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18 MAR 2009

RECEIVED

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12 March 2009.

M/s Kathryn Mildenstein,
Children's Services Directorate,
Minerva House,
Pendlebury Road,
Swinton,
M27 4EQ.

Dear M/s Mildenstein,

Re: STATUTORY NOTICE FOR PROPOSED CLOSURE OF ST.GEORGE'S ROMAN CATHOLIC HIGH SCHOOL AND ENLARGEMENT OF ST.AMBROSE BARLOW ROMAN CATHOLIC HIGH SCHOOL.

I formally object to the City Council's Notice of Proposal to close St.George's RC School in Walkden.

The proposal comes as part of the City Council's overall review of secondary schools in Salford, and displays a lack of judgment by the Council.

The reasons given by the council leader and the lead member for education have been strongly challenged in the public consultation meetings that City Council officers were engaged in at St.George's school on both 7 November 2007 and the 20 November 2008.

It has been acknowledged by M/s Baker that the initial BSF Bid to Government was formula based and included inter alia a sum of money relative to St.George's school. As you are aware the "funding envelope" for a prioritised group of schools is generated by calculating the gross floor area [based on BB98] for the current number of schools in the group, using the proposed future number of pupils on roll for each school ten years on. These projections appeared in the local authorities Education vision document.

Notwithstanding the above funding arrangements, comments have been repeatedly made by members both in the council chamber and in press releases, that the BSF initial approval for £110 million, did not include any money for St.George's. These statements are clearly in error.

The council has made out a case that any monies expended on St.George's would be at the expense of the whole BSF programme. This claim again must be challenged. The BSF formula advises that the Dcfs aim to fund BSF on the basis that 50% of the floor area within each

authority's BSF project can be new build. The remaining floor space is funded such that 35% can be refurbished and 15% has minor work done. Whilst the LA have some discretion as to the distribution of this allocation, it surely must demonstrate fairness across the board as between the monies given the state schools and that which is allocated to the Roman Catholic voluntary aided schools.

If we look at the overall proposals for the BSF initiative, all the other state schools are to have, new build schools built on sites away from the existing schools. This will ensure that these schools can continue to operate without disturbance, during the building operations. This clearly represents a very generous allocation of the overall funds.

On the other hand the revised proposals for the Catholic sector are:

- a] To close down St.George's school in Walkden.
- b] Rebuild St.Ambrose Barlow school on the Wardley site.
- c] Rebuild St.Patrick's school in Winton
- d] Build a new smaller sized school for All Hallow's school on the site of the former community high school near Buile Hill in Salford [small new build]

The total allocation especially in relation to the future projection of pupil places for the catholic sector schools is clearly far less generous than that to the state schools. A significant point I feel the schools adjudicator will look at, when examining the proposal to close St.George's RC School.

During the consultation briefing meetings people voiced their opinions that the decision to close St.George's was not taken on the merits of that school, but were taken so as to overcome a problem faced by the council in connection with the building of the new Harrop Fold school on the site adjacent to St.George's.

It was generally acknowledged that since the Harrop Fold contract was entered into, the City Council have been required by the Dcfs to review surplus school places throughout Salford. This has resulted in the Council having to declare Harrop Fold as a 900-place school, in lieu of the original 1200 size. This of course is only a paper exercise, as the 'footprint' of both the school building and its site remain unchanged. Therefore, as a result of this over provision, the council will be paying for some 300-pupil places in excess of its projected needs for the next 25 years.

When this matter was raised with M/s Baker during the first consultation meeting, she was quick to say that the costs would not fall as a charge to the Education budget. Nevertheless, it will still fall as a charge to the general rate fund.

Following on from our consultation meetings with council officers last year and recently on 20 November 2008, I record that the governor's position relative to St.George's is still that our first preference is that we want St.George's RC High School to continue as a Roman Catholic High School here in the Walkden Area.

You make a strong case on behalf of the local authority that the existing building is not suitable to develop in its present form or is capable of adaption to bring up to a standard that will satisfy the demands of schools for the next 20 years.

