

Bath & North East Somerset Council

MEETING:	Cabinet		
MEETING DATE:	14 September 2011	EXECUTIVE FORWARD PLAN REFERENCE:	
		E	2267
TITLE:	Determination of the Statutory Notice to Expand the Age Range of St. Gregory's Catholic College to Add a Sixth Form		
WARD:	All but specifically Odd Down ward		
AN OPEN PUBLIC ITEM			
List of attachments to this report: Appendix 1 Report of Statutory Notice Representations Received Appendix 2 Equalities Impact Assessment			

1 THE ISSUE

1.1 The four week representation period for the statutory notice published by the Governing Body of St Gregory's Catholic College on the 21 July 2011 proposing the expansion of the age range at the school to add a sixth form ended on 17 August 2011 and a decision is required to determine the notice.

2 RECOMMENDATION

The Cabinet agrees that:

2.1 The age range at St Gregory's Catholic College should be expanded to add a sixth form on 1 September 2013, subject to the following conditions being met by the dates specified:

- Detailed Planning Permission being granted for the additional school accommodation by 31 June 2012. (The Governing Body has been granted Outline Planning Permission for the additional building that will be required as a result of the proposal).
- The acquisition of the site required for the implementation of the proposals by 31 December 2011.

3 FINANCIAL IMPLICATIONS

- 3.1 The Local Authority has agreed to purchase the additional site needed which in line with normal provisions for voluntary aided church schools will be leased to the Diocese of Clifton and Diocese of Bath and Wells on a 125 year term with details to be agreed between the parties.
- 3.2 The LA has committed a total of £2.4 million capital to the project including the cost of the above land and the Dioceses have allocated £376,000 of capital from the 2011/12 Local Co-ordinated Voluntary Aided Programme funding.
- 3.3 Long term prudential borrowing of £2m will be provided by the Council to support the estimated capital construction costs and related fees for the new sixth form.
- 3.4 The total capital costs of £2.776m are broken down as follows:
- £400,000 - estimated land purchase costs.
 - £2.376m – estimated construction costs and related fees.
- 3.5 The Council's long term provision of capital funding for the new sixth form assumes £400k is funded from the Schools Modernisation Grant with the balance of £2m now proposed to be met from additional prudential borrowing.
- 3.6 The additional annual revenue costs to meet the required £2m of new borrowing is estimated at £130,000 including interest and capital repayments over a period of 30 years. This has been approved by Council (on 14 July 2011) as a priority commitment for the 2012/13 budget.
- 3.7 The revenue funding for sixth form pupils will be supplied by the Young People's Learning Agency (YPLA) (or its replacement) under the funding mechanism for sixth form pupils. The numbers of pupils and their predicted achievements will affect the total resource available to the school. The 14-19 advisors employed by the Local Authority will work with the school to develop a curriculum and will model the funding implications.

4 CORPORATE PRIORITIES

- Improving life chances of disadvantaged teenagers and young people
- Improving school buildings
- Sustainable growth
- Addressing the causes and effects of Climate Change

5 THE REPORT

- 5.1 In July 2010 the Cabinet agreed to support the federation of St Gregory's Catholic College and St Mark's Church of England School with a joint sixth form as part of the strategy for secondary schools in Bath. The proposal will contribute to the Council's aims of raising standards, increasing diversity and choice for parents and providing sufficient church school places to meet the level of demand.

- 5.2 Statutory consultation prior to the publication of the notice was carried out by the school and this meets statutory requirements. Following consultation the statutory notice proposing the expansion of the age range at the school to add a sixth form was published on 21 July 2011. There followed a representation period of 4 weeks which closed on 17 August 2011 which provided stakeholders with a final opportunity to submit any further comments or objections they may have to the proposal.
- 5.3 The statutory notice meets statutory requirements and is valid. The proposal is not related to another published proposal.
- 5.4 Appendix 1 contains a summary of representations received during the representation period. All representations received during the representation period were made available to the Cabinet exactly as submitted in order to help inform their decision.
- 5.5 The main factors that have been taken into consideration in determining this proposal as set out in DfE school organisation guidance are outlined below.

