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RECEIVED

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Our ref: RZW.CCC  
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18 March 2009

Dear Mrs Mildenstein

**OBJECTIONS TO THE PROPOSED CLOSURE OF ST GEORGES RC HIGH SCHOOL, SALFORD.**

The following letter is sent on behalf of the governing body of St Georges Catholic High School Salford.

The letter follows an earlier one setting out objections to closure along the same lines for many of the areas below, since nothing has changed in the meantime; with some additional matters considered. It covers the following:-

1. Consultation /Salford Council's behaviour towards the school.
2. Numbers : Secondary School Numbers/ Catholic School numbers/ Over-Subscription /Parental Choice/ Site limitations.
3. Community Cohesion /Area of deprivation /Transport.
4. Transitional educational arrangements.
5. Quality of Education / Harrop Fold.
6. Kids for cash.
7. Discrimination.
8. Summary and conclusions.

This letters sets out the areas which we would bring before the Schools Adjudicator to raise objections to the proposed closure. The letter is meant to acknowledge and enhance all those others which have been sent and will be sent to the Adjudicator in protest at the decision to attempt to close this excellent school.

The arguments developed below for the Schools Adjudicator are in many cases well known to Councillors and Officers and have been particularised elsewhere. Others have been argued here more fully. The totality of these objections should convince Salford that it cannot succeed in closing this school because the purpose behind their proposal is

not honourable. It is time that Councillors realised that the situation that they have created with respect to Harrop Fold School cannot be solve by using the children of St George's as some sort of cannon fodder to be used to lessen the council's financial embarrassment. Their most recent ruse of setting the rest of the Roman Catholic schools sector against St George's to achieve these dishonourable ends adds to the calumny. All will be placed before the Schools Adjudicator in full.

### **St Ambrose Barlow proposals**

It should be made clear from the outset that the Governing Body of St George's High School believes that the proposals to expand St Ambrose Barlow are not related to this closure but are merely linked in order to put pressure on others and create a divide between us that does not exist.

Those proposals should go ahead in their own right, even when the Schools Adjudicator keeps St George's open; and we shall ask the Adjudicator to recognise that the link between the schools is a device and a sham invented by the council; and ask the Adjudicator to rule accordingly.

### **Our objections to the closure of St George's Catholic High School.**

#### **1. CONSULTATION**

The Cabinet Office *Code of Practice on Consultation* sets down six consultation criteria for Government Departments and Agencies. It is the standard against which the process employed here will be measured. It is our contention that the standards have not been met.

The crucial aspect of any consultation is that there is an opportunity for that consultation to change the minds of those making the decision. It is clear that that will not happen in this case. A decision was made, behind close doors, and then announced, over two years ago. That decision sits firmly as a "decision" throughout all of the Charade that is being undertaken at the current time. One recent school and two National Healthcare Trust cases illustrate this matter quite clearly.

*R(Smith) –v-North Eastern Derbyshire Primary Care Trust, (2006) CA*  
*R (Morris) –v- Trafford Healthcare NHS Trust (2006) QBD and*  
*R (Parents for Legal Action Limited) –v-Northumberland County Council (2006) QBD.*

In all of these cases the failure to consult properly caused the proposal to fall. Similar evidence and arguments will be brought forward here. These will specifically include the "public consultations" which have been held where public access had been denied and where parents have been put through inappropriate hoops. Where the Council has tried to control meetings "for Health and Safety reasons". In our view they were simply trying to avoid proper consultation because they weren't listening anyway. The BSF consultation where no-one could answer the simplest question is testament to this argument, to say



nothing of what emanated from it.

The sudden change from St George's alone to all Catholic schools was merely introduced to act as a lever to break the resolve of the Catholic community. We believe in any event that the financial and land use proposals are an "Emperor's suit of clothes" used to divide and rule, with a single objective – to close this school at any cost. We shall advise the Diocese of this view and ask it to clearly qualify any support of proposals to a level of "seeing is believing" with respect to any promises concerning new buildings.

