

# Scrutiny & Overview Committee Agenda



To: Councillors Sean Fitzsimons (Chair), Robert Ward (Vice-Chair),  
Leila Ben-Hassel (Deputy-Chair), Jeet Bains, Jerry Fitzpatrick and  
Joy Prince

Reserve Members: Richard Chatterjee, Mary Croos, Felicity Flynn,  
Stephen Mann, Stuart Millson and Callton Young

A meeting of the **Scrutiny & Overview Committee** which you are hereby  
summoned to attend, will be held on **Tuesday, 17 September 2019** at **6.00 pm** in  
**Council Chamber, Town Hall, Katharine Street, Croydon CR0 1NX**

Jacqueline Harris Baker  
Council Solicitor & Monitoring Officer  
London Borough of Croydon  
Bernard Weatherill House  
8 Mint Walk, Croydon CR0 1EA

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www.croydon.gov.uk/meetings  
Monday, 9 September 2019

Members of the public are welcome to attend this meeting.  
If you require any assistance, please contact the person detailed above, on the  
righthand side.

N.B This meeting will be paperless. The agenda can be accessed online at  
[www.croydon.gov.uk/meetings](http://www.croydon.gov.uk/meetings)

## **AGENDA – PART A**

### **1. Apologies for Absence**

To receive any apologies for absence from any members of the Committee.

### **2. Disclosure of Interests**

In accordance with the Council's Code of Conduct and the statutory provisions of the Localism Act, Members and co-opted Members of the Council are reminded that it is a requirement to register disclosable pecuniary interests (DPIs) and gifts and hospitality to the value of which exceeds £50 or multiple gifts and/or instances of hospitality with a cumulative value of £50 or more when received from a single donor within a rolling twelve month period. In addition, Members and co-opted Members are reminded that unless their disclosable pecuniary interest is registered on the register of interests or is the subject of a pending notification to the Monitoring Officer, they are required to disclose those disclosable pecuniary interests at the meeting. This should be done by completing the Disclosure of Interest form and handing it to the Democratic Services representative at the start of the meeting. The Chair will then invite Members to make their disclosure orally at the commencement of Agenda item 3. Completed disclosure forms will be provided to the Monitoring Officer for inclusion on the Register of Members' Interests.

### **3. Urgent Business (if any)**

To receive notice of any business not on the agenda which in the opinion of the Chair, by reason of special circumstances, be considered as a matter of urgency.

### **4. Call-In: Proposed Closure of St Andrew's Church of England High School (Pages 5 - 68)**

The Committee is asked to consider and respond to the Call-In in accordance with the procedure set out in the Council's constitution.

### **5. Exclusion of the Press and Public**

The following motion is to be moved and seconded where it is proposed to exclude the press and public from the remainder of a meeting:

“That, under Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information falling within those paragraphs indicated in Part 1 of Schedule 12A of the Local Government Act 1972, as amended.”



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# Agenda Item 4

<b>REPORT TO:</b>	<b>SCRUTINY AND OVERVIEW COMMITTEE</b> <b>17 September 2019</b>
<b>SUBJECT:</b>	<b>CALL IN: Proposed Closure of St Andrews CofE High School</b>
<b>LEAD OFFICER:</b>	<b>Stephen Rowan, Head of Democratic Services and Scrutiny</b>
<b>CABINET MEMBERS:</b>	<b>Councillor Alisa Flemming, Children, Young People &amp; Learning</b>

<b>ORIGIN OF ITEM:</b>	This item has been triggered by the call-in of the decision by the Executive Director of Children, Families & Education taken in consultation with the Cabinet Member for Children, Young People & Learning on 9 September 2019 on the proposed closure of St Andrew's Church of England by the Chair, Vice-Chair and two other members of the Scrutiny & Overview Committee.
<b>BRIEF FOR THE COMMITTEE:</b>	To consider and respond to the Call-In in accordance with the procedure set out in the Council's constitution (set out in paragraph 2.3 below).

## 1. EXECUTIVE SUMMARY

- 1.1 The decision taken on the proposed closure of St Andrew's CofE High School by the Executive Director of Children, Families & Education taken in consultation with the Cabinet Member for Children, Young People & Learning on 9 September 2019 has been called-in by the Chair, Vice-Chair and two other members of the Scrutiny & Overview Committee. The decision was made by the Leader to delegate this decision to the Executive Director in consultation with the Cabinet Member (delegation 0619LR).
- 1.2 Attached to this report are:
  - **APPENDIX 1:** St Andrews CoE decision report
  - **APPENDIX 2:** St Andrews CofE key Decision notice
  - **APPENDIX 3:** Prepublication consultation outcomes report
  - **APPENDIX 4:** St Andrews CoE General Exception Notice
  - **APPENDIX 5:** Representation consultation outcomes report
  - **APPENDIX 6:** Equality Analysis proposed closure of St Andrews
  - **APPENDIX 7:** Call-In Proforma

## **2. CALL-IN: PROPOSED CLOSURE OF THE ST ANDREW'S COFE HIGH SCHOOL**

2.1 The decision taken by the Executive Director in consultation with the Cabinet Member for Children, Young People & Learning, that is the subject of this call-in, was as follows:

### **RESOLVED :**

*Agree to the closure of St Andrew's Church of England High School, effective from 31 August 2020, subject to any call-in taking place and any subsequent recommendations from the Scrutiny & Overview Committee.*

2.2 The call-in pro-forma is attached at Appendix 7. The decision form was received on 9 September 2019 from the Chair of the Scrutiny & Overview Committee, Councillor Sean Fitzsimons and was signed via email by the following Councillors: Jerry Fitzpatrick, Joy Prince and Robert Ward (Vice-Chair).

The reasons stated for the Call-In are:

- 1) To hold the decision takers to account on their decision and to the evidence that underpins their reasoning to recommend closure of St Andrews Secondary School.
- 2) To ensure that there are sufficient secondary school places in Croydon for Croydon pupils and that the decision will not adversely affect disadvantaged groups
- 3) To ensure that there are no undue negative impact on other Croydon schools as a result of this decision
- 4) To ensure that the site is kept for educational use in the future.
- 5) To ensure that the decision doesn't unduly restrict the right of parents to send their children to a school of religious character.

The outcomes desired from the Call-In are stated as:

"For the decision makers to give a satisfactory response to the above queries and to hear from Church of England Diocesan Board."

### **2.3 Call-In Procedures**

The Council's Constitution, Part 4E Scrutiny & Overview Procedure Rule, states:

*"11.08 The referral shall be considered at the next scheduled meeting of the Scrutiny and Overview Committee unless, in the view of the Borough Solicitor, this would cause undue delay. In such cases the Borough Solicitor, will consult with the decision-taker and the Chair of Scrutiny and Overview to agree a date for an additional meeting. The Scrutiny and Overview Committee may only consider a maximum of three referrals at any one meeting.*

*11.09 At the meeting, the referral will be considered by the Committee which shall determine how much time it will give to the call-in and how the item will be dealt with including whether or not it wishes to review the decision. If having considered the decision there are still concerns about the decision then the Committee may refer it back to the Cabinet for reconsideration, setting out in writing the nature of the concerns. The Cabinet shall then reconsider the decision, amending the decision or not, before making a final decision.*

*11.10 The Scrutiny and Overview Committee may refer the decision to the Council if it considers that the decision taken by the Leader or Cabinet is*

*outside the Budget and Policy Framework of the Council. The Council may decide to take no further action in which case the decision may be implemented. If the Council objects to Cabinet's decision it can nullify the decision if it is outside the Policy Framework and/or inconsistent with the Budget.*

- 11.11 *If the Scrutiny and Overview Committee decides that no further action is necessary then the decision may be implemented.*
- 11.12 *If the Council determines that the decision was within the Policy Framework and consistent with the Budget, it will refer any decision to which it objects, together with its views on the decision, to the Cabinet. The Cabinet shall choose whether to either, amend, withdraw or implement the original decision within 10 working days or at the next meeting of the Cabinet after the referral from the Council.*
- 11.13 *The responses of the decision-taker and the Council shall be notified to all Members of the Scrutiny and Overview Committee once the Cabinet or Council has considered the matter and made a determination.*
- 11.14 *If either the Council or the Scrutiny and Overview Committee fails to meet in accordance with the Council calendar or in accordance with paragraph 11.08 above, then the decision may be implemented on the next working day after the meeting was scheduled or arranged to take place.”*

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**CONTACT OFFICER:**

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(Senior Democratic Services and Governance  
Officer)

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**APPENDIX 1:**

St Andrews CoE decision report

**APPENDIX 2:**

St Andrews CofE key Decision notice

**APPENDIX 3:**

Prepublication consultation outcomes report

**APPENDIX 4:**

St Andrews CoE General Exception Notice

**APPENDIX 5:**

Representation consultation outcomes report

**APPENDIX 6:**

Equality Analysis proposed closure of St Andrews

**APPENDIX 7:**

Call-In Proforma

**BACKGROUND DOCUMENTS:** None

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<b>REPORT TO:</b>	<b>Robert Henderson Executive Director Children Families and Education</b>
<b>SUBJECT:</b>	<b>Proposed closure of St Andrew's CE High School</b>
<b>LEAD OFFICER:</b>	<b>Shelley Davies, Interim Director Education and Youth Engagement</b>
<b>CABINET MEMBER:</b>	<b>Councillor Alisa Flemming, Cabinet Member for Children, Young People and Learning</b>
<b>WARDS:</b>	<b>Waddon</b>
<b>CORPORATE PRIORITY/POLICY CONTEXT/AMBITIOUS FOR CROYDON:</b>	
<p>Corporate Plan 2018 - 2022</p> <p>The recommendations in this report are in line with the new operating model – 'getting the basics right for residents' and will contribute to the delivery of the following key priority / outcome: 'Our children and young people thrive and reach their full potential:</p> <ul style="list-style-type: none"> <li>• Children and young people in Croydon are safe, healthy and happy, and aspire to be the best they can be</li> <li>• Every child and young person can access high quality education and youth facilities</li> <li>• Ensure there are high quality school places for Croydon's increasing numbers of children and young people.</li> </ul>	
<b>FINANCIAL IMPACT:</b> St Andrew's CofE High School currently has a projected year end deficit of £1.975m by March 2020, and a total estimated deficit of £2.246m by August 2020. Under current legislation, where a maintained school closes any balance held by the school (whether surplus or deficit) reverts to the Local Authority and the final projected deficit will have a negative impact on the Council's revenue budget.	
Officers continue to explore options for additional income to be generated from the school's site to offset some or all of this forecast deficit.	
<b>FORWARD PLAN KEY DECISION REFERENCE NO.: 0519CFE</b>	
The notice of the decision will specify that the decision may not be implemented until after 13.00 hours on the 6th working day following the day on which the decision was taken unless referred to the Scrutiny and Overview Committee.	
<b>RECOMMENDATIONS:</b>	
<p>Pursuant to the delegation from the Leader (0619LR) to the Executive Director, Children Families and Education in consultation with the Cabinet Member for Children, Young People and Learning to:</p> <p>Agree to the closure of St Andrew's Church of England High School, effective from 31 August 2020, subject to any call-in taking place and any subsequent recommendations from the Scrutiny &amp; Overview Committee.</p>	

## **1. EXECUTIVE SUMMARY**

- 1.1. Under Section 15 of the Education and Inspections Act (EIA) 2006, a Local Authority (LA) can propose the closure of all categories of maintained school by following the statutory process:
  - Pre-publication consultation for a minimum of 6 weeks
  - Publication of the statutory notice and proposal
  - Representation where any person can send objections or comments to the LA within 4 weeks from the date of publication of the proposal
  - Decision of the Local Authority
- 1.2. The LA will be the decision-maker on a school closure proposal and must decide a proposal within 2 months of the end of the representation period, otherwise the proposal must be referred to the Schools Adjudicator for decision.
- 1.3. The governing body of a voluntary, foundation or foundation special school may also publish proposals to close its own school by following the statutory process. Alternatively, it may give at least two years' notice of its intention to close the school to the Secretary of State and the LA.
- 1.4. This report outlines the proposal to close St Andrew's Church of England (CofE) High School from August 31st 2020. The Executive Director is asked to review and approve this proposal.

