

DELEGATED POWERS REPORT NO.

1733

**SUBJECT: Closure of St Mary's High School and expansion of St Mary's and St John's into an all-through school**

**Control sheet**

**All of the following actions MUST be completed at each stage of the process and the signed and dated report MUST be passed to the Governance Service for publishing**

All reports		
1. Governance Service receive draft report	Name of GSO Date	Andrew Charlwood 17/07/2012
2. Governance Service cleared draft report as being constitutionally appropriate	Name of GSO Date	Andrew Charlwood 17/07/2012
3. Finance clearance obtained ( <i>report author to complete</i> )	Name of Fin. officer Date	Maria Christofi 19/07/2012
4. Staff and other resources issues clearance obtained ( <i>report author to complete</i> )	Name of Res. officer Date	Deborah Shaw 18/07/2012
5. Strategic Procurement clearance obtained ( <i>report author to complete</i> )	Name of SPO Date	Lesley Meeks 18/07/2012
6. Legal clearance obtained from ( <i>report author to complete</i> )	Name of Legal officer Date	Hema Parmar 19/07/2012
7. Policy & Partnerships clearance obtained ( <i>report author to complete</i> )	Name of P&P officer Date	Julie Pal 17/07/2012
8. Equalities & Diversity clearance obtained ( <i>report author to complete</i> )	Name of officer Date	Julie Pal 17/07/2012
9. The above process has been checked and verified by Director, Head of Service or Deputy	Name Date	Kate Kennally 19/07/2012
10. Signed & dated report, scanned or hard copy received by Governance Service for publishing	Name of GSO Date	Andrew Charlwood 20/07/2012
11. Report published by Governance Service to website	Name of GSO Date	Andrew Charlwood 20/07/2012
12. Head of Service informed report is published	Name of GSO Date	Andrew Charlwood 20/07/2012
13. Expiry of call-in period	Date	27/07/2012
14. Report circulated for call-in purposes to Business Management OSC members & copied to Cabinet Members & Head of Service	Name of GSO Date	Andrew Charlwood 20/07/2012

## ACTION TAKEN BY CABINET MEMBER (EXECUTIVE FUNCTION)

**Subject:** **Closure of St Mary's High School and expansion of St Mary's and St John's primary school into an all-through school**

**Cabinet Member(s)** Cabinet Member for Education, Children and Families

Date of decision 20 July 2012

Date decision comes into effect 30 July 2012

Summary	This decision taken under delegated powers gives approval to close St Mary's High School and to expand St Mary's and St John's primary school into an all-through school across three sites.
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Officer Contributors Elaine Tuck, Strategy and Planning Manager, Children's Service

Val White, Assistant Director Policy, Performance and Planning, Children's Service

Status (public or exempt) Public

Wards affected Hendon

Enclosures None

Key decision Key

Reason for exemption from call-in (if appropriate) Not applicable

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Serial No. 1773
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## **1. RELEVANT PREVIOUS DECISIONS**

- 1.1 Cabinet, 3 November 2011 'Proposed phasing of primary school expansions and investment strategy to meet demand for secondary school places' (decision item 6) agreed a permanent one form entry expansion of St Mary's and St John's primary school, subject to statutory consultation and proposals.
- 1.2 Cabinet, 20 February 2012, Business Planning 2012/13 – 2014/15 (decision item 6), agreed capital expenditure of £5m in relation to St Mary's and St John's primary school.

## **2. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS**

- 2.1 'Ensuring every school is a good school for every child and targeting support at young people not fulfilling their potential' is a strategic objective of the Corporate Plan 2012-13. Closing St Mary's High School, which is in danger of failing to deliver a full secondary school curriculum with sufficient specialist teaching, and expanding St Mary's and St John's primary school into an all-through school is proposed to help restore the Church of England option for those parents and students who welcome it at secondary level. This would also support Barnet Council in its statutory duty (Section 2 of the Education and Inspection Act 2006) to secure provision of primary and secondary education with a view to securing diversity in the provision of schools, and increasing opportunities for parental choice.
- 2.2 Barnet Council has a statutory duty under section 14 of the Education Act 1996 to ensure that sufficient schools for providing primary and secondary education are available in the area. St Mary's High School currently has capacity for 162 pupils each year, but as at January 2012 only had 74 children on roll in Year 7. The related closure and expansion aim to increase the viability of secondary school Church of England provision in the borough. Expanding St Mary's and St John's in the primary phase will help to ensure there is sufficient primary school capacity in the area.

