

## **DETERMINATION**

**Case reference:** STP/000535

**Local Authority:** London Borough of Redbridge

**Competition:** To establish a new primary school

**Commissioner:** London Borough of Redbridge

**Proposers:** London Borough of Redbridge  
Al Noor Foundation  
I-Foundation

**Date of decision:** 10 May 2011

### **Determination:**

**Under the powers conferred on us by Schedule 2 of the Education and Inspections Act 2006, we hereby determine that the proposed new primary school in the Barkingside area of the London Borough of Redbridge shall be established by the I-Foundation on 1 September 2012, conditional upon the site being acquired and any relevant planning permission being obtained by 31 December 2011.**

### **Referral**

1. In a letter dated 17 February 2011, the London Borough of Redbridge (the Council) referred to the Office of the Schools Adjudicator (the OSA) a specification for the establishment of a new primary school to be set up in the Barkingside area of the Borough (the School), together with details of three proposals from organisations competing to implement the specification. Since the Council was one of the organisations submitting a proposal, it referred the matter to the Adjudicator as required under Section 10(1)(a)(i) of Schedule 2 to the Education and Inspections Act 2006 (the Act).
2. As the Council had been aware that this matter would have to be determined by the Adjudicator, it had already informed the OSA at an early stage, well before the formal referral, of its intention to refer.

### **Jurisdiction**

3. In an 'invitation to bid' notice issued on 12 August 2010 the Council, acting as the Commissioner, announced its intentions to seek proposals to establish the School. The notice was in the form required by Section 7(3) of the Act. The Council received three proposals within

the prescribed timescale, one submitted by the London Borough of Redbridge (the LEA), one by the Al-Noor Foundation (Al-Noor), a charity committed to supporting and promoting a Muslim faith-based education, and one by the I-Foundation (I-Foundation), a charity committed to supporting and promoting Hindu faith-based education,

4. The Council then published a second statutory notice and a summary of the proposals on 23 December 2010, inviting representations on the proposals. It organised two public meetings to allow presentations of the proposals, and an opportunity for interested parties to ask questions of the proposers and to express their views, as required by The School Organisation (Establishment and Discontinuance of Schools)(England) Regulations 2007, as amended, (the Regulations). These meetings were held on 6 January 2011. The Chief Adjudicator decided to convene a panel of two adjudicators under The Education (References to Adjudicator) Regulations 1999, as amended, to consider this case. Both Adjudicators assigned to this case attended the public meetings as observers.
5. The Council formally referred the matter, including all associated documents and representations to the OSA at the end of the consultation period.
6. We have examined all the documentation provided by the Council and we are satisfied that it is all in the prescribed form, and that prescribed timescales have been met. We are satisfied that we have jurisdiction to determine the referral.

## **Context**

7. The Council has identified a growing need for additional primary school places across the Borough, and particularly in the area known as Barkingside. As part of its response to this demand the Council has enlarged existing schools wherever possible, and also has decided to establish an additional primary school. A site was identified which the Council had hoped to acquire in time to open the new school in September 2011. However, in its original 'invitation to bid' and in the following public notice, it clearly stated that the creation of the new school would be 'conditional' on the acquisition by the Council of the proposed site.
8. Three proposals, including one from the Council itself, were received by the closing date. This determination is based on an assessment of those proposals.
9. We are satisfied having examined the papers provided that the Council took the requisite care to separate those officers and Members who were part of the commissioning process, and those that were acting as proposers.

## **The Specification**

10. The Council produced a specification for the new school to be situated at Carlton Drive, Barkingside, operating from the current site of the Ilford Jewish Primary School (IJPS), which is being vacated by its current occupants. The specification was for an 840 place mixed school (boys and girls) aged between 4 and 11 years with an admission number on the opening date of 120 pupils in four forms of entry (4fe). The school will then grow each September until such time as it reaches full capacity through annual intakes of up to 120 pupils to its Reception class. In addition a further 52 full-time equivalent (fte) places are required to be provided for nursery pupils.
11. The specification also required that the new school should provide a full range of before and after school clubs, services and activities that meet the demands of the local community. This includes activities at weekends and during the school holidays.

