

## **Deputation Statement for Cabinet Meeting 10.2.14**

### **New King's School**

**6<sup>th</sup> January 2014**

This deputation is brought on behalf of the leadership of New Kings School and the Principals of Thomas's London Day Schools.

The debate has so far been focused almost entirely on the "loss" of a good school. We understand the many concerns raised but we fully support the decision to amalgamate New King's and Sullivan together on the New Kings site. These are two "Good" schools, joining together. Nothing need be lost. In fact much is to be gained.

#### **The combined school will deliver several key benefits:-**

- First, an increase in the number, diversity and quality of front line staff
- Second, an innovative, effective and significantly enriched curriculum
- Third, a dramatically enhanced building and learning environment
- And Fourth, a partnership between state and independent sectors in line with the vision of the Chief Inspector of Schools.

In short, the decision to amalgamate and invest in New Kings will enable a far greater number of local children to benefit from an enhanced primary provision that would otherwise be unavailable.

#### **So why have the benefits of this change been largely ignored?**

With any change, there is always an element of fear, however, in the effort to oppose this amalgamation, this fear has been fuelled and enlarged, and the benefits downplayed. Suggestions have been made that pupils will be losing their teachers; children will lose their friends; that children will lose the opportunity of being cared about, or happy in school, or that the opportunity to learn from a creative curriculum will end with the closure of Sullivan. Research papers have been quoted, predicting 40% of the children failing to make expected progress following an amalgamation...

The reality however is completely different. To begin with, the research papers quoted are largely irrelevant as they refer to children who have moved schools, not to those experiencing the type of managed change that we will be implementing. Children will not be simply removed from one school and placed into another. We have a detailed plan to enable these two schools to amalgamate whilst maximising the possible benefits and reducing any potential barriers:

- Firstly, our staffing plan for the combined school has the vast majority of teachers and support staff at Sullivan being offered similar roles for September.
- These staff will have a real voice in the enlarged school. We recognise them as excellent teachers and expect to collaborate with them to ensure a continuity of care for all children
- As soon as the decision is finally made, we will be developing a combined school curriculum - with New King's and Sullivan staff working alongside each other to ensure continuity, support and challenge for every child in September.
- We will be doing everything in our power to ensure the children's happiness – again engaging closely with Sullivan staff to help maintain specific friendship groups, and providing structured opportunities for new friendships to be made as we merge classes to ensure a smooth transition for every child
- Our new staff team will together have a detailed knowledge of every individual child. They know each child's specific needs and they have the expertise to meet them. Between the two schools we have expert care for pupils with hearing impairment, children on the autistic spectrum & children with specific mobility needs. We will be placing a special focus on maintaining the support programs for all children with individual needs in the merged school.

Fear has been further increased during this debate by suggestions that New King's is in some way a "lesser school", therefore any amalgamation could only lead to a dilution of the fantastic offer at Sullivan. Again, this is simply not the case - **These two schools have been correctly, properly and objectively considered for amalgamation and they are equals in almost every way.**

- Academically, Sullivan has had some excellent outcomes this year; however these are on the whole exceeded by the results at New Kings.
- The "excellent performance of disadvantaged pupils" was recognised at Sullivan: yet performance of these children last year was even better at New Kings with 88% achieving Level 4 or above in Reading, Writing and Maths compared to 82% at Sullivan.
- The pupil progress figures at Sullivan are again excellent, however they are also fantastic at New Kings – in 2012 New Kings had the best pupil progress figures in the Borough and again this year has most pupil progress scores within 1% of those at Sullivan
- Overall performance at both schools is very similar – the result for Level 4 and above for all three subjects for all pupils was 84% at New King's, 83% at Sullivan - both Good, but neither Outstanding.

There is clearly a solid level of achievement at both schools, but there is still room for improvement. Together we can drive standards even higher.

In terms of popularity too, Sullivan and New Kings are equals:

- In numerical terms, a total of 112 people applied for one of the 30 places at New Kings last year, exactly the same number applied for one of the 45 places at Sullivan.
- In terms of preference data – the combined first and second choices at New King's exceeded the number of available places by 30%, at Sullivan these 1<sup>st</sup> and 2<sup>nd</sup> choices exceeded available places by 15%.
- In terms of waiting lists, both schools have waiting lists for Nursery – 29 waiting for a place at Sullivan and 22 on the list at New King's.

Ultimately however, neither school can genuinely count itself as a 'school of choice' – neither filled up their reception with first choices, unlike Holy Cross, All Saints, Miles Coverdale. Both schools have spare spaces in almost every class, and this is not, as has been suggested, a historical artefact – the spare spaces are evenly spread across all classes in both schools.

What these schools need to do is not to seek to stay the same but to change: by seeking to provide an offer which is more popular with parents. This is precisely why we know the Cabinet's decision to amalgamate these schools together, whilst investing in them, is absolutely correct.

Anybody who has spent time in either of these schools knows that both Sullivan and New Kings are great schools, both with fantastic staff teams, both supporting happy, thriving children and both with very high standards, especially for less advantaged pupils. With a decision from the Council to support these proposals, we will build on the best of both of these schools, however our ambitions will not be limited by simply maintaining what we already have – we will search out excellence on both sites, but we will also take the combined school much further.

