

**ACTION TAKEN BY CABINET MEMBER (EXECUTIVE FUNCTION)**

**Subject** **Amalgamation of St Joseph’s Catholic Infant School and St Joseph’s Catholic Junior School**

**Cabinet Member** Education, Children and Families

**Date of Decision** 4 March 2014

**Date of decision comes into effect** 1 April 2014

**Summary** This decision under delegated powers authorises the amalgamation of St Joseph’s Catholic Infant School and St Joseph’s Catholic Junior School into St Joseph’s Catholic Primary School, to provide education for children ages 3-11 years old.

**Officer Contributors** Caylin Joski-Jethi (School Organisation and Place Planner)  
Alison Dawes (Head of Education, Partnerships and Commercial Services)

**Status (public or exempt)** Public

**Wards affected** Hendon

**Enclosures** None

**Reason for exemption from call-in (if appropriate)** n/a

**Key decision** No

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## **1. RELEVANT PREVIOUS DECISIONS**

1.1. None.

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

- 2.1. The Council has a statutory duty under section 14 of the Education Act 1996 to ensure there are sufficient schools available in the local area.
- 2.2. The Local Authority can only enforce school attendance if they have offered a school place within a safe “walking distance”, defined under the Education Act 1996 in section 444(5) of 2 miles for children ages 0-8 and 3 miles for children over 8 years of age.
- 2.3. Improving equality of access to a good local school helps the Council to meet the following priorities:
- 2.4. Corporate Plan 2013-2016, Corporate Priority 3: “to create better life chances for children and young people across the borough.”
- 2.5. Barnet Children and Young People’s Plan 2013-2016, Primary Priority 1: “Provide exciting and supportive learning experiences in welcoming schools.”
- 2.6. The provision of Catholic education in the Borough supports Barnet Council in its statutory duty (Section 2 of the Education and Inspection Act 2006) to secure provision of education with a view to securing diversity in the provision of schools, and increasing opportunities for parental choice.

## **3. RISK MANAGEMENT ISSUES**

- 3.1. If there were insufficient primary school places to offer to children of school age in the borough, Barnet would not be able to fulfil its statutory duty under Section 14 of the Education Act 1996.
- 3.2. It is not considered that the issues involved are likely to raise significant levels of public concern or give rise to policy considerations.

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

- 4.1. In considering the proposals for school organisation changes and updates to the admissions criteria, due regard has and will be given to the public authority duties as set out in s149 of the Equality Act 2010.

- 4.2. All schools must have due regard to their obligations under the Equalities Act 2010 and review their policies and practices to make sure these meet the requirements of the Act, even if they believe that they are already operating in a non-discriminatory way.
- 4.3. The Human Rights Act 1998 confers a right of access to education. This right does not extend to securing a place at a particular school. Admission authorities, however, do need to consider parents' reasons for expressing a preference when they make admission decisions, though this may not necessarily result in the allocation of a place.
- 4.4. The strategy for meeting demand for school places is aimed at retaining the diversity of educational provision in Barnet, supporting Section 2 of the Education and Inspection Act 2006.
- 4.5. At the January 2012 School Census, 83% of children on roll at St Joseph's Catholic Infant School were of ethnic minority background compared to a Barnet primary average of 67%. The largest ethnic groups in the school are: Any other White Background (34%), White British (17%) and Black African (13%). 12% of children on roll were eligible for FSM compared to the Barnet average of 21%. 2% of its pupils received School Action Plus or a had a Statement of Special Educational Needs (compared to the Barnet average of 8%). 47% of its pupils spoke English as an Additional Language compared to the Barnet average of 47%.
- 4.6. At the January 2012 School Census, 79% of children on roll at St Joseph's Catholic Junior School were of ethnic minority background compared to a Barnet primary average of 67%.. The largest ethnic groups in the school are: Any other White Background (19%), White British (21%) and Black African (20%). 11% of children on roll were eligible for FSM compared to the Barnet average of 21%. 6% of its pupils received School Action Plus or had a Statement of Special Educational Needs (compared to the Barnet average of 6%). 32% of its pupils spoke English as an Additional Language (compared to the Barnet average of 47%.
- 4.7. St Joseph's Catholic Infant School and St Joseph's Catholic Junior School serve a diverse community and amalgamating the two existing schools will support the school to continue to provide a good education to its children.

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

### **Finance**

- 5.1. The school does not require any capital investment to amalgamate the two existing schools.