## **The Proposals**

12. The Council received three proposals within the specified period that contained the relevant information as specified in the Regulations from:
  - a. The London Borough of Redbridge (the LEA\*);
  - b. The Al Noor Foundation (Al Noor);
  - c. The I-Foundation (I-Foundation).

(\* NOTE: In order to distinguish the Council as Commissioner from it acting as a proposer, we have from this point used the shorthand term 'the LEA' to represent the latter)

## **Procedures**

13. When the Council decided that it would itself make a proposal, it advised the OSA that the matter would be referred to it for decision in accordance with Schedule 2 of the Act.
14. This early notification enabled the OSA to assign, as is normal for Competitions, two adjudicators to consider the proposals. As has already been indicated, both adjudicators attended, as observers, the public meetings held by the Council during the representation period at which the three proposers outlined their proposals to the public, and answered questions about them. Their attendance enabled the Adjudicators to hear directly from the proposers the key features of their proposals, and in a limited way to hear the comments and concerns of members of the public present at the meeting. As these

meetings were mainly taken up with presentations, and the time for questions and comments limited, the Adjudicators held two further meetings on 7 April 2011 in order to allow more time for the views of the public to be made known to them. On the same day the Adjudicators also held an informal 'round table' meeting with representatives of the proposers to discuss some issues of clarification about each proposal. The Council was also represented at the 'round table' as Commissioner.

## **Consideration**

15. In considering the proposals, we referred to the Act and Regulations made under it. We also took account of the Statutory Guidance for Decision Makers issued in 2007 and updated in 2010 to take account of the amended regulations.
16. We concluded that all three sets of proposals met the Council's requirements and were submitted by organisations that were likely to be capable of implementing their proposals effectively, all three having previously established successful schools.
17. We therefore went on to consider each proposal in greater detail alongside the additional information provided by the Council and the proposers both in writing and at meetings, as well as the responses received by the Council to the statutory consultation, taking into account the requirements of the Act, the Regulations and the Statutory Guidance. In reaching a decision we had regard to all the relevant matters including those highlighted under the following headings.

### *Effect on standards and contribution to school improvement*

18. All three proposers have a record of providing good quality education in schools, and we were satisfied that they would all be committed to raising standards in this school if they were to be the successful proposer. All three proposers put a great emphasis on partnership working, both with other local schools and with other agencies within the community, as part of their strategy to raise standards.
19. The LEA already provides good quality education in a large number of schools and has an excellent knowledge of the educational needs of the area. It was clear that if its proposal was to succeed the new school would be closely aligned with other successful Redbridge schools, as part of the largest networked learning community in the country.
20. Al Noor pointed out that the Council's Children and Young People's Plan (CYPP) and '*Redbridge Today 2010*' identified children from Pakistan and Bangladesh, as a major underperforming group. Among its priorities the Council specifies "*to raise attainment in the Foundation Stage and in Key Stages 1 and 2 among lower achieving groups, in*

*particular Black African/Caribbean Pakistani Bangladeshi pupils and those with English as an additional language*". In support of this a view was expressed at one of the public meetings that *'the Muslim community needs opportunities to achieve'*. However, there was some concern expressed at the same meeting about the danger of stereotyping in this way. Al Noor contended that it was committed to raising achievement for this group, and had successful experience of this in its other school. It maintained that it was in a very good position to deal with underperformance if its proposal was successful.

21. I-Foundation had experience in its other school of developing a holistic approach to education in order to raise standards. It cited evidence that its proposed emphasis on healthy eating, yoga, meditation and the arts, as well as a strong multi-faith focus within a clear Hindu ethos and values system would improve all its pupils' and parents' commitment to education and thus raise standards generally. At the public meetings it was suggested that the performance of Hindu children was already above average and the need for a Hindu faith school was not therefore strong. However, there was a similar concern expressed to that of Al-Noor about stereotyping. I-Foundation suggested that even if this was true, it would be a strong starting point on which to build an excellent school for the wider local community.
22. All three proposers gave evidence of their ability to raise standards, with their distinct approach. None of the bids stands out above the others in this regard.