## **3. RISK MANAGEMENT ISSUES**

- 3.1 Student recruitment to St Mary's High School has been an issue over a number of years. The school is unpopular locally and suffers from a poor reputation. Failing to close the school could result in the school becoming increasingly more unviable, resulting in significant financial and reputational risks to the Council.
- 3.2 To help ensure that the education of students currently at St Mary's High School is not disrupted it is proposed to close the school over a period of time, enabling all students currently at the school to complete their education there. Governors and staff are committed to maintaining standards over the remaining years, and the whole school staff and especially the inclusion team will be involved in planning to support students through their final years.
- 3.3 There is a financial risk associated with closing the school over a period of time as this will lead to fewer pupils on roll which will have an inevitable impact on the funding the school receives. There is also a financial risk if the pupils on roll

decrease more quickly than anticipated. A financial risk also exists in relation to expanding St Mary's and St John's primary school to take pupils from Years 7 to 13. Further details of the financial risks and mitigating actions are set out in section 5.

- 3.4 Closing St Mary's High School will reduce the number of secondary school places available in the borough. Given the under occupancy of places at the school this would reduce provision by around 90 places. This reduction will be offset by several planned permanent increases: 25 places at the London Academy and 30 at The Compton school starting in September 2012, 30 at Christ's College Finchley starting September 2013, and 30 at Copthall school starting September 2014. It is considered low risk that there will not be sufficient secondary school places in the two year period (academic years 2012/13 and 2013/14) before St Mary's and St John's school opens to Year 7 pupils in September 2014.
- 3.5 There is a risk that there will not be sufficient parental preference to fill the secondary school places created at St Mary's and St John's school. This is considered lower risk than the equivalent risk currently associated with St Mary's High School.
- 3.6 If there are insufficient school places to offer to children of school age in the borough, Barnet will not be able to fulfil its statutory duty under section 14 of the Education Act 1996. Expanding St Mary's and St John's school will create more primary school places, helping Barnet to fulfil this duty.
- 3.7 There is a risk that the additional places at St Mary's and St John's school will not all be needed and the expanded school will not be at full capacity in the primary or secondary stage. This is considered to be a low risk, certainly in the medium term, as birth data demonstrates that demand for primary places in the Hendon area will remain at a higher level. At secondary level, current pupil projections indicate that by September 2015 all Year 7 places in the borough, including those created at St Mary's and St John's school, will need to be occupied and additional places will be required from 2016. Longer term projections are inevitably less accurate as they concern children who are yet to be born, so in all school place planning there will always be an element of risk that too many or too few places could be provided in the long term.
- 3.8 There is a risk that if the Council does not invest in permanent primary school expansions, it would largely continue to be reliant upon temporary additional classes and the Council will eventually run out of viable options for temporary additional classes.
- 3.9 There is a risk that the project costs could escalate. The project will be managed by the Diocesan Board which has considerable experience in managing capital projects. It is expected that a provision for any unexpected expenditure due to the site or nature of works and contingency will be held within the budget.

#### **4. EQUALITIES AND DIVERSITY ISSUES**

- 4.1 Closing St Mary's High School would reduce provision for those parents seeking a Church of England secondary option for a period of two years. During this period a

Church of England secondary school option would continue to be available at The Wren Academy. The development of St Mary's and St John's primary school into an all-through school with high standards would increase diversity and restore the Church of England option for those parents and students who welcome it at secondary level. Permanently increasing primary-aged provision by 30 places at the school will help to provide more Church of England school places for younger children in the borough.

- 4.2 An equalities impact assessment has been carried out. St Mary's High School has a slightly higher than average number of pupils on roll eligible for free school meals, 23% compared with 18% across all Barnet secondary schools. Significantly more pupils receive School Action (25% compared with borough average of 14%), and more pupils speak English as an additional language 66% compared with 39%. Closure of St Mary's High School would be carefully managed to ensure that these pupils' education is not disadvantaged and they continue to be supported to achieve their potential. 64% of St Mary's High School staff are over 40 years old and 74% are female, so these groups will be most significantly impacted by the proposal to close the school over a period of time. As set out in 5.8, any changes to the structure and reductions in staffing levels will be managed in accordance with the London Diocesan Board for Schools (LDBS) Redundancy Procedures for Employees in Voluntary Aided Schools.

