



INVESTOR IN PEOPLE



**Al-Furqan Primary School**



Every Child Matters  
Quality Mark Silver

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# **Statutory Proposal by the Interim Executive Board**

## **Al-Furqan Primary School**

*Proposal to Change the category  
from Voluntary Aided to  
Voluntary Controlled.*

## Introduction

Al-Furqan Primary School (AFPS) is an Islamic faith primary school in the Hall Green North ward of the Hall Green district of the City. The designated religious character of the school is Muslim. The school admits up to 90 pupils per year in reception.

## School Information

<b>Type:</b>	Voluntary Aided (VA)		
<b>Name:</b>	Al-Furqan Primary School	<b>DFE:</b>	330 5949
<b>Address:</b>	Reddings Lane, Birmingham B11 3EY		
<b>Ward:</b>	<b>Hall Green North</b>	<b>District:</b>	<b>Hall Green</b>
<b>Age Range:</b>	<b>4 – 11 years</b>	<b>Capacity:</b>	<b>630</b>
<b>Last Ofsted:</b>	<b>8<sup>th</sup> June 2017</b>	<b>Ofsted Rating</b>	<b>2 (good)</b>

## What changes are proposed?

The Interim Executive Board working in full collaboration with the Local Authority (LA) is proposing to carry out the following change to AFPS;

- Change the category of the school from Voluntary Aided (VA) to Voluntary Controlled (VC)

## Why do we want to do this?

In November 2012, Ofsted judged the school to be “inadequate”. An Interim Executive Board (IEB) has been in place at the school since April 2013 in place of the former Governing Board.

(An IEB is a small board appointed for a temporary period, by a Local Authority with the consent of the Secretary of State for Education, to replace the Governing Board and to lead a school that is judged to be in urgent need of improvement.)

When the school was inspected by Ofsted in 2012 (report can be found [here](#)) the inspectors identified the concerns listed below. The IEB has taken action and made significant improvements in all of the listed areas.

- **Leadership and Management** was judged as **Inadequate**. The inspection report said:
  - “The school’s leaders, including governors, have low expectations of what pupils should be achieving and do not have a good enough understanding of how pupils are progressing. They are unaware of weaknesses in teaching, so they are not improving its quality or managing teachers’ performance adequately.
  - Lines of communication with many parents and carers have broken down, leading to high levels of dissatisfaction.”
- **Quality of teaching** and **Achievement of pupils** were both judged **Inadequate**. The inspection report said:
  - “Much of the teaching in Years 1 to 6 is inadequate, which leads to widespread underachievement.
  - Teachers do not expect enough of pupils or give them work that is matched to their abilities.
  - Teachers set homework only sporadically and do not mark books well enough, which does not help pupils know how to improve their work.

- Groups of pupils are taught for long periods by teaching assistants and they do not make enough progress.
  - In some lessons, insufficient resources, especially books, slow pupils' progress."
- **Behaviour and Safety of Pupils** was judged as **Requires Improvement**. The inspection report said:
    - "Some older pupils misbehave when teaching is weak."

In addition, improvements have been made by the IEB in the following areas:

- Safeguarding practice
- Financial management and control

Regular monitoring inspections have been carried out by OFSTED since November 2012, when the school received their judgment of "inadequate". Two subsequent full inspections have been carried out, one in November 2014, when the school was judged to "require improvement", and the second in June 2017, when the school was judged to be "good".

The IEB has been overseeing the strategic direction of the school. Various options have been examined including remaining VA, changing category to VC, and conversion to an Academy.

The IEB believes that a change of the category of the school to VC is the preferred option for AFPS as they continue their improvement journey. During the period since the school achieved 'Good', there has been no evidence that a governing board with a majority of members appointed by the Al-Furqan Education Trust (AFET) would be able to replace the IEB or maintain and continue the improvement journey of the school. The council and a new VC governing board would continue to work closely with AFET, and AFET would appoint two members of the governing board as foundation governors, whose role would include ensuring that the ethos of the school is maintained. The expectations regarding this are also set out in the draft proposed Instrument of Government which is also provided as part of the consultation.

The view of the IEB and Al-Furqan Education Trust at present is that a voluntary aided shadow governing board is not the right option for the school at this time. This may be reconsidered following the outcome of the next stage of consultation. [For more details about this, please see the FAQ document.]