## **2      NUMBERS**

### **A      Secondary School Numbers**

Until recently the Council's calculations with respect to numbers across the secondary sector have been taken as an accurate picture. However, that is now being drawn into question as we progress through this process. An analysis, with an approach to the Office of National Statistics, will test those numbers again before a presentation is made to the Schools Adjudicator.

It is still a mystery to us to know why the BSF plans, so rigorously addressing the issue of falling school rolls, should be increasing numbers at schools across the Borough by 600 places. This is equivalent to the numbers at St George's. There is no need to make that additional expense within the BSF program, simply keep St George's open and spend the money on its school buildings - a far more sensible approach.

That would be the case if the reason for closing St George's had anything to do with school numbers and school choice. They are not. And why persist to build an unwanted Academy which is doomed to failure before a brick is laid?

Furthermore virtually every Community School across the Borough has some spare capacity, so why is an oversubscribed Roman Catholic School in the over-subscribed Catholic sector being lined up to be closed? It becomes clear later that the reason for this is nothing to do with children and nothing to do with numbers, except at one establishment.

### **B      Secondary Catholic School numbers.**

In the documentation presented at the meeting at Monton House Hotel on 15 March 2006, the Salford Secondary School Pupil forecast five year model was appended. This model, which projects Secondary School pupil numbers through to 2014-15 separates out the voluntary aided schools from the other maintained schools. The document implicitly recognises that the predicted falling rolls are limited to the Community Schools, not the Voluntary Aided sector where it shows a consistent set of numbers.

The number quoted throughout is 2,795 pupils. These numbers are expected to continue

into the foreseeable future within this document, not just through the numbers of Roman Catholic children attending the schools, but with the total number of children expected to be attending the schools.

What this document is saying is that these schools will be consistently over-subscribed and consistently full. And this is the expectation that we have of all of the Catholic schools, not least St George's. So why was this reliable evidence ignored and, suddenly, the numbers were pushed down so as to give an excuse to threaten the closure of St George's?

### **C      Geography**

Why, too, has the geographical position of the four Roman Catholic high schools for the district of Salford been ignored when the threat of closure has arisen? To remove St Georges would create a significant gap in Roman Catholic school provision in an area of Salford where there is a high Catholic population. It should be remembered that the vast majority of St George's children walk to school. These are not Catholic children coming in from far and wide as with some other Denominational high schools. St George's is very much a school of the community. The move to Wardley, however unlikely, does not alleviate this position of uprooting the community provision without reasonable justification. It is all a means to an end.

### **D      Over Subscription/ parental choice**

Over subscription as St George's is quite phenomenal. There are no doubt many parents who simply know that their children will not get into St George's and don't apply. Aside from that speculation, the hard fact is that St George's could comfortably take 180 pupils per year if there were space, just from the numbers who are applying to the school at the present time.

The school should only take 110 children per year but rarely does. Numbers are more realistically around the 120 mark, making the school population, which should be 540, consistently over 600. However, this is a school which could have its numbers expanded to 750 or 900, should the school have the capacity. The local parents want that, it is their choice and a choice which is being removed.

The issue of over-subscription is also extremely significant in social terms. It is not the Roman Catholic children who are wanting to get in but are not able to. It is that group of children who are non-Catholic but want a faith education or who want to be educated at any event in a good school, who are having their choice denied. This is something that the Councillors simply do not acknowledge. By removing the choice to come to St George's from parents, they are removing that choice from non-Catholic parents in the main.

### **E      The Site Limitations**



It has been said that the St George's site is not large enough for development. Many comments have been made about this already and the Schools Adjudicator will be given evidence to show that this statement is tantamount to deceit on the part of the Council.

Not only does the school share the site with Harrop Fold, its adjacent neighbour, where the two schools have been sharing facilities for many years - and this could have easily continued until the Council interfered by building a gigantic fence between the two sites, blocking off relationships that had pertained for many years. Additionally there is a piece of land to the side of the school which is available for development.

