

REPORT FOR DECISION



DECISION OF:	CABINET
DATE:	WEDNESDAY 12 APRIL 2017
SUBJECT:	DISESTABLISHMENT OF SIXTH FORM PROVISION AT ST MONICA'S RC HIGH SCHOOL
REPORT FROM:	COUNCILLOR SHARON BRIGGS CABINET MEMBER (CHILDREN AND FAMILIES)
CONTACT OFFICER:	PAUL COOKE STRATEGIC LEAD (SCHOOLS, ACADEMIES AND COLLEGES)
TYPE OF DECISION:	EXECUTIVE KEY DECISION
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain
SUMMARY:	<p>On 27 February 2017, the Governing Body of St Monica's RC High school published a notice of a proposal of its intention to close its sixth form provision, thus reducing its age range of the school from 11-18 to 11-16.</p> <p>The notice sets out arrangements for those affected by the proposal to make their views known. The closing date for receipt of comments was 27 March 2017.</p> <p>If approved, the proposal will be implemented with effect from 31 August 2017.</p> <p>In accordance with the Education and Inspections Act 2006 (as amended by the Education Act 2011), and associated Prescribed Alterations Regulations, the Local Authority has responsibility for determining the proposal.</p>

Scrutiny Interest:	
---------------------------	--

TRACKING/PROCESS

DIRECTOR:

Chief Executive/ Strategic Leadership Team	Cabinet Member/Chair	Ward Members	Partners
Scrutiny Committee	Cabinet/Committee	Council	

1.0 Background

- 1.1 On 27 February 2017, the Governing Body of St Monica's RC High School published a notice of a proposal of its intention to close its sixth form provision, thus reducing its age range from 11-18 to 11-16.
- 1.2 If approved, the proposal will be implemented with effect from 31 August 2017.
- 1.3 The sixth form provision at St Monica's was established in September 2011, through the creation of a new, purpose built Applied Learning Centre to deliver post 16 provision for up to 250 learners. This was predominantly funded by a grant from the former Learning and Skills Council, with the remainder being funded by the Governing Body.
- 1.4 At the point of establishment, the design capacity of the provision at 250 places, was above the average school based sixth form of 200 students. Evidence at the time published by the Department for Education (DfE) indicated that sixth forms below 200 places would struggle to deliver a broad and balanced curriculum.
- 1.5 Since establishment of the provision there have been significant changes to post 16 funding, placing further pressures on schools, particularly those with smaller sixth forms.
- 1.6 The provision at St Monica's has failed to recruit strongly and, consequently it has been operating significantly below capacity. Intakes in each year since the provision was established are set out below.

Academic Year	Year 12 Admission Numbers
2011-12	62
2012-13	37
2013-14	47
2014-15	58
2015-16	47

2016-17	27
---------	----

- 1.7 Based upon current and projected numbers, the school is of the opinion that the sixth form provision is not financially sustainable.
- 1.8 The Governing Body held informal consultation with all relevant stakeholders during January 2017 about its intention to close the sixth form provision.
- 1.9 On the 27 February 2017 the Governing Body published a statutory notice of its intention to close the sixth form with effect from August 2017.
- 1.10 The representations received in to the notice, and the Governing Body response will be set out in an appendix to this report, to be tabled at the Cabinet meeting.

2.0 Process

- 2.1 The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, and associated statutory guidance, sets out the process to be followed in relation to changes to school organisation, and the factors that must be considered by decision makers.
- 2.2 In respect of changes involving a Voluntary Aided school, it is for the Governing Body of the school involved to develop its proposal, and to consult on that proposal. Thereafter, it is for the local authority to consider the proposal and to determine if it should be approved. If it is unable to do so, the LA must refer the proposal to the Schools Adjudicator for decision.
- 2.3 Upon publication of a statutory notice setting out the proposal, representations can be made to the Governing Body by any person within a four week period.
- 2.4 The statutory guidance states that the local authority as decision-maker will need to be satisfied that the appropriate, fair and open consultation has been carried out, and that the proposer has given full consideration to all the responses received.
- 2.5 The decision-maker must consider the views of those affected by a proposal or who have an interest in it and should not simply take account of the numbers of people expressing a particular view. Instead, they should give the greatest weight to responses from those stakeholders likely to be most directly affected by a proposal – especially parents of children at the affected school.

3.0 Implications

- 3.1 In its proposal, and subsequent response to representations made during the consultation period, the Governing Body has set out the arrangements it intends to make for students attending the sixth form, and for those that would have otherwise attended if the provision was to remain, and its response to the representations made.
- 3.2 Following the announcement of its intended closure, no applications have been received for possible entry into the sixth form in September 2017. Current Year 13 and 14 students will complete their qualifications in August 2017 and

move on to university, further education, apprenticeships or employment. The majority of current Year 12 students are expected to complete the academic year with the necessary credits to enable them to continue their studies at an appropriate college/destination.

- 3.3 The school has worked extensively with all of its students in order to identify reasonable options for those students who intend to continue in full time education in the 2017/18 academic year. Particular attention has been paid to the options for a number of students with special educational needs to ensure that they would have appropriate support in making the transition from St Monica's to another college/alternative provision.
- 3.4 The closure of the sixth form will have no direct effect on pupils in Years 7 to 11, with a full range of options for continuing study being available at a number of other colleges most notably Holy Cross College and Bury College.
- 3.5 The Governing Body has expressed their intention to utilise the sixth form building to accommodate the needs of the school, although any proposal to increase the capacity of the school for pupils ages 11-16 would need to be subject to separate consultation.
- 3.6 There are no financial implications to the Council of the decision to disestablish the 6th Form provision. The Governing Body has confirmed that no financial penalties would apply in respect of the grant funding provided to establish the provision.
- 3.7 The School receives funding through the Dedicated School Grant in respect of the students on roll in the 6th Form. However, given the very low levels of recruitment, this funding is insufficient to meet the full costs of delivering a broad and balanced curriculum and consequently, the 6th form places demands on the mainstream school budget. Whilst the DSG to the school will reduce with the removal of the 6th Form, the overall effect will be to enable the school to make more effective use of resources.
- 3.8 If the proposal is determined, it will impact on staff employed in the sixth form. In accordance with agreed school procedures, formal consultation has been undertaken with staff and Trade Unions.

4.0 Conclusion

- 4.1 In considering proposals, the Local Authority as decision maker must now decide to either reject the proposal; approve the proposal without modification; approve the proposal with modifications, having consulted the governing body (as proposer); or approve the proposal – with or without modification – subject to certain conditions being met.
- 4.2 The case set out by the Governing Body in its proposal satisfies the requirements set out in the statutory guidance. Adequate arrangements have been made for displaced students, and in that respect there appears to be no reason for the Local Authority to reject the proposal.
- 4.3 Cabinet is therefore requested to approve the proposal as published.

List of Background Papers:-

Prescribed Alteration Statutory Proposal

Consultation document

Making 'prescribed alterations' to maintained schools - Statutory guidance for proposers and decision-makers, DfE April 2016

Guidance for Decision Makers, DfE April 2016

Contact Details:-

Paul Cooke – Strategic Lead (Schools, Academies and Colleges)

0161 253 5674

p.cooke@bury.gov.uk