

Chief Officer Confirmation of Report Submission

Cabinet Member Confirmation of Briefing

Report for: Mayor

Mayor and Cabinet

Mayor and Cabinet (Contracts)

Executive Director

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Information Part 1 Part 2 Key Decision

Date of Meeting	20 th June 2012
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Title of Report	Proposal to open a Sixth Form at Addey and Stanhope School from September 2013
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Originator of Report	Chris Threlfall	Ext. 49971
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At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments from Exec Director for Resources	X	
Legal Comments from the Head of Law	X	
Crime & Disorder Implications	X	
Environmental Implications	X	
Equality Implications/Impact Assessment (as appropriate)	X	
Confirmed Adherence to Budget & Policy Framework	X	
Risk Assessment Comments (as appropriate)	X	
Reason for Urgency (as appropriate)	X	

Signed:  Executive Member

Date: 11th June 2012

Signed:  Executive Director

Date 11th June 2012

Control Record by Committee Support

Action	Date
Listed on Schedule of Business/Forward Plan (if appropriate)	
Draft Report Cleared at Agenda Planning Meeting (not delegated decisions)	
Submitted Report from CO Received by Committee Support	
Scheduled Date for Call-in (if appropriate)	
To be Referred to Full Council	

MAYOR AND CABINET		
Report Title	Proposal to open a Sixth Form at Addey and Stanhope School from September 2013	
Key Decision	Yes	Item No.
Ward	All	
Contributors	Executive Director for Children and Young People Executive Director for Resources Head of Law	
Class	Part 1	Date: 20 June 2012

1. Summary

- 1.1 This report describes the Addey and Stanhope statutory proposal to open a Sixth Form from September 2013, and recommends that the Mayor agree to the proposal. It details the processes followed in the consultation, and the responses of the Local Authority and others to the proposal. The report goes on to set out the factors for the Mayor as ‘decision maker’ to consider in relation to Addey and Stanhope setting up a Sixth Form, with commentary on these, and the financial and legal implications.

2. Purpose

- 2.1 The purpose of this report is for the Mayor to consider the proposal to expand Addey and Stanhope Secondary School by adding a Sixth Form from September 2013.

3. Recommendations

- 3.1 That the Mayor notes that there were no responses to the statutory notice published by the Governing Body of Addey and Stanhope School on 26th April 2012.
- 3.2 That the Mayor agrees to the proposal to expand Addey and Stanhope School by adding a sixth form from September 2013.

4. Policy Context

- 4.1 The report is consistent with the Council’s policy framework. It supports the delivery of the Sustainable Community Strategy priority *Ambitious and Achieving* – where people are inspired and supported to achieve their potential and the Council priority to improve young people’s achievement and involvement.

- 4.2 In particular, the report supports the delivery of Lewisham’s Children & Young People’s Plan (CYPP), which sets out the Council’s vision for improving outcomes for all children and young people by improving their achievement and involvement, inspiring and supporting them to fulfil their potential, developing community leadership, and providing facilities and activities to produce active, healthy citizens, and in so doing reduce the achievement gap between our most disadvantaged pupils and their peers.
- 4.3 The Statutory Guidance *Funding Arrangements for 16–19 Education and Training* sets out the duties of the Local Authority to act as champion of young people’s learning by identifying quality issues and gaps in provision for persons who are over compulsory school age but under 19.

5. Background

- 5.1 Addey and Stanhope is a secondary voluntary aided school with a diverse population on a small site in Deptford with a published admissions limit of 120 per cohort (600). Currently it has 597 students on roll.
- 5.2 Addey and Stanhope was formerly a member of a five school “soft” federation. Addey and Stanhope, Deptford Green, Crofton (now Prendergast Ladywell Fields College), and Catford High (now Conisborough College), as 11-16 institutions fed into Crossways Academy (now Crossways Sixth Form) at 16-19. With the change in status of Crofton, the partnership was reduced to four members.
- 5.3 During 2010-11 Addey and Stanhope School, Deptford Green School and Crossways Sixth Form consulted on forming a trust together with a “hard” federation – The Goldsmiths Education Partnership. Because of the geographical focus of the proposed trust in Deptford/New Cross, Catford High School (now Conisborough College) left the soft federation. Following consultation the decision was made by Goldsmiths not to proceed further with the proposal.
- 5.4 Due to the Goldsmiths proposal not proceeding, during 2010-11 Addey and Stanhope School and Deptford Green School considered a collaborative sixth form offer to help meet the progression needs of their own KS4 students and also to increase the appeal to parents applying to secondary schools. At this stage both schools believed that, working through partnership but remaining autonomous, this would be an opportunity for a broader curriculum offer for Addey and Stanhope and Deptford Green sixth form students. Subsequently Addey and Stanhope decided not to put forward its proposal for a sixth form before the completion of its ‘BSF’ refurbishment in September 2012.
- 5.5 In July 2011 the Mayor and Cabinet approved the proposal to add a Sixth Form to Deptford Green School from September 2012.

6. The Addey and Stanhope School statutory proposal

- 6.1 Addey and Stanhope School submitted its statutory proposal to add a Sixth Form on 26th April 2012. The statutory proposal and consultation letter are attached as Appendices 1 and 2.

The post-16 population

6.2 The capacity of the 11-16 school is 600. Addey and Stanhope proposes to add to this number a sixth form capacity of 200 students. The sixth form will reach a maximum size of 200 students as indicated in the table below:

2013 – 2014	66 - Year 12
2014 – 2015	100 - Year 12 66 in Year 13
2015 – 2016	100 - Year 12 100 - Year 13

6.3 The revenue funding for the proposed Sixth Form is an agreed allocation based on the national funding rate in the first and second years of delivery, and then a move on to a lagged approach where funding is given for the previous year's numbers. This has been confirmed with Addey and Stanhope School by the Education Funding Agency.

