
REPORT OF THE CHIEF EXECUTIVE OF EDUCATION LEEDS

EXECUTIVE BOARD: 3 December 2008

SUBJECT: Future secondary provision proposal for South Leeds High School

EXECUTIVE SUMMARY

PURPOSE OF THIS REPORT

- 1 This report informs the Executive Board of the results of the public consultation on the future of South Leeds High School. It recommends the Executive Board authorise Education Leeds to proceed with the publication of a statutory notice for the closure of South Leeds High School in August 2009. The feasibility stage of the academy proposal would be completed in parallel with the statutory notice, for DCSF approval of the opening of an academy on the same site in September 2009. The Executive Board would subsequently be invited to consider the outcomes of any representations made during the statutory notice period, alongside the outcome of the feasibility study, before making a final decision on closure in March 2009. The report also outlines the implications for the Council in the creation of an academy, in terms of property, legal and commercial matters.

BACKGROUND INFORMATION

- 2 The Executive Board approved a public consultation on this proposal in July 2008, following the submission of an expression of interest naming The School Partnership Trust Foundation (SPT) as the sponsor for an academy to serve inner South Leeds.
- 3 The consultation ran from 8 September to 17 October 2008. Meetings were held with the school council, staff, governing body and general public. An Area Committee meeting was attended, and an additional three public meetings arranged, one in each ward served by the school.
- 4 In total attendance at the various meetings was approximately 450 people (many of these were double counted having attended more than one meeting). A total of 64 written responses were received, including six petitions. Of the responses six were for the proposal or neutral, and 58 against.
- 5 The main issues raised by the consultation were around 6 key themes:
 - Theme 1. The reasons for further change, and the desire for stability to consolidate following extensive recent change. Why an academy?

- Theme 2. Staffing issues; employment rights, staffing structure, pay and conditions, union recognition. The role of the current head teacher.
- Theme 3. Details of the proposed academy; curriculum, admissions policy, exclusions policy, transition arrangements. Why & how it would be better for pupils and the community.?
- Theme 4 School Partnership Trust as an organisation, their role, plans, funding and background, comparisons to other academy sponsors.
- Theme 5 Governance, accountability and process issues.
- Theme 6 Financial and miscellaneous.

6 Responses to these themes are summarised in the main body of this report.

RESOURCE IMPLICATIONS

7 There would be an anticipated budget deficit of £800k to write off in order to open the new academy. Schools Forum has been consulted on their willingness to write this off by drawing on the Dedicated Schools Grant. Whilst they accept the need for any academy to open without a deficit, they have asked that Executive Board explore all other options for funding to meet this debt.

8 In addition, there would be an ongoing impact on the Dedicated Schools Grant . In addition to the funding adjustment through replication of the local formula, funding would also be removed based on the level of central expenditure on certain central activity within the schools budget. This funding adjustment would require the Local Authority to cut central expenditure in line with the reduction of funding. Due to the level of fixed costs, economies of scale and varying support provided for individual schools the budget reduction is unlikely to match the cost reductions through no longer providing services to an Academy. Under the proposed model the actual adjustment will not be known until October, and could lead to an in year adjustment to the central schools budget. The DCSF guidance states that information will be provided to local authorities by February each year in order that an initial calculation can be included within the budget for the following year.

RECOMMENDATIONS

- 9 The Executive Board is asked to;
- (i) note the outcome of the consultation, to close South Leeds High School on 31st August 2009, conditional upon DCSF approval to open an academy on that site opening Sept 1st 2009.
 - (ii) Approve that a statutory notice is published.

REPORT OF THE CHIEF EXECUTIVE OF EDUCATION LEEDS

EXECUTIVE BOARD: 3 December 2008

SUBJECT: Future secondary provision proposal for South Leeds High School

| | |
|---|---|
| <p>Electoral Wards Affected:</p> <p>Middleton Park City and Hunslet Beeston and Holbeck</p> <p><input checked="" type="checkbox"/> Ward Members consulted (referred to in report)</p> | <p>Specific Implications For:</p> <p>Equality & Diversity <input checked="" type="checkbox"/></p> <p>Community Cohesion <input checked="" type="checkbox"/></p> <p>Narrowing the Gap <input checked="" type="checkbox"/></p> |
| Eligible for Call-in <input checked="" type="checkbox"/> | Not Eligible for Call-in (Details contained in the Report) <input type="checkbox"/> |

1.0 PURPOSE OF THIS REPORT

1.1 This report informs the Executive Board of the results of the public consultation on the future of South Leeds High School. It recommends that the Executive Board authorise Education Leeds to proceed with the publication of a statutory notice for the closure of South Leeds High School in August 2009. The feasibility stage of the academy proposal would be completed in parallel with the statutory notice, for DCSF approval of the opening of an academy on the same site in September 2009. The Executive Board would subsequently be invited to consider the outcomes of any representations made during the statutory notice period, alongside the outcome of the feasibility study, before making a final decision on closure in March 2009.

