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| Committee/Meeting: Cabinet | Date: 10 April 2013 | Classification: Unrestricted | Report No: CAB 104/123 |
| Report of: Corporate Director Education, Social Care & Wellbeing Originating officer(s) Pat Watson, Head of Building Development | | Title: Holy Family & Our Lady's RC Primary Schools – proposed amalgamation Wards Affected: Limehouse | |

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| Lead Member | Cllr Oliur Rahman |
| Community Plan Theme | A Prosperous Community |
| Strategic Priority | Priority 3.1: Support lifelong learning opportunities for all |

1. **SUMMARY**

- 1.1 This report explains the background to the proposals put forward by the governing body of the schools and the Diocese of Westminster. It informs Cabinet of the consultation that has taken place and the outcome.

2. **DECISIONS REQUIRED**

The Mayor in Cabinet is recommended to:-

- 2.1 Note the contents of this report;
- 2.2 Note that Our Lady & St Joseph's School is planned to open in September 2014 following the amalgamation of the two existing primary schools.

3. **REASONS FOR THE DECISIONS**

- 3.1 Westminster Diocese, the LA and the governing body of Holy Family & Our Lady's Schools have been working together for some time to develop proposals to allow the schools to amalgamate on one site. Following initial consultation, statutory proposals were published on 14 January 2013 by the Diocese and the governing body. This report informs Cabinet of the consultation and the decision taken to implement the proposals.

4. **ALTERNATIVE OPTIONS**

- 4.1 The required process has been followed in order to make the changes to the schools. The proposals were developed to ensure the long term sustainability of two small schools and presented an opportunity to

address the accommodation deficiencies of the Our Lady's School site and premises which would not otherwise be capable of improvement.

5. BACKGROUND

- 5.1 Our Lady's School is in Copenhagen Place, E14 and HolyFamilySchool is in Wades Place, E14. Both are voluntary aided schools for which the Diocese of Westminster is the Trustee and owns the sites and premises. The governing bodies of the schools federated in 2009. Holy Family School is one form entry (1FE) school with 30 places in each year. Our Lady's School has 26 places in each year as its accommodation is restricted and does not allow it to have a full 1FE.
- 5.2 Westminster Diocese and the LA have worked together to support the schools over a period of time. The Diocese and the governing body continue to be concerned to ensure that there is secure Roman Catholic primary education in this part of Tower Hamlets and that both schools are sustainable. Small schools can remain vulnerable to leadership changes and have less flexibility in their budgets to support staff retention and spread of curriculum for the pupils.
- 5.3 The deficiencies of the Our Lady's site have been recognised for some time. The Diocese, the governing body and the LA worked together to develop proposals for a new building on the Holy Family site which would be large enough to accommodate both schools. It was initially envisaged that the LA would be able to contribute some funding to the scheme anticipating that the Primary Capital Programme would continue. When that programme was ended by the DfE, the Diocese continued to give the project high priority within its overall school estate. The Diocese proposes that it will fund the building project partly by the eventual disposal of the Our Lady's site (as had been previously envisaged) and with funds from its own reserves.
- 5.4 The scheme to build a new school at the Holy Family site received planning consent in December 2012. The implementation involves HolyFamilySchool being decanted into temporary accommodation at the site from summer 2013. For September 2014 for the amalgamation to come into effect, both schools will move into the new accommodation. Children on roll of the existing schools at 31 August 2014 will automatically transfer to the new school.
- 5.5 The new school will be a full 2FE school providing 420 places with 2 nursery classes. The admissions arrangements will remain essentially as they operate for the two existing schools to give priority to Roman Catholic children in the local area and then other Christian children. Other places remaining after these priorities are available for other applicants.

6. BODY OF REPORT

Decision-making on school expansion proposals

- 6.1 There is a statutory framework for implementing certain alterations to schools. The requirements are included in the Education & Inspections Act 2006 with associated regulations. For voluntary aided schools, it is generally the governing bodies or Diocesan authorities who can make proposals. The LA is responsible for decisions to implement proposals.
- 6.2 The prescribed process requires a two stage consultation process. The initial, pre-statutory consultation should provide information on the proposals and include a wide range of consultees. The outcome of this stage is then considered and statutory proposals are published for a specified period (in this case 6 weeks). After this period, the LA must consider any responses to the second consultation and decide whether or not the proposals should be implemented. The LA must take this decision within 2 months of the end of the second consultation period; if it fails to do so, the decision must be referred to the Schools Adjudicator.
- 6.3 There is a right of appeal to the Schools Adjudicator for certain parties against the LA's decision.

