

# MINUTES OF THE OVERVIEW AND SCRUTINY EDUCATION BUSINESS PANEL

Tuesday, 16 March 2021 at 7.12 pm

PRESENT: Councillors Bill Brown, Peter Bernards, Juliet Campbell, Patrick Codd, Joan Millbank, John Muldoon, Kim Powell and Luke Sorba.

Oluwafela Ajayi - PGR- Special Schools

Monsignor N Rotheron - Roman Catholic Archdiocese of Southwark Commission for Schools and Colleges

Clive Casely - PGR (Secondary Schools)

Apologies Councillor Curran.

IN ATTENDANCE Councillors Barnham, Bell, Kelleher, and Jacq Paschoud

ALSO PRESENT:

Patricia Barber - Chair of Governors for St Mary Magdalen's Catholic Primary School.

Daniel Coleman - representing the arch diocese of Southwark

Presenting Officers –Executive Director for Children and Young People and Director of Education.

The meeting commenced at 7.12pm and adjourned at 7.13pm in order to consider business of the Overview and Scrutiny Business Panel.

The meeting resumed at 7.14pm.

## 1 Minutes

RESOLVED that the minutes of the open meeting held on 16 February 2021 be confirmed as an accurate record.

## 2 Declarations of Interests

None was declared.

## 3 Decision Made by the Mayor on 10 March 2021 - open session

### Governing Body Proposal regarding the future of St Mary Magdalen's Catholic Primary School

3.1 The Chair informed Panel Members that Councillor Sorba, had asked for this report to be submitted to this Panel for consideration.

3.2 Councillor Sorba said that it was rare for members to receive a consultation report when the anticipated result was the closure of a school. It was because of the

critical nature of the decision the Council would be facing at the end of the consultation, and the level of public interest, that he had requested that it be considered by this panel. He said that residents had asked him whether the Council could have done any more to prevent the crisis at the school and the history that had led to the current situation.

- 3.3 Councillor Campbell also expressed her concern at the possible closure of one of Lewisham's schools and said that any consultation must be very thorough to ensure that members receive all the information required. She asked who would be consulted and how this would be managed.
- 3.4 The Director of Education said that in April 2018, St Mary Magdalen's was judged by Ofsted to be good and categorised as a green school. The support from school improvement had, therefore, been minimal. There had been a good relationship between Lewisham and senior leadership and there were no concerns about the school.
- 3.5 In the summer of 2018, some of the statutory assessment results were dis-applied by the Department of Education and the Standard Testing Agency, following allegations that children were being over supported. There was an investigation into these allegations and the results were made null and void. A difficult period for the school then followed and parents' confidence in the school waned. The Council then worked closely with the diocese to support the school and resolve some of the issues. In 2019 the diocese acted swiftly to put in appropriate new leadership and management.
- 3.6 The Director of Education said that number of children attending faith schools had fallen across London. A local authority would not want to have to consider the closure of a school but the diocese had approached Lewisham for support.
- 3.7 Mr Coleman said that his involvement with the school went back to the dis-application of the sats results and he carried out the investigation on behalf of the diocese. Following the resignation of the Head Teacher and Chair of governors at the time, he attended the school in June/July 2018 and he considered there to be serious issues including:
- The building was damp and the floor was ruined
  - There was a gas leak in the kitchen
  - Serious financial irregularities
  - Accounts that Mr Coleman was not aware of
  - Issues regarding the payment of staff
  - Unusual negotiation of some of the contracts
  - There were issues regarding some of the arrangements with the regard to the amount of time the Head Teacher spent in the school.
- 3.8 Mr Coleman said that there were reduced numbers of children in schools across all sectors in London; Catholic schools had the added pressure that baptismal roles had fallen over a number of years. There were 147 children on the role which was significant because it feeds into the budget deficit

- 3.9 Ms Barber said she was asked to support the school in 2019. The situation was so bad that a new leadership team had to be recruited. Staff also had to be recruited because previous staff members had resigned. The school was in total disarray in all areas and the school was in a financial deficit position.
- Accounts were found that no one knew anything about and were not registered anywhere.
  - Substantial amount of money in banks that were not known about.
  - Contracts signed for equipment not recorded in the accounts.
- 3.10 Open house meetings were arranged with parents because engagement was low. Ms Barber said that this was a positive move and since then, children had received a good education. However, numbers were still falling and less than 50% of children attending the school were baptised Catholics. Places in alternative schools would have to be found for these children, but as the reports showed, there were spaces in other schools in the borough including Catholic and other faith schools. Some children were already taking up these places
- 3.11 Ms Barber said that there would be a public consultation open for 6 weeks starting on 19 April. Responses would be analysed and reported back to Mayor and Cabinet. Members would then consider whether there was agreement with the move to the closure of the school. The consultation would be for anyone and would be advertised on the website for the diocese, school website, and local schools would also be invited.
- 3.12 Councillor Sorba said that he was surprised that the irregularities in the school had not been identified by anyone in the accountability system. Ms Barber said that she had asked the same question of the governing board and they assured her that what they were told was not based on fact, and they had not evidence based what they were told. She said that she understood that staff employed at the time were no longer in this authority but she said that it would appear that due diligence had not been done by those visiting the school on an annual basis.
- 3.13 Ms Barber said that when she first visited the school, the state of the kitchen was unbelievable. The main school hall was refurbished with the help of the diocese because it was in a disgusting state. She reassured members, that the children were now receiving a quality education but as a representative of the governing body, she could not reassure anyone that this was a viable option going forward. The school was in debt and this would increase if the school did not close.
- 3.14 Following members' questions, the Executive Director for Children and Young People said that the school was judged good by Ofsted. Local resources were very limited in terms of school improvement. His understanding was that at the time the school was not welcoming visits from the local authority. The school had received a good Ofsted rating which would have made it more difficult for the local authority to probe and to ask questions.
- 3.15 The Executive Director for Children and Young People said that with regard to lessons learned, there was now a different approach to school improvement in Lewisham and a much more robust process of bringing together a range of different evidence in schools including financial information, HR issues, staffing

