on the site, where direct communication with the Project Management Company is possible. A range of questions, from local and national individuals, have been received and fielded to the appropriate parties.

Hereford Academy Funding Indicative Drawdown Profile dated 19th February 2008

Period	Sept07-May09	Jun-Aug09	Sept-Nov09	Dec09-Feb10	Mar-May10	Jun-Aug10	Sept-Nov10
Construction Quarter	N/A	Q:1	Q:2	Q:3	Q:4	Q:5	Q:6
Construction Cost %	N/A	12.5	12.5	12.5	12.5	12.5	12.5
Projected Drawdown	£250,000	£2,711,150	£2,711,150	£2,711,150	£2,711,150	£2,711,150	£2,711,150

Period	Dec10-Feb11	Mar-May11	Jun-Aug11	Sept-Nov11	Dec-Nov12
Construction Quarter	Q:7	Q:8	Q:9	Q:10	Q:11
Construction Cost %	15	2.5	2.5	2.5	2.5
Projected Drawdown	£3,253,375	£542,230	£542,230	£542,230	£542,230
Total Projected Construction spend profile (£)					
					21,689,195
Total PfS Pre-construction spend profile (£)					
					250,000
Total Projected Spend (£)					
					21,939,195

Notes:

Indicative drawdown only, subject to change
Based on Construction starting on-site: 2Q 2009
Retention of 2.5% will be held by HC for 12 months.

APPROVALS CHECKLIST

PRE PROCUREMENT ASSESSMENT OF PROJECT PROPOSALS FOR THE NATIONAL FRAMEWORK OR FOR SINGLE-SCHOOL ADDITIONS TO BSF

GENERAL GUIDANCE:

This document is intended as a self assessment form for the LA to complete
 The LA should consider each of the questions below and answer yes/no to each point raised. Where required the LA should include the name, profession and current position of key personnel. For further guidance, the LA should refer to the appropriate PfS Outline Business Case guidance document and to their PfS Project Director.

PfS should consider the responses given by the LA and the project proposals as submitted. PfS can add comments to support/challenge the responses given by the LA as they deem appropriate.

DCSF will consider the responses given and review the project proposals as submitted by the LA. The DSCF will annotate each question as acceptable/unacceptable. DSCF will refer any unacceptable issues back to PfS for further consideration/discussion with the LA.

Consideration	LA Response	PfS Comments	DCSF ACC/UnA
1. Does the LA have enough appropriately qualified resources in place to deliver this project? Who has the LA appointed to the following key roles:	Yes		Acc/UnA
	Please include name, profession and current position.		Acc/UnA a) b) c) d)

Consideration	LA Response	PfS Comments	DCSF ACC/UnA
a) LA Design Champion b) Client Design Adviser c) Technical Advisers d) ICT Advisers	a) TBC b) TBC c) Navigant Consulting d) Navigant Consulting		
2. Has a robust and thorough options appraisal been carried out to determine the project proposals?	Yes		Acc/UnA
Were Building Bulletin 98 / Building Bulletin 77 used to develop these proposals?	Yes		Acc/UnA
Was Asset Management Planning data reflected fully in developing the proposals?	Yes		Acc/UnA
3. Have all stakeholders been consulted in developing the project proposals?	Yes		Acc/UnA
Is there stakeholder support for the project?	Yes		Acc/UnA
4. Has the LA confirmed their intention to follow the Design Quality Indicators process?	Yes		Acc/UnA

Consideration	LA Response	PfS Comments	DCSF ACC/UnA
Has the LA appointed a recognised Design Quality Indicator Facilitator?	Yes		Acc/UnA
5. Has a design brief been developed?	Yes		Acc/UnA
Can the LA confirm they require a BREEAM rating of very good or excellent for this project?	Yes		Acc/UnA
Does the LA have a clear policy on sustainability that will need to be met by this project?	Yes		Acc/UnA
6. Has an initial cost estimate been prepared for the proposed project?	Yes		Acc/UnA
Does this estimate include an assessment of likely abnormal costs including consideration of initial site investigations that have been carried out?	Yes		Acc/UnA
Has a value-for-money assessment been conducted that shows the proposed project as good value for money?	Yes		Acc/UnA

Consideration	LA Response	PfS Comments	DCSF ACC/UnA
7. Does this estimate indicate that the proposals are affordable within the funding allocation?	Yes		Acc/UnA
If not, has the LA indicated how they propose to meet any shortfall?	N/A		Acc/UnA
8. Can the LA provide a copy of a section 151 letter or Local Cabinet approval to proposals including acceptance of any affordability issues?	Yes, subject to cabinet approval		Acc/UnA
9. Has a detailed risk register for the project been developed?	Yes		Acc/UnA
Has the LA developed a clear strategy to manage/mitigate risks?	Yes		Acc/UnA
10. Are there any statutory issues to resolve such as Planning/Highways/section 77/ section 106 etc?	No (letter of comfort obtained from Herefordshire Planning Department)		Acc/UnA
Has LA commenced necessary procedures?	N/A		Acc/UnA

Consideration	LA Response	PfS Comments	DCSF ACC/UnA
<p>11. If ICT is included in the procurement:</p> <ul style="list-style-type: none"> - Has a robust and thorough ICT options appraisal been carried out to determine the ICT approach? - Is the proposed ICT scope and approach in line with the overarching ICT strategy of the LA? - Have all stakeholders been consulted in developing the ICT proposals? - Has an initial cost estimate been prepared for the ICT project? - Has a value-for-money assessment been conducted that shows the proposed ICT project as good value for money? - Does the estimate indicate that the proposals are affordable - 	Yes		Acc/UnA
	Yes		Acc/UnA
	Yes		Acc/UnA
	Yes		Acc/UnA
	Yes		Acc/UnA
	Yes		Acc/UnA

Consideration	LA Response	PfS Comments	DCSF ACC/UnA
within the funding allocation?			
- If the proposals are not affordable, then has the LA indicated how they propose to meet any shortfall?	N/A		
- Is the ICT project included in the section 151 letter or Local Cabinet approval to proposals including acceptance of any affordability issues?	Yes (subject to Cabinet approval)		Acc/UnA
- Has a detailed risk register for the ICT project been developed?	Yes		Acc/UnA
- Has the LA developed a clear strategy to manage / mitigate ICT risks?	Yes		Acc/UnA
- Where applicable, has the ICT contract been completed to a satisfactory level	N/A		Acc/UnA
- Where applicable, has the ICT Output Specification been completed to a satisfactory level	N/A		

Consideration	LA Response	PfS Comments	DCSF ACC/UnA
<p>Signed by the Director of Children Services for the Local Authority:</p> <p>Date:</p>			
<p>Are there any fundamental issues/concerns that should be addressed before commencing procurement of this project?</p> <p>PfS:</p> <p>DCSF:</p>			

OBC Required KPI Data

Data description	Units required	OBC value	Document reference
Cost / m ² : Total cost per square metre, calculated as the actual final total cost for new construction divided by the gross floor area.	Average £/m ² for Proposed school	2,173	
Whole life costs	Total NPV whole life cost across all Proposed school	£27,760,000	
Site works costs	Total site works cost across Proposed school	£1,552,484	
Abnormal costs	Total abnormal Costs for Proposed school	£646,868	
Number of funding streams predicted for this project in addition to BSF	N/A		
Predicted total amount of multi-agency funding	None		
Planned travel distance to School per pupil	Average travel distance for all pupils in Proposed school	1 ½ miles?	
Average number of hours that BSF school(s) will be used for non school activities	Average hours community use / scheme 185	30 hrs/wk	



Environment
Mr. M. Hainge

Ms. Julia Chambers,
Senior Consultant,
Navigant Consulting Europe) Limited,
Centurion House,
24 Monument Street,
London,
EC3R 8AJ.

Your Ref:
Our Ref: KJB/JEP/Hereford Academy
Please ask for: Mr. K.J. Bishop
Direct Line / Extension: 01432 261946
Fax: 01432 261970
E-mail: kjbishop@herefordshire.gov.uk

28th November, 2007

Dear Julia,

HEREFORD ACADEMY

Unfortunately I have only received the views from the Council's Parks and Countryside Officer which are summarised below. Therefore these comments are only based on my initial views and are caveated accordingly.

The principle of the development is accepted however no justification is put forward on the need to increase the build foot print in light of falling school rolls and the associated reduction in outdoor pitches. I am also concerned that this scheme has been worked up without reference to Sports England who will be a major consultee when a planning application is submitted and who have the ability to prevent determination of the planning application by the Council. In particular their input on the number of pitches and sizes etc will be critical to the overall layout and could well dictate where the development opportunities lie for the new school.

The favoured scheme, option two, gives an impression of a level site yet there is an 8m fall. and the layout creates overlaps in the provision of sports pitches. This said, the new build is well located and could provide an opportunity for an entrance feature to the school. Two storey residential adjoins the southern boundary and careful elevational treatment will need to be undertaken to ensure limited impact on the amenity of these dwellings which have historically enjoyed views over open playing fields. This scheme also leaves a considerable amount of unused grass areas for which and improved pitch configuration could overcome.

The Parks and Countryside Manager has submitted the following comments.

These comments will be necessarily general due to the level of detail on the plans.

1. I support the proposals that would result in a larger potential area to be utilised for sport. It is difficult from the plans provided to evaluate proposed versus existing in respect of this provision.

Continued



Certificate No. 4392



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Main Switchboard (01432) 260000 - www.herefordshire.gov.uk

2. I think that the playing pitch layout could do with being revisited. Better use of space and the opportunity for small-sided pitches could be afforded. I also feel that the hard play area may be better sited and the opportunity for an ATP should be given full consideration.
3. It is unclear where changing accommodation will be and whether this will be adequate given the number of stand-alone playing areas. We don't want to have another Whitecross School where the changing is totally inadequate for indoor and outdoor use.
4. It is unclear whether any floodlighting is being proposed. If it is, efforts should be made to ensure that it will be adequate for both training and competitive opportunities.
5. I trust that the sporting areas will be made available for community use. If so, they would make a significant contribution to the shortfall in community accessible playing pitches within the City. Every effort should be made to facilitate this opportunity.

I would welcome the opportunity to view larger scale plans when available and to discuss in an appropriate forum with the developers the potential for enhanced community access.

Unfortunately despite my efforts, I have not received response from other internal consultees and therefore my response at this stage is necessarily brief. However in my view whilst the principle of these proposals are broadly supported by adopted policies within the Herefordshire Unitary Development Plan 2007, the other key issue upon which I have not received a feedback is that of traffic generation and access arrangements. The feasibility of this project will need to be assessed against a Traffic Impact Assessment/Sustainability Appraisal that demonstrates that the existing access arrangements and junction with the A49(T) has sufficient capacity to deal with any uplift in traffic movement.

I trust that this provides at least some degree of comfort so far as the high level principle is concerned but there are some fairly significant detailed issues that have already been highlighted that require attention as the scheme is developed further. I will provide further comments as and when they are received to further inform this process and look forward to further discussion prior to the submission of any planning application.

