

Item No. 8.	Classification: Open	Date: 20 September 2011	Meeting Name: Cabinet
Report title:		Reporting the outcome of statutory consultation on the proposed enlargement of St Anthony's Catholic Primary School from a 1.5 to a 2 Form Entry Primary School from 1 September 2012	
Wards affected:		East Dulwich, Peckham Rye, Village and Nunhead	
Cabinet Member:		Councillor Catherine McDonald, Children's Services	

FOREWORD – COUNCILLOR CATHERINE MCDONALD, CABINET MEMBER FOR CHILDREN'S SERVICES

This report details the outcome of the statutory consultation on the proposed enlargement of St Anthony's Catholic Primary School. It is proposed to seek agreement from the Governing Body and the Diocese to change the school's admission arrangements either temporarily or in the long term to make the additional places available to both local denominational and non-denominational families. This will ease the pressure for a place at a good local school for families in the south of the borough.

In addition it would remove the mixed age teaching groups at the school and result in single year group classes. Pupils will benefit from being taught a curriculum which is closely related to their specific year groups and this would have a positive effect on standards at what is already a high performing school.

The appropriate consultation has been carried out with all the local stakeholders, including all the parents of the school. The schools' governing body is fully in favour and has led the consultation and publication of the proposals. All the consultation responses are appraised in the report, which recommends that the enlargement proceeds.

RECOMMENDATION

1. That the Cabinet agrees the proposals contained in the statutory notice which will effect the permanent enlargement of St Anthony's Catholic Primary School from a 1.5 to a 2FE primary school from 1 September 2012.

BACKGROUND INFORMATION

2. The rise in primary school rolls was first experienced in the East Dulwich area in 2009 when additional bulge classes were introduced to meet demand. A broader strategy of bulge classes coupled with selective permanent expansion of schools was agreed. Where permanent enlargements were proposed, consideration would be given to removing half forms of entry where they exist, as these can present some difficulties in class organisation and are unpopular with parents. At that time the Executive welcomed the offer by the governors of St Anthony's Catholic Primary School to expand with effect from September 2010. This expansion should secure 105 additional permanent places at the school.

3. In the East Dulwich (SE22) area there are four primary schools. The increasing pressure for places in this area is being or has been met by the provision of bulge classes at all these schools – Goodrich (2009/10), Goose Green (2011/12), Heber (2010/11) and St Anthony's Catholic primary school (2010/11 and 2011/12). Each school has benefitted from capital investment to provide their bulge classes and supporting accommodation.
4. In the East Dulwich area there is only one half form entry school – St Anthony's Catholic primary school. Therefore a bulge class offering 15 additional places was opened at St. Anthony's in September 2010 in temporary accommodation pending a decision on the permanent enlargement. That bulge class is being continued in September 2011 in the expectation that it would lead to permanent expansion.
5. St Anthony's school has been heavily oversubscribed for the last three years. There is clear evidence of demand for places predominantly from local residents. (There were 60 first preference applications from local Catholic families within 2 kilometres of the school in 2011; 54 of these applications were from within the SE22 postcode area).
6. In spring 2010 the Governing Body of St Anthony's carried out initial consultation on the permanent enlargement of their school from a one and half to a two FE primary school from September 2010, in the context that there were more children looking for places at Southwark's primary schools. Due to slippage in the timetable a revised consultation was undertaken in spring 2011 on the school enlarging from September 2012.
7. The outcome of the initial and revised consultation was considered by the school's Governing Body in June 2011 and they agreed to the publication of a statutory notice proposing to enlarge St Anthony's Catholic Primary School from 1 September 2012.
8. There has been one response to the statutory notice, which is noted later in this report.
9. A decision must be taken by the Cabinet by 22 September 2011 – in line with the statutory consultation process requirements – otherwise the decision will automatically be referred to the Office of the Schools Adjudicator to make the decision.

KEY ISSUES FOR CONSIDERATION

Policy implications

Effect on standards, contribution to school improvement

10. St Anthony's Catholic Primary School is a good school with outstanding features that has achieved excellent results – in 2011 90% of pupils at KS2 achieved above Level 4 in English and Maths and in 2010 the school had a Contextual Value Added (CVA) KS1-2 score of 100.9. St Anthony's was recognised by Ofsted as a successful school particularly on account of the school management and the quality of teaching, which would continue in the enlarged school. The school currently has 321 pupils and is located in Etherow Street SE22 OLA.