You have acknowledged that St.George's is not a failing school; on the contrary, it has produced outstanding results for its pupils who are drawn from the Walkden and Little Hulton Areas of the City. It has provided a first class education for both Catholic and non-Catholic children, whose

parents have chosen to send their children to this school. Ofsted reports have repeatedly acknowledged the quality of the teaching and pastoral care at this school.

In M/s Baker's dealing with the community high Schools, she has encountered similar problems to those she has identified in relation to St.George's, however, in those cases the Council has chosen to replace the old schools with new build state of the arts design. Either on the same site or if that was not possible you have found new sites at or near the original school.

Therefore, the question arises why have the City Council not treated St.George's in a similar way? If as M/s Baker says the existing school was not capable of being modernised. Why did she not locate a suitable site? For instance, the site off Hilton Lane, formerly used as playing fields for St.George's would appear to be of a size that would easily accommodate a new school.

I reminded M/s Baker at our last meeting the initial proposal of the council was that the state schools would, with the exception of Wentworth and Irlam high schools all be totally rebuilt to 100% new build. The council has subsequently found the extra funding to include Wentworth and Irlam high schools in the new build programme. This ambitious programme of new build was proposed, notwithstanding the fact that the DCFs funding formula says the formula envisages that overall up to 50% new build can be afforded combined with an element of refurbishment. It was evident that whenever the LA wanted to achieve some change to their proposals, then the '*funding fairy*' came along and the money needed was found. The council has embarked on a programme of new building, far in excess of what is envisaged in the Education and Skills funding formula document. [Building Bulletin 98].

It is clear that the Council has tackled the community side of the BSF programme ahead of the Roman Catholic element. This means that the Council had committed the 'lions' share of the funding before addressing the RC schools. Therefore, the resulting proposals for the four RC schools were very paltry. Initially the council had proposed refurbishment schemes for the two top RC schools in Salford. The proposals for both St.Ambrose Barlow and St.Patrick's, envisaged only part new build at these schools of less than the 50% suggested by the DCFs funding formula. The Council had offered a new build for All Hallows on a site that had not even been identified, and finally they had proposed that St.George's in Walkden should be closed completely.

I acknowledge however, that following the first consultation meeting with the governors at St.George's last year the Council had radically altered their proposals. They had now offered new build schemes for three of the RC schools, which is most welcomed. However, your continuing proposal to close St.George's is not acceptable to the governors and they will pursue all avenues available to get this decision changed.

At our last consultation meeting with M/s Baker on the 20 November 2008, I questioned how the LA had concluded that the future demands for catholic children in Salford meant that only three RC schools would be needed instead of the existing four schools, which we currently have. You are aware that at present, none of these schools has surplus places and none of them regarded as failing school. Indeed, they are all oversubscribed in the latest indicative admissions table for September 2009, published by the council.

In this connection, at the last consultation meeting held by M/s Baker with St.George's Governors, I referred to the discussion with her last year on pupil numbers. I had previously challenged her assumption that the LA considered the current 2800 pupil places should be reduced to a lower figure of 2550, thus reducing the catholic provision to the bone with the effect that these reduced numbers would not allow the RC schools to admit non-catholic pupils. Notwithstanding the fact that the Government in 2006 had agreed a policy with the hierarchy of

the faith schools. Alan Johnson, the then Secretary of State for Education and Skills said in parliament that he had agreed with the Archbishop of Birmingham that a voluntary way forward would ensure up to 25 per cent of places in new Catholic schools for pupils from other or no faith. [*Hansard Parliamentary Debates, Thursday 2 November 2006 debate on the Education and Inspection Bill*], that it would be wrong of him to press ahead with the amendment to make the provision mandatory, but he would rely on the voluntary agreement reached with the churches.

By reducing the overall pupil places in the catholic schools, the LA is forcing the Roman Catholic Diocese in Salford to renege on the joint agreement with the Government.