Nor has anyone considered the fact that Harrop Fold was designed to be 1200 strong school with the appropriate area of fields. Now that it is unlikely to get past 600 in number, clearly a great slice of those fields could be made available to St George's without having to re-commission the land to the side. In fact this whole suggestion that the site is inadequate is beneath the dignity of the Council as it knows full well that there is more than enough land available for the school's development **should they wish it.**

The council, as part of the original BSF proposals did a survey of all its school stock with respect to the costs of refurbishment or repair. For St George's this was cited at £1.2 million. To the school's surprise it noted that £0.5 million of that was development of the land and the school's playing field facilities. Why is this feature not mentioned in any of the other schools? And why is it there at all for St George's? The answer is simple, without it the cost of the upgrading of St George's in the terms set out in the survey would be very low indeed and therefore it would easily be seen as being a viable school building to work on and that the "not value for money" claims made because of the additional fake sum would be shown to be what they are - false, a sham.

The school itself has had experts in to look at the possibility of refurbishment of the school and to put a figure on significant refurbishment of the building. This information, which is known to the Council, will be made available to the Schools Adjudicator to show that the school thought about alternative ways of progressing; and that the Council are simply riding roughshod over any suggestions other than its own.

#### **4 COMMUNITY IMPACT**

##### **A Community Cohesion**

Ever since the Government announced that it wanted to see more faith schools in the education system, there has been a major debate about the concept of community cohesion and the need for denominational schools to ensure a proper mix within the school society, to reflect as best as possible the society of the world around the children when they leave. The arguments about the fear that faith schools ran against and could not deal with Community Cohesion have led to the *Education and Inspections Act 2006* s38, creating a new duty, to enhance the duties already in existence from the *Education Act of 2002*, to place on the Governors as well as the Local Authority, the need to ensure



Community Cohesion when consideration of faith schools is being made.

There was much debate in the House of Commons and generally about the suggestion that a **25% minimum** percentage should be the requirement for the intake of non-faith pupils into faith schools. Although this was not actually enshrined in law, it caused two new documents to be produced to enhance and clarify the *Home Office: Community Cohesion Educational Standards for Schools (2004)*. Firstly, a document *Guidance on the Duty to Promote Community Cohesion provision (2007)* and more recently, in a joint statement by the DCSF and providers of schools with a religious character, entitled *Faith In The System*. This document was published to coincide with the duty coming into force in September 2007.

This means that Salford Council should be seeking, as a legal duty, to encourage its Roman Catholic schools to have as many non-Catholic children as possible, and as a minimum, 25% of children on their roll who are not Catholic. The percentage currently on role at St George's is in excess of 25%.

Furthermore, St George's numbers are approximately 120 per year after appeals, **with 50 or more parents being turned away** because their children simply can't find a place at this school, **these are non-Catholic families** wanting a good education, a good faith education, for their children. Should the number of Catholic children fall, it is quite clear that there will always be a cohort of non-Catholic parents who want to send their children to the school to receive a good education at this excellent school.

The Government have now stated that if a new Faith Academy is to be established, there will be an expectation that 50% of that academy will be non-faith pupils, to ensure that Community Cohesion is achieved. A Roman Catholic Academy called St. George's on the site of the failing Harrop Fold School, catering for 1200 pupils, or alternatively 900 + 250 Sixth-formers, would surely fit that bill.

For families who want a faith education but are not Catholic, notably Anglican families, there is no secondary provision for children in Salford. The Church of England announced some time ago that it intends to sponsor and build 200 trust schools/academies over the next 10 years or so in order to bring a faith education to its parishioners. It is quite clear that this provision is a long way from being developed, but in the meantime any spare capacity in Catholic schools affords those children an alternative Christian education. Therefore to close the school does not just remove its services from baptised Catholics, it removes it from all parents who wish to chose a faith education in Salford.

We make this point because it does seem that Salford Councillors are using the word "Catholic" in some way to suggest "separateness" at this school; and this Governing Body and Diocese simply do not work in such a way. We treat all our children as equals but there is a strong suggestion that Salford Councillors do not.