2.0 BACKGROUND INFORMATION

2.1 The Executive Board approved a public consultation on this proposal in July 2008, following the submission of an expression of interest naming The School Partnership Trust Foundation (SPT) as the sponsor. Other options that had been considered were as follows:

2.2 **Option 1** Close South Leeds High School and establish an academy on its site – the proposal

- 2.3 There are 4 key reasons why Education Leeds believes this is the right proposal for South Leeds:
- The need to accelerate improvement. We recognise there has been improvement, but we need to see this impact faster on the achievements of young people.
 - An academy would bring extra capacity (both professional expertise and other resources) to sustain improvement into the medium term.
 - In the SPT we have a local partner committed to sustaining and building upon SLHS's contribution to the wider education community of Leeds.
 - SPT's knowledge and expertise involving local colleges, our universities, local health and social care services, the police and local businesses to improve opportunities and outcomes for young people is needed in south Leeds.
- 2.4 **Option 2.** Close South Leeds High School and expand provision at other schools in the area.
- 2.5 Commitments are already in place throughout the remainder of the South of the city to rebuild schools and balance provision in line with local demographic need. Many of these building projects are nearing completion. This option is not therefore viable. This option would also be highly disruptive to the pupils, rather than continuing to build on recent improvements at the school.
- 2.6 **Option 3** Leave South Leeds High School unchanged
- 2.7 In the context of the National Challenge it is not acceptable to leave the status and governance of the school unchanged. Further action is needed to accelerate the improvement in outcomes for the children and young people of the area, meet The National Challenge target of 30% of pupils achieving 5A* - C's including Maths and English. In 2008 10% of pupils at South Leeds High School achieved this target.
- 2.8 Details of the consultees can be found in Appendix 1. Meetings were held with the school council, staff, governing body and general public. An Area Committee meeting was attended, and an additional 3 public meetings arranged, one in each ward. This represents significantly more consultation than has previously been undertaken by Education Leeds, who has successfully managed 62 school closures over the past 6 years.
- 2.9 In total attendance at the various meetings was approximately 450 people (some of these are double counted, as a number attended more than one meeting). A total of 64 written responses were received, including 6 petitions. Of the responses 6 were for the proposal or neutral, and 58 against (including the petitions). Details of respondents are included in Appendix 2.
- 3.0 **THE MAIN ISSUES**
- 3.1 Total attendance at the various meetings was approximately 450 people, although many of these attended more than one meeting. Around 200 people attended the public meeting at the school, including staff, students, governors, parents and local residents. Up to 150 attended the staff meeting. Meetings with the School Council, Governing Body, Inner South Area Committee were attended by around 20 - 40 people each. The additional public meetings drew up to 20 people to each, the majority of whom had attended the main meetings.

- 3.2 The largest body of objections to the proposal are focussed on the amount of change already experienced by the staff and pupils at South Leeds High School. The school was formed 4 years ago following the closure of Merlyn Rees and Matthew Murray High Schools. It experienced a lot of difficulties, and following a phased transition into the new buildings it has made exceptional progress to now provide a safe and secure environment for all pupils. There is acknowledgment from the staff, pupils and governing body of the need to continue to improve the outcomes for young people further, and considerable concern that this could be undermined by further change. There is a feeling that additional support should be given to South Leeds High School.
- 3.3 There is a strong desire for the school to remain as a community school under the current leadership, with support, in order to maintain progress. The public meeting, by then attended by around 90 -100 people, indicated overwhelming support for this statement, with two votes against. There was considerable support in the form of applause and verbal support, to the many similar statements, views, and related questions raised throughout the meeting. These feelings were also expressed in the additional public meetings, and a large number of written responses.
- 3.4 Concerns about some of the more radical behaviour at existing academies have also featured, such as not recognising unions, excessive levels of exclusions, changing the structure of the school day/year, and the ethos of any sponsor. Education Leeds and School Partnership Trust have outlined how the government agenda for academies has changed to reduce many of these concerns, and how the memorandum of understanding currently under consideration by Executive Board will provide further specific reassurances about how any academy would operate within the context of the Leeds family of schools. School Partnership Trust have repeated their intention to sign this document. Specific concerns are addressed in the summary of responses attached.
- 3.5 The governing body have indicated their strong support to establish an academy. Governors accept that this provides the last option for sustaining and accelerating recent improvements. A full summary of the consultation responses is provided in Appendix 3. All responses can be found at www.educationleeds.co.uk/schoolorganisation. They are not intended to be a verbatim account, but do represent the questions and views raised throughout the process, either in writing, or during the formal consultation meetings. They have summarised and grouped a number of respondents, whom in several different meetings asked very similar questions using slightly different words. In summarising the representations made, every effort has been made to reduce repetition without losing any of the points raised. They have been grouped into 6 main themes, and the key responses highlighted below.
- 3.6 **Theme 1. The reasons for further change, and the desire for stability to consolidate following extensive recent change. Why an academy?**
Within the context of the National Challenge, the local authority is obliged to consider structural and governance changes, including academy status, to accelerate improvements at the school. The government has raised their expectations of the minimum standards schools must achieve, and the timescale to achieve them. Education Leeds believes that South Leeds High School has made a powerful contribution to social cohesion in South Leeds and that Academy status would build the capacity to sustain these improvements into the medium and long term. Furthermore, Education Leeds believes the proposed change in governance from community school to academy status would be

considerably less disruptive for pupils than the previous amalgamation.