6.4 Research carried out by Addey and Stanhope indicates that the sixth form cohort would be drawn mainly from Addey and Stanhope students and the school indicates that there is already a popular proposed option for current year 10 students and parents. The sixth form would aim to enable internal progression as well as attract a comprehensive cohort of learners from the surrounding community, including those of high ability.

6.5 The Addey and Stanhope proposal is to offer students an institution which will meet their needs for an academically excellent education in a small school environment. The school argues that some of its students who want to stay in Lewisham are sometimes not able to gain a place in sixth form with a similar ethos to the one it is proposing to develop at Addey and Stanhope School. The school also wants to ensure that students and their families are not economically disadvantaged by travel costs.

6.6 In 2011 the top five destination post-16 institutions for Addey and Stanhope School were Prendergast Hilly Fields College (18%), Lewisham College (17%), Christ the King RC College (10%), City of Westminster College (9%) and St Francis Xavier (8%). For the last four years an average of 67 (53%) of an average cohort of 120 Addey and Stanhope learners has progressed to these top five destination institutions. However, it is evident that year 11 leavers travel as far as Richmond to Dartford for post-16 study. The learners who normally progress to these institutions would be a target for the sixth form recruitment. A full 2011 post-16 destinations table is set out below:

Lewisham		Out of Borough	
Christ the King Sixth Form College	12 (10%)	Bacons College	5 (4%)
Crossways Sixth Form	5 (4%)	Beths Grammar School for Boys	1 (1%)
Forest Hill School	3 (2%)	Blackheath Bluecoat C of E School	2 (2%)
Haberdasher's Aske's Hatcham College	4 (3%)	BRIT School of Performing Arts	2 (2%)
Lewisham College	18 (17%)	Christ the King: St Mary's 6th Form	1 (1%)
Prendergast Hilly Fields College	19 (18%)	City and Islington College	1 (1%)
Unknown	1 (1%)	City Of Westminster College	11 (9%)
		Coulsdon Sixth Form College	1 (1%)
		Croydon College	4 (4%)
		Dunraven School	1 (1%)
		Educated in West London Partnership	1 (1%)
		Educated outside East London	1 (1%)
		Greenwich Community College	1 (1%)
		Harris Academy Falconwood	1 (1%)
		Kemnal Technology College	1 (1%)
		London College of Beauty Therapy	1 (1%)
		NESCOT - North East Surrey	1 (1%)
		Richmond upon Thames College	1 (1%)
		Shooters Hill Post 16 Campus	2 (2%)
		South Thames College	1 (1%)
		Southwark College - Bermondsey	1 (1%)
		St Charles Catholic Sixth Form College	1 (1%)
		St Francis Xavier College	9 (8%)
		Westminster Kingsway College	2 (2%)
Studying In-Borough	61 (53%)	Studying Out of Borough	53 (46%)

Accommodation

- 6.7 The proposal states that the Sixth Form accommodation would be on site as a result of the conversion of the existing gym. The current BSF programme will enable this through expanding the current PE facilities, as well as allowing the Sixth Form to have specialist facilities for science and technology. The Governing body has secured funds for half of the cost and has secured the additional monies from the Local Coordinated Voluntary Aided Programme (LCVAP). The total forecasted cost of the Sixth Form accommodation is £679,680.
- 6.8 The Lewisham LCVAP Group has considered the proposal for Addey and Stanhope to receive £350,000 from this funding stream for the proposed Sixth Form accommodation. The proposal has been agreed in principle by the group and the local authority and meets the requirements for funding in 2012/13. The local authority submitted the bid to Central Government by the due date and the

DFE has intimated that the school's project plan to secure the allocation will be approved and we are awaiting formal confirmation.

Standards

- 6.9 The proposal describes how Addey and Stanhope plans a Sixth Form which would be small, high achieving, and academically excellent. It is intended to be the natural destination for its more able students and would build on the continued academic improvement in Addey and Stanhope over the last five years.
- 6.10 A technology specialism in a proposed new Sixth Form building, with already available excellent IT facilities, would support high standards and a progressive approach to educational delivery.