- To begin with, we will be re-naming the amalgamated school from September 2014 as Parsons Green School under this new name the two staff teams can be brought together and can work collaboratively for the benefit of all our children
- With the financial benefits of a single site, we can employ more teachers, and more specialist teachers, who will inspire these children to excel across a wider curriculum
- We have the benefits of a great partnership with Thomas's, which will help raise expectations even further as we work together, learn from each other, and deliver a new model of an Outstanding school.
- We have the opportunity of the largest single capital investment in primary, community schools in the history of Hammersmith and Fulham - £3.8 million which will enable us to deliver a fully refurbished site, ready for the 21<sup>st</sup> century
- The building will be modified and tailored to meet the needs of every child

- We will build specialist teaching spaces: an art studio, science lab, a drama studio, enabling our teachers to deliver exciting, active lessons, promoting achievement across the curriculum

This significant capital investment, and these economies of scale are simply not available to the individual schools. Together we can be more than the sum of our parts. Together we have the opportunity to provide a secure future for inclusive community education in Fulham. We believe that with all of these elements in place, that this enlarged and enhanced school will be a place of innovation, inclusion and inspiration for today's children and generations of children to come.

M. Chester

Head Teacher

New King's Primary School

## **10 Feb Deputation led by Paul Kennedy: Closure of Sullivan School**

We strongly urge the Council to accept the recommendations of the Education and Children's Services Select Committee and to support the parents, teachers and children of Sullivan School and the people of Fulham by rejecting closure tonight.

You have already heard Paul Kennedy's statement on the importance of Sullivan's excellent performance for children from disadvantaged backgrounds, including those with special education needs and those from ethnic and religious minorities, against whom this proposal discriminates.

You have heard the criticisms by Dugald MacInnes of the Council's grossly unbalanced report, which fails to mention any advantages at all of keeping Sullivan School open, completely ignores the impact on Sullivan children of being "decanted" to make way for the Fulham Boys School, and expresses a totally biased view of Sullivan's admissions and an unacceptable preference for one school's vision over another's without any justification whatsoever other than it serves the Council's ends.

If you now ignore the recommendations of the Education Committee and the thousands of representations made against closure, and if the Council persists with its perverse and ideological proposals to close Sullivan School, you will be saying to the people of Fulham and more widely:

1. That this Council cannot be trusted with our schools
2. That this Council puts political ideology ahead of educational excellence
3. That this Council is more interested in land than children
4. That this Council does not care about children from disadvantaged backgrounds, those with special educational needs or those from ethnic and religious minorities
5. That this Council cannot be trusted to let the Government's academies policy to take its course without trying to manipulate it
6. That this Council cannot be trusted to let parents decide the fate of their own schools without demanding its pound of flesh
7. That this Council cannot be trusted to put the public interest before narrow party interest
8. That this Council pays no regard to consultation responses it doesn't like
9. That this Council cannot be trusted to be objective in its reporting
10. That this Council is undermining local democracy in our Borough.

## **Cabinet 10 February 2014: Supplementary document in response to supplementary agenda (on behalf of deputation led by Paul Kennedy)**

In our deputation statement, we strongly urge the Council to accept the recommendations of the Education and Children's Services Select Committee. However, at the time we were unable to anticipate the Council's report in response to the Committee's recommendations. The Council published its report and attachments as a supplementary agenda late on Friday 7 February, after the deadline for deputation requests. We therefore request to include this supplementary document.

We are surprised at the Council's report in response to the Committee's recommendations, since:

- The report fails to provide a substantive response to the Committee's recommendations or the points submitted to the Committee which underlie those recommendations; and
- The report seeks to rely instead on an unconfirmed draft of the Committee's minutes which we consider is likely to be misleading because of significant errors and omissions.

It seems to us that this Cabinet meeting has been rushed and is premature. This meeting was set up before the outcome of the Committee's call-in was known, which implies a determination by the Council to force through the closure of Sullivan School regardless of the outcome of the Committee's call-in. And the Council's report does little more than recite the Committee's recommendations and evidence submitted, together with unconfirmed minutes.

In the light of these failings, we submit that the Cabinet has only two proper and lawful options if it is to comply with its obligations to respect procedural fairness and administrative law:

EITHER: To accept the Committee's recommendations in full since the report before it contains no substantive material to contradict the Committee's rationale for making those recommendations;

OR: To postpone this meeting and its consideration of the Committee's recommendations until it has a proper report which pays proper regard to the evidence submitted to the Committee, including confirmation of a correct record of the minutes of the Committee meeting, and the public have had an opportunity to make deputation statements in response.

An extract from the draft minutes at page 22 of the Report, which we believe is misleading, states:

*"Other members of the Committee expressed the view that the points raised had all been addressed in the original Cabinet report and no new information had been presented. The Chairman asked the signatories of the call-in if they had information that was not previously considered by the Cabinet to present prior to the vote ... No further evidence was presented."*

We are concerned that the Cabinet will be invited to dismiss the Committee's recommendations on the basis that the points raised had supposedly all been addressed in the original Cabinet report. That would be a false basis. As Dugald MacInnes so eloquently demonstrated to the Committee, the original Cabinet report was biased and its analysis of the issues was unbalanced and incomplete.

In our submission, the Cabinet cannot properly dismiss the Committee's recommendations because the points made were NOT properly addressed in the original Cabinet report. Our analysis (attached) demonstrates that the points put to the Committee were either ignored altogether in the original Cabinet report or distorted in such a way that the Cabinet could not have had proper regard to them

Ms Rosie Wait

Sadly this is going to take more than 5 minutes but I think that it would be the gracious thing for you to allow me to have my say.

I expect that this is the last time that I will be addressing the Cabinet.

It is important that I explain why we disagree with what you hope to do and why this process has been so deeply flawed - from start to finish. At the beginning the outcome had always been pre-determined by the Cabinet.

I still find it hard to believe that there isn't a part of each of you that isn't ashamed of how this has been handled.

And when I say each of you, I mean the officials, Cllr. Cooney, Cllr Binmore and I mean you Cllr, Nick Botterill and Mr Christie and Mr Heggs.