This Diocese is one which welcomes non-Catholic children to this highly successful school with open arms. We have to say that if the Diocese were to propose the shrinking



of provision to Roman Catholic children only, as the Council is proposing to force upon us, then it would be accused of failing to meet the inclusion agenda or duty. It could even be accused of creating secularism. But that is not the case, the opposite is true. This move is being forced upon an unwilling Diocese. It appears to be discriminatory on the face of it, at the very least, a matter which we shall return to later.

## **B Area of Deprivation**

The letter from Barbara Keeley MP shows quite clearly the issues of deprivation for this area of Salford. As has been said earlier, this is a school in a deprived area of a city which is itself in a deprived area of the country. This school produces results of which many schools in middle class areas would be very proud. This school offers a beacon of opportunity for its children. 87% stay on after leaving the school to go to further education and beyond. How does that compare with Harrop Fold and the progress of its youngsters? And why is this version of educational attainment being destroyed in the face of the other at Harrop Fold?

The objections raised by Barbara are echoed by this Governing Body and a detailed look at this aspect will be placed in front of the Schools Adjudicator to give clear evidence that this is a very real social matter for the area and that the Council is, by threatening the closure of this school, threatening the future prospects of its own citizenry. We ask the Council to look very carefully beyond the Harrop Fold PFI debacle **to the very real damage it is doing to the society which it is entrusted to develop** as Councillors and look very carefully and its role in this matter in the bigger, national picture of their role.

## **C Transport**

Because we are aware that there are problems with the acquisition and use of the Wardley site, and that we take a 'we will believe it when we see it' attitude to the rebuilding of St Ambrose Barlow on that site rather than its current one, the school will present to the Schools Adjudicator a section on transport which looks at both the move to Wardley and the more realistic scenario where St Ambrose Barlow does not move site at all. This view will be based around St George's current Transport Plan.

That plan quite clearly shows the number of children who walk, cycle, bus or are driven to school. The numbers are those of a community school with over 60% walking and very few coming by car. The map actually shows that the children in general come from distances not more than a couple of miles. It is a community school in the fullest sense of the word. Therefore, to close the school would leave all those children in this community with no other Catholic provision and for those non-Catholic families who have come for a faith education, no other faith provision.

The Catholic children would then need to travel far and wide, something which has been met with a shrug by Councillors and Officers alike. For the parents who want a faith education but cannot lay claim to a place at a Catholic school at a greater distance, their choice has gone. Furthermore, because Walkden High School is full, and the proposal to



expand it by a further 300 pupils is also looking like another of those "Emperor's suits of clothes" which Salford seem so good at making, the children will have no choice but to be forced to go to Harrop Fold. This, as we shall see later, is the sole purpose for the attempted closure of St George's.

Furthermore, the Council is calculating that not only will those non-Catholic children be forced into Harrop Fold, but many of the Catholic children from this deprived area will also be forced there, because of the sheer levels of inconvenience which will be caused for families because the Catholic schools at a distance, including the proposed new St Ambrose Barlow are generally speaking over-subscribed. There is no promise that all Catholic children will get into the new school. There would have to be an incredible restructuring of the catchment areas in order to allow these children to take up places. The Catholic schools outside of the Salford Borough will have no involvement in what is going on here and therefore will not make any adjustments to meet this need. Effectively the council will be abandoning these children, thus forcing them into Harrop Fold school.

As part of the consultation, one wonders whether Salford have had the courtesy to let the boroughs of Wigan and Bolton in particular know of their intention and the ripple effect it will have upon the faith sector in those Boroughs. We can expect that they will have done nothing whatsoever about this.

We will present to the School Adjudicator a map of the area, not just Salford Borough, showing the various bus routes to and from the remaining Roman Catholic High Schools. We will analyse the travelling time to each school and the numbers of children this will involve. We note that neither Officers nor Councillors have made any attempt at such an analysis, something they would have done beforehand if they were actually concerned about these children.