movements, as well as achievements and outcomes for children. Procedures had changed considerably over the last 3 years.

- 3.16 The Executive Director for Children and Young People clarified that there would be a public consultation as Ms Barber described, but would be managed by the school rather than the local authority because it was an aided school. There would be a further period of representation and after this second period, if it was the view to continue with the proposal to closure, a report would then be submitted to Mayor and Cabinet.
- 3.17 Mr Coleman clarified that the number of children attending the school did stabilise under new management but there were no signs that those numbers had turned around and improved, and an increase in numbers was the only way that the school would be able get out of the current financial deficit. He said that there were ample spaces in local schools for children attending St Mary Magdalen School. Parents could choose the education they want for their child, including Catholic schools and non-faith schools. He said that there were 22 children due to leave school at the end of year 6 in this academic year. There were only 12 potential pupils coming into reception in September 2021. Mr Coleman said that he did not want to have to consider the closure of a school but with the financial deficit position the school was in, and the drop in numbers of children attending the school, he did not believe that there could be another outcome.
- 3.18 In response to questions from Councillors Codd and Kelleher, Ms Barber wanted to reassure members that consideration was given to reducing the school from a group two size school to a size one, but unfortunately it was not feasible and would not have provided the level of education that she believes children in Lewisham should have.
- 3.19 Ms Barber acknowledged that the capacity figures in the council report did not match the report of the governing body. This was because the reports were written at different times. A definitive list agreed by the school and Lewisham, would be included in the consultation documents.
- 3.20 Ms Barber explained that the demographics in the area had changed over many years. Most of the local family homes had been divided into flats. In addition, the local area was an aging parish with very few children coming through requiring school places
- 3.21 Ms Barber said that the school building belongs to the diocese. When investment was made in the building, there had been no intention to close the school and it was considered that the children deserved a decent environment in which to learn. She considered that as a governing body, they would not be doing due diligence if they allowed finances to fall deeper into debt.
- 3.22 Following several questions from Mr Ajayi and Councillor Kelleher the Executive Director for Children and Young People advised that:
- Lewisham have a different school improvement framework from 3 years ago. Although he could not guarantee that there were not similar issues of mismanagement in other Lewisham schools, there was no evidence to

suggest that this was the case. There are much clearer mechanisms for keeping a check on schools.

- There were no concerns about the current leadership at St Mary Magdalen School, or the quality of teaching. None of the concerns associated with the school in the past exist currently and scrutiny of the school continues.
- Consideration was not just given to an Ofsted report. Financial information is also considered and other sources of data, and officers ensure that there is a good balance of support and challenge for each school.

3.23 The Chair clarified that although officers would not know about all issues within schools, the situation with regard to St Mary Magdalen School could not occur again in a Lewisham school because there were robust procedures in place that would prevent this level of mismanagement.

3.24 In a response to a comment from Councillor Millbank about the power of school governing bodies, Mr Coleman said that when he attended a meeting of the governing body, most members assumed that the school had been graded as outstanding by Ofsted. When he told them that this was not true, they had not seen the report but had taken the advice from the Chair of governors who told them they had an outstanding rating. This was how the school operated; the Chair would give the governing body information and it would be received as correct without any evidence. It took a while to convince the board that the rating was not correct and that they had been ranked 'good' by Ofsted.

3.25 In response to a question from Councillor Bernards with regard to the number of first choice places offered, Ms Barber said that for the academic year 2021/22 there were 7 first choice applications to the school, 30 places were available and the school was one form entry.

3.26 Councillor Sorba asked what would happen to staff if the school closes. Ms Barber said, at this stage it could not be assumed that the school would close. However, consideration to close was being considered. There would be support for staff and parents with an open process. Staff would not be directed to a position just as parents would not be directed to a school. However, if the school were advised by the diocese or local authority that a position was available, it would be drawn to the attention of staff members, otherwise a redundancy process would commence.

3.27 Mr Copeman said that there was a dedicated staff member who would be ready to take the lead on behalf of the diocese. Their offices and contacts would be made available for staff to help them find employment within other Catholic schools. This support could not be offered until a decision was made about the future of the school but the diocese would work hard to obtain the best result for a many staff as possible.

3.28 The Chair thanked Ms Barber and Mr Coleman for their contribution to the meeting. He said that members would wait until the conclusion of the consultation process but it had been made clear in the meeting that no one wanted to be in the position whereby the closure of a school was being considered. There were no referrals or comments for Mayor and Cabinet.

RESOLVED that the report be noted.

The meeting ended at 8.03pm.

**Chair**