

Subject:	Consultation on the future of Falmer High School and proposals for the development of an Academy on the school site		
Date of Meeting:	10 July 2008		
Report of:	Director of Children's Services		
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Key Decision:	Yes	Forward Plan No. CAB 2177	
Wards Affected:	All		

FOR GENERAL RELEASE**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 In line with the Council's policy to ensure that all pupils are given every opportunity to excel, this report updates Members on the process for the proposed development of an Academy on the Falmer High School site. The report informs Members of the outcomes of the informal consultation process and seeks approval for the further formal consultation stage.

2. RECOMMENDATIONS:

- 2.1 That the Cabinet note the progress since the Policy & Resources Committee Meeting of 6 March 2008.
- 2.2 That the Cabinet consider the outcome of the informal stage of consultation undertaken between 19 May and 4 July 2008 shown at Appendix 3 of the report.
- 2.3 That based on the outcomes of that consultation, the Cabinet approve the next stage of the procedure and authorise the Director of Children's Services to publish the statutory notice on 1 September 2008 for the closure of Falmer High School in August 2010.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The Council submitted with the sponsor, Mr Rod Aldridge, its Expression of Interest to develop an Academy on the Falmer High School site to Lord Adonis, Parliamentary Under Secretary of State for Schools and Learners, on 27 April 2008. On 7 May 2008, the Council received approval of the Expression of Interest from Lord Adonis. The approval had 6 conditions, the Chief Executive replied to this letter on 21 May 2008 accepting these conditions.
- 3.2 As a result of this approval, the Council commenced the informal stage of consultation on the future of Falmer High School and the proposal to develop an Academy on the school site. The consultation commenced on 19 May 2008 and concluded on 4 July 2008. The details of the consultation process are shown in Section 4 and the outcome is shown as Appendix 3.
- 3.3 The Parliamentary Under Secretary of State's approval means that the development of the Academy has moved to the Feasibility stage. During this stage, the Education Case to formulate the school, its curriculum and organisation and the Outline Business Case to establish the procurement and design arrangements for the building both commence. The Feasibility stage is expected to conclude in October 2008. Meeting this timeline will mean that the opening of the proposed Academy would be September 2010 (or earlier if possible), the same date as that proposed in February 2006 under the previous sponsorship arrangements.
- 3.4 In addition to submitting the Expression of Interest and commencing the consultation, the following further progress has been made:
 - 3.4.1 Continued discussions with Partnerships for Schools (PfS) on the funding arrangements and site issues. See section 5.1 for details. A full Options Appraisal for site positioning is currently underway. 3 meetings have been held with the Academies Division of the DCSF to further develop the Academy proposals.
 - 3.4.2 The Outline Planning application, to which there were no objections was submitted and was determined by the Planning Committee on 18 June 2008.
 - 3.4.3 Briefings for all Falmer High School staff were held on 19 May 2008 and 30 June 2008 and three meetings between the Council, the sponsor and a wide range of teaching and non-teaching unions. These meetings provided the opportunity for a wide range of questions and clarification on both the development of the Academy and the consultation process. Further meetings are scheduled with unions for the end of July and October.

