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City of Westminster

# Follow on Agenda

Title:	Children & Adults, Public Health & Voluntary Sector Policy and Scrutiny Committee		
Meeting Date:	Monday 12th June, 2023		
Time:	6.30 pm		
Venue:	Rooms 18.01 & 18.03, 18th Floor, 64 Victoria Street, London, SW1E 6QP		
Members:	Councillors:		
	Angela Piddock (Chair)Max SullivanIman LessLorraine DeanEllie OrmsbyRalu Oteh-OsokaSelina ShortCo-opted Members:Alix Ascough Marina Coleman Mark Hewitt Professor Ryan NicholHax Sullivan Professor Ryan Nichol		
E	Members of the public are welcome to attend the meeting and listen to the discussion Part 1 of the AgendaAdmission to the public gallery is by ticket, issued from the ground floor reception. If you have a disability and require any special assistance please contact the Committee Officer (details listed below) in advance of the meeting.If you require any further information, please contact the Committee Officer, Linda Hunting, Policy and Scrutiny Advisor.Email: lhunting@westminster.gov.uk Corporate Website: www.westminster.gov.uk		

**Note for Members:** Members are reminded that Officer contacts are shown at the end of each report and Members are welcome to raise questions in advance of the meeting. With regard to item 2, guidance on declarations of interests is included in the Code of Governance; if Members and Officers have any particular questions they should contact the Head of Committee and Governance Services in advance of the meeting please.

## AGENDA

## PART 1 (IN PUBLIC)

# 9. THE PROPOSED AMALGAMATION OF ST. STEPHENS AND ST. MARY MAGDALENE PRIMARY SCHOOLS

To review the Cabinet Member Decision on 'the proposed amalgamation of St Stephen's and St Mary Magdalene's Primary Schools', after the decision was called in by three Members of the Children, Adult Public Health and Voluntary Sector Policy and Scrutiny Committee.

Stuart Love Chief Executive 7 June 2023 (Pages 3 - 54)

## Agenda Item 9 **AGENDA ITEM No:**



Business and Children's City of Westminster Policy and Scrutiny Committee

Date:	12 <sup>th</sup> June 2023
Classification:	General Release
Title:	Decision to amalgamate St Stephen's and St Mary Magdalene's CE Primary Schools
Report of:	Sarah Newman, Bi-Borough Executive Director of Children's Services
Cabinet Member Portfolio	Cabinet Member for Young People, Learning & Leisure
Wards Involved:	Bayswater and Westbourne
Policy Context:	Vibrant Communities: Children and young people to have the best start in life, be well cared for and attend excellent schools that promote achievement
Report Author and Contact Details:	Ian Heggs, Bi-borough Director of Education
	ian.heggs@rbkc.gov.uk

#### 1. **Executive Summary**

This report informs the Committee of the decision made by the Lead Member for Young People and Learning to proceed with the amalgamation of St Stephen's and St Mary Magdalene's CE Primary Schools with effect from 1 September 2023. The decision follows a six-week period of public representation between 28<sup>th</sup> March and 5<sup>th</sup> May 2023. This is in response to the Council issuing a statutory notice on the proposal as recommended by the governing bodies of St Stephen's and St Mary Magdalene's CE Primary Schools following an informal four-week consultation. This was led by both governing bodies, with parents and staff between 16<sup>th</sup> January and 10<sup>th</sup> February 2023.

The decision has been called in for debate, reasons presented as questions have been provided.

## 2. Key Matters for the Committee's Consideration

## **Question 1: Further examination of costs to the local taxpayers**

Local residents, via the Council will be left to pick up the bill for the £400,000 deficit of the St. Stephens school site when it closes. This is because of possible ongoing contract commitments at the point of closure, and possibly more agency staff are needed if permanent staff leave before closure. We want to know:

- What detailed help was given to reduce the school's deficit?
- Did it have a licensed deficit recovery plan in place and if so when did this start?

## Response

The school went into a small £15,000 deficit at the end of March 2021 and planned to come back into balance by the end of March 2022. By September 2021 it was clear the school would not be able to recover their deficit before March 2022. Regular meetings were held with the school to review all budgets including the staffing structure. Unfortunately, despite making cost savings, support from a Finance Manager at the Council and support for a number of staff reorganisations it was not possible for St Stephen's to produce a viable 3-year budget plan including a deficit recovery plan.

Roll reductions have continued going from 142 in October 2019 to 76 in October 2022. As over 90% of school funding is based on pupil numbers, the school's funding has reduced significantly and the school has become financially unviable. It was not able to reduce costs further without compromising the quality of education and the curriculum on offer, leading to a significant worsening of the deficit increasing to £256,000 at the end of March 2023 and estimated to be about £400,000 on 31st August 2023, the date of proposed discontinuation (as part of the amalgamation). The London Diocesan Board for Schools was also involved in the discussions with the Council and the school.

The amalgamation proposal offers the best opportunity to secure not only the current, but the long-term sustainability of high-quality primary education for current and future pupils at both schools.

• Did it have a licensed deficit recovery plan in place and if so when did this start?

St Stephen's was not able to produce a 3-year deficit recovery plan, mainly due to its low school roll as over 90% of school funding is based on pupil numbers. Consequently, the two governing bodies approached the Council and the London Diocesan Board for Schools about an amalgamation proposal they had developed in order to deliver a sustainable educational offer for children at both schools at the St Mary Magdalene's site from September 2023 onwards.

# Question 2: Lack of future plans for educational use in St, Stephen's school site

There appears to have been very little consultation on the future educational use of the school site once it closes. When St. Vincent de Paul and Westminster Cathedral schools were amalgamated in September 2022, detailed plans were agreed to retain Westminster Cathedral school site for educational use – and service the special needs provision in Westminster, especially in the South of the Borough.

 What detailed plans are in place to safeguard the continued educational use of St. Stephens?

## Response

The trustees of St Stephen's Church are the landlords of the St Stephen's CoE school site. Given that the planning permission for the site is currently for educational use, the St Stephen's buildings were inspected earlier this year in collaboration with the Council to assess their suitability for other educational uses such as alternative provision or special educational needs. It was concluded that the configuration of the buildings, consisting of three adjoining structures on multiple levels with limited street or vehicular access and no disabled access facilities, made them impractical for the delivery of specialist, as opposed to mainstream, education. The cost of adaptation and backlog maintenance were also likely to be prohibitive.

There are ongoing discussions between the Council and the diocese to discuss the future use of this and any other sites where pupil numbers on roll are very low. We understand that there have been some informal discussions with three separate education providers about leasing the St Stephen's building but the marketing of the school to comply with Charities Act requirements cannot commence until the closure of the school site has been confirmed. It is understood that in the short-term the amalgamated school will continue to use the building for some educational activities, including after-school provision.

If you have any queries about this Report or wish to inspect any of the Background Papers, please contact Report Author:

## Ian Heggs, Bi-Borough Director of Education

ian.heggs@rbkc.gov.uk

## **BACKGROUND PAPERS**

Cabinet Member Decision



Cabinet Member Report

Decision Maker	Cabinet Member for Young People, Learning & Leisure
Date	30 <sup>th</sup> May 2023
Classification	General Release
Title	Decision report following the six-week formal statutory notice consultation period on a proposal to amalgamate St Stephen's and St Mary Magdalene's CE Primary Schools with effect from 1 September 2023
Wards Affected	All
Fairer Westminster Policy Context	Fairer Communities - To ensure the provision of well-resourced and high-quality schools that can continue to thrive and offer the opportunities that children deserve: a strong curriculum with excellent teaching, enriching activities and a joyful experience at primary school.
Financial Implications	Any remaining deficit at the point of the proposed closure will be charged to the Council's core budget.
	Please see section 6 of the report for more detail.
Key Decision	Yes
Report of:	Sarah Newman, Bi-borough Executive Director of Children's Services

## 1. Executive Summary

1.1 This report details the outcome of the six-week period of public representation in response to the statutory notice on the proposal for the amalgamation of St Stephen's and St Mary Magdalene's CE Primary Schools. The proposed amalgamation would create a one form entry school at the St Mary Magdalene's CE Primary site and St Stephen's CE Primary School would discontinue. Children at both schools will have a guaranteed place at the amalgamated school. This report recommends that the Cabinet Member for Young People, Learning & Leisure agrees to formally proceed with plans for the amalgamation that would take effect from the 1<sup>st</sup> September 2023. St Stephen's CE Primary would therefore close on 31<sup>st</sup> August 2023.

## 2. Recommendations

That the Cabinet Member for Young People, Learning and Leisure:

- 2.1 Consider the report and supporting documentation, particularly the statutory notice at Appendix B; the comments and any objections raised by the respondents at Appendix C and the Equalities Assessment at Appendix D.
- 2.2 Agree that the school governors will continue to work with the Council to mitigate and reduce the deficit while the school continues to operate. This approach is in line with that reported to the Children & Adults, Public Health & Voluntary Sector Policy and Scrutiny Committee.
- 2.3 Note that, in line with Section 22 of the School Standards and Framework Act 1998 and notwithstanding the efforts to reduce the deficit prior to closure, it is the responsibility of the Council to defray all expenses of maintaining a school and that any school deficit upon closure falls to the Council to be written off.
- 2.4 Agree to proceed with plans for the amalgamation of St Stephen's and St Mary Magdalene's CE Primary Schools to take effect from the 1<sup>st</sup> September 2023. This will result in the closure of St Stephen's CE Primary School on 31<sup>st</sup> August 2023. All pupils on the roll of St Stephen's will be accommodated at the amalgamated school St Mary Magdalene's CE Primary School. No pupils will be displaced.