## **5. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)**

### **Finance and Value for Money**

- 5.1 As set out in 1.2, capital funding of £5m has been agreed in relation to St Mary's and St John's primary school. This will enable premises across the three sites to be remodelled as appropriate to the year groups they will be accommodating. The Diocesan Board will be carrying out the works within the funding package and reporting regularly to the Council so that spend and value for money can be monitored. Any underspend will be reinvested in the schools capital investment programme.
- 5.2 Increasing the capacity of St Mary's and St John's school will have some revenue funding implications as staffing and resource costs will increase to cater for the additional pupils. The school is taking additional Reception pupils in September 2012 prior to the proposed permanent expansion. The revenue costs of the growth in pupil numbers at St Mary's and St John's school will be met from the Dedicated Schools Grant. As the school expands to offer sixth form provision, the school would agree revenue funding in relation to sixth form pupils with the Education Funding Agency.
- 5.3 In relation to the costs associated with the closure of St Mary's High School, a potential redundancy timetable has been prepared by the governors and costed by the local authority based on the local authority redundancy scheme. Assuming a regular pattern of redundancies over the period 2013/14 to 2015/16, the redundancy costs are estimated to be between £440k and £550k (excluding pension strain). London Borough of Barnet issued notification to all Schools in November 2011 regarding funding arrangements and responsibilities for

redundancy/dismissal costs and the protocol that schools are expected to follow in cases where the council is obliged to meet redundancy costs. Redundancy payments will only be sanctioned where the requirements set out in paragraph 6.4 have been fulfilled. Costs associated with unavoidable redundancy will be mitigated as much as possible by the Children's Service working in partnership with the school. These will be met by the Children's Service budget.

- 5.4 The costs can only be estimated at this stage as they are highly influenced by any decisions by staff to resign ahead of formal redundancy. Voluntary resignations and successful redeployment will reduce the liability for redundancy and in circumstances of a school closure some natural wastage is to be expected. The school report that historically, staff turnover is around 25%. It is also not possible to accurately forecast pension strain, but it is felt prudent to make provision for £500,000 over a five year period. These costs and any additional costs relating to this will be funded by the Childrens Service budget.
- 5.5 This costing also assumes that pupil cohorts remain stable through the closure period. If current numbers remain stable, with the reformed school funding formula (as currently proposed), revenue projections by the school indicate that the income will be sufficient. However, modelling a 25% reduction in pupil numbers indicates that this would result in a significant revenue shortfall (£500k by 2014 with a further deficit of £700k in 2015). This would make the current closure plan unsustainable and an alternative closure plan would be required. The school has undertaken to revise and update the budget projections each term and these will be formally reviewed with the local authority after the October pupil census each year. This forms part of the ongoing close collaboration between the school, the local authority and the Diocesan Board to mitigate risks in closing St Mary's High School and the establishment of a successful all through school of choice to local parents.
- 5.6 Should revenue support be required whilst working towards an alternative closure plan, funds would first be sought from the Dedicated Schools Grant subject to the approval of the Schools Forum. If it appeared the school was likely to incur a budget deficit and the Governing Body was not taking all reasonable steps to minimise this by alternative closure plans, the authority would seek to suspend the school's delegated budget under Section 51 and Schedule 15 of the Schools Standard and Framework Act 1998 and work with the Diocesan Board to achieve minimisation of costs, which could include an earlier closure.

### **Staffing**

- 5.7 Expanding St Mary's and St John's primary school into an all-through school will create new opportunities for both existing and new staff to work in new positions at the school. A restructure of staffing will be required and trade unions will be consulted in the usual manner at this time.
- 5.8 Staff numbers at St Mary's High School will need to gradually reduce as the school closes over a period of time. This will be done through restructuring and it is likely to involve some staff redundancies over the four year period (see section 5.3). The staffing structure will need to be kept under review and any changes to the structure and reductions in staffing levels will be managed in accordance with the LDBS Redundancy Procedures for Employees in Voluntary Aided Schools. The severance or salary protection costs associated with any redundancy will be

payable on the basis of the terms and conditions specified in the LBB Managing Organisational Change Policy in place at the time of dismissal. The school will not finally close until 2016. Unions were consulted on the proposed closure of St Marys High School and proposed expansion of St Mary's and St John's primary school.