## **2. DETAILS**

### **ST ANDREW'S CofE HIGH SCHOOL**

#### **Background**

- 2.1 St Andrew's Church of England (CofE) High School is a voluntary aided mainstream school for boys and girls. The school is part of the educational provision of the Southwark Diocesan Board of Education and the London Borough of Croydon. The school is situated in Warrington Rd, Croydon, CR0 4BH.
- 2.2 The Governing Board at St Andrew's (CofE) High School, with the support of the Diocese and Croydon Council agreed to suspend entry for Year 7 admission to the school in September 2018 and only pupils in Years 10 and 11 in September 2018 would remain to complete their examination courses in 2019 and 2020. The Office of the Schools Adjudicator approved the proposed variation to the school's admission arrangements.
- 2.3 From September 2018, the Council provided pupils in Years 7-9 with an alternative school place with only Years 10 and 11 remaining at St Andrew's. The proposal is to close St Andrew's School in August 2020 following completion of Year 11 GCSE examinations.
- 2.4 In December 2018, the Chair of the Governing Board of St Andrew's CofE School requested that the Council commence the statutory process for the proposed closure of St Andrew's CofE School following a review of the financial viability of the school.

## ENGAGEMENT

### Pre-publication consultation

- 2.5 The Governing Board at St. Andrew's CofE High School with the support of the Diocese and Croydon Council undertook a pre-publication consultation.
- 2.6 The pre-publication consultation ran for six weeks – 15 March to 26 April 2019. Those with an interest and/or who would be directly impacted by the proposed closure of St Andrew's CofE High School had the opportunity to suggest options for consideration on the proposed closure of the school.
- 2.7 A total number of 145 responses were received during the pre-publication consultation period; of which 48 were from a Croydon Christian group - St Mark's secondary school - regarding a proposal for St Mark's Secondary School on the St Andrew's site. We also received responses from Waddon ward councillors - Cllr Robert Canning; Cllr Joy Prince; and Cllr Andrew Pelling - who expressed the view that both the school buildings and all of the school playing field should be retained for future educational use and their view is that a safeguard to this effect must be included as an integral part of any decision to close the school from next year.
- 2.8 The majority of respondents do not support the proposed closure of the school, however would support another Christian school opening on the St Andrew's site. The majority of respondents are local residents.
- 2.9 The top thematic issues raised by respondents are:
- Lack of church school places/reduces parental preference
  - The school used to be a good school so shouldn't be closed
  - Concerns/suspicious in regard to what the land will be used for – particularly housing
  - St Andrew's school should not be closed as other schools are operating over capacity
  - If the council is building new secondary schools, why is St. Andrew's being closed?
  - Natural progression from The Minster
- 2.10 Top 3 points made in support of the proposed closure of St Andrew's:
- *'I support the closure but only if a new Christian school is to take it over'*
  - *'Reopen the school with quality teaching staff and a strong head. No to academy status'*
  - *'Because St Andrews has gone downhill so much and a new school would give more options to parents, including me.'*
- 2.11 The Southwark Diocesan Board of Education was in discussion with the Governors of Archbishop Tenison's about the possibility of the school expanding onto St Andrew's site. The Governors of Archbishop Tenison's decided not to go ahead with the proposed expansion of the school onto the St Andrew's site. The Diocesan Board is mindful of the strong support from Croydon Christians/the St Mark's group, in continuing to look for alternatives for church school places using the site.
- 2.12 The pre-publication consultation outcomes report is attached as Appendix 1.

## **CONSULTATION**

### **Representation (formal consultation)**

- 2.13 Following publication of the statutory notice, a copy of which is appended at Appendix 2, formal consultation commenced.
- 2.14 The representation period lasted four weeks from 25 June to 25 July 2019 which allowed any person to send objections or comments to the LA within 4 weeks from the date of publication of the proposal.
- 2.15 A total of 42 responses have been received during the representation period. 37 responses were received via the Get Involved website. In addition, we received a letter from Waddon ward councillors - Cllr Robert Canning, Cllr Joy Prince and Cllr Andrew Pelling, a letter from the St Mark's Secondary School Croydon Group with an attachment containing 241 names, a letter from the chairman of governors of a school within the London Borough of Hammersmith and Fulham and two letters from Croydon primary school Head Teachers.
- 2.16 The letter from the 3 ward councillors' for Waddon states: *"if St Andrew's School is to close – and we can see the justification for closing this school for a period of time from August 2020 – then both the school buildings and all of the school playing field should be retained for future educational use"*.
- 2.17 The letter from the St Mark's Secondary School Croydon Group, containing 241 names, states, *"I do not support the closure of St Andrew's CE School. I do support the proposal from St Mark's Secondary School Croydon to open in its place"*.
- 2.18 The majority of respondents do not support the proposed change, but some said that they support another school to be opened on the site. The representation outcomes report is attached as Appendix 3.

### **DECISION MAKER**

- 2.19 The Local Authority is the decision maker on the proposed closure of St Andrew's Cof E school. The Statutory Guidance on opening and closing maintained schools makes clear that the decision-maker must consider the views of those affected by a proposal or who have an interest in it, including cross-local authority border interests. The decision-maker should not simply take account of the number of people expressing a particular view. Instead, they should give the greatest weight to responses from those stakeholders likely to be most directly affected by a proposal – especially parents (or those with parental responsibility) of children at the affected school.
- 2.20 The Leader of the Council delegated authority to the Executive Director of Children, Families and Education, in consultation with the Cabinet Member Children, Young People and Learning to authorise the Council to commence consultation on the proposed closure of St Andrew's CofE High School and to consider the outcome of the consultation and make formal decision to close the school.
- 2.21 Following consultation, and expiration of the notice period of the intended key decision, the Executive Director of Children, Families and Education, in consultation with the Cabinet Member Children, Young People and Learning will decide whether to close St Andrew's CofE High School in August 2020 following completion of Year 11 GCSE examination.
- 2.22 In making a decision, the Executive Director should be satisfied that there are sufficient surplus places elsewhere in the local area to accommodate displaced pupils, and the likely

supply and future demand for places in the medium and long term. This includes taking into account the overall quality of alternative places in the local area and the popularity of other local schools. Where, as in the current circumstances, there is a proposal to close a school that has been designated with a religious character, decision-makers should consider the effect that this will have on the balance of denominational provision in the area, as well as the number of pupils currently on roll, the medium and long term need for places in the area, and whether standards at the school have been persistently low.

- 2.23 When issuing a decision, the decision-maker can:
- reject the proposal;
  - approve the proposal without modification;
  - approve the proposal with such modifications as they think desirable, after consulting the proposer (as appropriate); or
  - approve the proposal – with or without modification – subject to certain conditions which are specified by statute.

## **SCHOOL PLACES - SECONDARY**

2.24 There are two secondary educational phase planning areas, North and South, which reflect home to school journeys as pupils tend to travel further to school independently due to good transport links. St Andrew's CofE High school is located within the North planning area and the information below outlines our ability as a local authority to provide enough pupil places within this area if the school closes. This is based on our current and predicted percentage of surplus numbers linked to our pupil number predictions in this area.

2.25 Projections indicate an increase in demand for secondary school places as pupils transfer from primary to secondary. Currently, there are enough secondary school places to meet overall demand (current surplus is 5.6%) at borough wide level. However, this varies at educational planning area level with a higher level than required of surplus places in the North and sufficiency in the South. There has been an increase by 3% in the number of secondary applications received for the 2019 intake.

2.26 Croydon's projected demand for state-funded secondary places 2018/19 to 2025/26 are as follows:

- On roll 2018/19 = 17,868
- Growth to 2025/26 = 2821 (94 forms of entry)

### 2.27 Pupil Projections for SCAP 2019

Croydon commissions the Greater London Authority (GLA) School Roll Projection (SRP) service to forecast future demand for school places. The SRP is used for the council's supply strategy for school place planning as well as its annual School Capacity (SCAP) return to the Department for Education (DfE).

2.28 The projections are designed to give a strategic-level indication of where additional demand may arise in future. It is not intended that the projections be considered as definitive evidence that additional provision is required in a particular planning area. The Council also applies local knowledge to ensure that local factors are taken into account to enhance the robustness of the projected figures.

2.29 When comparing the GLA 2018 projections to the October 2018 school census, there was a slight over-projection (1.1%) of the number of children in Year 7 for 2018/19, borough-wide.

2.30 To allow for unexpected in-year growth in demand and parental choice, the Council aim to allow approximately 5% surplus places. The percentage of surplus places varies across the planning areas and the spare capacity within the system allows for choice for parents with children of school age moving into the borough, especially in areas with new housing developments which feasibly could create a demand for school places in excess of the forecasts. See table 1 below for percentage of surplus places in the North planning area.

2.31 For the secondary phase, there is sufficient capacity within the school estate to accommodate pupil demand for school places at borough level but there has been an increase in demand in the South and we are monitoring this to see if this is sustained growth. The Council also takes into consideration that children moving to secondary school tend to travel further, including across planning area and outside the borough.

2.32 Available Places vs SCAP19 forecasts - Table 1

Table 1 below contains Croydon’s recent School Capacity (SCAP) survey and forecast of pupil numbers submitted to the DfE in July 2019. The forecast will be validated by the DfE in early 2020.

Table 1

Planning Area	Academic Year	Available Places	Forecast (Year 7)	Surplus	FE	%
<b>Borough Wide</b>	2019/20	4238	3964	274	9	6
	2020/21	4418	3917	501	17	11
	2021/22	4478	4024	454	15	10
	2022/23	4478	4022	456	15	10
	2023/24	4478	4038	440	15	10
	2024/25	4478	3932	546	18	12
	2025/26	4478	3877	601	20	13

Planning Area	Academic Year	Available Places	Forecast (Year 7)	Surplus	FE	%
<b>North</b>	2019/20	2644	2424	220	7	8
	2020/21	2824	2404	420	14	15
	2021/22	2824	2463	361	12	13
	2022/23	2824	2473	351	12	12
	2023/24	2824	2478	346	12	12
	2024/25	2824	2427	397	13	14
	2025/26	2824	2377	447	15	16

2.33 Please note, these forecasts have been created based on the current housing target of 1645 homes a year, as published in Croydon’s Local Plan 2018. The Local Plan is currently under review to take account of the emerging New London Plan. The proposed housing target allocated to Croydon is 2949 new homes a year between 2019-2029. On adoption of the London Plan in early 2020 we would expect to see an increase in pupil forecasts.

School roll projections are produced in partnership with the Greater London Authority (GLA) on an annual basis and will next be reviewed in July 2020.

2.34 School Places Supply Strategy

The proposed supply strategy for the secondary educational phase for the next 3 academic years is outlined in table 2 below. An additional 180 Year 7 places will be provided in North planning area 2020/21 through a new free school – Ark Blake Academy.

Table 2.

<b>Planning Area</b>	<b>2019/20</b>	<b>2020/21</b>	<b>2021/22</b>
North	No planned project	New school: 6FE (180 Year 7 places) new school – Ark Blake Academy	No planned project

**POTENTIAL IMPACT OF THE CLOSURE OF ST. ANDREW’S**

2.35 Current Pupils

There will be no displaced pupils as there will only be Year 11 pupils who will have completed their GCSE examinations in July 2020 and the proposed closing date of the school is August 2020.

The interim provision for newly arrived Unaccompanied Asylum Seeking Children (run by the Virtual School) is currently located at St Andrew’s. Should the school close, a new location will be found for this provision.

2.36 Community

One of the key concerns raised during the consultation is the worry that the land will be sold for housing. The usage of the land is to be determined by the Southwark Diocesan Board of Education who are currently exploring options to continue using the site/building for educational purposes to retain proportionality of Church school places.

2.37 School Places

School roll projections indicate sufficiency of secondary school places across the borough for the next 3 years, however this will be reviewed / monitored if the proposed closure of St Andrew’s is approved.

2.38 Balance of denominational provision

The Diocesan Board of Education acknowledges that the proposed closure of St Andrew’s school threatens the number and proportionality of church school places. For this reason, the Diocese is exploring options to retain the use of St Andrew’s site for educational purposes to safeguard the number of proportionality of Church of England school places in Croydon.