Curriculum

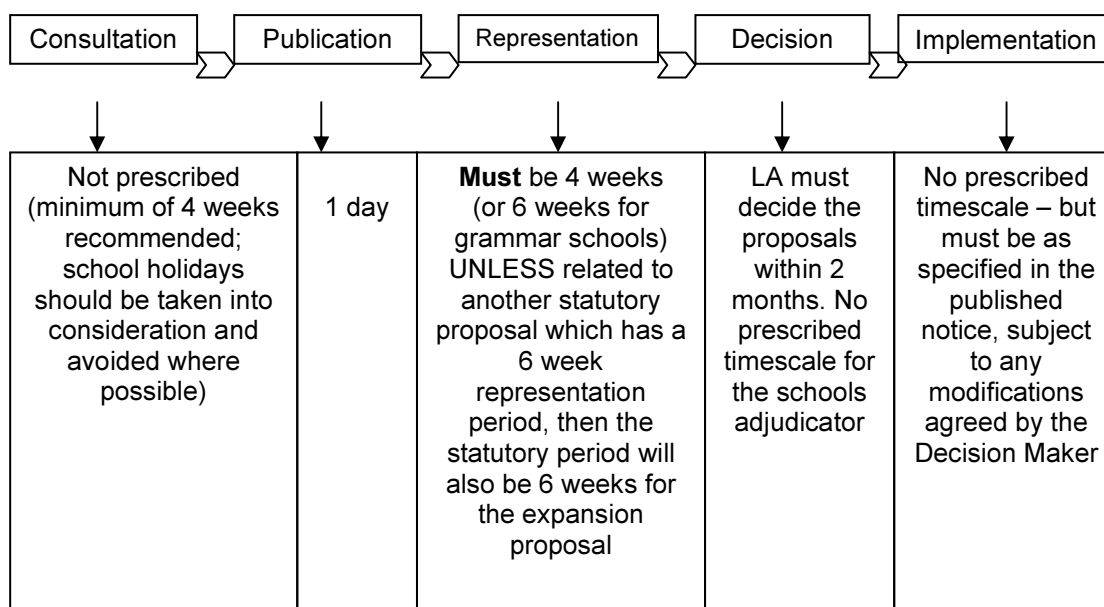
- 6.11 Addey and Stanhope states that it intends to meet a need raised by their students and their families to provide a small academic sixth form on site which will have the same ethos, family atmosphere and high academic standards as the current school. Addey and Stanhope proposes to offer a predominantly Level 3 curriculum with an academic core of popular and successful subjects at KS4. Appropriate progression pathways would be derived from the school's technology specialism and effective partnerships established with Lewisham College to deliver the BTEC Engineering / STEM A Level pathway. The School proposes a pastoral core of enrichment, personal development, preparation for university or the world of work and careers information advice and guidance. Students would also be offered GCSE maths and English retakes for 5 hours per week to ensure that students are able to retake and pass the GCSE examination at the earliest possible opportunity. Addey and Stanhope aims to develop the whole learner by offering the Duke of Edinburgh Award and Global Perspectives to each learner.
- 6.12 The school plans to work in partnership with two other Lewisham institutions to enable the delivery of the curriculum. These are Lewisham College and Haberdashers' Aske's Hatcham College.
- 6.13 Addey and Stanhope confirms that it has already established excellent links with Lewisham College for the delivery of the Engineering double award GCSE (awarded the runner up prize in the Rolls Royce Curriculum by the Specialist Schools Trust). A member of staff from the school has been responsible for its delivery, and the school has used the technical expertise and the workshop environments of Lewisham College. The Addey and Stanhope proposal states that Lewisham College wishes to expand Engineering at Levels 2 to 3 in collaboration with the school.
- 6.14 The proposal describes how Addey and Stanhope has engaged in a number planning meetings with Haberdashers' Aske's Hatcham College and has established a commitment to collaborate to provide a broad and balanced curriculum. Addey and Stanhope indicates that Haberdashers' Aske's Hatcham College is particularly interested in its technology specialism and Haberdashers' Aske's subject offer is wide ranging from Level 2 to Level 3.

Staffing

- 6.15 The school has consulted with staff throughout the process and reports that staff are very supportive of the sixth form proposals. It is the school's intention that Continuing Professional Development takes place to ensure that there are at least two members of staff fully trained to teach each course to guarantee continuity of teaching. In order to ensure this standard, the school has planned to have an agreed curriculum in place by the end of this academic year. The focus of Continuing Professional Development in 2012 – 2013 will be preparation and training for teaching at sixth form level.

7. The consultation process

- 7.1 The Governing Body of Addey and Stanhope School undertook the statutory consultation process to add a sixth form for September 2013.
- 7.2 The consultation process was carried out in line with Statutory Guidance¹. Proposals must take into account that from 2013 all young people will be required to continue in some form of education or training post-16. The government is increasing the minimum age at which young people can leave learning in two stages, to the end of the academic year in which they turn 17 from 2013 and until their 18th birthday from 2015. The statutory proposal and consultation letter are attached as Appendices 1 and 2.
- 7.3 There are five statutory stages for a statutory proposal for an excepted expansion:



- 7.4 Prior to the consultation process, the Lewisham Policy and Programme Steering Group of the Lewisham 14-19 Forum considered the proposal (6th March 2012) as did the full Forum itself (7th February 2012). Members of both

¹ Education and Inspections Act 2006 (EIA 2006) and The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended by The School Organisation and Governance (Amendment)(England) Regulations 2007 which came into force on 21 January 2008 and The School Organisation and Governance (Amendment)(England) Regulations 2009 which came into force on 1 September 2009).

groups, representing senior staff in Lewisham secondary schools and colleges, were very supportive of the proposal to consult, and considered that the proposed collaboration with Lewisham College and Haberdashers' Aske's Hatcham College would help to meet the needs of the Borough, its learners and the labour market. Members advised that Addey and Stanhope should take into account the high degree of competition between providers of post-16 Level 3 courses when coming to a decision on whether to take forward its proposal, and in particular the need to provide courses which would meet the demand from parents and students. The Policy and Programme Steering Group also agreed that the focus of the proposal on Level 3 courses, and any resultant impact on recruitment to other Lewisham institutions, was unlikely to be significant enough to be considered a bar to its support for the proposal.

- 7.5 A public consultation exercise commenced on 23rd March 2012 on the proposal to add a sixth form to Addey and Stanhope School. This was published on the school website along with a consultation response form. The closing date for responding to the consultation was 26th April 2012.
- 7.6 Details of the proposals and invitations to respond were sent to all current Addey and Stanhope parents / carers, current staff, all Lewisham Secondary Schools, all Lewisham Special schools, all Lewisham PRUs, all Lewisham post-16 providers, all Lewisham primary schools, Greenwich and Southwark primary schools within a 2 mile radius of Addey and Stanhope school, Children and Young People Teams at Southwark, Greenwich and Lewisham Local Authority, Lewisham MPs and Lewisham Local Councillors.
- 7.7 Stakeholder information sharing / meetings were held with parents of Addey and Stanhope students, Lewisham Secondary Heads meeting, Addey and Stanhope Governors Meetings, in the Newsletter, Policy and Programme Steering Group and the 14–19 Strategic Forum (both part of the 14-19 Partnership).
- 7.8 As a result of the consultation responses, the Addey and Stanhope governing body agreed to issue a public notice to add a sixth form to Addey and Stanhope School. On 26th April 2012, the governing body published a statutory notice (in accordance with the School Organisation (Prescribed Alterations)(England) Regulations 2007 (SI:2007 - 1289) (as amended). The notice was displayed at Addey and Stanhope and was published in the South London Press and the Lewisham Mercury. The statutory representation period ended on 26th May 2012. There was no response to the Addey and Stanhope notice which is attached as Appendix 5.