#### *Type of school*

23. All three proposals met fully the requirements of the Council's specification to provide a 4fe mixed school for 840 pupils aged 4-11, with additional nursery provision for 52 fte children aged 3-4 years – a very large primary school by national standards.
24. The LEA proposal is for a Community school, and this has the agreement of the Secretary of State if it was to be the successful proposal. The other two proposals are for Voluntary Aided schools, each to be designated as having a particular religious character, in the case of one proposal a Muslim school and the other a Hindu school.
25. The LEA proposed school would operate alongside the other 37 Community primary schools in Redbridge using standard Council admissions criteria.
26. Al Noor is proposing *'an inclusive community school with a religious ethos'*, and rather unusually for a Voluntary Aided school with a religious character, the proposal is for an 'open' admissions policy with no religious criteria being employed. The school would use only the Council's admissions arrangements. This would mean that applicants

would, essentially, be admitted on distance from the school irrespective of their religious affiliations.

27. I-Foundation's proposal is to prioritise up to 25% of its applicants from practising Hindu families, beyond that essentially places will be allocated on distance irrespective of religious or other adherence.
28. The proposed school is needed in order to meet an acknowledged demand for primary places within the local area. The school will be large, and because of the pressure on school places and the ethnic mix of the locality it is unlikely that any school of this size would fill entirely from the practising members of one religious group living locally. I-Foundation has produced a pragmatic solution to this issue, with a genuine 'community' stance restricting its 'faith' criterion to 25%. Al Noor has been particularly innovative in this direction, although if it was to be the successful bid it is likely that it would achieve the same result as I-Foundation, and admit at least 25% Muslim children simply by the expression of parental preference. Indeed, experience of other Muslim schools elsewhere would suggest that the school might have to work very hard to attract preferences from non-Muslims.
29. As part of our debate we are required to consider how a new school would add to the local mix of schools to ensure that parents have as broad a range as possible to apply to for their children. There are currently 46 maintained primary schools in Redbridge, of which 37 are community schools, and nine have a religious character - two Jewish and seven Christian. Currently none are Muslim or Hindu.

### *School characteristics*

#### i. Size of school

30. All three proposals fully meet the specification for a 4fe mixed school for 840 pupils aged 4-11, with additional nursery provision for 52 fte children.
31. We were of the opinion that two 2fe schools, each with 420 pupils, would have been a better proposal in terms of choice and diversity, but we also recognised the Council's constraints, particularly in finding sites in this very built-up part of London.

#### ii. Proposed admission arrangements

32. The LEA is proposing a Community school operating under the normal Council admission arrangements, using distance as the main deciding criterion.
33. Al Noor, although proposing a VA school with a religious (Muslim) character, is also intending to use in its entirety the Council admission

arrangements, having no criterion relating to membership or practice of its faith.

34. The I-Foundation proposal is more conventional for a VA school in having a religious criterion that would prioritise applicants on their practice of the Hindu faith, demonstrated by a letter from the appropriate Temple authority. However, it would restrict this to 25% beyond which distance would operate irrespective of the applicant's religious adherence (if any). It has not yet specified how the 25% would be selected if the Hindu constituency was oversubscribed.

iii. Curriculum

35. All three proposals confirm that they are committed to providing a broad and rich curriculum that will extend beyond individual classrooms and into the local community.

36. The LEA proposal puts a particular emphasis on Information Technology, and the strong networked learning community within Redbridge. We have however been assured by the Council that this network would be available to the school whichever organisation was the successful bidder.

37. Al Noor places a high emphasis on the Green Curriculum, and also on the enrichment that will come from it being, if possible, a Teaching School – a hub for teacher training in the locality. Al Noor has already had discussions about this with the Cass School of Education at the University of East London. Concerns were raised at the public meetings about the effect of the implications for the curriculum of a Muslim school on the teaching of art and music. Both Al Noor and the other two proposers affirmed that they would be required to work within the national curriculum, which includes requirements for art and music.

38. The I-Foundation puts a great emphasis on sensitivity to all living things and to the environment, to other religions and cultures and to society in general, particularly within the local area. We noted that several respondents told us that *“Hinduism is not a religion, it is a way of life”*.

iv. Extended school issues

39. All three proposals meet the promoter's specification to *‘provide a full range of before and after school clubs, services and activities that meet the needs of the local community. This also includes activities at the weekends and during the school holidays that serve the needs of the community’*.