2.39 School Admissions - Secondary

For the 2019/20 academic year, 4728 on-time applications for Croydon residents were received, of which 63% were offered a space at their first preference school and 85% received an offer at one of their top 3 preferred schools.

## **SUMMARY**

- 2.40 In summary this report outlines the decision made by the Governing Body of St Andrew's for the council to commence the statutory process for the closure of the school. The reasons for their decision is outlined in the report. As required when making a decision about the closure of a school we have included information about the planning area within which the school is located and our ability to be able to provide both medium and long term places for pupils in the planning area should the decision be made to close.
- 2.41 The report outlines a summary of the responses from both the pre-consultation and the representation period. Whilst the majority of the responses have been opposed to the closure of this school this was due to concerns about the use of the site and it's retention for educational use.
- 2.42 The recommendation is for the closure of St Andrew's Church of England school to proceed following the consultation process as there are key risks in terms of the deficit budget, leadership, pupil numbers and quality of curriculum if it were to remain open. These key risks outweigh the concerns raised in the consultation period by all respondents.

## **3. FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS**

- 3.1 Following an Ofsted inspection in November 2016, where St Andrew's CofE High School was rated as requiring improvement, there has been a decline in pupil admission numbers directly affecting the school's funding. From September 2018, the council provided pupils in Years 7-9 with an alternative school place with only Years 10 and 11 remaining at St Andrews CofE High School and from September 2018 Year 7 admissions have been suspended. A subsequent Ofsted inspection in January 2019, resulted in a judgement of inadequate.
- 3.2 In December 2018, the Chair of the Governing Board requested that the Council commence the statutory process for the proposed closure of St Andrews CofE High School following a review of the financial viability of the school where it was found that the school is no longer viable both in terms of its ability to deliver a full and balanced curriculum due to low staff numbers and financial sustainability.
- 3.3 Funding for schools is largely based on pupil numbers, and with reducing demand for places in recent year St Andrews CofE high school has had insufficient funding to cover costs. In addition to a large portion of funding being directly related to the number of pupils attending a school, irrespective of the pupil numbers there are fixed running costs to be met from the schools delegated budget. Over the past number of years, since the initial inspection, the school's financial position has worsened as a consequence of a fall in pupil numbers, exacerbated by the change in admissions arrangements.
- 3.4 St Andrew's CofE High School's deteriorating financial position over the past four years and the estimated final position, as at August 2020, is outlined in Table 3.

Table 3

Year	Delegated Funding	Deficit Balance (carry forward)
2015-16	£4,352,660	£(409,150)
2016-17	£4,103,541	£(402,147)
2017-18	£3,829,826	£(658,730)
2018-19	£3,153,749	£(1,323,632)
2019-20	£1,504,128	£(1,974,796)
2020-21*	£752,064	£(2,246,115)

\*April- August 2020

- 3.5 St Andrew's CofE High School had a carried forward deficit of £1.324m as at March 2019, with a projected year end deficit of £1.975m (operating with a 2019/20 in-year deficit of £0.651m) by March 2020, and a total estimated deficit of £2.246m by August 2020. This deficit will only increase if the school remains open and does not operate at full capacity.
- 3.6 Under current legislation, where a maintained school closes any balance held by the school (whether surplus or deficit) reverts to the Local Authority and cannot be transferred as a balance to any maintained school, even where the school is a successor to the closing school.
- 3.7 Therefore, the closure of St Andrew's CofE High School will have a negative impact of £2.246m on the Council's revenue budget. This will put increasing pressure on an already heavily pressurised budget and will need to be funded by the Council taxpayers of Croydon.
- 3.8 During the next 12 months the Council will be working with St Andrew's CofE High School and the Diocese to ensure that the school manages its budget as efficiently and effectively as possible to ensure the final deficit is kept to a minimum. Options will be explored to see if any additional income can be generated from this site to offset some or all of this forecast deficit.

*Approved by Lisa Taylor, Director of Finance, Investment and Risk and Section 151 Officer*

#### **4. LEGAL CONSIDERATIONS**

- 4.1 The Head of Litigation and Corporate Law comments on behalf of the Director of Law and Governance that in addition to the statutory duties detailed within the body of this report where executive functions are delegated to officers Access to Information Rules as set out in Part 4B of the Constitution, which include provisions in relation to key decisions, and Decision Making Procedure Rules in Part 4G need to be complied with by the officers concerned.

- 4.2 In relation to the recommendation within this report the decision-maker must also have regard to the Public Sector Equality Duty (PSED) which requires them to have 'due regard' to:
- the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equalities Act 2010 (*section 149(1)(a)*);
  - The need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it (*section 149(1)(b)*). This involves having due regard to the needs to:
    - Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
    - Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it (*section 149(4)*); and
    - Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- 4.3 In considering a school closure the Council is required to comply with the provisions of Part 2 and Schedule 2 of the Education and Inspections Act (EIA) 2006 as amended by the Education Act (EA) 2011 and The School Organisation (Establishment and Discontinuance of Schools) Regulations 2013 and have regard to the statutory guidance issued by the Department of Education entitled "Opening and closing Maintained schools", November 2018. The legislation and guidance details the statutory process which must be followed in relation to the closing of a maintained school and includes a pre-publication consultation which is recommended to last a minimum of 6 weeks, followed by the publication of the statutory notice and proposals in respect of the school and thereafter a 4 week period during which objections or comments may be sent to the local authority. A decision on the proposals must be made within 2 months of the end of the representation period, otherwise the proposal must be referred to the Schools Adjudicator for decision.
- 4.4 The decision-maker must consider the impact of the proposals on the relevant protected characteristics and any issues that may arise from the proposals, similarly, there should be a commitment to provide access to a range of opportunities which reflect the ethnic and cultural mix of the area, whilst ensuring that such opportunities are open to all.
- 4.5 Decision-makers should satisfy themselves that accessibility planning has been properly taken into account and that the proposal will not adversely impact on disadvantaged groups. They should bear in mind that a proposal should not unreasonably extend journey times or increase transport costs, or result in too many children being prevented from travelling sustainably due to unsuitable walking or cycling routes.
- 4.6 A proposal should also be considered on the basis of how it will support and contribute to the local authority's duty to promote the use of sustainable travel and transport to school.
- 4.7 Finally, where the closure of a school is contemplated, the decision-maker should be satisfied that there are sufficient surplus places elsewhere in the local area to accommodate displaced pupils, and the likely supply and future demand for places in the medium and long term. The decision-maker should take into account the overall quality of alternative places in the local area and the popularity of other local schools. Where, as in the current circumstances, there is a proposal to close a school that has been designated with a religious character, decision-makers should consider the effect that this will have on the balance of denominational provision in the area, as well as the number of pupils currently on roll, the medium and long term need for places in the area, and whether standards at the school have been persistently low.

*Approved by: Sandra Herbert Head, of Litigation and Corporate Law on behalf of the Director of Law and Governance and Deputy Monitoring Officer.*

## **5. HUMAN RESOURCES IMPACT**

- 5.1 Communication and consultation with both teaching and support staff has commenced and will continue alongside representatives of the relevant professional associations and trade unions. This is supported by the school's HR provider.

Consultation and process will abide in accordance to the Employment Rights Act 1996 and the Schools policies and procedures relating to Restructuring, Reorganisation and Redundancy Procedure.

*Approved: Nadine Maloney, Head of HR for Children, Families and Education*

## **6. EQUALITIES IMPACT**

- 6.1 An equality analysis has been undertaken in relation to the proposed closure of St Andrew's CofE High School – attached as Appendix 4. The analysis will help us to understand whether people with protected characteristics, as defined by the Equality Act 2010, will be disproportionately affected by the proposed closure of the school.
- 6.2 The equality analysis identified the main risks as less denominational places in Croydon; insufficient school places due to housing developments; and usage of school and playing field for future non-educational use. The Diocesan Board is exploring options to retain the use of St Andrew's site for educational purposes to safeguard the number of proportionality of Church of England school places in Croydon. Pupil forecasts indicate that currently there are sufficient secondary school places at borough level for the next seven years.
- 6.3 The proposed strategy is consistent with the Council's general equality duty to have due regard to the need to eliminate unlawful conduct under the Equality Act 2010; to advance equality of opportunity and foster good relations between persons who share a protected characteristic and those who do not.
- 6.4 The equality analysis has found that the proposed closure of St Andrew's CofE School does not negatively impact on any protected group and that no major change is required as the general and specific equality duties are met. However, it is noted that the proposed closure of the school will reduce the number of Church of England places, if an alternative is not found.

*Approved by Yvonne Okiyo, Equalities Manager*

## **7. ENVIRONMENTAL IMPACT**

- 7.1 There are no environmental impacts linked to this decision.

## 8. CRIME AND DISORDER REDUCTION IMPACT

8.1 There are no Crime and Disorder reduction impacts linked to this decision.

## 9. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION

9.1 The recommendations of this report are set out to ensure that the Council is compliant with its statutory duties as an education authority:

### Reason(s) for the proposed closure

- i. The school is no longer considered viable both in terms of its ability to deliver a full and balanced curriculum due to low staff numbers and financial sustainability due to low pupil numbers.
- ii. A large portion of funding received by schools is directly related to the number of pupils attending a school, of which St Andrew's has had falling numbers on roll in each academic year.
- iii. St. Andrew's was rated as requiring improvement following an Ofsted inspection in November 2016 and Inadequate at the subsequent inspection in January 2019.
- iv. There has been a decline in pupil numbers over a number of years, directly affecting the school's funding and leading to a greater deficit budget.
- v. Over the last two academic years pupil applications to this school have been extremely low. St Andrew's has not been a school of choice for parents as seen in the number of first choice and second choice applications. This has had a negative impact on the budget.

School	Intake year	PAN	Total Allocs	Pref 1	Pre f2	Directions
St Andrew's CofE Voluntary Aided High School	2017	150	54	21	10	16
St Andrew's CofE Voluntary Aided High School	2018	150	97	19	7	60

## 10. OPTIONS CONSIDERED AND REJECTED

10.1 Other options considered include:

- The school remaining open but this option is not recommended due to the high risk in terms of an increasing deficit, pupils not having access to a full and balanced curriculum, concerns about pupil outcomes and the ability of the school to improve pupil numbers as a result of the inadequate Ofsted rating.
- The Diocese considered amalgamating the high school with the Minster Infant and Junior schools to create an all-through school. This option was not considered viable by the

Governing Boards of the Infant and Junior Schools and was not explored further as a result of this.

- The other local Church of England school, Archbishop Tenison's was given the option to expand on to the St Andrew's High School site in order to ensure sustained numbers of Church of England places available in the Local Authority. The Governing Board of Archbishop Tenison's voted against this expansion.

These options were rejected as explained for each option above.

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**CONTACT OFFICER:**

**Denise Bushay, Head of School Place Planning,  
Admissions: 0208 604 7231**

**APPENDICES:**

Appendix 1 – Pre-publication consultation outcomes report – proposed closure of St Andrew's CofE High School

Appendix 2 – Public notice – proposed closure of St Andrew's CofE High School

Appendix 3 – Representation consultation outcomes report – proposed closure of St Andrew's CofE High school

Appendix 4 – Equality Analysis – proposed closure of St Andrew's CofE High School

**BACKGROUND DOCUMENTS:**

None

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## LONDON BOROUGH OF CROYDON

To: All Members of Council  
Croydon Council website  
Access Croydon & Town Hall Reception

### **PUBLIC NOTICE OF KEY DECISIONS MADE BY EXECUTIVE DIRECTOR CHILDREN, FAMILIES AND EDUCATION ON 09 SEPTEMBER 2019**

In accordance with Regulation 10(1) of the Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012 the following key decision has been taken on behalf of the London Borough of Croydon under General Exception. The decision could not be reasonably deferred because:

The Local Authority (LA) is required to make a decision about the proposed closure of St Andrew's CofE High School within a period of two months of the end of the representation period. If the LA fails to make a decision within this time then the proposal must be referred to the Schools Adjudicator. As per the DfE guidance: *Opening and closing maintained schools Statutory guidance for proposers and decision-makers, November 2018 Para. 3 - School closures* (discontinuance). The representation period for the proposed closure of St Andrew's CE High ended on 25<sup>th</sup> July 2019 and therefore a final decision must be made by 25<sup>th</sup> September 2019.

