

## CALL-IN REQUEST FORM

This form must be completed and signed by at least TWO members of any Scrutiny Commission or Scrutiny Committee and MUST be returned to the \*Proper Officer within 3 working days of the decision being published (*not including the day of publication*). Please telephone the Proper Officer to make them aware that the Call-In form is on its way.

*\*Please note that the Proper Officer can be any of the following Senior Democratic Services Officer: Paulina Ford, Tel: 452508 or Democratic Services Manager, Gemma George, Tel 452268. The Call-In Request will only be valid if it has been received in person by any of the above people within the 3 working day deadline. The form may be emailed or hand delivered. If sent in the post you must call the Proper Officer to advise that it has been posted and it will need to be received by the Proper Officer within the 3 working day deadline.*

<b>Decision taker:</b>	Cllr Ayres
<b>Date of publication of decision:</b>	27 <sup>th</sup> January 2020
<b>Title of Decision Called in:</b>	Proposal to open a voluntary aided Roman Catholic primary school – Jan20/CMDN/78
<b>Date Decision Called in:</b>	29 <sup>th</sup> January 2020

	REASONS FOR CALL-IN	Tick which reason applies
1.	Decision contrary to the policy framework?	
2.	Decision contrary or not wholly consistent with the budget?	
3.	Decision is Key but it has not been dealt with in accordance with the Council's Constitution.	
4.	Decision does not follow principles of good decision-making set out in Article 11 of the Council's Constitution.	✓
	If reason 4, please tick which specific element of Article 11 the decision maker has not followed, did he or she not:	
(a)	Realistically consider all alternatives and, where reasonably possible, consider the views of the public.	✓
(b)	Understand and keep to the legal requirements regulating their power to make decisions	
(c)	Take account of all relevant matters, both in general and specific, and ignore any irrelevant matters.	
(d)	Act for a proper purpose and in the interests of the public.	✓
(e)	Keep to the rules relating to local government finance.	
(f)	Follow procedures correctly and be fair.	✓
(g)	Make sure they are properly authorised to make the decisions.	
(h)	Be responsible for their decisions and be prepared to give reasons for them.	

(i)	Take appropriate professional advice from officers.	
<p><b>Detailed Reason(s) for Call-in.</b> <i>Please explain below why one of the reasons for call-in applies (eg. For number 1 - which major policy affected and how/why)</i></p>		
<p>We consider that the decision does not follow principles of good decision making for the following reason.</p>		
<p><b>a) Realistically consider all alternatives and, where reasonably possible, consider the views of the public.</b></p>		
<p>4.1 Appendix 4 says “that there is very strong support for a Roman Catholic school to be opened at Hampton water”. However, we feel that the consultation processes was flawed in a number of ways.</p>		
<ul style="list-style-type: none"> <li>• The statutory guidance from the DfE states that “The decision-maker should not simply take account of the number of people expressing a particular view. Instead, they should give the greatest weight to responses from those stakeholders likely to be most directly affected by a proposal – especially parents of children at the affected school(s).” However, neither consultation has collected any reliable and useful quantitative data on support in Hampton water or the wider city. It would seem reasonable to assume that the Diocese were able to duplicate support from their initial consultation into the Council consultation – with 899 paper applications of “agree/strongly agree” support included in the 1591 paper responses from Catholic parishes and schools (it is not clarified if these were all within Peterborough – Page 4). Only around 14% of respondents to the council’s consultation could be identifiable as coming from the Peterborough area.</li> <li>• Under the DfE’s “Consultation Principles: Guidance” document it states “Give enough information to ensure that those consulted understand the issues and can give informed responses”. Although this is given as advice for proposers the council could have done more to provide factual information to residents. Complaints have been sent to the Director of Education that residents feel they have not received enough information about the options or the consultation process, which was only readdressed recently with a document sent to some residents on the 27<sup>th</sup> January. Even now residents do not understand the admissions/oversubscription policy. The council may have followed the Department for Education process but this does not mean that it is suitable considering the council was in the position to do more to inform residents about this contentious issue.</li> <li>• The guidance also advises government department to “Consider targeting specific groups if appropriate. Ensure they are aware of the consultation and can access it”. This does not appear to have been considered in this case. For people who do not read the Peterborough Telegraph, spend time on the relevant pages of Twitter and Facebook or sign up to the Peterborough e-newsletter (4812 subscribers across the city) there was no effort made to inform residents specifically of the proposal. The Peterborough telegraph has printed a couple of inaccuracies concerning the story in the last few weeks which have confused residents about the situation and the process being followed. The council should have been a source of reliable and unbiased information.</li> </ul>		