CONSULTATION

- 6.4 Consultation had previously been undertaken when the governing body federated and as the building proposals were being developed. The initial consultation period as required for the formal changes to the schools was from 5 November until 14 December 2012. The governing body and the Diocese issued a consultation paper which set out the background and the reasons for the proposals.
- 6.5 Consultation meetings were held to discuss the proposals with parents and staff. LA officers and Diocese representatives attended the meetings. There was a positive response from HolyFamilySchool parents and staff but there was a significant adverse response from some of the Our Lady's parents. The main concern expressed was the loss of a small, local school with many parents saying they had specifically chosen Our Lady's because it is a small school.
- 6.6 After the end of the consultation period, the governing body met and considered all the responses that had been received during the period. Whilst the governors recognised the considerable feeling that had been expressed by some parents at Our Lady's, it considered the matters that had previously been taken into account in developing the proposals. On balance, considering the sound education reasons for proceeding with the amalgamation to ensure the sustainability of the schools and continuing Roman Catholic education in the area, the governors decided to proceed with the proposals and made their recommendation to the Diocese. The Diocese accepted the recommendation and agreed to proceed with the publication of proposals.

STATUTORY PROPOSALS

- 6.7 The proposal for the schools has been developed as an amalgamation and has been presented in consultation accordingly. However, there is no legal process to create an amalgamation of schools and this has to be

achieved by simultaneous establishment of a new school and closure of the existing schools.

- 6.8 In this case, the proposal to establish the new school was published by the Diocese of Westminster and the proposal to discontinue both schools was published by the governing body of the federation. It is made clear that the proposals are related and will only be implemented in their entirety.
- 6.9 The proposed new school will be called Our Lady & St Joseph's School.
- 6.10 The statutory proposals were published on 14 January for a 6 week period to 22 February. In that period it is open for anyone to make any comments or objections by submitting them to the LA. No comments or objections were received during the 6 week period.

DECISION TO IMPLEMENT THE PROPOSALS

- 6.11 Under the Council's scheme of delegation, where no objections are received to statutory proposals, the decision to implement is taken by the Corporate Director. Following the end of the consultation period, the Corporate Director has made the determination to implement and this has been communicated to the Diocese and the governing body.

IMPLEMENTATION

- 6.12 The Diocese will proceed to enter into the construction contract for the works. An interim governing body for the new school will be established. The interim governing body will proceed to deal with staffing matters to ensure that staff are able to have posts in the new school confirmed as soon as possible. The interim governing body will advertise for the post of the Headteacher of the new school and will continue to regular communications with parents in the transitional phase.

7. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 7.1 This report concerns the formal process for changes to the two RC primary schools. The Council is not bearing any capital costs associated with the project as these will all be funded by the Diocese of Westminster.
- 7.2 Future revenue costs of the amalgamated school will be funded through the Dedicated Schools Grant.

8. CONCURRENT REPORT OF THE ASSISTANT CHIEF EXECUTIVE (LEGALSERVICES)

- 8.1 This is a noting report. Whilst the Council remains responsible for ensuring there are sufficient school places in the borough, its role in the establishment of the new school is quite limited under the Education and Inspections Act 2006. The report sets out what steps have been taken.

9. ONE TOWER HAMLETS CONSIDERATIONS

- 9.1 The new school will continue to provide Roman Catholic education for local children. The school is part of the the overall range of choice of

schools for parents and to meet the needs of the local community of the Roman Catholic faith.

- 9.2 The new building will be fully accessible which will enhance the range of provision available in mainstream schools for children with physical disabilities. The school will be inclusive for children with special education needs.

10. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 10.1 The new building is designed to current standards for sustainable materials energy efficiency which will provide significant improvements in comparison with the existing buildings.

11. RISK MANAGEMENT IMPLICATIONS

- 11.1 The implementation of the amalgamation is being managed by the Diocese of Westminster. Officers from the LA will support the governing body and Head in the transition to the amalgamated school to ensure that the education standards at both the existing schools and the new school are not harmed by the process.

12. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 12.1 There are no specific implications arising.

13. EFFICIENCY STATEMENT

- 13.1 Westminster Diocese is seeking to make the best use of estate assets by this proposal. For the LA, it is anticipated that the proposal will in the long term secure effective education provision and enhanced use of revenue resources.

14. APPENDICES

n/a

Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012

Brief description of “background papers”

Name and telephone number of holder and address where open to inspection.

Consultation paper issued 5 November 2012
Details of statutory proposals

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