

DETERMINATION

Case reference: STP/000190

Referral body: Haringey Council

Statutory proposal: To expand Coleridge Primary School

Date of decision: 29 March 2006

Determination

Under the powers conferred on me by Schedule 6 to the School Standards and Framework Act 1998, I hereby approve the proposal to expand Coleridge Primary School from a two-form entry (a capacity of 420 children) to a four-form entry school (with a capacity of 840 children), with a modified implementation date of 1 September 2007. The approval is conditional on planning permission being granted by 31 January 2007 for modifications to the expansion site, namely the Trades Union Congress (“TUC”) building opposite the school.

The Referral

1. The Secretary of the School Organisation Committee (“SOC”), the referring body, wrote to the Office of the Schools Adjudicator on 26 January 2006 with reference to a proposal by the Haringey Council (“the Council”) to increase the intake and accommodation for Coleridge Primary School (“the school”) under the Department for Education and Skills initiative to expand popular and successful schools.

Jurisdiction

2. In a notice dated 2 November 2005 Haringey Council (“the Council”), after a consultation exercise, published a proposal to expand the intake of the school from September 2006. The notice was issued in the form required by section 28 of the School Standards and Framework Act 1998 (“the Act”).

3. The SOC considered the proposal on 18 January 2006. The committee was unable to reach a unanimous decision. The Haringey Councillors voted for the proposal. The Learning and Skills Council abstained, because it was primarily concerned with education and training of those over the age of 16. All the other block votes, those of the School Governors, the Roman Catholic Westminster Diocesan Education Service, and Church of England London Diocesan Board for Schools, were cast against the proposal. The case was referred to me as an adjudicator in accordance with paragraph 3(6) of Schedule 6 to the Act. I am satisfied that I have jurisdiction to consider this matter under the powers conferred by Schedule 6 to the Act.

Procedures

4. As required by Schedule 6 to the Act, I have considered the proposal afresh and have had full regard to the latest guidance given by the Secretary of State. I have also had regard to the relevant provisions of: the Sex Discrimination Act 1975; the Race Relations Act 1976 and the Disability Discrimination Act 1995, as required by Schedule 5 to the Act, and to the Human Rights Act 1998.
5. I have considered all the papers put before me including the following:
 - i the agenda, minutes and supporting papers for the committee meeting of 18 January 2006, which included 140 individual representations and one petition;
 - ii prescribed information from the proposer as set out in Schedule 3 to the Education (School Organisation Proposals) (England) Regulations 1999;
 - iii the Council's School Place Planning Annual Report 2005;
 - iv "Admissions to Haringey community primary and secondary schools and St Aidan's Voluntary Controlled School for 2007/08 school year" – a consultation paper issued by the Council;
 - v the unvalidated Performance and Assessment ("PANDA") report 2005 for Coleridge School;
 - vi The latest inspection report on Coleridge School from the Office for Standards in Education ("Ofsted"), which inspected the school in March 2000;
 - vii The Coleridge School completed Self-Evaluation Form dated 5 January 2006;
 - viii A large number of letters and emails of support and objections received after publication of the proposals, together with the proposer's observations on the objections received and further indications of its plans should approval be granted;
 - ix Newspaper cuttings and website entries relevant to the proposal.
6. I have visited the school and the TUC building opposite, which is the proposed expansion site for the school and where I held a public meeting, and I walked round the surrounding area, including the adjacent part of the London Borough of Islington. The purposes of the visits were solely to view the school and its accommodation at first hand and to understand the geography of the locality, and not to receive representations. I have also examined maps of the vicinity which show the designated catchment areas of local schools in Haringey and Islington. The public meeting was attended by over 130 people, representatives of the school, parents, representatives of other schools, representatives of local councils and members of the public. I

have considered the representations made to me at that meeting and the numerous letters and emails received within 14 days of the meeting.