11. As a result of the pressure for places in the area the school has opened bulge classes in 2010/11 and 2011/12 and has therefore recruited 60 pupils in each year. Permanently enlarging the school to 2 FE, which would involve the construction of additional classrooms, would mean that 105 additional permanent places would be provided at a good school. The two form entry model is considered to offer a good balance in terms of size, large enough to attract a budget to support an extended curriculum whilst retaining the character of a small school.
12. The permanent enlargement would expand a successful and popular school, which has very good performance, is oversubscribed at first preference and is rated by Ofsted as a good school with outstanding features.

Balance of denominational provision

13. St Anthony's Catholic Primary School current admission policy is determined by the governing body and gives priority to Catholic 'Looked after' children and then baptised Catholic children. Subsequently the school offers places to Looked after children who are not Catholic, children from other faiths and then other children. This is compliant with the requirements of the School Admissions Code. St Anthony's does not have a sibling criterion as part of its oversubscription arrangements but does admit applicants under each criterion by i) supplementary form information, ii) siblings, iii) social and medical iv) distance. This is in line with oversubscription guidance from the Catholic Diocese and complies with the school admissions code.
14. There is a continuing predicted pressure for more primary places for the community in the East Dulwich area but it is not possible to say from the planning projections whether they are for community or denominational places. In order to ensure that there is an increase in the supply of places in the local area for local children it is therefore proposed to seek the agreement from the Governing Body and the Diocese to change the school's admission arrangements either temporarily or in the long term to make the additional places proposed at this school available to both local denominational and non-denominational families.

Need for places

15. School roll projections are updated annually; the projections for the borough as a whole show the need for additional reception places from September 2012 particularly in the south of the borough. This increasing pressure for places is being met by the provision of bulge classes and permanent expansion in line with the Council's commitment to provide primary school places for local children. The medium/long term need will be kept under review, and it is currently not anticipated that further additional places would be needed at St Anthony's School.
16. Bulge classes have been provided in community, Church of England and Catholic schools to meet local demand. St Anthony's School has been heavily oversubscribed at first preference for the last three years. There is clear evidence of demand for places predominantly from local residents. (There were 60 first preference applications from local Catholic families within 2 kilometres of the school in 2011). The provision of additional places at the school will therefore provide additional primary capacity for local residents in the south of

the borough (subject to the negotiations in paragraph 13) and in line with the Council's commitment.

Admissions policy

17. As confirmed above the governing body of St Anthony's sets its own admissions criteria.

Impact on the community and travel

18. Maintaining access to extended services in the area has been considered. The enlarged school will continue to provide improved extended services and will also continue to play its part in achieving local community cohesion.

Travel and accessibility for all

19. The enlargement would not extend journey times or increase transport costs as it would be creating more places to meet local demand.

Funding the costs of permanent enlargement

20. Provision has been made within the capital refresh report to support an enlargement associated with the proposed expansion of the school alongside LCVAP (Local Authority Co-ordinated Voluntary Aided Programme - Department for Education capital resources for VA schools), the Archdiocese of Southwark and the school's governing body.

Community impact statement

21. An Equality Impact Assessment has been carried out. Enlarging St Anthony's will enable more pupils in the local community to benefit from the high standards at a good school.

Views of interested parties

22. The school carried out the initial consultation in spring 2010 with education stakeholders including the head-teachers and chairs of governors of all Southwark schools, parents and carers of pupils at the school, Councillors, the trade unions, Lambeth and Lewisham neighbouring authorities, the diocese and diocesan board.
23. Many responses in favour of the proposal were received from parents (25), local schools (14) and the diocese. All told 42 responses were received in favour of the proposals. Many responses were in favour because with the high demand for places at the school, its expansion to a two form entry school, with an additional fifteen Reception places each year, increases the opportunity for such families to attend their local Catholic school. Equally, the expansion will allow for single year group classes and the children will therefore benefit from being taught a curriculum which is closely related to their specific year groups. Responses noted that the school is well managed with smooth running under strong leadership which, as shown through Ofsted inspections, has met required standards consistently over many years and has excellent SATs results.

