

## LONDON BOROUGH OF CROYDON

To: Croydon Council website  
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### **STATEMENT OF EXECUTIVE DECISIONS MADE BY THE CABINET MEMBER FOR CHILDREN, YOUNG PEOPLE AND LEARNING ON 3 JUNE 2015**

This statement is produced in accordance with Regulation 12 of the Local Authorities (Executive Arrangements) Meetings and Access to Information) (England) Regulations 2012.

The following apply to the decisions listed below:

**Reasons for these decisions:** are contained in the **attached** Part A report

**Other options considered and rejected:** are contained in the **attached** Part A report

**Details of conflicts of Interest declared by the Cabinet Member:** none

**Note of dispensation granted by the head of paid service in relation to a declared conflict of interest by that Member:** none

The Leader of the Council has delegated to the Cabinet Member the power (delegated authority dated 2 June 2015 reference: 27/15/LR) to make the executive decisions set out below:

#### **CABINET MEMBER'S DECISION REFERENCE NO. 28/15/CYPL**

**Decision title:** Proposed change of category by Parish Church Nursery & Infants School; and Parish Church Junior School

Having carefully read and considered the Part A report and the requirements of the Council's public sector equality duty in relation to the issues detailed in the body of the reports, the Cabinet Member for Children, Young People and Learning, in consultation with the Leader of the Council

#### **RESOLVED to:**

1. Agree, under the delega, to the proposed change of category for Parish Church Nursery & Infants School; and Parish Church Junior School from Voluntary Controlled to Voluntary Aided from First September 2015.

2 Note the change of name of Parish Church Nursery & Infant School and Parish Church Junior School to 'The Minster Nursery & Infants'; and 'The Minster Junior School' respectively from First September 2015.

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Democratic Services Manager Date: 24 June 2015

**For General Release**

<b>REPORT TO:</b>	<b>The Leader of the Council and The Cabinet Member for Children Young People &amp; Learning</b>
<b>AGENDA ITEM:</b>	
<b>SUBJECT:</b>	Proposed change of category by Parish Church Nursery & Infants School; and Parish Church Junior School
<b>LEAD OFFICER:</b>	Paul Greenhalgh, Executive Director, People Department
<b>CABINET MEMBER:</b>	Councillor Alisa Flemming, Lead Member for Children, Families and Learning
<b>WARD:</b>	Waddon
<b>CORPORATE PRIORITY/POLICY CONTEXT:</b> To promote diversity and increase parental choice.	
<b>AMBITIOUS FOR CROYDON &amp; WHY ARE WE DOING THIS:</b> We will seek to work with every Croydon school to make sure that all are schools of choice for local families .	
<b>FINANCIAL IMPACT</b> There are no direct financial implications for the Council as a result of these changes, any changes to the branding of the school will need to be funded by the school from their own budgets.	
<b>KEY DECISION REFERENCE NO.:</b> Not a key decision	

The Leader of the Council has delegated to the Cabinet Member by Delegation dated 2 June 2015 (reference: 27/15/LR) the power to make the decisions set out in the recommendations below.

## 1. RECOMMENDATIONS

The Cabinet Member for Children Young People & Learning is recommended to:

- 1.1 Agree, under delegated authority, to the proposed change of category for Parish Church Nursery & Infants School; and Parish Church Junior School from Voluntary Controlled to Voluntary Aided from First September 2015 .
- 1.2 Note the change of name of Parish Church Nursery & Infant School and Parish Church Junior School to 'The Minster Nursery & Infants'; and 'The Minster Junior School' respectively from First September 2015.

## 2. EXECUTIVE SUMMARY

- 2.1 Through the July 2014 report ( Min. Ref A49/14, Cabinet was recommended to note proposal by Parish Church schools to change its status and name.
- 2.2 Through the January 2015 report ( Min. Ref A10/15 ), Cabinet agreed to the publication of statutory notice with a 4 week representation period on the proposal by Parish Church schools to change its category and name from Voluntary Controlled (VC) to Voluntary Aided (VA) and its name from 'Parish Church' to 'The Minster'.

