

Title of Report	Proposed alteration to change Our Lady’s Catholic Girls’ school to a co-educational Catholic School, by 1st September 2024.		
Key Decision No	Non Key Decision		
For Consideration By	Cabinet		
Meeting Date	24 July 2023		
Cabinet Member	Councillor Anntoinette Bramble, Deputy Mayor, Cabinet Member for Education, Young People and Children’s Social Care		
Classification	Open		
Ward(s) Affected	All (Our Lady’s Catholic Girls’ School is located in Springfield ward)		
Key Decision & Reason	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%; text-align: center; vertical-align: top;">No</td> <td style="padding-left: 10px; vertical-align: top;"> Prescribed alteration to a maintained Voluntary Aided (VA) school: <ol style="list-style-type: none"> 1. Change of gender composition 2. Consequential changes to the admission arrangements </td> </tr> </table>	No	Prescribed alteration to a maintained Voluntary Aided (VA) school: <ol style="list-style-type: none"> 1. Change of gender composition 2. Consequential changes to the admission arrangements
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Implementation Date if Not Called In	2 August, 2023		
Group Director	Jacque Burke, Group Director Children & Education		

1. CABINET MEMBER’S INTRODUCTION

- 1.1. As the Council, Cabinet and as Deputy Mayor, we are pleased with the improvement of Hackney’s family of schools. Just 20 years ago the Borough’s schools were some of the worst performing in the country; now they are among the very best, not just in terms of school performance, but also in terms of the outcomes for our children and young people. This transformation of education in Hackney is one of the greatest success stories in the country.
- 1.2. Making sure children and young people have the best start in life is one of the most important things we do as a Council. It is incumbent that we are committed to our responsibility.
- 1.3. This academic year alone, Hackney schools are seeing £30m less funding compared to what they would be entitled to if their classrooms were full. This

financial pressure has a significant impact on our schools, and threatens the stability and quality of education.

- 1.4. Falling school rolls have been most acute in the primary phase, therefore an Education Sufficiency & Estates Strategy was devised. The strategy sets out some of the interventions taken in light of those falling rolls, which are not the fault of any school. We are currently consulting on proposals for amalgamations and closures, which we know is a difficult conversation to have with our parents and carers.
- 1.5. The impact of falling rolls on Hackney's secondary phase has been less pronounced, and is not expected to have such a significant impact as it has for our primary schools, due to economies of scale. Senior leaders, Heads of Year 7, SENCOs, and staff with responsibility for transition from Year 6 are approaching primary-secondary transfer carefully.
- 1.6. Hackney has 16 secondary schools (Appendix 1), the majority of which remain full and financially viable. However, the impact of fewer secondary aged pupils has been evident at Our Lady's Catholic Girls' School for several years, affecting the school's finances and long term sustainability.
- 1.7. The headteacher has aligned staffing with the ongoing fall in student numbers, without narrowing the curriculum. However, recruitment into Year 7 and into the Sixth Form have become increasingly difficult.
- 1.8. At Post-16, subjects lacking the potential to produce outstanding outcomes have not been offered whilst retaining a broad and balanced offer. In-year admissions remain high with the school reporting an increasing number of new students with complex needs which continues to place demands on the school's resources.
- 1.9. Hackney secondary schools must continue with the practice of carefully considering both future income and expenditure in light of the projected fall in roll numbers and the potential impact this could have on their finances. To remain financially viable schools need to consider all the avenues to maximise their income, as well as improving efficiency and value for money in relation to their expenditure. Developing a robust medium term financial plan that demonstrates how the impact of falling rolls can be managed and mitigated is a key exercise towards remaining sustainable. For this reason Our Lady's Catholic School is proposing co-education. They consulted the school community and took careful consideration including proposing if the changes are approved the change will happen in 7 years, hence over one year at a time over time.

2. GROUP DIRECTOR'S INTRODUCTION

- 2.1. This report addresses the proposal from Our Lady's Catholic Girls' School (a Voluntary Aided secondary), to change designation and become a mixed (co-educational school). Through the Council's Education Sufficiency and

Estate Strategy (adopted by Hackney Council in February 2022), officers are seeking viable sustainable solutions and work with existing schools with falling rolls. Falling rolls (currently evident mainly in the primary phase), leads to a reduction in funding to deliver education across the borough, as the number of pupils on roll directly affects the amount of money received from central government. Surplus places impact disproportionately on schools across the borough; schools with unfilled places receive less income, while attempting to maintain the same physical space, staffing and education offer. At the January 2023 census, there were 2497 Year 7 pupils on roll for the available 2569 places. This equates to 72 surplus places (3%).