40. The LEA adds to this list the word ‘childcare’, which although implicit in the specification, is important to emphasise.

41. Al Noor clearly explains that it will put these services in place *'in concert with all schools'*. Again, this is implicit in the specification, but important for it to emphasise. It also emphasises its wish to provide activities *'outside normal school hours'*, and that it *proposes 'pre and after school childcare for 48 weeks of the year'*.
42. The I-Foundation proposal makes particular emphasis of its proposals not just to serve, but to *'reach out'* to the community, making particular mention of senior citizens' involvement in the school. It also explains how it will be sensitive to other services within its area and will take care not to duplicate nor compete with services that are already established.
- v. Equal opportunities
43. All three proposals, as would be expected, commit fully to equal opportunities.
44. The LEA has a history of placing equal opportunities at the forefront of its work, and commits in its proposal to promote equality in any new school.
45. Al Noor's proposal is for a school that has an *'Islamic ethos, but catering for children from all backgrounds'* and *'welcoming those from all faiths and none'*. Its proposal for an open admissions policy is part of that commitment.
46. The I-Foundation particularly emphasises its wish to *'close the digital divide'*, which it sees as an equalities issue, before children get to secondary school, and makes some interesting proposals on how it intends to do it.

vi. General

47. From our reading, and in discussion with the representatives of the proposers we came to the conclusion that whichever proposal was to be successful, the biggest difference would be in the overarching ethos which would be brought about by the type of school it was set up to be.
48. In the case of the LEA this related to its emphasis on a network of local schools *'within the local authority family'* which would promote inclusion for all for the general well-being of the community of the Borough. At the public meeting the LEA bid was described by one person as *'the only all-inclusive proposal'*, and certainly there is strength in the LEA's determination that this should be a local school for local children, and relating to the local community. Parents can get involved in their children's education more easily if they both live and go to school in the local community. However, even an LEA school of this size, with other



schools nearby, is unlikely to cater only for pupils within close proximity.

49. In the case of the two 'faith' proposals, although there is a similar commitment to the local community, there would clearly be differences brought about by their religious foci.
50. We recognise that the Al Noor proposal, in opening its admissions criteria to the whole community, is endeavouring to become (as it says itself) '*a community school*' with a religious (Muslim) ethos which will be of particular interest to many of the Borough's residents who, whether they are practising Muslims or not, see the religious ethos of a school as being important. We have evidence of this in responses to the consultation. However, it makes clear that the '*senior leadership and teaching staff will be of the faith*' and that '*the staff will be expected to abide by the code [which] will reflect the Islamic ethos of the school*'. The school will celebrate Muslim festivals, '*share the happiness*' of members of other faiths during their festivals, and ensure that children all learn about faiths other than their own. It was however made clear to us by Al-Noor that its main aim was to enhance the educational opportunities of Muslim children.
51. The I-Foundation proposal is perhaps more focused on religious tenets and draws heavily on its scriptures as a basis of Hindu teaching and lifestyle. The Hindu faith teaches that no community should be an isolated part of society. Its aim to admit 75% of applicants on the basis of distance from the school, and to prioritise only 25% of its applicants on their membership of their religion is also a testament to these 'community school' principles. Furthermore, all staff, including the senior staff, will be '*of any faith, but the best we can get*'. It is expected that all staff will undertake staff development on Hindu principles.
52. All three proposals are strong on their wish to involve parents in all aspects of the school's work.
53. At the public meetings, and in the written responses that followed them, the issue of the provision of food was raised. Some people wondered whether a wholly vegetarian diet, as proposed by the I-Foundation, was appropriate for all children. The issue of Halal meat being served in a Muslim school was not raised, and we do so here only out of concern for a balanced consideration of all aspects of proposals. In view of the promises of inclusivity that all the proposers have made, we have confirmed with them all that children would still be able to exercise choice over whether or not to eat school food, or bring their own food if preferred.

#### *Need for places – parental demand and diversity of places*

54. The Council is experiencing a sustained demand for primary school places within the Borough, with a shortfall of 10.5 fe (315 places) in

Year R in September 2011. There has been a 37% increase in live births within the Borough between 2001 and 2009, and the greatest absolute increase in any London borough during the last two years has been in Redbridge. A range of measures have been put in place to meet this demand, which is judged by live birth data to be ongoing for the foreseeable future.