A System Shaped by Parents and Views of Interested Parties

- 5.6 91% of the parents and carers who responded to the school's consultation (which included parents of primary partner schools) said it was 'very/fairly likely' (71% said 'very likely') that their child would attend a sixth form at St Gregory's. 85% of parents rated the Christian ethos at St Gregory's as very good and 90% said that a Christian ethos was 'very or fairly' important when choosing where to study at sixth form. In the second consultation carried out by the school, 97% of all parents who responded supported a sixth form for St Gregory's. A significant majority of parents at the school would like to see a sixth form at St Gregory's.
- 5.7 When a previous statutory notice for this proposal was published in March 2011, a total of 82 representations were received all of which were in support of the proposal. This notice was subsequently withdrawn until the funding was approved and the notice could be published again on 21 July 2011. During this representation period a total of nine representations were received, all of which were in support of the proposal.
- 5.8 During the consultation a number of other local providers of post-16 provision voiced concerns about the creation of additional places. As demand for post-16 provision has been growing and is expected to grow further in the future and as many pupils who are likely to attend the school come from across a much wider geographical area than just Bath, the creation of additional places is not expected to impact significantly on the viability of existing provision in the city, nor on provision at St Brendan's Sixth Form College which takes pupils from Bristol and across a much larger area.
- 5.9 Pupils at the school are also supportive of the proposal. In the 2010/11 consultation, of the year groups most likely to be affected, the percentages in favour were: Year 9 - 86%, Year 8 - 82% and Year 7 - 87%.

Diversity and Equal Opportunities

- 5.10 The proposal would add to diversity by providing faith based publicly funded school post-16 provision in the Local Authority where currently there is none. The Authority's surveys of parental preferences in 1999 and 2004 showed that 41% of those who expressed a preference wanted either a Catholic or Anglican

school place. The school's surveys have shown the demand for school post-16 places in a Christian setting.

- 5.11 The forthcoming Raising of the Participation Age (RPA) means that all young people will continue in some form of education or training to the age 17 from 2013 and to the age 18 from 2015. All young people are expected to be in employment with training or education to the age of 18 by 2015. This will be the first time in nearly forty years that the education leaving age has been raised. This will require more provision for those most vulnerable.
- 5.12 Currently almost 5% of young people aged 16 to 18 in Bath and North East Somerset are not in employment. While primarily aimed at those young people who already engage in employment, education and training, this provision will also contribute to the overall strategy of providing more opportunities for young people who may not currently engage in education beyond age 16.

Effects on Standards and School Improvement

- 5.13 Level 3 (AS and A-Level) attainment in the Local Authority is low in comparison to Level 2 (GCSE or equivalent) attainment which is above the national average. St. Gregory's as a high-performing 11-16 school with an Ofsted rating of Outstanding and with attainment above local and national averages, especially in new academic measures such as the English Baccalaureate (43%), should help to improve educational achievement in the Authority at post-16.

Need for Places and Creating Additional Places

- 5.14 Primarily, the need for additional places comes from the need for the type of places offered by a Christian post-16 provision at St Gregory's. Currently around half of the students leaving St Gregory's go to St Brendan's in Brislington for their post-16 education. The College and a number of sixth forms in Bath have grown in size significantly in recent years, demonstrating a demand for places in the area. The sixth form will be a joint provision with St Mark's which does not currently run a sixth form and will also serve pupils from the St Gregory's 'catchment' area which includes all of Bath and North East Somerset, as well as some parishes in West Wiltshire, North Somerset and South Gloucestershire. The impact of the proposed sixth form places on existing provision in Bath and across the region as a whole is therefore likely to be minimal.
- 5.13 The Authority's Statement of Priorities for 2011/12, which maps the future direction of 14-19 provision in the area, shows that there is demand for the places to be created in a sixth form at St Gregory's.
- 5.14 The Learning and Skills Council's (LSC) final Local Area Statement of Need for 2011/12 included among its commissioning priorities the need to 'support infrastructure based growth in school sixth form places to facilitate participation.' It further commented that 'the impact of the recession is expected to see a further increase in the demand for places.'