- 2.2. Whilst the overall level of surplus Year 7 places remains manageable across the borough, a large proportion of this surplus is carried by Our Lady's Girls' Catholic School. At the January 2023 census, the school had 52 surplus Year 7 places (43%). Across all year groups, there are 132 surplus places for an available 600 places (22%). (see Appendix 2).
- 2.3. The Governing Body of Our Lady's Girls' Catholic School have taken the decision to propose the amending of its current admission arrangements, to include boys from September 2024. The school believes that this move will improve the school's popularity, open up the offer to boys in the north of the borough, and secure its long term financial sustainability.
- 2.4. The impact on other secondary schools in the borough is expected to be minimal; a total of 9 secondary schools have more pupils on roll in Year 7, than their allocated PANs. Our Lady's school has indicated that the current PAN of 120 will remain unchanged. The Council must plan school places effectively, supporting schools in making decisions that will maximise their operational and educational outcomes. Officers are therefore in support of the school's proposal to become a co-educational school from September 2024.

3. RECOMMENDATION(S)

That Cabinet approve the proposal put forward by the Governing Body of Our Lady's Catholic Girls' School to change from a single sex girls' school to a co-educational (mixed) school, from September 2024. The proposal is subject to formal approval from the Archbishop of the RC Diocese of Westminster, Hackney Local Authority and the Schools' Adjudicator.

4. REASONS FOR DECISION

4.1. Summary from the Governing Body of Our Lady's Catholic Girls' School

This proposal has been brought forward by the Governing Body of Our Lady's Catholic High School and endorsed in principle by Hackney Education.

The Governing Body has been aware of the impact of changing demographics on the school's population over several years. A new Headteacher (Mr English) has been appointed and through his strong leadership, is seeking to

strengthen the school's sustainability and ensure excellent teaching and learning throughout the school.

Governors are aware that there is insufficient opportunity for boys in the area to access quality Catholic education, including the brothers of some of the existing students. In addition, there are boys in the area who have to travel further than they would like because there are limited numbers of boys' places in the area.

The school has a PAN (Published Admission Number) of 120 but is not currently filling those places. The number of applications from girls has reduced to well below this level. The school will have 54 vacancies in Year 7 this year. This pattern is expected to continue. Admitting boys from the area would easily be accommodated within the existing PAN without displacing girls. The school will maintain the same PAN of 120.

Governors believe that transition to a co-educational school will help maximise resources that support children's learning, will increase the school's popularity and that, with careful planning, the transition should address concerns but move forward smoothly, with no loss to the school's values or Catholic purpose and that the amalgamation will support the school improvement journey, leading to higher outcomes for both boys and girls.

The change would be implemented over time, with boys joining the school in Year 7 as they move from primary education. Sixth form provision at Our Lady's High School is already mixed gender provision.

4.2. School performance and outcomes

Leaders have designed an ambitious, broad and balanced curriculum. At GCSE, most pupils study the full range of English Baccalaureate subjects. Pupils with special educational needs and/or disabilities complete the same work as other pupils.

Overall effectiveness is good; the quality of education and all other areas of the inspection framework are good. Outcomes at GCSE in 2022 fell when compared with pre-pandemic levels, particularly at strong pass. Students are currently making good progress towards their targets in the core subjects. Progress scores are positive in maths and English, and the data suggests that this is likely to improve as students approach final exams.

Outcomes at A level in 2022 improved overall but remain below average. The percentage of students who achieved A*-B has increased. BTEC results continue to be strong, equating to an ALPS score of 3.

4.3. Impact and equalities

In considering the move from single sex education governors' recognised that some parents have concerns that the gender being introduced will be at a

disadvantage, and that pupils already at the school will have to make un-necessary adaptations. Governors and the staff will ensure this is not the case at Our Lady's Catholic High School.

A mixed school would also better prepare the school's young people to lead their adult lives in the mixed-gender world they will encounter as adults. This promotes respect, modesty and understanding between genders.

As children in primary schools are already taught in mixed environments, it is unlikely that any individual child or vulnerable group will face difficulties. However, some sports and PSHE (Personal, Social, Health, and Economic Education) sessions, as well as changing facilities, will remain single sex. Modification to changing facilities, is outlined further below under 'Property considerations'.

The Governing Body has considered equalities issues and concluded that there would be no significant impact for any particular group. They are mindful that some children with additional needs or disabilities may need additional support to understand the proposal and its implications.

4.4. Communication and Engagement

4.4.1. Informal Consultation

The decision to consult on the proposal to admit boys to the school from September 2024 was agreed by governors on 24 March 2023. A consultation period commenced for 4 weeks starting on 26 April 2023 - 26 May 2023.

