



Al-Hijrah School

Final Proposal by the Interim Executive Board

Al-Hijrah School

*Proposal to Alter the Age
Range of the school*

Proposal by the Interim Executive Board: 22nd November 2018

An introduction from the Interim Executive Board (IEB)

The informal consultation on the proposal to alter the age range closed on 26th October 2018. The IEB would like to thank all those parents, pupils, staff, governors and other stakeholders who sent us their views and comments.

The IEB has considered all comments received and have agreed to move to the next stage, which is the formal statutory consultation (also known as the representation period).

This final consultation document is an updated version of the draft proposal document. The IEB with the help of the Local Authority has aimed to provide answers to the main topics or questions raised during the informal consultation.

The IEB is now inviting you to make your comments and views known on this final proposal and information on how you can do this is provided within this document. Any views you submit during this formal consultation are forwarded to the decision makers, who for this proposal are the Cabinet Member for Education, Skills and Culture and the Acting Corporate Director for Children and Young People. Comments from the informal consultation stage were for consideration by the IEB only.

If you wish to make your views known to the decision makers it is important that you submit these during this formal consultation period in writing. Please see the section entitled “How can I make my views known?”

School Information

Name:	Al-Hijrah School	DFE:	3304334
Type:	Voluntary Aided		
Faith	Muslim / Islamic	Sex:	Mixed
Address:	Cherrywood Centre, Burbidge Road, Bordesley Green, Birmingham B9 4US		
Ward:	Bordesley and Highgate	District:	Ladywood
Age Range:	4 – 16 years	Capacity:	780 (2 Form Entry).
Last Ofsted:	29 th March 2017	Ofsted Rating	Overall Effectiveness: 4. Inadequate

Recent Background

- In February 2014, Ofsted judged the school to be “inadequate”.
- An IEB has been in place at the school since May 2014. This is a small body appointed for a temporary period, by a Local Authority with the consent of the Secretary of State for Education, to replace the governing body and to lead a school that is judged to be in urgent need of improvement.

- An Ofsted inspection report published on 5th January 2016 found that Al-Hijrah School had made some positive progress. In this report the school received an overall effectiveness rating of “requires improvement”.
- Al-Hijrah School was inspected again by Ofsted in June 2016. Following this inspection, Ofsted judged the school to be “inadequate” for a number of reasons. One of the reasons was the school’s practice of segregation of older pupils by sex. The school challenged Ofsted’s findings.
- Following a further inspection by Ofsted in March 2017 the school received an “inadequate” Ofsted judgement, and was made subject to a Directive Academy Order (DAO issued May 2017). A DAO is a measure introduced by the Government whereby schools judged by Ofsted to be failing are automatically made subject to an Academy Order to allow underperformance to be tackled more swiftly than in a Local Authority maintained system.
- In October 2017, the Court of Appeal judged in favour of Ofsted, in that segregation by sex in co-educational (mixed) schools is contrary to the Equality Act 2010. Following this judgement, the Department for Education published non-statutory guidance on “Gender Separation in Mixed Schools - June 2018”. Segregation by sex will be taken into account in Ofsted school inspections from September 2018.¹
- The Court of Appeal judgement requires Al-Hijrah School to stop its practice of segregation by sex, as it is unlawful and contrary to the Equality Act 2010.

What change is proposed?

The IEB, working with the Local Authority², is proposing to carry out the following change to Al-Hijrah School:

- Alteration to the age range from 4 – 16 years to become 4 – 11 years.

This proposal would result in the school becoming a mixed Islamic primary school for girls and boys aged 4 – 11. The school would no longer have a secondary phase. There would be no segregation of pupils. The school would be permanently relocated to a newly remodelled site at Waverley Road (the former Small Heath School annex, which is 1.8 miles from the current site).

It is intended that, should the above proposal be approved, the primary school would convert to an Academy with an Academy sponsor, determined by the Regional Schools Commissioner.

¹ Ofsted School Inspection Update July 2018 issue 14.

² The Local Authority is assisting the IEB in the production of this document and facilitating the School Organisation process.

Why are the proposed change necessary?

The IEB working with the Local Authority is making this proposal in response to the following serious issues at the school:

- Ofsted's judgement that Al-Hijrah School is "inadequate";
- Unlawful segregation of boys and girls in a mixed school;
- The Directive Academy Order (issued May 2017);
- The condition of the Al-Hijrah School estate, including the temporary primary buildings.

By altering the age range of the school to become 4 - 11 years, the school would become a primary mixed school. The Local Authority is proposing to refurbish and remodel the site at Waverley Road in Small Heath to permanently accommodate the primary school (subject to achieving all relevant approvals). The primary school would convert to an Academy with a sponsor to help the school on its improvement journey to become an outstanding school. The Academy governance arrangements would replace the IEB. The IEB and Local Authority are not proposing to relocate secondary age pupils to the new site as we believe that mixed sex education is not the wish of all secondary pupils and their parents (see Annex A: Analysis of Informal Consultation).

When would this change happen?

It is proposed that the change to the age range would happen for September 2019.