You will recall that I commented that the DCFs funding guidance in relation to BSF, says that paragraph 14 deals with the methodology for calculating the funding envelope. It indicates '*The funding envelope for the prioritised group of schools is generated by calculating the BB98 gross floor area for the current number of schools in the group using the proposed number of pupils on roll for each school as agreed in the authority's Strategy for Change. The number of pupils will be that forecast 10-years into the future.*

In the light of this guidance, I asked M/s Baker how she had arrived at the proposed pupil numbers in her calculations for catholic school places. In reply, she said that she had extracted them from the Catholic feeder schools in the area. I responded that this approach did not take account of the non- catholic pupils currently attending the RC schools. In response, M/s Baker advised that she had added additional pupils to the RC calculations to make allowance for the non- faith pupils. I questioned if that was the case, how then, the overall proposed numbers for catholic schools have dropped from 2800 to 2550. ? This reduction in pupil places conveniently gave the LA the opportunity to propose the closing down of St.George's.

The recently released document headed '*Indicative Pupil Numbers for Secondary Admissions September 2009, as at 10 March 2009*', supports my proposition that the Council in framing their school place proposals, has clearly incorrectly reduced the pupil places in the Roman Catholic sector, whilst overstating the projected needs in the high school places in the Community School provision.

The figures released in this document show that there will a substantial shortfall in admissions to the Community Schools, whilst the four existing Roman Catholic High Schools all show a maximum uptake on admissions in September 2009. In fact, St.George's admissions will be well in excess of the actual places allocated, requiring the need to provide additional temporary accommodation. Likewise St.Patricks RC school have a projected admission number in excess of the available places, this will also result in the need for additional temporary accommodation at that school. [*See attached copy of the document. The surplus places in the community high schools, highlighted in red by me. I have also added a column showing the percentage application*]

If we extrapolate these secondary school admission projections forward in time, it can be shown that the proposed pupil places allocated to the Roman Catholic Sector [2550], will by 2014/15 fall far short of the true total needs, additionally the reduced capacity in the catholic sector will prevent the non-faith parents exercising their legal rights of choice to have their children educated in a catholic school environment. A factor, that I feel sure the Schools Adjudicator will take into account in reviewing the Councils proposal to close St.George's RC High School.

After all St.George's is a successful school serving the severely deprived areas of Walkden and Little Hulton. It is at present oversubscribed and the parents of the non-faith pupils attending the school have made a positive decision to send their children to St.George's. They do so

because they have chosen to exercise their choice to have their children educated in a catholic school. The government's guidance documents on Education repeatedly stress the importance of LA's recognising 'Parental choice' in these matters.

I commented at our last meeting with M/s Baker, that in recent reports to Council with regard to the Council's earlier suggestion of a merger between St.George's and St.Ambrose Barlow RC High Schools, the LA have now seen fit to do a complete '*volte face*'. They have now returned to their original theme to close down St.George's and offer places to the displaced pupils at a range of schools, some Catholic and others in the vacant slots that might be available in the non catholic sector high schools. What happened to the 'parents choice' charter for which this Government is supporting?

Indeed your proposal to close St.George's RC High School, appears to totally disregard the Government's guidelines to Local Authorities, when they are considering closing down a Maintained Mainstream School. [*Closing a Maintained Mainstream School, published by the Department for Children, Schools and Families*].

This guidance document indicates, inter alia :-

At paragraph 5- LA's are under a statutory duty to ensure that there are sufficient school places in their area.....They must also ensure that there are sufficient schools in their area and promote diversity and increase parental choice.

At paragraph 6-, Parents can make representations about the supply of school places and LA's have a statutory duty to respond to these representations. Further guidance on this duty is available in 'Duty to Parental Representations about the Provision of Schools'.

At paragraph 14- When considering the closure of any school causing concern and the expansion of other schools in the area, the LA should take into account the popularity with parents of alternative schools.

The Council's proposal in respect of St.George's RC High School, have failed to adequately take account of these government guidelines. In addition and no less important, the Council and the RC Diocese of Salford have totally disregarded the legal protection that should be afforded to all the staff at St.George's RC High School under the TUPE legislation, had a merger been considered appropriate. This regrettable move will be opposed by the teaching unions and is an affront to those parents and the Catholic community in the Walkden and Little Hulton areas, who consider the staff at St.George's to be exceptional.