- 3.4.4 Articles have appeared in City News and the local Argus. Television and radio interviews have been conducted by the sponsor and the Lead Member for CYPT.
- 3.4.5 The Project Director met with the staff of the Swan Centre to update them and clarify questions on 20 May 2008.
- 3.4.6 The sponsor and the DCSF together with the Council have appointed PKF as the external consultants to the project. These consultants are funded directly by the DCSF. The sponsor and the Council have appointed Mr Geoff Wingrove as the Project Manager who is initially funded through the sponsor's project management grant.
- 3.4.7 Discussions have been held between the Project Director and the principals of City College and Varndean College. The 14-19 Learning Partnership Board was fully briefed on the development on 1 May 2008 and the Brighton & Hove Learning Partnership at a meeting on 2 June 2008. The Learning & Skills Council have been kept informed of developments throughout the process.
- 3.4.8 The trustees of the Bridge charity were briefed on 3 June 2008. The Project Director and the Head teacher of Falmer High School gave a presentation at the Moulsecomb Local Action Team meeting on 11 June 2008, and both attended the Focal People's Lunch at Moulsecomb Rectory on 2nd June 2008.
- 3.4.9 The two private nurseries based on the site were informed on 14 May 2008 by the Estates Manager that it may not be possible to extend their leases which both expire in December 2008. Meetings have been held with both nurseries with the Project Director on 9 June 2008.
- 3.5.0 The inaugural meeting of the Partnership Board, with representatives from all major partners including Brighton & Sussex Universities, City College Brighton & Hove and Brighton & Hove Albion Football Club took place on 16 June and provided considerable input to the consideration for an Academy. Further meetings are scheduled for November and March.
- 3.5.1 The Project Director met with the CEO of the Brighton and Hove Albion Football Club on 25 March 2008 to agree a long term strategy for the development of the 'Bridge' centre.
- 3.5.2 A Staff Engagement Group has been established and included within the governance and management arrangements for the Academy. This group will ensure that the staff at the school are fully engaged in the process to establish the curriculum, staffing structure and educational provision and that their views play a significant part in influencing the Academy's new curriculum offer.

4. CONSULTATION

Consultation on the closure of a school must follow the processes set out in sections 15-16 Education and Inspections Act 2006 and the Guidance issued by the DCSF. Section 16(2) of the Act provides that before publishing any proposals for closure of a community school, the Council must have consulted 'such persons as appear to them to be appropriate'. The guidance for the consultation stage expects 'a reasonable amount of time' for consultation. This is normally between 6 and 8 weeks. The Falmer High School consultation period covered 7 weeks, commencing on 19 May and concluding on 4 July 2008.

400 full consultation documents were issued together with 7000 summary consultation questionnaires. The Council's website carried a full copy of the consultation document plus an online interactive questionnaire. The documents were distributed as appended in Appendix 1. A public meeting was held at Falmer High School on 10 June 2008. The meeting was attended by the Lead Member for CYPT, Lead member for Major Projects, the three Ward councillors, the sponsor, Project Director, the headteacher and a number of Council Officers. Approximately 3 members of school staff and 35 members of the public attended. The record of the Question & Answer session has been published on the Council's website. The issues discussed included:

- 4.2.1 The arrangements for children attending the school when the Academy opens,
 - 4.2.2 the arrangements for children attending the Swan Centre when the Academy opens,
 - 4.2.3 The building programme and construction arrangements,
 - 4.2.4 Clarification that fees were not payable for attending the Academy or that there was any aptitude testing for admission.
 - 4.2.5 The role of the sponsor and his involvement.
 - 4.2.6 The transfer of all staff (other than the headteacher) under TUPE arrangements.
 - 4.2.7 The timetable and major milestones.
 - 4.2.8 The significant improvement to GCSE Key Stage results and attendance at other Academies.
- 4.3 Following this initial consultation process, the Council can then proceed to publish their proposals. Following publication, there will be a statutory period of 6 weeks during which representations can be made to the Council. The outcome of that consultation will be reported to Cabinet in October. Further consultation with unions and others as noted in Section 3 above will continue throughout the process.

5. FINANCIAL & OTHER IMPLICATIONS:

5.1 Financial Implications:

5.1.1 The capital cost of the Academy will be met by the DCSF. Negotiations continue with Partnerships for Schools to determine the exact amount that will be required following the outcome of the options appraisal currently underway. Allocated funding from the DCSF currently stands at £26.2m.

5.1.2 The next stage of the process is the preparation of the Outline Business Case. That Outline Business Case will be subject to Cabinet approval at a later stage.

5.1.3 The revenue budget for the Academy will be based on the existing Falmer High School budget and be finalised nearer the time. Project management costs are met partially by the Sponsors Project Management grant via the DCSF and by the Council as a major partner.

