



City of Westminster

Cabinet Member Report

Meeting or Decision Maker: Cabinet Member for Young People and Learning

Date: 22/12/2021

Classification: General Release

Title: Decision to publish statutory notice proposing to amalgamate Westminster Cathedral and St Vincent de Paul Roman Catholic (RC) Primary Schools

Wards Affected: All

City for All/Policy Context: Vibrant Communities: Children and young people to have the best start in life, be well cared for and attend excellent schools that promote achievement

Key Decision: Key Decision (entry made on Forward Plan 16/11/2021)

Financial Summary: Estimated cost to the Council of up to £400,000. This is not chargeable to the Dedicated Schools Grant.

Report of:

Sarah Newman, Executive Director of
Children's Services

1. Executive Summary

- 1.1 The purpose of this report is to seek approval to issue a Statutory Notice proposing to amalgamate Westminster Cathedral and St Vincent de Paul Catholic RC Primary Schools. Amalgamating the two schools as a one form entry RC school will remove one form of entry (30 places a year) from primary provision in Westminster from September 2022.
- 1.2 The governing bodies of Westminster Cathedral and St Vincent de Paul RC Primary Schools conducted an informal four-week consultation on a proposal to amalgamate as one school on the St Vincent de Paul school site. The governing bodies of both schools met separately on 9th December 2021, discussed and considered in detail the consultation feedback and notified the Council on 10 December of their recommendation to proceed with the proposal to amalgamate. In accordance with statutory guidance [Opening and closing maintained schools](#) the Council is the decision-maker and responsible for issuing a statutory notice about the proposal for a four-week period during which further representations can be made.

2. Recommendations

- 2.1 To publish a statutory notice from 6 January – 3 February 2022 proposing to amalgamate Westminster Cathedral and St Vincent de Paul RC Primary Schools. A Notice to publish would entail:
 - 2.2 Part 1: Notice in accordance with 15(1) of the Education and Inspection Act 2006 that Westminster Council intends to discontinue Westminster Cathedral Catholic Primary School on 31 August 2022.
 - 2.3 Part 2: That Westminster Council will seek to incorporate pupils from Westminster Cathedral RC Primary into St Vincent de Paul RC Primary with a planned Published Admissions Number of 30 pupils from reception entry September 2022.

3. Reasons for Decision

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

enriched curriculum as the school will be fully subscribed and fully funded per pupil.

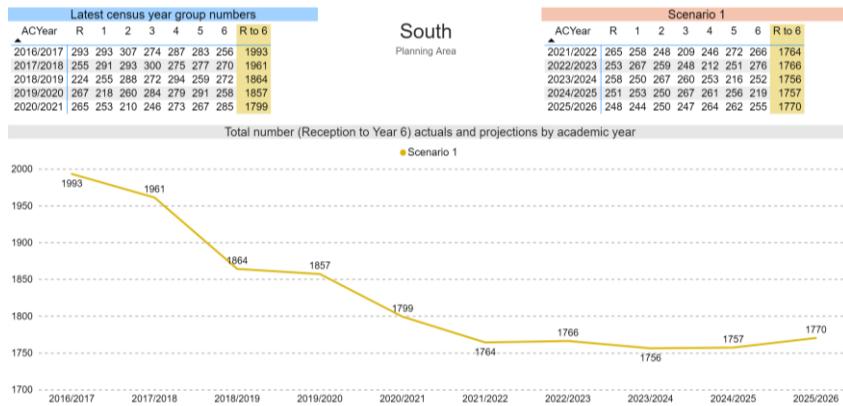
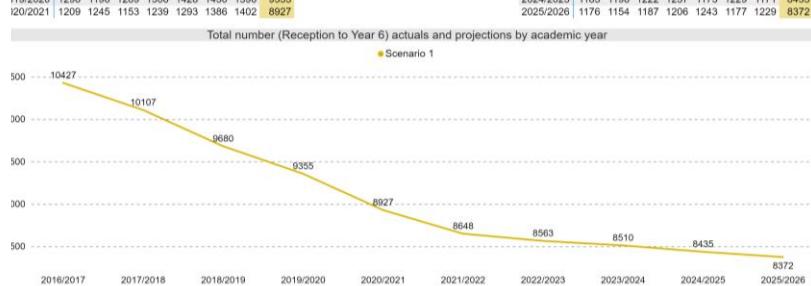
- 3.2 A review of primary school provision was commissioned by Schools Forum in summer 2020 and led by the Isos Partnership. The review identified schools considered to be at risk due to low or falling pupil numbers and/or budget deficit and the subsequent risk to standards.
- 3.4 Westminster Cathedral RC Primary and St Vincent de Paul RC Primary were identified as schools at risk both with falling rolls and a budget deficit. Westminster Cathedral has a considerable budget deficit. The schools are led by the headteacher of St Vincent de Paul as the Interim Executive Headteacher.
- 3.5 The informal consultation at Westminster Cathedral and St Vincent de Paul RC Primaries about the proposal has been carried out in partnership with the Roman Catholic Diocese of Westminster and in liaison with the Council's Education Partnership Board (EPB). The EPB plays a key role in enabling schools to meet the challenge of ensuring that all children and young people in Westminster achieve the best possible outcomes and can flourish if schools are working in effective partnerships. The EPB also seeks to ensure that steps are taken to address excess surplus capacity in primary schools in Westminster.