Yours sincerely,



**K.J. BISHOP
PRINCIPAL PLANNING OFFICER
PLANNING SERVICES**

HEREFORD ACADEMY RISK MANAGEMENT MATRIX – 07.11.07

Impact

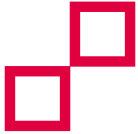


Likelihood



Programme	Activity:	Risk Owner	Impact	Likelihood	Mitigation Action	Action
1	Capacity within LA to deliver an Academy Programme	LA	high	high	Provide management structure clear reporting line, roles and responsibilities. Recruit external consultants to support any shortfall in resources.	Open
2	ICT interface during P/ITT stage	LA	high	high	Ongoing dialogue between BECTA, Academy Trust and bidders during the P/ITT stage. Supported by clear output specifications for the build and ICT elements of the project.	Open
3	Land transfer	NAV/OPM	high	medium	Ongoing negotiation between legal teams and OPM.	Open
4	Accommodating Redhill Housing Association	LA	medium	medium	Redhill Residents Association – LA to submit to Cabinet recommendation for shared use for their approval.	Open
5	Opposition from Sports England	TA	high	low	Clarify existing external sports provision and proposed sports vision; forward details to Sport England. If required follow up with further consultation with Sport England.	Open

Activity:	Risk Owner	Impact	Likelihood	Mitigation Action	Action
6	LA	high	medium	Market testing, arrange a bidders' day. Insufficient interest, alternative procurement strategy to seek dispensation from PFS framework.	Open
Construction					
1	NAV/TA	medium	low	Develop designs to minimise construction traffic through neighbouring housing estate.	Open
2		high	medium	Close project management between preferred bidder and school senior management.	Open
3	LA	low	low	Desktop research to confirm history of the site to establish risk of any archaeological interest.	Open
4		Medium	medium	Negotiate with neighbouring primary school use of sports fields.	Open
5		medium	low	Close project management between preferred bidder and school senior management.	Open
Planning					
1	LA	high	low	Commission ecological surveys to assess floodlighting impact on adjacent bridle path. Early consultation with Sport England	Open
2	LA	high	high	Early consultation with local residents	Open
3	LA	medium	high	Preferred bidder to commission travel impact assessment.	Open
4	LA	medium	low	Assurance from HCC Planning Department that personnel will be consistent through project.	Open
5	LA	high	low	Assurance from HCC Planning Department that Major planning application will be considered within time frame.	Open



Building schools for the future

DATED []

(1) PARTNERSHIPS FOR SCHOOLS

(2) [Framework User]

Memorandum of Understanding

Document Status: Issued

PfS and its advisers accept no liability whatsoever for any expense, liability, loss, claim or proceedings arising from reliance placed upon this **Memorandum of Understanding**

Document Properties	
Document Owner	Colin Howell
Organisation	PfS
Title	PfS National Framework Template Document Memorandum of Understanding
Abstract	

Version History			
Date	Version	Status	Comments
11 January 2007	1.0	Issued	First Issue of Document
30 March 2007	2.0	Issued	Name of document changes to provide consistency
11 July 2007	3.0	Issued	Change from DfES to DCSF.

This **MEMORANDUM OF UNDERSTANDING** is made on

BETWEEN:

- (1) **Partnerships for Schools Limited** (company registered number 04650964) of Fifth Floor, 10 Great George Street, London SW1P 3AE (“PfS”); and
- (2) **[Framework User]** of ♦ **(Address of Framework User)** (the “Framework User”);

BACKGROUND

- A. The Department for Children, Schools and Families (**DCSF**) and Partnerships UK have set up Partnerships for Schools to manage the delivery of the “Building School for the Future” (**BSF**) programme (the **BSF Programme**).
- B. The Academies Programme was introduced in March 2000. The DCSF asked Partnerships for Schools to take on delivery of Academies in March 2006, following the proposal made in June 2005 by the Secretary of State to more closely align investment in Academies with BSF. The DCSF retains responsibility for education matters and sponsor relations. Sponsors themselves will still be responsible for an Academy’s ethos, specialism, management and governance.
- C. On 29 March 2006 PfS procured the publication of a Contract Notice in the Official Journal of the European Union under reference 2006-S-063418 the purpose of which was to procure for the benefit of various parties a framework arrangement whereby selected building contractors would be appointed to a framework. 6 Contractors have now been appointed to the Contractors Framework which will run for four years from 1 January 2007.
- D. [The Framework User has entered into this Memorandum of Understanding pursuant to its powers contained in section 2 of the Local Government Act 2000, section 14 of the Education Act 1996, section 22 of the Schools Standards and Framework Act 1998 and section 111 of the Local Government Act 1972 in order to enable investment in certain educational services and facilities for which it is responsible.¹]
- E. This Memorandum of Understanding aims to establish the parties’ respective obligations and commitments to each other and to the BSF Programme at a national and local level. It is not intended to be legally binding except as specifically set out below.

1. Interpretation

- 1.1. In this Memorandum of Understanding the following expressions have the following meaning:

“[insert name of Academy Company]”	means the company registered in England and Wales under registered number [•] and having its registered
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¹ This paragraph will need to be amended as appropriate depending on the status of the Framework User

	office at [•];
“Academy”	means [insert name of Academy to be built] which is to be constructed pursuant to a Design and Build Contract and for which [insert name of Academy Company] is to then be responsible for running;
“Design and Build Contract”	means the Design and Build Contracts as set out in Schedule 4 of the Framework Agreement;
“Development Agreement”	means the agreement to be entered into between the Authority and [<i>insert name of Academy Company</i>] in respect of the Design and Build Contract and the Academy;] ²
“DCSF”	means the Department for Children, Schools and Families;
“Framework Agreement”	means the agreements entered into between PfS and the Panel Members and procured pursuant to a notice published on 29 March 2006 in the Official Journal of the European Union under reference 2006-S-063418;
“Panel Members”	means the following contractors: Balfour Beatty Carillion Keir Laing O’Rourke Skanska Wilmott Dixon
“Restricted Procedure”	means the Restricted Procedure as set out in the Public Contracts Regulations 2006.

2. The Academies Contractors Framework

2.1. As part of the Building Schools for the Future initiative, Partnerships for Schools Limited (PfS) have set up a national framework for building contractors under which Framework Users can procure the construction of new educational facilities which are likely to include academies, One School Pathfinders and smaller capital value BSF projects. This initiative, which seeks to augment and support the core Building Schools for the Future programme, will be used to construct specific, targeted, school projects over the next four years.

² This definition will not be required where the Framework User is the Academy itself

- 2.2. As a result of the ongoing success of the BSF programme, the DCSF has integrated the existing Academy delivery programme within BSF which will enhance its control over capital investment and improve delivery capacity to achieve demanding targets associated with the programme. PfS will assist in the delivery of the capital investment associated with the programme in two key areas:
- 2.2.1. the procurement of Academies through established partnerships which have been set up under the BSF programme; and
 - 2.2.2. the development of the national framework for Academy projects which are required before BSF partnerships have been established in a particular Framework User area. It is this particular aspect of the procurement of new Academies that will come within the Framework Agreement described in this Memorandum of Understanding.
- 2.3. The overarching efficiencies required through the national framework will be as follows:
- 2.3.1. meeting high quality, sustainable, design and construction standards which are consistent with the Building Schools for the Future programme (as described by the relevant Building Bulletins published by DCSF).
 - 2.3.2. providing value for money including:
 - 2.3.2.1. optimising the whole life cost of facilities consistent with the costs of BSF projects;
 - 2.3.2.2. contributing towards Gershon targets for efficiency;
 - 2.3.2.3. delivering buildings on time to meet the opening target dates for the individual schools/Academies.
 - 2.3.3. ensuring delivery in accordance with the Office of Government Commerce (OGC) "Common Minimum Standards for the Procurement of Works in the Built Environment by Local Authorities in England".

3. Approach to the Framework

PfS has produced the following suite of documentation to enable effective and lawful use of the framework arrangements:

- 3.1.1. Outline Business Case Guidance
- 3.1.2. Development Agreement
- 3.1.3. Guidance for Framework Users on Local Competitions
- 3.1.4. Design and Build Contracts
- 3.1.5. Template Invitation to Tender for Local Competitions

3.1.6. Confidentiality Agreement

- 3.2. The procurement of the Framework Agreements was carried out under the Restricted Procedure. As part of this process, Panel Members were required to accept the terms of the Design and Build contracts. It is essential to the lawful use of the framework that the Authority does not amend the Design and Build Contracts other than for project specific reasons and where indicated in the Design and Build Contracts.

4. The Role of the Authority

- 4.1. The Authority is the principal contracting authority under the Design and Build Contract and will be the primary driver in the successful and timely delivery of the Academy.
- 4.2. PfS and the Authority acknowledge the Authority's key role set out at paragraph 4.1 and the Authority agrees and commits to the following principles:
- 4.2.1. to keep all commercially sensitive information relating to the use of the Framework Agreement and the Design and Build Contracts confidential;
 - 4.2.2. to comply with the Guidance for Framework Users on Local Competitions;
 - 4.2.3. to use the framework only in accordance with the terms of the Framework Agreements including compliance with the restrictions in the Framework Agreement relating to conflicts of interest;
 - 4.2.4. [to enter into the Development Agreement;]³
 - 4.2.5. not to enter into a Design and Build Contract with any Panel Member without the consent of PfS;
 - 4.2.6. not to amend the Design and Build Contract used for the Academy other than as specifically permitted by the Design and Build Contract; and
 - 4.2.7. to provide PfS with access to all information relating to the local competition in respect of and the design and construction of the Academy.

5. The Role of PfS

- 5.1. PfS is the delivery vehicle to achieve the delivery objectives of the national Academy Programme.
- 5.2. PfS has [4] key roles in relation to the Academy Programme:

³ This will not be required where the Framework User is the Academy itself.

- 5.2.1. Programme Manager: PfS has a central role and programme manager allocating funding to projects and at individual academy level. Interaction with the Authority in respect of this function includes determining the appropriate allocation of funding based on agreed benchmarks and assisting in determination of value for money solutions and quantification of abnormal costs.
 - 5.2.2. Project Management: PfS will allocate a dedicated project management professional to the Framework User to monitor performance against the agreed project plan, ensure key stakeholders are supported and kept informed and enable effective project governance.
 - 5.2.3. Policeman: A prime rationale for the establishment of BSF is the efficiencies of scale that can be achieved through the development and use where possible of standardised contracts and bidding documents. In order to achieve these efficiencies, PfS will enforce the use of standard documentation and, in relation to the Design and Build Contracts, will require that these are amended for use only so far as is explicitly permitted in those contracts to ensure compliance with the Restricted Procedure.
 - 5.2.4. Benchmarking and Performance Management: A key part of the framework delivery solution is the ability to deliver value for money against nationally prepared benchmarks. PfS' role is to collect, normalise and manage such cost data which will be supplied to Framework Users in respect of future academy and BSF schemes and projects.
- 5.3. The Authority and PfS acknowledge PfS's key roles set out at paragraphs 5.1 – 5.2 and PfS agrees and commits to the following actions and principles:
- 5.3.1. allocate an Academy Project Director to support and oversee the procurement of the Academy by the Authority, in the case of One School Pathfinder projects levels of procurement support will be agreed on an individual basis;
 - 5.3.2. provide guidance as appropriate;
 - 5.3.3. share framework information to enable the Authority to make informed decisions ; and
 - 5.3.4. allocate funding for the Academy including quantifying and agreeing funding for abnormal.

