



DETERMINATION

Case reference: STP613

Proposal: To remove the sixth form at Culcheth High School, Warrington

Proposer: Warrington Borough Council

Date of Determination: 28 August 2014

Determination

Under the powers conferred on me by section 21 of the Education and Inspections Act 2006, and the School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2013, I hereby approve the proposal that from 31 August 2015 the sixth form at Culcheth High School Warrington should be removed.

The referral

1. Warrington Borough Council, the local authority (the LA), published a proposal on 27 March 2014, under section 19 of the Education and Inspections Act 2006 (the Act), to remove the sixth form from Culcheth High School, Warrington (the school). The LA is the decision maker for this proposal and the proposal is supported by the school's governing body. The statutory representation period ended on 24 April 2014 and the LA had until 24 June 2014 to determine this proposal under the School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2013 (the Regulations). The LA's Executive Committee met on 10 June to determine the proposal and decided that it should be approved without modification. This decision was subject to the LA's call-in procedure and it was reviewed by the LA's scrutiny panel on 16 June 2014. The panel made some comments on the decision and referred it back to the LA's Executive Committee for review and decision on 14 July 2014. This date was beyond the two months deadline specified in the Regulations for a determination to be made so the determination was referred by the LA to the adjudicator for decision on 10 July 2014.

Jurisdiction

2. Having carried out the appropriate consultation, the LA formally published the proposal as a statutory notice on 27 March 2014. The notice was in the form required by the Act and the proposal was compliant with the Regulations and the School Organisation Maintained Schools – Guidance for proposers and decision makers 2014 (the Guidance). The LA did not determine the proposal within the required timescale of two months and referred the proposal to the Adjudicator for determination.

3. The LA has forwarded the referral and its comments to the OSA, in accordance with the provisions of the Act and the Regulations.
4. I am satisfied that this proposal has been properly referred to me in accordance with the Act and regulations and that, therefore, I have jurisdiction to determine this matter.

Procedures

5. In considering this matter I have had regard to all relevant legislation and guidance. I have considered all the papers put before me including the following:
 - details of the consultation prior to the publication of the statutory notice undertaken by the LA and copies of all the objections and comments made following publication;
 - a copy of the statutory notice and proposal; and
 - minutes of the LA's meetings held on 10 February 2014, 16 June 2014 and 14 July 2014.

The Proposal

6. The proposal is that sixth form at Culcheth High School. Warrington should be removed with effect from 31 August 2015.

Consideration of Factors

7. In October 2013 the governing body of the school requested that the LA consider closure of the sixth form as a consequence of declining numbers. The number on roll in the sixth form had declined to 58 pupils. In 2013, 32 pupils progressed to the sixth form out of a possible 216 on roll in Year 11. The governing body had reviewed the finances of the sixth form and because of declining numbers, and thus smaller group sizes, it had insufficient income from the sixth form to staff it properly and has had to use resources from the 11-16 part of the school to fund the sixth form provision. The governing body came to the conclusion that it would use the available resources more effectively if it targeted those resources at improving education at the school at 11-16 instead of maintaining a very high cost post-16 provision for a small number of pupils.
8. For pupils age 11-16, the school performs well and its examination results compare favourably with other secondary schools in the area. As a result, pupils have the necessary results to choose where they wish to go for their post-16 provision. They do not choose the school for post-16 because there are other more popular options nearby. This does not appear to reduce the staying on rate and post-16 participation rates in the area are reported by the LA to be between 98 and 100 per cent.
9. As a community school, the governing body referred its conclusion that the sixth form should close to the LA. The LA agreed to undertake the necessary statutory process and commenced a formal consultation on 18 November 2013. This

consultation ended on 10 January 2014. The proposal and the 25 responses to it were considered by the LA's Executive Board on 10 February 2014.

10. At the meeting on 10 February 2014 a decision was taken to publish a statutory notice stating that the LA intended to remove the sixth form and inviting representations. The statutory notice was published on 27 March for 4 weeks and the end of the representation period was 24 April. This is in accordance with the Regulations.
11. During the four week representation period the LA received 179 objections and 829 proforma responses where members of the public had signed a statement to say that they supported the campaign to retain the sixth form. Of the 179 responding by email, the LA identified that one was a current student; 46 were parents or carers of students in years 7 to 11 at the school; and seven were identified as parents of students in years 12 and 13. The other responses had been collected from house calls to local residents in the North and East Warrington areas.
12. Local councillors are opposed to the closure of the sixth form and argued that the LA and the governing body should delay the closure to allow time for the school to undertake a marketing campaign and try to encourage more students to enrol at the sixth-form.
13. At its meeting on 10 June 2014, the LA's Executive Board considered the options which were to: (i) approve the proposal so that the sixth form will close on 31 August 2015; or (ii) retain the sixth form so that the school continues to operate as an 11-18 school for the foreseeable future; or (iii) approve the proposals, subject to consultation with the governing body on a modification to the date of implementation. This last option was included in recognition of local ward members request to allow time to undertake a marketing campaign and try to increase take-up of sixth form provision at the school.
14. The Executive Board decided to support option (i) and proceed with closure as set out in the notice. This decision was then subject to a call-in procedure on 16 June and was considered at a special meeting of the LA's scrutiny committee on 9 July 2014. The scrutiny committee decided to refer the decision back to the Executive Board on the matters identified in the call-in. These matters were then considered by Executive Board at its meeting on 14 July. In the meantime the deadline for determination had passed and so the determination was referred to the adjudicator in accordance with the Regulations.
15. I have looked carefully at all the papers submitted and in particular at the consultation documentation and the responses. The guidance then requires me to consider the matter under the following headings that begin with the consultation process used.