## 3. Reasons for Decision

3.1 The impact of falling rolls across the borough and the number of schools in financial deficit present several challenges. It has therefore been necessary to consider making changes so that we do not have excess surplus primary capacity going forward. Provision that can be well resourced and is of high quality enables schools to continue to thrive and offer the opportunities that children deserve: a strong curriculum with excellent teaching, enriching activities and a joyful experience at primary school. The joining of the schools will provide pupils with a full and enriched curriculum as the amalgamated

school will have more pupils and will be fully funded per pupil. The governors of both schools are clear that now is the right time to move to becoming a single primary school in order to secure sustainable and high-quality education for the children now and into the future.

- 3.2 The two schools do not have enough children to fill two forms of entry from September 2023 with vacancies across all year groups. The average class size at St Stephen's excluding nursery is currently approximately 11 pupils per class, and 19 pupils per class at St Mary Magdalene's. The national average class size for Key Stage 1 in 2021-22 (including Reception) was 26.7 pupils and the average for KS2 was 27.6. There are currently 19 confirmed acceptances of offers made for the forthcoming reception entry for both schools.
- 3.3 The consultation led by the governing bodies of St Stephen's and St Mary Magdalene's has been carried out in partnership with the Church of England Diocese (London Diocesan Board for Schools) and in liaison with the Council's Education Partnership Board (EPB). The EPB plays a key role in enabling schools to meet the challenge of ensuring that all children and young people in Westminster achieve the best possible outcomes and can flourish if schools are working in effective partnerships. The EPB also seeks to ensure that steps are taken to address excess surplus capacity in primary schools in Westminster.

## 4. Background, including Policy Context

- 4.1 Demand for school places is driven by population growth and housing development. Falling birth rates, changing resident demographics and young families migrating out of the borough have resulted in a significant surplus of primary school places across most of the borough.
- 4.2 Westminster Council's Schools Forum, with the support of the Isos Partnership, have undertaken a high-level review of primary school provision working with its schools and respective diocesan bodies to seek strategies and mitigations to address the current surplus capacity in the primary sector and the financial management of schools that have falling rolls.
- 4.3 As of October 2022, there is a 25.7% surplus in primary school places (2884 are unfilled of 11186 places). This is significantly higher than the 5% to 10% surplus that local authorities are advised by the Department for Education to operate within. A reasonable surplus allows local authorities to meet their statutory duty to provide sufficient school places, yet still enable parents to have some choice of schools.

- 4.4 Both schools have falling rolls making it more difficult for them to have the financial ability to be sustained in the medium to long term. Both are one form entry but their current entry levels are well below 30 children per year group.
- 4.5 Offers were made for the forthcoming reception entry on 16<sup>th</sup> April 2023. The process for reception applications is operated in accordance with the statutory Pan London coordinated scheme and at this time the proposal to amalgamate the schools is in the statutory representation stage, as such both schools remain as options for parents to apply. The notification letter sent to the six parents offered St Stephen's was adapted to include information on the proposed amalgamation and options available to the applicant if the amalgamation is approved, including a guaranteed place at the amalgamated school.
- 4.7 School Roll Projections (SRP) are carried out annually as Local Authorities have a statutory responsibility to ensure there is not only a sufficiency of school places, but that there are strategies in place to address excess surplus capacity, particularly if forecasts indicate that demand is not projected to rise. Westminster uses the GLA modelling for its forecasting; data sources are school rolls, births, population and developments, and inward/outward migration trends.

## 5. Options

5.1 The most appropriate option that would achieve a one form of entry school without the displacement of pupils is amalgamating the two schools. DfE regulation provides two options for an amalgamation:

**Option A:** to close both schools and open one new school (no requirement for the new school to be an academy or free school).

**Option B (recommended):** to amalgamate two schools by formally closing one of them and retaining the other (sometimes referred to as a merger of the schools).

## 6. Financial Implications

6.1 If a school discontinues as part of an amalgamation, the deficit remains with the Local Authority, to be funded from its core budget. School deficits are not an allowable charge to the Dedicated Schools Grant (DSG). Technically it would be possible for the Schools' Forum to de-delegate a contingency provision to cover this cost; however, this is not proposed as it would be unlikely to be agreed as it would be funded by maintained schools, who are already expected to continue to fund ongoing school redundancy costs.

- 6.2 St Stephen's deficit was £256,000 at the end of March 2023 and is estimated to be about £400,000 on 31st August 2023, the date of proposed discontinuation (as part of the amalgamation). This estimate will change as costs and income change, for example if the school has ongoing contract commitments at the point of closure and more agency staff are needed if permanent staff leave before closure. Contract commitment information is being obtained from the school. Finance will continue to work with the school to monitor their deficit position and identify any necessary mitigating actions should the financial position worsen.
- 6.3 The £400,000 estimated deficit at the point of proposed closure will be charged to the Council's core budget.
- 6.4 The cost of any redundancies can be supported within the DSG, from the DSG reserves as agreed at Schools' Forum on 18<sup>th</sup> March 2023 (in relation to all maintained school redundancies).

## 7. Legal Implications

- 7.1 Section 14 of the Education Act 1996 requires local authorities to provide sufficient schools for primary and secondary education in their area. Local authorities also have best value duties in the performance of their functions under the Local Government Act 1999.
  - 7.2 The procedure for amalgamating schools is set out in the Education and Inspections Act 2006, the School Organisation (Establishment and Discontinuance of Schools) Regulations 2013, and the statutory guidance 'Opening and Closing Maintained Schools' (January 2023). The proposals set out in this report comply with the above legislation and guidance.

#### 8. Carbon Impact

8.1 The proposal reduces the carbon impact at St Stephen's which is to be vacated. There will be an increased occupancy at St Mary Magdalene's, but this does not have a significant increased demand on energy usage, thereby making this building more efficient in terms of pupil numbers. The Council would assist the Church of England Diocese in any applications for financial support to improve energy efficiency or re-carbonisation. Similarly, the Council is working with St Stephen's to explore possible alternative educational use and, as part of that, would seek to improve the energy efficiency and sustainability of the building.

#### 9. Consultation

9.1 The schools' governing bodies carried out an initial 4-week consultation

between 16<sup>th</sup> January 2023 and 10<sup>th</sup> February 2023. This is **Stage 1** of an amalgamation process. A consultation document, agreed with the Local Authority and the Church of England Diocese, was circulated via email, paper versions and placed on the schools' websites. Parent and staff sessions were held at both schools.

- 9.2 The governing bodies of both schools met separately on 27<sup>th</sup> February 2023 to consider the consultation feedback. The Council were notified on 28<sup>th</sup> February 2023 of their recommendation to proceed with the proposal to amalgamate. In accordance with statutory guidance <u>Opening and closing maintained schools</u>, the Council is the decision-maker and responsible for issuing a statutory notice about the proposal for a minimum four-week period during which further representations can be made.
- 9.3 The statutory Notice Proposal is Stage 2 of an amalgamation process. The Notice shown as *Appendix B* was published on 28<sup>th</sup> March 2023 to run for a six-week period to end on 5<sup>th</sup> May 2023 (extended from the required 4 weeks to 6 weeks to take account the Easter holiday). A summary analysis of responses is included and attached as *Appendix C.*
- 9.4 In total, the Council received 29 responses during the notice period. Respondents identified themselves as parents and staff from both schools and governors. 27 agreed with the amalgamation proposal and 2 indicated they did not agree.

The Council response is included in the analysis report and presented as follows:

## 9.4.1 **Council response to representations following the Statutory Notice**

'The Council acknowledges the genuine support and engagement of parents/carers, staff, governors, local councillors, the local community and educational professionals in response to the six-week statutory representation period and the four-week informal consultation period led by the governing bodies of both schools.

The response to both the governing body-led consultation and the representation statutory notice period has been very much in favour of the amalgamation of the two schools. The summary of responses indicate support from parents, staff and governors in bringing the two school communities together and a clear understanding of the financial and the teaching and learning benefits for the pupils when the two schools come together.

We believe that this amalgamation proposal offers the best opportunity to secure not only the current, but long-term sustainability of high quality primary education to current and future pupils, and is a proposal that provides a guaranteed place at the amalgamated St Mary Magdalene's and St Stephen's Church of England Primary School for all pupils on roll of both schools.

An amalgamated school will also enable greater opportunity for families to be provided with a range of extra-curricular activities and ensure value for money'.

## **10.** Staffing implications

- 10.1 A new staffing structure will need to be developed as part of the planning for September 2023 if a decision to amalgamate the schools is taken. In both schools, staffing changes are already needing to be made because of falling numbers of children. As part of the Stage 1 consultation, staff were able to consult their unions on the potential impact of the proposal. The exact structure for the future cannot be clear until we know whether the schools are amalgamating and the numbers of children and, therefore, the numbers of staff required.
- 10.2 However, if a decision is made to amalgamate, existing staff at both schools will be consulted on a proposal to create a new staffing structure for the amalgamated school. As part of that process, governors will work with the Local Authority, staff and their unions, and an HR consultant to determine the best ways to manage any changes needed. The Council, Diocese and governors are committed to avoiding compulsory redundancy.

# If you have any queries about this Report or wish to inspect any of the Background Papers, please contact:

Wendy Anthony, Head of Place Planning and Access Education

## LIST APPENDICES ABOVE BACKGROUND PAPERS

APPENDICES

- Appendix A Informal consultation paper on the proposed amalgamation St Stephen's and St Mary Magdalene's CE Primary Schools
- Appendix B Full Statutory Proposal Notice
- Appendix C Summary of representations to the full Statutory Notice
- Appendix D Equality Impact Assessment

## **BACKGROUND PAPERS**

• Statement of Decision| Publication of a statutory notice proposing to amalgamate St Stephen's and St Mary Magdalene's Church of England (CE) Primary Schools.