- The council would not agree to hold a meeting for Hampton Water residents as requested by them (via Cllr Haynes 28<sup>th</sup> November) as an impartial source of information.
- Residents felt that they were unable to get any support from their local ward Councillors and that what interactions took place they felt suggested a bias towards agreeing with the proposal. Residents feel that this hindered their ability to coordinate an effective and timely campaign to garner the opinion of those living in the area. They only initiated the petition after meeting with Cllr Murphy at a meeting of the National Secular Society on the 28<sup>th</sup> November.
- Many questions concerning the data could not be asked or went unanswered at the scrutiny committee as the consultation data presented was from the Diocese, while the council's own consultation was still on-going. Information that sorted respondents into those living in Hampton water and the city itself against their responses was only presented upon request at the meeting.
- A comment is made on page 9 that parents currently sending children to one of the two RC primaries in the North of the city may bring their children to the RC school in Hampton Water. The fact that only 2 parents attended the two consultations held at the existing schools suggests that there is not a strong desire for parent with children at these two schools to relocate them and the council policy is generally to put parents off moving children between schools due to the destabilising effect on the children (Education and Scrutiny meeting January 2020).
- The Hampton Waters estate is unfinished and there is no way to predict the religious make-up of its future residents or what type of school they would want, other than a good one, as all parents hope for.

#### 4.2 Demand vs need & 4.6 Equal opportunity issues

- In light of the number of pupils needing school places previously exceeding forecasts in the area (Education Organisation Plan) the impact of the school based on the 80/20 faith/distance admissions numbers may end up being an underestimate. If the school changes this to 100% selective faith admissions and becomes over-subscribed this situation could worsen.
- The likelihood of the school becoming oversubscribed is downplayed. There are 40 places elsewhere in the city available for Catholic parents to send their children to if they wish to, but they do not. This suggests that the RC primary that is currently oversubscribed is not over-subscribed due to Catholic parents sending their children there in large numbers (neither existing RC primary school in 2019 had 100% of reception applications coming from Catholic parents). There is a paradox between the apparent demand for a Catholic education which will be satisfied by this school (appendix 4, page 3), while at the same time having plenty of places to accommodate local children (Report to cabinet member, page 6).

#### 4.7 Community integration

- Any school can integrate into a community, it is not an exclusive characteristic of Catholic faith schools. The potential competition created between parents for a limited number of places will have a negative impact on community relations and was a cause for concern in a number of resident's responses during the Council consultation. This is also recognised in the DfE's Equalities Impact Assessment concerning VA schools (point 56).

- In a pamphlet co-authored by Charles Clarke and Linda Woodhead, it was identified through conversations with the Catholic Education Service that “there is a considerable difference between the majority of Church of England schools, which exist to serve the whole local community, and Roman Catholic and many other faith schools which exist primarily to educate the children of parents who share that faith, and to pass on that faith”. The impact on the community of a school rejecting local children on the basis of their parent’s faith and the potential for parents to “play the system” and do all they can to secure their child a place at a convenient school is ignored, although such a thing is obviously difficult to measure. It is simply assumed that the school will be welcomed and able to integrate in a meaningful manner into the community.

#### 4.11 Suitability

- The Council is satisfied that the evidence provided by the RCDEA’s application to the DfE demonstrates that the proposed new school will meet the requirement regarding SMSC education but no information has been given to the scrutiny committee or the public for them to evaluate. There are concerns about the impact of Catholic doctrine on young children, addressed later in this document.

#### 4.8 Travel access

- Sustainable travel routes from the city centre have been identified, but there is no guarantee that these will be used by those coming from outside the area. There is no estimate given on how many parents will use which type of transport based on other RC primary schools where parents may drive from outside traditional “catchment areas” to take their children to school. This does not support the work on the council and its declaration of a “climate emergency”.
- Although there are other schools within 1 mile of Hampton Water the reality is that many parents will chose to drive their children to school for a number of reasons. These will include time constraints with parents needing to get to work after dropping children off at school and the dangers or unpleasant nature of walking very small children along the A15 and all the car fumes from stationary traffic, which will get worse if parents from outside the development place their children in the new school.

#### **f) Follow procedures correctly and be fair.**

The policy on making a decision about faith schools is flawed and allows for the process to be hijacked by national groups on either side of the argument and the data presented does not satisfy the policy points that we were unable to scrutinise properly as we were not questioning the Diocese.

#### *Unmet local demand for additional relevant faith provision.*

- 4.1 Consultation.  
Local demand has not been established via the consultation (for reasons stated above).

Although the council has addressed the mentioning of S106 money, it appears that the arguments have been dismissed rather than considered.

As per the Service Directors report presented to the scrutiny committee in January 2020, it states that that purpose of these contributions from the developer are “to provide the required education infrastructure in order to ensure the effect of the development is mitigated”, rather than dealing with an existing issue elsewhere in the city which is not the purpose of such funding. The reason for the RC school is due to a demand from elsewhere in the city. Other councils in the country have acknowledged that use of this

money for a school with “any restrictions on admission policy will need to be carefully considered” [Leicestershire County Council]. This does not seem to be the case in this decision. Just because it is not a legal right/duty and because it did not stipulate that the primary school could not be a faith school is not a reason to simply accept the first school proposal that is presented if it is not right for the community.

