



**Al-Hijrah School**

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

**Al-Hijrah School**

*Proposal to Alter the Age  
Range of the school*

Proposal by the Interim Executive Board: 26<sup>th</sup> September 2018

## Introduction

Al-Hijrah School is a Voluntary Aided Islamic all through school for girls and boys aged 4 – 16 years. The school is currently based at Cherrywood Centre, Burbidge Road, Bordesley Green, Birmingham B9 4US

## School Information

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

## Recent Background

- In February 2014, Ofsted judged the school to be “inadequate”.
- An Interim Executive Board has been in place at the school since May 2014. An Interim Executive Board (IEB) is a small body appointed for a temporary period, by the 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 5<sup>th</sup> 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, and the case was heard by the Court of Appeal in October 2017.
- In October 2017, the Court of Appeal judged that segregation by sex in co-educational (mixed) schools is contrary to the Equality Act 2010. Following this judgement, the Secretary of State for Education said that mixed schools which segregated by sex should be given time to stop the practice. Segregation by sex will be taken into account in Ofsted school inspections from September 2018<sup>1</sup>
- 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.

<sup>1</sup> Ofsted School Inspection Update July 2018 issue 14.

- 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). 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.

### **What changes are proposed?**

The IEB working with the Local Authority<sup>2</sup> is proposing to carry out the following change to Al-Hijrah School:

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

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

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

### **Why are the proposed changes 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 of “inadequate” and the Directive Academy Order;
- Unlawful segregation of boys and girls in a co-educational school;
- Condition of the Al-Hijrah School estate, including the temporary primary buildings.

By altering the age range of the school to 4 - 11 years, the school would become a primary co-educational school. The Local Authority is proposing to refurbish and remodel the site at Waverley Road in Small Heath to 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.

### **When would these changes happen?**

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

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

## **What would be the effect on existing pupils at the school?**

**Pupils currently in 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.

**Pupils currently in Years 6 to 10:** This proposal would remove the secondary phase of education from Al-Hijrah School. Pupils currently in these year groups would not have a place at Al-Hijrah School in September 2019. In support of this proposal, the Local Authority would provide the following advice and support to parents and families of those pupils:

**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 can choose to make an application for a Year 7 place in any other school through the current admission round. For families that want to do this, the LA will provide additional support to help families get their applications in on time (by 31<sup>st</sup> October 2018).

If families of pupils currently in year 6 choose not to take this action and this proposal is approved, the LA will use all available powers to offer a place at an alternative school in Year 7 Entry for September 2019.

**Current Year 7 - 10 boys:** If approved, this proposal would mean that these pupils would not have a place at Al-Hijrah School in September 2019. The LA would use all available powers to offer 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 single-sex boys' secondary schools and two of these have an Islamic ethos.

**Current Year 7 – 10 girls:** If approved, this proposal would mean that these pupils would not have a place at Al-Hijrah School in September 2019. The LA would use all available powers to offer 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 single-sex girls' secondary schools (without Islamic ethos).

### **Girls Free School:**

The Local Authority is making a separate proposal that a new single-sex secondary school for girls with an Islamic ethos is opened in Birmingham through the free school presumption policy by September 2019. Pupils, families and staff will be kept informed of progress. Secondary aged girls currently at Al-Hijrah would have the option to apply for a place at the new school, if it is established. The LA would provide additional information and support to families with this process.

## **How would this affect admission arrangements at the school?**

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 would 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 opens on 1<sup>st</sup> October 2018:

Deadline for applications 15<sup>th</sup> January 2019:

As there would be no secondary phase of education at Al-Hijrah in September 2019 and although these proposals have not yet been consulted upon or approved, it is important that parents and families of pupils currently in year 6 understand their right to be able to participate in the current admission round for applications into year 7 at other schools. As described in the effects on pupils, the Local Authority will provide additional support to families of year 6 pupils that want to take this opportunity. In Birmingham there are eight single sex boys' secondary schools and two of these have an Islamic ethos. There are ten single-sex girls' secondary schools (without Islamic ethos).

#### Applications for Year 7 Entry September 2019

Round opens 3<sup>rd</sup> September:

Deadline for applications 31<sup>st</sup> October 2018

#### 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).

#### **How would this affect staff?**

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

#### **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 are consulting in two parts.

Part one: Informal Consultation: At this stage we are entering a one month informal consultation during which we want to hear your views on the draft proposal. The informal consultation will start on the 26<sup>th</sup> September 2018 and close on 26<sup>th</sup> October 2018.

Part two: Formal Consultation (representation period): This is the second and formal stage of the consultation (statutory: required by law). A final proposal document is published and allows four weeks for anyone to comment in writing.

#### 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.

### **What would happen if this proposal was 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 changes being proposed in this document are the best option for pupils, families and staff.

### **How can I make my views known?**

The Local Authority is collecting and collating all comments, on behalf of the IEB. The IEB invites all interested parties to give us their views and comments on this draft proposal.

### **Any comments must be received no later than 26<sup>th</sup> October 2018**

You can comment online via:

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

You can write to the Local Authority at:

- By email: [Edsi.enquiries@birmingham.gov.uk](mailto:Edsi.enquiries@birmingham.gov.uk)
- By letter: School organisation Team, PO Box 15843, Birmingham B2 2RT

The IEB, with the Local Authority, will be arranging walk-in sessions at the school for pupils, families, staff and any other stakeholders, to ask questions or raise their views.

### **What happens next?**

The dates set out below show the informal consultation process and statutory school organisation process.

#### Key dates (subject to change)

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