- 5.2. The amalgamated school's budget will be slightly smaller per pupil because they will receive only one lump sum (£122,500) rather than one per school. In the first year there will be some transitional protection.

### **Staffing**

- 5.3. The staff currently at St Joseph's Infant School will transfer to be staff of the current St Joseph's Junior School (which will change its name to St Joseph's Primary School). There may be some restructure to help achieve economies of scale, but this is not presently in scope.
- 5.4. The head teacher of St Joseph's Junior School is currently the Executive Head teacher of St Joseph's Infant School and St Joseph's Junior School. The Executive Head teacher will become the new head teacher of St Joseph's Primary School.
- 5.5. A TUPE consultation was completed which closed on 31 January 2014.

### **Property**

- 5.6. The existing site of the school is owned by the Diocese. The land and premises are not Council-owned assets. The London Diocesan Board for Schools is not proposing any changes to the existing site as part of the amalgamation.

## **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 borough.
- 6.2. The Local Authority can only enforce school attendance if they have offered a school place within a safe "walking distance", defined under the Education Act 1996 in section 444(5) of 2 miles for children ages 0-8 and 3 miles for children over 8 years of age.
- 6.3. 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, sets 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).

- 6.4. 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.

## **7. CONSTITUTIONAL POWERS**

- 7.1. Council Constitution, Part 3, Responsibility for Functions, Section 4.2, 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 schools and libraries'.
- 7.2. Council Constitution, Part 3, Responsibility for Functions, Section 4.3 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 Joseph's Catholic Infant School and St Joseph's Catholic Junior School share the same site, located at: Watford Way, Hendon, London, NW4 4TY. The site is owned by the Diocese of Westminster.
- 8.2. St Joseph's Catholic Infant School caters for children from age 3 to age 7; St Joseph's Catholic Junior School caters for children from age 7 to age 11. The children attending St Joseph's Catholic Infant usually attend St Joseph's Catholic Junior School, and have priority for admission to this school.
- 8.3. The Diocese of Westminster has worked with both schools to develop a proposal to amalgamate the infant and junior school to create a Year Reception to Year 6 primary school. The DfE statutory guidance on proposed changes to maintained schools (other than expansion, foundation, discontinuance & establishment proposals) provides two options for amalgamating two (or more) existing schools: the LA or Governing Body can publish proposals to close all schools and establish a new school; or the LA or Governing Body can publish proposals to close one (or more) existing school and enlarge/change the age range/transfer site for one of the schools. The Governing Bodies of the two schools and the Diocese of Westminster have decided to close the Infant school and enlarge the Junior school.
- 8.4. At the moment, most children in the infant school transfer to the junior school between KS1 and KS2. The new school would allow the children to automatically continue their education within the two schools without the need to re-apply for admission.

- 8.5. There is a maintained nursery on site which is currently part of the infant school. Once the Infant and Junior school amalgamate, it will become part of the primary school. There are no other proposed changes to the nursery.
- 8.6. The schools are proposed to amalgamate from April 2014. The children currently attending St Joseph's Infant School in Year 2 will automatically continue their education in Year 3 in the newly-created St Joseph's Primary School.
- 8.7. The Diocese and the School expect there to be a number of benefits following the amalgamation of the two schools:
- educationally, a single school is able to ensure a more consistent approach to teaching and learning for the children than two separate schools
  - opportunities for further development and an enhanced delivery of the national curriculum
  - enable better continuity and progression of children's learning between Key Stage One and Key Stage Two
  - the school can look at its management structure with a view to ensuring the best use of staff across the two schools
  - the combined expertise of the staff would be greater than in the two separate schools;
  - combined school budget and would benefit from greater flexibility
  - the school will be able to rationalise the use of all resources and gain efficiencies including the benefits from the combination of funding from the individual school budgets and surplus balances carried forward from previous years
  - better opportunities for staff, who can help each other to raise standards for pupils by sharing out the range of responsibilities and expertise required
- 8.8. Consultation took place from 24 June to 31 July 2013 and following this, statutory proposals were published on 23 October 2013. A formal representation period followed, which ended on 26 November 2013. The published notice and statutory consultation comply with statutory requirements. The proposal to discontinue St Joseph's Infant School is related to the proposal to expand St Joseph's Junior school and change the name.
- 8.9. The Governing Bodies of both St Joseph's Catholic Infant and St Joseph's Catholic Junior Schools voted to amalgamate the schools and change the name at a Joint Governing Body meeting. The LA must now approve the Governing Bodies' decision to amalgamate and change the school name.