Our analysis will also look at the admissions situation at all the Roman Catholic schools in the vicinity, many of which are already heavily over-subscribed, and we will ask questions about the availability of places and the effects this will have on the children currently attending St George's. The new St Ambrose Barlow has not committed itself in those terms because it knows that it is under pressure from over-subscription even if St George's remains open.

We believe that this aspect alone will be sufficient for the Schools Adjudicator to refuse the closure. To allow, nay force, the children to have to travel across Greater Manchester when that is absolutely unnecessary if this school remains open, shows callous disregard for their well-being, in ECM/ Children's Plan or any other terms.

#### **4      TRANSITIONAL ARRANGEMENTS**

No suitable arrangements are made for the children at the school if it is named for closure and begins to shrink. In fact there are no arrangements in these terms at all. This shows how little the council is concerned for the children other than as numbers to be pushed into Harrop Fold, mere ciphers, not young people in their care.



The talk of the SEN provision of St Ambrose Barlow, as excellent as it is, does not apply to the non-catholic children in the care of St George's as they will not be able to get anywhere near that school. They will head for Harrop Fold. Nor does it talk of the exceptional standard of the SEN provision at St George's, possibly the best in the LEA, which will be swept away. The St Ambrose Barlow provision can be held out as equivalent, but the non-catholic child is heading for an SEN deficit in no uncertain terms.

## **5 QUALITY OF EDUCATION**

Many of the submissions made to you about this closure have shown the quality of St George's as a school in all aspects, from its examination results, to the behaviour of its pupils, to the community aspect to the school, to the Extended School Agenda and Every Child Matters, to the whole ethos of bringing up young children from a notably deprived area of the country. This clearly shows the school as a jewel and a magnet for the pupils of Little Hulton.

It is ironic that the education minister Ed Balls is calling for a reappraisal of the measurement of schools merely by their examination results at the same time as Salford have issued the notice to close one of its best schools, one which would be enhanced by this wider view of quality when it is introduced.

This cuts absolutely no ice with Councillors whatsoever. It seems that all the negative statistics, drawn out superbly by Barbara Keeley MP under the current view, are unimportant in the eyes of the Councillors in Salford. The explanation for that is set down later with respect to the PFI debacle that they have contracted into at Harrop Fold.

### **Harrop Fold**

Much lip service has been paid to "it is not about Harrop Fold" as a line of argument, but what if it were? How do these two schools compare, given that they are adjacent to each other with a joint back fence and where the majority of pupils in both schools walk to school, therefore they both serve the same community of Little Hulton. How would Harrop Fold stand up to Ed Balls' proposals – he cited those schools which are simply doing everything to get better exam results, foregoing so much else – and here is Harrop Fold starting its 2 year examination courses a year early, in Year 9, so that they have 3 years at the exam courses in order to improve the statistics – and at what cost to the broader education of the child?

One suggestion for St George's to get away from the threat of closure was to apply to become an Academy so that it could become potentially independent of the Local Authority, but it was **turned down because its examination results are too high**, by a long way. It is too good a school to meet the criteria. And yet it is being threatened with closure in order to feed the numbers of a school which, even with the strategy set out above cannot get results which bare any comparison to St George's. We are very well aware of how hard it has been trying to improve and we are aware that it has shown some

improvement - after all we are its next door neighbours. But it is no St George's.

The success of St George's (and the other Catholic high schools in the borough) should be set in the context of the deprived areas that they serve and the excellence that they produce. St George's isn't therefore just a good school, it's an excellent school in a very difficult and very deprived area of the country. This seems to have been too great a success - because Salford to want to close it down - So that they can get Little Hulton's statistics down to where they should be?

As has been said, apart from examination results, there are many criteria on which St George's stands out. Its attitude towards Special Needs, (where some individual SEN staff wanted to speak out in support of the school but have been silenced by the Council), is regarded as of the best in the borough by those SEN central staff. Its levels of attendance, behaviour and so on are all superbly handled at St George's. However, there is one statistic that really should catch the School Adjudicator's eye, that is that **there is no police presence at St George's High School**. There is at Harrop Fold (and indeed at Walkden High School, even though it is an excellent school in its own right). Now that would be a statistic lost, were the school to close.