As a consequence of this consultation I and many others are totally disillusioned with the Council and its undemocratic practices. I have been stunned by your practice of making inaccurate statements on public record that the likes of us cannot correct, on public record.

The unprecedented recommendations of the Education and Children's Services Select Committee however give you a way out of this shameful process. So vote for those proposals and Save Sullivan Primary School.

Last Wednesday, the Select Committee was presented with new evidence; key factors presented that this local authority was meant to have taken into account. Unbelievably, the line agreed by officials and the two cabinet members was that we had not presented any new evidence. You all dismissed it as out of hand. We have taken the opportunity to circulate that same report, highlighting all the new information so that there can be no misunderstanding and confusion.

There is lots of new evidence as you will see. Your Administration's immediate response demonstrated once again your intention close Sullivan School. Despite the declarations we have heard and will hear tonight we all know why. Because you, the Secretary of State for Education and the Fulham Boys School have all agreed that you want and will have our site.

Consider how this might look to any genuinely independent review:  
The 4<sup>th</sup> July last year was the first indication we had that things were afoot when Ian Heggs emailed Wendy Aldridge requesting a meeting. By the time we met Mr. Heggs on the 8th July, Wendy had already spoken with the Head at New Kings who told her that Mr Heggs had insisted he didn't tell her what the meeting was about.

That was the meeting where Mr. Heggs told us "We are going to close your school. " Seven days later, on 16 July 2013, the formal consultation began. Fulham Boys School took an active part in the consultation putting huge resources into getting people to submit that they wanted the FBS.

But there are many more reasons why the FBS bid is central to this situation tonight; your refusal to remove the 970 responses from the FBS supporters which bear no relation to this consultation, well if you did so you would be left with less than 300 responses supporting the closure of Sullivan and that would clearly not suit your determination to close Sullivan.

Eighteen and a half months earlier on 31st January 2012, Greg Hands MP posted a picture on his blog which I think was actually taken in 2011, residents -support-new-fulham-boys-school (I'll point it out for you)

It features Mr. Hands standing next to the Rt Hon Michael Gove MP, the Secretary of State; Alex Wade of FBS and his wife; two other founders and Councillor Helen Binmore.

In the accompanying article Greg says he "is calling on residents to get behind plans for a new Fulham Boys School. " Twenty two months after that picture was taken Greg met with a school governor and a local resident on the 20th November 2013. He stated and I quote 'it had been extremely difficult to find sites for new schools within the Borough. I am aware that FBS has looked at many sites over the last two years. I have personally tried to help FBS to find a site controlled by local or central government including the MOD site in Rylston Road, All Saints vicarage, All Saints School and the Moat School – none of which has proved suitable for FBS. " Greg Hands also coincidentally sent out during the consultation period, weekly updates to his electorate supporting the FBS and sowing doubt in the minds of local residents as to the actual numbers on Sullivan's School roll.

So, we know that there was powerful support for FBS going to the Secretary of State in the highest levels of government; we know that Cllr. Helen Binmore was there from the start and we know that Greg Hands in his own words "personally had tried to help FBS to find a site controlled by local or central government." And we know you found it difficult finding a site. On 24th January, four days after the Borough's Cabinet voted to close Sullivan, Michael Gove's wrote "The current Sullivan site will be improved and used by the Fulham Boys School". He was unseemingly quick off the mark because he didn't wait for the statutory call-in process to take its course.

This is compelling evidence that the future of Fulham Boys School has always been central and directly connected to this process. This leaves the rather farcical situation, where you the Council assert Fulham Boys School is nothing to do with the present issue; that no decision on Fulham Boys School has been taken; and yet the Minister of State has announced that Fulham Boys School will improve and take over the site.

Why?

Here's a better question: Exactly when from the time FBS was first mooted in late 2011 early 2012 to when Ian Heggs first wrote to Wendy Aldridge on 4th July 2013 did all these important people settle on Sullivan Primary School for the FBS site?

The conclusion any reasonable onlooker reaches on consideration of all of this is you all decided to close our school long before the beginning of the statutory processes and that's why every shoddy aspect of this has been so determinedly focused on doing that. The early briefings to the head at New Kings, agreement to allow FBS's involvement in the Sullivan consultation, refusing to take evidence into account that didn't suit your outcome and using random unsuitable evidence from around the world that you imagined did.

The consultation was fixed.

And after the call-in you even tried to fix the select committee by only asking Conservative members if they could attend, you did not even ask the Deputy Chair. You actually forbade officials from contacting independent co-opted and opposition select committee members to see if they could attend and you booked the first ever select committee to meet at 10.00am in the morning - in the hope that only your people would attend and you would have Fixed the vote. You tried to dismiss our 14 page document as containing nothing new despite it containing rafts of new information such as detailed analysis from Mayor Boris Johnson's School's Atlas that demonstrates how the polling districts immediately surrounding Sullivan are predicting between 21-30% increases in primary school age population. And you have provided no detailed financial response to the analysis that takes your financial case apart.

I refer to your Revenue savings model which does not even refer to which year the identified savings will be realised. Despite constant assurances to our teachers that they will all have jobs you propose:

1. Cutting the combined teaching budget of £1.3m by £403,563
2. Cutting the combined teaching support staff budget of £612k by £168k.
3. Cutting the Administration staff combined budget of £89k by £61k

So where does this all fit in with your claims to re-invest the savings into additional specialist teaching staff and new interventions?

1. The combined building maintenance budget is going to see a massive increase from £127k to £264k – what happened to your claim that there would be economies of scale by combining both schools on the same site?

Throughout this process there has been no reference to redundancy costs. However, we see a combined increase in Agency staff from £114k to £178k - are you expecting trouble?