6. Confidentiality

This Memorandum of Understanding is confidential to the parties and their advisers. This paragraph is legally binding.

7. Governing Law and Jurisdiction

This Memorandum of Understanding shall be governed by and construed in all respects in accordance with the laws of England and Wales and the English courts shall have exclusive jurisdiction to settle any disputes which may arise out of or in connection with this memorandum of understanding. This paragraph is legally binding.

8. Costs and Expenses

Each party shall be responsible for paying its own costs and expenses incurred in connection with the negotiation, preparation and execution of this memorandum of understanding. This paragraph is legally binding.

9. No Partnership or Agency

9.1. This paragraph is legally binding.

9.2. Nothing in this memorandum of understanding shall be construed as creating a partnership.

9.3. No party shall be deemed to be an agent of any other party and no party shall hold itself out as having authority or power to bind any other party in any way.

Signed on behalf of PfS by:

Signed on behalf of the Authority by:

Chief Executive

Chief Executive

APPENDIX 3 – GOVERNANCE

The Hereford Academy Funding Agreement Section – Conditions of Grant 11-12

Governance

- 11) The Academy will be governed by a governing body (“the Governing Body”) who are the directors of the company constituted under the Memorandum and Articles of the Academy Trust. The Governing Body shall exercise its powers and functions with a view to fulfilling a largely strategic role in the running of the school and shall consider any advice given by the headteacher. The Governing Body may exercise its powers and fulfil its functions through its servants or agents.
- 12) Subject to the Memorandum and Articles, and to this Agreement, the Governing Body may regulate its own procedure and that of any of its committees.

ANNEX 1

MEMORANDUM AND ARTICLES OF THE HEREFORD ACADEMY

Company Number: 6479771

Charity Number:

THE COMPANIES ACTS 1985 AND 1989

A COMPANY LIMITED BY GUARANTEE

AND NOT HAVING A SHARE CAPITAL

MEMORANDUM OF ASSOCIATION

OF

THE HEREFORD ACADEMY

Incorporated on: 22 January 2008

Registered Office:

The Diocesan Office

The Palace

Hereford

HR4 9BL

Ref: 7181/HJD/100705613/hjd00000448

THE COMPANIES ACTS 1985 AND 1989

A COMPANY LIMITED BY GUARANTEE AND NOT HAVING A SHARE CAPITAL

MEMORANDUM OF ASSOCIATION OF THE HEREFORD ACADEMY

1. The Company's name is THE HEREFORD ACADEMY (and in this document it is called "the Trust").
2. The Trust's registered office is to be situated in England and Wales.
3. The Trust's objects ("the Objects") are to advance for the public benefit education in the United Kingdom, in particular but without prejudice to the generality of the foregoing by establishing, maintaining, carrying on, managing and developing a school offering a broad curriculum with a strong emphasis on, but in no way limited to Sport, Health and Science ("the Academy"). The Objects are to be conducted in accordance with the principles of the Church of England.
4. In furtherance of the Objects but not further or otherwise the Trust may exercise the following powers:-
 - (a) to draw, make, accept, endorse, discount, execute and issue promissory notes, bills, cheques and other instruments, and to operate bank accounts in the name of the Trust;
 - (b) to raise funds and to invite and receive contributions provided that in raising funds the Trust shall not undertake any substantial permanent trading activities and shall conform to any relevant statutory regulations;
 - (c) to acquire, alter, improve and (subject to such consents as may be required by law) to charge or otherwise dispose of property;
 - (d) subject to clause 5 below to employ such staff, as are necessary for the proper pursuit of the Objects and to make all reasonable and necessary provision for the payments of pensions and superannuation to staff and their dependants: Provided that such staff shall not be governors, save for the head teacher of the Academy and staff or teacher governors elected in accordance with the Academy's Articles of Association;

- (e) to establish or support, whether financially or otherwise, any charitable trusts, associations or institutions formed for all or any of the Objects;
- (f) to co-operate with other charities, other independent and maintained schools, voluntary bodies and statutory authorities operating in furtherance of the Objects and to exchange information and advice with them;
- (g) to pay out of funds of the Trust the costs, charges and expenses of and incidental to the formation and registration of the Trust;
- (h) to establish, maintain, carry on, manage and develop the Academy at Stanberrow Road Redhill Hereford HR2 7NG;
- (i) to offer scholarships, exhibitions, prizes and awards to pupils and former pupils, and otherwise to encourage and assist pupils and former pupils;
- (j) to provide educational facilities and services to students of all ages and the wider community for the public benefit;
- (k) to carry out research into the development and application of new techniques in education in particular in relation to the Academy's area of curricular specialisation and to its approach to curriculum development and delivery and to publish the results of such research, and to develop means of benefiting from application of the experience of industry, commerce, other schools and the voluntary sector to the education of pupils in Academies;
- (l) subject to such consents as may be required by law to borrow and raise money for the furtherance of the Objects in such manner and on such security as the Trust may think fit;
- (m) to invest the moneys of the Trust not immediately required for the furtherance of its Objects in or upon such investments, securities or property as may be thought fit, to hold the same as investments and to sell, exchange, carry and dispose of the same, subject nevertheless to such conditions (if any) and such consents (if any) as may for the time being be imposed or required by law;
- (n) to provide indemnity insurance to cover the liability of governors which by virtue of any rule of law would otherwise attach to them in respect of any negligence, default, breach of

trust or breach of duty of which they may be guilty in relation to the Trust: Provided that any such insurance shall not extend to any claim arising from any act or omission which the governors knew to be a breach of trust or breach of duty or which was committed by the governors in reckless disregard of whether it was a breach of trust or breach of duty or not and provided also that any such insurance shall not extend to the costs of any unsuccessful defence to a criminal prosecution brought against the governors in their capacity as governors;

(o) to establish subsidiary companies to carry on any trade or business for the purpose of raising funds for the Academy;

(p) to do all such other lawful things as are necessary for or are incidental to or conducive to the achievement of the Objects.

5. (1) The income and property of the Trust shall be applied solely towards the promotion of the Objects, and none of the income or property of the Trust may be paid or transferred directly or indirectly by way of dividend bonus or otherwise by way of profit to any member of the Trust. This does not prevent a member who is not also a Governor receiving reasonable and proper remuneration for any goods or services supplied to the Trust.

(2) (a) A Governor may at the discretion of the Governing Body be reimbursed from the property of the Trust for reasonable expenses properly incurred by him or her when acting on behalf of the Trust, but excluding expenses in connection with foreign travel.

(b) A Governor may benefit from any indemnity insurance purchased at the Trust's expense to cover the liability of the governors which by virtue of any rule of law would otherwise attach to them in respect of any negligence, default or breach of trust or breach of duty of which they may be guilty in relation to the Trust: Provided that any such insurance shall not extend to any claim arising from any act or omission which governors knew to be a breach of trust or breach of duty or which was committed by the governors in reckless disregard to whether it was a breach of trust or breach of duty or not and provided also that any such insurance shall not extend to the costs of any unsuccessful defence to a criminal prosecution brought against governors in their capacity as directors of the Trust.

(3) No Governor may:

- (a) buy any goods or services from the Trust;
- (b) sell goods, services, or any interest in land to the Trust;
- (c) be employed by, or receive any remuneration from the Trust;
- (d) receive any other financial benefit from the Trust;

unless:

- (i) the payment is permitted by sub-clause (4) of this clause and the Governors follow the procedure and observe the conditions set out in sub-clause (5) of this clause; or
- (ii) the Governors obtain the prior written approval of the Commission and fully comply with any procedures it prescribes.

(4) (a) A Governor may receive a benefit from the Trust in the capacity of a beneficiary of the Trust.

(b) A Governor may be employed by the Trust or enter into a contract for the supply of goods or services to the Trust, other than for acting as a Governor.

(c) A Governor may receive interest on money lent to the Trust at a reasonable and proper rate not exceeding 2% per annum below the base rate of a clearing bank to be selected by the Governors.

(d) A company of which a Governor is a member may receive fees remuneration or other benefit in money or money's worth provided that the shares of the company are listed on a recognised stock exchange and the Governor holds no more than 1% of the issued capital of that company.

(e) A Governor may receive rent for premises let by the Governor to the Trust if the amount of the rent and the other terms of the lease are reasonable and proper.

(5) (a) The Trust and its Governors may only rely upon the authority provided by sub-clause 5(4) if each of the following conditions is satisfied:

(i) The remuneration or other sums paid to the Governor do not exceed an amount that is reasonable in all the circumstances.

(ii) The Governor is absent from the part of any meeting at which there is discussion of:

- his or her employment or remuneration, or any matter concerning the contract; or
- his or her performance in the employment, or his or her performance of the contract; or
- any proposal to enter into any other contract or arrangement with him or her or to confer any benefit upon him or her that would be permitted under sub-clause 5(4); or
- any other matter relating to a payment or the conferring of any benefit permitted by sub-clause 5(4).

(iii) The Governor does not vote on any such matter and is not to be counted when calculating whether a quorum of Governors is present at the meeting.

(iv) The other Governors are satisfied that it is in the interests of the Trust to employ or to contract with that Governor rather than with someone who is not a Governor. In reaching that decision the Governors must balance the advantage of employing a Governor against that disadvantages of doing so (especially the loss of the Governor's services as a result of dealing with the Governor's conflict of interest).

(v) The reason for their decision is recorded by the Governors in the minute book.

(vi) A majority of the Governors then in office have received no such payments.

(b) The employment or remuneration of a Governor includes the engagement or remuneration of any firm or company in which the Governor is:

- (i) a partner;
- (ii) an employee;

- (iii) a consultant;
- (iv) a governor; or
- (v) a shareholder, unless the shares of the company are listed on a recognised stock exchange and the Governor holds less than 1% of the issued capital.

(6) In sub-clauses (2)-(5) of this clause 5:

(a) “company” shall include any company in which the Trust:

- holds more than 50% of the shares; or
- controls more than 50% of the voting rights attached to the shares; or
- has the right to appoint one or more governors to the Board of the company.

(b) “Governor” shall include any child, stepchild, parent, grandchild, grandparent, brother, sister or spouse of the Governor or any person living with the Governor as his or her partner

6. The liability of the members of the Trust is limited.
7. Every member of the Trust undertakes to contribute such amount as may be required (not exceeding £10) to the Trust’s assets if it should be wound up while he or she is a member or within one year after he or she ceases to be a member, for payment of the Trust's debts and liabilities before he or she ceases to be a member, and of the costs, charges and expenses of winding up, and for the adjustment of the rights of the contributories among themselves.
8. If the Trust is wound up or dissolved and after all its debts and liabilities (including any under section 483 of the Education Act 1996) have been satisfied there remains any property it shall not be paid to or distributed among the members of the Trust, but shall be given or transferred to some other charity or charities having objects similar to the Objects which prohibits the distribution of its or their income and property to an extent at least as great as is imposed on the Trust by clause 4 above, chosen by the members of the Trust at or before the time of dissolution and if that cannot be done then to some other charitable object.
9. No alteration or addition shall be made to or in the provisions of the Memorandum or Articles

of Association which would have the effect (a) that the Trust would cease to be a company to which section 30 of the Companies Act 1985 applies; or (b) that the Trust would cease to be a charity.