How would the proposal affect pupils and the admission arrangements at the school?

Pupils in current Reception to Year 5: These pupils would move to a fully refurbished, fit-for-purpose school site in September 2019. The proposed new site is within 2 miles of the existing main entrance.

Admission into Reception in 2019 would be at the new site. Until the decision and process for changing the school to an Academy has happened, the school will continue to show as Al-Hijrah School on the common application form. The school will be located at a new site on Waverley Road. Al-Hijrah's current admission arrangements for Reception would apply to the new site.

Applications for Reception Entry September 2019

Round opened: 1st October 2018

Deadline for applications: 15th January 2019

National Offer day for primary places: 16th April 2019

Current Year 6 Boys and Girls: If approved, this proposal would mean that these pupils would not have a place at Al-Hijrah School in September 2019. Parents/families of Year 6 pupils have the opportunity to make an application for a Year 7 place for 2019 to another school through the current admission process. The School Admissions Team at the Local Authority provided additional support to help families get Year 7 applications in on time.

Applications for Year 7 Entry September 2019 closed 31st October 2018
National Offer day for secondary places: 1st March 2019

Parents can still submit applications after 31st October 2018; these late applications will be processed after the offer of places on 1st March 2019.

The School Admission team will continue to support parents who have not yet made an application for a Year 7 place. Families are encouraged to take advantage of this support and make an application for a Year 7 place for September 2019.

Current Year 7 - 9 boys: If approved, this proposal would mean that these pupils would not have a place at Al-Hijrah School in September 2019. The Local Authority would support families to offer pupils a place at an alternative school for September 2019 and would provide additional information and support to families with this process. In Birmingham there are 11 mainstream single-sex secondary schools for boys, 4 of which are grammar schools. Of the non-grammar schools for boys, 2 are Islamic ethos. Parents would be able to apply for a number of schools via a mini-round of admissions in Spring 2019 and from this be offered an alternative school place. Only children who are on roll at Al-Hijrah School will be eligible to take part in the mini-admission round.

Current Year 7 – 9 girls: If approved, this proposal would mean that these pupils would not have a place at Al-Hijrah School in September 2019. The Local Authority would support families to offer pupils a place at an alternative school for September 2019 and would provide additional information and support to families with this process. In Birmingham there are currently 13 single-sex girls' secondary schools (none of which have Islamic ethos), 3 of which are grammar schools. Parents would be able to apply for a number of schools via a mini-round of admissions in Spring 2019 and from this be offered an alternative school place. Only children who are on roll at Al-Hijrah School will be eligible to take part in the mini-admission round. Please see the section below entitled "Update on Girls' Free School".

Current Year 10 boys

To provide additional educational continuity and due to the constraints of the pupils currently studying GCSEs, alternative provision for all 30 boys in Year 10 will be arranged; they will not be part of the mini-round of admissions.

Current Year 10 girls

To provide additional educational continuity and due to the constraints of the pupils current GCSEs, alternative provision for all 30 girls in Year 10 will be arranged; they will not be part of the mini-round of admissions.

In-Year Applications:

Parents and families of **all** pupils can make an in-year application directly to **any** school, at **any** time (this may result in being on the waiting list of that school). If the change of age range is approved and Al-Hijrah School becomes a primary school, it is proposed that pupils will not be admitted to the school in the secondary phase after the decision is published.

Update on Girls' Free School:

The Local Authority is making a separate proposal for a new Islamic single-sex secondary school for girls to open in Birmingham for September 2019. This proposal is made through the governments free school process (Local Authority presumption route).

The free school proposal document was issued on 30th October 2018. The document and the application form for prospective sponsors can be found on the website "Find it in Birmingham". The IEB and the Local Authority will provide all stakeholders with regular updates on the situation of the Girls' free school presumption process.

The timescale for the process is as follows:

Date	Action
30th October 2018	Publication of new school proposal
12 noon on 30th November 2018	Submission date for applications
3rd – 14th December 2018	Assessment and selection of shortlisted proposer
17th – 20th December 2018	Interviews
21st December 2018	Selection of recommended proposer
February 2019	Cabinet approval of preferred proposer
March 2019	Council's preferred proposer and all shortlisted proposals referred to RSC for final decision

Two sites have now been secured for the proposed new Girls' School;**Site One (Temporary)** – Clifton Road, Balsall Heath, Birmingham B12 8NJ.

This is a temporary site that will be remodelled to accommodate the pupils admitted whilst the permanent school site is built. It is anticipated that the school will operate from the temporary site for two years. This temporary site is approximately 1.2 miles from the new primary school site for Al-Hijrah School.

Site Two (Permanent) – Hobmoor Road, Small Heath, Birmingham B10 9HH.

The permanent Girls' School site is approximately 0.8 miles from the new primary school site for Al-Hijrah School. It is 2 miles from the temporary Girls' School site.

Feeder Status of Al-Hijrah to Separate Boys and Girls Schools

During the informal consultation stage many respondents raised the question about Al-Hijrah School becoming a feeder school for the current boys' schools of Islamic ethos (Academies) and the proposed new Girls' School of Islamic faith (Free-School Academy).

