

WYEBRIDGE SPORTS COLLEGE DETERMINATION OF STATUTORY NOTICES

PORTFOLIO RESPONSIBILITY: CHILDREN'S SERVICES

CABINET

12 JUNE 2008

Wards Affected

St Martins and Hinton

Belmont

Hollington

Purpose

To determine the public notices to close Wyebridge Sports College in order to enable the opening of the new Wyebridge Academy.

Key Decision

This is a Key Decision because it is likely to be significant in terms of its effect on communities living or working in Herefordshire in an area comprising one or more wards.

It was included in the Forward Plan.

Recommendation

That the closure of Wyebridge Sports College on 31 August 2008 be approved.

Reason

To make progress with the academy project the Local Authority must first approve the closure of Wyebridge Sports College, which occupies the site of the proposed Academy.

Considerations

1. A copy of the full closure proposal notice is attached as Appendix 1. A copy of this and copies of responses to the proposal have been placed in the Members Room.
2. The statutory notice was published in The Hereford Times on 27 March 2008. It was also displayed at each of the two entrances to Wyebridge Sports College, its feeder primary schools and at the Redhill Stores and Post Office, for the statutory period of 6 weeks. Four consultation meetings were set up but, in the event, parents only attended the meeting arranged at the school.

Further information on the subject of this report is available from
Rob Reid – Schools Planning and Access Manager on (01432) 260920

3. **Written responses received to the consultation.**

The statutory 6 weeks period for the submission of comments or objections ended on 8 May. However, as the consultation event at Wyebriidge Sports College could not be held until 8 May, the dead-line was extended to 20 May.

Summary of objections received (with Local Authority Officer comments in *italics*):

a) Marches Secularists

Objection on the grounds that:

- Consultation has been inadequate in terms of the range of stakeholders consulted.

All statutory stakeholders were consulted. In addition, an extensive range of other stakeholders were also consulted. Through consultation events, including a public meeting, other interested parties were given an opportunity to express their views. The views of the Marches Secularists were received and considered through this process.

- Stakeholders were not provided with the full proposals for the Academy at the start of the consultation process.

It is the view of Local Authority officers that the consultation undertaken by the Sponsors of the proposed Academy has met all statutory requirements and that the detail and quality of the information consulted upon was adequate for the purpose.

- Diversity of provision may be increased, but it seems likely to be acquired at the serious loss of public accountability and control.

Although the proposed Academy will not be maintained by the Local Authority, it will be publicly accountable directly to the Government Department for Children, Schools and Families and will be subject to inspection by Ofsted. The Academy also has to conform to the Code of Practice on School Admission and is monitored by the Local Admissions Forum.

- Major capital investment in school buildings will almost certainly offer timely and welcome improvements to teaching and learning facilities.

Funding for the proposed Academy is the only practicable source of funding available at this time.

- The effect of a faith academy on improving standards is questionable and not easily evaluated. Research shows that claims made by faith bodies, with regard to improved pupil attainment justified on grounds of links with faith based tenets, are not amenable to scientific evaluation.

The Government's Academies' programme, involving a wide range of sponsors, including faith sponsors, is proving successful in raising standards. Although the change of status is significant, the Local Authority believes the injection of the £20,000,000 capital investment will have a dramatic impact on the standard of teaching and learning.

- How inclusive and non-judgemental will a faith based academy be with

reference to e.g. sexual orientation and family background?

The proposed Hereford Academy has adopted the same admission oversubscription criteria as that adopted by Herefordshire Council for all Community and Voluntary Controlled schools in the County. There will be no admissions based on faith. The Academy will also be required to have an equal opportunities policy that will be subject to Ofsted inspection. This is in addition to the legislation on equal opportunities which all public bodies have to observe.

- The Department for Children, Schools and Families (DCSF) has reported concerns with faith schools failing to adhere to the practice of Fair Access in line with the Code of Practice on School Admissions.

There has been criticism that, nationally, a significant number of self governing schools, including faith schools, have failed to adhere to the Code of Practice. The Secretary of State is looking to address this nationally. In Herefordshire, the Local Admissions Forum will consider issues of fair access to all schools. Given that the Academy has adopted the same admission oversubscription criteria as that adopted by Herefordshire Council for all Community and Voluntary Controlled schools in the County, this will ensure fair access.