- 3.7 **Theme 2. Staffing issues; employment rights, staffing structure, pay and conditions, union recognition. The role of the current head teacher.**
The Transfer of Undertakings (protection of Employment) Regulations 2006 (TUPE) apply to staff. This ensures that staff would have a job at the new academy and that their terms and conditions, including pension entitlements, would be protected. A new staffing structure would be the prerogative of the Governing body. Should any new staffing structure be agreed, this would require consultation under TUPE. Education Leeds would offer support in seeking redeployment to those choosing to resign their post in principle as an alternative to working in an academy.
- 3.8 **Theme 3. Details of the proposed academy; curriculum, admissions policy, exclusions policy, transition arrangements. Why & how it would be better for pupils and the community.**
Schools Partnership Trust has outlined their intention to consult fully on all aspects of the new academy to ensure the views of all stakeholders are taken into account. Specific reassurances have been given regarding the admissions policy and exclusion arrangements, in line with the memorandum of understanding currently under consideration. Details of some aspects of the curriculum are dependent on the wider 14-19 review currently underway, however School Partnership Trust have a clear commitment to individualised learning, and to both academic and vocational pathways. They have indicated their intent to introduce specialisms of humanities and vocational education.
- 3.9 **Theme 4. School Partnership Trust as an organisation, their role, funding, plans and background, comparisons to other academy sponsors.**
School Partnership Trust (SPT) is a charitable trust with membership from Garforth community college and four primary schools in Garforth, Leeds NHS (formally the PCT), and Trinity. (formally Trinity and All Saints College). They have used their experience as a Trust to work in partnership with agencies such as the PCT, social services and the universities to secure improved outcomes for children in that area. They have a fully inclusive ethos, and wish to work with the local community to provide local solutions for local people.
- 3.10 **Theme 5 Governance, accountability and process issues**
The constitution of the academy's governing body must include the sponsor, the local authority, the principal and parent representatives. SPT have indicated that they will ensure that their articles of association will also ensure representation from teaching and support staff. 51% of the governing body of any academy must be appointed by sponsor. South Leeds High School intend to use local people to fill these roles.
- 3.11 **Theme 6 Financial and miscellaneous**
These issues are addressed individually in the summary of consultation responses in appendix 3.
- 4.0 **IMPLICATIONS FOR COUNCIL POLICY AND GOVERNANCE**
The issues addressed in this report will impact on the 'Narrowing the Gap' and 'Going up a Leagues' agendas. Academies in Leeds have the potential to contribute to the ambitious targets to meet key priorities within the Children and Young People's Plan and the work on the Local Area Agreement.
- 5.0 **LEGAL AND RESOURCE IMPLICATIONS**

5.1 **Statutory implications**

- 5.2 This consultation is the responsibility of the Local Authority, and they are the decision maker on any proposal to close South Leeds High School.
- 5.3 In the event of any objections being received during the statutory notices the proposal would be referred to the School Organisation Advisory Board (SOAB), to make a recommendation to LCC Executive Board. A final decision must be made by the Executive Board within 2 months of the expiry of the statutory notices.
- 5.4 There is a separate parallel process of consultation regarding the opening of the new academy. The final decision maker with responsibility for approving the opening of the specific new academy is the DCSF. In making this final decision they will consider the feasibility plan drawn up using input from informal consultation between the sponsor, and all key stakeholders, including the Principal designate, the staff, pupils, local residents and Education Leeds. The outcome of this process should be available for consideration by Executive Board when making their final decision following statutory notices.
- 5.5 During the consultation process, a number of issues were identified within the consultation document, including minor typographical errors, statements which lacked clarity, and some factual errors. All statements were made to the best of individual officers knowledge at the time of publication. It is the view of legal services that none of these either individually or cumulatively was fundamental to consideration of the proposal or flawed as to mislead consultees about the matters on which they are being consulted or to prevent them forming a considered view. However, having been alerted to the issues in the initial stages of the consultation process, advice was followed to issue an addendum expressed to be by way of clarification of the issues, without delay and published in the same way as the consultation document, to ensure these matters were brought into the consultation process.

5.6 **Resource Implications**

- 5.7 Under current legislation, deficit budget balances at existing schools have to be written off by the Local Authority on closure. Legislation does not provide for a deficit budget balance to carry forward to a successor academy. There would be an anticipated budget deficit of £800k to write off in order to open the new academy at South Leeds. Schools Forum has been consulted on its willingness to write this off by drawing on the Dedicated Schools Grant.
- 5.8 Members of Forum expressed concern about the level of projected deficit budget balances on closure of the schools. They were particularly concerned at the prospect of being asked to agree to a "blank cheque" (particularly as further future academies remain a possibility) without assurance that the budgets were being monitored rigorously in the lead up to closure. It was noted that if the schools were to remain as LA maintained they would be expected to arrive at a balanced budget over time.
- 5.9 The Schools Forum did not feel able to support the proposal that any deficit would have to be met from the Dedicated Schools Grant, and asked that alternative sources of funding should be sought either elsewhere within the City Council or from the DCSF. Advice has been sought from the DCSF, and direct representations made to ministers including the Secretary of State. Unfortunately there does not appear to be any funding available through the DCSF to address

the concerns of Schools Forum. Regrettably, without additional funding any such deficit would have to be met from the DSG.

- 5.10 In addition, there would be an ongoing impact on the Dedicated Schools Grant. For any new Academies from 2008/09 the budget adjustment will be based on a 'recoupment' method. This involves the removal of the level of funding that would have been provided to the Academy had it still have been funded through the local formula. In addition to the funding adjustment through replication of the local formula, funding would also be removed based on the level of central expenditure on certain central activity within the schools budget. This is based on one figure per pupil on roll at the Academy (£85.24 in 2006/07)and a further amount per pupil at school action or school action plus on the SEN register (£146.66 in 2006/07).
- 5.11 This funding adjustment will require the Local Authority to cut central expenditure in line with the reduction of funding. Due to the level of fixed costs, economies of scale and varying support provided for individual schools, the budget reduction is unlikely to match the cost reductions through no longer providing services to an Academy.
- 5.12 Given the nature of academies serving deprived communities it is very likely that the recoupment model would remove more funding than the pupil numbers generate within the dedicated schools grant calculation. Under the proposed model the actual adjustment will not be known until October, and could lead to an in year adjustment to the central schools budget. The DCSF guidance states that information will be provided to local authorities by February each year in order that an initial calculation can be included within the budget for the following year. This methodology will lead to additional finance time being spent on discussing/ calculating/ agreeing annual budget adjustment figures with the DCSF Academies Unit, and possibly the management of in-year budget reductions within the schools budget.
- 5.13 Part of the funding that would go directly to the academy rather than via the local authority is the allocation for extended services. It is unclear what the potential academy may decide regarding this contribution, and therefore what the impact on the local extended services clusters in South Leeds may be.
- 5.14 There are a range of financial issues that need to be considered by the Executive Board, as a consequence of the closure of South Leeds High School and the creation of an academy. As Executive Board Members will be aware, South Leeds High School was one of the schools constructed through the Leeds Combined Secondary Schools Project, which had a total capital build cost of £97.025 million. Although the construction cost of South Leeds High School was £19.948 million, this attracts a current Unitary Charge bill of £13.204 million which is subject to annual indexation and benchmarking at five yearly intervals. Through the creation of an academy, South Leeds High School would transfer to the control of the Academy Trust; however Leeds City Council would continue to be responsible for the payment of the ongoing Unitary Charge Bill from Council resources, excluding contributions recovered from the Governors.
- 5.15 As well as the financial implications outlined above, there are ongoing human resource implications for Leeds City Council and Education Leeds. Although governance arrangements are passed to the Academy Trust, under current provisions LAs retain responsibility for ongoing contract management, including payment of the Unitary Charge Bill, variation management and ensuring all contractual parties operate in a cooperative manner. Given the ongoing financial