Context

7. Coleridge School is a mixed primary school with a nursery. There are currently 477 children on roll, against an admission number of 480. It is situated in the inner urban village of Crouch End, at the western edge of the Borough of Haringey, abutting the Borough of Islington, which has primary schools located within a short distance of Coleridge School.

The Proposal

8. The notice published on 2 November 2005 sets out the Council's intention to make a prescribed alteration to the school by:

- an expansion of the premises of the school, to include the TUC building, with effect from 4 September 2006; and
- an increase of 60 to the admission number from 4 September 2006.

9. The implications for pupil places and numbers are shown in Table 1.

Table 1. Current and proposed pupil numbers

	Current	Proposed	Difference
Places	480	960	480
Pupils	477	960	483
Admission No.	60	120	60

10. I have considered a number of central arguments put forward in support of the scheme by the proposers:

- There has been a shortage of school places in Crouch End since 2002 and demand in this area is increasing. In 2006, fewer than 50% of parents will receive their first choice school.
- The Local Authority ("LA") is seeking above to ensure a better match between the supply of places in an area and local demand. Some schools have expanded whilst others have reduced.
- A new secondary school in the Borough in 2010 should bring increasing stability for the higher primary year groups. (Currently some parents move when their children are in Year 5 or Year 6 to move closer to a good secondary school.)
- The LA considered carefully the option of establishing a new school on the TUC site instead of expanding Coleridge. The decision was taken that it was likely to be a more effective approach to add capacity to a

good existing school than to establish a new school which would be competing.

11. I note that in the report presented to the Committee, the Council also drew attention to the fact that supporting letters had stressed:

- The importance of aiming to give all children school places close to their homes;
- That a larger Coleridge would allow more children drawn from a wider and more diverse area to be educated at a 'very successful school';
- Praise for the leadership of Coleridge School;
- Support for increased parental choice.

12. A number of additional arguments, often developing the above points, were raised in support of the proposal at the public meeting or in subsequent letters or emails. Amongst these were the following:

- Expansion will bring greater opportunities and educational benefits to all pupils as a result of extra funding and facilities, such as increased language, art and music provision.
- The pressure on other schools in the area will be alleviated.
- The proposal now has the full support of governors, who are confident that the headteacher's professional judgment on the advantages of expansion is sound. As the employer of its staff, it was right that the school should seek, by expanding, to act in the best interests of those staff. A larger school would provide more opportunities for staff and should help with retention.
- Without the proposed expansion many parents and their children living very close to the school face a long and difficult journey to an alternative school with spare places. Parents would like to be able to walk to a local, non-denominational community school. It is also the right of children to attend a good local school should they wish to do so.
- As the school is close to Islington and places are allocated on distance, some Haringey parents living nearby are unable to secure a place because Islington parents live closer. More places are needed for these Haringey parents.
- It was noted that six hundred and fifty people had signed a petition of support.
- The size of school is irrelevant to its success; the key is the school's leadership.
- A larger school could be helpful for Year 6 children in that they would be likely to transfer to secondary school with more of their friends.

- Many parents in the school back the head and staff to make this work.
- The increased size of the school will enhance the local community.
- Some of the local schools opposing the scheme do so because they have a vested interest in not allowing numbers at Coleridge to expand.

The Objections

13. I have given consideration to the main objections to the proposal raised during the consultation, and by the opposing groups at the Committee discussion, which were as follows:

- The evidence for the demand for places was not sufficiently robust.
- There would be an adverse impact on other local schools.
- The expanded school would be too large and would lose some of its current strengths.
- There would be damaging effects from an increase of traffic in the area around the school.
- There would be risks to children's safety from the amount of crossing the road between the two sites.
- The consultation process had been insufficiently open.