WE, the persons whose names and addresses are written below wish to be formed into a company under this Memorandum of Association.

Signatures, Names and Addresses of Subscribers

Name THE Rt Revd Anthony Martin Priddis, Bishop of Hereford.....

Address The Bishop's House, The Palace, Hereford HR4 9BN

Name John Chapman.....

Address The Threshing Barn, Kingstone, Herefordshire HR2 9HU

Name Christopher Whitmey.....

Address Oldstone Capler Lane Fownhope Hereford Herefordshire HR1 4PJ

Dated 21 January 2008

Witness to the above Signatures: Mr J E Clark

Name Mr J E Clark

Address 2 The Mews, Station Road, Hereford, HR4 7DW

Company Number: 6479771

Charity Number:

THE COMPANIES ACTS 1985 AND 1989

A COMPANY LIMITED BY GUARANTEE
AND NOT HAVING A SHARE CAPITAL

ARTICLES OF ASSOCIATION

OF

THE HEREFORD ACADEMY

Incorporated on: 22 JANUARY 2008

Registered Office:

The Diocesan Office

The Palace

Hereford

HR4 9BL

Ref: 7181/HJD/100705613/hjd00000448

THE COMPANIES ACTS 1985 AND 1989

A COMPANY LIMITED BY GUARANTEE AND NOT HAVING A SHARE CAPITAL

ARTICLES OF ASSOCIATION OF THE HEREFORD ACADEMY

INTERPRETATION

1. In these Articles:-

- “the Act” means the Companies Act 1985 including any statutory modification or re-enactment thereof for the time being in force;
- “the Academy” means The Hereford Academy as referred to in clause 3 of the memorandum and established by the Trust;
- “the Trust” means the company intended to be regulated by these articles;
- “the articles” means these articles of association of the Trust;
- “clear days” in relation to the period of a notice means the period excluding Saturday Sunday, Bank Holidays and the day when the notice is given or deemed to be given and the day of which it is given or on which it is to take effect;

“clerk”	means the secretary of the Trust or any other person appointed to perform the duties of the secretary of the Trust, including a joint, assistant or deputy secretary; the secretary shall be known as the ‘clerk’ under article 66;
“executed”	includes any mode of execution;
“the memorandum”	means the memorandum of association of the Trust;
“the governors”	means the directors of the Trust (and “governor” has a corresponding meaning);
“appointed governor”	means a governor appointed by a sponsor, LA, co-opted or additional governor appointed under these articles;
“elected governor”	means a parent, teacher or staff governor elected under these articles;
“the Governing Body”	means the governors;
“head teacher”	means the Principal of the Academy;
“the LA”	means Local Government Education Authority; county of Herefordshire;
“member”	means a member of the Trust and someone who as such is bound by the undertaking contained in clause 7 of the memorandum;
“Principal Sponsor”	means the Bishop of Hereford (but during any vacancy in the See of Hereford the Hereford Diocesan Board of Education shall be the sponsor in his place) and the said Bishop of Hereford is a subscriber to the Memorandum and Articles,;
“the seal”	means the common seal of the Trust if it has one;
“Secretary of State”	means the Secretary of State of the Department of Children, Schools and Families;
“staff”	means a person employed to work at the Academy (either under a contract of employment or a contract for services.)
“teacher”	means a teacher employed under a contract of employment or a contract for services or otherwise engaged to provide his services as a teacher.
“the United Kingdom”	means Great Britain and Northern Ireland.

Words importing the masculine gender only shall include the feminine gender. Words importing the singular number only shall include the plural number, and vice versa.

Subject as aforesaid, words or expressions contained in these articles shall, unless the context requires otherwise, bear the same meaning as in the Act.

OBJECTS

2. The Trust is established for the objects expressed in the memorandum.

MEMBERS

3. The members of the Trust shall comprise:

- (a) The Principal Sponsor;
- (b) Up to 4 persons appointed by the Principal Sponsor;
- (c) 1 person appointed by the Secretary of State;
- (d) the chair of the Governing Body
- (e) any person appointed under article 6;

4. Each of the persons entitled to appoint members in article 3 shall have the right from time to time by written notice delivered to the Trust's registered office to remove any member appointed by them and to appoint a replacement member to fill a vacancy whether resulting from such removal or otherwise.

5. If any of the persons entitled to appoint members in article 3 die or become legally incapacitated their right to appoint members under these articles shall vest in the remaining members.

6. The members may agree unanimously in writing to appoint such additional members as they think fit and may unanimously in writing agree to remove any such additional members.

7. Every person nominated to be a member of the Trust shall either sign a written consent to become a member or sign the register of members on becoming a member.

8. The other members may in their absolute discretion permit any member to resign provided that after such resignation the number of members is not less than 3. A member shall cease to be one immediately on the receipt by the Trust of a notice in writing signed by the person or persons entitled to remove him under articles 4 or 6 provided that no such notice shall take effect when the number of members is less than three unless it contains or is accompanied by the appointment of a replacement member.

GENERAL MEETINGS

9. The Trust shall hold an Annual General Meeting each year in addition to any other meetings in that year, and shall specify the meeting as such in the notices calling it; and not more than fifteen months shall elapse between the date of one Annual General Meeting of the Trust and that of the next. Provided that so long as the Trust holds its first Annual General Meeting within eighteen months of its incorporation, it need not hold it in the year of its incorporation or in the following year. The Annual General Meeting shall be held at such time and place as the governors shall appoint. All general meetings other than Annual General Meetings shall be called Extraordinary General Meetings.

10. The governors may call general meetings and, on the requisition of members pursuant to the provisions of the Act, shall forthwith proceed to convene an Extraordinary General Meeting for a date not later than eight weeks after the receipt of the requisition. If there are not within the United Kingdom sufficient governors to call a general meeting, any governor or any member of the Trust may call a general meeting.

NOTICE OF GENERAL MEETINGS

11. An Annual General Meeting and an Extraordinary General Meeting called for the passing of a special resolution appointing a person as a governor shall be called by at least fifteen clear days' notice. All other Extraordinary General Meetings shall be called by at least ten clear days' notice but a general meeting may be called by shorter notice if it is so agreed

(a) in the case of an Annual General Meeting, by all the members entitled to attend and vote;
and

(b) in the case of any other meeting by a majority in number of members having a right to attend and vote, being a majority together holding not less than 95 per cent of the total voting rights at the meetings of all the members.

The notice shall specify the time and place of the meeting and the general nature of the business to be transacted and, in the case of an Annual General Meeting, shall specify the meeting as such.

The notice shall be given to all the members, to the governors and auditors.

12. The accidental omission to give notice of a meeting to, or the non-receipt of notice of a meeting by, any person entitled to receive notice shall not invalidate the proceedings at that meeting.

PROCEEDINGS AT GENERAL MEETINGS.

13. No business shall be transacted at any meeting unless a quorum is present. A member counts towards the quorum by being present either in person or by proxy. Two persons entitled to vote upon the business to be transacted, each being a member or a duly authorised representative of a member organisation, or one tenth of the total number of such persons for the time being, whichever is the greater, shall constitute a quorum.

14. If a quorum is not present within half an hour from the time appointed for the meeting, or if during a meeting a quorum ceases to be present, the meeting shall stand adjourned to the same day in the next week at the same time and place or to such time and place as the governors may determine.

15. The chairman, if any, of the governors or in his absence some other governor nominated by the governors shall preside as chairman of the meeting, but if neither the chairman nor such other governor (if any) be present within fifteen minutes after the time appointed for the holding the meeting and willing to act the governors present shall elect one of their number to be chairman and, if there is only one governor present and willing to act, he shall be the chairman.

16. If no governor is willing to act as chairman, or if no governor is present within fifteen minutes after the time appointed for holding the meeting, the members present and entitled to vote shall

choose one of their number to be chairman.

17. A governor shall, notwithstanding that he is not a member, be entitled to attend and speak at any general meeting.

18. The chairman may, with the consent of a meeting at which a quorum is present (and shall if so directed by the meeting), adjourn the meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business which might properly have been transacted at the meeting had the adjournment not taken place. When a meeting is adjourned for fourteen days or more, at least five clear days' notice shall be given specifying the time and place of the adjourned meeting and the general nature of the business to be transacted. Otherwise it shall not be necessary to give any such notice.

19. A resolution put to the vote of the meeting shall be decided on a show of hands unless before, or on the declaration of the result of the show of hands a poll is duly demanded. Subject to the provisions of the Act, a poll may be demanded:-

- (a) by the chairman; or
- (b) by at least two members having the right to vote at the meeting ; or
- (c) by a member or members representing not less than one-tenth of the total voting rights of all the members having the right to vote at the meeting.

20. Unless a poll is duly demanded a declaration by the chairman that a resolution has been carried or carried unanimously, or by a particular majority, or lost, or not carried by a particular majority and an entry to that effect in the minutes of the meeting shall be conclusive evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against such resolution.

21. The demand for a poll may be withdrawn, before the poll is taken, but only with the consent of the chairman. The withdrawal of a demand for a poll shall not invalidate the result of a show of hands declared before the demand for the poll was made.

22. A poll shall be taken as the chairman directs and he may appoint scrutineers (who need not be members) and fix a time and place for declaring the results. The result of the poll shall be deemed to be the resolution of the meeting at which the poll was demanded.

23. In the case of an equality of votes, whether on a show of hands or on a poll, the chairman of the meeting shall be entitled to a casting vote in addition to any other vote he may have.

24. A poll demanded on the election of the chairman or on a question of adjournment shall be taken immediately. A poll demanded on any other question shall be taken either immediately or at such time and place as the chairman directs not being more than thirty days after the poll is demanded. The demand for a poll shall not prevent continuance of a meeting for the transaction of any business other than the question on which the poll is demanded. If a poll is demanded before the declaration of the result of a show of hands and the demand is duly withdrawn, the meeting shall continue as if the demand had not been made.

25. No notice need be given of a poll not taken immediately if the time and place at which it is to be taken are announced at the meeting at which it is demanded. In other cases at least five clear days' notice shall be given specifying the time and place at which the poll is to be taken.

26. A resolution in writing executed by or on behalf of each member who would have been entitled to vote upon it if it had been proposed at a general meeting at which he was present shall be as effectual as if it had been passed at a general meeting duly convened and held and may consist of several instruments in the like form each executed by or on behalf of one or more members.

VOTES OF MEMBERS

27. Subject to article 23, on the show of hands every member present in person shall have one vote. On a poll every member present in person or by proxy shall have one vote.