55. This proposal relies on the IJPS site being available.
56. Redbridge is a growing, and very ethnically diverse Borough. Using the 2001 Census data, the second largest religious group in the Borough after Christian (50.7%) is Muslim, at 11.9%, followed by Hindu at 7.8%
57. However, although the 2001 Census identifies the Muslim community as numbering almost 50% more than the Hindu community across the Borough as a whole, in Barkingside and the five wards closest to it which are likely to provide the majority of children attending the school, our own figures using the census data suggest that the percentages are more similar, having 10.1% Hindu and 8.8% Muslim residents within them.
58. There is clear evidence from the representations made to the Council, and to Adjudicators, all of which we have read, that there is a strong view from both the Muslim and the Hindu communities locally that a school with an ethos that related clearly to their faiths would be welcomed.
59. We have already recorded that of the 46 maintained primary schools within the Borough, 37 are community schools. Of the nine schools with a religious character, seven are Christian and two Jewish. It is clear therefore that both the Muslim and the Hindu communities have a good case to make for the provision of a new school in this area.
60. Whilst there is a clear need expressed within the Borough for a school with a faith-based ethos, we have already argued that the proposed admission arrangements mean the school would not necessarily be uniformly filled with children of that faith. We therefore needed to be assured by the proposers that the needs of children of other faiths or none would be respected and their festivals celebrated. We were so assured.

#### *Impacts on the Community and Travel*

61. All three proposers commit to putting a Sustainable Travel Plan in place if they are the successful bidder. However, as a very large school with other primary schools relatively close, it is likely to need to draw many of its students from a fair distance, and beyond walking distance, in order to fill.

62. The LEA has good experience of putting such plans in place in other local schools and has the advantage of being the planning authority with a good knowledge of local issues and ways to solve them, particularly through the intervention of elected Members. As its proposed admission arrangements are designed, like all other Community schools in Redbridge, to serve local people wherever possible, such a plan has the potential to be robust and effective.
63. Al Noor also proposes admission arrangements that focus on local children where possible, and because of its potential size the same issues will apply. However, if this bid is successful it might well be expected to draw a significant number of applicants from the Muslim community across the Borough and more widely, even though it will be using exactly the same admissions arrangements as the LEA. Al Noor has also committed to examining staggered entry and exit in order to reduce pressure within the school's locality at either end of the school day.
64. I-Foundation has thought innovatively about travel and congestion around the school and has already produced a draft travel plan to deal with the issues that it perceives. Its proposed admission arrangements for 25% applicants from Hindu families to be prioritised also has the potential for children attending the school from a wide area, with the inevitable problems of traffic that will be associated with it.
65. Whichever proposer is successful, because of the proposed size of the school, there will be major issues of congestion at either end of the school day and travel to and from the site. The proposed school is significantly bigger than the one currently on the site. We are pleased to see that all three proposers have recognised these issues and have thoughts on how to deal with them (for example Al Noor's proposal for a drop-off zone away from the school and supervised walking routes). Whichever proposer is successful, because all wish to emphasise the 'community' aspects of their school, the issues are likely to be similar.

#### *Early Years provision*

66. All three proposers commit to meeting the specification for a 52 ft<sup>2</sup> place nursery in full, and recognise the need. As we have already reported, all three proposals confirm that this will be delivered in consultation with other providers in the Borough.

#### *Funding and Land*

67. The Council is in the process of acquiring the current site of the IJPS through negotiation with the current owners, which currently has buildings sufficient to house a three-form entry school, although at the time of writing this report this negotiation had not yet been completed successfully.

68. At its meeting on 21 June 2010 the Council's Cabinet allocated £2.75m to meet the cost of creating facilities for an additional form of entry to bring the school up to its proposed 4fe size. The Council does not propose to make available additional resources for extended school provision.
69. We are satisfied that all three proposers therefore have the funding available, if they were to be successful, and also the skills required to establish a new, school.
70. The LEA has a long history of provision of new schools, and although more limited, both Al Noor and I-Foundation also have provided new schools. Both Al Noor and I-Foundation have satisfied us that they have within their organisations, and their Trustees, the expertise, skills and knowledge to produce any relevant capital sums to meet the requirements of a Voluntary Aided school.