5.2 Legal Implications:

5.2.1 This initial stage of the consultation on the proposals for the future of Falmer High School has been carried out in accordance with the statutory requirements as set out in the Education and Inspections Act 2008, and guidance issued by the DCSF "Closing a Maintained Mainstream School – A guide for Local Authorities and Governing Bodies". Statutory notices will then be published in accordance with Section 15 of the 2006 Act and the accompanying School Organisation (Establishment and Discontinuance of Schools (England) Regulations 2007, as amended.

5.3 Equalities Implications:

5.3.1 Young people leaving Falmer High School are presently the highest group in the City in terms of Not in Education Employment or Training (NEET) being 10.9% in 2007, almost double the 5.7% average for the City. Although the figures for pupils undertaking further education have increased over the past few years, this rate in 2007 at 63% is lower than other schools in the City where sixth form provision is provided in the school environment. It is therefore hoped that over time, provision of the sixth form will increase the number of pupils fully engaged in post-16 education widening participation of the young people in this area of the City in further education thus improving the very high number of adults in the area who have no formal qualifications, currently 35%.

5.4 Sustainability Implications:

5.4.1 The construction of the proposed Academy will adhere to DCSF guidelines (Building Bulletin 98) and will be in line with stringent new targets issued by the Government in March 2008 to reduce school carbon footprints to 60% for all new school buildings. Thus the proposed new building will take full advantage of all appropriate environmentally sustainable energy and recycling systems including proposals for ground source heat pumps, green roofs and solar gain. The final design must meet the Building Research Establishment Environmental Assessment Model (BREEAM) standard at either Good or Excellent. The Outline Planning application approved on 18 June 2008 reaches the BREEAM Excellent standard. Thus the proposed Academy will be a flagship for environmentally sustainable schools for Brighton & Hove for the future and will be one of the “greenest” buildings in the City.

5.5 Risk and Opportunity Management Implications:

5.5.1 A preliminary risk register has been compiled and a full risk register must be undertaken and submitted to Partnerships for Schools as part of their approval process for the Outline Business Case.

5.6 Corporate / Citywide Implications:

5.6.1 The development of an Academy on the Falmer High School site is in accord with the DCSF's policy on developing a range of schools in each Local Authority thereby increasing the variety of types of school available to parents. As part of the development of the Academy, careful consideration will be given to developing the community use of the facilities and a community engagement plan. The City's Neighbourhood Manager for the area will take an active part in both the Project Steering Group and in the Community Consultation Group.

5.7 Crime & Disorder Implications

5.7.1 Throughout the development of the proposed Academy, consultation with both community groups and the Community Safety team and police liaison officers will take place. The engagement of the community in the use of the facilities at the Academy and with the availability of those facilities outside normal school hours, it is envisaged that crime and disorder in the local area will be reduced.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 Officers and the Lead Member of the CYPT have considered the alternatives to improve not only the outcome for pupils (which have improved considerably over the last few years but which fall short of the 30% benchmark for GCSEs when including English and Maths) and the possibility of rebuilding the current school.
- 6.2 The Council does not enter the Building Schools for the Future (BSF) Programme until 2015. Although the DCSF recently announced a reconsideration of the programme, they have also made clear that local authorities would be expected to widen parental choice and take action to develop Academies, Trust or Federated Schools. Given this, the improvements at Falmer High School so far and the unpredictability of any future BSF programme, officers consider that the Academy offers the best option for the pupils and the local community and the site.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 Given the opportunity afforded both to pupils and the local community and the substantial capital investment that will be made by the DCSF together with the sponsor's endowment and in the light of the outcomes of the informal consultation and the Government's directives on BSF, Members are asked to approve the publication of the statutory notice by the Director of Children's Services on 1st September 2008.

SUPPORTING DOCUMENTATION

Appendices:

1. Distribution of informal Consultation documents
2. Draft Statutory Notice
3. Outcome of the informal Consultation

Documents In Members' Rooms

1. The Expression of Interest
2. The full and summary Consultation documents
3. All returned questionnaires and summary documents

Background Documents

1. Policy and Resources Committee paper: Development of an academy on the Falmer School site – 7 February 2008
2. Policy and Resources Committee paper: Update and Expression of Interest for an Academy on the Falmer school site – 6 March 2008