commitment by the City Council, it is essential that a high level of contract management continues over the life of the PFI contract, to ensure value for money (VFM) for Leeds City Council. Although the DCSF indemnify LAs against default by the Academy Trust, LAs are still exposed to a number of complexities and a high level of risk. These include ensuring that the Academy Trust does not impede access for the PFI contractor and recovery of any costs relating to pupil vandalism directly from the academy.

- 5.16 In the establishment of an academy, Leeds City Council and the Academy Trust are required to sign up to a Development Agreement setting out the terms of the assignment of the land to the Academy Trust for a period of 125 years. As South Leeds High School was established through PFI, Leeds City Council is unable to comply with this requirement as currently drafted, as it has granted the lease of the land to the PFI contractor for the life of that contract and it does not own the building. Council Officers are currently exploring how this issue can be addressed through discussion with DCSF and Partnerships for Schools (Pfs). In accordance with the Principles outlined above, the Academy Trust must accept that it is buying into the existing arrangements established through the PFI contract, including the already negotiated service agreements and building design.
- 5.17 Another financial consideration by Leeds City Council is the treatment of VAT as a consequence of the formation of an academy. Whilst a new build is not required through these arrangements, there is the potential for extension or modification works, which may have future capital cost and VAT implications for Leeds City Council. Officers of Leeds City Council are clarifying the implications of VAT treatment in relation to the establishment of Academies and are seeking specialist advice.
- 5.18 The Executive Board also need to consider the implications for the Council in the continued use of the John Charles Centre for Sport to deliver school curriculum activities. The sporting provision on the South Leeds High School site was less than that specified in the DCSF BB98 guidance, on the basis that the school would make use of the adjacent John Charles Centre for Sport. Although this usage is limited to only 2 hours per week, and is not the subject of a Service Level Agreement (SLA), it has become established custom and practice between the school and leisure centre for the school to use indoor tennis and five-a-side facilities for a period of up to 2 hours per week. The Expression of Interest (EOI) specifies the academy's intention to continue to use the John Charles Centre and alludes to further development of this established partnership. Although the EOI was approved by the Executive Board in July 2008, the Council through discussion with the academy sponsor will need to explore the aspirations of the academy in this regard, and protect the Council's asset through the Memorandum of Understanding between all parties.

6.0 RECOMMENDATIONS

- 6.1 The Executive Board is asked to;
- (i) note the outcome of the consultation, to close South Leeds High School on 31st August 2009, conditional upon DCSF approval to open an academy on that site opening Sept 1st 2009.
 - (ii) Approve the publication of a statutory notice.

7.0 BACKGROUND REPORTS

7.1 Exec Board October 07. Consultation Draft on the future of Academies in Leeds

Exec Board July 08. South Leeds Expression of Interest

Schools Forum Report 18th September 2008. Future secondary school provision proposals for South Leeds High School and South Leeds High School.