8. Responses to the Addey and Stanhope consultation

- 8.1 Numbers of responses by category:

Category of Respondent	Numbers	For	Against	Not sure/ Mixed
Parent/Carer	1	1	0	0
School staff	0	0	0	0
Headteachers / Principals	1	1	0	0
Local Community / Governors	1	0	0	1
Local Authority	1	1	0	0
Other – EFA	0	0	0	1
Total	4	3	0	1

- 8.2 Overall three responses were in favour, one not sure/mixed and none against. Most responses were received from the local community in Lewisham. The majority of responses to the consultation were in favour of the Addey and Stanhope sixth form addition. One requested further information which was represented as a mixed view, and the Addey and Stanhope Head teacher and governing body has addressed each request.

The Local Authority Response

- 8.3 The Local Authority responded positively to the statutory proposal, offering some observations for consideration by the governing body. These included advising that, in considering whether to pursue their proposal, the governors should consider challenges that Addey and Stanhope School might face in adding a sixth form in the current economic and educational climate.
- 8.4 The Authority's response is included in this report as Appendix 5. The identified issues relate to the following:

The demands for post-16 provision Addey and Stanhope School and in the borough, taking into account students' needs and wishes and the needs of employers

- 8.5 The Local Authority's analysis of current provision to meet the needs of its post-16 learners shows that there is over supply at Level 3, and under supply at Levels 1 and 2. The Local Authority recommended that Addey and Stanhope Governors should take account of the proposal's focus predominantly on increasing the supply of academic Level 3 places whilst making at least a modest contribution to addressing Lewisham's analysis of need at Level 2.
- 8.6 Currently the proportion of year 11 learners in each of Addey and Stanhope's attainment bands is matched by appropriate post-16 destinations. This suggests that Addey and Stanhope is providing appropriate information, advice and guidance (IAG) for its year 11 leavers. The Local Authority recommended that when promoting the Sixth Form, it would nevertheless be important to ensure that impartial IAG continues in the light of evidence of large numbers of learners in London dropping out of Level 3 courses at 17, in part because of inappropriate IAG from their home institution aimed at their retention.
- 8.7 The Local Authority also stated that governors should also be aware that the school's first year sixth form target of 66 academic level 3 learners, more than half of the total 2011 year 11 cohort, is high, and higher still in Year 2. Post-16 demand in Lewisham and south-east London will not rise until around 2021, and, prior to this, competition will continue to grow.

The extent to which Addey and Stanhope plans for post-16 development are financially viable

- 8.8 The Local Authority emphasised to governors the importance of ensuring adequate reserves when Sixth Form revenue is based on a 'lagged learner numbers' funding regime (this approach is based on the number of learners participating in the previous year and has removed the need for detailed individual provider dialogue around allocations).

Responses from other stakeholders

- 8.9 The Head teacher of Sydenham School supported the proposal and she stated that it was clear that a lot of research done in the development and that Lewisham students would only benefit; with fewer students going out of borough. She also expressed interest in the development and possible success of the engineering curriculum and in the partnerships with Lewisham College and Haberdashers' Aske's Hatcham College.
- 8.10 A parent, Jennifer Robinson, contacted the Head teacher of Addey and Stanhope in support of the proposal and offered to deliver careers advice in the sixth form.
- 8.11 Councillor Paul Bell raised a question about the equalities analysis assessment of the proposal on Crossways Sixth Form. This has been carried out by the Local authority and is attached as appendix 7.

9. Addey and Stanhope replies to consultation responses

Reply to the Local Authority

- 9.1 The Head teacher from Addey and Stanhope School thanked the local authority for its response to the proposal to open a sixth form. The reply acknowledged the duty of the Local Authority to ensure sufficient, appropriate post 16 places and to support the improvement of the quality education and training of the young people aged 16-19.
- 9.2 The reply highlighted that with rising attainment at key stage 4, many of its students would be suitable to join a high achieving and academically excellent sixth form which we are planning to develop. Many parents were interested in their children progressing on to the sixth form because they knew and trusted the school to achieve the best for their children.
- 9.3 The reply also referred to the matter of high quality IAG, stating that the school was very aware of the need to ensure this is a very important aspect of the provision in the sixth form. This would form a central part of the core curriculum and discussions were already underway to ensure a coherent approach from the lower school.
- 9.4 The reply confirmed that a relatively small number of Level 3 courses was planned, which would be likely to be attractive to sixth formers, would allow them access to the top universities and would link well with each other. The courses had been thoroughly discussed with Governors who have some specialist knowledge and had been slightly amended in the light of these discussions.

- 9.5 On the issue of recruitment of Level 3 students the Local Authority's anxieties were noted in relation to the school's ability to retain a large proportion of its current student population. The school planned to have a Head of sixth form in place for September 2012 and had discussed a very detailed marketing campaign. This would not be enough to ensure the school recruits its target numbers, but there was a lot of interest from the current year 10 and the school had started the discussion of the sixth form with the rest of the cohort. The school believed convincing a critical mass would put the school in a good position to recruit the numbers needed to support an academically and financially viable sixth form.
- 9.6 The reply accepted that the proposal would not contribute to the borough wide need for more Foundation and Level 1 provision. The school felt that there was first class provision elsewhere in the borough and it could replicate this quality in a very small sixth form.
- 9.7 The school was re-assured that there were no anticipated issues with the acceptance of the LCVAP bid by central government. Governors had ensured that the school had the rest of the monies required to develop the accommodation and that the school would receive adequate revenue in the future in the light of the lagged learner numbers. The school had also had a preliminary discussion with an officer from the local authority about the financial risk.
- 9.8 The reply thanked the Local Authority for its support for this initiative, and indicated its belief that the proposal would improve the progression pathways for its students as well as strengthening the teaching and learning from 11-16.