4. Background, including Policy Context

- 4.1 Demand for school places is driven by population growth and housing development. Falling birth rates, changing resident demographics and young families migrating out of the borough have resulted in a significant surplus of primary school places across most of the borough.
- 4.2 Westminster Council's Schools Forum, with the support of the Isos Partnership, have undertaken a high-level review of primary school provision working with its schools and respective diocesan bodies to seek strategies and mitigations to address the current surplus capacity in the primary sector and the financial management of schools that have falling rolls.
- 4.3 As of October 2021, there is a 22.1% surplus in primary school places (2523 are unfilled of 11336 places). This is significantly higher than the recommended 5% to 10% surplus that local authorities are advised by the Department for Education to operate within. Spare capacity within the 5-10% range, but no more than that, is recommended to allow local authorities to meet their statutory duty to provide sufficient school places, yet still enable parents to have some choice of schools.

- 4.4 Both schools have falling rolls making it more difficult for them to have the financial ability to be sustained in the medium to long term. Both are one form entry but their current entry levels are below 30 children (the average class size is 22 students per class, with vacancies in all years). The number of children entering reception classes across Westminster dropped by 8% in September 2021 compared to the previous year, so this continues to be a borough-wide issue.
- 4.5 School Roll Projections (SRP) are carried out annually as Local Authorities have a statutory responsibility to ensure there is not only a sufficiency of school places, but that there are strategies in place to address excess surplus capacity, particularly if forecasts indicate that demand is not projected to rise. Westminster use the GLA modelling for its forecasting, data sources are school rolls, births, population and developments and inward/outward migration trends.
- 4.6 The first table shows the latest forecasts for the whole of Westminster. The second table shows the forecasts for the planning area where both schools are located.

Latest census year group numbers							Scenario 1										
ACYear	R	1	2	3	4	5	6	R to 6	ACYear	R	1	2	3	4	5	R to 6	
16/2017	1413	1528	1520	1524	1511	1466	1465	10427	2021/2022	1263	1167	1213	1138	1217	1282	1368	8648
17/2018	1343	1298	1401	1402	1401	1401	1401	10107	2022/2023	1235	1264	1173	1217	1146	1236	1292	8563
18/2019	1221	1324	1348	1442	1462	1440	1443	9680	2023/2024	1220	1225	1265	1177	1220	1164	1239	8510
19/2020	1286	1198	1289	1306	1428	1450	1390	9355	2024/2025	1185	1198	1222	1257	1173	1229	1171	8435
20/2021	1209	1245	1153	1239	1293	1386	1402	6927	2025/2026	1176	1154	1187	1206	1243	1177	1229	8372



5. Options

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

Option A: to close both schools and open one new school (no requirement for the new school to be an academy or free school, but the admissions policy would be amended as set out below).

Option B (recommended): to amalgamate two schools by formally closing one of them and retaining the other (sometimes referred to as ‘enlarging’ the school, but in this case there would be no enlargement for the remaining school).

- 5.2 The Diocese indicated that the former was not an option because DfE Admissions Code regulations stipulate any new Catholic school must have as part of its admission arrangements up to 50% of non-faith which is not an option for the future of Roman Catholic schools located in the Westminster Diocese.
- 5.3 The agreed way forward with both governing bodies, who led the informal consultation, is for the amalgamation of both schools, with Westminster Cathedral RC Primary formally closing at the end of August 2022 and St Vincent de Paul RC Primary to be retained as one-form entry school. A process of amalgamation enables a better transition for children at both schools and helps ensure that strong educational outcomes continue to be delivered.