Appendix 1 – LIST OF CONSULTEES

| Who | Contacts | How | What | When |
|---|--|--|---|---------------|
| Existing pupils at the school | | | | |
| South Leeds current pupils | parents / carers | via schools | letters and consultation documents | 09-Sep-08 |
| Primary Schools in South Wedge & Feeder schools (20) | | | | |
| Beeston Primary | HT - Chris Lees C of Gov Steve Francis | Post to HT | letter and document | 09-Sep-08 |
| Cottingley Primary | HT - Dianne Elson C of Gov Tony Lee | Post to HT | letter and document | 09-Sep-08 |
| Hugh Gaiskell Primary | HT - Margaret Beesley C of Gov Geoffrey Sharp | Post to HT | letter and document | 09-Sep-08 |
| Clappgate Primary | HT - Lesley Simpson C of Gov Martin Bartholomew | Post to HT | letter and document | 09-Sep-08 |
| Sharp Lane Primary | HT - Margaret Lupton C of Gov D Colley | Post to HT | letter and document | 09-Sep-08 |
| Windmill Primary | HT - Sally Sumpner C of Gov Michael Tilling | Post to HT | letter and document | 09-Sep-08 |
| Beeston Hill St Luke's C of E Primary | HT - Eric Whitehouse C of Gov Graham Hobbs | Post to HT | letter and document | 09-Sep-08 |
| Cross Flatts Park Primary | HT - Nicky Marnwell C of Gov Sally Cieslik | Post to HT | letter and document | 09-Sep-08 |
| Greenmount Primary | HT - Jenny Wilde C of Gov Christine Thornton | Post to HT | letter and document | 09-Sep-08 |
| Hunslet Moor Primary | HT - Narinder Gill C of Gov Emma Marshall | Post to HT | letter and document | 09-Sep-08 |
| Ingram Road Primary | HT - Sarah Millard C of Gov Eileen Pattison | Post to HT | letter and document | 09-Sep-08 |
| New Beverley Community | HT - Patrick Wilkins C of Gov to check with gov support | Post to HT | letter and document | 09-Sep-08 |
| St Francis of Assis Catholic Primary | HT - Patricia Holmes C of Gov B K McGrath | Post to HT | letter and document | 09-Sep-08 |
| Hunslet Carr Primary | HT - Paul Tyson C of Gov Pamela Read | Post to HT | letter and document | 09-Sep-08 |
| Hunslet St Mary's C of E Primary | HT - Mark Ford C of Gov Sephen Thompson | Post to HT | letter and document | 09-Sep-08 |
| Low Road Primary | HT - no details on infobase @ 1/8/08 C of Gov Mike Tilling | Post to HT | letter and document | 09-Sep-08 |
| Middleton Primary | HT - Samantha Williams C of Gov Julie Lawton | Post to HT | letter and document | 09-Sep-08 |
| Middleton St Mary's C of E Primary | HT - Sarah Graham C of Gov Anne Crann | Post to HT | letter and document | 09-Sep-08 |
| South SILC | HT - Sue Steward C of Gov D Langham | Post to HT | letter and document | 09-Sep-08 |
| Hunslet Gate Centre (PRU) | HT - Jayne Robinson C of Gov to check with gov support | Post to HT | letter and document | 09-Sep-08 |
| Families of children at these schools | | | | |
| | Parents carers via HT | Email to HT to send home with children | letter advertising meeting | 18-Sep-08 |
| Year 6 pupils for whom school is their nearest | | | | |
| South Leeds as nearest | | posted to parents/carers addresses | letters advising on admissions and advertising mtg | 16-Sep-08 |
| All Councillors | CLT and leadership forum | posted to parents/carers addresses | 444 letters advising on admissions and advertising | 16-Sep-08 |
| Local Diocese - RC & CE | Education officers | email from educ.schoolsorganisation | list of meetings and link to consultation doc | 09-Sep-08 |
| MPs | | post | letter and consultation document | 09-Sep-08 |
| Mr Hilary Benn | (part Middleton Park) | post | letter and consultation document | 08-Sep-08 |
| Mr Colin Challen | (part Middleton Park) | post | letter and consultation document | 08-Sep-08 |
| Learning Skills Council | directors | post | letter and Consultation document | 08-Sep-08 |
| F.E Colleges | principals | post | link to / copy of consultation document | 08-Sep-08 |
| Chamber of Commerce | Alan Gill | email via info@leedschamber.co.uk | letter and consultation document | 08-Sep-08 |
| Unions | | post | letter and Consultation document | 08-Sep-08 |
| Neighbouring Authorities | Kirkless, Wakefield & Bradford | post | letter and Consultation document | 08-Sep-08 |
| Wakefield Metropolitan District Council | Cheryl Hobson | post | CHobson@wakefield.gov.uk | 08-Sep-08 |
| Kirkless Metropolitan Council | Claire Allman | post | Claire.Allman@kirkless.gov.uk | 08-Sep-08 |
| ELBoard - via Barbara Comiskey | Leadership forum | email and hard copy | link to / copy of consultation document | 08-Sep-08 |
| Education Leeds officers | All officers | email | Links to consultation document | 09-Sep-08 |
| Education Leeds officers | | Infobase | Links to consultation document | 09-Sep-08 |
| General public | | Local press - Weekly News | quarter page advertisement for public meeting | 18/25 Sept 08 |
| Weekly News (South area) | | Education Leeds Website | Quarter page advert on page 2 of the South edition | 25-Sep-08 |
| General public | | Intake - Hand delivered | Electronic access to consultation document | 08-Sep-08 |
| Post Offices | | South Leeds - Post | poster, letter (and consultation document for intake) | 08-Sep-08 |
| Middleton Park | | Post | Poster and letter | 08-Sep-08 |
| Broom Estate | 5 Middleton Park Avenue LS10 4ph | Post | Poster and letter | 08-Sep-08 |
| Southgrofts | 23 Broom Place Leeds LS10 3JP | Post | Poster and letter | 08-Sep-08 |
| Belle Isle | 3 Belle Isle Parade Leeds LS10 3AH | Post | Poster and letter | 08-Sep-08 |
| Throstle Lane | 99-101 Throstle Lane Leeds LS10 4JD | Post | Poster and letter | 08-Sep-08 |
| Waterloo Road | 86 Church Street Leeds LS10 4AR | Post | Poster and letter | 08-Sep-08 |
| Thwaite Gate | 202 Thwaite Gate LS11 7AB | Post | Poster and letter | 08-Sep-08 |
| Libraries | | Intake - Hand delivered | poster and consultation document | 8/9/008 |
| | | South Leeds - Post | | |
| Belle Isle | Aberfield Gate Belle Isle Road Leeds LS10 3QH | Post | Poster and consultation document | 08-Sep-08 |
| Hunslet | Waterloo Road Hunslet Leeds LS10 2NS | Post | Poster and consultation document | 08-Sep-08 |
| Beeston | Unity 5 & 5 Beeston District Centre Town Street ls11 8ab | Post | Poster and consultation document | 08-Sep-08 |
| Holbeck | 190 Dewbury Road Leeds LS11 6PF | Post | Poster and consultation document | 08-Sep-08 |
| | 95-97 Domestic Street LS11 9ns | Post | Poster and consultation document | 08-Sep-08 |