Reply to Carolyn Unsted, Head teacher of Sydenham School

- 9.9 Addey and Stanhope thanked the Headteacher of Sydenham School for her positive response to the consultation and the offer of SFH6 staff support. The reply also stated that fewer students are leaving the borough for post-16 education, and acknowledged the interest in Addey and Stanhope's proposal to offer BTEC Engineering at Level 2 and 3.

Reply to Jennifer Robinson

- 9.10 The reply thanked Jennifer Robinson for her ideas on how the pastoral core curriculum could be enriched, and for her ideas on developing a school magazine. Jennifer's comments would be passed to the Head of Sixth Form once appointed.

Reply to Councillor Paul Bell

- 9.11 The reply thanked Councillor Paul Bell for his interest in the proposal and explained that the impact assessment is carried out by the Local Authority and would be presented to the Mayor and Cabinet at the meeting at which the proposal would be considered.

10. Factors to be considered by decision makers

- 10.1 In accordance with the legislative requirements the Mayor is asked to decide on the statutory proposal having regard to the guidance contained in the 'decision making' guidance and which is Appendix 6 of this report. The decision of the

Mayor on the proposal to add a sixth form to Addey and Stanhope School must be taken in accordance with the School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (SI:2007 No. 1289) (as amended) and the Mayor must have regard to the Secretary of State's guidance in reaching a decision on the proposal. Before considering the merits of the proposal, the Mayor must be satisfied that the following elements have been either complied with or considered:

- 10.2 **Comprehensive information** – The Mayor must be certain that the information required is available to make a decision.

Commentary: *All the information, as specified in the Secretary of State's guidance, is contained in this report.*

- 10.3 **Does the published notice comply with statutory requirements?**

Commentary: *The statutory notice complies with The School Organisation (Prescribed Alterations)(England) Regulations 2007 (SI:2007 - 1289) (as amended)). The Addey and Stanhope Governing Body published a statutory notice in accordance with using the DfE's 'notice builder tool'.*

- 10.4 **Has the Statutory Consultation Been Carried Out Prior to the Publication of the Notice?**

Commentary: *The statutory consultation was carried out in accordance with the Secretary of State's statutory guidance on consultation. The consultation process allowed respondents four weeks in which to reply. Full details of the consultation process are contained in the guidance which is Appendix 6 of this report.*

Copies of consultation documents were sent to all stakeholders likely to be affected by the proposal, including parents, staff, governors and local residents as well as other stakeholders specified in the DfE statutory guidance. The consultation documents were available on the School's website.

- 10.5 **Decision on the quality of the Consultation** - The guidance states that, 'If the requirements have not been met, the Decision Maker may judge the proposals to be invalid and should consider whether they can decide the proposals'.

Commentary - *The consultation process was planned and delivered by Addey and Stanhope School Governing Body, in line with the Council's own guidelines on consultation and in accordance with DCSF (DfE) guidance, "the Education and Inspections Act 2006 (EIA 2006)" and "The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (Amended)."*

The process will enable the Mayor and Cabinet to consider the views of stakeholders in the consultation process and in the widest and most transparent manner. All care has been taken to ensure no one was omitted from this process.

- 10.6 **Are the Proposals Related to Other Published Proposals?**

Commentary – *There are no related published proposals.*

- 10.7 **Effect On Standards And School Improvement** – the statutory guidance states that the Government wishes to see a dynamic school system in which:
- the best schools are able to expand and spread their ethos and success

Commentary: As a Specialist Technology School, Addey and Stanhope has made a significant contribution to the improvement of standards of teaching and learning in Lewisham. KS4 attainment has been at or above the national average over the last 3 years and is judged by Ofsted to be Good. In the Ofsted 2010-11 subject survey inspection programme: design and technology (D&T) the overall effectiveness of Design and Technology at the school is good.

5 A*-C grades including English and maths

	2008/9	2009/10	2010/11
Addey and Stanhope	59%	55%	68%
National	49.8%	53.1%	58.2%

10.8 **Standards** - The Government wishes to encourage changes to local school provision which will boost standards and opportunities for young people, whilst matching school place supply as closely as possible to pupils' and parents' needs and wishes.

Commentary: Young people should choose the provision at post-16 that best suits their needs, irrespective of the Local Authority within which the institution is situated. In the context of this policy of student-led choice, the Local Authority has:

- a statutory duty to ensure sufficiency of appropriate post-16 places;
- a particular duty to have regard to, amongst other things, the quality of the education and training and may challenge where this is poor or inadequate.

The proposal should be considered in relation to the current and future need and demand for post-16 places, and how well these are being met, not only within Lewisham but within a sub-regional South London context. Lewisham and the south-east generally need more Foundation Learning and Level 2 post-16 provision, and there is an over supply of Level 3 provision as recognised by the EFA.

Addey and Stanhope has worked closely with the Lewisham 14-19 Partnership to consider the needs of local students in this age group and to support the Local Authority to deliver its statutory duties. The proposal takes into account the Lewisham statement of priorities for the post-16 curriculum. This includes:

- Increase the breadth of Lewisham provision for vulnerable groups - LLDD, NEETs, teenage parents, and offenders.
- Increase breadth of Apprenticeship provision available in Lewisham.
- Increase number of learners accessing Apprenticeship provision.
- Increase the breadth of Level 1 provision.
- Support planning across 'Travel to Learn' areas of London (residents).
- Develop appropriate sector specific vocational provision that enables young people to progress into employment, Further or Higher Education (Level 2-3).

66% of Addey and Stanhope Year 11 leavers are ready for Level 3 study. 25% of leavers are below level 2, and 3% below level 1. In addition, as a result of achieving a vocational qualification (generally BTECs), some Addey and Stanhope leavers tend to achieve Level 2 which does not include English and maths.