The responses to the informal consultation are summarised below

- There is a positive response to the proposals. Staff are strongly supportive. The majority of parents, particularly those with boys, welcome the change. Most pupils are supportive.
- Some parents have concerns that they would prefer their daughters to attend girls' schools, but would like boys to attend mixed schools. They recognised that there are a reducing number of single gender schools. Some feel this is a good thing, others feel that it is reducing parental choice.
- Parents are clear that the school has been through a lot of change and expect this change to be well managed and carefully monitored. They feel that the leadership of the schools is stronger and that they can approach the Headteacher and senior staff if they have any concerns.
- Parents were concerned that if the uniform should change this would be expensive for families, the school have considered this carefully and will provide financial support.

- By introducing the change by only changing admissions from Year 7, governors have been sensitive to the girls who have places they requested because the school is single sex. No girl whose parent applied to a girls' only school will be expected to be in a mixed class. New Year 7 children will be joining the school from mixed primary classrooms.
- Although the parents' meetings, and some written responses show there are some parental concerns about the impact of the changes, senior staff and governors have responded to these and committed to monitoring and responding if there are negative impacts, these are not expected. Parents appear confident to raise their concerns and committed to continuing to do so.
- Staff and unions have not raised concerns, nor have linked stakeholders. The Westminster Diocese have discussed, and are supportive of, the proposal.
- Governors have taken careful consideration of key concerns from parents, and equalities impact considerations, and established a clear process for monitoring the effectiveness of the transition to ensure there is no negative impact from the change and to monitor that values, vision and outcomes improve further to guarantee the best possible Catholic Education for the community.

A summary of the informal consultation responses (Appendix 3), frequently asked questions (Appendix 4) and impact assessment (Appendix 7) are included for information.

4.4.2. Statutory Notice (formal consultation)

On the basis of the responses received during the information consultation period, the Governing Body made the decision to issue a statutory notice (Appendix 5) on 5 June 2023. This notice period commenced on 9 June 2023 and ended on 7 July 2023. During this period no representations were received.

Dialogue with interested parties continued but no new issues arose, and those raised informally have either been addressed (e.g. provision of probable impact data) or plans are in place to ensure they can be addressed if the proposal is agreed (e.g. provision of suitable toilet and changing room facilities).

Nothing has arisen during the Statutory Notice Period that significantly challenges the governors' proposals.

5. FINANCE CONSIDERATIONS

The financial arrangements for the way the school is funded will not change as a result of the recommendations in this report. Changing to a co-educational school will likely improve the financial sustainability of the school in the medium term.

Our Lady's Catholic High School closed the 2022-23 financial year with revenue and capital surplus balances of £354,024 and £59,816 respectively. Taking action to change to a co-educational school will support the school to remain in surplus in future years.

6. PROPERTY CONSIDERATIONS

The school has confirmed that there are sufficient toilets in the school. Toilets for the boys have been identified and will be reassigned. The school reports that an additional boy's changing facility is required and these works will be undertaken.

7. TIMELINE & GOVERNANCE (decision making process)

Following receipt of the Governing Body's proposal to become a co-educational school from September 2024, a report was submitted by the Director of Education and Inclusion. It was agreed that a cabinet report be submitted following the statutory notice period (see 4.4.2).

Our Lady Catholic High School Governing Body met on Monday July 10th to consider statutory the responses. The governors voted unanimously to agree this proposal and to ask the Local Authority to approve the proposal through Hackney LA due process, including Council Cabinet on 24th July 2023.

They were pleased that the school level consultation had been thorough and that points raised had been fully considered and acted on. They are confident that should the change be implemented it will be an exciting next phase for Our Lady's School.

8. EQUALITY IMPACT ASSESSMENT

Decisions about any school organisation changes should promote equality of opportunity to access a good or better local school. Equality Impacts have been assessed. (Appendix 6).

9. SUSTAINABILITY AND CLIMATE CHANGE

The proposal in this report will lead to a more efficient use of school buildings. Running a higher number of school sites with fewer pupils per school is inefficient in terms of energy usage, as the buildings still need to be heated and lit. Reducing the number of buildings with surplus places will mean that the retained buildings will start working to their designed capacity in terms of number of occupants, both pupils and staff, leading to more efficient energy use instead of running a higher number of schools with fewer pupils.