28. A member in respect of whom an order has been made by any court having jurisdiction (whether in the United Kingdom or elsewhere) in matters concerning mental disorder may vote, whether on a show of hands or on a poll, by his receiver, curator bonis or other person authorised in that behalf appointed by that court, and any such receiver, curator bonis or other person may, on a poll, vote by proxy. Evidence to the satisfaction of the governors of the authority of the person claiming to exercise the right to vote shall be deposited at the office, or at such other place as is specified in accordance with the articles for the deposit of instruments of proxy, not less than 48 hours before the time appointed for holding the meeting or adjourned meeting at which the right to vote is to be exercised and in default the right to vote shall not be exercisable.

29. No member shall be entitled to vote at any general meeting unless all moneys then payable by him to the Trust have been paid.

30. No objections shall be raised to the qualification of any voter except at the meeting or adjourned meeting at which the vote objected to is tendered, and every vote not disallowed at the meeting shall be valid. Any objection made in due time shall be referred to the chairman whose decision shall be final and conclusive.

31. An instrument appointing a proxy shall be in writing, executed by or on behalf of the appointer and shall be in the following form (or in a form as near thereto as circumstances allow or in any other form which is usual or which the governors may approve) -

“I/We,, of, being a member/members of the above named trust, hereby appoint of, or failing him, of as my/our proxy to vote in my/our name[s] and on my/our behalf at the annual/extraordinary general meeting of the Trust to be held on200[], and at any adjournment thereof.

Signed on 200[]”

32. Where it is desired to afford members an opportunity of instructing the proxy how he shall act the instrument appointing a proxy shall be in the following form (or in a form as near thereto as circumstances allow or in any other form which is usual or which the governors may approve)-

“I/We,, of, being a member/members of the above-named trust, hereby appoint of, or failing him of, as my/our proxy to vote in my/our name[s] and on my/our behalf at the annual/extraordinary general meeting of the Trust, to be held on 200[], and at any adjournment thereof.

This form is to be used in respect of the resolutions mentioned below as follows:

Resolution No. 1 *for * against

Resolution No. 2 *for * against

* Strike out whichever is not desired.

Unless otherwise instructed, the proxy may vote as he thinks fit or abstain from voting.

Signed on 200[]”

33. The instrument appointing a proxy and any authority under which it is executed or a copy of such authority certified by a notary or in some other way approved by the governors may -

(a) be deposited at the office or at such other place within the United Kingdom as is specified in the notice convening the meeting or in any instrument of proxy sent out by the Trust in relation to the meeting not less than 48 hours before the time for holding the meeting or adjourned meeting at which the person named in the instrument proposes to vote, or

(b) in the case of a poll taken more than 48 hours after it is demanded, be deposited as aforesaid after the poll has been demanded and not less than 24 hours before the time appointed for the taking of the poll;

(c) where the poll is not taken forthwith but is taken not more than 48 hours after it was demanded, be delivered at the meeting at which the poll was demanded to the chairman or to the clerk or to any governor;

and an instrument of proxy which is not deposited or delivered in a manner so permitted shall be invalid.

34. A vote given or poll demanded by proxy or by the duly authorised representative of a corporation shall be valid notwithstanding the previous determination of the authority of the person voting or demanding a poll unless notice of the determination was received by the Trust at the office or at such other place at which the instrument of proxy was duly deposited before the commencement of the meeting or adjourned meeting at which the vote given or the poll demanded or (or in the case of a poll taken otherwise than on the same day as the meeting or adjourned meeting) the time appointed for taking the poll.

35. Any organisation which is a member of the Trust may by resolution of its board of governors or other governing body authorise such person as it thinks fit to act as its representative at any meeting of the Trust, and the person so authorised shall be entitled to exercise the same powers on behalf of the corporation which he represents as that corporation could exercise if it were an individual member of the Trust.

GOVERNORS

36. The number of governors shall be not less than three but (unless otherwise determined by ordinary resolution) shall not be subject to any maximum.
37. Subject to article 39 the Trust shall have the following governors:
- (a) 8 sponsor governors;
 - (b) 1 LA governor
 - (c) 1 parent governor
 - (d) 1 staff governor
 - (e) the Headteacher of the Academy (pursuant to Article 42)

The Trust may also have the following governors:

- (f) any co-opted governor appointed under article 47;
 - (g) any additional governor appointed under article 50;
38. The first governors shall be those persons named in the statement delivered pursuant to section 10(2) of the Act, who shall be deemed to have been appointed under article 40 and shall be deemed to be sponsor governors. Future sponsor governors shall be appointed under article 40.
39. Future governors required by article 37 shall be appointed or elected, as the case may be, under these articles. Where it is not possible for such a governor to be appointed or elected due to the fact that the Academy is not yet established then the relevant article or part thereof shall not apply.

APPOINTMENT AND ELECTION OF GOVERNORS

40. The Principal Sponsor shall in consultation with the Hereford Diocesan Board of Education and with consideration for the community of South Wye appoint the sponsor governors and may appoint himself as a sponsor governor.
41. The LA may appoint the LA governor.
42. The head teacher shall be an ex officio governor.

43. The elected parent governor(s) shall be elected by parents of registered pupils at the Academy. A parent governor must be such a parent at the time when he is elected. The number of parent governors required shall be made up by parent governors appointed by the Governing Body if the number of parents standing for election is less than the number of vacancies.

44. The Governing body shall make all necessary arrangements for, and determine all other matters relating to, an election of parent governors, including any question of whether a person is a parent of a registered pupil at the Academy. Any election of parent governors which is contested shall be held by secret ballot.

45. The arrangements made for the election of a parent governor shall provide for every person who is entitled to vote in the election to have an opportunity to do so by post or, if he prefers, by having his ballot paper returned to the Trust by a registered pupil at the Academy.

46. 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.

46(a) In appointing a parent governor the Governing Body shall appoint a person who is the parent of a registered pupil at the Academy; or where it is not reasonably practical to do so, a person who is the parent of a child of compulsory school age.

46 (b) The staff governor shall be elected by persons employed to work at the Academy. The staff governor must be so employed at the time he is elected. If a staff governor ceases to be employed then he shall cease to be a governor. For this purpose 'employed' means employed under a contract of employment or a contract for services.

The Governing Body shall determine, for the purposes of an election of staff governors, any question whether a person is employed under a contract of employment or a contract for services at the Academy.

The Governing Body shall make all necessary arrangements for, and determine all other matters relating to, an election of staff governors. Any election of staff governors which is contested shall be held by secret ballot.

CO-OPTED GOVERNORS

47. The Governing Body may appoint up to 2 co-opted governors. A 'co-opted governor' means a person who is appointed to be a governor by being co-opted by governors who have not themselves been so appointed.

APPOINTMENT OF ADDITIONAL GOVERNORS

48. The Secretary of State may give a warning notice to the Governing Body where—

(a) he is satisfied—

that the standards of performance of pupils at the Academy are unacceptably low and are likely to remain so unless the Secretary of State exercises his powers under article 50, or

that there has been a serious breakdown in the way the Academy is managed or governed which is prejudicing, or likely to prejudice, such standards of performance, or

that the safety of pupils or staff of the Academy is threatened (whether by a breakdown of discipline or otherwise); and

(b) the Secretary of State has previously informed the Governing Body of the matters on which that conclusion is based; and

(c) those matters have not been remedied to the Secretary of State's satisfaction within a reasonable period.

49. For the purposes of article 48 a 'warning notice' is a notice in writing by the Secretary of State setting out—

(a) the matters referred to in Article 48(a);

(b) the action which he requires the Governing Body to take in order to remedy those matters; and

(c) the period within which that action is to be taken by the Governing Body ('the compliance period').

50. The Secretary of State may appoint additional governors as he thinks fit if the Secretary of State has:

(a) given the Governing Body a warning notice in accordance with article 48; and

(b) the Governing Body has failed to comply, or secure compliance, with the notice to the Secretary of State's satisfaction within the compliance period; and

(c) the Secretary of State has given reasonable notice in writing to the Governing Body that he proposes to exercise his powers under this article.

TERM OF OFFICE

51. The term of office for any governor shall be 4 years, save that this time limit shall not apply to either the head teacher or the Principal Sponsor (during any period that the Principal Sponsor is a governor). Subject to remaining eligible to be a particular type of governor any governor may be re-appointed or re-elected.

RESIGNATION AND REMOVAL

52. A governor shall cease to hold office if he resigns his office by notice to the Trust (but only if at least three governors will remain in office when the notice of resignation is to take effect).

53. A governor shall cease to hold office if he is removed by the person or persons who appointed him. This article does not apply in respect of any elected governor; or a parent governor who has been appointed rather than elected.

54. Where a governor resigns his office or is removed from office, the governor or, where he is removed from office, those removing him, shall give written notice thereof to the clerk.

DISQUALIFICATION OF GOVERNORS

55. No person shall be qualified to be a governor unless he is aged 18 or over at the date of his election or appointment. No pupil of the Academy shall be a governor.

56. A governor shall cease to hold office if he becomes incapable by reason of mental disorder, illness or injury of managing or administering his own affairs.
57. A governor shall cease to hold office if he is absent without the permission of the governing body from all their meetings held within a period of six months and the governors resolve that his office be vacated.
58. A person shall be disqualified from holding or continuing to hold office as a governor if—
- (a) his estate has been sequestrated and the sequestration has not been discharged, annulled or reduced; or
 - (b) he is the subject of a bankruptcy restrictions order or an interim order.
59. A person shall be disqualified from holding or continuing to hold office as a governor at any time when he is subject to a disqualification order or a disqualification undertaking under the Company Directors Disqualification Act 1986 or to an order made under section 429(2)(b) of the Insolvency Act 1986 (failure to pay under county court administration order).
60. A governor shall cease to hold office if he ceases to be a governor by virtue of any provision in the Act or is disqualified from acting as a trustee by virtue of section 72 of the Charities Act 1993 (or any statutory re-enactment or modification of that provision).
61. A person shall be disqualified from holding or continuing to hold office as a governor if he has been removed from the office of charity trustee or trustee for a charity by an order made by the Charity Commissioners or the High Court on the grounds of any misconduct or mismanagement in the administration of the charity for which he was responsible or to which he was privy, or which he by his conduct contributed to or facilitated.
62. A person is disqualified from holding or from continuing to hold office as a governor at any time when he is disqualified from working with children under sections 28 and 29 of the Criminal Justice and Court Services Act 2000.
63. A person shall be disqualified from holding or continuing to hold office as a governor if he is a person in respect of whom a direction has been made under section 142 of the Education Act 2002.

64. A person shall be disqualified from holding or continuing to hold office as a governor where he has, at any time, been convicted of any criminal offence, excluding any that have been spent under the Rehabilitation of Offenders Act 1974 as amended, and excluding any offence for which the maximum sentence is a fine or a lesser sentence except where a person has been convicted of any offence which falls under section 72 of the Charities Act 1993.

64 (a) A person shall be disqualified from holding or continuing to hold office as a governor at any time when he refuses a request by the Clerk to the Governing Body, following a referral from either the Chair of Governors or the Head Teacher, to make an application under section 113 of the Police Act 1997, as amended for a criminal records certificate. That application will be at an enhanced disclosure level. A referral by the Chair of Governors or the Head Teacher shall be made where the person is in their opinion giving cause for concern or where his duties involve regularly caring for, training, supervising, or being in sole charge of persons under 18. In the event that the certificate discloses any information which would in the opinion of either the Chair of Governors or the Head Teacher confirm their unsuitability to work with children that person shall be disqualified. If a dispute arises as to whether a person shall be disqualified, a referral shall be made to the Secretary of State to determine the matter. The determination of the Secretary of State shall be final.