<u>Printed decision Publish a statutory notice proposing to amalgamate St Stephens and</u> <u>St Mary Magdal.pdf (westminster.gov.uk)</u>

## For completion by the Cabinet Member for Young People, Learning and Lesiure

#### **Declaration of Interest**

I have no interest to declare in respect of this report

Signed:

Date: 30/05/2023

NAME: Councillor Tim Roca

State nature of interest if any:

(*N.B:* If you have an interest, you should seek advice as to whether it is appropriate to make a decision in relation to this matter)

For the reasons set out above, I agree the recommendation(s) in the report entitled 'Decision report following the six-week formal statutory notice consultation period on a proposal to amalgamate St Stephen's and St Mary Magdalene's CE Primary Schools with effect from 1 September 2023' and reject any alternative options which are referred to but not recommended.

Signed:



Cabinet Member for Young People, Learning and Leisure

Date: 30/05/2023

If you have any additional comment which you would want actioned in connection with your decision you should discuss this with the report author and then set out your comment below before the report and this pro-forma is returned to the Secretariat for processing.

Additional comment:

If you do <u>not</u> wish to approve the recommendations, or wish to make an alternative

decision, it is important that you consult the report author, the Director of Law and Governance, Executive Director of Finance and Resources and, if there are resources implications, the Director of People Services (or their representatives) so that (1) you can be made aware of any further relevant considerations that you should take into account before making the decision and (2) your reasons for the decision can be properly identified and recorded, as required by law.

Note to Cabinet Member: Your decision will now be published and copied to the Members of the relevant Policy & Scrutiny Committee. If the decision falls within the criteria for call-in, it will not be implemented until five working days have elapsed from publication to allow the Policy and Scrutiny Committee to decide whether it wishes to call the matter in.

## WESTMINSTER CITY COUNCIL

## STATEMENT OF DECISION

#### SUBJECT: REPORT ON THE OUTCOME OF PUBLIC REPRESENTATIONS RECEIVED IN RESPONSE TO THE STATUTORY PROPOSAL NOTICE TO AMALGAMATE ST STEPHEN'S AND ST MARY MAGDALENE'S CHURCH OF ENGLAND (CE) PRIMARY SCHOOLS TO AMALGAMATE THE TWO SCHOOLS ON THE ST MARY MAGDALENE'S S

Notice is hereby given that Cabinet Member for Young People, Learning and Leisure has made the following executive decision on the above mentioned subject for the reasons set out below.

#### Summary of Decision

The Cabinet Member for Young People, Learning and Leisure has:

- Agreed that the school governors will continue to work with the Council to mitigate and reduce the deficit while the school continues to operate. This approach is in line with that reported to the Children & Adults, Public Health & Voluntary Sector Policy and Scrutiny Committee.
- Agreed to proceed with plans for the amalgamation of St Stephen's and St Mary Magdalene's CE Primary Schools to take effect from the 1*st* September 2023.

#### **Reasons for Decision**

The impact of falling rolls across the borough and the number of schools in financial deficit present several challenges. It has therefore been necessary to consider making changes so that we do not have excess surplus primary capacity going forward. The two schools do not have enough children to fill two forms of entry from September 2023 with vacancies across all year groups.

The consultation led by the governing bodies of St Stephen's and St Mary Magdalene's has been carried out in partnership with the Church of England Diocese (London Diocesan Board for Schools) and in liaison with the Council's Education Partnership Board (EPB). The EPB plays a key role in enabling schools to meet the challenge of ensuring that all children and young people in Westminster achieve the best possible outcomes and can flourish if schools are working in effective partnerships. The EPB also seeks to ensure that steps are taken to address excess surplus capacity in primary schools in Westminster.

Stuart Love, Chief Executive, Westminster City Hall, 64 Victoria Street LONDON SW1E 6QP

Publication Date:	30 May 2023
Implementation Date:	06 June 2023
Reference:	YPLL23-06

## INFORMAL CONSULTATION

## Proposal to amalgamate St Stephen's Church of England Primary School and St Mary Magdalene's Church of England Primary School

## Background

In recent years there has been a steady decline in the number of primary-school aged children in many inner-city areas, including Westminster.

There are several factors which appear to be contributing to this reduction:

- A falling birth rate.
- Benefit caps and pressure on social housing has led to families being rehoused in other areas outside Westminster.
- Reduced levels of inward migration, either as a result of Brexit or other economic or social forces, is leading to fewer families moving to London.
- Significant numbers of traditional multi-occupancy houses in the private rental/ownership sectors have reverted to single family occupancy.
- The affordability and scarcity of family housing means that increasing numbers of families choose to move out of central London as their children get older.
- Competition from the independent sector means that more affluent families are choosing to educate their children privately. This is a growing trend.
- Increasing levels of vacancies in primary schools in other Inner London boroughs supports increased movement of primary-aged pupils across LA boundaries.
- Research has shown that the demand for primary school places within Westminster is predicated to continue to decrease.

Here, in this north-west corner of the borough there are eight state primary schools within walking distance of each other. The shortfall in the number of children will have serious consequences for the schools' future viability.

St Stephen's CE Primary and St Mary Magdalene's CE Primary are one form entry schools both experiencing falling numbers on roll. St Stephen's in particular has seen a substantial decrease in pupil numbers. As at January 2023 at St Stephen's there were 74 pupils on roll (excluding nursery) representing 35% of the school's capacity of 210. At St Mary Magdalene's there were 133 pupils on roll (excluding nursery) representing 63% of the school's capacity of 210.

Government funding is on a per child basis (currently around £5,000 per child). Fewer pupils results in a reduction in funding. Since the appointment of a joint Executive Headteacher in September 2021, the two schools have increasingly shared resources in a bid to cut costs and manage under a reduced budget allocation without detriment to the quality of education of our children. This has extended to pupils and staff from each school engaging in more activities together (e.g. joint church services, joint summer party, joint sports day, Inset days, joint end-of-term party for staff). For the summer term St Stephen's Reception was based at St Mary Magdalene's which worked well.

Both schools follow the same curriculum, share curriculum subject leads and the staff jointly participate in various training sessions. Staff and parents have been kept regularly informed by the EHT as to the financial rationale for the schools sharing resources in this way and to the positive impact this has had on the quality of teaching and learning experienced by our pupils.

Nevertheless, and despite our best efforts, there continues to be significant financial pressure on our schools.

Regrettably this means that at current and projected pupil numbers, St Mary Magdalene's Primary School and, in particular, St Stephen's Primary School may, in the view of Governors, the diocese and the Local Authority (Westminster City Council), be financially unsustainable for the foreseeable future.

#### The Proposal

The Governors of St Stephen's Primary School and the Governors of St Mary Magdalene's Primary School, together with the Executive Headteacher, the Director of Education from the London Diocesan Board for Schools (LDBS) and our joint LDBS Primary School Link Adviser, have spent much time in discussion and prayer to determine the best way forward. The welfare and education of our pupils is key to providing them with a secure future. The following proposal has been made to ensure we offer the most sustainable and beneficial educational environment and continue to positively support pupils and parents.

The Governors of St Stephen's and St Mary Magdalene's CE Primary Schools are proposing to amalgamate (also referred to as merging) the two schools to form a 30 place (one form) entry primary school for 3 to 11-year-olds. The proposal is supported by the LDBS and by Westminster City Council.

However, it should be noted that this is a *proposal*. Parents play a key part in our school community and your feedback is important to us. The Governors of both schools are seeking parents' views on this proposal, together with the views of staff and pupils (details on how to share feedback are provided later in this document).

An amalgamation will create a single primary school from 1<sup>st</sup> September 2023 on the site of St Mary Magdalene's School, likely to be called St Mary Magdalene's and St Stephen's Church of England Primary School.

If the proposal goes ahead, St Stephen's School will close its doors on 31<sup>st</sup> August 2023, although consideration is being given for it to be used by the combined school for after school clubs or simply as additional space if needed.

There are many benefits to becoming a single primary school including greater investment in facilities and more effective use of funding to better support our pupils' needs and provide further enrichment activities.

## Why are we proposing the change?

Our two schools do not have sufficient numbers of children to fill two forms of entry from September 2023 and we have vacancies across all year groups. For example, the average class size at St Stephen's excluding nursery is currently approximately 11 pupils per class, and 19 pupils per class at St Mary Magdalene's.

(It should be noted that nationally the average class size for KS1 in 2021-22 (including Reception) was 26.7 pupils and the average for KS2 was 27.6).

As our pupil numbers fall, each school's budget allocation falls, resulting in less money being provided to educate our children, pay salaries and manage the upkeep of our buildings.

The Governors of both schools are clear that now is the right time to move to becoming a single primary school in order to secure sustainable and high-quality education for our children now and into the future.

## What are the benefits of becoming a single primary school?

By running only one school site, funding can be used more efficiently to provide an appropriate educational environment, rather than in having to stretch budgets to maintain two school buildings which take financial resources away from the children and staff. Projections show that pupil numbers are likely to continue to decline. By amalgamating, we would create stability for pupils, parents and teachers to focus on delivering the best educational outcomes.

By amalgamating into one school, we will be able to allocate more funding towards extracurricular options and enrichment activities for pupils and their families, both before, during and after school.

There will also be more continuous professional development opportunities for staff – which will benefit the children - such as shared training and the chance to work more closely across the curriculum in order to gain experience and understanding of all key stages.

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By becoming a single primary school there will be the opportunity for the communities from both schools to keep improving and moving forward, and to be part of an exciting new future together.