This statement is produced in accordance with Regulation 13 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

In accordance with the Scrutiny and Overview Procedure Rules, the following decisions may be implemented from **1300 hours on 17 September 2019** unless referred to the Scrutiny and Overview Committee (ie after 13.00 hours on the 6th working day following the day on which the decision was taken). The call-in procedure is appended to this notice.

The following apply to the decision below:

**Reasons for these decisions:** Contained within the Part A report attached.

**Other options considered and rejected:** Contained within the Part A report attached.

**Details of conflicts of interest declared by the decision maker:** None

**Note of dispensation granted by the Head of Paid Service in relation to a declared conflict of interest by that decision maker:** None

The Leader of the Council has delegated to the decision maker the power to make the Key Decisions noted out below (delegation 0619LR):

**Decision Title: ST ANDREW'S CHURCH OF ENGLAND HIGH SCHOOL  
PROPOSED CLOSURE**

**Key Decision No:** 0519CFE

Having carefully read and considered the Part A report, and the requirements of the Council's public sector equality duty in relation to the issues detailed in the body of the reports, the Executive Director Children, Families and Education in consultation with the Cabinet Member for Children, Young People & Learning

**Details of decision:**

Agree to the closure of St Andrew's Church of England High School, effective from 31 August 2020, subject to any call-in taking place and any subsequent recommendations from the Scrutiny & Overview Committee.

**Signed:** Council Solicitor and Monitoring Officer

**Notice Date:** 09 September 2019

## Scrutiny Referral/Call-in Procedure

1. The decisions may be implemented **1300 hours on 17 September 2019** (the 6th working day following the day on which the decision was taken) unless referred to the Scrutiny and Overview Committee.
2. The Council Solicitor shall refer the matter to the Scrutiny and Overview Committee if so requested by:-
  - i) the Chair or Deputy Chair of the Scrutiny and Overview Committee and 4 members of that Committee; or
  - ii) 20% of Council Members (14)
3. The referral shall be made on the approved pro-forma (*attached*) which should be submitted electronically or on paper to Victoria Lower by the deadline stated in this notice. Verification of signatures may be by individual e-mail, fax or by post. A decision may only be subject to the referral process once.
4. The Call-In referral shall be completed giving:
  - i) The grounds for the referral
  - ii) The outcome desired
  - iii) Information required to assist the Scrutiny and Overview Committee to consider the referral
  - iv) The date and the signatures of the Councillors requesting the Call-In
5. The decision taker and the relevant Chief Officer(s) shall be notified of the referral who shall suspend implementation of the decision.
6. The referral shall be considered at the next scheduled meeting of the Scrutiny & Overview Committee unless, in view of the Council Solicitor, this would cause undue delay. In such cases the Council Solicitor will consult with the decision taker and the Chair of Scrutiny and Overview to agree a date for an additional meeting. The Scrutiny & Overview Committee may only decide to consider a maximum of 3 referrals at any one meeting.
7. At the Scrutiny & Overview Committee meeting the referral will be considered by the Committee which shall determine how much time the Committee will give to the call in and how the item will be dealt with including whether or not it wishes to review the decision. If having considered the decision there are still concerns about the decision then the Committee may refer it back to the decision taker for reconsideration, setting out in writing the nature of the concerns.
8. The Scrutiny and Overview Committee may refer the decision to Full Council if it considers that the decision is outside of the budget and policy framework of the Council.
9. If the Scrutiny and Overview Committee decides that no further action is necessary then the decision may be implemented.

10. The Full Council may decide to take no further action in which case the decision may be implemented.
11. If the Council objects to the decision it can nullify the decision if it is outside of the policy framework and/or inconsistent with the budget.
12. If the decision is within the policy framework and consistent with the budget, the Council will refer any decision to which it objects together with its views on the decision. The decision taker shall choose whether to either amend / withdraw or implement the original decision within 10 working days or at the next meeting of the Cabinet of the referral from the Council.
13. The response shall be notified to all Members of the Scrutiny and Overview Committee
14. If either the Council or the Scrutiny and Overview Committee fails to meet in accordance with the Council calendar or in accordance with paragraph 6 above, then the decision may be implemented on the next working day after the meeting was scheduled or arranged to take place.
15. **URGENCY:** The referral procedure shall not apply in respect of urgent decisions. A decision will be urgent if any delay likely to be caused by the referral process would seriously prejudice the Council's or the public's interests. The record of the decision and the notice by which it is made public shall state if the decision is urgent and therefore not subject to the referral process.

**Signed:** Council Solicitor and Monitoring Officer

**Notice Date:** 09 September 2019

**Contact Officers:** [victoria.lower@croydon.gov.uk](mailto:victoria.lower@croydon.gov.uk) and [cliona.may@croydon.gov.uk](mailto:cliona.may@croydon.gov.uk)

**PROFORMA**

**REFERRAL OF A KEY DECISION TO THE  
SCRUTINY AND OVERVIEW COMMITTEE**

For the attention of: Victoria Lower, Democratic Services & Scrutiny  
e-mail to  
[Victoria.lower@croydon.gov.uk](mailto:Victoria.lower@croydon.gov.uk) and [cliona.may@croydon.gov.uk](mailto:cliona.may@croydon.gov.uk)

Meeting:  
Meeting Date:  
Agenda Item No:

**Reasons for referral:**

- i) The decision is outside of the Policy Framework
- ii) The decision is inconsistent with the budget
- iii) The decision is inconsistent with another Council Policy
- iv) Other: Please specify:

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**The outcome desired:**

**Information required to assist the Scrutiny and Overview Committee to consider  
the referral:**

Signed:

Date:

Member of \_\_\_\_\_ Committee

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## **APPENDIX 1**

### **Proposed closure of St Andrew's Church of England High School**

#### **Pre-publication Consultation Outcomes Report**

#### **1 Proposal**

- 1.1 The proposal is to close St Andrew's school in August 2020 following completion of Year 11 GCSE examination. The reason for the proposed closure is because the school is no longer considered viable both in terms of its ability to deliver a full and balanced curriculum and financial sustainability

#### **2. Consultation outcomes report**

- 2.1 The purpose of this report is to provide the Executive Director - Children, Families and Education, Cabinet Member for Children, Young People & Learning, the School Governors, and the School's Leadership Team with the outcomes from the pre-publication consultation on the proposed closure of St Andrew's Church of England (CofE) High School in August 2020.
- 2.2 This report is based on the responses received during the pre-publication consultation period when we sought views and engage with those that will be directly affected by the proposed closure of St Andrew's CofE High School. Those with an interest also had the opportunity to suggest options for consideration on the proposed closure of the school.

#### **3. Background**

- 3.1 St Andrew's Church of England (CofE) High School is a voluntary aided mainstream school for boys and girls. The school is part of the educational provision of the Southwark Diocesan Board of Education and the London Borough of Croydon. The school is situated in Warrington Rd, Croydon, CR0 4BH.
- 3.2 The Governing Board at St Andrew's CofE High School, with the support of the Diocese and Croydon Council agreed that there would be no Year 7 admission to the school in September 2019 and only pupils in Years 10 and 11 in September 2018 would remain to complete their examination courses in 2019 and 2020. The Office of the Schools Adjudicator approved the proposed variation to the school's admission arrangements.
- 3.3 In December 2018, the Chair of the Governing Board of St Andrew's requested that the council commence the statutory process for the proposed closure of St Andrew's School following a review of the financial viability of the school.

#### **4. Decision making**

- 4.1 The Leader of the Council has delegated authority to the Executive Director - Children, Families & Education, in consultation with the Cabinet Member for Children, Young People & Learning to consider the outcomes of the consultation on the proposed closure of St Andrew's to decide whether to proceed to the next stage of the process - representation period.
- 4.2 Subject to approval, this consultation will be followed by the publication of the statutory notice, starting a 4 week representation period when any person can send objections or comments to Croydon Council on the proposal.
- 4.3 The Local Authority is the final decision maker for the proposed closure of St Andrew's CofE High School and must make a decision within a period of two months of the end of the representation period.

#### **5. Consultation**

- 5.1 The process for decision making regarding proposed school closures is set out in the Department for Education's statutory guidance 'Opening and Closing Maintained Schools' April 2016. The statutory process consists of:
- Pre-publication consultation
  - Publication of statutory notice
  - Representation / formal consultation
  - Decision by the Local Authority on the school closure proposal

#### **6. Pre- Publication consultation**

- 6.1 The pre-publication consultation ran from 15 March 2019 to 26 April 2019, during this time anyone with an interest was invited to respond to the proposal to close St Andrew's CofE School.

#### **7. Communication and Consultation activities**

- 7.1 A consultation document including a questionnaire was used as a basis of informing stakeholders, including parents/carers and local residents about the educational rationale for the proposed closure of the school and inviting feedback on the proposal.
- 7.2 Stakeholders were given the opportunity to express their views in writing via a questionnaire, both electronically and via the hard copy attached to the consultation document, by email and post.
- 7.3 Different modes and methods of communication were used to inform and facilitate feedback from stakeholders about/on the proposal. Communication activities included the circulation of the consultation document, including a questionnaire via;
- The following websites:
    - ✓ Croydon Council
    - ✓ St Andrew's CofE High School
    - ✓ 'Get Involved'

- Schools Bulletin:
  - ✓ Bulletin sent to all schools within Croydon
- Social Media/Applications:
  - ✓ Twitter
  - ✓ Facebook
  - ✓ 'Your Croydon'
- Hard copy of consultation document, including the questionnaire was available from the cand the School.

## 8. Equality and Diversity Monitoring

- 8.1 As part of the consultation process, respondents were asked to complete an equality and diversity questionnaire, looking at Gender, Age, Ethnicity and Disability. The information collected will help identify any special requirements and promote equality and diversity.

### Equalities Impact Assessment

- 8.2 An Equalities Impact Assessment (EQIA) will be undertaken which will form part of the decision making report. The Equality analysis will enable the Council to better understand the potential impact of the proposed closure of the school on the community.

## 9. Summary of responses

- 9.1 A total number of 145 responses were received during the pre-publication consultation period; of which 48 were from a Croydon Christian group - St Mark's secondary school - regarding a proposal for St Mark's school on the St Andrew's site. The Diocese has since responded to the group, as below:
- 9.2 *“Several responses to the pre-public consultation on closure of St Andrew’s referred to a preference for the site to be used for ‘St Mark’s Secondary School’. Croydon Christians had canvassed local opinion on this idea for a new school towards the end of the pre-public consultation, unaware of the Diocesan Board of Education’s own backing of a feasibility study into the expansion of Archbishop Tenison’s School onto the St Andrew’s site. The Archbishop Tenison’s expansion proposals have since been shared with families at the school. The Diocesan Board of Education and Archbishop Tenison’s have since met with a representative of Croydon Christians, who understand and support the expansion of Archbishop Tenison’s should this proposal go forward. The group would continue to look for future opportunities, e.g. through the free schools programme, to establish further schools with a Christian character in Croydon and South London should the opportunities arise.”*
- 9.3 The Southwark Diocesan Board of Education was in discussion with the Governors of Archbishop Tenison’s about the possibility of the school expanding onto St Andrew’s site. The Governors of Archbishop Tenison’s decided not to go ahead with the proposed expansion of the school onto the St

Andrew's site. The Diocesan Board is mindful of the strong support from Croydon Christians/the St Mark's group, in continuing to look for alternatives for church school places using the site.