- Poor turnout at consultation events questions whether local residents and parents have grasped, or had brought to their attention, the underlying political implications.

The Local Authority and the Sponsors of the proposed Academy, through their agents Navigant Consulting, have undertaken an extensive consultation with parents and local groups which has generated good public debate. The proposal has been the subject of over a dozen local newspaper articles between January 2007 and April 2008, as well as featuring on local radio. On this basis, a low turn-out is more likely to reflect a general satisfaction with the proposal.

- Wyebriidge Sports College has made good progress over the past 7 years. It should be allowed to continue that improvement in the public (secular) sector.

The achievements of the staff, governors and pupils of Wyebriidge Sports College in recent years are recognised. The Academy proposal provides an opportunity to build on that success and to improve still further by addressing the limitations of the current physical environment.

b) Hereford Sixth Form College

The Local Authority received a copy of a letter sent from Jonathan Godfrey, Principal of the Hereford Sixth Form College, to Revd. Ian Terry, Diocesan Director of Education, expressing concerns regarding the proposed post-16 provision for the Hereford Academy. Although this was not received as a direct response to the statutory notice, it has been included as such.

Summary of observations (with Local Authority Officer comments in *italics*):

- None of the Hereford colleges have been consulted.

The Learning & Skills Council (LSC), as a statutory consultee for post-16 provision planning, has been consulted. Individual colleges are not statutory consultees. The Hereford colleges, including the Sixth Form College, are

members of the 14-19 Strategy Group. This group has been formed to address the demands of delivering the 14-19 agenda through partnerships between the County's high school sixth forms and colleges. The Academy Sixth Form has been discussed by the Group.

- Wyebridge Sports College has informed its students that the proposed Academy will offer a range of A level and vocational post-16 courses from September 2008, most of which are available at the Hereford colleges. Also concerned that student numbers will be too small to be viable.

The Academy Sixth Form will look to provide for the significant number of students in the South Wye area who either do not continue into, or drop out of, further education. In this respect, the Academy is not seeking to compete with existing provision and will be an integral part of the 14-19 partnership with other schools and colleges.

The Local Authority will facilitate further discussions between Hereford Sixth Form College, the Academy Sponsors and Principal Designate and the LSC.

4. These three responses do not provide grounds to reject the proposal. There is one additional issue of which Members need to be aware. Previously as part of the approval of the Outline Business Case, Cabinet were advised that alternative accommodation for the Redhill Residents Association would be provided through the use of the mobile building currently used by Infozone. This is still the case, but the Residents Association's request to have this building relocated on the Wyebridge site has been assessed as being impossible to agree. Setting aside an area of the site inside the northern entrance would create difficulties in terms of pitch layout, and management of visitors to the site (the aim is to control access at the southern end). It would also complicate the leasehold arrangement. The commitment to provide the alternative accommodation using the Infozone building remains, and between now and 2011 work will continue with the Association to find a more suitable location.

Financial Implications

There are no formal implications in determining that Wyebridge Sports College should close. It paves the way for the creation by the Secretary of State of the Academy, the financial implications of which were considered as part of the approval of the Outline Business Case.

Risk Management

Closure is conditional upon the Secretary of State 'opening' the Academy. If this does not happen Wyebridge Sports College would continue to serve the area. There has been no indication that this is a possibility.

Alternative Options

The Local Authority could determine that Wyebridge Sports College remains open, thereby withdrawing its support for the academy proposal as a whole. This would jeopardise the very real achievement that Wyebridge Sports College has made in recent years and leave the future of high school provision in the South Wye area uncertain.

Consultees

Consultation, prior to the publication of the statutory notice, was undertaken with the

following statutory consultees:

- the governing body of Wyebridge Sports College;
- families, pupils and staff at Wyebridge Sports College;
- the governing bodies, staff and families of pupils of other Hereford High Schools and the feeder Primary Schools for Wyebridge Sports College;
- Trade unions
- The Learning and Skills Council (LSC);
- Paul Keetch MP;
- In addition to the above statutory consultees, an extensive list of other stakeholders were consulted and contact made with other interested parties through consultation events. These are listed in Appendix 1.

Appendices

Appendix 1 – Full closure proposal notice

Background Papers

Cabinet Report 6 September 2007

Cabinet Report 13 December 2007

Cabinet Report 28 February 2008

Cabinet Report 27 March 2008