Appendix 2

South Leeds High School - Summary of respondents (letters and e-mails)

| | |
|--|----------------|
| Governing Body - SLHS | 1 |
| Parent/Carer - SLHS | 5 |
| Member of staff - SLHS | 20 |
| SLHS - other | 1 |
| Other Local Authority | 1 |
| Member of staff - school not stated | 7 |
| Trade Union | 2 |
| EL Officer | 1 |
| Other - school not stated | 4 |
| Parent/Carer - primary school | 4 |
| Local resident | 2 |
| Not stated - other high school | 1 |
| Member of staff - other high school | 1 |
| Not stated | 6 |
| Governor - other school | 1 |
| Other adult relative - school not stated | 1 |
| Petition - school council | 331 signatures |
| Petition - Unnamed | 40 signatures |
| Petition - staff and students gaining signatures at Morrisons, Hunslet | 322 signatures |
| Petition - signed during the public meeting | 161 signatures |
| Petition - staff | 110 signatures |
| Petition - school council organising signatures from within the school, the local community, and "other communities" | 324 signatures |

APPENDIX 3

SUMMARY OF CONSULTATION RESPONSES

This summary is not intended to be a verbatim account, but does represent the questions and views raised throughout the process, either in writing, or during the formal consultation meetings. They have summarised and grouped – a number of respondents, in several different meetings, asked very similar questions using slightly different words. In summarising the representations made, every effort has been made to reduce repetition without losing any of the points raised. They have been grouped into 6 main themes.

- Theme 1** **The reasons for further change, and the desire for stability to consolidate following extensive recent change and disruption. Why an academy?**
- 1.1** **Concern was repeatedly expressed that the process of creating the school following the closure of Merlyn Rees and Matthew Murray High Schools had already resulted in significant disruption for pupils and staff. Disruption, major racial and community tensions, major behavioural issues, changes in head teacher and other staff, movement between sites and the phased move into the new building, and problems with the new building all impacted on results. It was suggested this was the most challenging amalgamation attempted anywhere in the country. It was strongly felt that the enormous progress already made to create a safe stable learning environment for children would be undermined by more change. The previous change was not welcome, and neither is this. There was strong support for the work of the current staff and head teacher, and opposition to further change, especially so soon. There was recognition that results need to improve, but a strong consensus that the school should be allowed at least two more years stability to continue building on its improvements to date. Statements that the deadline for National Challenge floor targets is 2011 so this proposal is too early. Comments that the need for change to the status and governance of the school were not justified in the proposal. It was stated that Education Leeds had given assurance the school would have 5 years to sort out their problems, and have ‘moved the goalposts’. The example of Cockburn overcoming its transition issues to become a good, oversubscribed school was quoted in support of this.**

Comment: The government has raised their expectations of the minimum standards schools must achieve, and the timescale to achieve them. The minimum target of 30% of pupils attaining 5 GCSEs at A*-C including maths and English must be reached by 2011. 10% of South Leeds High School pupils achieved this benchmark in 2008. Education Leeds recognises the improvements so far, but does not believe this target can be reached in this timescale under the current arrangements. Within the context of the National Challenge, the local authority are therefore obliged to consider structural and governance changes, including academy status, to accelerate improvements at the school.

Education Leeds acknowledges the difficulties faced by the school in recent years, and the contribution of staff, pupils and the community on the journey already made. It believes that academy status is the best opportunity to build on these foundations and provide accelerated improvements to outcomes for young people, and to provide stability by building the capacity within the school to sustain improvements into the medium and long term. The sponsor, Schools Partnership Trust (SPT), wishes to work with the school to consolidate and expand on recent

improvements, and is sensitive to the level of change and disruption experienced in the recent past. A more individual approach to learning would help provide support and improve results.

Education Leeds believes the proposed change to academy status would be considerably less disruptive for pupils than the previous amalgamation. All the pupils currently at the school would transfer as of right to the new academy, and the admissions policy for future intakes would remain unchanged. The existing staff would transfer to the new school, although additional staff could be funded through the additional resources provided by academy status. There would be no change of site, or new building work to manage.

1.2 Concern was repeatedly expressed that academy status was not an appropriate solution, and the school should remain as a community school, with support from the local authority and Education Leeds. Why would an academy be better, what benefits would academy status bring the school? Why mend what isn't broken? There is insufficient evidence to judge the academies programme on, and any academies formed so far have not completed on a level playing field.

There are 4 key reasons why Education Leeds believe this is the right proposal for South Leeds:

- We need to accelerate improvement. We recognise there has been improvement, but we need to see this impact faster on the achievements of young people.
- An academy would bring extra capacity (both professional expertise and other resources) to sustain improvement into the medium term.
- In the SPT we have a local partner committed to sustaining and building upon SLHS's contribution to the wider education community of Leeds.
- SPT's knowledge and expertise involving local colleges, our universities, local health and social care services, the police and local businesses to improve opportunities and outcomes for young people is needed in south Leeds.

The agreement between DCSF and the sponsor would run for at least seven years, providing stability and sustained improvements. The additional funding provided would allow for additional teaching and support staff, which would help improve outcomes.

1.3 Why are there no other (substantial) options in the paper? There should be a fourth option, not of no change as described in the consultation document, but one of support from the local authority while maintaining community status. 'No change' in the alternative options isn't fair – it doesn't reflect the progress being made

Education Leeds has a responsibility to consult on one specific preferred option, so that views about the proposal can be clearly gathered and represented to allow the council to make a decision. If during the course of the consultation ideas are raised for alternative proposals, or for amendments to the proposals, these are reported back to Executive Board for consideration. A brief outline of the other proposals considered, along with the reasons for not supporting them, is provided to help the public understand the rationale behind the proposal.