At last week's Council meeting we had to sit through Donald Johnson discussion on how Council business is run very similarly to business. Has he ever worked in the private sector? If he had he would know there is no sense drawing comparison - he would know there would be a triggering mechanism in place which would stop the Council from giving the Sullivan site, conservatively valued at £ 20 million to the untried FBS private company on a 125 year lease with a peppercorn rental.

I could go on and highlight further concerns. The figures as shown in Appendix J of the Council's latest report supporting the closure of Sullivan are so unprofessional and so lacking in supporting documentation that it is hard to understand how the Council has repeatedly claimed that these savings, will be realised and as consequence are pivotal to the closure of Sullivan.

I speak as someone who has years of experience managing large moves and changes projects in the City. I am staggered by the Council's predictions that all the changes and the rebuilding can be achieved in one year. I would suggest that this will take conservatively two years and as a consequence would have massive cost implications. Why is the 1<sup>st</sup> August such a critical date- can you please explain this to us?

As I have stated earlier, this consultation is full of incompetence and conjecture. You don't have to continue in this direction. You can find an alternative site for FBS and



the Borough can benefit from both schools - you can do the right thing and stop this now.

I urge you to listen to the Select Committee and take their advice and instruct your officials to implement their recommendations with immediate effect. Right before the consultation started its formal process I asked Nick Botterill to do the right thing, postpone the consultation and get all the relevant education people around the table to plan collectively the education provision in the south of the borough. He refused. He asked me to accept his word that he would make sure that the public consultation was a fair process with the opportunity for everyone to put forward their requirements and to debate them openly and fairly. I suggest to Nick Botterill that he show us all here tonight that his word is worth having.

Thank you.  
Rosie Wait  
Chair of Governors  
Sullivan Primary  
10th February 2014

Deputation 10<sup>th</sup> February 2014. (Peter Mark and Wendy Aldridge)

We would like the opportunity to respond to the Educational and Children's Services Select Committee Meeting on 5th February 2014. The officers explained during that meeting there was no new evidence, although there was new evidence.

Secondly, the Councillors failed to respond adequately to the statements drawn out in the document and the reasons for the 'call in' made by the Committee members. A further document has been distributed to all Councillors to highlight the new evidence and points that have not been responded to.

Wendy Aldridge, head teacher of Sullivan would like to raise three of them here.

I would like to raise three issues with Cabinet members this evening.

During this consultation one of the main arguments given by the Council is that by closing Sullivan the new school will provide a "better" education for all the children.

The Council has failed to provide any adequate evidence to substantiate its claim that the children at the proposed merged school will receive a "better" education. The educational 'vision' for the merged school, fails to say how it will actually maintain or improve current standards or how it will increase levels of parental preference.

Are we to believe that shiny new classrooms equates to a "better" education? The Council has agreed to the discontinuance of the existing provision at Sullivan and has already judged the NKS proposal to be superior. However the Council has failed to set out a detailed comparison between the two provisions.

The principal fault with the NKS 'vision' is that:

It does not differ from what is already, and demonstrably, in place at Sullivan School. This is a result of strategic planning, specialist staffing structures and carefully directed curriculum development.

The new evidence presented at the Scrutiny Committee meeting clearly showed that Sullivan already out performs New Kings provision in staffing (page 7) and the unique and extensive learning environment (page 9.)

How can the Council ignore the obvious educational merits of the status quo and pledged a "better" education at the merged school.

Secondly, the Council keep saying that the Sullivan proposal to convert to an Academy with the LDBS does not have substantial information and detail in the proposal and vision for Sullivan's future compared to the NKS vision.

Sullivan's proposal to convert to an Academy was a way of becoming self governed and breaking away from the LA who clearly have no faith or backing of the work that Sullivan has been doing to raise its standards and raise its roll.

Yes, it was a response to the Consultation, but it was considered a wonderful opportunity to continue our journey, as a community school in Fulham. The LDBS agreed with our vision, aims and valued our community school. They saw how our standards have risen over the last three years. They observed how our creative curriculum enhanced the children's learning.

They saw what we currently do to meet the needs of all our pupils and the outstanding progress our children are making. They praised the strategies that were being used to increase the school roll. This showed the LDBS that we are on the way to being an outstanding school and with a supportive governing body, they wanted to work with us and grow into a two-form entry school. We did not need a new vision. Ours is a vision in action - a vision that already has a record of success.

At the Scrutiny meeting the LDBS Academy trust was described as not the same as being supported by the LDBS and therefore not a favourable option compared to the Thomas's School partnership. Yet the Academy Trust that Sullivan aspired to join is actually part of the LDBS organisation. It is an innovative approach by the LDBS to work with community schools across London under the umbrella of the LDBS. The school would receive the same support and guidance as any school under the LDBS.

The Church of England has been establishing and sustaining schools in London for hundreds of years. In 1924, the London Diocesan Board for Schools was set up to be the educational arm of the London Diocese. It has a responsibility for the leadership, support, growth and encouragement of 149 schools spread across 18 local authorities in London. The LDBS would be supporting Sullivan school.

Across London the LDBS have 88% of primary schools with a good or outstanding judgement which is equal to Hammersmith and Fulham. Therefore how can you argue that an Academy Trust which will be run by the LDBS, with all its experience and expertise, is not comparable to a completely new independent partner who has no experience of working with community schools?

Finally, on the 5th February Councillor Binmore refused to address the impact that increased Nursery provision would have on the Sullivan school roll. We acknowledge the difference between non-statutory and statutory provision and funding however the Cabinet Member for Children's Services cannot fail to recognise the natural transition that occurs between Nursery and Reception cohort numbers.

The evidence on page 8 (of the tabled 'call in' document) shows that by increasing Sullivan Nursery (one form entry) to the equivalent number of Reception places (one

and a half form entry) would impact on the school's roll over time (projected results in Sullivan being 97% full in 3 years.)