10. RISK ASSESSMENT

Risk	Likelihood	Impact	Comment/ mitigation
Boys do not choose to come to the school	Unlikely	The school	<p>School research shows that there is a need for provision for boys so we do not expect that this will be the case. It is anticipated that numbers of boys are likely to be lower in the first year whilst parents become aware.</p> <p>We believe that a strong OFSTED report will also support the popularity of the school. We recognise that we will need to match staffing levels to numbers of pupils, if numbers do not materialise.</p> <p>Governors review the future of the school regularly and would address this as part of future strategic planning, alongside the Local Authority and Diocese if the available places were not being taken up.</p>
Schools Adjudicator does not agree an In Year Variation to become co-educational from September 2024.	Unlikely	The school	<p>If the Office of the Schools Adjudicator does not approve the in-year variation to admissions the school would need to consult between November and February 2023/4 and implement for September 2025/26 academic year.</p>
Girls currently at the school leave due to the introduction of boys	Unlikely	The school	<p>So that families who specifically chose a girls only school will not be taught with boys, mid-year admissions of boys will only be allowed into year groups that were co-educational from Year 7. That will mean that (at the earliest) in</p>

			2024/5 there will only be boys in Year 7.
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11. COMMENTS OF THE GROUP DIRECTOR OF FINANCE AND CORPORATE RESOURCES

This report recommends that Cabinet agrees the proposal to change Our Lady’s Catholic school to a co-educational school from September 2024. The Dedicated Schools Grant (DSG) Schools Block, which is awarded to fund education provision, is primarily calculated using pupil numbers and pupil characteristics. Schools are funded on a formula basis and the number of pupils attending the school drives the level of funding received by a school. As such, schools with unfilled places are under increased financial challenge and struggle with financial sustainability.

Increasing the demand for places by changing from a single sexed girls’ school to a co-educational (mixed) school could increase the number of pupils who choose to attend the school. This could help the school to continue to operate within their funding allocations over the medium to long term.

12. COMMENTS OF THE DIRECTOR OF LEGAL, DEMOCRATIC & ELECTORAL SERVICES

Moving from single sex education to co-ed is a “prescribed alteration”, or significant change, to a school. In the case of a voluntary aided school such as Our Lady’s, only the governing body may propose this. The decision to move to co-education must be taken by the Local Authority. Both the Diocese and the Governing Body have the right to refer the decision to the Office of the Schools Adjudicator. There is a statutory process for making such a change, which must be followed. This is described in the Department for Education’s publication, “Making significant changes (‘prescribed alterations’) to maintained schools, statutory guidance for proposers and decision makers January 2023”. Local authorities, governing bodies and the Schools Adjudicator must have regard to this guidance when exercising functions under the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013. We must follow the Guidance unless there is a good reason not to.

The guidance says;

“Decision makers will need to be satisfied that the appropriate fair and open representation period has been carried out and that the proposer has given full consideration to all the responses received during any pre-publication consultation. Decision makers should not simply take account of the numbers of people expressing a particular view. Instead, they should give the greatest weight to responses from those stakeholders likely to be most affected by a

proposal – especially parents of children at the affected school(s). Decisions must be made within a period of 2 months of the end of the representation period, or the proposals must be referred to the Schools Adjudicator. “

The relevant duties to consider in making this decision are:

- S14 Education Act 1996 (EA 1996) - imposes a duty to ensure the provision of “sufficient schools” for the provision of primary and secondary education in their area.
- S1(1) Local Government Act 1999 imposes a duty to “make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness”. The Council has fiduciary duties towards residents.
- S149(1) Equality Act 2010 (EqA 2010) imposes the Public Sector Equality Duty (PSED) on the Council.

The PSED requires public authorities to have "due regard" to:

- The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the EqA 2010.
- The need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. 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; 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.
- Compliance with the PSED may involve treating some people more favourably than others, but this does not mean that conduct that would otherwise be prohibited by or under the EqA 2010 is permitted.
- The need to foster good relations between persons who share a relevant protected characteristic and those who do not share it. This includes having due regard to the need to tackle prejudice and to promote understanding.

In taking decisions the Council must act lawfully. It must act within its powers and follow its own procedures as well as those required by law, which include those relating to making significant changes to schools it maintains. The Council must ensure that all required consultations are properly undertaken in accordance with the guidance referred to above, as well as the Cabinet Office document, “Consultation Principles 2018”.

It must make rational, evidence based decisions, take into account all relevant considerations, act only for a proper purpose, be compliant with the European Convention on Human Rights and make proportionate decisions that are properly reasoned.

13. APPENDICES

- Appendix 1 - Hackney Secondary Schools
- Appendix 2 - Yr 7 secondary surplus
- Appendix 3 - Consultation Response Report
- Appendix 4 - Frequently Asked Questions
- Appendix 5 - Statutory Notice
- Appendix 6 - LBH Equality Impact Assessment
- Appendix 7 - School Impact Assessment

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