Consideration of consultation and representation period

16. There were 25 responses to the initial consultation and a greater response within the representation period following the statutory notice published on 27 March.

During this time 179 objections were received directly and a further 829 objectors had been listed by local councillors as supporting the campaign to retain Culcheth sixth form and called on the governors and the council to think again.

17. I am satisfied that the statutory notice and the method of consultation comply with the requirements set out in the Regulations and the Guidance. The papers to the Executive Board set out the consideration of the concerns raised and the LA's responses. I am also satisfied that the LA had taken the views of the objectors into account when it considered the issues and made its decisions.
18. The issues raised can be summarised under the six headings below and I shall deal with these as I go through the required matters that I must consider:
- concerns about loss of local provision;
 - the impact of the loss of the sixth form on the long term viability of the school and on standards within it;
 - difficulties for students in accessing alternative provision;
 - the process involved in proposing and consulting upon the changes;
 - the negative impact that the loss of provision will have on the local economy; and
 - the loss of the sixth form will deter people from moving into the local area.

Educational standards and diversity of provision

19. There are two issues to consider here, the first is the standards in the school for pupils aged 11 – 16 and the second concerns the standards and diversity of provision for pupils of sixth form age. The school was inspected by Ofsted in May 2014. The school at age 11 – 16 was judged to be good but the inspection identified as a key issue that *“The sixth form requires improvement. Too many students do not reach the standards of which they are capable. While wider outcomes are positive, achievement is not consistently good across all subjects.”* The governing body wishes to concentrate on improving the 11 – 16 part of the school and is concerned that it has to use resources from this age group to subsidise a small and financially unviable sixth form. The closure of the sixth form would allow the governing body to focus on the lower part of the school and make improvements. The sixth form is very small by any standard with 58 students in total and with small group sizes it is difficult for the school to provide the range of subjects and staff to meet the requirements of the curriculum. The concern has been expressed that by removing the sixth form, standards in the lower part of the school will fall because excellent teachers may not choose to teach at the school. There may be teachers for whom this is the case, but the counter argument to this is that teaching small groups in a small sixth form without strong peer support is not an attraction. The sixth form does contribute to the diversity of provision in the area, but the choices made by pupils show that almost all choose to go to other provision where their preferences can be met and there is sufficient capacity to meet the demand. There is no evidence to suggest that pupils who already choose to attend the lower school and who then move to alternative sixth form provision are likely to change this pattern.

Demand for the provision

20. The evidence is that demand for places at the sixth form is limited and that most pupils in Year 11 at the school choose to go elsewhere for sixth form provision.

The admission number for the school for Year 7 is 230 and the school has over 200 pupils in each of Years 7 to 11, but very few in past years have then stayed at the school for the sixth form. The LA is satisfied that there is sufficient capacity to meet the demand for places for sixth form studies without the need for the provision at this school. With the uncertainty about the future of the sixth form there have been no applications for Year 12 in 2014 and there has been sufficient capacity in other provision.

School size

21. The size of the sixth form is small (58 students in 2013/14) and this is the reason that the governing body needs to subsidise it with resources diverted from the lower part of the school. Group sizes are very small and the range of subjects that can be offered is limited by the availability of suitable staff and the cost of deploying them to teach small groups. The LA estimates that there is a funding gap of £250,000 per year to sustain the sixth form for the current number of students with an offer of 17 courses.

Proposed admission arrangements

22. When the sixth form is removed the school will no longer admit pupils at Year 12 and admission arrangements for this age range will not be required.

National curriculum

23. This is not a relevant issue to this proposal.

Equal opportunity issues

24. The small number of pupils who have chosen to attend the sixth form and who have completed their first year will be able to complete their studies at the school. The option will not be available to pupils attending the school in the future but the evidence is that almost all choose to attend elsewhere for sixth form. Without the sixth form the school will have more resources to spend on the lower part of the school which will be to the benefit of all pupils in those age groups.

Community cohesion

25. The objections raise concerns that the loss of the sixth form will have a negative effect on the economy of the area and will deter families moving into the area. There is reference to the need to increase the number of young people with relevant science, technology, engineering and manufacturing qualifications in the area. The LA responded to this point by pointing to the proposed development of a "Future Tech" studio school and a University Technology College in the area which will create opportunities from across the borough to participate in relevant vocational courses of study. Given that the school is currently judged to be a good school and that there is demand for the school in the age range to 11 -16 it is difficult to see that this perception will change if the sixth form is removed and strong links with other sixth form providers serving the area continue.

Travel and accessibility

26. Concerns have been expressed about the difficulty that young people might face travelling to alternative provision. Those currently attending this provision are to be allowed to complete their studies so there will be no change to their travel

arrangements. Other pupils currently travel to other provision by choice and so I do not consider that this point is a significant one.

Capital

27. There are no capital requirements to achieve this proposal. Objectors argue that as the sixth form facilities were part of the LA's investment when the school was rebuilt in 2010 and that if they become redundant, this will be a poor use of resources. The school and the LA have responded by saying that the lower part of the school needs to expand having increased its admission number and that the facilities released by the removal of the sixth form will provide the facilities required for these additional pupils.

Conclusion

28. The proposal to remove this sixth form has the full support of the school's governing body. The substantive decision making body the LA, having considered all the arguments, also concluded that the removal of this sixth form should be approved. I have carefully reviewed all the issues and read the detail of the objections made. I have concluded that the proposal to remove the sixth form at Culcheth High school should be approved.

Determination

29. Under the powers conferred on me in section 21 of the Education and Inspections Act 2006, and the School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2013, I hereby approve the proposal that from 31 August 2015 the sixth form at Culcheth High School Warrington should be removed.

Dated: 28 August 2014

Signed:

Schools Adjudicator: David Lennard Jones