Some admission authorities may decide to name a primary school as a feeder school in their admission arrangements. Usually the feeder school will have a higher priority in the oversubscription criteria than applicants applying under distance criteria.

The IEB and the Local Authority are not the admission authorities for Academy Schools (including free schools). The Academy Trusts of these schools are their own admission authorities. The Academy Trusts will decide whether to name Al-Hijrah as a feeder school. This is something that the Trusts will need to propose, consult upon and decide in order to comply with the Schools Admission Code statutory guidance.

How would this affect staff?

The IEB recognises that change can be unsettling and that there may be challenges along the way. It is likely that there may be an impact on staffing levels. Any staff reductions or changes that occur to terms and conditions of employment would be subject to full consultation with the trade unions and teaching associations. The IEB will endeavour to keep staff fully informed.

Will this definitely happen?

There is government guidance and a statutory process the IEB must follow to make these sorts of changes to schools. The IEB is consulting in two parts.

Part one: Informal Consultation: CLOSED

This stage closed on 26th October 2018. A summary of the results of the informal stage can be found in Annex A of this document.

Part two: Formal Consultation (representation period): OPEN

This is the current and formal stage of the consultation (statutory: required by law). The final proposal document is published and allows four weeks for anyone to comment in writing (see the section below: "How can I make my views known").

Decision process:

Within two months of the end of the formal consultation (representation period) a report must be produced and passed to the decision makers to consider. The Local Authority decision makers are: Cabinet Member for Education, Skills and Culture jointly with the Acting Corporate Director for Children and Young People. Should the decision makers not reach a decision within two months of the end of the representation period, the proposal must be passed to the Office of the Schools Adjudicator for a final decision after which there will be no right of appeal by the IEB or the Local Authority.

What would happen if this proposal is rejected?

If this proposal was rejected the IEB would need to consider alternative proposals to address the serious issues at the school. The Court of Appeal judgement requires Al-Hijrah School to cease its practice of segregation by sex, as it is unlawful and contrary to the Equality Act 2010. The school cannot continue to segregate pupils unlawfully. The Directive Academy Order will still remain. The IEB, working closely with the Local Authority, considers that the change being proposed in this document is the best option for pupils, families and staff.

How can I make my views known?

The Local Authority is collecting and collating all comments. The IEB invites all interested parties to submit their views and comments on this final proposal. Only comments received during this formal stage will be shared with the decision makers.

Any comments must be received in writing by 20th December 2018

You can comment online via:

www.birminghambeheard.org.uk/people-1/alhijrahfinal

You can write to the Local Authority at:

- By email: Edsi.enquiries@birmingham.gov.uk
- By letter: School Organisation Team, PO Box 15843, Birmingham B2 2RT

What happens next?

The table below the dates of the informal consultation (closed) and the dates of this formal (statutory) consultation process.

Key dates (subject to change)

Action	Date
Informal Consultation: (1 month)	26 th September to 26 th October 2018 – Now CLOSED
Formal Consultation:	
Statutory notice to be published	22 nd November 2018
Beginning of 4 week period.	22 nd November 2018
End of 4 week period.	20 th December 2018
Final decision: no later than	20 th February 2019
Change implemented (if approved)	1 st September 2019

ANNEX- A: Al-Hijrah – Analysis of Informal Consultation Responses 2018

Summary Table							
Total number of responses							
607*							
Method of Response							
BeHeard			Letter			Email	
277			327			3	
Type of respondent							
Parent	Pupil	Staff	Governor	Local Resident	Trade Union	Other	Not Answered
503/607	29/607	19/607	1/607	16/607	1/607	25/607	13/607
Response Analysis							
	In favour 511/607		Opposed 58/607		Don't Know 29/607		Not Answered 10/607
Parent	454/503		34/503		14/503		2/503
Pupil	18/29		10/29		1/29		0/29
Governor	0/1		0/1		0/1		1/1
Staff	18/19		0/19		1/19		0/19
Local Resident	10/16		2/16		4/16		0/16
Trade Union	0/1		1/1		0/1		0/1
Other	6/25		9/25		9/25		1/25
Not specified	5/13		2/13		0/13		6/13

Comment Key Themes	
Want guarantee that children receive high quality education with Islamic ethos.	390
Would like Al Hijrah Primary to have guaranteed feeder status for single sex Islamic provision for secondary age boys and girls.	387
Want guaranteed single sex Islamic provision for secondary age boys and girls.	371
Want schools in close proximity to primary school (Concerns about the logistics of having to take children to multiple locations)	39
School can stay co –educational/mixed as long as it retains Islamic ethos	41
Concerns for year 10 pupils regarding their GCSE's	16
Would like girls school ready to open for September 2019	12
Concerns about year 6 places (transition to secondary)	8

Analyst notes:

Key themes were greater than 1% of total responses.

2.5% of responses are or may be duplicates.

*NB 28/01/2019: an anomaly means the total responses counted as 608