65. Where, by virtue of these articles a person becomes disqualified from holding, or continuing to hold office as a governor; and he is, or is proposed, to become such a governor, he shall upon becoming so disqualified give written notice of that fact to the clerk.

66. Articles 55 to 65 also apply to any member of any committee of the governors who is not a governor.

CLERK TO THE GOVERNING BODY

67. Subject to the provisions of the Act, the secretary shall be appointed by the governors for such term, at such remuneration and upon such conditions as they may think fit; and any secretary so appointed may be appointed by them. The secretary shall be known as “the clerk”. The clerk shall not be a governor or the head teacher. Notwithstanding this article, the Governing Body may, where the clerk fails to attend a meeting of theirs, appoint any one of their number to act as clerk for the purposes of that meeting.

CHAIRMAN AND VICE-CHAIRMAN OF THE GOVERNING BODY

68. The governors shall each school year, at their first meeting in that year, elect a chairman and a vice-chairman from among their number. A governor who is employed to work at the Academy shall not be eligible for election as chairman or vice-chairman.

69. Subject to article 67, the chairman or vice-chairman shall hold office as such until his successor has been elected in accordance with that article.

70. The chairman or vice-chairman may at any time resign his office by giving notice in writing to the clerk. The chairman or vice-chairman shall cease to hold office if—

(a) he ceases to be a governor;

(b) he is employed to work at the Academy;

(c) he is removed from office in accordance with these articles; or

(d) in the case of the vice-chairman, he is elected in accordance with these articles to fill a vacancy in the office of chairman.

71. Where by reason of any of the matters referred to in article 70, a vacancy arises in the office of chairman or vice-chairman, the governors shall at their next meeting elect one of their number to fill that vacancy.

72. Where the chairman is absent from any meeting or there is at the time a vacancy in the office of the chairman, the vice-chairman shall act as the chairman for the purposes of the meeting.

73. Where in the circumstances referred to in article 71 the vice-chairman is also absent from the meeting or there is at the time a vacancy in the office of vice-chairman, the governors shall elect one of their number to act as a chairman for the purposes of that meeting, provided that the governor elected shall not be a person who is employed to work at the Academy.

74. The clerk shall act as chairman during that part of any meeting at which the chairman is elected, but for these purposes article 23 shall not apply.

75. Any election of the chairman or vice-chairman which is contested shall be held by secret ballot.

76. The governors may remove the chairman or vice-chairman from office in accordance with this article:

(a) a resolution to remove the chairman or vice-chairman from office which is passed at a meeting of the Governing Body shall not have effect unless—

it is confirmed by a resolution passed at a second meeting of the Governing Body held not less than fourteen days after the first meeting; and

the matter of the chairman's or vice-chairman's removal from office is specified as an item of business on the agenda for each of those meetings.

(b) Before the Governing Body resolve at the relevant meeting on whether to confirm the resolution to remove the chairman or vice-chairman from office, the governor or governors proposing his removal shall at that meeting state their reasons for doing so and the chairman or vice-chairman shall be given an opportunity to make a statement in response.

POWERS OF GOVERNORS

77. Subject to provisions of the Act, the memorandum and the articles and to any directions given by special resolution, the business of the Trust shall be managed by the governors who may exercise all the powers of the Trust. No alteration of the memorandum or the articles and no such direction shall invalidate any prior act of the governors which would have been valid if that alteration had not been made or that direction had not been given. The powers given by this article shall not be limited by any special power given to the governors by the articles and a meeting of governors at which a quorum is present may exercise all the powers exercisable by the governors.

78. In addition to all powers hereby expressly conferred upon them and without detracting from the generality of their powers under the articles the governors shall have the following powers, namely:

to expend the funds of the Trust in such manner as they shall consider most beneficial for the achievement of the Objects and to invest in the name of the Trust such part of the funds as they may see fit and to direct the sale or transposition of any such investments and to expend the proceeds of any such sale in furtherance of the Objects;

to enter into contracts on behalf of the Trust.

79. The governors shall exercise their powers and functions with a view to fulfilling a largely strategic role in the running of the school and shall consider any advice given by the head teacher.

GOVERNORS' EXPENSES

80. Except to the extent permitted by clause 5 of the memorandum and subject to articles 104 to 106, no governor shall take or hold any interest in property belonging to the Trust or receive remuneration or be interested otherwise than as a governor in any contract to which the Trust is a party.

THE MINUTES

81. The minutes of the proceedings of a meeting of the Governing Body shall be drawn up and entered into a book kept for the purpose by the person acting as clerk for the purposes of the meeting; and shall be signed (subject to the approval of the Governing Body) at the same or next subsequent meeting by the person acting as chairman thereof. The minutes shall include a record of:

- (a) all appointments of officers made by the governors; and
- (b) all proceedings at meetings of the Trust and of the governors and of committees of governors including the names of the governors present at each such meeting.

DELEGATION

82. Subject to these articles the governors may delegate to any committee, any governor holding an executive office, or to the head teacher, such of their powers or functions as they consider desirable to be exercised by them. Any such delegation may be made subject to any conditions the governors may impose, and either collaterally with or to the exclusion of their own powers and may be revoked or altered.

83. Where any function of the governors has been delegated under article 82 or is otherwise exercised by any committee, any governor holding an executive office, the head teacher or any member, the person or committee to whom the function has been delegated, or who has otherwise exercised the function, shall report to the governors in respect of any action taken or decision made with respect to the exercise of that function at the meeting of the governors immediately following the taking of the action or the making of the decision.

84. The governors may establish any committee to exercise, subject to these articles, powers and functions of the governors. The constitution, membership and proceedings of any committee of the governors shall be determined by the governors. The establishment, terms of reference, constitution and membership of any committee of the governors shall be reviewed at least once in every twelve months. The membership of any committee of the governors may include persons who are not governors, provided that a majority of members of any such committee shall be governors. The governors may determine that some or all of the members of a committee who are not governors shall be entitled to vote in any proceedings of the committee. No vote on any matter shall be taken at a meeting of a committee of the governors unless the majority of members of the committee present are governors.

HEAD TEACHER

85. The governors shall appoint the head teacher of the Academy. Subject to these articles, the head teacher shall be responsible for the internal organisation, management and control of the Academy, the implementation of all policies approved of by the governors and for the direction of the teaching and curriculum. For these purposes the governors shall delegate those powers and functions required by the head teacher.

MEETINGS OF THE GOVERNING BODY

86. Subject to these articles, the governors may regulate their proceedings as they think fit.

87. The Governing Body shall hold at least one meeting in every school term. Meetings of the Governing Body shall be convened by the clerk. In exercising his functions under this article the clerk shall comply with any direction—

(a) given by the Governing body; or

(b) given by the chairman of the Governing Body or, in his absence or where there is a vacancy in the office of chairman, the vice-chairman of the Governing Body, so far as such direction is not inconsistent with any direction given as mentioned in (a).

88. Any three governors may, by notice in writing given to the clerk, requisition a meeting of the Governing Body; and it shall be the duty of the clerk to convene such a meeting as soon as is reasonably practicable.

89. Each governor shall be given at least fifteen clear days before the date of a meeting –
notice in writing thereof, signed by the clerk, and sent to each governor at the address
provided by each governor from time to time; and
a copy of the agenda for the meeting;

provided that where the chairman or, in his absence or where there is a vacancy in the office of
chairman, the vice-chairman, so determines on the ground that there are matters demanding urgent
consideration, it shall be sufficient if the written notice of a meeting, and the copy of the agenda
therefore are given within such shorter period as he directs.

90. The convening of a meeting and the proceedings conducted thereat shall not be invalidated by
reason of any individual not having received written notice of the meeting or a copy of the
agenda therefore.

91. A resolution to rescind or vary a resolution carried at a previous meeting of the Governing Body
shall not be proposed at a meeting of the Governing Body unless the consideration of the
rescission or variation of the previous resolution is a specific item of business on the agenda for
that meeting.

92. A meeting of the Governing Body shall be terminated forthwith if—

(a) the Governing Body so resolve; or

(b) the number of governors present ceases to constitute a quorum for a meeting of the
Governing Body in accordance with article 94, subject to article 96.

93. Where in accordance with article 92 a meeting is not held or is terminated before all the matters
specified as items of business on the agenda for the meeting have been disposed of, a further
meeting shall be convened by the clerk as soon as is reasonably practicable, but in any event
within seven days of the date on which the meeting was originally to be held or was so
terminated.

94. Where the Governing Body resolve in accordance with article 91 to adjourn a meeting before all
the items of business on the agenda have been disposed of, the Governing Body shall before
doing so determine the time and date at which a further meeting is to be held for the purposes of

completing the consideration of those items, and they shall direct the clerk to convene a meeting accordingly.

95. Subject to article 97 the quorum for a meeting of the Governing Body, and any vote on any matter thereat, shall be any three governors, or, where greater, any one third (rounded up to a whole number) of the total number of governors holding office at the date of the meeting).
96. The governors may act notwithstanding any vacancies in their number, but, if the numbers of governors is less than the number fixed as the quorum, the continuing governors may act only for the purpose of filling vacancies or of calling a general meeting.
97. The quorum for the purposes of—
- (a) appointing a parent governor;
 - (b) any vote on the removal of a member of the Governing Body in accordance with article 53;
 - (c) any vote on the removal of the chairman of the Governing Body in accordance with articles 53 and 69

shall be any two-thirds (rounded up to a whole number) of the persons who are at the time governors entitled to vote on those respective matters.

98. Subject to these articles, every question to be decided at a meeting of the Governing Body shall be determined by a majority of the votes of the members present and voting on the question.
99. Subject to articles 94 to 96, where there is an equal division of votes the chairman or, as the case may be, the person who is acting as chairman for the purposes of the meeting, shall have a second or casting vote.
100. The proceedings of the Governing Body shall not be invalidated by—
- (a) any vacancy among their number, or
 - (b) any defect in the election, appointment or nomination of any governor.
101. A resolution in writing, signed by all the governors entitled to receive notice of a meeting of

governors or of a committee of governors, shall be valid and effective as if it had been passed at a meeting of governors (or as the case may be) a committee of governors duly convened and held. Such a resolution may consist of several documents in the same form, each signed by one or more of the governors.

102. Subject to this article, the Governing Body shall ensure that a copy of—

(a) the agenda for every meeting of the Governing Body;

(b) the draft minutes of every such meeting, if they have been approved by the person acting as chairman of that meeting;

(c) the signed minutes of every such meeting; and

(d) any report, document or other paper considered at any such meeting,

are, as soon as is reasonably practicable, made available at the Academy to persons wishing to inspect them.

103. There may be excluded from any item required to be made available in pursuance of article 102, any material relating to—

(a) a named teacher or other person employed, or proposed to be employed, at the Academy;

(b) a named pupil at, or candidate for admission to, the Academy; and

(c) any matter which, by reason of its nature, the governing body are satisfied should remain confidential.