#### *Special Educational Needs*

71. All three proposers are aware of the requirements placed upon them to deal effectively with Special Educational Needs and have confirmed their compliance with any such requirement.

#### *Views of Interested Parties*

72. We have been impressed with the level of interest in this proposal within the Borough. As we have already reported, we have examined the paperwork related to the Statutory Consultation carried out by the Council and reported to its Cabinet on 21 June 2010, and we have read all subsequent representations.
73. At the invitation of the Council we attended two public meetings on 6 January 2011 as observers. At these meetings there were in excess of 1000 members of the public who listened to the three proposers making their presentations. There were some questions and comments from the audiences, but time for these was limited.
74. On 7 April 2011 we held an informal meeting with representatives of the three proposers to clarify some understandings of things we had read or had been told, and followed this with two more public meetings, attended by in excess of 800 people. These meetings were arranged to give as much time as possible for comments to be made on the proposals by members of the audience (over two hours in total), all of which were noted. We followed these meetings with a further period during which anybody who had not been, or felt, able to comment could write to us. We subsequently received 127 additional representations within this period, and one new petition containing in excess of 220 names. Again, we did not make our decision until we had considered all such comments.

75. Our view was that there was clear support for each of the proposals. In excess of 99% of respondents to the original consultation considered that a new school should be opened on the IJPS site. Of those who responded to the specific question, over 90% (of in excess of 16,000 responses overall) considered that it should be Voluntary Aided School, 68% in favour of a Hindu school and 27% a Muslim school. A further 2.4% expressed the view that the new school should be joint Hindu/Sikh. Interestingly, support for a Hindu faith based school was greater by more than a thousand respondents to those who had identified themselves as Hindu, whilst support for a Muslim school was fewer by approximately 300 respondents who had identified themselves as Muslim. Representations since the original consultation have however been more balanced. We have therefore concluded that there is overwhelming support for a Voluntary Aided school, preferably Hindu, in the locality.

#### *Date of establishment*

76. The proposal was for any new school to be opened on the IJPS site on 1 September 2011, on the assumption that negotiations could be completed for the acquisition of the site well in advance of that date. We noted that in the original 'invitation to bid' and in both public notices relating to the establishment of the school, that the proposed date of 1 September 2011 was 'conditional' upon the acquisition by the Council of the site. We also recognised that once acquired, the planning permission process would also need time to be completed. At the time of writing this determination those negotiations have not been completed and an implementation date of 1 September 2011 would seem difficult to achieve.

77. In view of this, and the certain knowledge that the Council has put contingency plans in place for September 2011 on the assumption that implementation may need to be deferred, we wrote to all three proposers on 7 March 2011 to ask them whether a deferral to 1 September 2012 would cause them a problem. Both the LEA and I-Foundation said that they had no objection.

78. Al Noor was unhappy about the deferral and the contingency proposals which would put strains on local families and disadvantage a whole year group. This concern was also repeated at the public meeting on 7 April, and in correspondence. It put forward two options whereby the school could open on 1 September 2011, should the negotiations not be completed in time for the full proposal to be implemented. The first and preferred option was for the Council to lease part of the IJPS buildings in favour of the successful proposer, so that the school could open with the first 4fe Reception Year. The second possibility would be to lease and convert the White Hart public house site nearby for 4 temporary classrooms. Either way, the new school could develop on the IJPS site as negotiations and building work progressed.

79. We have considered these options suggested by Al Noor but are of the view that, even if one or other could be achieved legally, this would be disruptive for children and not an appropriate way to start what we hope will ultimately become a flagship school. Unless the full acquisition and planning processes were completed before the new school was opened, albeit in temporary accommodation, there would be no guarantee that the full proposal would be able to be delivered.

## **Conclusion**

80. This competition has elicited three high quality proposals and we are satisfied that any one of the promoters would be capable of supporting the creation of a new primary school for the London Borough of Redbridge.

81. We are however required to identify the strongest of the proposals to go forward and establish the School.

82. We have concluded that there is little to choose between the three proposals on educational grounds. All three proposals fully meet the Council's specification and they have all provided us with evidence of their commitment to deliver extended services, to work collaboratively with other local schools for the benefit of the whole local community and to raise standards. They are of course all slightly different in their interpretation of the specification, but each bid has its merits under each category that we have considered.