## **Property**

- 5.9 St Mary's High School is currently located across two sites at Sunningfields Road (NW4 4QR) and Downage (NW4 1AB). St Mary's and St John's primary school is located at Prothero Gardens, Hendon, NW4 3SL. The land and premises are not Council-owned assets. The London Diocesan Board for Schools is proposing to expand St Mary's and St John's school over the three sites and gradually close St Marys High School.

## **6. LEGAL ISSUES**

- 6.1 Under section 14 of the Education Act 1996 Barnet Council has a statutory duty to ensure that sufficient schools for providing primary and secondary education are available in the area.
- 6.2 The Education and Inspections Act 2006 and The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended by The School Organisation and Governance (Amendment) (England) Regulations 2007) which came into force on 21 January 2008 and The School Organisation and Governance (Amendment) (England) Regulations 2009 which came into force on 1 September 2009, set out the statutory procedures that must be followed when expanding a school. Statutory proposals are required for a proposed enlargement of the premises of the school which would increase the capacity of the school by both more than 30 pupils, and by 25% or 200 pupils (whichever is the lesser).
- 6.3 The School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007 (as amended) set out the statutory processes that must be followed when closing a school.
- 6.4 The legal provisions relating to schools and payment for dismissal is set out in Section 37 of the Education Act 2002 (EA 2000). Under certain circumstances including those where the closure has been implemented as a result of statutory reorganisation the council is responsible for redundancy payments in maintained schools but certain requirements are applicable. Under s 37(4) of the EA 2002 agreement in writing from the local authority needs to be obtained for costs to be met outside the schools budget share; under s 37(5) payment cannot be deducted from the schools budget share "except in as far as the authority have good reason for deducting these costs, or any part of those costs, from that share". Although "good reason" is not specifically defined the examples set out below indicate some of the situations in which "good reason" could apply and where the circumstances in which the local authority could withhold funding :-
- if a school has decided to offer more generous terms than the authority policy
  - if a school is otherwise acting outside the local authority's policy
  - where staffing reductions arise from a deficit caused by factors within the schools control



- where the school has excess surplus balances and no agreed plan to use these
- where a school has refused to engage with the local authority's redeployment policy

## **7. CONSTITUTIONAL POWERS**

- 7.1 Council Constitution, Part 3, Responsibility for Functions, Section 3.2, details the responsibilities of individual Cabinet Members. The Cabinet Member for Education, Children and Families has responsibility 'to lead on budget and policy formulation and implementation in relation to investment in educational infrastructure in education and schools, in particular raising and enhancing standards, ongoing education and services to schools', 'work to ensure that every child receives a first class education' and 'positively encourage integration of schools within the London Borough of Barnet into the community to achieve the best possible opportunities for education and learning for the Borough's children'.
- 7.2 Council Constitution, Part 3, Responsibility for Functions, Section 3.3 provides that Cabinet Members may discharge the executive functions that fall within their portfolio, whether or not they are also delegated to officers except for matters specifically reserved to Council, Cabinet or Cabinet committees.

## **8. BACKGROUND INFORMATION**

- 8.1 St Mary's Church of England High School is a secondary school across two sites in Hendon: Sunningfields Road and Downage. It has a planned admission number of 162 Year 7 pupils each year. St Mary's and St John's Church of England Primary School is a two form entry primary school, located at Prothero Gardens, taking 60 children in Reception each year.
- 8.2 The London Diocesan Board for Schools has worked with St Mary's High School and St Mary's and St John's primary school on two proposals. The governing body of St Mary's High School has consulted on a proposal to close the school, and the governing body of St Mary's and St John's primary school has consulted on a related proposal to expand the primary school into an all-through school.
- 8.3 Although St Mary's High School has good teaching and many students achieve very well, the school has not been a popular school and is now undersubscribed. It is now reaching a point where there will not be enough students for the school to be viable. It is proposed not to admit a Year 7 intake in September 2012, not to admit a Year 12 cohort by September 2015 and to close the school by August 2016.
- 8.4 St Mary's and St John's is a popular primary school rated good by Ofsted. It is proposed to expand the school into an all-through school. This would take place in stages as follows:
- September 2013 – permanently expands from 60 to 90 children admitted in Reception each year
  - September 2014 – opens to 120 pupils in Year 7 on a permanent basis
  - September 2016 – open to 125 students in sixth form on a permanent basis