104. Any governor shall be able to participate in meetings of the Governing Body by telephone provided that he has given notice of his intention to do so detailing the telephone number on which he can be reached at the time of the meeting at least 48 hours before the meeting.

105. Any governor who has any duty or pecuniary interest (direct or indirect) which conflicts or may conflict with his duties as a Governor shall disclose that fact to the Governing Body as soon as he becomes aware of it, and shall absent himself from any discussion of that interest by the Governing Body.

106. Without limitation to the generality of article 105, a governor shall be treated as having a pecuniary interest in a contract or proposed contract or other arrangement with the Academy if:

(a) he is a director or a member holding more than 1/100th of the issued share capital of a company with which the contract or arrangement was made or is proposed to be made or which has a direct pecuniary interest in the matter under consideration; or

b) he is a partner in a partnership or member of an unincorporated association or any other body with whom the contract or arrangement was made or is proposed to be made or which has a direct pecuniary interest in the matter under consideration or

(c) he, or a partner of his, is in the employment of a person with whom the contract was made or is proposed to be made or who has a direct pecuniary interest in the matter under consideration.

107. For the purposes of articles 105 and 106, an interest of a person who is, within the meaning of section 346 of the Act, connected with a governor shall be treated as an interest of the governor.

This shall include:

(a) that governor's spouse, child or stepchild; or

(b) a body corporate with which the governor is associated (i.e. if that governor and persons connected with him together are interested in shares comprising at least one fifth of the share capital of the company or are entitled to exercise more than one fifth of the voting power at any general meeting of that company); or

(c) a person acting in his capacity as trustee of any trust the beneficiaries of which include:

- the governor, his spouse or any children or stepchildren of his; or
- a body corporate with which he is associated; or

(d) a person acting in his capacity as a partner of that governor or of any person who, by virtue of paragraphs (a), (b) or (c) above, is connected with that governor.

PATRONS AND HONORARY OFFICERS

108. The governors may from time to time appoint any person whether or not a member of the

Trust to be a patron of the Trust or to hold any honorary office and may determine for what period he is to hold such office.

THE SEAL

109. The seal shall only be used by the authority of the governors or of a committee of governors authorised by the governors. The governors may determine who shall sign any instrument to which the seal is affixed and unless otherwise so determined it shall be signed by a governor and by the clerk or by a second governor.

ACCOUNTS

110. Accounts shall be prepared in accordance to the provisions of Part VII of the Act.

ANNUAL REPORT

111. The governors shall comply with their obligations under the Charities Act 1993 (or any statutory re-enactment or modification of that Act) with regard to the preparation of an annual report and its transmission to the Commissioners.

ANNUAL RETURN

112. The governors shall comply with their obligations under the Charities Act 1993 (or any statutory re-enactment or modification of that Act) with regard to the preparation of an annual return and its transmission to the Commissioners.

NOTICES

113. Any notice to be given to or by any person pursuant to the articles shall be in writing except that a notice calling a meeting of the governors can be through electronic communication.

114. A notice may be given by the Trust to a member either personally or by sending it by post in a prepaid envelope addressed to the member at his registered address or by leaving it at that address. A member whose registered address is not within the United Kingdom and who gives to the Trust an address, within the United Kingdom at which notices may be given to him shall be entitled to have notices given to him at that address, but otherwise no such member shall be entitled to receive any notice from the Trust.

115. A member present in person at any meeting shall be deemed to have received notice of the meeting and, where necessary, of the purposes for which it was called.
116. Proof that an envelope containing a notice was properly addressed, prepaid and posted shall be conclusive evidence that the notice was given. A notice shall be deemed to be given at the expiration of 48 hours after the envelope containing it was posted.

INDEMNITY

117. Subject to the provisions of the Act every governor or other officer or governor or auditor of the Trust shall be indemnified out of the assets of the Trust against any liability incurred by him in that capacity in defending any proceedings, whether civil or criminal, in which judgment is given in favour or in which he is acquitted or in connection with any application in which relief is granted to him by the court from liability for negligence, default, breach of duty or breach of trust in relation to the affairs of the Trust.

RULES

118. The governors may from time to time make such rules or bye laws as they may deem necessary or expedient or convenient for the proper conduct and management of the Trust and for purposes of prescribing classes of and conditions of membership, and in particular but without prejudice to the generality of the foregoing, they may by such rules or bye laws regulate:
- (a) the admission and classification of members of the Trust (including the admission of organisations to membership) and the rights and privileges of such members, and the conditions of membership and the terms on which members may resign or have their membership terminated and the entrance fees, subscriptions and other fees or payments to be made by members;
 - (b) the conduct of members of the Trust in relation to one another, and to the Trust's servants;
 - (c) the setting aside of the whole or any part or parts of the Trust's premises at any particular time or times or for any particular purpose or purposes;
 - (d) the procedure at general meetings and meetings of the governors and committees of the governors and meetings of the governing body in so far as such procedure is not regulated

by the articles;

(e) generally, all such matters as are commonly the subject matter of company rules.

119. The Trust in general meeting shall have power to alter, add or to repeal the rules or bye laws and the governors shall adopt such means as they think sufficient to bring to the notice of members of the Trust all such rules or bye laws, which shall be binding on all members of the Trust. Provided that no rule or bye law shall be inconsistent with, or shall affect or repeal anything contained in, the memorandum or the articles.

Names and Addresses of Subscribers

Name THE Rt Revd Anthony Martin Priddis, Bishop of Hereford.....

Address The Bishop's House, The Palace, Hereford HR4 9BN

Name John Chapman

Address The Threshing Barn, Kingstone, Herefordshire HR2 9HU

Name Christopher Whitmey

Address Oldstone Capler Lane Fownhope Hereford Herefordshire HR1 4PJ

Dated 22 January 2008

Witness to the above Signatures: Mr J E Clark

Name Mr J E Clark

Address 2 The Mews, Station Road, Hereford, HR4 7DW

APPENDIX 4 – THE ADMISSION OF PUPILS TO THE HEREFORD ACADEMY

The Hereford Academy Funding Agreement

Section – Annexes

Annex 2 - Arrangements for Admission for pupils at the Hereford Academy

THE ADMISSION OF PUPILS TO THE HEREFORD ACADEMY

1. This document sets out the admission arrangements for The Hereford Academy. These arrangements are without prejudice to the provisions of Annex 3 to this agreement. The document forms an Annex to the Funding Agreement between The Hereford Academy and the Secretary of State. Any changes to the arrangements set out in this document must be approved in advance by the Secretary of State.
2. The Academy will act in accordance with, and will ensure that the Independent Appeal Panel acts in accordance with, all relevant provisions of the statutory codes of practice (the School Admissions Code of Practice and the School Admission Appeals Code of Practice) as they apply at any given time to maintained schools and with the law on admissions as it applies to maintained schools. Reference in the codes to admission authorities shall be deemed to be references to the governing body of the Academy. In particular, the Academy will take part in the Admissions Forum set up by Herefordshire Council and have regard to its advice; and will participate in the co-ordinated admission arrangements operated by Herefordshire Council.
3. Notwithstanding these arrangements, the Secretary of State may direct The Hereford Academy to admit a named pupil to The Hereford Academy on application from an LA. Before doing so the Secretary of State will consult the Academy.

I: ADMISSION ARRANGEMENTS APPROVED BY SECRETARY OF STATE

4. The admission arrangements for The Hereford Academy for the year 200~~W~~/200~~X~~ and, subject to any changes approved by the Secretary of State, for subsequent years are:

a) The Hereford Academy has an agreed admission number of 180 pupils. The Hereford Academy will accordingly admit at least 180 pupils in the relevant age group each year if sufficient applications are received;

b) The Hereford Academy may set a higher admission number as its Published Admission Number for any specific year. Before setting an admission number higher than its agreed admission number, The Hereford Academy will consult those listed at paragraphs 18-19 below. Pupils will not be admitted above the Published Admission Number unless exceptional circumstances apply and such circumstances shall be reported to the Secretary of State.

Process of application

5. Applications for places at the Academy will be made in accordance with LA's co-ordinated admission arrangements and will be made on the Common Application Form provided and administered by Herefordshire Council. The Hereford Academy will use the following timetable for applications each year (exact dates within the months may vary from year to year) which, whenever possible, will fit in with the common timetable agreed by The Hereford Academy Admissions Forum or Herefordshire Council:

a) September - The Hereford Academy will publish in its prospectus information about the arrangements for admission, including oversubscription criteria, for the following September (eg in September 2006 for admission in September 2007). This will include details of open evenings and other opportunities for prospective pupils and their parents to visit the school. The Hereford Academy will also provide information to the LA for inclusion in the composite prospectus, as required;

- b) September/October - The Hereford Academy will provide opportunities for parents to visit the Academy;
- c) November - CAF to be completed and returned to the LA to administer
- d) LA sends applications to Academy
- e) Academy sends list of pupils to be offered places to LA
- f) February - LA applies agreed scheme for own schools, informing other LA's of offers to be made to their residents.
- g) 1st March offers made to parents.

Consideration of applications

6. The Hereford Academy will consider all applications for places. Where fewer than 180 applications are received, The Hereford Academy will offer places to all those who have applied.

Procedures where The Hereford Academy is oversubscribed

7. Where the number of applications for admission is greater than the published admissions number, applications will be considered against the criteria set out below. After the admission of pupils with statements of Special Educational Needs where The Hereford Academy is named on the statement, the criteria will be applied in the order in which they are set out below:

- a) children in public care;
- b) pupils who have a sibling currently attending the school and who will continue to do so on the date of admission;

('sibling' is defined as:

- A brother or sister sharing the same parents*
- A half brother or half sister, where two children share one common parent*
- A step brother or step sister, where two children are related by a parent's marriage*
- An adopted or fostered child*

* and living at the same address)

- c) those pupils living nearest to the Academy, with the distance being measured in a straight line from the main entrance of the Academy to the main entrance to the child's home.

Operation of waiting lists

8. Subject to any provisions regarding waiting lists in the LA's co-ordinated admission scheme, the Academy will operate a waiting list. Where in any year The Hereford Academy receives more applications for places than there are places available, a waiting list will operate until a month after the admission date. This will be maintained by The Hereford Academy and it will be open to any parent to ask for his or her child's name to be placed on the waiting list, following an unsuccessful application.

9. Children's position on the waiting list will be determined solely in accordance with the

oversubscription criteria set out in paragraphs 7a - e of this Annex. Where places become vacant they will be allocated to children on the waiting list in accordance with the oversubscription criteria.

Arrangements for appeals panels

10. Parents will have the right of appeal to an Independent Appeal Panel if they are dissatisfied with an admission decision of The Hereford Academy.

The Appeal Panel will be independent of the Academy. The arrangements for Appeals will be in line with the Code of Practice on School Admission Appeals published by the Department for Children Schools and Families as it applies to Foundation and Voluntary Aided schools. The determination of the appeal panel will be made in accordance with the Code of Practice on School Admission Appeals and is binding on all parties. The Academy should prepare guidance for parents about how the appeals process will work and provide parents with a named contact who can answer any enquiries parents may have about the process.