14. A large number of individuals and groups offered additional points which expanded on the basic issues. They included the following views:

- The headteacher should not be involved in the decision- making process on expansion because of a conflict of interests.
- There were questions as to what alternative proposals were considered and why these were rejected.
- Conversion plans for the TUC buildings should be made publicly available to see if it would be possible to retain features/structures of historical interest. An independent architectural report should be commissioned to look at refurbishing it rather than demolishing it.
- Islington LEA (CEA@Islington) had objected to the Committee about the proposal on the following grounds:
 - Haringey's statistical information was unreliable;
 - Ashmount School (in Islington) has spare places and would be de-stabilised by the expansion;
 - A four-form entry school is unusually large for a primary school and this may have a negative impact on standards and ethos;

- the proposal will have a negative impact on community cohesion;
 - the LA's procedures in publishing the proposal had been faulty (and possibly open to legal challenge).
- The research findings relied upon by supporters of the enlarged school are fundamentally flawed. Recent research has shown that primary school numbers should be between 100 and 630. Outside of this range, the disadvantages outweigh the advantages.
 - This is a short-term solution: expansion would probably be fairly quickly followed by the school's shrinking again as the result of management problems or a shortage of pupils because of the school's unpopularity with parents.
 - If large primary schools are so good, why are there not more of them? In London, large schools perform less well than smaller ones.
 - How will children cross the road? The school has not listened to the growing disquiet from parents over the months. Will the union indemnify those of its staff who are helping children to cross the road? Parents have been given little information and the plan is not robust.
 - Doubling the size will double the traffic at the school. Traffic calming measures will have a negative impact on the general flow of traffic through Crouch End and will result in even more queues. The plan has been rushed; not all options have been explored. The majority of existing parents are opposed to expansion.
 - Governors' communication with parents has been poor.
 - A larger school will result in a lower level of parental involvement.
 - In existing buildings the older children readily mix with the younger ones to the benefit of both. Potentially, this will be lost with a split-site school.
 - Collecting children from two sites will be difficult for parents, particularly because of the busy road.

Consideration of the proposal

Statutory Guidance

15. Guidance on circumstances in which it is appropriate to invoke the "popular and successful schools" policy is given in the Statutory Guidance for Decision Makers on school organisation, revised in February 2006. Paragraph 31 of the Guidance says: "The strong presumption is that proposals to expand successful and popular schools should be approved... The existence of surplus capacity in neighbouring less popular schools should not in itself be sufficient to prevent this expansion, but, if appropriate, in the

light of local concerns, the Decision Makers should ask the LA how they propose to tackle any consequences for other schools. The Decision Maker should turn down proposals for the expansion of successful and popular schools only if there is compelling objective evidence that expansion would have a damaging effect on standards overall in an area, which cannot be avoided by LA action.” This is the guidance which governs the consideration of the expansion of a successful and popular school.

Successful and popular schools

16. It is therefore necessary to consider whether Coleridge School can be regarded as a ‘successful and popular’ school and so fall within the terms of the statutory guidance set out in paragraph 15 above. The Statutory Guidance to Decision Makers emphasises that “it is for the Decision Maker to decide whether a school is successful and popular”, taking into account the school’s performance:

- in terms of absolute results in key stage assessments and public examinations;
- by comparison with other schools in similar circumstances;
- in terms of the value they add;
- in terms of improvement over time in key stage results.

17. It also suggests that the numbers of applications for places should be taken into account as an indicator of popularity.

18. In addition to considering these factors, discussed below, I have read the most recent Ofsted inspection report on the school, written six years ago. This indicates that the school, led at that time by the current headteacher, was judged as having very high standards, with pupils achieving their full potential, very effective leadership, good teaching and very good attitudes, behaviour and personal development of pupils. Nothing I have read, including all the statements by objectors and the most recent school data and self-evaluation, has suggested that the school has done other than maintaining, and in some respects exceeding, those standards.

19. I have taken account of all available indicators of the school’s performance, which I summarise in Table 2, below. Together with the qualitative evidence available from other sources, the figures indicate a school which is highly successful, especially in the standards achieved by the end of Key Stage 2.