#### What will it mean for our children?

The objective is for all children currently attending both schools to be together on the St Mary Magdalene's School site. St Stephen's School was funded and built by St Stephen's Church in 1858. The church is committed to exploring and maintaining ongoing educational and community use at the site, with the support of the Local Authority and the diocese.

It is very much a priority for us to ensure that children and staff can safely be accommodated. The two school communities are already familiar with each other, and amalgamation provides an opportunity for the whole school communities to stay together.

It will mean that:

- investment in the facilities at the merged school on the St Mary Magdalene's School site will create excellent accommodation for all the children;
- children from both schools will have the opportunity to make new friends in a school which has a sustainable future;
- because the two schools already share a curriculum and many activities, arrangements in the merged school will feel familiar to the children. The differing needs of each age group will continue to be met;
- the Christian ethos, which is a strength of both schools, will remain paramount. The
  merged school will be the parish school for both St Mary Magdalene's and St
  Stephen's, with weekly shared collective worship in school, taken alternately by the
  Vicar of St Stephen's and the Vicar of St Mary Magdalene's, together with shared
  Church assemblies for the main festivals alternating between the two churches.

#### Who will be Headteacher?

Mrs Tonnie Read will continue as Executive Headteacher of our two schools. Mrs Read is an extremely effective Executive Headteacher who has been invaluable in establishing the successful partnership between our two schools and St John's Highbury Vale.

The Head of School at St Stephen's, Mrs Kate Daly, will continue until her contract ends on 31<sup>st</sup> August 2023. After the amalgamation, the combined school will come under the Headship of Ms Carol Gold, the current Head of School at St Mary Magdalene's. Ms Gold already knows St Stephen's School well and the Governing Boards from both schools are confident she and Mrs Read will provide stability and continuity in leadership through the period of change.

#### What will it mean for the staff?

A new staffing structure will need to be developed as part of the planning for September 2023 if a decision to amalgamate the schools is taken. In both schools, staffing changes have already been made because of falling numbers of children.

The exact structure for the future cannot be clear until we know whether the schools are amalgamating, the numbers of children and, therefore, the numbers of staff required.

Staffing structures for September 2023 will be clarified once numbers of children are known, and will, initially, be based on the staff structure required to support the numbers of children from each school. Existing staff at both schools will have an equal opportunity to apply for posts at the amalgamated school on the St Mary Magdalene's site.

As part of the consultation process, Governors will work with the Local Authority, our LDBS HR Adviser, Staff and their Unions to determine the best ways to manage any changes needed. The LA, LDBS and Governors are committed to avoiding compulsory redundancy.

Consultation meetings for staff will be held during the Spring term and throughout any agreed change processes.

Amalgamation provides greater protection for staff because more posts will be retained than would be the case if one school closed without being part of an amalgamation.

## **Consultation process**

There are two stages to the consultation process. Firstly, the 'informal consultation' which will run for four weeks from January to February 2023.

If, following this informal consultation, it is agreed that the proposal will move to the next stage, there will be a statutory notice published by the Local Authority with the 'formal consultation' open for four weeks from the beginning of March before a final decision is taken on the amalgamation.

If we open as a newly formed school in September 2023, the Governors of both schools would like to mark the commencement and will be seeking your ideas and suggestions on launching the new amalgamated school. For example:

- How best to recognise the coming together of the two schools including a commemorative event for St Stephen's School
- A plaque celebrating the coming together of the schools
- Other ways in which the history and unique character of the two schools could be preserved

• A new school uniform (Note: A grace period would be facilitated to align pupil uniforms/implement a new uniform which would be provided in the first year of amalgamation at no charge to parents/carers).

#### Admissions

If the proposal is agreed, a single primary school would be created on 1 September 2023 and the following would apply:

- Children at St Mary Magdalene's CE Primary School will be automatically enrolled at the newly amalgamated school and receive a guaranteed place.
- Children at St Stephen's CE Primary School will be automatically enrolled at the newly amalgamated school and receive a guaranteed place.
- First admissions: Children who have applied for reception or nursery places at St Mary Magdalene's or St Stephen's for September 2023 would be offered places through the standard admissions process.
- Children with siblings at St Mary Magdalene's or St Stephen's School would be given sibling priority for September 2023 and subsequent years.
- Belonging to either parish of St Mary Magdalene's or St Stephen's would carry equal weight in the admissions criteria.
- After all other criteria have been considered if there are further applicants requesting places, a distance criterion would need to be used in a tiebreak. St. Mary Magdalene's School entrance would be used to measure home-school distances.

The Governors, the LDBS and the Local Authority strongly recommend that children remain at St Mary Magdalene's School and St Stephen's School and join together in the newly merged school on the St Mary Magdalene's site as we believe this is the least disruptive move for our children. However, in the event of any parent preferring to send their child to another school, places can be applied for through the termly In-Year Admissions process.

#### Why are we consulting you?

The Governing Boards, the LDBS and the Local Authority cannot simply decide to make changes to schools without first seeking the views of parents, staff, and other stakeholders. There is also a legal process which must be followed before changes can be made, and it is important that the Governing Boards, the LDBS, and the Local Authority hear your views before deciding whether and how to proceed.

We value your thoughts highly and want to gather your views because you are part of our school community.

We are organising opportunities for parents, carers, and other stakeholders to share views at meetings of both schools.

At St Stephen's CE Primary School (for StS parents)	At St Mary Magdalene's CE Primary School (for StMMparents)
Date: Monday 23 <sup>rd</sup> January at 4.30pm	Date: Tuesday 24 <sup>th</sup> January at 5.00pm
Date: Tuesday 31 <sup>st</sup> January at 9.00am	Date: Monday 30 <sup>th</sup> January at 9.00am

Information will also be

- published on the school websites;
- publicised at the schools;
- shared via newsletters sent home with children over the next few weeks;
- available at the school offices (available either by phone or in person).
- available at St Mary Magdalene's Church and at St Stephen's Church

#### What happens next?

The informal consultation period begins on Monday 16th January 2023 and ends on Friday 10<sup>th</sup> February at 3.30pm.

An Informal Consultation Response Form can be found at the end of this document for you to share your feedback on the proposal.

Completed forms should be returned to the consultation boxes in your school's reception area. The same form is also available on the school websites and, when submitted, will be forwarded to the Governors.

Following the consultation process, a steering group, including Governors, will review your feedback and use it to make a response to the Local Authority on whether or not it recommends proceeding with the school amalgamation proposal.

The full Governing Board of each school will also consider your feedback in its representations if the Local Authority decides to move to a formal statutory notice consultation in March 2023.

If the Local Authority decides to proceed, a public notice will specify details of the final proposal and there will be a period of at least four weeks when representations can be made during March 2023. This will be the final opportunity to make any comments on the proposal.

It is then anticipated that a final decision on whether to amalgamate the schools will be made in early April 2023.

#### How can I get more information on the proposal?

St Stephen's parents are warmly invited to visit St Mary Magdalene's School. Further details will be provided about open mornings at the school when you will have the opportunity to visit.

We understand that parents from both schools may have concerns and queries and we will be happy to answer your queries, which can be posted in the consultation boxes in each school's reception area.

We respectfully ask that you direct any questions or feedback as outlined in this document, and not by questioning school staff, who themselves are being consulted in a similar way.

The Governors of both schools are committed to giving parents, children, and staff as much information as possible and will update you regularly. However, please note that we may not be able to answer some questions until after a decision is made.

This document, and other information, is also available on both school websites:

#### St Stephen's: <u>www.st-stephensprimary.co.uk</u>

#### St Mary Magdalene's: www.st-marymagdalene.westminster.sch.uk

If the Local Authority decides to publish a public statutory notice, further details of this proposal will also be available in the Consultation sections of the council's website.

Feedback from the statutory consultation will also be published on the council's website during the Spring Term.

#### How do I respond?

You can either complete the Informal Consultation Response Form on the following page and return it to the consultation box in your school's reception area, or you can complete it electronically and email it to:

office@st-stephensprimary.co.uk (St Stephen's parents)

office@st-mm.co.uk (St Mary Magdalene's parents)

Informal Consultation - proposal to amalgamate: St Mary Magdalene's and St Stephen's CE Primary Schools

Your views and feedback are important to us and we would encourage you to come along to one of the meetings (details provided earlier in this document).

Thank you for taking the time to consider our proposal, we look forward to hearing your perspective.

Pauline Hudson-Evans Chair of Governors St Stephen's CE Primary School Felicia Asiedu Co-Chair of Governors St Mary Magdalene's CE Primary School Matthew Champkin Co-Chair of Governors St Mary Magdalene's CE Primary School

#### INFORMAL CONSULTATION RESPONSE FORM

#### Proposal to Amalgamate St Stephen's Church of England Primary School and St Mary Magdalene's Church of England Primary School

Our proposal is to bring St Stephen's and St Mary Magdalene's Church of England Primary Schools together as one merged primary school from 1<sup>st</sup> September 2023 at the St Mary Magdalene school site.

We welcome your views on this proposal. Please fill in this form and return it to the school office no later than Friday 10<sup>th</sup> February 2023. You can also download the form online and email it to the relevant address given above.

1) Do you agree with the proposal to amalgamate our two schools to become one school?

Please circle/ delete as appropriate:

YES

NO

2) If you like the proposal, please say why you think it is a good idea:

3) If you dislike the proposal, please tell us why you are concerned:

Any other comments, issues, or questions? (Please feel free to use the back of this form if you need more space)

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	St. Stephen's	St Mary Magdalene's
I am a child attending		
I have child/ren attending		
I am a staff member at		
I am a Governor at		
Other (please describe)		

Please note: If you are completing this form jointly, or for more than one role, please tick each box that applies so that your views are included within each group you are part of.