### Proposed change of category

- 2.3 The proposal states that the schools are changing their category from VC to VA to strengthen their relationship with Southwark Diocese, Croydon Minster and other church schools in our area; and their name to keep the link with their local church.

### Difference between VC and VA schools

- 2.4 The table (1) below lists the main differences between VC and VA schools. Appendix A contains further details.

Table 1: Difference between Voluntary Controlled and Voluntary Aided schools

<b>Voluntary Controlled</b>	<b>Voluntary Aided</b>
No single group of Governors holds a majority.	Foundation Governors form an overall majority
LA employ the staff, determine Admissions Policy (and organise admissions appeals) The school follows the Council's Agreed Syllabus for RE	Governors employ the staff determine Admissions Policy (and organise admissions appeals) and may determine RE Syllabus
LA responsible for whole fabric of school	Governors responsible for external fabric of school including maintenance
Personal religious criteria may not be applied to recruitment of staff or children	Personal religious criteria can be applied to recruitment of staff and children

2.5 Publication of the statutory proposal and formal consultation (4 weeks), commencing on 06 March 2015 and ending on 03 April 2015. A consultation outcomes report from the informal consultation is attached at Appendix B. No representations were received during the formal consultation period.

2.6 **The Council must decide on the proposed change of category within a 2 month period, that is by 3 June 2015 otherwise the decision defaults to the School Adjudicator.**

#### Change of name

2.7 The name of the schools have been changed via an amendment of the 'Instrument of Government', effective September 2015. Parish Church Nursery & Infant School and Parish Church Junior School will be changed to 'The Minster Nursery & Infants'; and 'The Minster Junior School' respectively from September 2015, by delegated Decision f of the Executive Director, People, dated 29 April 2015 – attached.

2.8 The schools would like both changes – name and category - to be implemented from 1st September 2015.

### **3. DETAIL**

#### Statutory Requirement

3.1 The Council has a statutory duty to ensure the sufficient supply of good quality school places and to promote school diversity.

#### The statutory process

3.2 The Prescribed Alterations Regulations 2013 and Department for Education School Organisation guidance set out the statutory process (Table 2) for proposers and decision-makers to follow in relation to Prescribed Alterations, including change of category.

3.3 Governing Bodies can propose to change the category of their school by following the statutory process – publication of statutory proposal; 4 weeks representation period (formal consultation); decision by Cabinet and implementation of the change, if approved.

3.4 The first two stages - publication of statutory proposal, and formal consultation have been completed on 03 April 2015. No representations were received during the formal consultation period, however a consultation report from the informal consultation is attached at Appendix B.

3.5 The next two stages are: decision by the Council and implementation of the proposed change, if approved. **The Council must decide on the proposed change of category within 2 months of the end of the representation period, by 03 June 2015 or decision defaults to Schools Adjudicator.**

3.6 When issuing a decision, the Council can: reject the proposal; approve the proposal without modification; approve the proposal with modifications, having consulted governing body; or approve the proposal – with or without modification being met.

Table 2: The statutory process for making significant changes to schools has four stages:

Stage 1	<b>Publication</b>	Statutory Proposal published – 1 day.
Stage 2	<b>Representation (formal consultation)</b>	Must be 4 weeks, as prescribed in regulations.
Stage 3	<b>Decision</b>	The decision-maker (usually the LA) must decide proposals within 2 months of the end of the representation period or decision defaults to Schools Adjudicator (OSA)
Stage 4	<b>Implementation</b>	No prescribed timescale, but must be as specified in the published statutory notice, subject to any modifications agreed by the decision-maker.

3.7 In line with its duty under public law to act rationally and take account of all relevant considerations, the schools have consulted key stakeholders, including Church of England diocese and parents/carers in developing the proposed change.

#### **4. FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS**

##### **4.1 Revenue and Capital consequences of report recommendations**

There are no direct financial implication for the Council as a result of these proposed changes. Any costs incurred with the re branding of the school, ie. stationary and signs will need to be funded by the school from their own budgets..

#### **5 Risks**

None.

#### **6 Future savings/efficiencies**

**None.**

(Approved by: Lisa Taylor – Head of Finance and Deputy S151)

#### **7. COMMENTS OF THE COUNCIL SOLICITOR AND MONITORING OFFICER**

7.1 The Solicitor to the Council comments that there are no additional legal issues other than those covered in the report.