Expansion of Successful and Popular Schools and the Addition of Post 16 Provision by High Performing Schools

- 5.15 The Government wishes to see the best 11-16 schools being able to expand and spread their ethos and success to post 16 provision. The provision at St Gregory's is rated as Outstanding by Ofsted, levels of attainment measured by the percentage of students achieving 5 or more A*-C passes at GCSE including

English and Maths are consistently above national averages and the average capped points score achieved by students has been described as SIG+ (significantly above national average) for the last three years. The proposal is expected to extend this high standard to the new sixth form provision at the school.

Travel and Accessibility

- 5.16 44% of parents who were surveyed in 2009 thought that the travel to a St Gregory's sixth form would be 'a great deal more convenient' than to other sixth form destinations. A travel plan has been drawn up with support from travel consultants and is available on the school website. The proposal will result in reduced journeys and travel times for many of the St Gregory's students who currently make the journey into Bristol to attend St Brendan's for their post-16 provision.

School Playing Fields

- 5.17 The school is currently below the minimum required team games playing field requirement for its size. Although this proposal will serve to enlarge the school, as the additional places relate only to pupils over statutory school age who are not required to take part in physical education, this does not directly impact on the existing team games playing field provision at the school for pupils aged 11-16. A relaxation to the minimum team games playing field land requirement at the school was granted by the Secretary of State on 1st August 2011.

Collaboration

- 5.18 Local collaboration has been pursued with two secondary schools, St Mark's and Writhlington which, with St Gregory's, have formed the B&NES Federation. The Federation has drawn up plans for shared courses at 14-16 to begin in September 2011 and is working on plans for an integrated curriculum offer at post-16 from September 2012. The federation with Writhlington School is expected to benefit St Gregory's via Writhlington's expertise at post-16 and by bringing their experience in business and training to students at the school.
- 5.19 The school plans to collaborate with its federation partners and in time with any other providers who are willing to participate and collaborate and wishes to provide an integrated offer which will concentrate the best provision in the most appropriate individual institutions, avoid unnecessary duplication of provision and courses and provide a broad range of options for students.

14-19 Provision

- 5.20 St Gregory's intends to continue to work with the Authority's 14-19 Strategic Board, of which the headteacher is a member, to fully integrate its proposed new provision with other existing post-16 provision in the Authority and in Bath in particular. The new places will fit within 16-19 organisation in the area by providing Christian post-16 provision where currently there is none and offer enhanced provision for 14-19 year olds.

Admissions Arrangements

- 5.21 The proposed admission arrangements of the school appear to fully meet the provisions of the mandatory School Admissions Code.

Every Child Matters

5.22 The proposal is expected to have a positive impact in the five areas of helping children be healthy, stay safe, enjoy and achieve, make a positive contribution and achieve economic well-being.

6 RISK MANAGEMENT

6.1 The report author and Cabinet member have fully reviewed the risk assessment related to the issue and recommendations, in compliance with the Council's decision making risk management guidance.

6.2 If the new sixth form places cannot be created there will be unmet demand for Christian sixth form places in Bath and North East Somerset and less diversity of post 16 provision.

6.3 The Governing Body has been granted Outline Planning Permission for the additional building that will be required as a result of the proposal.

7 EQUALITIES

An equalities impact assessment has been carried out using corporate guidelines.

7.1 The additional provision will add to diversity in Bath and the Authority as a whole by providing Christian faith based post-16 places where currently there is no provision of this type.

7.2 This proposal is not expected to have an impact on the equality areas of gender (including pregnancy and maternity), transgender, race or sexual orientation.

