

Report to the Cabinet

Meeting to be held on Thursday, 8 March 2018

Report of the Head of Learning and Skills Service

Part I

Electoral Divisions affected:
Fylde East; Fylde South; Fylde West; Lytham; Preston Central East; Preston East; Preston South East; St Annes North; St Annes South; and Wyre Rural Central

The Future of Carr Hill High School and Sixth Form Centre's Post 16 Provision (Appendices 'A' to 'D' refer)

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Executive Summary

On 7 December 2017, Cabinet agreed to a statutory notice being published to begin a representation period on the future of the post 16 provision currently delivered by Carr Hill High School and Sixth Form Centre. A statutory proposal document was published in relation to the school discontinuing its post 16 sixth form provision by permanently lowering its age range from 11-18 years to 11-16 years, with effect from 31 August 2019. The representation period took place from 18 December 2017 to 2 February 2018.

As part of the statutory process, a decision should now be taken about the proposal and this will be done by Lancashire County Council, who is the decision maker. If the Authority does not make a decision within two months from the end of the consultation period, the proposal and any representations about the proposal must be passed to the schools adjudicator for a decision.

This is deemed to be a Key Decision and the provisions of Standing Order No. 25 have been complied with.

Recommendation

The Cabinet is recommended to:

- (i) Consider the information in this report.

- (ii) Approve the proposal as detailed in the statutory notice to discontinue the post 16 sixth form provision at Carr Hill High School and Sixth Form Centre by permanently lowering its age range from 11-18 years to 11-16 years, with effect from 31 August 2019.
- (iii) Approve that an appropriate statutory decision letter be sent out, as specified under legal requirements, to give the reasons for the decision to those who are to be informed of them.

Background and Advice

Following the publication of the statutory notice on 18 December 2017 and the ensuing representation period, which ran from 18 December 2017 to 2 February 2018, the local authority is now at stage 3 of the statutory process, as defined by The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, and this is set out in the table below:

Stage	Description	Timescale
Stage 1	Publication of Statutory Notice and Proposal	18 December 2017
Stage 2	Representation (formal consultation)	18 December 2017 to 2 February 2018
Stage 3	Decision	March 2018
Stage 4	Implementation	31 August 2019

The statutory notice, accompanying proposal, factors for consideration and the Equality Analysis can be found at Appendices 'A' to 'D'.

Factors Relevant to all Types of Proposal

The Department for Education's (DfE) statutory guidance for decision-makers deciding prescribed alteration and establishment and discontinuance proposals, published in April 2016, sets out a number of factors which must be taken into consideration for all types of proposal. These factors, and supporting comments, are set out in Appendix 'C'.

Conclusions

As can be seen from Appendix 'C', only three responses were received during the consultation period, highlighting some concerns around the impact of permanently lowering the age range at the school, from 11-18 years to 11-16 years. These relate to accessing alternative providers; the potential increase in the cohort, linked to housing developments in the area; the impact on 11-16 year old pupil numbers; the timing of the consultation announcement; whether a financial solution can be found; and what will happen to the space currently used by the sixth form. Further detail on these issues is set out in Appendix 'C'.

The DfE's statutory guidance, Making 'Prescribed Alterations' to Maintained Schools, sets out the following guidelines which should be considered for proposals to open new sixth form provision:

- School to be rated as Good or Outstanding by OfSTED.
- The quality of pre-16 education must be good or outstanding.
- The proposed sixth form will provide places for a minimum of 200 students.
- The proposed sixth form will, either directly or through partnership, offer a minimum of 15 A level subjects.
- There is a clear demand for the new sixth form (including evidence of a shortage of post 16 places and a consideration of the quality of L3 provision in the area).
- The proposed sixth form is financially viable (there is evidence of financial resilience should student numbers fall and the proposal will not impact negatively on 11-16 education or cross-subsidisation of funding).

As can be seen from the information provided, the school would not meet a number of the current criteria for adding a sixth form, as the DfE has strengthened the requirements. The school's current provision is significantly different from these requirements in the following areas:

- The minimum number of students – the minimum required under the DfE guidelines is 200 places and the school currently has 97 students.
- The need for a clear demand for the provision – the information in this report shows that there is a reducing interest from students in progressing to the school's sixth form and that the provision on offer is, in the main, available at post 16 providers in neighbouring areas.
- For the sixth form to be financially viable – there is a concern that running courses for a small number of students is not financially viable, with the costs exceeding the income received from the ESFA for the sixth form provision. The school has confirmed that, based on the group sizes at the start of the 2017/18 academic year, only four courses across Year 12 and 13 are financially viable. It is expected that the curriculum offer in 2018/19 would be reduced as a result of this. The overall financial position of the school would be improved by permanently lowering its age range to 11-16 years old. In 2016/17, the 11-16 part of the school provided a cross-subsidy of c£250,000 to the sixth form as it is not financially viable on its own. The reducing student numbers in the sixth form going forward will only exacerbate this position.

As can be seen from the information outlined above, the consultation only received a low number of responses and the process has not highlighted any issues or concerns for specific groups of young people who may be adversely affected by this proposal. Whilst bearing in mind the projected increase in 16-18 year olds in the district in future years, as outlined in Appendix 'C', the proposal remains unchanged.

If the decision is taken to permanently lower the age range of the school from 11-18 years to 11-16 years, the school will work with all 11-16 year old pupils to provide them with high quality, impartial advice and guidance on the different options available to them once they leave school, in line with their statutory duty.

If this proposal is approved, the school would change its name to remove the reference to having a sixth form centre.

Implications:

This item has the following implications, as indicated:

Risk management

Under section 15ZA of the Education Act 1996, local authorities have a statutory duty to secure sufficient and suitable education and training provision to meet the reasonable needs of all young people in their area by influencing and shaping provision through local partnerships and by identifying gaps, enabling new provision and developing the market. The young people covered by this statutory duty are those aged 16-19 and those aged 19-24 who have an Education, Health and Care Plan (EHCP).

Further to this, the DfE's statutory guidance, Participation of young people in education, employment or training, published in September 2016, states that local authorities have broad duties to encourage, enable and assist young people to participate in education or training. This also states that young people in England are required to continue in education or training until at least their 18th birthday.

The number of 16-19 year olds attending the school is minimal and reducing. In addition, of the courses being offered by the school, the significant majority are available at alternative providers within the neighbouring areas. For those courses where there is not a direct match at another provider, comparable alternatives are offered within the same curriculum area. As a result, young people from the local area wishing to access post 16 education and training will be able to do so within the neighbouring areas. However, as the 16-18 year old population in the district grows, the local authority may be faced with a future issue in relation to there being sufficient and suitable post 16 education and training places available in the area.

Financial

Should the outcome of the consultation be to remove the sixth form provision at the school, there would not be an adverse financial impact on the local authority in terms of post 16 funding as this is provided by the ESFA and the authority merely makes the payments on its behalf. However, this may be balanced to some extent by the potential for the school to use the capacity currently in use for sixth form students' to accommodate additional mainstream pupils, in response to increasing demand from pupils yielded by new housing.

In line with DfE guidance, the local authority requires schools to have a balanced budget. The governing body believes that the school is financially viable providing that losses from the sixth form do not continue and that this proposal will make a significant contribution to the financial stability of the overall school. If the proposal is not approved, recovery of the sixth form's losses have to be addressed solely through the 11-16 element of the school. The overall financial position of the school would be improved through the removal of the sixth form, which is not financially viable at present.

List of Background Papers

Paper	Date	Contact/Tel
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None

Reason for inclusion in Part II, if appropriate

N/A