Your Name (Optional)
----------------------

Please return this form to the relevant school by 3.30pm on Friday 10<sup>th</sup> February 2023 Feedback from question one will be summarised numerically. Comments will be typed-up and anonymised. This information will be made available to the public (via the school website), but all respondents' comments and information will be anonymised.

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#### Statutory Proposal to amalgamate St Stephen's and St Mary Magdalene's Church of England Primary Schools

#### 28 March 2023

## Proposal to amalgamate St Stephen's Church of England (CE) Primary School and St Mary Magdalene's (CE) Primary School from 1 September 2023.

The proposal is to amalgamate St Stephen's CE Primary School and St Mary Magdalene's CE Primary School as a one form entry CE primary school on the St Mary Magdalene's school site. No pupils will be displaced as there will be a guaranteed place for pupils on the roll of both schools at the amalgamated school.

**Part 1**: Notice in accordance with 15(1) of the Education and Inspection Act 2006 that Westminster Council intends to discontinue St Stephen's CE Primary School on 31 August 2023.

**Part 2**: Notice that Westminster Council will seek to incorporate pupils from St Stephen's CE Primary School into St Mary Magdalene's CE Primary School with a planned Published Admissions Number of 30 pupils from reception entry September 2023.

#### 1. Published Admissions Number of 30 pupils from reception entry September 2023.

#### 2. Contact details

Name and address of Local Authority publishing the proposal:

Westminster City Council, City Hall, 64 Victoria Street, London, SW1E 6QP

#### Name, address and category of schools proposed to be amalgamated:

- i) St Stephen's CE Primary School, 91-99 Westbourne Park Rd, London W2 5QH
- ii) St Mary Magdalene's CE Primary School, Rowington Cl, London W2 5TF

#### 3. Implementation

#### Date on which it is proposed to amalgamate the schools: 1 September 2023

#### It is proposed to implement the amalgamation as follows:

St Mary Magdalene's CE Primary will be a one form entry school from September 2023 from the reception intake. Year groups that have more than 30 on roll will be organised as two classes until the numbers reduce to 30 per year group.

All children attending St Stephen's CE will have a place at St Mary Magdalene's CE from 1 September 2023. Children currently attending St Mary Magdalene's CE will continue to do so. The school will be renamed **St Mary Magdalene's and St Stephen's CE Primary School**.

#### Reason for amalgamation

The proposal arises for two key reasons: a fall in pupil numbers across Westminster that has impacted both schools and current and future financial viability. St Stephen's has a deficit budget that is projected to increase. Both schools have a surplus of over 30% with low reception numbers.

A four-week period of public consultation, led by the governing body at each school and including meetings with staff, governors and parents, was undertaken from 16 January to 10 February 2023. The consultation and Frequently Asked Questions can be viewed here:

www.westminster.gov.uk/st-stephen-st-mary-magdalene-amalgamation

#### 4. Pupil numbers and admissions

#### The numbers for whom provision is currently made at the school:

St Stephen's CE Primary: This school is a co-educational mainstream CE primary school for pupils aged 3 to 11. The school has a Published Admission Number of 30 for each year group, giving a total of 210. As of October 2022, the school had 76 pupils on roll, with 9 children in the reception class and 8 in the nursery.

St Mary Magdalene's CE Primary: This is a co-educational mainstream CE Primary school for pupils aged 3-11. The school currently has a Published Admission Number of 30 for each year group. As of October 2022, the school had 133 pupils on roll with 19 children in the reception class and 12 in the nursery.

The current Reception to Year 6 pupil numbers for each school based on the October 2022 school census are shown below. The current spare capacity, excluding nursery, at St Stephen's is 64% and at St Mary Magdalene's Westminster, it is 36.6%.

Year group	St Stephen's	St Mary Magdalene's	Totals
Reception	9	19	22
Year 1	3	23	26
Year 2	9	16	25
Year 3	9	19	28
Year 4	13	18	31
Year 5	17	17	34
Year 6	16	21	37
Total	76	133	209
Spare capacity			
	64%	36.6%	

\*based on October census 2022

#### 5. Admissions Criteria

Children who have applied for reception or nursery places at St Mary Magdalene's or St Stephen's for September 2023 would be offered places through the standard admissions process.

Children with siblings at St Mary Magdalene's or St Stephen's would be given sibling priority for September 2023 and subsequent years. Belonging to either parish of St Mary Magdalene's or St Stephen's would carry equal weight in the admissions criteria. After all other criteria have been considered if there are further applicants requesting places, a distance criterion would

need to be used in a tiebreak. St Mary Magdalene's School entrance would be used to measure home-school distances.

#### 5. Displaced pupils due to amalgamation

No children will be displaced because all pupils will have places at the amalgamated St Mary Magdalene's and St Stephen's CE Primary School from September 2023.

Provision will be made to accommodate all pupils that are on roll of both schools. As the current combined numbers do not exceed the overall school capacity of 210 (Reception to Year 6), all pupils can be accommodated on the one site. The larger Year 6 class will have moved on to secondary with the incoming reception class not exceeding 30.

During the informal consultation, it was indicated that some families have preferences for other local schools and may live closer to other schools. Some schools in the surrounding areas have vacancies in some year groups; parents who wish will be supported to apply for them and the Local Authority will endeavour to meet parental preferences for school places, where possible.

Current pupil projections indicate there are sufficient places for future cohorts following the discontinuation of St Stephen's CE Primary. The Local Authority will continue to monitor the projected need for future school places and propose changes, if required, to ensure sufficient places are available.

#### 6. Impact on the community on the amalgamation

Both schools follow the same curriculum, share curriculum subject leads and the staff jointly participate in various training sessions. Children of both schools often participate in activities together so arrangements in the merged school will feel familiar to the children. The differing needs of each age group will continue to be met at the amalgamated school.

The Christian ethos, which is a strength of both schools, will remain paramount. The merged school will be the parish school for both St Mary Magdalene's and St Stephen's, with weekly shared collective worship in school, taken alternately by the Vicar of St Stephen's and the Vicar of St Mary Magdalene's, together with shared Church assemblies for the main festivals alternating between the two churches.

#### 7. Rural Primary Schools

Not applicable

#### 8. Balance of denominational provision

The LA is under an obligation to consider the impact on the balance of denominational provision in the area before it determines the outcome of school closure proposals. As there are other Church of England schools, as well as other faith schools in Westminster and surrounding areas, and St Mary Magdalene's remains an option for parents, the proposed amalgamation will have minimal impact on the balance of denominational school provision.

#### 9. Maintained nursery schools

The amalgamated St Mary Magdalene's and St Stephen's CE Primary will continue to offer

nursery provision.

#### **10.** Sixth Form Provision

Not applicable

#### 11. Special Educational Needs provision

There are 21 pupils on roll at St Mary Magdalene's CE School who have been identified as having special educational needs, of whom there are 6 pupils with an Education Health and Care Plan. One pupil with an EHCP will be leaving the school at the end of July 2023 as they are in Year 6. There are 7 pupils on roll at St Stephen's who have been identified as having special educational needs, none of whom are in receipt of an Education Health and Care Plan.

St Mary Magdalene's currently has step free, accessible access to its Early Years and KS1 areas as well as the communal areas. They have a hearing loop to support pupils with a hearing impairment. There is no lift within the main building. However, if there is a need for adjustments or adaptations to meet needs of current or future pupils or staff, the Diocese would be expected complete a feasibility study to assess appropriate capital works.

#### 12. Travel

The travel distance between the two schools is approximately a 13-minute walk. For current St Stephen's pupils, this may be further than their current journey, for some it may be closer. The additional distance is considered reasonable and will not require travel support.

#### **13.** Making representations about the proposal

Within six weeks (extended from the statutory weeks to take account of the Easter break) from the date of publication of this proposal, any person may object to or make comments on the proposal by contacting:

- Email: <u>school.organisation@westminster.gov.uk</u>
- **Post:** Head of School Place Planning and Access to Education, Bi-borough Education Service, Kensington Town Hall, Hornton Street London, W8 7NX

#### The closing date for responses is 5 May 2023

We will not be able to consider any responses received after this date. All responses received during the representation period will be fully considered by the Local Authority, and a final decision will then be made by the Local Authority on whether to implement the school amalgamation proposal or not with effect from 1 September 2023.

## Appendix C

## A summary of the representations received in response to the Statutory Proposal to amalgamate St Mary Magdalene's and St Stephen's Church of England Primary Schools from the 1 September 2023

#### **Consultation Response Analysis**

Westminster Council consulted the following stakeholders and interested parties directly to inform them of the publication of this statutory proposal:

- ✓ Secretary of State
- ✓ Parents, Carers and Pupils of St Mary Magdalene's and St Stephen's
- ✓ Staff at St Mary Magdalene's and St Stephen's
- ✓ Governors of all Westminster schools
- ✓ London Diocesan Board for Schools
- ✓ Diocese of Westminster (Roman Catholic)
- ✓ Westminster Schools Forum and Education Partnership Board (EPB)
- ✓ Headteachers of all Westminster schools
- ✓ Local MPs
- ✓ All Westminster councillors
- ✓ All neighbouring boroughs' local authorities
- ✓ Published on Westminster website / social media accounts
- ✓ Westminster Extra local paper

By the formal close of the statutory notice, the following written responses were received:

Total Responses	Agreed with the Proposal		Did not Agree with the Proposal
29	27	0	2

Respondents identified themselves as:

- Parents of St Mary Magdalene's Primary School x 6
- Parents of St Stephen's Primary School x 3
- Staff at St Mary Magdalene's Primary School x 12
- Staff at St Stephen's Primary School 1
- Governor x 4
- No identity provided x 2

## Summary of comments

'It will make a huge difference in terms of funding and teaching. Children are also very familiar with each other as they attend church together and other celebrations'.