(Approved by: J Harris Baker, head of social care and education law on behalf of the Council Solicitor & Director of Democratic & Legal Services)

#### **8. HUMAN RESOURCES IMPACT**

- 8.1 The proposed change of category from a Voluntary Controlled school, in which the Council is ultimately the employer, to a Voluntary Aided school from September 2015 is likely to invoke the effects of TUPE – Transfer of Undertakings (Protection of Employment) Regulations 2006.
- 8.2 This means that the staff currently employed at Parish Church Nursery & Infant School and Parish Church Junior School will cease to be Council employees and will TUPE transfer (on their existing terms and conditions of service) to 'The Minster Nursery & Infants' and 'The Minster Junior School' on 01 September 2015, whereby the Governing Body of the school will become the employer.
- 8.3 It is unlikely that there will be any other significant staffing changes (apart from the change in employer) as no economical, technical or operational changes are being proposed. However, in accordance with TUPE, it will be important to ensure full consultation takes place in conjunction with the relevant HR provider, Trade Unions and the affected staff to consult on TUPE transfer.

(Approved by: Debbie Calliste on behalf of the Director of Human Resources)

## **9. EQUALITIES IMPACT**

- 9.1 As outlined in 'Investing in the future of our young people: School Places' report to Cabinet on 19 January 2015 – Minute reference: A10/15. No additional impact emerged as a result of the consultation.

## **10. REASONS FOR RECOMMENDATIONS**

- 10.1 To promote diversity and increase parental choice.  
To meet the 2 months deadline for the Council to decide on the proposed change of category.

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**CONTACT OFFICER:** Denise Bushay

## **BACKGROUND PAPERS - LOCAL GOVERNMENT ACT 1972**

Difference between Voluntary Controlled and Voluntary Aided schools – Appendix A **attached**  
Consultation outcomes report – **attached** at Appendix B.

## **Appendix A**

### **What's the difference between Voluntary Aided (VA) & Voluntary Controlled (VC) schools?**

#### **Governors**

In a VA School, a majority of the governing body is made up of Foundation Governors, who are appointed by the Church with a duty to include maintaining the Church of England character of the school in their overall governance. There are foundation governors in VC Schools, but they are a minority. The Vicar or Priest in Charge of a parish is automatically a foundation governor of the schools, whichever category they are in. The governors also have some different responsibilities.

#### **Staffing**

The VA School governing body are the employers of the staff: the VC governing body have delegated powers in relation to the staff, but all members of staff are employed by the Local Authority. Staffing in both schools is paid for from the delegated budget under very similar terms and conditions of service.

#### **Premises**

Church school buildings are usually owned by the Trustees of the school; this may be the vicar and churchwardens of the local church, or the Diocesan Board of Education. Capital works in VA schools are the responsibility of the governing body, and grant aided, generally up to 90%, by the Department for Education, via the Diocesan Board of Education. Most VA schools fund the extra 10% through parental voluntary contributions. In VC Schools, the capital work is paid for by the Local Authority. Both categories of school are financed for revenue and some routine premises costs by the delegated budget.

#### **Religious Education**

The VA School has responsibility for its own religious Education (RE), which is of a denominational character. So the governors can choose their own RE syllabus of a Christian type. The VC Schools generally use the Local Authority Agreed RE Syllabus, which cannot be denominational, and has certain requirements for more coverage of world religions.

#### **Christian worship**

All VA and VC Church of England Schools are required by law to conduct worship in accordance with the Christian character of the school. There is no difference in law.

#### **Religious Character**

Both our schools have a Church of England religious character. This cannot be removed, as it is fixed by law. This means that the general conduct and spirit of the school should be imbued with Christian morality and ethics, as well as worship and general ethos.

## **Admissions**

The governing body of a VA church school is responsible for the admission arrangements including the criteria for admitting pupils to the schools. The admission policy, more than any other, can express the governing bodies' understanding of the place and function of the church school in its community. Many governors accept that the church school has a dual purpose of offering a Christian education to the children of Christian parents and of fulfilling its historic mission to the children living in the community, who may be of another faith or none. Governing bodies need to decide, consciously, where their priorities lie. Governing bodies must set up an admission committee to decide between applicants. The current admission arrangements would not be able to be changed until 2016/17.



