



## Durand Academy Legal Expenditure Report

The last three years have seen an unprecedented period of growth and development at Durand, with the multi-million pound refurbishment of our Early Years Site, planning for our secondary school and our conversion to become an Academy.

The opening of the Mostyn Early Years site in September 2010 was one of our proudest achievements in our 25 year history, as children from three years old are now guaranteed the very best start in life. Parents have been so pleased that the old building has been improved and are now proud to drop their children off at the gate.

The redeveloped building has specialist classrooms, a learner swimming pool and its own kitchen producing hundreds of quality meals a day; bringing together a wonderful academic environment, with space for physical exercise and good nutrition. The work on Mostyn has also allowed us to free up space on the main Durand site for our middle school, which will open in September 2012, before our upper school starts in September 2014.

We have received fantastic support from parents, teachers and Governors along the way. We have also faced a number of challenges, which are inevitable in any large, innovative organisation.

We recognise the important role played by our legal advisers, who have advised us on property, statutory responsibilities, employment, education law and academy conversion over this period. A breakdown of the legal services used is below.

### Costs associated with Statutory Responsibilities

**Notes on major costs** - in 2007 inspectors visited Durand to assess the school before being granted FMSIS accreditation – a central government requirement. After a good inspection they found that there were no good reasons to prevent accreditation being granted. However, following the inspection an officer from the council intervened, holding up the process for over two years. Eventually FMSIS was granted after much unnecessary delay and expenditure.

2008-2009 - £32,105  
2009-2010 - £30,590  
2010-2011 - £18,981  
2011-2012 – not yet completed

### Costs associated with Planning/Property

**Notes on major costs** - costs associated with planning and property were incurred in relation to the Mostyn project.

2008-2009 – £19,163  
2009-2010 – £0  
2010-2011 – £0  
2011-2012 – not yet completed



### Costs associated with Academy Conversion

**Notes on major costs** - Over the summer of 2010 Durand Primary School went through the conversion process to open as Durand Academy in September 2010. Legal costs associated with this follow below.

2008-2009 – £0  
2009-2010 – £0  
2010-2011 – £13,487  
2011-2012 – not yet completed

### Disciplinary Action

**Notes on major costs** - In 2008-2009 Durand were involved in a hearing at the General Teaching Council (GTC) – see case below for further information:

2008-2009 – £28,340  
2009-2010 – £0  
2010-2011 – £0  
2011-2012 – not yet completed

### Jeff Newell Case

**Notes on major costs** – Mr Newell made allegations against Durand – a school he had never visited – in front of the GTC. He later admitted in open court that these allegations were “*entirely without foundation.*” He had based his information on hearsay and things he had been told “*by third parties who have a record of hostility towards the School.*” Durand should never have had to incur these costs, and had no option but to prove the facts in a neutral setting, in order to protect the reputation of the school and stop the repetition of damaging falsities. Mr Newell made a full and unreserved apology. All costs that could be recouped, given Mr Newell’s financial situation, were paid to Durand.

2008-2009 - £95,414  
2009-2010 - £135,970  
2010-2011 - £ 13,291  
2011-2012 – not yet completed

### Other

**Libel Case** - the Local Authority and its Officer are seeking to defend a number of libellous actions against individuals from our outstanding school. The school continues to support each of the individuals involved and regrets that there is no option but to pursue this case to vindicate the reputations of each of them and by association, our school.

The individuals have tried on many occasions to resolve this case, asking that these libels be withdrawn and an apology be made but this has always, disappointingly, been ignored. As the complainants are fighting this action as individuals (with the full support of Durand) and data protection considerations do arise, fees incurred to date cannot be disclosed. However, some information is available elsewhere on this for those who are interested.



A large chunk of fees incurred to date relate to costs the claimants were forced to incur in defending an unmeritorious application – which took over three days of court time – to strike out the case. The majority of these costs will be recovered by the claimants. Lambeth Council have made the following disclosure on this issue:

[http://www.whatdotheyknow.com/request/mclaughlin\\_ors\\_v\\_london\\_borough#incoming-197997](http://www.whatdotheyknow.com/request/mclaughlin_ors_v_london_borough#incoming-197997)

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