The guiding principles for good governance and good decision-making demand that decision makers exercise 'proportionality'. That means- The action must be proportionate to the results to be achieved.

M/s Baker said to me at our last meeting that it was not the LA that had commented on the potential loss of the sixth form presumption granted should the two RC schools be merged. The presumption was not a grant to the LA but was to the catholic diocese and to St.Ambrose Barlow School. M/s Baker said it was the governor's at St.Ambrose who had said they had been told if a merger took place then the Learning and Skills Council would withdraw their offer of £7 million.

I queried that response, saying that I had had several conversations with the Area Director for the LSC who had assured me that it was not in her powers to take such action. I said at our meeting, however, that I had sent a 'request for information' to the LSC under the freedom of information legislation, and would imagine that the earlier advice to me would be formally

recorded in their reply. Cannon McBride said that is what the diocese had been given to understand from St. Ambrose, but went to ask me to send him a copy of the reply from the LSC if what he had said was confirmed by them. The LSC have subsequently confirmed their earlier advice to me in this matter.

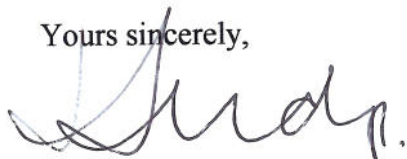
I expected that following the overwhelming objections you received during the formal consultation meetings, coupled with the fact that the proposals to close this school are opposed by the Salford Catholic Diocese, the local Member of Parliament, Barbara Keeley, Ward Councilors, and the Salford Branch of the National Union of Teachers that the City Council would have reconsidered their proposal to close down this very successful and popular local school at St. George's.

Unfortunately, notwithstanding the overwhelming evidence that the council were pursuing a flawed policy, they have continued with their earlier stance and have now issued the Notice of Proposal to close St. George's RC High School.

The council has failed to respond adequately to the overwhelming parental objections against the closure of St. George's RC High School, voiced at all the consultation meetings. They have failed to acknowledge the enormous number of letters sent from the general public to the local Advertiser Newspaper over the entire period of consultation, objecting and voicing their strong feelings against the proposal to close this successful and popular school.

I record my formal objection to this proposal.

Yours sincerely,



John T. Judge
Advisor to the Governor's at St. George's RC High School.

Co-signed by Mrs. Audrey Judge BA, BEd, Vice Chair of Governors at St. George's RC High School.

.....Audrey Judge.....

Copies to:-

The Most Reverend Vincent Nichols MA MEd STL, Metropolitan Archbishop of Birmingham.
The Roman Catholic Bishop of Salford, the Right Reverend Terence John Brain.
Episcopal Vicar: Reverend Canon T Anthony McBride [Cathedral Dean].
The Reverend Leo Heakin, Parish Priest, St. Edmund's RC Church, Little Hulton.
Barbara Keeley MP, Labour Member of Parliament for Worsley.
Mr. P.J. Harte MA, NPQH, Headteacher St. George's RC High School and Staff.
Mr. Martin Lochery, Director of Education, RC Office for Education, Salford.
M/s Lesley Auger, Secretary, Salford Association, National Union of Teachers.
Mrs. Ann Middleton, Clerk to Governors, St. George's RC High School.

Indicative Pupil Numbers for Secondary Admissions September 2009
As at 10 March 2009

	Admission number: number of places allocated		surplus	%application
Buile Hill	180	130	-50	72%
Harrop Fold	180	113	-67	62%
ICCHS	240	164	-76	68%
Moorside	212	159	-53	75%
The Albion	185	130	-50	70%
The Swinton	210	210	0	100%
Walkden	245	245	0	100%
Wentworth	180	143	-37	79%
All Hallows RC	120	120	0	100%
St Ambrose Barlow RC	150	150	0	100%
St George's RC	110	113	3	102%
St Patrick's RC	180	192	12	106%
Beis Yaakov	55	48	-7	87%
Oasis Academy	180	59	-121	32%
Salford City Academy	150	90	-60	60%