- 8.5 There is a nursery at St Mary's and St John's primary school accommodating 52 children on a part-time basis (26fte) which will be unaffected by the proposal.
- 8.6 Pupils from Nursery to Year 4 will remain permanently on the current Prothero Gardens site. In September 2014 Years 5-7 will move to the Sunningfields Road site which will eventually accommodate Years 5-8. In 2016 Year 9 and 12 will move to the Downage site which will eventually accommodate Years 9-13.
- 8.7 Consultation took place from 20 February to 30 March 2012 and following this, statutory proposals were published on 26 April 2012. A formal representation period followed, which ended on 7 June 2012. The published notice and statutory consultation comply with statutory requirements. The proposal to discontinue St Marys' High School is related to the proposal to expand St Mary's and St John's primary school. A formal decision on the proposals must now be taken. If the proposals are agreed, any external works required to enable the expansion of St Mary's and St John's primary school will be subject to separate planning requirements.

#### **Factors to consider when making a decision**

- 8.8 The statutory government guidance sets out a number of factors that must be taken into account when making a decision on statutory proposals regarding school organisation changes, such as expansion. Proposals that are related such as those in relation to St Mary's High School and St Mary's and St John's primary school must be considered together. The key factors are set out below.

#### **Effect on standards and school improvement**

- 8.9 St Mary's High School is rated 'satisfactory' for overall effectiveness by Ofsted. In academic year 2011/12 53% of pupils attained 5 or more A\* to C GCSEs compared with the borough average of 68.8%. Student recruitment to St Mary's High School has been an issue over a number of years. The school is unpopular locally and suffers from a poor reputation. It is in danger of failing to deliver a full secondary school curriculum with sufficient specialist teaching.
- 8.10 St Mary's and St John's primary school is rated 'good' by Ofsted. In academic year 2011/12 79% of pupils at the school achieved the expected level at Key Stage 2, compared with 80% across the borough. Creating new all-through provision at St Mary's and St John's primary school will make high quality education available to a larger number of pupils. The secondary phase will be planned and implemented in partnership with The St Marylebone School and the London Diocesan Board for Schools.
- 8.11 St Mary's High School will have a phased closure. During this time, the school is committed to providing a full curriculum range. St Mary's High School will also be receiving input and support from The St Marylebone School, which is an outstanding Church of England teaching school in Westminster.
- 8.12 St Mary's High School has provided a breakfast club and after school clubs for its students. These will be discontinued when the school closes. As St Mary's and St John's primary school grows it will develop new extended services appropriate for

the needs and ages of pupils. The current breakfast and after-school clubs will continue.

### **Need for places**

- 8.13 At secondary level there are currently sufficient places for pupils in the borough. A number of secondary schools have surplus capacity for September 2012 and projected surplus capacity for September 2013. As set out in 3.4, the reduction in secondary school places during 2012/13 and 2013/14 when St Mary's High School ceases to offer Year 7 places and prior to the opening of Year 7 at St Mary's and St John's school, would be offset by several planned permanent increases at other secondary schools. GLA pupil projections indicate that by 2015 all Year 7 places in the borough, including those created at St Mary's and St John's school, will need to be occupied and additional places are also likely to be required.
- 8.14 Prior to St Mary's and St John's school opening to Year 7 pupils, there would be a short-term reduction in the number of Church of England secondary places available. As of September 2014, it is proposed that St Mary's and St John's school opens to 120 pupils, compared with St Mary's High School's current planned admission number of 162. Although this would result in fewer Church of England places for children of secondary school age, it is not felt that this would reduce diversity of provision as there are currently (as at January 2012) only 74 Year 7 pupils at St Mary's High School. The two related proposals aim to increase standards and therefore parental choice in terms of Church of England provision.
- 8.15 The intention is that no pupils will be displaced and any child who has started their education at St Mary's High School will be able to remain until they have completed their GCSEs.
- 8.16 In terms of primary school places, there is increasing demand for school places in the Hendon and West Hendon wards (postcode areas NW4 2, NW4 3, NW4 4, NW4 1, and NW9 7). Over 190 more children were born in these areas in 2009/10 than in 2002/03. Primary schools in the Hendon and West Hendon area are already at full capacity. As at January 2012, in the eight schools closest to St Mary's and St John's primary school there was only a net surplus of three Reception places, with some schools taking over number to meet local demand. St Mary's and St John's primary school is taking an additional temporary Reception class for September 2012 to help meet local demand.