However, it is not the expectation that an 11-18 institution should make an appropriate Sixth Form offer to all its students at 16. Many wish to, and do, move on to other institutions which provide the course they need at the appropriate level. In this respect, whilst it does not reflect the proportion of need at 16 for Level 1 and 2 courses at Addey and Stanhope, in its 25% Level 2 and vocational offers the proposal makes a sound prospective contribution to meeting Level 2 and vocational shortages across the Borough.

Addey and Stanhope will need to continue to work with the 14-19 Partnership to keep its curriculum offer closely under review to ensure it supplies an appropriate balance of course levels to meet learner needs across the Borough as well as its own post-16 demand.

- 10.9 **Diversity** - Decision Makers should consider how proposals will contribute to local diversity. They should consider the range of schools in the relevant area of the Local Authority and whether the expansion of the school will meet the aspirations of parents, help raise local standards and narrow attainment gaps. **Commentary:** *Adding a sixth form at Addey and Stanhope School meets the duty of local authorities to a statutory duty to ensure sufficiency of appropriate post-16 places.*

Post 16 recruitment

In 2011 116 (c.50%) Addey and Stanhope year 11 students went on to study at post-16 within Lewisham, and (c.50%) progressed outside. Addey and Stanhope aims to recruit up to up to 100 students per cohort, mainly through internal progression, with the majority undertaking Level 3 academic and vocational courses.

Currently the top five destination post-16 institutions for Addey and Stanhope in 2011 are Prendergast Hill Fields College (16%), Lewisham College (15%), Christ the King RC College (12%), City of Westminster College (9%) and St Francis Xavier (7%). For the last four years an average of 67 (53%) of an average cohort of 120 Addey and Stanhope learners has progressed to these top five destination institutions. It is evident that year 11 leavers travel as far as Richmond to Dartford for post-16 study.

The supply of academic Level 3 places is currently very competitive in Lewisham and the sub-region, and competition is likely to increase as many existing 11-18 schools are trying to stimulate further demand in their own institutions. Addey and Stanhope's target recruitment is ambitious in this context, although the technology specialism enhanced by the BSF proposed the state of the art IT facilities and small school ethos offer may be a recruitment incentive. Also its demand analysis (learner and parent (including prospective year 6) preference) predicts an initial demand for 66 mainly level 3 and 2 places from within Addey and Stanhope. If year 11 learners are to consider Addey and Stanhope as a sixth form preferred choice, based on current attainment, over 80 learners would be appropriate for study level 2 and 3 study at the school.

There is proven evidence of a large number of learners already dropping out of Level 3 courses at 17 in Lewisham and the region because of inappropriate Information, Advice and Guidance aimed at their retention by their home institution. However, the IYSS (integrated youth support service database) indicates 2011 year 11 leavers at each level is showing that 50% are now

studying AS Levels, 3% vocational level 3, 27% level 2, 8% level 1 and other courses and 8% unknowns. The proportion of learners in each attainment band is matched by appropriate post-16 course type destinations. This would therefore imply that Addey and Stanhope is providing appropriate IAG for their year 11 leavers and it is important that this continues when promoting of its own Sixth Form.

Impact on the local area

Within the locality of Addey and School there are other post-16 providers: Within the Haberdashers' Federation, Haberdashers' Aske's Hatcham College offers mainly Level 3 academic courses; the current Crossways Sixth Form offers Level 2 and Level 3 provision to learners, many of whom on entry have a relatively low points score at KS4; Lewisham College offers vocational programmes at Levels 1, 2, 3 and access provision; and Christ the King offers academic Level 3 courses, and Level 2 (for further details see "impact of the proposal on top five destination institutions" below). Elsewhere on this Mayor and Cabinet agenda is a report recommending an extension to Christ the King provision which will encompass access, Level 2 and Level 3 courses.

Addey and Stanhope Sixth Form proposes to offer existing learners and young people from the local area a diverse curriculum offer at Levels 2 and 3.

Impact of the proposal on top five destination institutions

Crossways Sixth Form

Elsewhere on this Mayor and Cabinet agenda proposals are made to secure a positive future for post-16 provision on the Crossways Sixth Form site. The proposals are likely significantly to strengthen recruitment. The data below sets out the position for Crossways as it currently stands.

Crossways learners – student roll (Y12 and Y13)

	2007 /8	2008 /9	2009 /10	Jan 2011	2011/12 Target	Jan 2012	Feb 2012
Roll	675	569	629	584	650	518	508

Although reducing over the last four years, Crossways has drawn the majority of its Lewisham schools' intake from the schools within the original Crossways "soft" federation, Addey and Stanhope, Conisborough College and Deptford Green.

Crossways Intake of year 12 learners from Lewisham schools

	2008	2009	2010	2011
Addey and Stanhope	16	51	13	5
Bonus Pastor	1	1	0	3
Conisborough College	40	60	44	44
Deptford Green	39	68	28	54
Forest Hill	7	1	4	11
Haberdashers' Aske's Hatcham College	0	0	1	4
Haberdashers' Aske's Knights Academy	5	0	6	8
Prendergast Hilly Fields College	0	1	0	2
Prendergast Ladywell Fields College	28	14	8	31
Sedgehill School	9	2	8	14
St Matthew Academy	8	0	0	0
Sydenham School	5	5	0	7
Trinity Church of England School	7	4	2	7

For 2011/12 these schools will still provide the largest potential intake along with other smaller numbers from other Lewisham and Southwark schools. However, with the year on year decline in progression of learners from Addey and Stanhope to Crossways, the new Sixth Form is unlikely to have a significant impact on learner numbers at Crossways as it currently stands. However, if the proposal elsewhere on this Mayor and Cabinet agenda is agreed, and the Crossways site becomes part of Christ the King College, a greater number of Addey and Stanhope learners may be attracted to apply for Christ the King..