'We support this union as for the good of our school at first and for the other school too. We believe that such step could help to save the future of our school and might strengthen the educational environment in the school.'

'My only concern will be if the quality of the education they will receive will not be adversely affected by this amalgamation, again the school heads and governors have assured quality will be expected to improve if anything. Therefore, my overall view is a positive one towards the proposal and time will tell'.

'I believe that the proposed amalgamation will be in the very best interests of both schools moving forward and provide excellent outcomes for all of the children'.

'I welcome the proposal of Mary Magdalene and St Stephen coming together. Mary Magdalene and St Stephen children learning and working together will bring great opportunities for their future'.

'I am a teacher and I think the amalgamation is a wonderful idea because we already share resources, do joint activities, share some staff'.

'I think it's a great idea that both communities join together. Wonderful for the children's education'

'It will allow the new school to not just survive, but to thrive. I have full faith in Carol Gold and Tonnie Read to ensure that the new school gives the children who attend the very best education'.

*Pupils and teachers are really excited at the idea of sharing the school with their peers from St Stephen's'.* 

'I think this is exactly what needs to happen to ensure that all the pupils and staff are able to continue their journey together and give each of the schools the opportunity to thrive'

'My child is scared that it will take time to adapt to new teachers and students'

'The schools already share the same curriculum and an Executive Headteacher, which would enable a smooth transition. They have also already shared a number of events together (eg a combined summer fair and sports day). There are strong relationships already formed between the schools at pupil, teacher and governor level'. 'Entering an amalgamation, rather than a straight closure of St Stephen's, whilst sad for the pupils at St Stephen's, will give them a feeling that they are being cared for and keeping something of their identity through the change. It will also enable them to move together. I think it will enable the pupils to look forward to next year with more excitement'.

'The change is brilliant, my children and I are very excited. Can we also just appreciate that when anything happens in either schools, the children, parents and especially the amazing staff at both schools adapt and support one an another like one big family unit that we are!"

'Given the falling numbers on roll and the negative impact that this has had our finances, amalgamation is the only way to secure the future of both schools'.

'The school will have more staff at the school may allow the school to have different activities for after school club like they use to as there will be more funding'.

'I fully support the amalgamation as proposed. Just a point to make, People in the community have raised questions about the resulting concentration of schools north of the flyover (St Mary Magdalene's, Edward Wilson, Our Lady of Dolours, St Saviours) compared to distance between schools that will be left to the South (Hallfield, St Mary of the Angels, Colville). I feel that the missing piece in the process has been strategic top level thinking about where the Council would like schools to be. It would be reassuring to think that this top level thinking was taking place alongside the bottom-up work on the ground'.

### Summary and conclusion of representation

'The Council acknowledges the genuine support and engagement of parents/carers, staff, governors, local councillors, the local community and educational professionals in response to the six-week statutory representation period and the four-week informal consultation period led by the governing bodies of both schools.

The response to both the governing body led consultation and the representation statutory notice period has been very much in favour of the amalgamation of the two schools. The summary of responses indicate support from parents, staff and governors in bringing the two school communities together and a clear understanding of the financial and the teaching and learning benefits for the pupils when two school come together.

We believe that this amalgamation proposal offers the best opportunity to secure not only the current, but long-term sustainability of high quality primary education to current and future pupils, and is a proposal that provides a guaranteed place at the amalgamated St Mary Magdalene's and St Stephen's Church of England Primary School for all pupils on roll of both schools.

An amalgamated school will also enable greater opportunity for families to be provided with a range of extra-curricular activities and ensure value for money'.

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## Appendix D

# **Equality Analysis (EA)**

Section 1 – Primary School Place Planning What is being analysed? (Aims and Objectives)

Title	Primary School Place Planning
	Amalgamation of St Stephen's and St Mary Magdalene's Church of England (CE) Primary Schools
<ul> <li>What are you analysing?</li> <li>What is the policy/project/activity/strategy looking to achieve?</li> </ul>	• The proposed amalgamation of St Stephen's and St Mary Magdalene's CE Primary schools. The joining together as a one form entry CE school will remove one form of entry from primary provision in Westminster from September 2023. The overall borough surplus capacity stands at 25.7%. The joining of schools will provide pupils with a full and enriched curriculum as the school will be fully subscribed and fully funded per pupil.
<ul> <li>Who is it intended to benefit? Are any specific groups targeted by this decision?</li> </ul>	<ul> <li>Children of statutory primary school age (4-11) currently on roll of St Stephen's and St Mary Magdalene's CE Primary School and future children that will join the amalgamated school.</li> <li>Staff currently employed by St Stephen's and St Mary Magdalene's CE Primary Schools</li> </ul>
• What results are intended?	<ul> <li>That Westminster Council agrees to determine the statutory notice proposal to amalgamate St Stephen's and St Mary Magdalene's CE Primary Schools. The amalgamation will result in the discontinuation of St Stephen's CE Primary School on 31<sup>st</sup> August 2023. The new amalgamated St Stephen's and St Mary Magdalene's CE Primary School will accommodate all pupils on roll of both schools with effect from 1<sup>st</sup> September 2023 as a one form entry school on the St Mary Magdalene's school site.</li> </ul>

Name of the proposal including aims, objectives and purpose (Please note – for the purpose of this doc, 'proposal' refers to a policy, function, strategy or project)



#### What is being analysed? (Aims and Objectives)

#### Amalgamation of St Stephen's and St Mary Magdalene's Church of England (CE) Primary Schools

This Equalities Impact Assessment concerns the proposal of St Stephen's and St Mary Magdalene's CE Primary schools, whereby St Stephen's would discontinue and its pupils would transfer to St Mary Magdalene's CE, should their parents choose to take up a place there.

Westminster has a great tradition of excellent education; it values the important role that schools have in increasing the life chances of its children. However, the borough is now in a position where there is the need for longer term planning to maintain the success and future sustainability of its schools.

Demand for school places is driven by population growth and housing development. Falling birth rates, changing resident demographics and young families migrating out of the borough have resulted in a significant surplus of primary school places across most of the borough. Between 2012- 2021 there has been a 17% decrease in the birth rate in London, a reduction of 23,225 live births across the capital. As of October 2022, there is a 25.7% surplus in primary school places. This is significantly above the suggested 5 -10% surplus that urban local authorities are advised to operate with. The 5-10% surplus is designed to allow local authorities to meet their statutory duty to provide sufficient school places, yet still enable parents to have some choice of schools.

The impact of falling rolls across the borough, reductions in education funding and schools in financial deficit present several challenges. It has therefore been necessary to consider making changes that will ensure we have the right provision in the right place at the right time going forward. Provision that can be well resourced and is of high quality will enable schools to continue to thrive and offer the opportunities that children deserve: a strong curriculum with excellent teaching, enriching activities and a joyful experience at primary school.

A primary school review was initiated in the Summer of 2020 which was led by Isos Partnership. The aim and objectives of the review were to look at all the options to address the surplus of places and the financial viability of schools. Key stakeholders of the review included heads, governors, Diocese representatives and senior council officers. The key recommendations from the review were to (1) reduce surplus capacity, (2) support schools' financial management, and (3) maximise pupil numbers. The review identified schools considered to be at risk due to low pupil numbers and/or a budget deficit.

St Stephen's CE Primary School is identified as a school at risk owing to falling rolls over the last four years, meaning lower numbers have joined the school. Taking account of pupil projections that are forecast to decline further over the next five years, this deficit will increase as pupil numbers decline.

St Stephen's deficit was £256,000 at the end of March 2023 and is estimated to be about £400,000 on 31st August 2023, the date of proposed discontinuation (as part of the amalgamation).

The work at St Stephen's and St Mary Magdalene's is in partnership with the Church of England Diocese and being planned and supported through the LA's work with Westminster Education Partnership Board (EPB), which plays a key role in enabling schools to meet the challenge of ensuring that all children and young people in Westminster achieve the best possible outcomes and can flourish if schools are working in effective partnerships.

#### Conclusion - To be completed at the end of the Equality Analysis process

(The exec summary will provide an update on the findings of the EA and what outcome there has been as a result. For example, based on the findings of the EA, the proposal was rejected as the impact on a particular group was unreasonable and did not give due regard. Or, based on the EA, the proposal was amended and alternative steps taken.)



Based on the findings of the EA, the proposal is robust. The proposal ensures increased equality of opportunity in regard to improved educational outcomes for all St Stephen's and St Mary Magdalene's pupils. This should ensure that these pupils will leave primary education with a robust education and having had the opportunity to participate in enriching extra-curricular activities.

No pupil with any protected characteristic will be denied access to high quality provision as a result of these proposals. The proposals ultimately support the sustainability of the wider school system. A positive impact that the proposed changes will have on future service users and staff across Westminster primary schools is that they will be enrolled/employed by a more sustainable school system leading to the potential for greater opportunities for increased diversity, flexibility and availability of resources. Additionally, the reduction of surplus places within the wider school system should enable resources, which is currently being directed to manage falling school rolls, to be re-directed to increasing schools' per pupil allocation.

The St Stephen's school site will be retained for educational use to be determined following a feasibility study of the most suitable provision.