## Appendix B

### PROPOSAL TO CHANGE THE CATEGORY AND NAME OF PARISH CHURCH CE NURSERY AND INFANTS SCHOOL AND PARISH CHURCH CE JUNIOR

#### CONSULTATION OUTCOMES REPORT

##### Introduction

1. The purpose of this report is to provide the Council's Cabinet, and the schools' Leadership Team with the outcomes from the consultation to change the category and name of Parish Church Nursery and Infants and Parish Church CE Junior schools.
2. The proposal is to change the category and name of the school, from Voluntary Controlled (VC) to Voluntary Aided (VA), and from 'Parish Church' to 'The Minster' respectively.

##### Background

###### Consultation

3. The consultation on the proposal to change the category and name of the school, from VC to VA, and from 'Parish Church' to 'The Minster' respectively took place over a 4 week period, from 7 March to 04 April 2014. A consultation document, including a questionnaire was produced and used as a basis for seeking the views of key stakeholders. Key stakeholders include: Parents/carers, Staff, School Governors,

##### Summary of responses from the consultation

###### Questionnaire

4. The consultation questionnaire produced a total of 54 responses, of which:

- For the change from VC to VA:

Strongly in favour	In favour'	not sure'	not in favour'	strongly against'	did not specify
15	16	18	2	2	1

- For the change of name:

Strongly in favour	In favour'	not sure'	not in favour'	strongly against'	did not specify
16	15	15	5	3	0

- Responses were from:

Local residents	Members of staff at Parish Church CE Nursery and Infants school	Members of staff at Parish Church CE Junior school	Parents/Carers at Parish Church CE Nursery and Infants school	Parents/Carers at Parish Church CE Junior school
2	5	8	33	6

## 5. Comments on questionnaire

Respondents to the questionnaire raised the following concerns:

- Financial implications for:
  - parents – contribution to school & new uniform
  - school – reduced LA contribution
  - staff – employment terms & conditions (TUPE)

### **Response by the school:**

- parental contribution not compulsory and uniform changes are yet to be decided.
  - Shortfall of funding does not appear to be a problem for VA schools
  - No change to Pension as staff will be TUPE'd over. No plans to change employment terms and conditions.
- Change of name:
    - Parish Church remains relevant to staff/community
    - Historical link, reputation and ethos

### **Response by the school:**

- The final name is yet to be decided. Croydon Minster is the parish and civic church of the London Borough of Croydon. In order to keep and strengthen the link between church and school the governors feel it would be good to keep the names the same.
- Rebranding will not affect the schools' reputation.

### **Response by the school:**

- Educational impact on pupils and school
  - Children's learning will benefit from closer collaboration with other schools. No change to ethos/educational provision.

### **Response by the school**

- Consultation – more awareness, detail and meeting.
  - Public meeting held at school
  - Further consultation will be held.

### Response to concerns

A detailed report, including a full response to the concerns raised will be made available from the school websites:

[www.parishchurchinfants.com](http://www.parishchurchinfants.com)

[www.parishchurch-jun.croydon.sch.uk](http://www.parishchurch-jun.croydon.sch.uk)

### Next steps

A report will go to Council's Cabinet, if approved, statutory notice will be published with a 4 week representation period for anyone with an interest to comment on or object to the proposal. This will be followed by another report to the Cabinet for decision on whether or not to go ahead with the proposed changes.

## Contact details

Parish Church CE Nursery & Infant School  
Head Teacher – Mrs Stephanie Edmonds  
[office@parishchurch-inf.croydon.sch.uk](mailto:office@parishchurch-inf.croydon.sch.uk)  
Tel. 020 8688 5844 option 1

Parish Church CE Junior School  
Head Teacher  
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Copies of this document will be made available on both school websites.

[www.parishchurchinfants.com](http://www.parishchurchinfants.com)  
[www.parishchurch-jun.croydon.sch.uk](http://www.parishchurch-jun.croydon.sch.uk)