6. Financial Implications

- 6.1 If a school closes as part of an amalgamation, the deficit remains with the Local Authority, to be funded from its core budget. School deficits are not an allowable charge to the Dedicated Schools Grant (DSG). Technically it would be possible for the Schools Forum to de-delegate a contingency provision to cover this cost, however this is not proposed as it would be unlikely to be agreed as it would be funded by maintained schools, who are already expected to continue to fund ongoing school redundancy costs.
- 6.2 Westminster Cathedral's deficit was £308,000 at the end of March 2021 and is estimated to be about £400,000 at 31st August 2022, the date of proposed closure (as part of the amalgamation). This estimate will change as costs and income change for example if the school has

ongoing contract commitments at the point of closure and more agency staff are needed if permanent staff leave before closure. Contract commitment information is being obtained from the school. Finance will continue to work with the school to monitor their deficit position and identify any necessary mitigating actions should the financial position worsen.

- 6.3 The £400,000 estimated deficit at the point of proposed closure will be charged to the Council's core budget.
- 6.4 The cost of any redundancies can be supported within the DSG either from the DSG reserves or by contributions from all maintained schools' budgets to fund re-organisation costs, to be proposed as part of decisions to be taken by Schools Forum in January 202.

7. Legal Implications

- 7.1 Section 14 of the Education Act 1996 requires local authorities to provide sufficient schools for primary and secondary education in their area. Local authorities also have best value duties in the performance of their functions under the Local Government Act 1999.
- 7.2 The procedure for amalgamating schools is set out in the Education and Inspections Act 2006, the School Organisation (Establishment and Discontinuance of Schools) Regulations 2013, and the statutory guidance 'Opening and Closing Maintained Schools' (November 2019). The proposals set out in this report comply with the above legislation and guidance. This report is seeking a decision to proceed to the statutory notice stage of consultation with the relevant interested parties.

8. Carbon Impact

- 8.1 The proposal comprises the increased use of both buildings, but a limited carbon impact resulting from this because no significant changes to the buildings are planned which would increase energy consumption. St Vincent de Paul has an energy rating of G, the lowest band. There are a number of advisory comments on the Government website to improve energy efficiency such as improved insulation. It is planned to retain the Westminster Cathedral school site to accommodate children at the amalgamated school but not to make major changes to the buildings or heating infrastructure at this stage. The energy rating is F.

- 8.2 The Council would anticipate working with the Catholic Diocese as owner of the buildings, to implement improvements such as replacement boilers and insulation during their anticipated lifespan and apply for any available grant support.

9. Consultation

- 9.1 The schools' governing bodies have undertaken an initial, informal consultation between 13th October 2021 and 20th November 2021 with their communities after forming working groups consisting of Chairs, governors, and the Executive headteacher from both schools. Following the primary school review led by Isos in summer 2020, and when both schools were identified as at risk, regular meetings have been held by both governing bodies with the LA and the Diocese to consider all options to address the falling rolls, surplus capacity and financial challenges. Both governing bodies agreed to consult in the Autumn Term 2021, and shared this information with parents and staff, as well as circulating a letter about the review to all parents.
- 9.2 A consultation document, agreed with the local authority and the Catholic Diocese of Westminster, was circulated via email, paper versions and placed on the school websites. Parent and staff sessions were held at both schools. Frequently asked questions that arose from each meeting were documents with responses and placed on each School's website and made available in hard copy at the following parents meeting.

The following meetings have been held:

Pre-consultation staff meetings held at Westminster

Cathedral on 7th October and St Vincent de Paul RC Primaries
on 6th October 2021.

Westminster Cathedral meetings for parents - meetings were held
on 13 and 18 October 2021

St Vincent de Paul meetings for parents - meetings were
held on 20 October and 4 November 2021

- 9.3 St Vincent de Paul received 65 responses to the consultation. 55 are against the amalgamation and 9 in favour, 1 did not indicate either way. A summary of comments about the amalgamation proposal are as follows:

The SVP community is strong, and the reputation, ethos and identity are well established, liked and appreciated by the parents and staff.
Pupils have come to SVP from WCPS (and have not gone in the other direction) and are much happier, better settled and attaining better than they were at WCPS.
Protecting the brand of the higher performing school is important. Staff welfare is very important.
The facilities and location at SVP are superior and should be a prioritised. Infrastructure improvements are needed.
A two-site school is unacceptable. Older children are a model for the younger years and should not be separated.
Teaching quality is very good at SVP
Parents do not see why staff need to reapply for jobs Post-COVID, a merger is destabilising and will disrupt the existing SVP structure for pupils who are still catching up on lost learning.
It is an unnecessary stress on the children
Varying levels of attainment of the pupils in the same year at the different schools will make it harder for teachers.
Differing teaching styles and practices will be an unnecessary adjustment for pupils at SVP.
Pupils will leave if the merger goes ahead. This will disrupt the social fabric of the school.
SVP is not threatened with closure, despite the falling roll. If WCPS closes, some pupils will come to SVP anyway.
SEN provision will diminish
The welfare of children will diminish as teachers won't know the pupils as well.
Uniform change and expense is unjustified in the current economic climate

The main comment in favour is that an amalgamated one form entry school will be fully subscribed, fully funded and resourced.