83. We therefore need to consider particularly the differences between the three proposals and their strengths in terms of ethos, choice and diversity. We are confident that to do so is in response to evidence from the local community at all stages of the process that these are their prime concerns.

84. The LEA proposal is for a Community school. There are already 37 Community primary schools in Redbridge and many more accessible to the residents of the Borough across its boundary. We are confident therefore that the needs of parents who want a community school for their children are already well catered for.

85. We have concluded that our decision must be between the two Voluntary Aided proposals. Both are strong proposals and in different ways both Al Noor and I-Foundation can demonstrate a significant need in the area for either Muslim or Hindu school places.

86. We were impressed by Al Noor's proposal to have admission arrangements that have no religious faith criteria within them and we commend them for this brave move. However, because of the very clear ethos of the proposed school and the large number of Muslim families in the area we concluded, as they will have done, that they

would in practice attract large numbers of Muslim families to apply for places. As the leadership and teaching staff will all be committed practising Muslims, members of other faith communities might well choose other schools.

87. We therefore believe that although the I-Foundation proposal could at first glance seem to be more 'restrictive', its proposed admission arrangements could in fact lead to a wider range of pupils being admitted.
88. We have considered carefully the arguments made to us that the Muslim community has historically identified the need for Muslim faith schools in Redbridge, and provided them from their own resources, and that this commitment should now be recognised by the provision of a state funded school. Although we understand the logic of this argument, there was equal strength in the argument of the Hindu community that their 'community' commitment was displayed by their determination to wait for the chance to bid for a school within the family of maintained schools.
89. We also considered carefully the points that were made to us about the educational underperformance of some parts of the Muslim community, but also noted the comments made about stereotyping. We concluded that where underperformance exists (and this of course is not just within the Muslim community) it is a problem for each and every school. We were not convinced that a Muslim faith school *per se* would be in any better position to deal with this as any other good school.
90. We therefore considered again the availability of places and the choice and diversity of existing provision. Neither the Muslim nor the Hindu community have their own maintained faith school in the Borough. Across London as a whole, the Muslim community does have one other Voluntary Aided primary school in North London (albeit a long way from Redbridge), and four altogether across London (six primary and five secondary nationally). The Hindu community currently has only one Voluntary Aided primary school nationally, and that is in outer London.
91. It also seemed to us that an I-Foundation school would, even with the reserved 25% of places for practising Hindu applicants, provide a more inclusive education than that of Al-Noor, as it would (as one respondent put it) "*validate the recitation of any of God's names*". This is particularly important for a school of this proposed size in such a culturally, and religiously, mixed area.
92. We also took note of the strength of support for a Hindu school during the whole of this process, and that a large part of that support seemed to come from parts of the community that does not identify itself as Hindu.

93. We have therefore concluded, from the evidence available to us, that the strongest proposal on balance overall is that of I-Foundation as it is the proposal that is most likely to enhance the options available to parents and children in the wider area.

94. Finally, we have concluded that the date of establishment of the new school should be from 1 September 2012, and not 2011 as originally proposed. Having come to this conclusion we have also noted that the DfE Decision Makers Guidance (paragraph 76) states that '*proposals dependent on the acquisition of a new site...may not receive full approval but should be approved conditionally upon the acquisition of a site*', and consequently we need to make site acquisition by a particular date a condition of the approval. Also, as the proposers will be under a statutory duty to implement the proposals in the form they have been approved, we also need to add as a condition a date by which planning permission should be obtained. We are therefore making our approval conditional on both site and planning permission being obtained by 31 December 2011.

### **Determination**

Under the powers conferred on us by Schedule 2 of the Education and Inspections Act 2006, we hereby determine that the proposed new primary school in the Barkingside area of the London Borough of Redbridge shall be established by the I-Foundation on 1 September 2012, conditional upon the site being acquired and any relevant planning permission being obtained by 31 December 2011.

Signed:

Signed:

Adjudicator: Dr Ian Craig

Adjudicator: Dr Stephen Venner

Dated: 10 May 2011

Dated: 10 May 2011