

Central Lancaster High School

Factors to be considered by decision-makers when deciding prescribed alteration, establishment and discontinuance proposals

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 are set out below, along with a supporting comment:

Related proposals

DfE guidance: Any proposal that is 'related' to another proposal must be considered together. A proposal should be regarded as 'related' if its implementation (or non-implementation) would prevent or undermine the effective implementation of another proposal.

Comment: This is a stand-alone proposal and is not reliant on the outcome or implementation of another proposal.

Conditional approval

DfE guidance: Decision-makers may give conditional approval for a proposal subject to certain prescribed events.

Comment: It is not anticipated that the decision-maker will set any conditions in relation to the approval of this proposal.

Publishing decisions

DfE guidance: All decisions (rejected and approved – with or without modification) must give reasons for such a decision being made. **Within one week** of making a decision, the decision-maker should arrange (via the proposer where necessary) for the decision and the reasons behind it to be published on the website where the original proposal was published. The decision-maker must also arrange for the organisations listed to be notified of the decision and reasons: the governing body/proposers (as appropriate); the trustees of the school (if any); the local Church of England diocese; the local Roman Catholic diocese; any other organisation that they think is appropriate; and the Secretary of State (in school opening and closure cases only).

Comment: Arrangements are in place to ensure that the decision will be communicated to interested parties within one week of the decision being made. This will be done via the school organisation website, where the original proposal was published, and also by sending a letter to specific individuals or organisations, such as those stated in the guidance, local councillors and OfSTED.

Consideration of consultation and representation period

DfE guidance: The decision-maker will need to be satisfied that the appropriate fair and open local consultation and/or representation period has been carried out and that the proposer has given full consideration to all the responses received. If the proposer has failed to meet the statutory requirements, a proposal may be deemed invalid and therefore should be rejected. The decision-maker must consider **ALL** the views submitted, including all support for, objections to and comments on the proposal.

Comment: The consultation document proposed 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 and asked for views on the proposal. Full details of the consultation process are set out in Appendix 'A'.

By the close of the consultation period on 31 May 2017, no responses had been received.

Education standards and diversity of provision

DfE guidance: Decision-makers should consider the quality and diversity of schools in the relevant area and whether the proposal will meet or affect the needs of parents; raise local standards and narrow attainment gaps.

Comment: As outlined in the proposal, when the school was inspected in December 2012, OfSTED determined that the Overall Effectiveness of the school was 'Good'. Whilst the comments about the sixth form were generally positive, it was acknowledged that it was newly opened and it was too early to determine the impact in some areas. Since the inspection took place over four years ago, the quality and provision offer in the sixth form has declined.

Through the new 16-19 Accountability Measures, it can be seen that students do not perform as well as they could. The Progress measure for students on A level and Academic provision is well below national average and is below national average for Applied General provision. The school's sixth form provision is also below the Minimum Standard for Academic provision.

Based on applications for 2017/18, the school has confirmed that only two subject areas would be able to offer financially viable courses.

In addition to its own provision, CLHS is a partner in a Sixth Form Federation with three other school sixth forms in the area: Our Lady's Catholic College, Carnforth High School and Heysham High School Sports College. This federation is not as strong as it once was and only two students access provision at CLHS through this arrangement.

Whilst young people will not be able to access post 16 provision at CLHS if this proposal is approved, all but one of the courses offered by CLHS are available at the alternative providers in the district. The course not available in the district is A level

Law. Seven students undertook this course at CLHS in 2015/16 and three other young people from Lancaster travelled to Cardinal Newman College to access this course.

The alternative providers within the district are as follows: Lancaster and Morecambe College; Carnforth High School; Heysham High School Sports College; Lancaster Girls' Grammar School; Lancaster Royal Grammar School; Morecambe Community High School; Our Lady's Catholic College; and Ripley St Thomas C of E Academy. These providers are between less than a mile and 7 miles from CLHS. With regard to OfSTED ratings, three are 'Outstanding', two are 'Good', two are 'Requires Improvement', and one is 'Inadequate'. Between them, these providers offer a wide range of provision.

A school-led system with every school an academy

DfE guidance: The 2016 White Paper, Education Excellence Everywhere, sets out the department's aim that by the end of 2020, all schools will be academies or in the process of becoming academies. The decision-maker should, therefore, take into account the extent to which the proposal is consistent with this policy.

Comment: Whilst alignment with the Education Excellence Everywhere has been considered, the creation of/conversion to an academy is not appropriate as this proposal is not related to the establishment of a new school or school sixth form.

Demand v need

DfE guidance: The decision-maker should take into account the quality and popularity of the schools in which spare capacity exists and evidence of parents' aspirations for a new school or for places in a school proposed for expansion. The existence of surplus capacity in neighbouring less popular schools should not in itself prevent the addition of new places.

Comment: This proposal is related to removing sixth form capacity at the school, rather than being linked to the creation of new school places.

During the 2016/17 academic year, there were only 62 students in the sixth form at CLHS. Promotion for the sixth form for the 2017/18 academic year included open evenings and adverts on Bay Radio as well as through the federation schools mentioned above. The school has only received a limited number of applications for the 2017/18 academic year and, for a number of these, the school is not the first choice. Students from Year 11 at CLHS do not always put the sixth form as their first choice.

Should any students from CLHS wish to progress into post 16 education or training, there is capacity at the alternative local providers listed above.

