

Report to the Cabinet

Meeting to be held on Thursday, 13 July 2017

Report of the Head of Learning and Skills Service

Part I

Electoral Divisions affected:
All in Lancaster

The Future of Central Lancaster High School's Post 16 Provision

(Appendices 'A' to 'D' refer)

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Executive Summary

On 8 March 2017, the Cabinet Member for Children, Young People and Schools agreed to a statutory consultation on the proposal to discontinue the post 16 sixth form provision at Central Lancaster High School (CLHS), by permanently lowering its age range from 11-18 years to 11-16 years, with effect from 31 August 2018. The consultation on this proposal took place from 29 March to 31 May 2017.

As part of the statutory process, a decision should now be taken about the proposal. 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; and
- (ii) approve the proposal, as detailed in the statutory notice, to discontinue the post 16 sixth form provision at Central Lancaster High School (CLHS), by permanently lowering its age range from 11-18 years to 11-16 years, with effect from 31 August 2018.

Background and Advice

Following the publication of a statutory notice on 29 March 2017, and the ensuing representation period which ran from 29 March to 31 May 2017, 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	29 March 2017
Stage 2	Representation (formal consultation)	29 March to 31 May 2017
Stage 3	Decision	July 2017
Stage 4	Implementation	31 st August 2018

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', the consultation process has not highlighted any issues/concerns with the proposal and, therefore, the proposal remains unchanged.

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, CLHS would not meet the current criteria for adding a sixth form. CLHS'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 CLHS has 62 students.
- The required range of subjects – the offer for new provision is a minimum of 15 A level subjects. In the last full academic year, students at CLHS undertook courses in nine subject areas.
- The need for a clear demand for the provision – as this report shows, there is little interest from students in progressing to CLHS's sixth form and that the provision on offer is available at other local post 16 providers.
- 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. The school has confirmed that only two subject areas would be able to offer financially viable courses in 2017/18.

As the number of 16-19 year olds attending CLHS is minimal and the other post 16 providers in the local area offer the same courses as part of their provision, the local authority does not believe that there will be an adverse impact on participation, should CLHS not offer sixth form provision in the future.

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).

As the number of 16-19 year olds attending CLHS is minimal and reducing, and the other post 16 providers in the local area offer all but one of the courses as part of their provision, the local authority does not believe that there will be an adverse impact on participation should CLHS not offer sixth form provision in the future.

Financial Implications

Should the outcome of the consultation be to remove the sixth form provision at CLHS, there would not be an adverse financial impact on the local authority in terms of post 16 funding, as this is provided by the Education and Skills Funding Agency (ESFA), and the authority merely makes the payments on its behalf.

The overall financial position of the school would be improved through the removal of small courses which are not financially viable.

List of Background Papers

Paper	Date	Contact/Tel
Cabinet Member report on The Future of Central Lancaster High School's Post 16 Provision	March 2017	Sarah Hirst/(01772) 531842

Reason for inclusion in Part II, if appropriate

N/A