## **6 KIDS FOR CASH**

### **A The PFI Bid**

Harrop Fold PFI Bid has become a nightmare for the council. It should never have been put forward in the format it was proposed. The bid was for a 1200 strong school in a completely new building. That building is now standing but it will never hold 1200 pupils under the current provision of schools in the area. Not only are Harrop Fold and St George's adjacent to each other, Walkden High School is a ten minute journey away by foot. It is therefore sandwiched between two very successful schools.

### **B Numbers**

The merger of the two original schools into Harrop Fold School is already showing its parents voting with their feet. Even though there is the opportunity to enter a brand new state of the art building, parents do not want their children to go there.

The 1200 strong school would have an intake of 240 children per year, this being the original PFI claim to government. The numbers have already been downgraded to 900 (180 per year) and this has been officially declared. Part of the building has been re-commissioned for other educational use - unilaterally by the council, to the dismay and surprise of those involved in those other educational uses - because the 240 pupil intake was never going to be achieved.

However, it is also true that the downgrade to 180 per year will never be achieved either. There is talk of 150 being more realistic (750 in total), but that does not look likely either. The current numbers for next year's intake are fewer than 100 (total less than 500) and of



these very few are first choice placements. So why not run the school as a 600 strong unit with re-commissioning to other purposes for the rest of the building? And, of course, leave St George's alone?

### **C     The PFI/School Contract**

Because PFI stands for "Private Finance Initiative", **the council partners itself** with a private company to assist in funding the venture as part of the deal. As well as the construction contract, another contract is drawn up for the **ongoing use of the building**.

This second contract runs for the first 25 to 30 years of the school's life and **predicts an income for the private company** over that time, depending on the numbers of pupils and other users of the building. **The Council contractually guarantees a minimum level income**. If the school does not generate the income, the council has to get the money from somewhere else.

### **D     Kids for Cash**

So here it is, the true reason for closing St George's. The council needs to dump children into Harrop Fold to save its blushes and embarrassment over a hopeless and utterly wasteful PFI deal, in order to save money. It will not matter that Harrop Fold is an underperforming school – not just by St George's standards but in the bottom group of schools across the country. This will not matter because there will be nowhere else for the children to go. For non-Roman Catholic children, Walkden is full and over-subscribed – the 300 extra places will never be provided; for Roman Catholic children the journey elsewhere would be so tedious that many will end up at Harrop Fold anyway.

This will boost the numbers of Harrop Fold clientele, as the council sees it, and the quality of education simply does not matter. They are in it for the money and it is the quantity, not the quality that counts to them.

### **How Much Cash for these Kids?**

The blunt answer is plenty. Certainly as far as these councillors are concerned. We have some idea from other disasters in other parts of the country. The Report from the House of Commons Education and Skills Committee '*Sustainable Schools: Are We Building Schools for the Future?*' Volume 1, 16 July 2007 gives us a clear indication of the problem that has brewed up and is still brewing, for Salford City Council.

We begin at paragraph 62 with a warning.

*PFI has been contentious since its inception, ..... long term contracts, which last for 25 to 30 years, have also been criticised for being too inflexible and concerns have been raised about how those contracts can be re-negotiated if the schools to which they relate are no longer required.*

Then the global expense of PFI contracts is considered at paragraph 67. We will not concern ourselves here with the issues raised with respects to the global costs, given that it would apply even if the school were to be viable for 25 to 30 years.

**But the heart of the matter is set out in paragraph 68.**

This is the Kids for Cash statement, writ large. What is said here about these other schools can now be translated into facts and figures for Harrop Fold School, although currently the council is resisting disclosing the information for examination by us.