Arrangements for admission to post 16 provision

11. The Hereford Academy will publish specific criteria in relation to minimum entrance requirements for the range of courses available based upon GCSE grades or other measures of prior attainment.

12. There will be a right of appeal to the Independent Appeals Panel for unsuccessful applicants.

Arrangements for admitting pupils to other year groups, including to replace any pupils who have left The Hereford Academy

13. Subject to any provisions in the LA's co-ordinated admission arrangements relating to applications submitted for years other than the normal year of entry, the Academy must consider all such applications and if the year group applied for has a place available, admit the child. If more applications are received than there are places available, the oversubscription criteria shall apply. Parents whose application is turned down are entitled to appeal.

Arrangements for admission of pupils as The Hereford Academy builds to its full capacity

14. The Hereford Academy will open on 1 September 200~~X~~ with a Published Admission Number relating solely to pupils in Year 7 and, where relevant, Year 12. Pupils in subsequent Years will have been transferred automatically from the predecessor school, Wyebridge Sports College, which will close on 31 August 200~~X~~.

15. During the period from 1 September 200~~X~~ to the admission of Year 7 in September 200~~Y~~ to The Hereford Academy there will not be a Published Admission Number against which to consider applications for admission to all Year groups. Initially in September 200~~X~~ there will be four such Year groups reducing by one in each subsequent academic year.

16. Admission to Year groups without a Published Admission Number will be based upon the size of teaching groups already existing in The Hereford Academy and the efficient use of resources.

17. There will be a right of appeal to the Independent Appeal Panel for unsuccessful applicants.

II: ANNUAL PROCEDURES FOR DETERMINING ADMISSION ARRANGEMENTS

Consultation

18. The Hereford Academy shall consult each year on its proposed admission arrangements.

19. The Hereford Academy will consult by 1 March:
- a) Herefordshire Council;
 - b) Any other admission authorities for primary and secondary schools located within the relevant area for consultation set by the LA;
 - c) Any other governing body for primary and secondary schools (as far as not falling within paragraph (b) located within the relevant area for consultation.

Determination and publication of admission arrangements

20. Following consultation, The Hereford Academy will consider comments made by those consulted. The Hereford Academy will then determine its admission arrangements by 15 April of the relevant year and notify those consulted what has been determined.

Publication of admission arrangements

21. The Hereford Academy will publish its admission arrangements each year once these have been determined, by:

- a) copies being sent to primary and secondary schools in Herefordshire Council;
- b) copies being sent to the offices of Herefordshire Council;
- c) copies being made available without charge on request from the Academy;
- d) copies being sent to public libraries in the area of Herefordshire Council for the purposes of being made available at such libraries for reference by parents and other persons.

22. The published arrangements will set out:

- a) the name and address of the Academy and contact details;
- b) a summary of the admissions policy, including oversubscription criteria;
- c) a statement of any religious affiliation;
- d) numbers of places and applications for those places in the previous year; and
- e) arrangements for hearing appeals.

Representations about admission arrangements

23. Where any of those bodies that were consulted, or that should have been consulted, make representations to The Hereford Academy about its admission arrangements, The Hereford Academy will consider such representations before determining the admission arrangements. Where the Academy has determined its admission arrangements and notified all those bodies whom it has consulted and any of those bodies object to the Academy's admission arrangements they can make representations to the Secretary of State. The Secretary of State will consider the representation and in so doing will consult The Hereford Academy. Where he judges it appropriate, the Secretary of State may direct The Hereford Academy to amend its admission arrangements.

24. Those consulted have the right to ask The Hereford Academy to increase its proposed Published Admissions Number for any year. Where such a request is made, but agreement cannot be reached locally, they may ask the Secretary of State to direct The Hereford Academy to increase its proposed Published Admissions Number. The Secretary of State will consult The Hereford Academy and will then determine the Published Admission Number.

25. In addition to the provisions at paragraphs 34 and 35 above, the Secretary of State may direct

changes to The Hereford Academy's proposed admission arrangements and, in addition to the provisions above, the Secretary of State may direct changes to the proposed Published Admissions Number.

Proposed changes to admission arrangements by The Hereford Academy after arrangements have been published

26. Once the admission arrangements have been determined for a particular year and published, The Hereford Academy will propose changes only if there is a major change of circumstances. In such cases, The Hereford Academy must notify those consulted under paragraph 18 – 19 above of the proposed variation and must then apply to the Secretary of State setting out:

- a) the proposed changes;
- b) reasons for wishing to make such changes;
- c) any comments or objections from those entitled to object.

Need to secure Secretary of State's approval for changes to admission arrangements

27. The Secretary of State will consider applications from The Hereford Academy to change its admission arrangements only when The Hereford Academy has notified and consulted the proposed changes as outlined at 19 - 20 above.

28. Where The Hereford Academy has consulted on proposed changes The Hereford Academy must secure the agreement of the Secretary of State before any such changes can be implemented. The Hereford Academy must seek the Secretary of State's approval in writing, setting out the reasons for the proposed changes and passing to him any comments or objections from other admission authorities/other persons.

29. The Secretary of State can approve, modify or reject proposals from The Hereford Academy to change its admission arrangements.

30. Records of applications and admissions shall be kept by The Hereford Academy for a minimum period of ten years and shall be open for inspection by the Secretary of State.

APPENDIX 5 – ARRANGEMENTS FOR PUPILS WITH SEN AND DISABILITIES AT THE HEREFORD ACADEMY

The Hereford Academy Funding Agreement

Section – Annexes

Annex 3 - Arrangements for Pupils with SEN and Disabilities at the Hereford Academy

ARRANGEMENTS FOR PUPILS WITH SEN AND DISABILITIES AT THE HEREFORD ACADEMY

Duty to have regard to the Code of Practice and other guidance

1. The Academy shall have regard to the Special Educational Needs Code of Practice (2001) and any guidance issued by the Secretary of State relating to sections 316 and 316A of the Education Act 1996. Any changes to be made to the provisions set out in this document must be approved in advance by the Secretary of State.

Duties in relation to pupils with SEN

2. The governors of the Academy shall designate a person, who may be the headteacher, the chair of governors or another governor as appropriate, who shall be the responsible person for the purposes of the following duties in relation to pupils with SEN.

3. The governors of the Academy shall:

- use their best endeavours, in exercising their functions in relation to the school, to secure that, if any registered pupil has special educational needs, the special educational provision which the pupil's learning difficulty calls for is made;
- secure that, where the responsible person has been informed by the local education authority that a registered pupil has special educational needs, those needs are made known to all who are likely to teach the pupil;
- secure that the teachers in the school are aware of the importance of identifying, and providing for, those registered pupils who have special educational needs; and
- consult the local education authority and the governing bodies of other schools in the area, to the extent that this is necessary for co-ordinating provision for pupils with SEN.

4. Where a child who has special educational needs is being educated in the Academy, those concerned with making special educational provision for the child shall secure, so far as is reasonably practicable and is compatible with:

- (a) the child receiving the special educational provision which his learning difficulty calls for,
- (b) the provision of efficient education for the children with whom he will be educated,
- (c) the efficient use of resources and
- (d) that the child engages in the activities of the school together with children who do not have SEN.

5. The Academy prospectus shall include details of the governing body's policy for pupils with SEN and in particular shall include the information specified in Schedule 1 to the Education (Special Educational Needs) (Information) Regulations 1999 as amended or re-enacted from time to time. It shall also include

details of the arrangements for the admission of disabled pupils; the steps taken to prevent disabled pupils from being treated less favourably than other pupils; and the facilities provided to assist access to the Academy by disabled pupils (disabled pupils meaning pupils who are disabled for the purposes of the Disability Discrimination Act 1995).

Admissions

6. The Academy shall ensure that pupils with SEN are admitted on an equal basis with others in accordance with its admissions policy.

7. Where a local education authority proposes to name the Academy in a statement of SEN made in accordance with section 324 of the Education Act 1996, the Academy shall consent to being named, except where admitting the child would be incompatible with the provision of efficient education for other children; and where no reasonable steps may be made to secure compatibility. In deciding whether a child's inclusion would be incompatible with the efficient education of other children, the Academy shall have regard to the relevant guidance issued by the Secretary of State to maintained schools.

8. In the event of any disagreement between the Academy and the local education authority over the proposed naming of the Academy in a statement, the Academy may ask the Secretary of State to determine whether the Academy should be named. The Secretary of State's determination shall, subject only to any right of appeal which any parent or guardian of the child may have to the Special Educational Needs and Disability Tribunal (SENDIST), be final.

9. If a parent or guardian of a child in respect of whom a statement is maintained by the local education authority appeals to SENDIST either against the naming of the Academy in the child's SEN statement or asking the Tribunal to name the Academy, then the decision of the Tribunal on any such appeal shall be binding and shall, if different from that of the Secretary of State under paragraph 7 above, be substituted for the Secretary of State's decision.

10. Where the Academy has consented to be named in a child's statement of SEN, or the Secretary of State or SENDIST have determined that it should be named, the Academy shall admit the child notwithstanding any provision of Annex 2 of this agreement.

APPENDIX 6 – SERIOUS INCIDENTS OF MISBEHAVIOUR LEADING TO FIXED PERIOD OR PERMANENT EXCLUSION

The Hereford Academy Funding Agreement

Section – Annexes

Annex 4 – Serious Incidents of Misbehaviour Leading to Fixed Period or Permanent Exclusion

ANNEX 4

SERIOUS INCIDENTS OF MISBEHAVIOUR LEADING TO FIXED PERIOD OR PERMANENT EXCLUSION

1. In discharging its duty the Academy Trust will have regard and will ensure that the Independent Appeal Panel has regard to the Secretary of State's guidance on exclusions for maintained schools in accordance with any written directions from the Secretary of State on the interpretation of such guidance for the purpose of this annex.

2. At the date of this agreement, the Secretary of State's guidance on exclusions is called "Improving Behaviour and Attendance: Guidance on Exclusion from Schools and Pupil Referral Units", which is published on the DCSF website at: <http://www.teachernet.gov.uk/wholeschool/behaviour/exclusion/guidance/>. The title, contents and publication site of this guidance may be subject to change and the Academy Trust will have regard to the guidance as it stands at any given time.

Constitution and conduct of independent appeal panels

3. In addition to the obligations under paragraphs 1 and 2, the Academy Trust will be responsible for carrying out the functions of the Local Authority, as specified in the guidance, for the management of the appeal procedure. The Appeal panel must be impartial and constituted in accordance with the provisions of the guidance detailing the composition of the Appeal Panel. The Academy Trust will arrange suitable training for appeal panel members and clerks.

4. The appeal panel's decision is final and binding on the Academy Trust. Decisions of appeal panels are in principle amendable to judicial review on the application of a parent. A parent may not, however, appeal to the Commissioner for Local Administration (the Local Government Ombudsman) about maladministration because the Commissioner's remit is limited to considering the conduct of appeal panels constituted by Local Authorities.



New school gross building areas

G	3995 m ²
1st	3050 m ²
2nd	3050 m ²
Total:	10095 m²

- Grassed areas
- Demolition
- Refurbishment
- New Build