7.3 The proposal is expected to have a positive impact on the equality areas of:

- Age - the proposal will provide additional places for post 16 age pupils.
- Disability – the new building that is to be constructed adjacent to St. Gregory's will be designed according to the latest disability access requirements. The sixth form will admit pupils regardless of disability or Special Educational Needs (SEN) in line with its current policy for admissions into the school.
- Religion - the provision will add Christian sixth form places to enhance diversity in the city/Bath and North East Somerset where currently all of the sixth form provision available is non-denominational. The provision is however not exclusive to Christians and the school sixth form will admit pupils of all religions and beliefs or those with no religious beliefs according to its published admissions policy.
- Socio-economic disadvantaged – access to additional maintained school sixth form provision of a high standard is likely to lead to improved educational outcomes and in turn enhanced life chances for children who are socio-economically disadvantaged. The pupils who attend the sixth form will come from a range of backgrounds as seen in Years 7 to 11 in the two schools at present. This provision will contribute to the overall strategy

of providing more opportunities for young people aged 16 to 18 who may not currently engage in education beyond age 16.

- Rural communities - pupils living in rural areas that fall within the catchment area for St. Gregory's or St. Mark's will have access to Christian sixth form places as a result of the proposal.

7.4 The proposal is not expected to have a negative impact on any of the above equality areas.

8 RATIONALE

8.1 The proposal will contribute to the Council's strategy for secondary provision and as agreed by the Cabinet in July 2010.

8.2 The proposal has the support of pupils at St. Gregory's, parents of pupils at the school, parents of pupils at St Mark's and parents of primary age pupils who have expressed their desire for a sixth form at St Gregory's via the consultation process and the representation period. The nine comments on the proposal received during the representation period as outlined in Appendix 1 were all in support of the proposal. There were no objections to the proposal. All representations received during the representation period have been taken into consideration as a part of the overall decision making process.

8.3 The proposal will add to diversity of provision by the addition of Christian faith based post-16 places in the Local Authority and in Bath.

8.4 There is a strong case for approval on parental preference and standards grounds and evidence suggests that there is sufficient demand for Christian sixth form places at the expanded school for the additional provision to be sustainable.

8.5 There is strong evidence to suggest that the provision will be of high quality and will have a positive impact on standards and school improvement in the Authority.

8.6 The 'condition to be met' dates set out in the recommendations are believed to be achievable, however they can be varied at the request of the proposer (the school) if it looks as if the condition will not be met by that date. If a condition cannot be met the proposal will go back to the Decision Maker (the Cabinet) for fresh consideration.

9 OTHER OPTIONS CONSIDERED

9.1 None

10 CONSULTATION

10.1 Ward Councillor; Cabinet Member; Trades Unions; Staff; Service Users; Stakeholders/Partners; Other Public Sector Bodies; Section 151 Finance Officer; Chief Executive; Monitoring Officer.

10.2 The original consultation to open a sixth form at St Gregory's ran from 1 Sept 2009 until 21 Oct 2009. In Dec 2010 the governing body decided to 'refresh and consolidate' the original consultation given that more than twelve months had

elapsed since the original consultation. The second period of consultation, from 6 Dec 2010 until 11 Jan 2011 had the same scope as the first consultation, except that the YPLA which had replaced the LSC in the intervening period as statutory consultee were also consulted.

10.3 During the consultation periods the documents were posted to consultees and were also available on the school's website and by request at no charge. A dedicated email address was set up to receive comments and a number of public meetings were arranged at St Gregory's open to all. There was extensive coverage in the local press and local newsletters made it clear that copies of the consultation documents could be found on the website or from St Gregory's by request.

10.4 The statutory notice representation period provided a final opportunity for comments on the proposal to be made. The statutory notice was published in a local paper, posted outside the school gates, in a shop in the local area and placed on the school's website.

11 ISSUES TO CONSIDER IN REACHING THE DECISION

11.1 Social Inclusion; Sustainability; Property; Young People; Human Rights; Corporate; Impact on Staff; Other Legal Considerations.

12 ADVICE SOUGHT

12.1 The Council's Monitoring Officer (Divisional Director – Legal and Democratic Services) and Section 151 Officer (Divisional Director - Finance) have had the opportunity to input to this report and have cleared it for publication.

Contact person	Helen Hoynes 01225 395169
Sponsoring Cabinet Member	Councillor Nathan Hartley
Background papers	Statutory Notice and Complete Proposal published by the Governing Body of St. Gregory's Catholic College and Consultation document (available on the school's website)
Please contact the report author if you need to access this report in an alternative format	