It is evident that most Nursery places at Sullivan convert to Reception places and when families join Sullivan they rarely leave. Councillor Binmore tried to negate this argument by comparing other school Nurseries in the borough that have small nurseries but full Reception cohorts. Cllr Binmore failed to understand these nursery intakes match their reception intake so have no need for an increase in provision and therefore don't need to fill their places with children from outside settings. Sullivan has the equivalent of one form entry at nursery and one and a half form entry in reception. The gap is obvious.

I think it is significant to note that even though the school is in a consultation period the current Reception numbers for September 2014 show that 39 families have named the school as first or second choice (24 children being eligible to go up from our own Nursery) These numbers are comparable to last year and we know a number of families are waiting for the Council's decision before they complete an application form and place their child in a school in south Fulham.

If the school had been given the opportunity to match the numbers in the main school - where would we be now? Would the Council have found another reason to take the site away from primary aged children?

I urge you to listen to the Select Committee and take their advice –support Sullivan School to stay open, allow New Kings to continue on their journey and find an alternative site for the FBS.

Thank you

## Officer advice to Cabinet on the alternative proposal recommended by ECSSC

### (a) 'Taking into account all relevant considerations and ignoring all irrelevant considerations'

#### Standards

The Cabinet has considered all relevant factors before making its decision, which included standards. Paragraph 11.2 of the Cabinet report states that:

*Currently, both schools perform well and the percentage of pupils achieving National Curriculum Level 4+ in reading, writing and maths in 2013 was 84% at New King's Primary School and 83% at Sullivan (national average – 79%). The most recent Ofsted reports for both schools show that groups of pupils, including those with special educational needs, those eligible for the pupil premium and those from minority ethnic backgrounds, perform well. It is believed that the proposed improvements to the educational offer at the enlarged New King's Primary School as set out in **Appendix D** of the original Cabinet report, enabled through the economies of scale achieved by moving from two schools to one, including the recruitment of specialist intervention teachers, will contribute to raising local standards of provision and continue to reduce attainment gaps for these groups of pupils.*

The Cabinet acknowledges the achievement of both schools and notes that New King's was ranked as the top school in the borough for pupil progress in English and maths in 2012. The Council also notes that in 2013, 16 schools in the borough, including New King's, achieved higher standards than Sullivan for the proportion of 11 year olds achieving National Curriculum Level 4+ in reading, writing and maths. The Council has also congratulated Sullivan on its achievement in winning the Mayor's Gold Club award, but also notes that many other high-achieving schools in the borough, including New King's, were not eligible to apply for this award as they had less than 30 pupils in the relevant Year 6 class.

In summary as regards standards and progress at key stages 1 and 2 at Sullivan, including the progress made by pupils eligible for the Pupil Premium, the Council fully acknowledges the school's achievements, as it does those of other schools in the borough, including New King's. However, it is the view of officers that by combining the two schools and thereby achieving greater economies of scale, standards would rise even higher and the attainment gap between pupil groups would reduce further. The proposals seek to turn two good schools into one outstanding school to deliver a better quality of education for all of the children.

#### Research on the impact of change

The Cabinet has considered the possible detrimental effects of the proposal on pupil progress and notes the points made in the research paper quoted in the alternative proposal, namely that the 'short-term impact of structural moves is negative and relatively small (~0.03)' and that whilst the 'impact of non-structural moves is larger... articulated moves have positive effects' depending on the timing and articulation of the move.

It is worth noting that this research looked at the impact of individual children moving schools in a different context in America, so the conclusions could not be directly applied to this proposal. The study did also find that whilst school changes had an impact, the research had found that planned changes actually resulted in better provision that would lead to better outcomes for children. I would therefore advise Cabinet that with detailed transition planning as set out by New King's in their representation, the children from Sullivan would benefit from the proposals. The Council is also planning to work closely with New King's and Sullivan Primary Schools to finalise a detailed implementation plan to help children prepare for the transition and ensure that any negative impact on pupil progress is mitigated. The equality impact assessment in **Appendix H** of the original Cabinet report sets out a detailed analysis of all the children belonging to groups with protected characteristics and the steps that will be taken to ensure that their learning is not disrupted during the transition phase.

### **Improvement in educational provision**

The Council has taken into account all relevant considerations regarding the potential for improvement in educational provision that could be delivered through this proposal. The Council has considered carefully both the current and proposed educational offer at Sullivan, as set out in their consultation response, their representation and in this alternative proposal and compared it with the proposal from New King's working with Thomas's London Day Schools as a partner. There is one key difference between the two academy conversion proposals: New King's had originally proposed converting to academy status as a stand-alone one-form entry school in June 2013, but the Council asked New King's to delay consulting on its proposal until the Council had consulted on the amalgamation proposal in order to address the issue of spare places in almost every year group at both schools. New King's agreed and its proposal is now based on the conversion of the enlarged and amalgamated two-form entry school to academy status, whereas Sullivan's proposal is not. Sullivan's proposal is to convert as a stand-alone one and a half form entry school with a significant number of spare places. Therefore, unlike the New King's proposal, it would not benefit from the economies of scale to be derived from the amalgamation and the estimated £400k per annum which will be reinvested into the enlarged school to deliver a curriculum with more breadth as well as greater specialisms in areas such as Science, Creative Arts and Modern Foreign Languages. Specialist intervention teachers would be employed to support children and prevent them falling behind, in particular those children with special educational needs and those children eligible for the pupil premium. The comparison chart on page 7 of the proposal is incomplete, as it selects certain areas of the curriculum and omits others. It also does not provide a true comparison, as it is unclear as to whether the posts listed are full or part-time. There is also national and local evidence to suggest that independent/state school partnerships, such as that proposed by New King's and Thomas's, do improve standards. In H&F, the Saturday School programme run by local independent schools, such as St Paul's and Latymer, provided direct teaching for children identified for support by their primary schools. The children were tracked and those who took part in the full programme all met their targets. In summary, the New King's proposal supports the amalgamation and therefore takes advantage of significant economies of scale to deliver a better education,

whereas Sullivan's proposal rejects the amalgamation, seeks to preserve the status quo and does not address the fundamental issue of spare places.