Table 2. Selected performance indicators*

Indicator	2003	2004	2005	Note:
Key Stage 1 Average Point Score	17.2	15.5	16.3	Some fluctuation evident
Key Stage 2 Average Point Score	31.0	31.1	31.1	Very consistent
% Level 4+ English	94.6	93	98	
% Level 4+ Mathematics	94.6	98	96	
% Level 4+ Science	98.2	98	98	
Value added, based on Achievement and Attainment Tables	101.2	101.9	102.9	Scores in bold type are significantly higher than average
Contextual value added, which also takes account of pupils' background	101.7	102.7	103.0	
Percentile rank – compared with other maintained mainstream schools: A rank of 5 means that the school is in the top 5% of schools: Achievement and Attainment Tables	14	6	2	These scores show a significant rising trend to a very high level of performance
Percentile rank: Contextual Value Added	4	1	1	These scores show the school, on this indicator, to be doing exceptionally well

* Data taken from unvalidated 2005 PANDA Report

20. Evidence of the *popularity* of the school is indicated in Table 3, taken from the evidence which the Council submitted to the Committee in January 2006. The number of first preferences is around twice the number of places available for September 2006, and closely matches the figure which would apply if the proposed expansion were to go ahead (for 2007). It is clear that the school is oversubscribed, and I judge that this evidence, which was strongly confirmed by the large numbers of emails and letters received from parents hoping their children would be able to secure a place at the school, confirms Coleridge as a popular school.

Table 3. Preferences for Coleridge School expressed by parents.

	2006/2007
1 st preference	124
2 nd preference	65
3 rd preference	65
4 th preference	31
Places available	60

Need for places

21. The Guidance for Decision Makers indicates that they should consider whether the places are needed, taking account not only of the existence of spare capacity in neighbouring schools but also the quality and popularity with

parents of the schools in which spare capacity exists and evidence of parents' support for expansion of an existing school. Although the figures provided by the Council have been contested, the clearest pattern is that of under-provision of places in a number of the primary schools in the West of Haringey, and specifically in Crouch End. This is the salient feature of the arguments put forward by parents in favour of the expansion – generally speaking, those who fear that on current arrangements and numbers they are unlikely to secure a place in a local school of their choice. I am satisfied that the extra places produced by the expansion would be filled. It is undeniable that satisfying more parents' preferences in this way will have knock-on effects to other, less popular schools in one or other of the two adjacent Boroughs; however, the Guidance offered above indicates that, while this has important implications for the LAs in planning their primary provision, it cannot be seen as an overriding consideration. It is important to note that this proposal is part of a clear plan on the part of Haringey to redistribute places across the Borough, by reducing the planned admission numbers in areas where there is surplus capacity. The intention to supply, overall, 48 additional reception places, and to place more of these places where parents want them, is reasonably supported by the demographic data supplied, indicating continuing gradual rises in birth rates in this part of Haringey. This evidence was set out in the Annual School Place report of July 2005.

Finance

22. The Council presented its evidence of a need for additional places in the West of the Borough to the Department for Education and Skills (DfES) on two occasions in 2004/05. This led to the grant of an additional £5.3 million for 'safety-valve' capital funding, and it is this funding which has enabled the Council to proceed with the proposal. The acquisition of the TUC building, together with the restriction on its use to educational purposes, was a powerful reason for expanding provision in this area, and made it affordable. I am therefore satisfied that the capital required to implement the proposal is available (paragraph 38 of the Guidance).

Views of Interested Parties

23. The Council prepared a consultation document setting out the proposal and the reasons for it. Although some objectors have criticised aspects of the consultation process, including that undertaken by the school's governors, I am fully satisfied that the consultation process met the statutory requirements. It is particularly noteworthy that the consultation generated an impressively high level of response, which is not compatible with any claim that this was conducted in a way which was insufficiently open.