68 *'Secondly, there is a risk of a school becoming unviable through falling pupil numbers. While this is clearly the kind of problematic original procurement decision that PFS was referring to, it can be extremely expensive if it happens to PFI School. We are aware of three instances where PFI funded schools have closed or are closing leaving the relevant authorities with continuing financial commitments: A school in Brighton had closed after 3 years, leaving the authority having to pay at least £4.5 million to release itself from the PFI contract, a school in Clacton which is to close after 5 years because of falling rolls, and a school in Belfast which is to close this summer after 5 years, for which the authority is committed to paying £370,000 a year for the next 20 years. We ask the DCSF to make a clear public statement on how many PFI schools have closed prematurely, what the overall costs of the public purse has been and how it monitors schools in danger'.*

Paragraph 68 also has links to press releases on the three matters mentioned:

1. *'The School that Died of Poverty'*, The Guardian, 9 August 2005.
2. *'£25 Million School Shuts after 5 Years.'* BBC News Online, 10 July 2007.
3. *'Buy Now, Pay Later'* BBC News Online, 21 June 2007;
4. *'PFI School to Cost £7.4 Million After Closure'*, The Guardian 23 March 2007.

The article *The School that Died of Poverty'* should be read by all concerned as it writes a parallel that can be seen with Harrop Fold School currently. The children of St George's are to be used by Salford as it tries to plug a hole in the dam of inevitable events.

We have unanswered issues here and they are as follows:

1. What was the 1200 strong original contractual cost? Annually and in total. (We will use the Belfast example and estimate £400 000 per annum, or £10millions for the length of the contract.)
2. What is the current situation and how much has the re-negotiation to 900 pupils cost?
3. What price of 600 strong school under re-negotiation?
4. How much would it cost in total if the school were to close?
5. What is the closure of St George's expected to do to those figures to save the blushes of the councillors?



6. What value have councillors placed on the loss of a successful education of 600 children (and the rest) when they are moved from St George's? Is their educational detriment really worth it?

The councillors clearly believe that the "kids for cash" balance sheet is a valid one. We do not. We believe that the Schools Adjudicator will not.

### **Discrimination Among the Catholic Numbers**

We mentioned earlier that Catholic schools, under the community cohesion duty, should encourage the presence of non-Catholic children in their schools. This is something the Diocese of Salford does as a matter of course. However, as we said, if it were the Diocese proposing to shrink the provision so that only Roman Catholic children would go to Roman Catholic schools, then it would be accused by government and all concerned of failing to meet the cohesion agenda and the duty set down in the guidance mentioned earlier and the *Faith in the System* agreement. The duty is enshrined in law and is designed to prevent secularism because that is seen to result in separation within communities.

What about when that 'secularism' has been forced upon the Diocese by the actions of this council? Surely that is an act of discrimination. This notion of the possibility of discrimination is enhanced when one **compares how the BSF proposals** are designed to treat the Community Schools as opposed to the Voluntary Aided Schools, both maintained by the Council. We saw that the original £110 million BSF bid was enhanced to £150 million so that all the community schools were to have a brand new buildings. The newly isolated 'Catholic Sector' proposals were still for one rebuild, (moved into a regeneration zone), two refurbishments and one closure. This was distinctly different provision and appeared to be to the detriment of the children in the Catholic Schools. Then miraculously a whole host of monies was conjured up to give three new buildings for the Catholic schools – as long as St George's closed first. Amazing what can be done in a downturn when you want to close a school.

The original BSF proposal was also classed as an 'all or nothing' proposal, this was clarified when St George's declared it would fight its closure and was accused of threatening the entire plan for the entire Salford community of schools.

Then, after enhancing the bid from £110 to £150 millions, by ensuring even more community schools were rebuilt, Salford turned on the whole Catholic school population as a separate 'sector' for the first time. Now St George's failure to fall on its sword was to be to the detriment of all of the Catholic schools in the sector and the community schools and pupils are suddenly safe in the hands of these councillors.

Then the Diocese, with the minimalism of spending on its schools remained resolutely behind St George's. So more was conjured up – three NEW schools for the Catholic sector, not the box and cox offer of before. We genuinely believe that the council, once it had its hands on St George's would renege on these proposals and go back to its original

plans. We are not absolutely convinced that the BSF in London has approved these enhancements and will ask the Schools Adjudicator from the outset to test the provenance of the financial arrangements at the back of the proposals. Nor are we talking about the monies which St Ambrose Barlow have gained by their own hard earned efforts. We do not see how the council can claim to have any part in that, no matter how loud they laud the achievements.