### **Pupil roll and the issue of spare places at Sullivan School**

The Cabinet has considered properly and objectively the factors relating to surplus places and states in paragraphs 5.1-5.3 of the report that:

*At New King's Primary School and at Sullivan Primary Schools, first and second parental preferences have historically been low compared with other schools in the borough as set out in **Appendix I** of the report. Closing Sullivan (currently 45 places a year) and enlarging New King's Primary School (currently 30 places a year) with a single two-form entry school providing 60 places a year in total would be in line with the Council's Schools of Choice policy, which aims to increase choice for parents by providing more outstanding, high-achieving and oversubscribed schools as well as rationalising provision where there are surplus places. It is noted that there is also capacity at Langford Primary School. However this school serves the need for primary places to the east of Wandsworth Bridge Road where there are no other primary schools nearby. New King's Primary School and Sullivan are located nearby to each other and the table above shows that there is insufficient demand for two separate primary schools providing 75 places between them. Most pupils attending the schools live nearby to both schools and would easily be able to access the enlarged school on the New King's Primary School site.*

*Updated capacity data has been collated from both schools and the information for each year group at Sullivan and New King's Primary School as of October 2013 shows that there continues to be a significant number of spare places in almost every year group in both schools. Neither school has a waiting list for any of its classes. The reception class at Sullivan Primary School is now full, but it is noted that, of the 45 places available, only 32 were offered in response to on-time applications, which is broadly in line with previous years, and that the remaining 13 were offered to late applicants (10 new arrivals, who had not made an on-time preference; 3 as a result of a further preference being made, having not been offered any of their original on-time preferences).*

*In its response to the consultation, which is attached in full to **Appendix C**, and in its representation, which is attached in full to **Appendix D**, Sullivan Primary School has predicted that its school roll will increase in the future, but the school has not produced the evidence to show that there will be a change in the long-standing pattern of under-subscription at reception (with the exception of 2013 referred to above), nor that empty places in other classes across the school will fill. The school's nursery class is full and has a waiting list, but the nursery is subject to a separate admissions policy and therefore it is incorrect to predict that nursery children will automatically fill the reception class.*

The Council fully acknowledges that other primary schools in the south of the borough, including New King's, have spare places. New King's also acknowledges this and wants to address the issue, which is why the school supports the amalgamation.

## **Nursery places**

The Council has taken into account the points Sullivan raises in relation to its nursery. It is noted in the original Cabinet report that:

*The school's nursery class is full and has a waiting list, but the nursery is subject to a separate admissions policy and therefore it is incorrect to predict that nursery children will automatically fill the reception class.*

In relation to Sullivan's proposal to become oversubscribed by increasing its nursery numbers, this was discussed in detail at last week's Select Committee meeting, including the claim that the Council had denied Sullivan School the chance to expand and develop by rejecting its application for funding of an expansion of nursery place provision. The funding had come from the Basic Need Grant from central Government, which was designed to help local authorities provide sufficient school places for children of statutory school age. The Council had demonstrated a need to expand the supply of places and had received capital allocations of over £30million over a two year period. The Council's estimation of required places in coming years was based on population data and anticipated growth and was recently confirmed again by the Department for Education, who found that the borough now had sufficient places. Therefore the amount of capital funding available for school expansions in the borough was finite. The criteria set out by the grant stipulated that funding could only be used to provide places for children of statutory age. Therefore the Council had no choice but to reject Sullivan's application to expand as its plans were only for nursery places, which is provision for children of non-statutory school age. Officers described the argument made by Sullivan as pleading a special case as it made out that it could only attract enough first and second preference applications if its nursery were to be expanded. The Council therefore had to consider whether this argument was reasonable in light of there being sufficient nursery provision in the borough and limited revenue funding for nursery places in the DSG (Dedicated Schools Grant from central Government). In order to increase nursery provision at Sullivan, provision elsewhere would need to be reduced. Officers also highlighted that this revenue funding decision would not be the Council's alone, but would also have to be considered and agreed by the Hammersmith & Fulham Schools Forum on which all schools in the borough were represented. Such an agreement would be unlikely to be forthcoming.

## **Health and Wellbeing**

The Cabinet has considered the health and wellbeing of children at both schools when proposing the New King's site as the most suitable site for the enlarged school. In paragraph 11.4, entitled 'Every Child Matters', the Council notes that:

*The proposals will not have an adverse effect on every child's ability to achieve their potential in line with the principles of the former government policy 'Every Child Matters' which are: to be healthy; stay safe; enjoy and achieve; make a positive contribution to the community and society; and achieve economic wellbeing. It is believed that the improved educational offer at the enlarged New King's Primary School should enhance delivery of these aims.*

At the Select Committee meeting last week, noting the concerns raised about the children's health and wellbeing as a result of moving to a school with a smaller



playground, and its possible impact on rates of obesity, officers informed the committee that a recent report from the Chief Medical Officer (CMO) had addressed children's health and obesity. Officers pointed out that only 15% of a child's life is actually spent in school. Furthermore that obesity was determined more by early life experiences. The Chief Medical Officer argued that children needed to be encouraged to partake in more physical activity and that the parents' role was key in this. Schools made a contribution to this by encouraging children to join organised sport and specialist PE teachers were identified specifically by the CMO as having a significant role to play. Officers therefore argued that by merging of the two schools and being able to employ more specialist teachers, with a specialist PE teacher being one option, who could focus on giving children the confidence to join organised sport, the health and wellbeing of the children could be improved in that way. It is also noted that the proposed refurbished playground at New King's, whilst smaller than the playground at Sullivan, is still larger than the minimum playground size recommended by the DfE in its Building Bulletin (BB99) as part of its non-statutory guidance.