- 9.4 Of the remaining 97 respondents;
- 23 support the proposed change, of which:
    - 11 support the proposed change but only to allow for a new Christian school to open on the St Andrew's site
  - 61 do not support the proposed change, of which
    - 13 do not support the proposed change but expressed support for another school to be opened on the site.
  - 11 were not sure
  - 2 was not affected/did not wish to answer the questions
- 9.5 The majority of respondents support another Christian school opening on the St Andrew's site.
- 9.6 The majority of respondents are local residents.
- 9.7 The top thematic issues raised by respondents and council's/Diocese response are outlined in the table below:

Key issue	Number of respondents	council / diocese response
Lack of church school places/reduce s parental preference	68	<p>The Diocesan Board of Education is in agreement with respondents in their view that closure threatens the number and proportionality of church school places. For this reason, the Diocese is exploring options to retain the use of St Andrew's site for educational purpose to safeguard the number of proportionality of Church of England school places in Croydon.</p> <p>The Diocesan Board recognises that without a plan for maintaining Church of England places, the closure would present a reduction in parent choice in Croydon. Hence they are exploring options for retaining Church of England school places in Croydon.</p>
The school used to be a good school so shouldn't be closed	20	<p>It is acknowledged that St Andrew's used to be a good school, however over the years, despite best efforts the school has been facing a decline in pupil numbers which has impacted on the curriculum offer and funding. The school was rated as requiring improvement following an Ofsted inspection in November 2016 and the most recent Ofsted report, published in March</p>

		2019, stated the school has been rated as inadequate.
Concerns/suspicions in regard to what the land will be used for – particularly housing	9	St Andrew's site has multiple ownership. The usage of the land is to be determined by the Southwark Diocesan Board of Education who are currently exploring options to continue using the site/building for educational purposes to retain proportionality of Church school places.
St Andrews school should not be closed as other schools are operating over capacity	8	All secondary schools in Croydon are their own admission authority and responsible for their admission arrangements / class size. Pupil forecasts indicate that there is sufficiency of school places. We recognise that popular schools might be oversubscribed due to parental choice. Parental choice is affected by a number of factors, such as, school performance, location, and local perceptions. The latest pupil forecasts for the secondary educational phase is published in Appendix 1 of the latest Education Estates Strategy cabinet report which can be accessed via the following web-link: <a href="https://democracy.croydon.gov.uk/ieListDocuments.aspx?CId=183&amp;MId=1551">https://democracy.croydon.gov.uk/ieListDocuments.aspx?CId=183&amp;MId=1551</a>
If the council is building new secondary schools, why is St. Andrew's being closed?	3	Croydon is not responsible for introducing new schools. The Education Act 2011 changed the arrangements for establishing new schools and introduced the academy or free school presumption. This means that where a local authority thinks a new school needs to be established, the local authority is under a duty to seek proposals to establish an academy / free school, or a bidder can propose to open a free school directly through central government. New free secondary schools that have been recently established and/or being built have been through the central government route.
Natural progression from The Minster	2	In the most recent Year 7 intakes very few pupils from The Minster Junior School took up places at St Andrew's, which the Diocesan Board believes is linked to increasingly negative views of the school over the last five years.

9.8 A detailed analysis of the responses can be found below in Annex A.

9.9 Top 3 points made in support of the proposed closure of St Andrew's

- 'I support the closure but only if a new Christian school is to take it over'
- 'Reopen the school with quality teaching staff and a strong head. No to academy status'
- 'Because St Andrews has gone downhill so much and a new school would give more options to parents, including me.'

## **10. Next Steps**

- 10.1 The Executive Director, Children, Families & Education and Cabinet Member for Children, Young People & Learning will consider the outcome from the consultation and decide whether to proceed to the next stage of the process - publication a statutory notice, starting the formal consultation (representation) period on the proposed closure of St Andrew's CoE High School.
- 10.2 Subject to approval, the publication of statutory notice which will kick start the four week formal consultation (representation) process which is due to will on Thursday 20 June and end on 18 July 2019.
- 10.2 The Local Authority is the final decision maker on the proposed closure of St Andrew's CofE High School and must make a decision within a period of two months of the end of the representation period.
- 10.3 A detailed analysis of the responses can be found below in Annex A.

## Annex A

### Summary of responses

A total number of 145 responses, including those from St Mark's group, were received during the pre-publication consultation period of which 142 responded via the online questionnaire on Get Involved and 3 responded in writing via email.

### **Please tell us whether you support/do not support the proposed closure of St Andrew's Church of England High School.**

<b>Response</b>	<b>Number</b>	<b>%</b>
I support the proposed closure of St. Andrew's.	12	8
I support the proposed closure of St. Andrew's but expressed this is to allow for a new school to open on site.	13	9
I do not support the proposed closure of St. Andrew's	48	33
I do not support the proposed closure of St. Andrew's but expressed support for another school to be opened on the site.	58	40
Not sure	12	8
I am not affected by/do not want to answer	2	1

### **Reasons for not supporting:**

Not enough church places

- 'There are not enough Church School places in the borough of Croydon'
- 'The community at large would benefit from the Christian ethos'
- 'Croydon is the largest borough in London and has a high population of faith families. Data in the public arena shows that Archbishop Tenisons is heavily oversubscribed year after year and many faith families are disappointed year after year. If St Andrews closes this will only place extra burden on Tenisons'
- Losing a faith school, would only leave one CoE secondary school in Croydon. Why not look for an academy trust to take over the school. Why did Croydon Council approve Coombe Woods and Ark Blake if there was a surplus of places'

Historically had a good reputation

- 'Was once a great school'
- A historically good school should be kept open'

Reduces parental choice

- 'Closing St Andrews takes away choice'
- 'With all the flats going up in Croydon, there is definitely no infrastructure, to support all the people of Croydon'
- 'St Andrews is conveniently sited for transport links and access to central Croydon. It is in a residential area of family homes with potential students'
- 'There are many new homes under construction and planned for Croydon, ergo there will be a need for more school places'
- 'It is important to keep the green space around the school to help combat air pollution and also to preserve wildlife.'
- 'It is inexcusable that a state school should close due to mismanagement.'

- 'Quality local school places are needed for local children'
- 'Because there is a shortage of school places in CROYDON particularly in this part of the borough'
- 'I think that this school has a great ethos by its Christian beliefs and has a more caring approach to individual children who otherwise may get overlooked in a different school'
- 'Closing the school is not the solution to the problem. The school needs to be improved'
- 'My child is at present at the Minster School, and St Andrews would be the natural progression'
- 'I feel St Andrews being CE school and if it were to become an extension/spin off from the Minster school will keep and maintain the student numbers and it will also continue to monitor pupils that need that extra help staying on the right path if needed'
- 'It is important to have a broad spectrum of Education available to parents and children'

**Reasons for supporting:**

- 'Because St Andrews has gone downhill so much and a new school would give more options to parents, including me.'
- 'I support the closure but only if a new Christian school is to take it over'
- 'Reopen the school with quality teaching staff and a strong head. No to academy status'
- 'We need a new Christian secondary school. Run by those qualified to do so'

**Please tell us who you are.**

Please tick all that apply\*

\*109 respondents gave 141 responses

<b>Response</b>	<b>Number</b>	<b>%</b>
Member of staff at St Andrew's school	0	0
Member of staff at another school	9	6
School Governor at St Andrew's school	0	0
School Governor at another school	0	0
Parent/carer of a child/children at St Andrew's school	3	2
Parent/carer of child/ren at another school	32	23
Pupil at St Andrew's school	0	0
Local resident	64	45
Prefer not to say	10	7
Other (Please specify)	23	16



## Publicity in connection with key decisions – General exception – Regulation 10(1)

The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (“The regulations”)

When twenty-eight clear days’ notice cannot be given of the intention to take a decision which meets the Council Constitution definition of a Key Decision, the Proper Officer is required to give notice in writing to the Chair of Overview and Scrutiny or, if there is no such person, each member of the relevant overview and scrutiny committee, of the matter about which the decision is to be made.

In accordance with Regulation 10(1), notice is hereby given that the following key decision is intended to be taken on behalf of the London Borough of Croydon by Executive Director Children, Families and Education in consultation with the Cabinet Member for Children, Young People & Learning

Purpose of decision:	St Andrew's Church of England High School proposed closure
Documents to be submitted:	Report from Robert Henderson, Executive Director of Children, Families & Education
Key Decision number:	0519CFE

Copies of those documents, once they become available in accordance with Regulation 7 and provided they are not subject to any prohibition or restriction on their disclosure will be available at Access Croydon, Bernard Weatherill House, 8 Mint Walk, Croydon, CR0 1EA, and on the Council’s website.

This decision cannot reasonably be deferred because:

The Local Authority (LA) is required to make a decision about the proposed closure of St Andrew’s CofE High School within a period of two months of the end of the representation period. If the LA fails to make a decision within this time then the proposal must be referred to the Schools Adjudicator. As per the DfE guidance: *Opening and closing maintained schools Statutory guidance for proposers and decision-makers, November 2018 Para. 3 - School closures (discontinuance)*

Date of Notice – 22 August 2019  
Notices - Number 1 of 2

**Council Solicitor and Monitoring Officer**

The representation period for the proposed closure of St Andrew's CE High ended on 25<sup>th</sup> July 2019 and therefore a final decision must be made by 25<sup>th</sup> September 2019.

Other documents may be submitted to the decision maker and to request details of these documents contact Victoria Lower on 020 8760 5700 ext. 14773  
[victoria.lower@croydong.gov.uk](mailto:victoria.lower@croydong.gov.uk) or Cliona May ext. 47249  
[cliona.may@croydon.gov.uk](mailto:cliona.may@croydon.gov.uk)



## **Formal consultation on the proposed closure of St Andrew's Church of England High School from August 2020**

### **Representation (formal consultation) Outcomes Report**

#### **1 Proposal**

- 1.1 The proposal is to close St Andrew's Church of England (CofE) High school in August 2020 following completion of Year 11 GCSE examinations. The reason for the proposed closure is because the school is no longer considered viable both in terms of its ability to deliver a full and balanced curriculum and financial sustainability.

#### **2. Representation Consultation outcomes report**

- 2.1 The purpose of this report is to provide the Local Authority, St Andrew's Governing Board, Southwark Diocesan Board of Education and respondents to the consultation with the results of the consultation. The Local Authority is the final decision maker on the proposed closure of the school and the report will be submitted for a decision within the statutory period.
- 2.2 This report is based on the responses received during the representation period when those with an interest were provided with an opportunity to comment or object to the proposed closure of the school. The representation period lasted four weeks from 25 June to 25 July 2019.

#### **3. Background**

- 3.1 St Andrew's Church CofE High School is a voluntary aided mainstream school for boys and girls. The school is part of the educational provision of the Southwark Diocesan Board of Education and the London Borough of Croydon. The school is situated in Warrington Road, Croydon, CR0 4BH.
- 3.2 The Governing Board at St Andrew's, with the support of the Diocese and Croydon Council agreed that there would be no Year 7 admission to the school from September 2018 and this was approved by the Office of the Schools Adjudicator. From September 2018, only pupils in Years 10 and 11 would remain at the school to complete their examination courses in 2019 and 2020.
- 3.3 In December 2018, the Chair of the Governing Board of St Andrew's requested that the Council commence the statutory process for the proposed closure of St Andrew's following a review of the financial viability of the school. For the last

3 years, St Andrews has had an in year overspend and falling student roles over the last few years have contributed to this deficit.

#### **4. Statutory requirement**

- 4.1 The process for decision making regarding school closures is set out in the Department for Education's (DfE) statutory guidance 'Opening and Closing Maintained Schools' November 2018. The statutory process consists of:
- Pre-publication consultation
  - Publication of statutory notice
  - Representation / formal consultation
  - Decision by the Local Authority on the school closure proposal

#### **5. Pre-publication consultation**

- 5.1 A six week pre-publication consultation took place from 15 March to 26 April 2019. Stakeholders were invited to share their views on the proposal to close St Andrew's from August 2020. Respondents were also given the opportunity to include suggestions on how the land may be used should the closure of St Andrew's be agreed.
- 5.2 A total number of 145 responses were received during the pre-publication consultation period; of which 48 were from a Croydon Christian group - St Mark's secondary school - regarding a proposal for St Mark's Secondary School on the St Andrew's site. We also received responses from Waddon ward councillors - Cllr Robert Canning; Cllr Joy Prince; and Cllr Andrew Pelling - who expressed the view that both the school buildings and all of the school playing field should be retained for future educational use and their view is that a safeguard to this effect must be included as an integral part of any decision to close the school from next year.
- 5.3 The pre-publication consultation outcomes report can be requested from the Council or can be found at [www.croydon.gov.uk/st-andrews-school](http://www.croydon.gov.uk/st-andrews-school).
- 5.4 The Leader of the Council delegated authority to the Executive Director - Children, Families & Education, in consultation with the Cabinet Member for Children, Young People & Learning to consider the outcomes of the pre-publication consultation on the proposed closure of St Andrew's to decide whether to proceed to the next stage of the process - representation period. Approval was given to proceed to the next stage - publication of the statutory notice- starting the 4 week representation period.