Details of the lead person completing the	(i) Full Name: Wendy Anthony
screening/EIA	(ii) Position: Head of School place Planning and Access to Education
	(iii) Unit: Education
	(iv) Contact Details: wendy.anthony@rbkc.gov.uk Tel:07791743413
Date sent to	16/05/2023
Equalities@westminster.gov.uk	
Version number and date of update	Version2 -May 2023

#### Section 2 – Evidence (Consideration of Data and Information)

An overview of who uses/will use the service/facility and identify who are likely to be impacted by the proposal. The following evidence has been considered:

#### **Engagement evidence**

The schools' governing bodies have undertaken an initial, informal consultation between Monday 16<sup>th</sup> January 2023 and Friday 10<sup>th</sup> February 2023 with their parents, staff and communities. Both governing bodies agreed to consult and shared this information with parents and staff, as well as circulating a letter about the review to all parents. A document was circulated via email, paper versions and placed on the schools' websites. Parent sessions were held at both schools. Frequently asked questions that arose from each meeting were documented with responses and placed on each school's website and made available in hard copy at parents meetings.

St Mary Magdalene's received 16 responses to the proposal (six parents, seven staff, one governor and two unidentified). None were against the amalgamation and all 16 were in favour of the proposal. St Stephen's received 18 responses to the proposal (eight parents, two staff, four governors, one volunteer and three unidentified). None were against the amalgamation; all 18 were in favour.

The following meetings were held during the governor led consultation:

**St Stephen's** - meetings were held on Monday 23<sup>rd</sup> January 2023 at 4.30pm and Tuesday 31<sup>st</sup> January 2023 at 9am

**St Mary Magdalene's** - meetings were held on Tuesday 24<sup>th</sup> January 2023 at 5.00pm and Monday 30<sup>th</sup> January 2023 at 9am

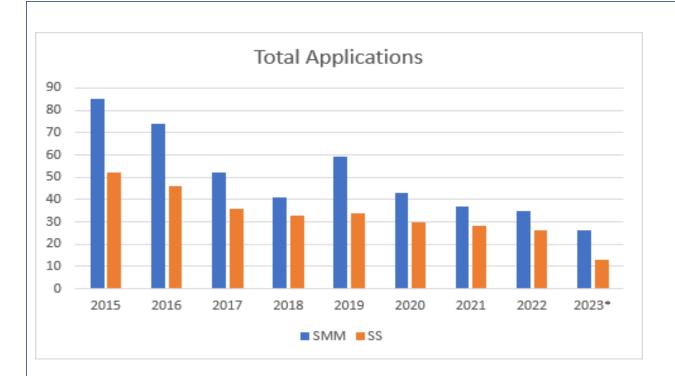
The governing bodies of both schools met separately on 27<sup>th</sup> February 2023, they discussed and considered in detail the consultation feedback and notified the Council on 28<sup>th</sup> February 2023 of their recommendation to proceed with the proposal to amalgamate. In accordance with statutory guidance <u>Opening and closing maintained</u> <u>schools</u>, the Council is the decision-maker and responsible for issuing a statutory notice about the proposal for a four-week period during which further representations can be made. The statutory notice was published on 28<sup>th</sup> March 2023 to run for a six-week period to end on 5<sup>th</sup> May 2023 (extended from the required 4 weeks to 6 weeks to take account of the Easter holiday). In total, the Council received 29 responses during the notice period. Respondents identified themselves as parents and staff from both schools and governors. 27 agreed with the amalgamation proposal and 2 indicated they did not agree.

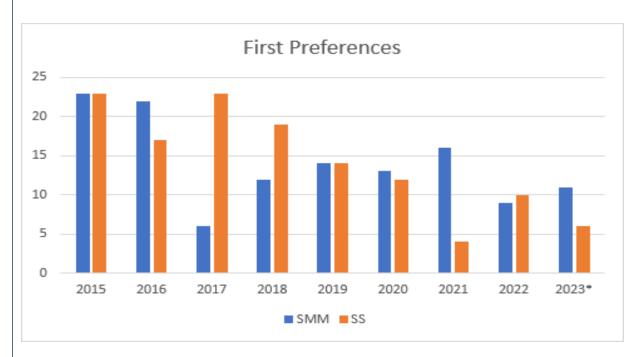
#### **Other Evidence**

#### **Reception applications**

Both schools have been experiencing a gradual decline in applications since 2017 that have been more significant in the last 3 years.

Total applications				First Preferences			
Year	SM M	SS	Total	Year	SMM	SS	Total
2017	52	36	88	2017	6	23	29
2018	41	33	74	2018	12	19	31
2019	59	34	93	2019	14	14	28
2020	43	30	73	2020	13	12	25
2021	37	28	65	2021	16	4	20
2022	35	26	61	2022	9	10	19
2023	26	13	39	2023	11	6	17



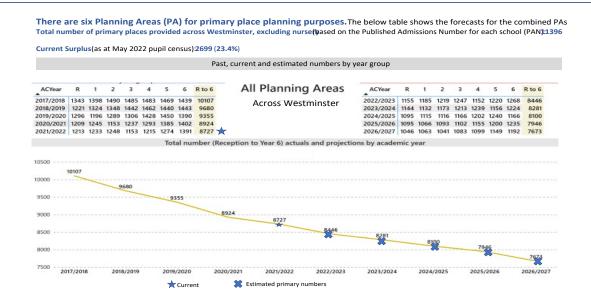


#### Pupil projections

School Roll projections are carried out annually as local authorities have a statutory responsibility to ensure there is not only a sufficiency of school places, but that there are strategies in place to address excess surplus, particularly if forecast indicates that demand is not projected to rise. Westminster uses the GLA modelling for its forecasting.

Whilst LAs are not under a duty to reduce school places if pupil numbers fall, DfE statutory guidance states, 'The department expects LAs to manage the school estate efficiently and to reduce or find alternative uses for surplus capacity'.

The first table on the next page shows the forecasts for the whole of Westminster. The second table shows the forecasts for the Bayswater planning area were both schools are located.



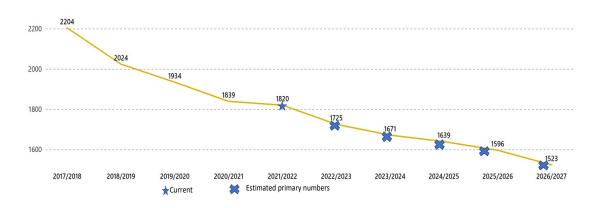
Planning Area 4: Bayswater Ark Atwood, Edward Wilson, Hallfield, Our Lady of Dolours, St James and St John, St Mary Magdalene, St Mary of the Angels, St Stephen's

 Total admissions number(based on the formal Published Admissions Number for each school (PAN):2331

 Current Surplus(as at May 2022 pupil census):
 511
 (21%)

	Past, current and estimated numbers by year group																	
ACYear	R	1	2	3	4	5	6	R to 6	Bayswater	ACYear	R	1	2	3	4	5	6	R to 6
2017/2018	283	292	330	328	<mark>34</mark> 3	328	300	2204	Planning Area	2022/2023	236	243	241	259	239	234	273	1725
2018/2019	253	260	269	297	314	316	315	2024		2023/2024	235	230	238	237	256	238	237	1671
2019/2020	266	247	254	263	295	311	298	1934		2024/2025	228	221	221	236	233	253	247	1639
2020/2021	234	259	231	245	266	293	311	1839		2025/2026	230	213	215	219	231	231	257	1596
2021/2022	253	246	260	240	234	271	316	1820	-	2026/2027	216	214	202	211	215	228	237	1523

Total number (Reception to Year 6) actuals and projections by academic year



#### School census data of St Stephen's and St Mary Magdalene (October 2022)

Year group	St Stephen's	St Mary Magdalene	Totals
Reception	9	19	22
Year 1	3	23	26
Year 2	9	16	25
Year 3	9	19	28
Year 4	13	18	31
Year 5	17	17	34
Year 6	16	21	37
Total	76	133	209
Spare capacity			
	64%	36.6%	

\*based on October census 2022

#### Section 3 – Assessing the Impacts on the Equality Groups

In order to be able to identify ways to mitigate any potential impact, it is essential that we know what those potential impacts might be. Using the evidence gathered in Section 2, explain what the potential impact of your proposal might be on the groups you have identified. You may wish to further supplement the evidence youhave gathered using the table below in order to properly consider the impact.

Equality Groups				Reason(s)
	proposal l	What impact will theproposal have on specificgroups of service users orstaff?PositiveNeutralNegative		<ul> <li>Please add a narrative to justify your claims around impacts and,</li> <li>Please describe the analysis and interpretation of evidence to support your conclusion as this willinform decision making</li> </ul>
	Positive			
<b>D</b>	-•			
မှာrotected characteris ထု က	tics			
₽ Øge	X			Existing pupils aged 4 -11 on roll at both schools have a guaranteed place at the amalgamated St Mary Magdalene's and St Stephen's CE Primary School.
				Children aged 4-11 have the choice to access 'Good' quality sustainable education at other schools in the surrounding area if they choose, where vacancies exist and by preference in accordance with admission criteria.
				An opportunity to increase the utilisation of the St Stephen's Primary School site with aligned services supporting the local community may have a positive benefit for this protected group.
				Both schools currently offer nursery provision for children aged 3 upwards, thereby access to a nursery place remains a provision offered to families from both schools.
				As a school's financial position is based on the number of children on roll, operating at capacity is imperative to ensure there is the budget to offer a rich curriculum as well as extra-curricular activities. Owing to a sizeable budget deficit, the extracurricular offer at St Stephen's has been reduced. As an amalgamated school with a healthy budget, pupils will benefit from extracurricular activities, and an