### **Post 16 provision**

- 8.17 In terms of post-16 provision, closing St Mary's High School to sixth form pupils from September 2015 will reduce sixth form provision in the Hendon area. Pupils currently in the sixth form (112 as at January 2012) will be able to complete their education there. The Wren Academy, which is the other Church of England secondary school in the borough, opens a new sixth form in September 2013 so the option of a sixth form in a school with a Church of England ethos will remain prior to the opening of a sixth form at St Mary's and St John's school. There are a number of other schools and colleges in the Borough which offer a range of sixth form educational and training options and it is not anticipated that the closure of the sixth form at St Mary's High School will negatively impact upon participation.

- 8.18 The opening of a sixth form at St Mary's and St John's school for 250 pupils in 2016 will enable students at the all-through school to remain in a familiar environment with consistency of teaching staff and Church of England ethos. The area will lose sixth form places if St Mary's High School closes and this proposal would, after a gap, create new high quality sixth form provision. St Mary's and St John's school is collaborating with The St Marylebone School to ensure high standards and progression.

#### SEN provision

- 8.19 The proposals would not impact on provision specifically reserved for those with Special Educational Needs.

#### **Expansion of Successful and Popular Schools**

- 8.20 In the past the published admission number at St Mary's High School was 180 pupils but this has been reduced in recent years to 162 pupils because of under-subscription. Despite this 54% of Y7 places are currently vacant and overall the school has 28% vacancies across Y7-11.
- 8.21 St Mary's and St John's primary school is a popular and oversubscribed school. As set out in 8.8 pupils at the school achieve well. Consultation responses indicate that the Church of England ethos remains popular with parents and attracts parents to the school. For September 2011, 133 applicants selected St Mary's and St John's primary school as their first or second preference. For September 2012 103 children have selected the school as their first or second preference. There are 60 permanent places available.
- 8.22 The published numbers for each site is similar to the numbers of students currently using each site at present and access would be the same. There are local bus routes, pedestrian access, areas to store bicycles and some limited access by car. If expanded, St Mary's and St John's primary school will work with parents to organise a 'walking bus' each day between the Prothero Gardens and Sunningfields sites so that parents do not need to drop younger children at two sites. It is expected that the older students at the Downage site will make their own way there.
- 8.23 The admission arrangements for the all-through St Mary's and St John's School will fully meet the provisions of the School Admissions Code. Children in the primary phase of St Mary's and St John's school will be able to automatically transfer to the secondary phase or, if they choose, apply for places at other secondary schools in line with the usual secondary transfer process. Children wishing to join St Mary's and St John's in Year 7 will also be able to apply through the usual secondary transfer process.

#### **Funding and land**

- 8.24 The expansion would be carried out across three existing sites currently occupied by St Mary's and St John's primary school and St Mary's High School. Capital funding of £5m was approved by Cabinet on 20 February 2012 to enable premises across the three sites to be remodelled as appropriate to the year groups they will be accommodating.