### **Benefits of LDBS as an academy sponsor**

The Council considered in detail Sullivan's proposal to convert to academy status with the LDBS academy trust as a sponsor. Sullivan's consultation response and its representation setting out its proposal were appended in full to the original Cabinet report. Two meetings took place with representatives from the LDBS academy trust, the first of which also included the head and chair of governors at Sullivan, to hear more about the proposal. Officers noted the difference between the LDBS itself as an established provider compared to their academy trust which was new and relatively unproven. No clarity was given on what benefits the Trust could bring to the children at Sullivan. The LDBS support of other schools in the borough was not the same as what was proposed at Sullivan. It is not proposed that Sullivan would become a faith school. Sullivan would become part of the academy trust, which was originally established to support specific schools in Haringey that were struggling.

The LDBS offer, as set out in Sullivan's representation, appears to be more limited than that offered by Thomas's working as a partner with New King's Primary School, in terms of its impact on the breadth of the curriculum and on standards. There is a lack of overall detail in Sullivan's representation about the improved educational offer for children that would result from academy conversion with the LDBS. As part of its plans, Sullivan also proposes expanding to two forms of entry, but it is unclear from their proposal how the academy conversion in itself would enable Sullivan Primary School to become more popular with parents than it is now.

### **Fulham Boys' School**

There has been a well-publicised debate about whether the Sullivan site or the New King's Primary School site could be used for the proposed Fulham Boys' School, a secondary Church of England Free School. The current proposals are being considered again by Cabinet this evening on their merits in relation to primary schooling, in particular the issue of spare places. The alternative use of land or buildings that may be vacated in the event of a particular option being adopted is not

a matter which the Cabinet should consider as a reason for adopting, or not adopting, the recommended proposals.

At last week's Select Committee meeting, I also clarified that, recognising that there was likely to be speculation regarding the site use, the Council had included reference to the possibility of any site being freed up being used for the Fulham Boys Free School. The decision made by Cabinet and reviewed tonight related only to New King's and Sullivan Schools. When asked why consultation responses supporting the Fulham Boys School plans were included among those supporting the closure of Sullivan, I explained that the reasons for this were detailed in the Cabinet report and that as a public consultation it was right that all public responses be considered. An email from me was highlighted by some members who asked why I had asked Fulham Boys' School for their view about the Sullivan site. I explained that it was not the Council's job to identify sites for possible free schools, but that when asked for my view on the suitability of the New King's School building for Fulham Boys School by Inigo Woolf, Chief Executive of the LDBS, I had sought advice from surveyors and had been advised that the New King's building was too small to accommodate 800 teenage boys. The founder of the Fulham Boys' School also agreed with this view.

### **SEN and disadvantaged pupils**

I have already addressed the points relating to the research on the impact of change of school. The Council has also fully taken into account the factors relating to diversity and SEN as set out in the Cabinet report:

*Currently both schools provide SEN inclusive provision which contributes to the LBHF mainstream local offer for children with high incidence lower levels of SEN and/or for parents of children with a statement of SEN whose preference is for education in mainstream.*

*SEN provision in the planned New King's Primary School will enhance the offer of a range of provision to meet the needs of individual children and takes full account of educational considerations to ensure a broad and balanced curriculum within a learning environment in which children can be healthy and safe. There would be no displacement of any pupil with SENs.*

*The plans for development of New King's Primary School include provision for replication and/or enhancement of existing acoustic treatment, which improves the acoustic environment for children with hearing impairment and for those children with speech, language and communication needs for whom listening and comprehension can be a challenge.*

*The school environment will be organised in such a way as to maximise the engagement of children with autism in education and the life of the school on both the temporary Sullivan and the final New King's Primary School School sites through clear visual cues for different areas of the school reflecting the specific use of, for example, classrooms, dining hall, library. Provision will include workstations for those students for whom reduced sensory overload is a preferred environment for learning. Additionally, wherever possible consideration will be given to provision of sufficient circulation space to avoid congestion and over-crowding during break and/or unstructured periods.*

*The proposed changes support the Council's strategy for making schools and settings more accessible to disabled children and young people and promote equality of opportunity for children through the planned addition on the New King's Primary School site and accessible toilets, which will enable the mainstream SEN*

*provision to meet the needs of children with physical disabilities in an environment that is safe.*

*The plans proposed by New King's Primary School include provision of access to three specialist teachers to deliver interventions to support children with learning difficulties both on the temporary and final school sites, will provide support and advice so that pupils can have the fullest possible opportunities to make progress in their learning and participate in their school and community.*

*The expansion of New King's Primary School and the planned enhancement of the arrangements and provision for children with SEN through the above measures are expected to lead to improvements in the standard and quality of provision for children with SEN, which is the SEN Improvement Test that Local Authorities must demonstrate to parents, the local community and decision-makers.*

*It is expected that enhancements to the expanded New Kings School will ensure the basis for a strong offer for children with SEN within the local community.*

*The proposed temporary school provision on the Sullivan site will provide at least as good provision as children with SEN currently experience. The temporary site will be adapted to ensure that the provision for children with hearing impairment of an acoustic environment, currently provided in New King's Primary School is replicated to ensure provision meets the needs of these pupils. This represents an improvement for children at Sullivan Primary School.*