Prendergast Hilly Fields College

In 2011 there was a significant increase in the number of Addey and Stanhope learners who progressed to Prendergast Hilly Fields College. The college offers A Levels, level 3 BTECs and level 2 BTECs. In September 2012 Prendergast Hilly Fields College will extend its provision by opening an Arts Studio on its sister site at Prendergast Ladywell Fields College. Level 3 displacement to a new Addey and Stanhope 6th Form might not be significant if high achieving learners still continue to wish to progress to Prendergast Hilly Fields College because of its track record, reputation and popularity. This may have implications for the recruitment assumptions in the Addey and Stanhope proposal that they retain students who would previously have gone to Prendergast Hilly Fields College.

Christ the King (CTK)

For the last four years an average of c.13 Addey and Stanhope learners (mainly Level 3s) have progressed to CTK. CTK offers level 3 general and applied A levels, level 3 BTECs, level 2 BTECs as well as access provision. Taking into account the proposed expansion of CTK, as with Prendergast, Level 3 displacement might not be significant if learners continue still to wish to progress to CTK because of its track record, reputation and popularity. This may have implications for the recruitment assumptions in the Addey and Stanhope proposal that they retain students who would previously have gone to CTK or, with the proposed expansion, those who might have previously opted

to go to Crossways Sixth Form and might consider CTK as an possible alternative.

Lewisham College

For the last four years an average of 23 Addey and Stanhope learners have progressed to Lewisham College. Lewisham offers level 3 BTECs, level 2 and Foundation learning provision. The offer of Level 3 and level 2 Engineering and Foundation Learning will attract learners from Addey and Stanhope and can only complement the Addey and Stanhope proposal. This proposal is likely to therefore have minimal impact.

St Francis Xavier College

A small number of Addey and Stanhope students progress to St Francis Xavier College. This proposal is likely to therefore have minimal impact.

- 10.10 **Equal Opportunity Issues** - the Decision Maker should consider whether there are any sex, race or disability discrimination issues that arise from the changes being proposed. Similarly there needs to 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.

Commentary: An EAA has been conducted with regard to this proposal and is attached to the report as Appendix 7.

- 10.11 **Need For Places - Addition of post-16 provision by “high performing” schools** - There should be a strong presumption in favour of the approval of proposals for a new post-16 provision where:

- the school is a high performing specialist school that has opted for an applied learning specialism; or
- the school, whether specialist or not, meets the DCSF criteria for ‘high performing’ and does not require capital support.

Commentary: Addey and Stanhope is a specialist Technology School. KS4 attainment at Addey and Stanhope has been at or above the national average over the last 3 years and is judged by Ofsted in 2012 to be good. In the Ofsted 2010-11 subject survey inspection programme: design and technology (D&T) the overall effectiveness of Design and Technology at the school is good.

- 10.12 **View of interested parties** - 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 an area, there is equal access to single sex provision for the other sex to meet parental demand. Similarly there needs to 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.

Commentary: A small number of responses were offered. Overall three consultation responses were in favour, one not sure/mixed and none against. Most responses (two) were received from the local community, one was in favour and with one not sure/mixed. The Lewisham 14-19 Schools Forum and its Policy and Programme Steering Group agree to the proposal.

The school's 2012 Ofsted report indicated that a very large majority of parents and carers think that behaviour at the school is good and that their children are safe there.

Although the consultation process focused on a wide stakeholder audience the small number of respondents offered, despite being positive, a limited view of the local community's views.

11. Financial Implications

Revenue

- 11.1 New post-16 provision can be delivered by any approved provider and is funded on a lagged learner number basis. New post-16 providers will get an agreed allocation in their first and second years of delivery and then move on to a lagged approach as all other providers. There is no start up or growth funding available to new post-16 provision. It is expected that the initial funding will cover staffing costs. The post-16 funding to Addey and Stanhope will be allocated in the following way:

Year one – starting point one-third of long-term capacity	66.6 learners based on long-term capacity of 200
Year two – double lagged numbers in year 1	Based on year one enrolment - if Addey and Stanhope enrol 100 learners then funding will be for 200
Year three – fully lagged	Based on year two enrolment

- 11.2 The revenue funding of the sixth form provision would be from the Education Funding Agency and would not attract funding from the Dedicated Schools Grant and would not represent any call upon the general fund resources of the council.

Capital Financial Implications

- 11.3 The proposal describes that the Sixth Form accommodation would be on site with the conversion of the existing gym. The current BSF programme will expand the PE facilities and allow the Sixth Form to have specialist facilities for science and technology. Addey and Stanhope and the Governing body have secured funds for half of the cost and have requested from LCVAP the additional monies. The total forecasted cost of the Sixth Form accommodation is £679,680.

The Lewisham LCVAP Group has considered the proposal for Addey and Stanhope to receive £350,000 from this funding stream for the proposed Sixth Form accommodation. The proposal has been endorsed by the Local Authority and meets the requirements for funding in 2012/13. The Local Authority submitted the bid to Central Government by the required submission date. The DFE has intimated that the school's project plan to secure the allocation will be approved and we are awaiting formal confirmation.

11.4 Further, post-16 capacity provision is the responsibility of the EFA which would need to be approached for any capital provision outside that provided by the newly rebuilt school.

12. Legal Implications

12.1 The Guidance² for expanding a maintained mainstream school by adding a sixth form sets out the statutory and non-statutory requirements for alteration of upper age limit:

12.1.1 Local Authorities are under a statutory duty to ensure that there are sufficient school places in their area, promote high educational standards, ensure fair access to educational opportunity and promote the fulfilment of every child's educational potential. They must also ensure that there are sufficient schools in their area, promote diversity and increase parental choice.

12.1.2 Expansion proposals are required when there is an addition of a sixth form from the proposers (LAs and school governing bodies) by a year or more.

12.1.3 There are five statutory stages to a proposal: consultation, publication, representation, decision and implementation.

12.1.4 Decision on proposals are taken by the Local Authority (Decision makers) and there is an appeals process.

12.1.5 Factors that are to be considered by Decision Makers are: effects on standards and school improvement; school characteristics; need for places; funding and land; special education needs provision; and other issues.