A conclusion here is that the Catholic (and non-Catholic) children in the Catholic schools are not safe in these councillors' hands.

An additional (if tangential to St George's current position) Roman Catholic matter is that of the decision to close three Roman Catholic primary schools to squeeze them into one. This decision has already gone off the rails as the one that is left is heading for huge over-subscription. Was the primary deal a starting point to this discriminatory trend? Or mere incompetence? How can those numbers have been so wrong as to have gone so awry so soon? And now they will only consider Catholic secondary numbers as derivatives of the children in catholic primary schools, even when they have forced many catholic children into the state sector primaries because they have deliberately created under-provision.

This whole question about potential discrimination against the Catholic sector by Salford for the financial gain of the community schools, to its detriment, will be placed before the Schools' Adjudicator - and also looked at separately as a single issue which may need pursuing elsewhere.

It will be a separate matter for our advisors to consider in detail with respect to whether or not there is sufficient to constitute an actionable complaint to the Courts, such is the level of disbelief at what this council is doing to these children. There are unanswered questions in terms of the Equality agenda and Article 9 (religious beliefs) Article 14 (discrimination) and Protocol 1 Article 2 (right to education) of the ECHR for these children at the hands of this Council.

### **Summary & Conclusions**

The Council has decided to use St George's to prop up an otherwise disastrous situation occurring at Harrop Fold as it is unravelling before their eyes. They had decided that the way forward was to close St George's so that the children become the fodder of Harrop Fold in terms of boosting its numbers in order to prop up the 25-30 contract that they have agreed between themselves, the private company and the School Governing Body. It can be seen that this means that the Council, as a party to the PFI contract has a vested interest in the numbers of children turning up at the school. If it is putting that obligation above that of its duty of care towards the children in St George's (and yes, it has one) then it is **acting with a conflict of interest** and should not be the decision making body at all. The fact that it is putting pound notes before children's futures is a measure of it as an elected body.



We are quite certain that if St George's Roman Catholic High School has not been a Voluntary Aided School, but an adjacent Community School, then the approach of the Councillors would have been dramatically different. It is certain that then they would have closed Harrop Fold and moved St George's into the new building.

However, their discriminatory stance in these terms by seeing Catholic children as attending schools which are in some way not maintained by Salford, because they are Catholic, means that they will press ahead with the attempted demise of the school.

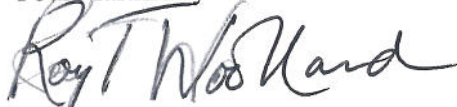
Here is an opportunity – yet again - for the Council to act positively, listen to the objections and act honourably upon them. The expectation is that these Councillors have already decided that these children have no rights or worth, that this school has no rights or worth and that the only thing that matters is their own red faces at the embarrassment of Harrop Fold failing to fill. Last time we placed objections, their response was to go away and conjure up a new scenario for closing the school, and to continue down this dishonourable path. We expect no less this time either, sadly.

Now should be the time for those Councillors to think about these children and at the same time to think about their own credibility as this will now go to the Schools Adjudicator. It will enter the national public domain as a consequence, and their actions will be tested in the eyes of the public. It will be seen that they have had callous disregard for the needs of these youngsters, then we will safely be able to say that these children's futures, if the Adjudicator does as we expect and supports the continuation of St George's, are not in safe hands.

We therefore seek that the Councillors turn down this proposal to close St George's, and renegotiate the Catholic sector package, with the development of four schools, the three as they stand and St George's – preferably as a Catholic Academy in the Harrop Fold building, saving money and face.

They must also take a hard look at the reality of Harrop Fold, bite the bullet, grasp the nettle – etc - and make necessary re-arrangements that we all know are in the best interests of the children of Little Hulton.

Yours faithfully



**RT Woollard**

**for and on behalf of the Governing body of St George's RC High School**