			extended school day is also beneficial for working parents.
Disability	x		There are 21 pupils on roll at St Mary Magdalene's CE School who have been identified as having special educational needs, of whom there are 6 pupils with an Education Health and Care Plan. One pupil with an EHCP will be leaving the school at the end of July 2023 as they are in Year Six. There are 7 pupils on roll at St Stephen's who have been identified as having special educational needs, none of whom are in receipt of an Education Health and Care Plan.
			St Mary Magdalene's currently has step free, accessible access to its Early Years and KS1 areas as well as the communal areas. They have a hearing loop to support pupils with a hearing impairment. There is no lift within the main building. However, if there is a need for adjustments or adaptations to meet needs of current or future pupils or staff, the Diocese would be expected to complete a feasibility study to assess appropriate capital works.
Sex Page		X	Currently at St Stephens', the gender breakdown is 42 boys and 34 girls, at St Mary Magdalene's - 74 boys and 59 girls. Joining the two schools will ensure there is a more equal gender breakdown. All pupils, irrespective of gender, will also benefit from the improved educational outcomes that should be achieved through joining the two schools.
ge 47			The staff gender breakdown is weighted heavily towards women at both schools, meaning there will be more of an adverse impact on females if there are due to be redundancies with the new staffing structure. However, this is purely because more women than men are employed, as is the case in most primary school provision in this Borough and elsewhere.
Gender Reassignment	x		No impact identified.
Marriage or civil Partnership	x		No impact identified.
Religion or belief	x		Without non-Church of England children at CofE schools, a number of faith schools in Westminster would not be financially viable. However, the current plan for amalgamation enables St Stephen's and St Mary Magdalene's children to have an option to continue in CofE provision, although parents are able to opt for a non-denominational school should they prefer.
			Joining the schools will not cause any significant changes to the pupil demographic of the new school

with both schools having a multicultural intake. Both schools have pupils with English as an additional language so will be able to share best practice with how to support children who are bi/multi-lingual. Both schools have a high proportion of over 20% with Arabic as their first language. All pupils, irrespective of ethnicity, will also benefit from the improved educational outcomes that should be achieved through joining the two schools.

Ethnicity	St Mary Magdalene CofE Primary School	St Stephen's CofE Primary School	Combined
Afghan	10.7%	5.0%	8.3%
Albanian	3.0%	0.0%	1.7%
Any other Asian background	0.6%	1.7%	1.0%
Any other Black background	3.6%	2.5%	3.1%
Any other mixed background	13.6%	1.7%	8.7%
Any other white background	0.0%	1.7%	0.7%
Arab other	3.6%	5.0%	4.2%
Bangladeshi	0.6%	24.2%	10.4%
Black Caribbean	3.6%	2.5%	3.1%
Black Congolese	0.0%	4.2%	1.7%
Black Ghanaian	1.2%	0.0%	0.7%
Black Nigerian	1.2%	1.7%	1.4%
Black Sierra Leonean	0.0%	0.8%	0.3%
Black Somali	0.6%	0.8%	0.7%
Black Sudanese	1.8%	5.8%	3.5%
Chinese	0.6%	0.0%	0.3%
Egyptian	1.8%	0.8%	1.4%
Indian	3.0%	0.0%	1.7%
Information not yet obtained	0.0%	1.7%	0.7%
Iranian	5.3%	0.8%	3.5%
Iraqi	4.1%	2.5%	3.5%
Kosovan	2.4%	0.8%	1.7%
Kurdish	0.6%	10.0%	4.5%
Lebanese	12.4%	5.0%	9.3%
Moroccan	5.9%	3.3%	4.8%
Other Asian	0.0%	0.8%	0.3%
Other Black African	0.6%	0.8%	0.7%

Race

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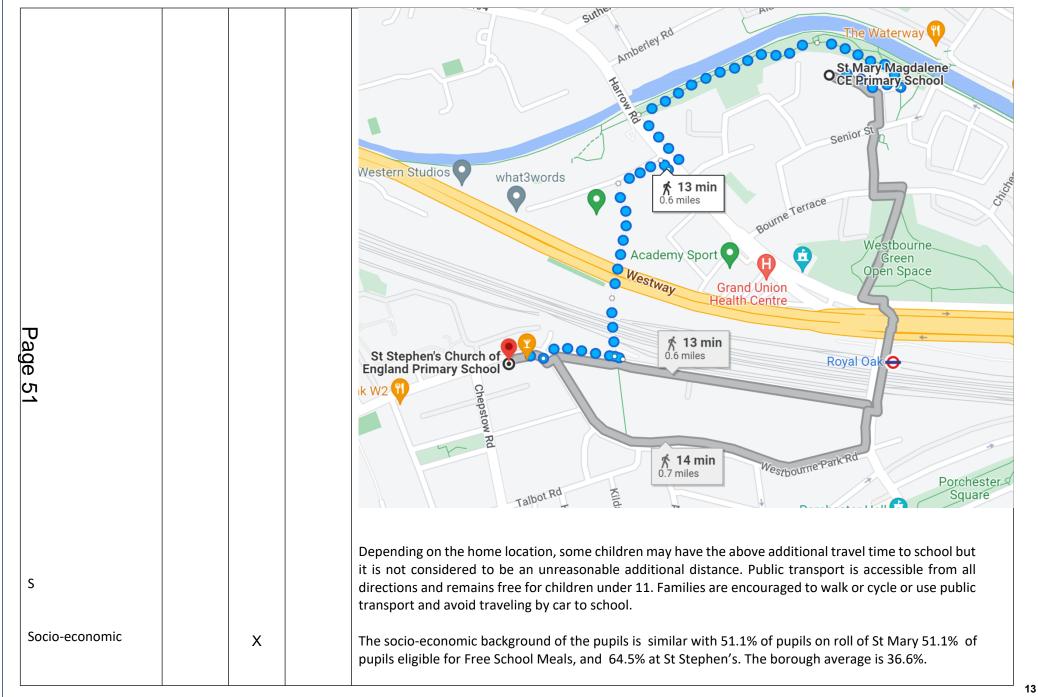
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Total	100%	100%	100%
Yemeni	1.2%	0.8%	1.0%
White Western European	1.2%	0.0%	0.7%
White other	1.8%	2.5%	2.1%
White Irish	0.6%	0.0%	0.3%
White European	0.0%	0.8%	0.3%
White British	4.7%	2.5%	3.8%
White and Black Caribbean	4.1%	3.3%	3.8%
White and Black African	0.6%	0.8%	0.7%
White and Asian	0.0%	1.7%	0.7%
Refused	1.2%	0.8%	1.0%
Portuguese	1.8%	0.0%	1.0%
Pakistani	0.0%	0.8%	0.3%
Other ethnic group	2.4%	1.7%	2.1%

Language	St Mary Magdalene CofE Primary School	St Stephen's CofE Primary School	Combined
Albanian/Shqip	4.1%	1.7%	3.1%
Amharic	0.0%	1.7%	0.7%
Arabic	27.2%	20.8%	24.6%
Arabic (Morocco)	0.6%	0.8%	0.7%
Arabic (Sudan)	0.0%	0.8%	0.3%
Bengali	1.8%	17.5%	8.3%
Chinese (Mandarin/Putonghua)	0.6%	0.0%	0.3%
Classification pending	0.0%	0.8%	0.3%
Dari Persian	3.6%	4.2%	3.8%
Dutch/Flemish	0.0%	0.8%	0.3%
English	39.6%	29.2%	35.3%
French	1.8%	0.8%	1.4%
Information not obtained	0.0%	2.5%	1.0%
Italian	2.4%	0.0%	1.4%
Japanese	1.2%	0.0%	0.7%
Kurdish	0.6%	10.0%	4.5%

11

		Lingala Pashto/Pakhto Persian/(any) Persian/Farsi Portuguese Portuguese (Brazil) Somali Swahili (any other) Tagalog/Filipino Turkish Yoruba	0.0% 7.1% 1.2% 1.2% 3.0% 1.8% 0.6% 0.6% 0.6% 0.0% 1.2%	0.8% 2.5% 0.8% 0.8% 0.0% 0.8% 0.0% 0.8% 0.8% 0.8	0.3% 5.2% 1.0% 2.1% 1.0% 0.7% 0.3% 0.3% 0.3% 0.3% 0.3%
		Total	100%	100%	100%
D O Pregnancy or maternity	X	Staff employed at both schools employment rights as all employ staff and their unions, and an H	yed staff. As part of the co	nsultation process, G	
, <b>Other</b> Travel	X	Council, Diocese and Governors The decision about a new unifor offered by the LA.	are committed to avoidin	g compulsory redund the governing bodies	hage any changes needed. The ancy. , with financial support



Both schools have nursery provision and will continue to provide part-time provision for children from three years old with some full-time places .

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#### Section 4 - Action Plan

4.1 Complete the action plan if you need to reduce or remove the negative impacts you have identified, take steps to foster good relations or fill data gaps.

Please include the action required by your team/unit, groups affected, the intended outcome of your action, resources needed, a lead person responsible for undertaking the action (inc. their department and contact details), the completion date for the action, and the relevant RAG rating: R(ed) – action not initiated, A(mber) – action initiated and in progress, G(reen) – action complete.

NB. Add any additional rows, if required.

	Action Required	Equality Groups Targeted	Intended outcome	Resources Needed	Name of Lead, Unit & Contact Details	Completion Date (DD/MM/YY)	RAG
	No negative impacts identified						
Page							
le 53							
	Enter additional rows if required						

THIS SECTION TO BE COMPLETED BY THE RELEVANT SERVICE MANAGER
--

10 Anthony

FULL NAME: Wendy Anthony

UNIT: Education services ....

EMAIL & TELEPHONE EXT: wendy.anthony@rbkc.gov.uk Tel: 07791743413

**DATE** 016/05/2023

SIGNATURE:

#### WHAT NEXT?

It is the responsibility of the service to complete an EIA to the required standard and the quality and completeness of EIAs will be monitored by EMT.

All EIAs for proposed changes to levels of service arising from budget proposals must be completed by (insert date).

All completed EIAs should be sent to <a>Equalities@westminster.gov.uk</a>