*An established trend where parental preference for places in existing denominational schools exceeds the number of places available and this is forecast to continue in the foreseeable future*

- The over-riding demand in Hampton Water from residents comments is for a school where children can grow up with children of many faiths and none, the largest concern from the residents was the ethos of the RC school itself (appendix 2). With church attendance falling fewer parents are going to choose to send their children to a faith school for the specific ethos rather than for convenience.
- 4.3 Proposed Admission Arrangement  
Based on 2018 and 2019 admissions data there is not an excess of applications from Catholic parents for places in the current RC faith schools to the point where they cannot meet demand (refer to the comment about 40 available places stated (Report to cabinet member, page 6) and no data has been presented about when they may no longer be able to meet these needs based on current trends.

*The potential for denominational provision to alleviate the demand on places in schools in areas of high basic need.*

- Appendix 4 Quality Impact Assessment  
The assessment says “Overall this carries with it a medium level of risk with regard to the future availability of places at the school for local children without faith.”. The level of risk is not quantified or explained.
- 4.2 Demand vs Need & 4.6 Equal opportunity issues  
This criterion leads to a situation where any application for a faith school in any area of need would be viewed positively, which is clear at numerous points in the report and in the final decision that this is “the most cost efficient of the options available to it at this time”. The discussion on whether a faith school, with all the extra controversy it provides, would be able to meet the areas needs was not allowed to be discussed at scrutiny committee. It may be a legitimate part of the educational landscape on paper at the moment, but is it what is best for our children?

Potential confusion in report.

- This document was written for the Cabinet member to aid them in their decision making but it was available publicly on the council website. The text on page 10 refers to a cost to the council of between £5.5 and £7.5m if this school is not built. This is not the case as the DfE funds the school as there is a “basic need”. This is stated in the table on page 9 but may not be clear to those who read it. This report may be the only detailed information Hampton Residents have access to and could be clearer.

Scrutiny meeting – December 2019.

- During the scrutiny committee pre-meeting it was made clear that it was only the decision-making process that could be scrutinised (despite the Council portion of the consultation process still being ongoing and therefore limiting the extent of the scrutiny) and not the appropriateness of a faith school in an area of need. When the report going to the Cabinet

member covers their due regard to “eliminate discrimination” and the need of the school to meet the requirements of the Equality Act 2010, these issues should be up for discussion.

Same sex marriage became law in 2014, yet we will allow children 6 years later to be told that these relationships are not viewed ‘favourably’ by the organisation running their school and the consequences they believe will befall them if they act on their feelings. What if a child from a same-sex relationship ends up placed in the school as the other schools in the area are full? The DfE may allow schools to discriminate and pass on their faith-based opinions on what are now legally recognised marriages and civil partnerships to impressionable young people – but it should be debated if this is what we want for the children of Peterborough. Residents expect it to be debated.

The practice of rotating questions between members during the scrutiny committee meeting rather than allowing them time to respond to an officer’s response (due to the preference of the committee chair to allow everyone the opportunity to speak) meant that answers that were given could not be investigated in depth.

#### **d) Act for a proper purpose and in the interests of the public.**

Acting for a proper purpose is difficult to judge objectively.

My opinion of the consultation meeting in Hampton Vale and subsequent contact and information I have seen from residents living in the development was that many did not understand the workings of a Catholic school in terms of the admissions policy and the extent that Catholic Practices permeate the education on offer.

There is not enough demand for a Catholic primary education that this school will be filled with children of Catholic parents. Yet this school will impose the Catholic ethos on all children sent – many of whom will be sent by their parents simply because of convenience rather than support of the ethos.

It seems discriminatory to tell parents in this development that if they do not want their children to receive a Catholic education, perhaps due to the fact that they are in a same-sex relationship and do not wish for their children to be told that this is wrong and sinful, that they can simply go elsewhere. This seems to be prioritising people of faith over those of none.

The LA may have a statutory duty to secure diversity in the provision of schools and increase parental choice, but this should not mean that any faith school application is immediately accepted. Does Peterborough not provide enough diversity of education, are we under a time constraint from the DfE to increase the number of faith schools in the area?

Increasing parental choice for one group invariably decreases it for someone else. Residents who would refuse to send their children to a Catholic school due to strongly held personal beliefs are being ignored and are not as respected as those with faith, which is discriminatory.

There may not be a legal right to expect your nearest school to be accessible to all, but many in this development bought homes on the basis that a nearby school would be built and in 2020 it might be reasonable to assume that this is a school would not discriminate. They feel that they are being penalised to make way for a minority of parents elsewhere in the city, which makes them angry and resentful.

Throughout the report the benefit of the doubt has been given to the school application and none of the negatives have been given much credit.

Getting children into a good school and fitting this around family responsibilities is hard work. This school will add another hurdle to those parents who cannot or will not inflict a Catholic education on their children, to satisfy an apparent desire for a Catholic school from those elsewhere in the city. This desire only came to light after the proposal was submitted as no evidence of parental requests prior to the application have been presented.

For all the reasons stated above we do not believe that the decision has taken into full consideration the opinion of Hampton Water residents and the impact of a faith school in this area of high need at a time when discrimination is being criminalised in adult society, yet permitted in the lives of our most impressionable members.

	<b>Name (please print)</b>	<b>Signature</b>	<b>Date</b>
1.	Cllr T Haynes	Via email	28/01/2020
2.	Cllr N Sandford	Via email	28/01/2020
3.	Cllr N Day	Via email	28/01/2020

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