### **What is the difference for AFPS between being a Voluntary Aided (VA) and a Voluntary Controlled (VC) School?**

	<b>Voluntary Aided (VA)</b>	<b>Voluntary Controlled (VC)</b>
Religious character	AFPS School is designated by the Secretary of State as a school having a Muslim religious character.	<b>AFPS would keep its Muslim religious character.</b> Changing from VA to VC would not change the designated religious character of the school or cause it to lose its religious character.
Staff	Appointed and employed by the Governing Board (GB).	Appointed by the Governing Board and employed by the Local Authority.

Governance	<p>The school is currently governed by an Interim Executive Board (IEB). As a VA school, if an IEB is not in place, the majority of Governors for AFPS are appointed by the Al Furqan Educational Trust (AFET)</p>	<p>The new GB would consist of: at least:</p> <ul style="list-style-type: none"> <li>• two parent governors (elected by the parents);</li> <li>• the Headteacher;</li> <li>• one staff governor (elected by the staff);</li> <li>• one local authority governor;</li> <li>• as many co-opted governors as the GB consider necessary;</li> <li>• at least two (but no more than one quarter of the total) foundation governors (appointed by the Trust)</li> </ul>
Finance	<p>The Governing Board receives individual school budget from LA to cover running costs. A VA school has access to grant funding directly from the Department for Education (DfE) to support capital expenditure (this was previously known as Local Authority Co-ordinated Voluntary Aided Programme (LCVAP))</p>	<p>The school receives an annual allocation of Devolved Formula Capital (DFC) to support Capital Expenditure. The Governing Board receives individual school budget from the LA to cover running costs. A VC school has access to School Condition Allocation (SCA) funding for capital works.</p>
<p>Religious Education Curriculum (RE)</p> <p>[See below for more details about the IQA]</p>	<p>At AFPS, RE is currently taught using the LA's agreed syllabus.</p> <p>In VA schools, RE must be taught according to the tenets of the school's designated faith and any provision in the school's trust deed, except that if a parent requests that a pupil is taught RE according to the LA agreed syllabus the GB must make arrangements for this.</p>	<p>RE would remain the same and would be taught using the LA's agreed syllabus.</p> <p>In VC schools, RE must be taught according to the LA agreed syllabus, except that if a parent requests that a pupil is taught RE according to the tenets of the school's designated faith and any provision in the school's trust deed; the foundation governors must arrange such RE teaching for up to two periods per week.</p>
Collective Worship	<p>Collective worship must be in accordance with the tenets and practices of the school's designated faith, and any relevant provisions of the school's trust deed</p>	<p>The same requirements apply to VC schools with a religious character as to VA schools</p>

	There is a school prayer hall (Masjid) that is used by Y2 – Y6 on a daily basis. [In more usual non-Covid times]	The use of the prayer hall (Masjid) would continue.
Admissions	The Governing Board consults on and sets the school's admission criteria. Criteria may be based on faith.	The Local Authority consults on and sets the school's admission criteria for VC schools. Criteria may be based on faith.
Land	AFET hold the land on trust for the purposes of the school but the IEB have control of the land.	AFET trust will continue to hold the land on trust for the purposes of the school but the new governing board will have control of the land.

### **When will these changes happen?**

If the proposal is approved by the decision makers (following full consultation) it is intended that the proposal to change the category of Al-Furqan from Voluntary Aided to Voluntary Controlled will come into effect from **1<sup>st</sup> January 2023**.

### **How will the proposal improve educational standards and increase parental choice?**

If the proposals are approved, a new Governing Board will be formed upon implementation of the change of category of the school to VC. A new VC Governing Board would build on the improvements made by the IEB and will provide stability for the school going forward.

### **Will there be any effect on other schools, academies and educational institutions within the area?**

There will be no effect on other schools, academies and educational institutions in the area. It is a change to the category of the school only. The admission number is not increasing, and the faith character of the school will remain unchanged.

### **What are the project costs for this proposal and how is it funded?**

The only project costs for the proposed change to voluntary controlled category is the cost of the public notice in the Birmingham Post. The notice is posted in the public notice section of the paper on the first day of the statutory consultation. This is a statutory requirement under the school organisation process.

### **How will this affect staff?**

If the proposal to change the category of the school from VA to VC is approved, Birmingham City Council will become the employer of all the staff. The transfer of undertakings (protection of employment) process (TUPE) will be undertaken.

Any changes to existing terms and conditions resulting from the transfer would be in full consultation with the trade unions and teaching associations.

### **How will this affect pupils at the school?**

The pupils should not notice any changes, should the proposal to change to VC be approved. The implementation of the permanent VC Governing Board would further help the school to build on the improvements that the IEB have implemented over the past 8 years.