#### **6. Publication of statutory notice**

- 6.1 A notice was published in the Croydon Guardian newspaper and on the Council and school's website on 25 June 2019. A copy of the notice was also displayed in Croydon's libraries and on the school's gates.

## **7. Representation period**

- 7.1 The representation period lasted four weeks from 25 June to 25 July 2019 which allowed any person to send objections or comments to the Local Authority within 4 weeks from the date of publication of the proposal.

## **8. Decision making**

- 8.1 The Local Authority is the final decision maker for the proposed closure of St Andrew's CofE High School and must make a decision within a period of two months of the end of the representation period, otherwise the proposal must be referred to the Schools Adjudicator for decision.
- 8.2 The representation outcomes report will be submitted to the decision maker within the statutory period.

## **9. Communication and consultation activities**

- 9.1 A consultation document including a questionnaire was used as a basis of informing stakeholders, including parents/carers and local residents about the educational rationale for the proposed closure of the school and inviting feedback on the proposal.
- 9.2 Stakeholders were given the opportunity to express their views in writing via a questionnaire, both electronically and via the hard copy attached to the consultation document which could be submitted by email or post.
- 9.3 Different modes and methods of communication were used to inform and facilitate feedback from stakeholders about/on the proposal. Communication activities included notice in the Croydon Guardian newspaper and the circulation of the consultation document, including a questionnaire via;
- The following websites:
    - ✓ Croydon Council
    - ✓ St Andrew's CofE High School
    - ✓ 'Get Involved'
  - Schools Bulletin:
    - ✓ Bulletin sent to all schools in Croydon
  - Social Media/Applications:
    - ✓ Twitter
    - ✓ Facebook
    - ✓ 'Your Croydon'
  - Hard copies of the consultation document, including the questionnaire was available from the school.

## **10. Equality and Diversity Monitoring**

- 10.1 As part of the consultation process, respondents were asked to complete an

equality and diversity questionnaire, looking at Gender, Age, Ethnicity and Disability. The information collected will help identify any special requirements and promote equality and diversity.

### Equalities Impact Assessment

- 10.2 An Equalities Impact Assessment (EQIA) will be undertaken. The Equality analysis will enable the Council to better understand the potential impact of the proposed closure of the school on the community.

## **11. Representation period - summary of responses**

- 11.1 A total of 42 responses have been received during the representation period. 37 responses were received via the Get Involved website. In addition, we received a letter from Waddon ward councillors - Cllr Robert Canning, Cllr Joy Prince and Cllr Andrew Pelling, a letter from the St Mark's Secondary School Croydon Group with an attachment containing 241 names, a letter from the chairman of governors of a school within the London Borough of Hammersmith and Fulham and two letters from Croydon primary school Head Teachers.
- 11.2 37 responses were received via Get Involved; of which
- 12 support the proposed change, of which:
    - 3 support the proposed change but only to allow for a new school to open on the St Andrew's site
  - 22 do not support the proposed change, of which
    - 7 do not support the proposed change but expressed support for another school to be opened on the site.
  - 2 were not sure
  - 1 was not affected/did not wish to answer the questions
- 11.3 A letter was received, signed by the 3 ward councillors' for Waddon which stated their position "if St Andrew's School is to close – and we can see the justification for closing this school for a period of time from August 2020 – then both the school buildings and all of the school playing field should be retained for future educational use. Our view is that a safeguard to this effect must be included as an integral part of any decision to close the school from next year. We also take the view that there is a need to plan for a balance of denominational provision of school places within the borough. The closure of St Andrew's CofE School would compromise this balance." – *(extract from response)*
- 11.4 A letter was received from the St Mark's Secondary School Croydon Group containing 241 names, stating "I do not support the closure of St Andrew's CE School. I do support the proposal from St Mark's Secondary School Croydon to open in its place".
- 11.5 A letter of support for the St Mark's Secondary School Croydon group was received from an out of borough secondary school.
- 11.6 Two letters of support for St Mark's Secondary School Croydon Group were received from two primary schools in Croydon.

11.7 The majority of respondents do not support the proposal to close St Andrew's CE School.

11.8 The majority of respondents are local residents.

11.9 The top thematic issues raised by respondents and council's/Diocese response are outlined in the table below:

Key issue	Number of respondents	council / diocese response
The closure of St Andrew's would result in less denominational places in Croydon.	8	<p>The Diocesan Board of Education is in agreement with respondents in their view that closure threatens the number and proportionality of church school places. For this reason, the Diocese is exploring options to retain the use of St Andrew's site for educational purposes to safeguard the number of proportionality of Church of England school places in Croydon.</p> <p>The Diocesan Board recognises that without a plan for maintaining Church of England places, the closure would present a reduction in parent choice in Croydon. Hence they are exploring options for retaining Church of England school places in Croydon.</p>
There are large amounts of planned housing in the area and therefore the school places will be needed in the future	8	<p>The recent pupil forecast of future demand for school places took into consideration likely pupil yield from planned housing developments. Pupil forecasts indicate that currently there are sufficient secondary school places at borough level for the next seven years.</p> <p>Regular review is undertaken to identify any unexpected growth in demand for school places and independent projection is carried out by the Greater London Authority.</p>
Local children will have to travel further to school.	7	<p>Croydon's policy, as far as possible, is to offer a secondary school place within a 3 mile radius from a child's home. However, this is dependent on parental choice. It is also acknowledged that children of secondary school age tend to travel further across the borough and outside the borough to school.</p>

The school will be demolished and the land no longer used for educational purposes / will be used for housing.	7	St Andrew's site has multiple ownership. The usage of the land is to be determined by the Southwark Diocesan Board of Education who are currently exploring options to continue using the site/building for educational purposes to retain proportionality of Church school places.
The school should be improved rather than closed.	5	Over the years, despite best efforts the school has been facing a decline in pupil numbers which has impacted on the curriculum offered and funding received by the school. The school was rated as requiring improvement following an Ofsted inspection in November 2016 and the most recent Ofsted report, published in March 2019, stated the school has been rated as inadequate.
The school and playing field should be retained for future educational use.	Waddon ward councillors	The Diocese is exploring options to retain the use of St Andrew's site for educational purposes to safeguard the number of proportionality of Church of England school places in Croydon. The usage of the land is to be determined by the Southwark Diocesan Board of Education.

11.10 A detailed analysis of the responses can be found below in Annex A.

11.11 Top 3 points made in support of the proposed closure of St Andrew's

- There has been less traffic and parked cars on the roads near the school since year groups 7 - 9 were relocated.
- The school was underperforming.
- Streets are more peaceful as pupils were not well behaved.

## 12. Next Steps

12.1 The Local Authority will consider the consultation results and decide on the proposed closure of the school. In making a decision, the Local Authority should be satisfied that there are sufficient surplus places elsewhere in the local area to accommodate displaced pupils, and the likely supply and future demand for places in the medium and long term. The decision maker should take into account the overall quality of alternative places in the local area and the popularity of other local schools.

12.2 When issuing a decision, the decision-maker can:

- reject the proposal;
- approve the proposal without modification;
- approve the proposal with such modifications as they think desirable, after consulting the proposer; or

- approve the proposal – with or without modification – subject to certain conditions which are specified by statute in the School Organisation (Establishment and Discontinuance of Schools) Regulations 2013 .

## Annex A

### Summary of responses

A total number of 42 responses, including a letter signed by the 3 Waddon ward councillors were received during the representation period; 37 responded via the online questionnaire on Get Involved, 4 responded in writing which was hand delivered to the council and 1 response was submitted in writing via email.

### **Please tell us whether you support/do not support the proposed closure of St Andrew’s Church of England High School.**

Of the 37 responses received via Get Involved:

Response	Number	%
I support the proposed closure of St. Andrew’s.	9	24
I support the proposed closure of St. Andrew’s but expressed this is to allow for a new school to open on site.	3	8
I do not support the proposed closure of St. Andrew’s	15	40
I do not support the proposed closure of St. Andrew’s but expressed support for another school to be opened on the site.	7	19
Not sure	2	6
I am not affected by/do not want to answer	1	3

### Response received from Waddon ward councillors

*“If St Andrew’s School is to close – and we can see the justification for closing this school for a period of time from August 2020 – then both the school buildings and all of the school playing field should be retained for future educational use. Our view is that a safeguard to this effect must be included as an integral part of any decision to close the school from next year”.*

Reasons listed for retaining the St. Andrew’s site for future educational use:

- *“Croydon is already rapidly growing and some 17,000 new homes are expected to be built in the town centre, and up to 12,000 on Purley Way, in the coming years.”*
- *“the location of these new homes would have a distinct benefit of being within walking or cycling distance of the current St Andrew’s site.*
- *“the need for additional secondary school places in the medium term in [Waddon] is also reflected in the Croydon Local Plan. The plan identifies the site next to Duppas Hill Road... for a future new secondary school.*
- *“it would be a scandalous waste of council tax payers’ money to close a secondary school only to then go and build a new secondary school a stone’s throw away.*
- *“there is a need to plan for a balance of denominational provision of school places within the borough.*

*(Extracts from response)*

### Response received from St Mark’s Secondary School Croydon Group

*“The two most important considerations amongst concerned Croydon residents and represented by our group are as follows:*

1. *Establish the need for a church school in the borough and at the very least, retain the faith places that do exist and eventually increase them to meet the need and demand in Croydon.*
2. *Identify and support who is best placed to deliver that provision...*

*We strongly oppose the closing of St Andrew's and the removal of existing faith places. It is understood that the school will need to close for an academic year to re-brand, recruit high quality teachers and market a new comprehensive secondary school of choice reflecting the socio-economic mix of this part of the borough.*

The letter from the St Mark's Group was accompanied by a supporting document which contained 241 names supporting the statement *"I do not support the proposed closure of St Andrew's CE School. I do support the proposal from St Mark's Secondary School Croydon to open in its place."*

*(Extracts from response)*

#### Letters of support for the St Mark's Secondary School Croydon Group

Three letters were received in support of the proposal for St Mark's Secondary School opening on the site of St Andrew's should the school close from August 2020.

- A letter from an out of borough school which stated: *"Setting up a new school from scratch is challenging and expensive. Therefore, before the Local Authority makes its decision it needs to be clear that it has considered all alternative options...*  
*The fact that we currently have attending our school, who live in the London Borough of Croydon, clearly means there is a local need for a high quality, Church of England secondary school of choice."*  
*(Extract from response)*
- Two letters from Croydon primary schools which stated:
  - *"I was a pupil at St Andrew's and the education that it gave me enabled me to go on to great things. More than that, it gave me a moral standing that has been so important growing up in modern society...*  
  
*It would be a real shame for the educational landscape in Croydon to see St Andrew's close with no replacement and I hope that St Mark's will be able to add to the choices that parents have in the borough."*  
*(Extract from response)*
  - *"It was down to the strong Christian ethos what was promoted at the school that led to my parents choosing St Andrew's, and I feel very grateful for their doing so...*  
  
*The team at St Marks have my full support and I hope that they are able to have the opportunity to provide the families within Croydon with the same opportunities I was once afforded at St Andrew's."*  
*(Extract from response)*

**Please tell us who you are.**

Please tick all that apply\*

\*53 responses were received from 42 respondents

<b>Response</b>	<b>Number</b>	<b>%</b>
Ward Councillor	3	6
Member of staff at St Andrew's school	0	0
Member of staff at another school	6	11
School Governor at St Andrew's school	1	2
School Governor at another school	3	6
Parent/carer of a child/children at St Andrew's school	4	8
Parent/carer of child/ren at another school	4	8
Pupil at St Andrew's school	1	2
Ex-pupil of St Andrew's	3	6
Local resident	22	42
Member of a local church	1	2
Prefer not to say	2	4
Other	3*	6

\*The response received from the St Mark's group has been counted as 1 response under the category of 'other'.

