

**BIRMINGHAM CITY COUNCIL**

**PUBLIC REPORT**

<b>Report to:</b>	<b>CABINET</b>
<b>Report of:</b>	<b>Strategic Director for People</b>
<b>Date of Decision:</b>	<b>17<sup>th</sup> May 2016</b>
<b>SUBJECT:</b>	<b>PROPOSAL TO REMOVE SIXTH FORM PROVISION AT ST JOHN WALL RC SCHOOL</b>
<b>Key Decision:</b>	<b>Relevant Forward Plan Ref: N/A</b>
<b>If not in the Forward Plan: (please "tick" box)</b>	<b>Chief Executive approved</b> <input type="checkbox"/> <b>O&amp;S Chairman approved</b> <input type="checkbox"/>
<b>Relevant Cabinet Member:</b>	<b>Councillor Brigid Jones, Cabinet Member Children's Services</b>
<b>Relevant O&amp;S Chairman:</b>	<b>Councillor Susan Barnett, Education and Vulnerable Children</b>
<b>Wards affected:</b>	<b>Handsworth Wood</b>

<b>1. Purpose of report:</b>
To seek determination of the statutory proposal by the Governing Body to close the sixth form provision at St John Wall RC School.

<b>2. Decision(s) recommended:</b>
2.1 Cabinet is recommended to:-  Approve, having taken account of the statutory guidance, the statutory proposal to close the sixth form provision at St John Wall RC School with effect from 1 September 2016.

<b>Lead Contact Officer(s):</b>	Mary Lowe, School Organisation Manager
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### **3. Consultation**

#### **3.1 Internal**

Information about the proposal was sent to the MP for Perry Barr and the Ward Councillors for Handsworth Wood together with relevant Local Authority officers, local primary and secondary schools, and The Archdiocese of Birmingham. No objections were received during the representation period. A copy of the full consultation document can be found in Appendix 2.

#### **3.2 External**

The Governing Body of St John Wall School carried out the consultation on the closure of the sixth form. These proposals have been fully consulted upon in line with the requirements set out by the Department for Education (DfE) in January 2014, since updated in April 2016. Copies of the proposal were sent to parents, staff and pupils at the school as well as to the neighbouring schools and colleges. A public notice was published in the Great Barr Observer on 11<sup>th</sup> March 2016. In addition, the school held open surgeries at the school on Tuesday 1<sup>st</sup> March 2016 with staff and Governors available to answer questions. There were no attendees at these meetings. Eight responses were received to the consultation, five were from parents, two were from students and one did not specify. All responders expressed their sadness and disappointment that the Sixth form was closing down. Please see Appendix 3 for the responses.

#### **4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies**

This proposal would result in the closure of post-16 provision at St John Wall Catholic School. The City Council has accepted the findings of the recent Post 16 Area Review, of which under recommendation 11, it is proposed that:

“Birmingham and Solihull Councils and the Regional Schools Commissioner recognise the need for school sixth forms to be viable in the future. Birmingham City Council is already working with schools to consider options for rationalisation.”

The Council has published ‘Guiding Principles for School Sixth Forms’ which sets out that the school sixth forms must demonstrate quality, choice, progression and viability. St John Wall sixth form is not viable with only a total of 23 students in the sixth form in year 13, and since establishment in 2014 has never had more than 25 per year.

#### **4.2 Financial Implications. (Will decisions be carried out within existing finances and Resources?)**

There is no building work or capital expenditure involved in the proposals to close the sixth form. It has been recognised that sixth forms with fewer than 200 students are unviable particularly in light of recent funding changes where sixth form provision is

now funded per student instead of per qualification. Changing the age range of the school from 11-18 to 11-16 by closing the sixth form will allow existing resources to be focused on years 7-11.