*It is recognised that children with SEN and those with autism, in particular, find change challenging and that this can impact on educational progress. Consideration has been given to the best way of mitigating potential negative impact through planned teaching assistant support for familiarisation through visits, sharing of photos of the new environment, providing clear timetables of planned dates and times for move-related activity. It is expected that these steps will support continuity of educational progress.*

## **Future demand for primary places**

Since the consultation began, the Council has updated its school place planning projections, which were submitted to the Department for Education (DfE) in October 2013. The DfE requires the Council to submit projections up to 2017-18, which it has done, but in addition, the Council has also used the population projections produced by the Greater London Assembly in order to project demand for school places over the next ten years. In **Appendix B**, these projections are then matched against current spare capacity in primary schools, and any new or expanded provision that has come or will come onstream. This information has already been shared with all headteachers in the borough and sets out predictions for the next ten years, not just the five years requested. This shows that due to the expansion of popular schools, such as Holy Cross and St. John's and the opening of new schools, such as the West London Primary Free School, there is sufficient capacity in the borough to meet current and future demand. On this basis, if the Council reduces the number of reception places on offer by 15 a year from September 2015 at the enlarged New King's Primary School, there will not be a shortage of primary school places in the borough.

It should also be noted that when looking at spare capacity alone in the primary sector in the current academic year 2013-14, there are 955 spare primary places in Hammersmith and Fulham (see **Appendix O**). Of the 955 spare places, 166 are in

the north of the borough, 289 are in the centre and 500 of them are in the south of the borough. It is likely that this imbalance of spare primary places, heavily weighted towards the south of the borough, will continue in future years. These ongoing spare primary places in the south of the borough will cater for any additional demand that might arise from new developments, such as South Riverside in Fulham. According to data submitted in October 2013, Langford Primary School, located near the Fulham Riverside residential development, had 110 unfilled places.

The Council notes the further evidence from the Mayor's Office regarding pupil place planning, but unlike the Council's own projections in Appendix B, it does not take account of local factors, such as the expansion of oversubscribed schools already underway, which, along with the existing 500 spare primary places in Fulham, will meet any future demand for the five-year period set out in the projections from the Mayor's Office.

### **Economies of scale and value for money**

The points raised in the alternative proposal about economies of scale demonstrate a lack of understanding about these issues, which I would like to address. Firstly, in relation to revenue savings it is noted that:

By creating a single school on a single site, it is estimated that reductions in running costs of approximately £400,000 per annum (**see Appendix J**) could be achieved from the combined budgets of both schools, which would be reinvested directly in additional teaching and learning, providing more teachers, including more specialist teachers and the opportunity for smaller class sizes. Standards are already above national averages at both schools, but it is expected that the enhanced curriculum opportunities set out above will improve standards further for children from both schools.

In relation to capital funding, it is also noted that:

*It is the Council's view that were Sullivan Primary School to be retained and extended, the buildings are more likely to require replacement at an earlier date than the New King's Primary School buildings. This has been confirmed by the Council's surveyors. A new two-form entry school on the Sullivan site would cost at least £6m at current estimates, plus demolition, site clearance, and phased on-site decanting costs which would be likely to add £500,000 to the cost, making a total of £6.5m. Therefore a stronger case exists for the refurbishment and improvement of New King's Primary School at a cost of approximately £3.8m, plus re-location and temporary decanting costs, totalling £4.4m, which would provide better value for money overall.*

### **(b) 'due and appropriate consultation, and the taking of professional advice from officers'**

The Council ran a lengthy and well-publicised consultation process from 16 July to 8 October 2013. The responses were analysed in detail and a decision was taken to include all of the responses received during this public consultation. It is noted in paragraph 8.4 that:

*The vast majority of responses, where a postcode was given, were from postcodes from further afield. A large number of responses, 854, were received against the proposal from parents at Sullivan Primary School, in excess of the numbers of parents with children attending the school and from others 'associated' with the school (615) who were neither parents or staff. 101 responses were received from pupils associated with Sullivan Primary School. Large numbers of responses were completed by people who were not local parents or staff; 284 in favour of the proposal and 869 against. 244 staff, governors and other school stakeholders were against the proposal compared to 51 in favour.*

*There were 80 responses from one single "Three" mobile IP address, all anonymous and all definitely disagreeing with the proposals. It is possible that this resulted from large groups of people meeting together and submitting their responses, one after the other, on one mobile device, but the lack of identifying data makes this group of responses worth noting.*

*The largest response in favour of the proposal (1047) was from parents not associated with either school. The favourable responses are largely from those associating themselves with the proposed Fulham Boys' Free School. As stated above, the proposed creation of the free school is not a matter which should be taken into account in determining the proposals. Local residents who are not supporters of the free school, not defining themselves as parents of boys at local CE primaries keen to see a CE boys' secondary, are almost without exception against the loss of Sullivan Primary and concerned about the potential impact on the local area.*

### **(c)'compliance with the European Convention on Human Rights (ECHR)'**

The Council welcomes the confirmation in the alternative proposal that several meetings and discussions have taken place with Sullivan and other local schools about the issue of spare places and the possibility of Sullivan joining a federation. It was clarified at last week's Select Committee meeting that at these formative stages there were no written proposals as the intention was to develop them through discussion and mutual co-operation with Sullivan and other local schools, such as New King's. However the Head Teacher and the Chair of Governors at Sullivan withdrew their cooperation from these discussions with New King's and the local authority.

In summary, the Council asserts that no evidence has been provided to support this point. The Council has produced a full and detailed equality impact assessment in **Appendix H** and asserts that no convention rights have been breached.