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

- 8.10. 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 or changes to name. The key factors are set out below.

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

- 8.11. St Joseph's Infant School is rated 'Requires Improvement' for overall effectiveness by Ofsted. In 2012, 83% of pupils attained Level 2 or above in the key stage 1 reading assessment. This is in the bottom 40% of schools nationally. In 2012, 83% of pupils attained Level 2 or above in the key stage 1 writing assessment. This is in the middle 20% of schools nationally. In 2012, 93% of pupils attained Level 2 or above in the key stage 1 mathematics assessment. This is in the middle 20% of schools nationally.
- 8.12. St Joseph's Junior School is rated 'Outstanding' for overall effectiveness by Ofsted. In 2012, 92% of pupils attained Level 4 or above in the key stage 2 English (overall) test and assessment. In 2012, the school's result was in the top 40% of similar schools' results, and in the top 40% of all schools. In 2012, 92% of pupils attained Level 4 or above in the key stage 2 reading test. In 2012, the school's result was in the top 40% of similar schools' results, and in the middle 20% of all schools. In 2012, 90% of pupils attained Level 4 or above in the key stage 2 writing assessment. In 2012, the school's result was in the top 40% of similar schools' results, and in the top 40% of all schools. In 2012, 90% of pupils attained Level 4 or above in the key stage 2 mathematics test. In 2012, the school's result was in the top 40% of similar schools' results, and in the top 40% of all schools.
- 8.13. It is expected that the educational and staffing benefits of amalgamating the two schools will support the school to provide a good educational at all key stages and that the leadership and management strengths of the existing junior school will be able to support the development of these structures in the existing infant school.
- 8.14. The breakfast and after school clubs are expected to continue, although more children may be able to access specialist teaching (e.g. in a larger school there are expected to be more specialist music, sport or other teachers).

### **Need for Places**

- 8.15. There is increasing demand for primary school places in the Hendon ward. The birth rate in Hendon has increased by 61% between 2002 and 2011. All local primary schools are currently at full capacity.
- 8.16. Ensuring St Joseph's Infant and Junior schools remain successful and popular will help to address the demand for school places, by

ensuring the educational provision remains a 'school of choice' for parents.

- 8.17. St Joseph's Catholic Primary School would provide a Catholic educational offer, ensuring diversity in the Barnet's educational provision.
- 8.18. St Joseph's Catholic Infant and Junior Schools have received funding through the DfE's targeted basic need fund to expand from 2 to 3 forms of entry. The funding will be topped up by funds from Barnet Council, and the best value-for-money will be delivered if there is flexibility between the two sites as a result of the amalgamation. This will be subject to separate statutory proposals and consultation once the amalgamation is complete.

### **Funding and Land**

- 8.19. The existing schools are located on a shared site, which is owned by the Diocese of Westminster. Additional funding has been received from central government for a 1FE expansion of St Joseph's Infant and Junior Schools, which is not part of this decision.

### **Special Educational Needs and SEN Provision**

- 8.20. The existing schools operate inclusive policies and fully meet their duties as set out in the SEN Code of Conduct.

### **Views of Interested Parties**

- 8.21. A consultation has been carried out with the key stakeholders who may be affected by the proposals. There were no objections during the informal consultation period from either the parents or any of the other local stakeholders - just a few letters of support from other schools.
- 8.22. As required by legislation, a formal notice was published in the local paper and displayed outside the school which marked the start of the formal representation period which ended on 26 November 2013. There were no representations received during this period.
- 8.23. Having considered the views expressed during consultation and the representation period and the need to assist schools to remain popular and successful, it is recommended that the proposals are agreed to.

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

- 9.1. DfE 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 by contacting Caylin Joski-Jethi (Caylin.Joski-Jethi@Barnet.gov.uk) or by contacting the school.

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

### **I authorise the following action:**

10.1. To amalgamate St Joseph's Catholic Infant and St Joseph's Catholic Junior Schools into St Joseph's Catholic Primary School through:

- 10.1.1. The closure of St Joseph's Catholic Infant School;
- 10.1.2. The enlargement of St Joseph's Catholic Junior School to admit an additional 180 children (the children currently on roll in St Joseph's Catholic Infant School);
- 10.1.3. The extension of the age range of St Joseph's Catholic Junior School to admit the additional 180 children in Nursery – Year 2;
- 10.1.4. The change in name of the previous St Joseph's Catholic Junior School to St Joseph's Catholic Primary School

**Signed**



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

**Date**

**4 March 2014**

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