The option described as no change in the consultation document does include the continued support of Education Leeds. It does recognise the progress of the school to date, however it describes no change of status or governance. However, it is felt

academy status would deliver improved outcomes faster, and build capacity in the school to make the improvements more sustainable. Some of the additional support the school currently receives is only possible because it is in special measures, and this will legally have to be withdrawn if, as expected, the school is able to have that status removed. Ongoing partnership with SPT as an academy provides a more stable platform for the longer term.

1.4 What extra support has Education Leeds already provided, and what additional resource would be available to an academy? Why is that not available to the current school?

Education Leeds as provided support from the literacy, numeracy and leadership teams to South Leeds High School, as well as investment in a new building. As an academy, SPT would seek to acquire specialist status in applied learning (vocational learning) and humanities. Specialist status is not available to schools in special measures. In addition to the per capita funding that all schools get, academies also receive the funding for central services directly into the school. This funding can be used to provide additional staff, which can help to reduce class sizes, and improve outcomes for young people. This would be important in the short term, where further change could otherwise impact on outcomes.

1.5 One third of all academies are failing, which is a higher proportion than that of state schools which are failing. There is insufficient evidence of the success of academies.

Many of the early academies have been established in particularly challenging areas and schools, and were already failing schools. They have had a limited time to secure improved outcomes, and their track record must be judged in this context. However, there is also evidence to show academies have seen results rise faster than community schools.

1.6 Why wasn't an academy proposed when South Leeds High School was formed?

At the time of the amalgamation to create South Leeds High School the government agenda for academies was very different. Now academies can work with local authorities, communities and schools, which enables academies to be local schools for their local communities.

1.7 What happens if the academy fails, would it be turned back into a state school? The current pupils only get one chance, what happens if the academy fails and those young people have lost their chance to gain good qualifications?

If the academy is deemed to be failing by Ofsted, the sponsor is given one year to improve things. The DCSF can then appoint an alternative sponsor.

The SPT is confident that their links with other Leeds based organisations, and the additional resources and expertise available to the academy would secure good outcomes for all students to reach their full potential.

1.8 Ofsted have praised the school for its progress and stated the school should not have more change.

Whilst the progress that has been made, has been noted by Ofsted, the statement that there should be no change, is not substantiated by Ofsted judgements or

reports.

- 1.9 The school is currently reducing its deficit by £400k a year, so in two years will have cleared all its debts. Then the school can invest that additional funding back into the school to secure additional improvements. In this time frame, the sponsors have acknowledged that change can be a risk to outcomes, so the school should be allowed to continue making progress as it is.**

The comment is noted, however it does not indicate how the National Challenge targets will be met within the timeframe required.

- 1.10 Can the school apply for specialist status if special measures are removed?**

The school needs to be out of special measures and removes its deficit as well to apply for specialist status.

- 1.11 Why should this proposal be trusted, why would it work if the recent amalgamation hadn't worked as promised? How can Education Leeds be sure that this change would improve things generally, and improve results?**

There can be no guarantees about any changes, however Education Leeds firmly believes that this proposal increases the likelihood of success because of the additional resources and expertise provided by the sponsor on a long term basis. The circumstances surrounding the school and the expectations of government regarding attainment levels have become more challenging, and this has prompted the need for further change.

- Theme 2 Staffing issues; employment rights, staffing structure, pay and conditions, union recognition. The role of the current head teacher.**

- 2.1 A number of questions about arrangements for the transfer of staff to the proposed academy; job security for current staff, terms and conditions of employment, the possibility of any restructure, pension protection. Particular reference was made to paragraph 7.8 of the consultation document, which seems contradictory, and suggests staff may not have a guaranteed job at the proposed academy. Also the fact that staff had only recently had to reapply for their jobs as part of the amalgamation, and to do so again is very unsettling.**

The Transfer of Undertakings (protection of Employment) Regulations 2006, generally called TUPE, would generally apply to staff. This means that staff would transfer on existing terms and conditions of service. They would not have to reapply for their jobs. Members of staff and their representatives would be consulted extensively throughout the process. The only way terms and conditions can then be changed is through negotiation, on either a one to one basis, or through the unions.

Any changes to the staffing structure of the school are a decision for the Academy Governing Body.

School Partnership Trust has full access to the local government and teachers pension schemes, and is bound by them. Pension entitlements are protected by law.

In the meetings Education Leeds acknowledged that paragraph 7.8 of the

consultation document was not clear, and confirmed that the protection actually offered to staff exceeded that stated. The academy would not just ring fence the jobs for existing staff, but that staff would transfer by right. The statement that redeployment support would be given to staff was accurate, but would only be needed for staff choosing to leave the academy, and would not otherwise be needed. A written clarification of the position was sent to all staff by the end of September.

2.2 What options for redeployment would exist, and would redeployment protect staff's salary and grade?

For any member of staff choosing not to take their rightful place at the new academy, Education Leeds would seek to support them through redeployment. They would not have the same priority for assistance as staff who found themselves redundant, as they would have a job at the academy. Where an alternative post can be found on a similar grade and pay scale, Education Leeds would work with Leeds City Council to try to protect salaries. However, should a member of staff choose to apply for a post on a substantially lower pay point it would be harder to justify such protection. Education Leeds cannot guarantee the same status of new post when considering redeployment, as they do not have that power.

2.3 Staff should have been given the support of Education Leeds

Education Leeds has provided support for the school, including in the area of leadership, and Ofsted has recognised the support in their monitoring reports.

2.4 Various statements of support for and loyalty to the current head teacher, and acknowledgement of his role in managing the transition and creating the positive environment now enjoyed at SLHS. Concerns were expressed about whether the support he enjoys would continue in the new environment, or to any possible new Principal.

The current staff and governing body would be fully consulted in the transition process about details of the new academy, enabling a smooth transition. The post of Principal designate was advertised in October in order to begin that transition process as soon as possible and maximise the opportunity to build trust and confidence by working together on the academy plans. The current head teacher was subsequently appointed as Principal designate.