# Equality Analysis Form

## 1. Introduction

### 1.1 Purpose of Equality Analysis

The council has an important role in creating a fair society through the services we provide, the people we employ and the money we spend. Equality is integral to everything the council does. We are committed to making Croydon a stronger, fairer borough where no community or individual is held back.

Undertaking an Equality Analysis helps to determine whether a proposed change will have a positive, negative, or no impact on groups that share a protected characteristic. Conclusions drawn from Equality Analyses helps us to better understand the needs of all our communities, enable us to target services and budgets more effectively and also helps us to comply with the Equality Act 2010.

An equality analysis must be completed as early as possible during the planning stages of any proposed change to ensure information gained from the process is incorporated in any decisions made.

In practice, the term '**proposed change**' broadly covers the following:-

- Policies, strategies and plans;
- Projects and programmes;
- Commissioning (including re-commissioning and de-commissioning);
- Service review;
- Budget allocation/analysis;
- Staff restructures (including outsourcing);
- Business transformation programmes;
- Organisational change programmes;
- Processes (for example thresholds, eligibility, entitlements, and access criteria).

## 2. Proposed change

<b>Directorate</b>	<b>Education and Youth Engagement</b>
<b>Title of proposed change</b>	<b>Proposed closure of St Andrew's CofE High School</b>
<b>Name of Officer carrying out Equality Analysis</b>	<b>Denise Bushay</b>

## 2.1 Purpose of proposed change (see 1.1 above for examples of proposed changes)

Briefly summarise the proposed change and why it is being considered/anticipated outcomes. What is meant to achieve and how is it seeking to achieve this? Please also state if it is an amendment to an existing arrangement or a new proposal.

St Andrew's Governing Board, in consultation with Croydon Council and the Southwark Diocesan Board of Education have agreed to commence the statutory process for proposed closure of the school in August 2020 following completion of Year 11 GCSE examinations.

The school is no longer considered viable both in terms of its ability to deliver a full and balanced curriculum due to low staff numbers and financial sustainability. A large portion of funding received via central government is directly related to the number of pupils attending a school. There has been a decline in the number of pupils attending St Andrew's over a number of years, directly affecting the school's funding. St Andrew's was rated as requiring improvement following an Ofsted inspection in November 2016. The most recent Ofsted report, published in March 2019, stated the school has been rated as inadequate.

There has been no Year 7 admission to the school from September 2018 and this was approved by the Office of the Schools Adjudicator. From September 2018, only pupils in Years 10 and 11 would remain at the school to complete their examination courses in 2019 and 2020. Pupils in years 7-9 were allocated an alternative place at another school. There will be no displaced pupils as there will only be Year 11 pupils who will have completed their GCSE examinations in July 2020 and the proposed closing date of the school is August 2020.

The interim provision for newly arrived Unaccompanied Asylum Seeking Children (run by the Virtual School) is currently located at St Andrew's. Should the school close, a new location will be found for this provision.

The process for decision making regarding school closures is set out in the Department for Education's (DfE) statutory guidance 'Opening and Closing Maintained Schools' November 2018. The statutory process consists of:

- Pre-publication consultation
- Publication of statutory notice
- Representation / formal consultation
- Decision by the council's cabinet on the school closure proposal

Pre-publication consultation took place from 15 March 2019 until 26 April 2019.

The statutory notice was published on 25 June which started the four week representation period (formal consultation) which ended on 25 July 2019.

The Diocesan Board of Education is exploring options to retain the use of St Andrew's site for educational purpose to safeguard the number of proportionality of Church of England school places in Croydon. The Diocese was in discussion with Archbishop Tension's CoE High school about a proposed expansion of the school onto the St Andrew's site, however the Governors of Archbishop Tenison's decided not to go ahead with this proposal.

During the consultation periods a Croydon Christian group – St Mark's secondary school – proposed that they would like to open a school on the St Andrew's site.

### 3. Impact of the proposed change

**Important Note:** It is necessary to determine how each of the protected groups could be impacted by the proposed change. Who benefits and how (and who, therefore doesn't and why?) Summarise any positive impacts or benefits, any negative impacts and any neutral impacts and the evidence you have taken into account to reach this conclusion. Be aware that there may be positive, negative and neutral impacts within each characteristic.

Where an impact is unknown, state so. If there is insufficient information or evidence to reach a decision you will need to gather appropriate quantitative and qualitative information from a range of sources e.g. Croydon Observatory a useful source of information such as Borough Strategies and Plans, Borough and Ward Profiles, Joint Strategic Health Needs Assessments <http://www.croydonobservatory.org/> Other sources include performance monitoring reports, complaints, survey data, audit reports, inspection reports, national research and feedback gained through engagement with service users, voluntary and community organisations and contractors.

#### 3.1 Deciding whether the potential impact is positive or negative

**Table 1 – Positive/Negative impact**

For each protected characteristic group show whether the impact of the proposed change on service users and/or staff is positive or negative by briefly outlining the nature of the impact in the appropriate column. . If it is decided that analysis is not relevant to some groups, this should be recorded and explained. In all circumstances you should list the source of the evidence used to make this judgement where possible.

Protected characteristic group(s)	Positive impact	Negative impact	Source of evidence
Age	In line with the School Admissions Code, school places are allocated using the agreed/published admissions criteria. The proposed changes relate to children and young people of statutory school age. Admissions to schools are a function that operates within a statutory framework. Croydon is the admission authority for community schools and there are arrangements and criteria for the admission of pupils to nursery, primary and secondary mainstream schools.	The closure may affect siblings of pupils attending St Andrew's if they intended to attend the same school.  School Admissions would ensure that appropriate provisions are in place for any displaced pupils. They would ensure that parental preference and family circumstances such as siblings are considered when offering school places to minimise the impact on families where possible.	Croydon Observatory
Disability	Children and young people with special educational needs and/or disability are given priority in the admissions criteria or attend special schools. All schools are required to admit a child if their Education and Health	There was less than 5 pupils at St Andrew's with a disability / Education and Health Care Plan. For these pupils, an individual and tailored approach was used to help with the transition to another school.	Croydon Observatory

	Care Plan names the school. The proposed extension of the age range for Red Gates School is a re-provision of specialist nursery places at another school.	School transport support provided. An alternative place will be identified that meets their needs	
Gender	As above, children allocated school place in line with Admissions Code. The proposed changes are not gender specific. The admission arrangements do not contain criteria that impact differently on people with a particular gender		Croydon Observatory
Gender Reassignment	N/A		
Marriage or Civil Partnership	N/A		
Religion or belief	<p>The admission arrangements for voluntary aided school could contain a denominational criterion within the policy, to enable priority for children whose parents are active members of the C of E and who request admission to a church school on denominational grounds. However, all applications, including those with no faith basis for applying, are considered applying the published arrangements</p> <p>Surplus school places available and some pupils could attend other Church of England secondary schools in and boarding Croydon.</p>	<p>The admission criteria is based on determined admission arrangements compliant with the relevant legislation and is unlikely to discriminate unlawfully.</p> <p>A decrease in the number of faith school provision for families seeking such places.</p> <p>Pupils may have to travel further to school and attend a non-faith school. However pupils of secondary school age tend to travel further to school.</p> <p>School Admissions would ensure that appropriate provisions are in place for any displaced pupils. They would ensure that parental preference and family circumstances such as siblings are considered when offering school places to minimise the impact on families where possible.</p>	Croydon Observatory
Race	The Admission Criteria, based on the Admissions Code, are used to allocate school places and do not include ethnicity or race as criteria.		Croydon Observatory

	The proposed changes are not intended to have any negative impact on pupils from different ethnic groups		
Sexual Orientation	N/A		
Pregnancy or Maternity	N/A		

**Important note:** You must act to eliminate any potential negative impact which, if it occurred would breach the Equality Act 2010. In some situations this could mean abandoning your proposed change as you may not be able to take action to mitigate all negative impacts.

When you act to reduce any negative impact or maximise any positive impact, you must ensure that this does not create a negative impact on service users and/or staff belonging to groups that share protected characteristics. **Please use table 4 to record actions that will be taken to remove or minimise any potential negative impact**

### 3.2 Additional information needed to determine impact of proposed change

**Table 2 – Additional information needed to determine impact of proposed change**

If you need to undertake further research and data gathering to help determine the likely impact of the proposed change, outline the information needed in this table. Please use the table below to describe any consultation with stakeholders and summarise how it has influenced the proposed change. Please attach evidence or provide link to appropriate data or reports:

Additional information needed and or Consultation Findings	Information source	Date for completion
<p>Two periods of statutory consultations were undertaken – pre-publication and representation – where those with an interest could express their views and/or object/comment on the proposal to close the school.</p> <p>A consultation document including a questionnaire was used as a basis of informing stakeholders, including parents/carers and local residents about the educational rationale for the proposed closure of the school and inviting feedback on the proposal.</p> <p>Stakeholders were given the opportunity to express their views in writing via a questionnaire, both electronically and via the hard copy attached to the consultation document, by email and post.</p> <p>Different modes and methods of communication were used to inform and facilitate feedback from stakeholders about/on the proposal.</p> <p>Equality and Diversity Monitoring: As part of the consultation process, respondents were asked to complete an equality and diversity questionnaire, looking at Gender, Age, Ethnicity and Disability. The information collected will help identify any special requirements and promote equality and diversity.</p>	<p>Pre-publication consultation outcomes report Representation outcomes report</p> <p>School census data Admissions data Birth data</p> <p>Ofsted report</p> <p>Croydon Observatory</p>	<p>May 2019</p> <p>August 2019</p>

### Pre-publication findings

A total number of 145 responses were received during the pre-publication consultation period; of which 48 were from a Croydon Christian group - St Mark's secondary school - regarding a proposal for St Mark's school on the St Andrew's site.

Of the remaining 97 respondents;

- 23 support the proposed change, of which:
  - 11 support the proposed change but only to allow for a new Christian school to open on the St Andrew's site
- 61 do not support the proposed change, of which
  - 13 do not support the proposed change but expressed support for another school to be opened on the site.
- 11 were not sure
- 2 was not affected/did not wish to answer the questions

The majority of respondents support another Christian school opening on the St Andrew's site.

The majority of respondents are local residents.

### Representation period

A total of 42 responses have been received during the representation period. In addition, we received a letter from Waddon ward councillors, a letter from the St Mark's Secondary School Croydon Group with an attachment containing 241 names, a letter from the chairman of governors of a school within the London Borough of Hammersmith and Fulham and two letters from Croydon primary school Head Teachers.