24. There were letters of opposition from two local Catholic primary schools. One local Catholic primary school was concerned about the impact of increasing the size of St Anthony's as they were worried that they could lose pupils as a result. However, given the growth in rolls this is unlikely to lead to surplus capacity as these places would be taken by other local children, and ultimately last year all the places at the school were filled. St Anthony's has demonstrated the large number of applications meeting its current admissions criteria and that even with an increased intake, the school will continue to be heavily oversubscribed. Many children from Catholic families will still not be able to gain a place and may wish to seek a place at other Catholic schools. In addition a local community primary school expressed concern considering there to be insufficient local demand. However, the school has not repeated their concerns in the second round of consultation and have themselves taken a bulge class.
25. A further initial consultation exercise has been undertaken on the proposed enlargement from September 2012 with all the initial consultees re-consulted on the revised date. Whilst the consultation specified the number of additional places the fact that these would be allocated using the school's existing admissions criteria was not specifically referred to.
26. In the second consultation round more responses in favour of the proposal were received (51), however, fewer were from parents although St Anthony's headteacher confirms anecdotal evidence from discussions with parents that they continue to very much support the proposals. Supporting responses were received from many staff and two former pupils, and a well-received public meeting about the plans for rebuilding the school was held. In the second round one local Catholic primary school again wrote objecting to the proposal on the grounds of there being insufficient demand as in spite of the evidence of the projections and St Anthony's own list of applications the school remained unconvinced of the local need. However all the places at this school have been allocated this year and the Archdiocesan Commission and the Area Bishop of the Archdiocese have written to support the enlargement proposal.
27. There was one response to the statutory notice (published in June for consultation until 22 July 2011) from a St Anthony's parent who is concerned about the impact of the works on the pupils during the building contract and how the external play area at the school will be managed once the works have been completed. If the enlargement is agreed these issues will be addressed in the specification for the building works.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

Cabinet is advised to agree the recommendation contained in the statutory notice and enlarge St Anthony's Catholic Primary School.

Legislative basis

28. The Education Act 1996 and the Education and Inspections Act 2006 provide the legislative basis for school reorganisation.

29. The Local Authority is enabled to effect changes to schools in its area, including voluntary aided schools such as St Anthony's with the permission of its governing body.
30. The Local Authority has a statutory duty under s.14 Education Act 1996 to ensure there is sufficient primary provision and suitable special educational needs provision available in Southwark.
31. The regulatory provision governing school expansion is found in the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007. St Anthony's proposed expansion to the PAN from 45 to 60 pupils has triggered the requirement for a statutory notice as the school will be enlarged by 25%.

Consultation

32. A consultation process has been followed originally in 2010 and updated in 2011 as a result of delay in the original proposal due to funding uncertainty. Stakeholders have been given an additional opportunity to reconsider the proposals. Cabinet must be satisfied that the consultation period allowed stakeholders adequate time to understand the proposals and the opportunity to make their views known. Cabinet must also demonstrate engagement with the responses provided in their decision making.

Decision making

33. In making the final decision, Cabinet members must take into account, the guidance "Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form" updated 1 February 2010. In particular, Cabinet must have regard to the statutory decision makers guidance which is set out in Stage 4 of each of the aforementioned guidance, and copies will be made available to Cabinet Members for consideration.
34. Cabinet may reject, approve or approve the proposals with a modification or condition. A decision must be made within 2 months of the end of the representation period, and if not the decision must be referred immediately to the Office of the Schools Adjudicator.
35. There is a presumption contained in the Schools Admissions Code that proposals to expand successful and popular schools should be approved.
36. If Cabinet is minded to approve the recommendation, it will effect the enlargement from September 2012 and the proposals must be implemented.
37. Cabinet is advised to note the equality implications arising from the Equality Impact Assessment in the Community Impact Statement above. In particular, Cabinet will note the main issue in respect of equality duties relates to the enlargement of a Catholic school, and additional school places where Catholic parents are prioritised.

Finance Director

38. The Dedicated Schools Grant and schools budget will increase in line with the increasing pupil numbers at the school.

39. Provision has been made in the capital refresh report approved by the Council Assembly on 6 July for a contribution towards the costs of the major enlargement of the school, with the balance met by the school, DfE grant aid and a contribution from the Roman Catholic Archdiocese of Southwark. A scheme is being drawn up by the Archdiocese and a proposal will come forward for a funding agreement for a decision by the Cabinet Member for Children's Services.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Statutory Notice to enlarge St Anthony's Catholic Primary School	Tooley Street	Martin Wilcox 020 7525 5018
DfE Regulations and Guidelines	Tooley Street	Martin Wilcox 020 7525 5018
Expanding a Maintained Mainstream School by Enlargement or Adding Sixth Form – Guidance dated 1.2.10	Guidance provided to Cabinet Members	Martin Wilcox 020 7525 5018
Equality Impact Assessment	Tooley Street	Martin Wilcox 020 7525 5018

AUDIT TRAIL

Cabinet Member	Councillor Catherine McDonald, Children's Services	
Lead Officer	Kerry Crichlow Assistant Director of Children's Services	
Report Author	Martin Wilcox, Education Planning Officer	
Version	Final	
Dated	7 September 2011	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	Yes	Yes
Finance Director	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team		7 September 2011