
REPORT OF THE CHIEF EXECUTIVE OF EDUCATION LEEDS

EXECUTIVE BOARD: 23 January 2008

SUBJECT: Adjudicator's Decision on Proposal to close St Gregory's Catholic Primary School in August 2008

EXECUTIVE SUMMARY

1. Purpose of the Report

- 1.1 To inform the Executive Board of the outcome of the proposal to close St Gregory's Catholic Primary School in August 2008, recently referred to the Schools Adjudicator for determination.

2.0 Main Issues

- 2.1 On 15 June 2007 the Governing Body of St Gregory's Catholic Primary School published a statutory proposal to discontinue the school from 31 August 2008.

- 2.2 Following the abolition of the School Organisation Committee and in accordance with the School Organisation (Establishment and Discontinuance of Schools)(England) Regulations 2007 which came into force on 25 May 2007, it falls to the Local Authority to determine most proposals on school organisation. On 11 September 2007 the Executive Board received a report indicating that, in accordance with the new regulations, the above proposal had been referred to them to determine.

- 2.3 However, having not yet established a mechanism for the determination of school organisation proposals, and given the prescribed time limits for determining such proposals, the Executive Board agreed to refer the proposal of the Governing Body of St Gregory's Catholic Primary School to the Schools Adjudicator. The Adjudicator has now approved the proposal. A copy of the full determination is attached at appendix 1.

3. Recommendation

- 3.1 Executive Board is invited to :

- i. Note the Adjudicator's decision to approve the proposal to discontinue St Gregory's Catholic Primary School in August 2008.

Agenda Item:

Originator: George Turnbull

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Electoral wards Affected:

Crossgates and Whinmoor
Killingbeck and Seacroft

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call-in

Not Eligible for Call-in

(details contained in the report)

1.0 Purpose of the Report

1.1 To inform the Executive Board of the outcome of the proposal to close St Gregory's Catholic Primary School in August 2008, recently referred to the Schools Adjudicator for determination.

2.0 Background

2.1 The Education and Inspections Act 2006 established new procedures for the closure of a maintained mainstream school. Under the new regulations the School Organisation Committee ceased to exist from 25 May 2007 and the determination of proposals falls either to the Local Authority or, if a decision is not made within the specified timescale, the schools adjudicator.

2.2 The determination of proposals on the re-organisation of maintained schools, such as the closure or establishment of a school, was previously considered by the School Organisation Committee. The Education and Inspections Act 2006, introduced new regulations, the School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007, which came into effect on 25 May 2007. Under these

regulations, responsibility for decisions on school organisation lies with the Local Authority or the schools adjudicator. It is expected that decisions would normally be taken by the Local Authority and the process by which the Local Authority fulfils its decision making function is for the Local Authority to determine.

3.0 Main Issues

3.1

On 15 June 2007, the Governing Body of St Gregory's Catholic Primary School published a Statutory Notice on the closure of the school with effect from August 2008. The representation period ended on 27 July 2007 and a number of objections to the proposal were received. Under the previous regulations, this proposal would have been determined by the School Organisation Committee which ceased to exist from 25 May 2007.

3.2

In accordance with the new regulations, the determination of all proposals lies with the Local Authority and should be decided within two months from the end of the representation period. Furthermore, if objections have been received, the proposal must be decided under Paragraph 8 of Schedule 2 to the Education and Inspections Act 2006 which specifies the statutory guidance that should be taken into consideration when determining the proposal.

3.3

Having not at that time established a mechanism for the determination of school organisation proposals, and given the prescribed time limits for determining such proposals, the Executive Board agreed to refer the proposal of the Governing Body of St Gregory's Catholic Primary School to the schools adjudicator.

3.4

The proposal was referred to the Office of the Schools Adjudicator on 28 September 2007. The Adjudicator confirmed that the correct processes had been followed and that he had jurisdiction to consider the proposal under the relevant powers.

3.5

In considering the proposal, and in addition to the papers submitted to him, the Adjudicator visited the school on 9th November 2007, to familiarise himself with the geography of the area, including the relationship with St Theresa's Catholic Primary (to which most pupils are expected to transfer). He convened a public meeting on the same day attended by parents, governors, teachers, ward members and others, to receive further representations.

3.6

The Adjudicator concludes that the proposal represents a proper response to the fall in numbers of pupils in the school, including that of Catholic children. He judges that numbers have now reached the point where there will be considerable disadvantages for the continuing education of the children in the school, through the inability to sustain current staffing levels. He goes on to state his belief that neighbouring St Theresa's Catholic Primary is a school with good standards and is well capable of offering places to St Gregory's pupils. He also notes that if parents wish to choose an alternative school, that possibility exists since there are surplus places in other local schools. A full copy of the Adjudicator's decision is attached at Appendix 1.

4.0 IMPLICATIONS FOR COUNCIL POLICY AND GOVERNANCE

4.1

The Council has now agreed a mechanism for determining school organisation proposals, which is currently being established.

5.0 LEGAL AND RESOURCE IMPLICATIONS

5.1 Financial Implications

There will be an annual revenue saving of approximately £158,000 from this proposal.

5.2 Equality Implications

This proposal is not likely to have differential impacts on the basis of ethnicity, disability or gender. The area is predominantly White British with 90% White British pupils at both St Gregory's and St Theresa's Catholic primary schools. Other schools in the area range from 89% to 98% White British.

5.3 Statutory Implications

The review of primary provision fulfils the LA's statutory requirement to keep under review the supply and demand of school places.

6.0 RECOMMENDATIONS

6.1 Executive Board is invited to :

- i. Note the Adjudicator's decision to approve the proposal to discontinue St Gregory's Catholic Primary School in August 2008.