**Will there be any change to the admissions arrangements?**

Yes, Birmingham City Council (as the Local Authority) will manage and coordinate the admissions at the school.

Birmingham City Council admission arrangements for Voluntary Controlled schools will apply.

**Proposed Oversubscription Criteria for Al-Furqan Primary School as a Voluntary Controlled School.**

If the proposal to change the category of AFPS to VC is approved, where applications for admissions exceed the number of places available, the following criteria (in descending order) will be applied;

Any child with an Education, Health and Care Plan is required to be admitted to the school that is named in the plan. This gives such children overall priority for admission to the named school. This is not an oversubscription criterion.

1. Children who are in the care of the Local Authority (looked after children) or were previously looked after or provided with accommodation by them (e.g. children with foster parents) (Section 22 of the Children Act 1989) and including previously looked after children from outside England.
2. Children with siblings (who will still be attending Al-Furqan on the date the child who is applying is admitted) at Al-Furqan. The Local Authority 'Sibling' definition has been adopted.
3. For all other children of Islamic faith, priority will be given to those children whose parent/guardian is a practising Muslim. This will be confirmed by the parent/carer filling in the Local Authority supplementary information form and relevant sections completed by the Imam of their local Mosque.
4. Children who live closest to the school.

**NB (i):** If there is oversubscription within a category priority will be given to those children living closest to the school. The local authority's 'distance' definition has been adopted. Distances are calculated on the basis of a straight-line measurement between the applicant's home address and the main school gate on Formans Road. The Local Authority uses a computerised system, which measures all distances in metres. Ordnance Survey supplies the co-ordinates that are used to plot an applicant's home address and the address of the school.

**NB(ii)**

- Looked after children of all faiths are given priority in the case of over subscription policy.
- Birmingham City Council (as the admissions authority) does not include criteria regarding children of staff as this would bring a level of inequity into the system and would potentially deprive a local child of a place, giving it instead to the child of a member of staff.

It is important to note that staff members' children who are already on roll at the school would not be affected, and their sibling priority would also remain in place for any siblings seeking

places at the school (with a sibling still in attendance at the school when admission is sought).

**Will there be a change to the Religious Education (RE) at the school?**

No, if the proposal to change the category of the school to VC is approved, the school will continue to teach the agreed Birmingham LA syllabus for RE.

**Will there be a change to the curriculum of the school?**

No, the school will continue to teach the National Curriculum. In addition, the school teaches Islamic, Quranic and Arabic studies (IQA). Arabic is the Modern Foreign Language that is taught at the school. This is in addition to the National Curriculum and the current governing board are clear that this enhances the school.

**What changes will be made to the Governing Board at the School**

Prior to the IEB being established at the school, AFPS had a VA Governing Board. The majority of the members on a VA school's Governing Board were appointed by the Al Furqan Education Trust (AFET)

If the proposal to change the category of the school to VC is approved, the Governing Board will be made up as follows:

- at least two parent governors, elected by the parents
- the Headteacher, unless the Headteacher chooses not to be a governor
- one staff governor, elected by the staff
- one local authority governor, nominated by the local authority and appointed by the board
- at least two (but no more than one quarter of the total) foundation governors, appointed by the AFET.

The board can also appoint as many co-opted governors as they consider necessary. In relation to co-opted governors, there are restrictions on the proportion of governors who, in broad terms, are also staff at the school. When counted together, the Headteacher, staff governor and any co-opted governors who are also members of staff must not exceed a third of the total membership of the governing board.

**Will this definitely happen?**

There is government guidance and a statutory process the IEB must follow to make this type of change to a school. The IEB is consulting in two parts, as follows:

**Part 1: Informal Consultation ('pre-publication' period): Completed.**

Part 1 was completed between Tuesday 25<sup>th</sup> January and Monday 14<sup>th</sup> February 2022. All comments received during the pre-publication period have been considered by the IEB when deciding to continue to part 2.

(Please note: Comments received during part 1 were for the IEB to consider in collaboration with the Local Authority; and are not intended for the final decision maker\*.)

A FAQ document was produced for stakeholders as a result of the comments received during part 1. This is available from the school and the BeHeard consultation webpage (see section: How do I make my views known).

## **Part 2: Formal Consultation ('representation period'): Current.**

The current part is the representation period, a formal consultation (statutory: required by law). A public notice and this proposal document have been published Thursday 16th June 2022 and allows four weeks for anyone to comment in writing (see the section below: "How can I make my views known?").