School size

DfE guidance: Decision-makers should not make blanket assumptions that schools should be of a certain size to be good schools, although the viability and cost-effectiveness of a proposal is an important factor for consideration. The decision-maker should also consider the impact on the LA's budget of the need to provide additional funding to a small school to compensate for its size.

Comment: The table below shows the student number and funding allocations CLHS has received from the Education and Skills Funding Agency (ESFA) since it opened its sixth form in September 2011:

	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
Student Numbers	34	60	62	102	100	88
Funding	£160,972	£276,432	£300,139	£455,677	£442,316	£380,837

The school's ESFA allocation for 2017/18 will be based on 64 students and £276,160, showing a further reduction in both students and funding. The average ESFA student number allocations for the school sixth forms and academies in Lancashire were 225 students in 2013/14, 236 in 2014/15, 225 in 2015/16 and 217 in 2016/17. Based on the student number allocations for 2017/18, the average is 209. This shows that CLHS's student numbers have been consistently and significantly below the average level.

The DfE's statutory guidance, Making 'Prescribed Alterations' to Maintained Schools, published in April 2016, sets out a number of guidelines which should be considered for proposals to open new sixth form provision and one of these is that the proposed sixth form will provide places for a minimum of 200 students. As can be seen from the numbers above, the sixth form at CLHS is significantly below this level. There is a concern that the small number of students in the sixth form at CLHS means that it is not financially viable and keeping the sixth form open does not demonstrate value for money.

Proposed admission arrangements

DfE guidance: In assessing demand, the decision-maker should consider all expected admission applications, not only from the area of the LA in which the school is situated.

Before approving a proposal that is likely to affect admissions to the school the decision-maker should confirm that the admission arrangements of the school are compliant with the School Admissions Code.

Comment: Should this proposal be approved, CLHS will no longer admit 16-18 year old students and its admission policy will be amended to reflect this. The admissions team within Lancashire County Council will be made aware of this outcome to ensure that the correct information is available on our website.

The school has not recruited any 16-18 year olds students from outside of the Lancashire local authority area.

National curriculum

DfE guidance: All maintained schools must follow the National Curriculum unless they have secured an exemption for groups of pupils or the school community.

Comment: As this proposal relates to the sixth form element of the school, there is no link to the national curriculum. The national curriculum does not apply to key stage 5/post 16 provision.

Equal opportunity issues

DfE guidance: The decision-maker must have regard to the Public Sector Equality Duty (PSED) of LAs/governing bodies, which requires them to have 'due regard' to the need to: eliminate discrimination; advance equality of opportunity; and foster good relations.

The decision-maker should consider whether there are any sex, race or disability discrimination issues that arise from the changes being proposed, for example that where there is a proposed change to single sex provision in the area, there is equal access to single sex provision for the other sex to meet parental demand. Similarly there should be a commitment to provide access to a range of opportunities which reflect the ethnic and cultural mix of the area, while ensuring that such opportunities are open to all.

Comment: Please refer to the Equality Impact Assessment at Appendix 'D'.

No equal opportunities issues have been raised during the representation period and this proposal does not discriminate against any specific groups of young people.

Community cohesion

DfE guidance: Schools have a part to play in providing opportunities for young people from different backgrounds to learn with, from and about each other; by encouraging, through their teaching, an understanding of, and respect for, other cultures, faiths and communities. When considering a proposal, the decision-maker must consider its impact on community cohesion. This will need to be considered on a case-by-case basis, taking account of the community served by the school and the views of different sections within the community.

Comment: Please refer to the Equality Impact Assessment at Appendix 'D'.

There have been no responses from the local community during the representation period. Therefore, it is not expected that there will be an adverse impact on the community.

Travel and accessibility

DfE guidance: Decision-makers should satisfy themselves that accessibility planning has been properly taken into account and the proposed changes should not adversely impact on disadvantaged groups.

The decision-maker should bear in mind that a proposal should not unreasonably extend journey times or increase transport costs, or result in too many children being prevented from travelling sustainably due to unsuitable walking or cycling routes.

Comment: Please refer to the Equality Impact Assessment at Appendix 'D'.

Funding

DfE guidance: The decision-maker should be satisfied that any land, premises or necessary funding required to implement the proposal will be available and that all relevant local parties (e.g. trustees or religious authority) have given their agreement. A proposal **cannot** be approved conditionally upon funding being made available.

Comment: No land, premises or funding are required to implement this proposal.

Funding for 16-18 year olds comes from the ESFA. If approved, there will be no such students at the school in the future, therefore the impact will be that the school will no longer receive a funding allocation from the ESFA. This will not affect the funding for the 11-16 year olds at the school.

School premises and playing fields

DfE guidance: Under the School Premises Regulations all schools are required to provide suitable outdoor space in order to enable physical education to be provided to pupils in accordance with the school curriculum; and for pupils to play outside safely.

Comment: If approved, this proposal will mean that the school no longer needs to accommodate a sixth form, thereby creating additional capacity for the 11-16 year old provision. Should this be the case, LCC officers will discuss with the school how this additional capacity could be utilised in future years.

There will be no adverse impact on the school's playing fields as a result of this proposal.

Conclusion

As can be seen from the information outlined above, the consultation process has not highlighted any issues or concerns with the proposal and, therefore, the proposal remains unchanged.