## **Views of interested parties**

- 8.25 A consultation has been carried out with the key stakeholders who may be affected by the proposals. The majority of those consulted were positive about the proposal to close St Mary's High School. Consultation returns show that the closure of St Mary's High School would be supported by local residents. A number of respondents, including union representatives, noted that maintaining standards will rely on the quality and consistency of teaching and questions were raised about the situation for existing staff. Staff numbers at St Mary's High School will need to gradually reduce as set out in section 5. Views were fairly evenly split on whether the school should close over four years, sooner or later. Other issues raised were the need to persuade primary school parents about future success, whether the school could be rebuilt on a single site, and reassurance was sought that Christian values and high standards would be upheld in future.
- 8.26 In relation to the proposed expansion of St Mary's and St John's primary school, parents were keen to understand whether secondary pupils would be streamed by ability, whether there would be changes to the admissions criteria and whether an all-through model could be to the detriment of the school. Streaming could be considered in the future, the admissions criteria would continue as at present and be subject to regular review, and it was reiterated that there will be no crossover of current St Mary's High School pupils and current St Mary's and St John's primary school pupils. A few concerns related to traffic, including between the three sites. A walking bus is proposed between the Prothero Gardens and Sunningfield sites. The idea of having specialist teaching from Year 5 proved extremely popular with parents and teachers alike, and research indicates that this could help raise standards in the primary school as well as laying important foundations for the secondary phase.
- 8.27 As required by legislation, a formal notice was published in the local paper and displayed outside the school. One formal representation was made by a resident concerned about the additional number of pupils at Prothero Gardens and their age range. Under the proposals the current St Mary's and St John's primary school site at Prothero Gardens would only permanently accommodate an additional 30 pupils, all of whom would be primary school-aged.
- 8.28 One formal objection was made by a group of 56 staff at St Mary's High School and a further objection made by a member of staff at St Mary's High School. The key concerns included: that alternatives such as academy conversion or additional support for St Mary's High School had not been fully explored; that provision of inclusive education is a strength at St Mary's High School; and that St Mary's High School would become full due to population growth in the borough. Concern was also expressed that the school has not taken a Year 7 intake for September 2012; that St Mary's and St John's primary school has started to recruit staff for an all-through school; and that the governing bodies of St Mary's and St John's primary school and St Mary's High School have governors in common.
- 8.29 The governing body of St Mary's High School has updated its Frequently Asked Questions for staff to address these concerns. Over the past few years, a range of marketing activity has taken place to publicise the school but parental preferences for the school have not increased. Academy conversion was considered, but not

felt by the governors to, in itself, bring about a change in popularity. St Mary's and St John's primary school has advertised for a teacher for September 2012 and not for staff in relation to the proposed all-through school. Governors have committed to look at any potential conflicts of a person sitting on both governing bodies at their next meeting.

- 8.30 Applications to St Mary's High School were made by parents before the initial proposal had been drawn up. However, fewer pupils applied to St Mary's High School this year than in previous years and, had places been offered, only 19 offers would have been made to Barnet residents, with a further three places offered to out-borough pupils. Even if all these parents accepted the places that were offered a cohort of this size would not be viable. Before offers were made these 19 parents were contacted to inform them of the consultation and all decided to accept offers from other schools. The other local authorities whose residents had applied for places were also contacted and asked to have similar discussions with their residents. As such, the school did not take an intake of Year 7 pupils in September 2012.
- 8.31 Having considered the views expressed during consultation and the representation period, the need for additional primary school places and the need to ensure that all secondary school places are filled and help to meet parental preference, it is recommended that the related proposals are agreed.

## **9. LIST OF BACKGROUND PAPERS**

- 9.1 DCSF Statutory Guidance: Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form (last updated 1 February 2010).
- 9.2 The detailed Statutory Proposals are available on the St Mary's [website](#) or by contacting Elaine Tuck on 020 8359 4191.
- 9.3 The equalities impact assessment can be viewed by contacting Elaine Tuck on 020 8359 4191.

## **10. DECISION OF THE CABINET MEMBER(S)**

**I authorise the following action:**

- 1.1 **To close St Mary's High School at Sunningfields Road and Downage sites in stages; ceasing to admit Year 7 pupils in September 2012, ceasing to admit sixth form pupils by September 2015 and closing to all pupils by June 2016.**
- 1.2 **To permanently expand St Mary's and St John's primary school into an all-through school across three sites; Nursery to Year 4 at Prothero Gardens, Years 5 to 8 at Sunningfields Road, and Years 9 to 13 at Downage. This would mean that the school would expand permanently to take three forms of entry in Reception from September 2013, four forms of entry in Year 7 from September 2014, and open a sixth form for 250 pupils from September 2016.**

**Signed**

A handwritten signature in black ink that reads "Anders Harper". The signature is written in a cursive style and is underlined with a single horizontal stroke.

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**Cabinet Member for Education, Children &  
Families**

**Date**

**20 July 2012**

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