Representation period is from **Thursday 23<sup>rd</sup> June 2022** until **Thursday 21<sup>st</sup> July 2022** (\*Please note: Only comments received during part 2 will be forwarded to the decision maker for their consideration.)

### **Decision process:**

Following the end of part 2, the formal consultation ('representation period'), a report must be produced and passed to the decision maker to consider. The decision maker for this IEB proposal is the Local Authority (the Cabinet Member for Education, Skills and Culture.) Should the decision maker not reach a decision within two months of the end of the representation period, i.e. by **21<sup>st</sup> September 2022**, the proposal must be passed to the Office of the Schools Adjudicator for a final decision, for which there will be no right of appeal by the IEB or the LA.

It is only after the final decision that we would be able to say with certainty whether the school will change the category to VC with effect from **1<sup>st</sup> January 2023**.

### **What will happen if this proposal is rejected?**

If this proposal is rejected the IEB and LA will need to consider alternatives for the school. This would include the possibility of the conversion of AFPS to an Academy.

### **How can I make my views known during part 2: representation period?**

Comments are welcome from anyone interested in this proposal.

Comments must be received within the four-week period:

- from **Thursday 23<sup>rd</sup> June 2022** until **Thursday 21<sup>st</sup> July 2022**.

Anyone wishing to make comments, support or object to this proposal during part 2, may do so through the BeHeard consultation website:

[www.birminghambeheard.org.uk/people-1/al-furqanpart2](http://www.birminghambeheard.org.uk/people-1/al-furqanpart2)

or in writing to:

Birmingham City Council's School Organisation Team  
Education and Infrastructure  
PO Box 15843  
Birmingham B2 2RT

Or by emailing: [eds.enquiries@birmingham.gov.uk](mailto:eds.enquiries@birmingham.gov.uk)

Please include **Al-Furqan part 2** in the letter/email subject heading.

A consultation response form can be found at the end of this document and can be used if anyone would like to use it to send their comments in writing or by email.

### **What happens next?**

The dates set out below meet the government requirements for the IEB to consult fully with the people affected by the proposal.



**Key dates (subject to change with notice):**

Action	Date
Part 2 - Statutory notice to be published	Thursday 23rd June 2022
Beginning of 4-week consultation period	Thursday 23rd June 2022
End of 4-week consultation period	Thursday 21st July 2022
Final decision to be made no later than	21st September 2022
Changes implemented	1st January 2023

**Parents' Meeting: Tuesday 5<sup>th</sup> July - 6pm – AFPS School Hall**

This is an opportunity for parents of current pupils at the school to hear from the IEB about this part of the process and ask any questions. There will be members of the IEB, senior staff and Birmingham City Council Representatives at the meeting. This meeting is open to all parents of current pupils and does not require any booking.

**Individual Drop-in sessions for Parents:**

If any parents of current pupil(s) at the school would like to speak individually to the IEB, senior school staff and Council representatives about this proposal, please contact the school office to book one of the following sessions (subject to availability).

Date	Time
Tuesday 28 <sup>th</sup> June 2022	9.00 – 9.30am
Friday 1 <sup>st</sup> July 2022	2.30 – 3.00pm
Tuesday 5 <sup>th</sup> July 2022	5.00 – 5.30pm
Friday 8 <sup>th</sup> July 2022	9.00 – 9.30am
Tuesday 12 <sup>th</sup> July 2022	9.00 – 0.30am
Thursday 14 <sup>th</sup> July 2022	4.30 – 5.00pm
Monday 18 <sup>th</sup> July 2022	9.00 – 9.30am
Wednesday 20 <sup>th</sup> July 2022	2.00 – 2.30pm

**Al-Furqan Primary School: Proposal by the IEB to change the category of the school from Voluntary Aided to Voluntary Controlled.**

Thank you for taking the time to send your thoughts on this proposal.

**Part 2 – Statutory Consultation Response Form**

Please help us to analyse your response by completing the following:

**Your name** (optional):

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**Your contact details** (optional, if you would like a reply)

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**Who are you, what type of interested person?** (please indicate one of the below):

Pupil of AFPS	
Parent/Carer of pupils at AFPS	
School Governor of AFPS	
School Staff of AFPS	
Local Resident	
Elected Birmingham Councillor	
Member of Parliament	
Other (please specify e.g. stakeholder of other school, prospective parent/pupil)	

**Are you in favour of the proposal ?** (please circle one answer only)

Please include any **written comments** on the proposal here (continue over the page as required):

Yes	No	Neither/Don't know
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DRAFT - confidential