37 responses were received via Get Involved; of which

- 12 support the proposed change, of which:
  - 3 support the proposed change but only to allow for a new school to open on the St Andrew's site
- 22 do not support the proposed change, of which
  - 7 do not support the proposed change but expressed support for another school to be opened on the site.
- 2 were not sure
- 1 was not affected/did not wish to answer the questions

**Gender**

<b>Response</b>	<b>Number</b>	<b>Percentage</b>
Male	35	25
Female	74	52
Transgender	1	1
Prefer not to say	2	1
No response given	30	21
<b>Total</b>	<b>142</b>	<b>100</b>

**Age Range**

<b>Response</b>	<b>Number</b>	<b>Percentage</b>
Under 16	0	0
16-18	0	0
19-25	3	2
26-34	15	11
35-44	29	20
45-54	26	18
55-64	24	17
65+	10	7
Do not wish to declare	5	4
No response given	30	21
<b>Total</b>	<b>142</b>	<b>100</b>

**Ethnicity**

<b>Responses</b>	<b>Number</b>	<b>Percentage</b>
White British	55	39
White Irish	1	1
White European	1	1
Other white	1	1
Mixed white and black Caribbean	2	1
Mixed white and black African	0	0
Mixed white and Asian	1	1
Other mixed background	0	0
Asian or Asian British: Indian	1	1
Asian or Asian British: Pakistani	0	0
Asian or Asian British: Bangladeshi	0	0
Asian or Asian British: Chinese	0	0

Other Asian or Asian British Background	1	1
Black or Black British: Caribbean	22	15
Black or Black British: African	6	4
Other Black or Black British background	5	3
Arabic	0	0
Other	1	1
Prefer not to say	15	10
No response given	30	21
<b>Total</b>	<b>142</b>	<b>100</b>

**Do you consider yourself to have a disability?**

Possible Responses	Number of Responses	Percentage
No	94	66
Yes	13	9
Prefer not to say	4	3
No response given	31	22
<b>Total</b>	<b>142</b>	<b>100</b>

**Types of disability**

\*18 responses received from 13 recipients

Possible Responses	Number of Responses	Percentage
Mobility	5	28
Visual impairment	2	11
Hearing impairment	3	17
Mental Health	3	17
Learning Disability	0	0
Other	1	5
Prefer not to say	4	22
No response given	0	0
<b>Total</b>	<b>18*</b>	<b>100</b>

The top thematic issues raised by respondents and council/diocese response

Key issue	Number of respondents	council / diocese response
Lack of church school places/reduces parental preference	68	<p>The Diocesan Board of Education is in agreement with respondents in their view that closure threatens the number and proportionality of church school places. For this reason, the Diocese is exploring options to retain the use of St Andrew's site for educational purpose to safeguard the number of proportionality of Church of England school places in Croydon.</p> <p>The Diocesan Board recognises that without a plan for maintaining Church of England places, the closure would present a reduction in parent choice in Croydon. Hence they are exploring options for retaining Church of England school places in Croydon.</p>
The school used to be a good school so shouldn't be closed	20	It is acknowledged that St Andrew's used to be a good school, however over the years, despite best efforts the school has been facing a decline in pupil numbers which has impacted on the curriculum offer and funding. The school was rated as requiring improvement following an Ofsted inspection in November 2016 and the most recent Ofsted report, published in March 2019, stated the school has been rated as inadequate.
Concerns/suspicions in regard to what the land will be used for – particularly housing	9	St Andrew's site has multiple ownership. The usage of the land is to be determined by the Southwark Diocesan Board of Education who are currently exploring options to continue using the site/building for educational purposes to retain proportionality of Church school places.
St Andrews school should not be closed as other	8	All secondary schools in Croydon are their own admission authority and responsible for their admission arrangements / class size. Pupil forecasts indicate that there is sufficiency of school places. We

schools are operating over capacity		recognise that popular schools might be oversubscribed due to parental choice. Parental choice is affected by a number of factors, such as, school performance, location, and local perceptions. The latest pupil forecasts for the secondary educational phase is published in Appendix 1 of the latest Education Estates Strategy cabinet report which can be accessed via the following web-link: <a href="https://democracy.croydon.gov.uk/ieListDocuments.aspx?CId=183&amp;MId=1551">https://democracy.croydon.gov.uk/ieListDocuments.aspx?CId=183&amp;MId=1551</a>		
If the council is building new secondary schools, why is St. Andrew's being closed?	3	Croydon is not responsible for introducing new schools. The Education Act 2011 changed the arrangements for establishing new schools and introduced the academy or free school presumption. This means that where a local authority thinks a new school needs to be established, the local authority is under a duty to seek proposals to establish an academy / free school, or a bidder can propose to open a free school directly through central government New free secondary schools that have been recently established and/or being built have been through the central government route		
Natural progression from The Minster	2	In the most recent Year 7 intakes very few pupils from The Minster Junior School took up places at St Andrew's, which the Diocesan Board believes is linked to increasingly negative views of the school over the last five years		

For guidance and support with consultation and engagement visit <https://intranet.croydon.gov.uk/working-croydon/communications/consultation-and-engagement/starting-engagement-or-consultation>

### 3.3 Impact scores

#### Example

If we are going to reduce parking provision in a particular location, officers will need to assess the equality impact as follows;

1. Determine the Likelihood of impact. You can do this by using the key in table 5 as a guide, for the purpose of this example, the likelihood of impact score is 2 (likely to impact)
2. Determine the Severity of impact. You can do this by using the key in table 5 as a guide, for the purpose of this example, the Severity of impact score is also 2 (likely to impact )
3. Calculate the equality impact score using table 4 below and the formula **Likelihood x Severity** and record it in table 5, for the purpose of this example - **Likelihood (2) x Severity (2) = 4**

**Table 4 – Equality Impact Score**

<b>Severity of Impact</b>	3	3	6	9
	2	2	4	6
	1	1	2	3
		1	2	3
	<b>Likelihood of Impact</b>			

**Key**

<b>Risk Index</b>	<b>Risk Magnitude</b>
6 – 9	High
3 – 5	Medium
1 – 3	Low

**Table 3 – Impact scores**

<b>Column 1</b>  <b>PROTECTED GROUP</b>	<b>Column 2</b>  <b>LIKELIHOOD OF IMPACT SCORE</b>  Use the key below to <b>score</b> the <b>likelihood</b> of the proposed change impacting each of the protected groups, by inserting either 1, 2, or 3 against each protected group.  <b>1 = Unlikely to impact</b> <b>2 = Likely to impact</b> <b>3 = Certain to impact</b>	<b>Column 3</b>  <b>SEVERITY OF IMPACT SCORE</b>  Use the key below to <b>score</b> the <b>severity</b> of impact of the proposed change on each of the protected groups, by inserting either 1, 2, or 3 against each protected group.  <b>1 = Unlikely to impact</b> <b>2 = Likely to impact</b> <b>3 = Certain to impact</b>	<b>Column 4</b>  <b>EQUALITY IMPACT SCORE</b>  Calculate the <b>equality impact score</b> for each protected group by multiplying scores in column 2 by scores in column 3. Enter the results below against each protected group.  <b>Equality impact score = likelihood of impact score x severity of impact score.</b>
Age	1	1	1
Disability	1	1	1
Gender	1	1	1
Gender reassignment	n/a		
Marriage / Civil Partnership	n/a		
Race	n/a		
Religion or belief	2	2	4
Sexual Orientation	n/a		
Pregnancy or Maternity	n/a		

## Equality Analysis

### 4. Statutory duties

#### 4.1 Public Sector Duties

Tick the relevant box(es) to indicate whether the proposed change will adversely impact the Council's ability to meet any of the Public Sector Duties in the Equality Act 2010 set out below.

Advancing equality of opportunity between people who belong to protected groups

Eliminating unlawful discrimination, harassment and victimisation

Fostering good relations between people who belong to protected characteristic groups

**Important note:** If the proposed change adversely impacts the Council's ability to meet any of the Public Sector Duties set out above, mitigating actions must be outlined in the Action Plan in section 5 below.

### 5. Action Plan to mitigate negative impacts of proposed change

**Important note:** Describe what alternatives have been considered and/or what actions will be taken to remove or minimise any potential negative impact identified in Table 1. Attach evidence or provide link to appropriate data, reports, etc:

**Table 4 – Action Plan to mitigate negative impacts**

Complete this table to show any negative impacts identified for service users and/or staff from protected groups, and planned actions mitigate them.				
Protected characteristic	Negative impact	Mitigating action(s)	Action owner	Date for completion
Disability	There was less than 5 pupils at St Andrew's with a disability / Education and Health Care Plan.	For these pupils, an individual and tailored approach was used to help with the transition to another school. School transport support provided. An alternative place will be identified that meets their needs	Alison Farmer	July 2018

## Equality Analysis

Race				
Sex (gender)				
Gender reassignment				
Sexual orientation				
Age	The closure may affect siblings of pupils attending St Andrew's if they intended to attend the same school.	School Admissions would ensure that appropriate provisions are in place for any displaced pupils. They would ensure that parental preference and family circumstances such as siblings are considered when offering school places to minimise the impact on families where possible.	<b>Niora Amani Melanie Arscott</b>	<b>July 2018</b>
Religion or belief	A decrease in the number of faith school provision for families seeking such places.  Pupils may have to travel further to school and attend a non-faith school. However pupils of secondary school age tend to travel further to school.	School Admissions would ensure that appropriate provisions are in place for any displaced pupils. They would ensure that parental preference and family circumstances such as siblings are considered when offering school places to minimise the impact on families where possible.	<b>Niora Amani Melanie Arscott</b>	<b>July 2018</b>
Pregnancy or maternity				
Marriage/civil partnership				

### 6. Decision on the proposed change

Based on the information outlined in this Equality Analysis enter **X** in column 3 (**Conclusion**) alongside the relevant statement to show your conclusion.

# Equality Analysis

Decision	Definition	Conclusion - Mark 'X' below
No major change	Our analysis demonstrates that the policy is robust. The evidence shows no potential for discrimination and we have taken all opportunities to advance equality and foster good relations, subject to continuing monitoring and review. <b>If you reach this conclusion, state your reasons and briefly outline the evidence used to support your decision.</b>	<b>X</b> Equality and diversity monitoring done during consultation. Statutory framework supports the allocation of school places.
Adjust the proposed change	We will take steps to lessen the impact of the proposed change should it adversely impact the Council's ability to meet any of the Public Sector Duties set out under section 4 above, remove barriers or better promote equality. We are going to take action to ensure these opportunities are realised. <b>If you reach this conclusion, you must outline the actions you will take in Action Plan in section 5 of the Equality Analysis form</b>	
Continue the proposed change	We will adopt or continue with the change, despite potential for adverse impact or opportunities to lessen the impact of discrimination, harassment or victimisation and better advance equality and foster good relations between groups through the change. However, we are not planning to implement them as we are satisfied that our project will not lead to unlawful discrimination and there are justifiable reasons to continue as planned. <b>If you reach this conclusion, you should clearly set out the justifications for doing this and it must be in line with the duty to have due regard and how you reached this decision.</b>	
Stop or amend the proposed change	Our change would have adverse effects on one or more protected groups that are not justified and cannot be mitigated. Our proposed change must be stopped or amended.	
Will this decision be considered at a scheduled meeting? e.g. Contracts and Commissioning Board (CCB) / Cabinet		Meeting title: Cabinet Date:19 September 2019

## 7. Sign-Off

<b>Officers that must approve this decision</b>			
<b>Equalities Lead</b>	<b>Name:</b>	<b>Yvonne Okiyo</b>	<b>Date: 19.08.19</b>
	<b>Position:</b>	<b>Equalities Manager</b>	
<b>Director</b>	<b>Name:</b>		<b>Date:</b>
	<b>Position:</b>		

## REFERRAL OF A KEY DECISION TO THE SCRUTINY AND OVERVIEW COMMITTEE

For the attention of: Victoria Lower, Democratic Services & Scrutiny

e-mail to [Victoria.lower@croydon.gov.uk](mailto:Victoria.lower@croydon.gov.uk) and [cliona.may@croydon.gov.uk](mailto:cliona.may@croydon.gov.uk)

**Decision Title: Proposed Closure of St Andrew's Church of England High School**

**Key Executive Decision Reference No. 0519CFE: made by the Executive Director for Children, Families & Education**

### Reasons for referral:

- i) The decision is outside of the Policy Framework
- ii) The decision is inconsistent with the budget
- iii) The decision is inconsistent with another Council Policy
- iv) Other: Please specify:
  - 1) To hold the decision takers to account on their decision and to the evidence that underpins their reasoning to recommend closure of St Andrews Secondary School.
  - 2) To ensure that there are sufficient secondary school places in Croydon for Croydon pupils and that the decision will not adversely affect disadvantaged groups
  - 3) To ensure that there are no undue negative impact on other Croydon schools as a result of this decision
  - 4) To ensure that the site is kept for educational use in the future
  - 5) To ensure that the decision doesn't unduly restrict the right of parents to send their children to a school of religious character.

### The outcome desired:

For the decision makers to give a satisfactory response to the above queries and to hear from Church of England Diocesan Board.

### Information required to assist the Scrutiny and Overview Committee to consider the referral:

Signed: Councillor Sean Fitzsimons  
Date: 9 September 2019  
Chair of Scrutiny & Overview Committee

Co-Signed via email by

Councillors Robert Ward (Vice-Chair), Jerry Fitzpatrick and Joy Prince

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