24. The responses to the consultation, the discussion in the Committee and my meeting showed that opinions were sharply divided, with powerful groups and many individuals supporting the Council's plans and equally strong, well-organised opponents, who marshalled an impressive range of arguments as to why Haringey should not proceed with this scheme, set out in the section **The Objections** above. Many of these opponents felt that there were better ways of addressing the - widely, though not universally –

acknowledged need for additional places in the West of the Borough. A number of schemes which were felt to offer a better solution were proposed in the correspondence received and in the arguments put forward at the public meeting. Some of these may indeed have been perfectly reasonable, for example the Council's earlier suggestion of a new two-form entry school on the TUC site opposite Coleridge. However, the Council, after considering that possibility at length, eventually concluded that it would instead propose the expansion of Coleridge School. Consequently, as Adjudicator I cannot adjudicate on any proposal that has not been submitted, or recommend an alternative, even if I were minded so to do.

Admission Arrangements

25. Paragraph 33 of the Guidance says that the Decision Maker should confirm that "the admission arrangements of schools proposed for expansion fully meet the provisions of the Admissions Code of Practice". The 2007 arrangements have not yet been finally determined, but are consistent with the 2006 arrangements and with the Code of Practice.

Planning Permission

26. The authority is in the process of seeking planning permission for the use of the TUC site in this way. For this reason I have consulted on a modification of the proposed date for implementing the scheme, from September 2006 to September 2007, recognising that such a change would disappoint those parents who will now not gain a place for their child in the coming year. The modified approval of the proposal for September 2007 is therefore contingent on the securing of planning approval, and my determination reflects this. I understand that the likely planning timetable will mean that in the first year it will be necessary for the additional Reception class pupils to be housed temporarily on the Coleridge site and recognise that this will place an additional load on the existing accommodation, which will need careful managing. This is unfortunate, but I do not consider that it would be right for there to be a further delay to the start date, since this would deny many more parents who wish for a place for their child at Coleridge the opportunity to have one.

Conclusion

27. In reviewing the objections, it is clear to me that there are widespread and legitimate concerns about the impact of such an expansion – on other schools, on the children currently in a reasonably small school, on traffic and road safety. Against these, however, are ranged strong arguments about the strength of the local demand, the opportunity to build on success, the potential gains in attracting high calibre staff and enhanced resources.

28. I am satisfied that the school can be described as a successful and popular school and start therefore from the strong presumption laid on all Decision Makers that the proposal should be approved. I have considered the questions set out in the Statutory Guidance, asking in particular "whether there is compelling objective evidence that expansion would have a damaging effect on standards overall in the area". My conclusion is that there is no

substantive evidence that expanding Coleridge School would have a negative effect on standards elsewhere in the Borough of Haringey or the nearby schools in Islington, although it may well have some effects on the numbers of pupils in other schools in the area. It will also undoubtedly meet a strongly-voiced demand from parents living very close to the school for places in the immediate locality, which at present the Authority is often not able to satisfy.

29. The claim by objectors that the expansion will jeopardise some of the very features which currently make Coleridge a successful and popular school is not one I have taken lightly, however, and the Authority, working with the school and its governors, will need to work with vigour and imagination to realise the potential educational benefits of the expanded school without sacrificing any of the current strengths. I am clear that ensuring the highest standards of road safety and monitoring flows of traffic should be given the utmost priority, and urge the Council to ensure that it includes in the planning application detailed proposals to address these issues, as it has indicated its intention of doing.

Determination

30. Under the powers conferred on me by Schedule 6 to the School Standards and Framework Act 1998, I hereby approve the proposal to expand Coleridge Primary School from a two-form entry (a capacity of 420 children) to a four-form entry school (with a capacity of 840 children), with a modified implementation date of 1 September 2007. The approval is conditional on planning permission being granted by 31 January 2007 for modifications to the expansion site, namely the Trades Union Congress building opposite the school.

Dated: 29 March 2006

A handwritten signature in cursive script, appearing to read 'David W Taylor', written in black ink.

Signed:

Schools Adjudicator: D W Taylor