12.1.6 Any additional 16-19 provision where there is parental and student demand is governed by the *Apprenticeships, Skills, Children and Learning Act 2009* and includes criteria: need for local collaboration; viability of existing post-16 providers in the local areas; and the improvement of standards.

12.1.7 There is a strong presumption in favour of approval where: the school is a high performing specialist school or meets the Department for Education criteria for 'high performing'; operates in partnership with other local providers; proposal are within the local 14-19 delivery plan; and there is a standard Schools Admissions Code.

12.1.8 The detail of these factors are set out in the Guidance and particular attention should also be paid to funding and land.

12.2 The Human Rights Act 1998 safeguards the rights of children in the Borough to educational provision, which the Council is empowered to provide in accordance with its duties under domestic legislation.

² The guide provides information on the procedures established by The Education and Inspections Act 2006 (EIA 2006) and The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended by The School Organisation and Governance (Amendment)(England) Regulations 2007 which came into force on 21 January 2008 and The School Organisation and Governance (Amendment)(England) Regulations 2009 which came into force on 1 September 2009). The relevant provisions of the EIA 2006 came into effect on 25 May 2007

12.3 Section 14 of the Education Act 1996 obliges each local authority to ensure that there are sufficient primary and secondary schools available for its area i.e. the London Borough of Lewisham, although there is no requirement that those places should be exclusively in the area. The Authority is not itself obliged to provide all the schools required, but to secure that they are available.

12.4 In exercising its responsibilities under section 14 of the Education Act 1996 a local authority must do so with a view to securing diversity in the provision of schools and increasing opportunities for parental choice.

The Education and Inspections Act 2006 places requirements on Authorities to make their significant strategic decisions concerning the number and variety of school places in their localities against two overriding criteria:

- to secure schools likely to maximise student potential and achievement;
- to secure diversity and choice in the range of school places on offer.

Section 19 of the Education and Inspections Act 2006 provides that where a local authority or the governing body of a maintained school proposes to make a prescribed alteration to a maintained school and it is permitted to make that alteration, it must publish proposals.

12.5 The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 provides that proposed enlargements of school premises which would increase the capacity of the school by more than 30 pupils and by 25% or 200 pupils (whichever is the lesser), or changes to the age limit of a school are prescribed alterations which means that statutory proposals have to be published, and there must be a period of four weeks for representations before a decision is made.

12.6 If the Local Authority fails to decide proposals within 2 months of the end of the representation period the Local Authority must forward proposals and any received representations (i.e. not withdrawn in writing) to the Schools Adjudicator for decision within one week of the end of the two month period.

12.7 The Mayor, before making any decision regarding the expansion of a school or the change in the age range, must ensure that capital funding is in place, interested parties have been consulted, the statutory notice is published and there has been a four week period for representation.

12.8 The Equality Act 2010 (the Act) brings together all previous equality legislation in England, Scotland and Wales. The Act includes a new public sector equality duty (the equality duty or the duty), replacing the separate duties relating to race, disability and gender equality. The duty came into force on 6 April 2011. The new duty covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

12.9 In summary, the Council must, in the exercise of its functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- advance equality of opportunity between people who share a protected
- characteristic and those who do not.

- foster good relations between people who share a protected characteristic and those who do not.

12.10 As was the case for the original separate duties, the new duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

12.11 The Equality and Human Rights Commission (EHRC) issued guides in January 2011 providing an overview of the new equality duty, including the general equality duty, the specific duties and who they apply to. The guides cover what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guides were based on the then draft specific duties so are no longer fully up-to-date, although regard may still be had to them until the revised guides are produced. The guides can be found at: <http://www.equalityhumanrights.com/advice-and-guidance/public-sector-duties/new-public-sector-equality-duty-guidance/>

12.12 The EHRC guides do not have legal standing , unlike the statutory Code of Practice on the public sector equality duty which was due to be produced by the EHRC under the Act. However, the Government has now stated that no further statutory codes under the Act will be approved. The EHRC has indicated that it will issue the draft code on the public sector equality duty as a non statutory code following further review and consultation but, like the guidance, the non statutory code will not have legal standing.

12.13 As set out in this report, in reaching a decision on the proposed establishment of a Sixth Form at Addey and Stanhope, the Mayor must have regard to statutory guidance prepared by the Secretary of State. The relevant section of the Guidance is Appendix 6 to this report.

13. Crime and disorder

13.1 There are no direct crime and disorder implications arising from this report.

14. Equalities

14.1 An Equalities Analysis Assessment (EAA) has been completed for the addition of a sixth form to Addey and Stanhope School attached as Appendix 7. In common with all aspects of education in Lewisham, close equalities monitoring will take place to assess the impact of proposal upon admissions to other local school and post-16 providers. Also careful monitoring will take place to calculate the impact of the disproportionate gender mix of learners currently on roll on future admissions.

15. Environmental implications

- 15.1 There are no direct implications arising from this report as the proposal for the addition of a sixth form to Addey School is an Sixth Form Build would involve the conversion of the existing gym.

16. Conclusions

- 16.1 Overall, out of the small number of four, three responses were in favour of the proposal, with none against. Although concerns have been raised in particular about the school entering a very competitive market for Level 3 provision, Addey and Stanhope will continue to be supported by the local authority and the Lewisham 14-19 Partnership in developing and fulfilling its vision for the future, and, in so doing, meeting the needs of Lewisham learners. In the context of national policy to encourage new providers into the market the Mayor is therefore recommended to agree to Addey and Stanhope acquiring a Sixth Form from September 2012.

17. Background documents

- Appendix 1: Addey and Stanhope statutory proposal
- Appendix 2: Addey and Stanhope consultation letter
- Appendix 3 Local Authority response to consultation
- Appendix 4: Addey and Stanhope Statutory Notice
- Appendix 5: Statutory Guidance
- Appendix 6: Equalities Analysis Assessment (EAA)

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