- 9.4 Westminster Cathedral received 49 responses to the consultation. 46 are against the amalgamation and 3 in favour. A summary of comments about the amalgamation proposal are as follows:

Far from where we live and will incur more expense – affordability issue
Don't want teachers to lose their job
Shame to lose a catholic school
Children have gone through enough with Covid – home schooling – missed a lot of education. The timing of the proposal is shocking. Concern over impact on mental health.
SVP wasn't on my list of possible schools – I have no interest in it.
See no benefit in the upheaval to another school.
Moving to another primary will tarnish their memories of the school.
Want many WCPS staff retained.
There needs to be collaboration between the schools for this to work.
Nothing is mentioned about children with a diagnosis of SEN who need the same help.
SVP site is less modern and less protected off the streets than WCRCP
WCPS is a well-loved is a well-loved school with a significant historical legacy, many parents of current children went to this school themselves and the entire parent community is very attached as to what the critical role the school has in the local community.
Seems like only viable solution. Want child to have the best standard of education.
The site would make a good nursery.
Good option but very sad – had long association with the school.
Support the amalgamation but think that the timescale of 1 September 2022 is unachievable. Won't allow for the smooth opening of the new school. Needs time and staff involvement.
Positive if improved resources for the school and children and more training for staff.
WCPS has become more inclusive mainly because of pupil numbers being low, but this has meant many from Church of England and academies have felt they want to move their child as you will see on historic evidence.

The main positive comment is a merger would maintain high standards of education and joining with SVP presents as a good option rather than just closing a school and leaving pupils displaced

10. Staffing implications

- 10.1 A new staffing structure will need to be developed as part of the planning for September 2022 if a decision to amalgamate the schools is taken. In both schools, staffing changes are already needing to be made because of falling numbers of children. The exact structure for the future cannot be clear until we know whether the schools are amalgamating and the numbers of children and therefore, the numbers of staff required.
- 10.2 Should the amalgamation go ahead, existing staff at both schools will be consulted on a proposal to create a new staffing structure for the amalgamated school. As part of the consultation process, governors will work with the Local Authority, staff, and their unions, and an HR consultant to determine the best ways to manage any changes needed. The Council, Diocese and governors are committed to avoiding compulsory redundancy.
- 10.3 Consultation meetings for staff were held in the Autumn Term and will continue throughout any agreed change processes. Amalgamation provides greater protection for staff because more posts will be retained than would be the case if one school closed without being part of an amalgamation.

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

Wendy Anthony, Head of Place Planning and Access Education

APPENDICES

- Appendix A - *Informal consultation paper on the proposed amalgamation Westminster Cathedral and St Vincent de Paul Catholic Primary Schools*
- Appendix B - *Full Statutory Proposal Notice*

LIST APPENDICES ABOVE BACKGROUND PAPERS

BACKGROUND PAPERS

NB: For individual Cabinet Member reports only

For completion by the **Cabinet Member** for Young People and Learning

Declaration of Interest

I have <no interest to declare / to declare an interest> in respect of this report

Signed:

Date:

NAME: **[add Cabinet Member's name]**

State nature of interest if any:

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

For the reasons set out above, I agree the recommendation(s) in the report entitled

INSERT REPORT TITLE and reject any alternative options which are referred to but not recommended.

Signed:

Cabinet Member for **(add portfolio title)**

Date:

If you have any additional comment which you would want actioned in connection with your decision you should discuss this with the report author and then set out

your comment below before the report and this pro-forma is returned to the Secretariat for processing.

Additional comment:

If you do not wish to approve the recommendations, or wish to make an alternative decision, it is important that you consult the report author, the Director of Law, City Treasurer and, if there are resources implications, the Director of People Services (or their representatives) so that (1) you can be made aware of any further relevant considerations that you should take into account before making the decision and (2) your reasons for the decision can be properly identified and recorded, as required by law.

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

Other Implications

- 1. Resources Implications**
- 2. Business Plan Implications**
- 3. Risk Management Implications**
- 4. Health and Wellbeing Impact Assessment including Health and Safety Implications**
- 5. Crime and Disorder Implications**
- 6. Impact on the Environment**
- 7. Equalities Implications – See section 13**
- 8. Staffing Implications – See section 13**
- 9. Human Rights Implications**
- 10. Energy Measure Implications**
- 11. Communications Implications**
- 12. Counter Terrorism and Security Implications – See section 13**

Note to report authors: If there are particularly significant implications in any of the above categories these should be