#### 4.3 Legal Implications

The governing body of a voluntary aided school has the power under section 19 of the Education and Inspections Act 2006 (the “2006 Act”) and regulation 4 of the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 (the “Prescribed Alterations Regulations”) to propose that prescribed alterations be made to the school, including (pursuant to paragraph 4 of Schedule 2 to the Prescribed Alterations Regulations) altering the upper age limit of the school so as to remove sixth form education at the school. Pursuant to section 21(2)(f) of the 2006 Act and paragraph 3 of Schedule 3 to the Prescribed Alterations Regulations, the final decision on such matters is for the Local Authority to make.

#### 4.4 Public Sector Equality Duty. (see separate guidance note)

An updated Equality Assessment initial screening was carried out in December 2013 against the School Organisation Change process, which identified that a full impact assessment was not required. No events have occurred since then which would require the preparation of a fresh screening In respect of these recommendations.

### **5. Relevant background/chronology of key events:**

- 5.1 Saint John Wall opened their sixth form provision in September 2014.
- 5.2 The School offered 80 places in the sixth form across years 12 & 13.
- 5.3 The school currently has a total of 23 students in year 13 of the sixth form and since it was established it has never had more than 25 students. There are no pupils in Year 12.
- 5.4 The low intake has meant that the school is unable to provide the breadth of courses, including a wide range of vocational and A-level subjects that sixth form students need.
- 5.5 There has been recent changes in the way sixth form provision is funded that has meant that provision is now funded per student and not per qualifications, the current numbers are too small to produce courses that are viable educationally and economically.
- 5.6 The school feels that utilising specialist teachers in sixth form takes them away from the fundamental needs of Key Stage 4 and the need to raise the attainment therein. Closing the sixth form will allow the school to focus resources on improving outcomes for year 7 – 11 and help the school achieve their aim to become an outstanding school.

- 5.7 The Governing Body with the support of the Senior Leadership Team of Saint John Wall Catholic School decided to consult on a proposal not to recruit new sixth form pupils from September 2016. The school have communicated with current and prospective parents to clarify the position during this term.
- 5.8 The School commenced their consultation on 24<sup>th</sup> February 2016. A public notice was published in the Great Barr Observer on Friday March 11<sup>th</sup> 2016. This consultation period ran for four weeks from 24<sup>th</sup> February 2016 and ended on Wednesday 23<sup>rd</sup> March 2016. Please see Appendix 1 & 2.
- 5.9 Eight responses were received during this period. Five were from parents/carers of existing pupils, 2 were from existing pupils and 1 respondent did not specify. All eight responses expressed sadness and disappointment that the sixth form was closing. See Appendix 3.
- 5.10 Regulation 8(b) of the Prescribed Alterations Regulations provides that the local authority is required to have regard to guidance issued by the Secretary of State when taking a decision on such proposals. An extract of the relevant statutory guidance is attached as Appendix 4.

#### **6. Evaluation of alternative option(s):**

- 6.1 The recommendation of this report is for the proposal to be approved; alternatively, in line with the statutory guidance, the proposal may be approved with modification, approved subject to meeting a specific condition or rejected.
- 6.2 Failure to give approval to this statutory proposal will mean that the sixth form at St John Wall RC School which is both economically and educationally unviable will remain and will cause financial and educational issues at the school.

#### **7. Reasons for Decision(s):**

- 7.1 To enable St John Wall RC School to close their sixth form provision from September 2016.

**Signatures (or relevant Cabinet Member approval to adopt the Decisions recommended):**

Cabinet Member,  
Children's Services  
Cllr Brigid Jones: .....Dated: .....

Strategic Director,  
People Peter Hay .....Dated: .....

**List of Background Documents used to compile this Report:**

Education and Inspections Act 2006  
  
School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013

**List of Appendices accompanying this Report (if any):**

1. Public Notice
2. Copy of Consultation on Proposed Closure of Sixth Form
3. Responses to Consultation
4. Relevant Extracts from "Making 'prescribed alterations' to maintained schools – statutory guidance for proposers and decision-makers" (April 2016) and "Guidance for decision-makers – statutory guidance for decision-makers deciding prescribed alteration and establishment and discontinuance proposals" (April 2016)

<b>Report Version</b>	<b>5</b>	<b>Dated</b>	<b>27<sup>th</sup> April 2016</b>
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