2.5 How many staff would choose to transfer, or have done at other academies?

It is not relevant to compare other academies experience in this regard, as it is the hope of SPT that all staff would choose to transfer, and join with the plans for the new academy.

2.6 What is SPT's policy on support staff?

It is not possible to answer at this stage, however the SPT would be investing in permanent teaching and support staff.

Theme 3 Details of the proposed academy; curriculum & specialism, admissions policy, exclusions policy, transition arrangements, 6th form. Why and how it would be better and improve outcomes for young people and the community.

3.1 An academy is a private school with public funding. Schools should not be privatised, or run for the benefit of sponsors.

An academy is not a private school, students would not pay fees and the proposal is for the South Leeds academy to have exactly the same admissions policy as all local authority schools in Leeds. The sponsor is a charitable trust, and not a profit making organisation.

3.2 What are the policies on admissions, and specifically how this would affect incoming year 7 students, students with SEN, and a student who only wants to apply (or stay) if the school stays as a community school? Would it be an all ability school?

A letter has been sent to parents of all current year 6 pupils with the school as their nearest, explaining what this means to them. They can still apply to South Leeds High School. If the proposal goes ahead and the school becomes an academy, all offers of places at SLHS would automatically be transferred offers of places at the academy. Any child not wishing to take up an offer of a place at the academy would be able to seek a place at any other school which had places, or appeal for places at other schools on their preference form or go on a waiting list.

The admissions booklets could not include the proposed academy, as the decision has not yet been made. It was not possible to insert information on the implications in the booklet, as the Executive Board had not given approval to consult on the proposal in time for the print deadlines.

If any student decided to leave after the academy opened, they could apply for a standard in year transfer request through Education Leeds. Where those students ended up would depend on where there were places and what their personal preferences were.

The proposed academy would not select on ability, gender, or religion. It would use an identical admissions policy to that of Education Leeds, ensuring those with SEN get absolute priority, and those living closest to the school also get priority over those from outside the area.

3.3 What are the proposed policies on exclusions? What are the alternatives to exclusions? Would there be a zero exclusion policy? If things can be done to reduce exclusions, why are they not already being done? There is evidence that academies exclude higher numbers of pupils,

The SPT would avoid exclusions as far as possible, and work towards a zero exclusions policy. They fully intend to sign the memorandum of understanding being considered by the Executive Board, which commits to working with the Leeds family of schools to manage transfers. The SPT aim to work with children and families to support them rather than exclude them, and provide individualised learning plans which would engage children and young people.

3.4 What is to stop another sponsor from taking over and they - or the existing sponsor - tearing up any agreements and carrying out high levels of exclusions or making other changes? This happened at DYCA. The memorandum of understanding is not legally binding, and could be disregarded at a later date. Such change would be destabilising.

The sponsor would have a seven year contract with the DCSF, which can only be altered if the school is failing, so sponsorship would not change suddenly. It is the

full intention of Education Leeds and Leeds City Council that any future sponsor of an academy be required to sign the memorandum of understanding currently being considered by the Executive Board. The SPT intends to sign the memorandum of understanding under consideration by Executive Board to ensure such changes cannot be made, and the current legislative and political climate now encourages academies to work within their communities of schools and make less radical changes.

3.5 Concerns that many staff who disagreed with the academy would leave, undermining the progress made to date by creating strong relationships with students and earning their trust, and making transition more disruptive for pupils.

All staff would be transferred to the new academy by right, and none would have to leave. The SPT aim to work with staff during the feasibility study stage, and provide reassurances about the new school that would see them choose to take up those posts. The SPT have confidence in the staff, and want to provide more support for them.

3.6 Why don't academies publish their results for two years? Would SPT publish the results of the proposed academy?

Academies do publish their results. However this is done through the DCSF and not necessarily through the local authority. DYCA chose not to share their results with Education Leeds, however SPT have indicated their intention to share the results with the local authority.

3.7 If the proposal goes ahead the school would be seen as a failure. How is Education Leeds dealing with communicating on this issue?

Education Leeds cannot control the perception of the school, however is working hard to ensure this proposal is seen as a positive opportunity to build on the existing solid progress of the school, and improve further. Education Leeds is working with the local press to try to ensure a balanced and fair account of the proposal and process.

3.8 How would the academy acquire its specialisms?

Academies are required to have a specialism. This is agreed as part of the feasibility study and approval of the academy. There would be further consultation on which specialisms this proposed academy has, but the initial proposal is for both applied learning and humanities.

3.9 Some children achieve vocationally, and are not academically minded, how would they be given due attention?

The SPT fully recognise the need to offer a wide range of qualifications, and within Garforth they have worked with a local farm and hairdressing salon to deliver practical based qualifications equivalent to 4 GCSEs. They intend to have an applied learning specialism at the proposed academy.

3.10 If you change the uniform who would pay? Would a radical change of uniform affect everyone, eg by introducing blazers? Longer term, would the prices of uniforms go up?

The academy would pay for a new uniform. The exact details of the uniform would

be decided through consultation with the students and staff, as part of the feasibility study. SPT are insisting there would be a uniform for years 7-11, however the decision on a sixth form uniform policy would be part of the consultation. Prices would not go up long term, and SPT have provided reassurance on this by stating that the prices of the Garforth Community College are cheaper than those of SLHS.

3.11 Would the academy recognise Trades Unions?

Yes. This is legally protected for an organisation of this size.

3.12 Improving attendance is the most important issue to raise achievement, but it is not addressed in the consultation document. How would SPT get children to attend school?

The SPT believe that by removing some of the curriculum constraints that SLHS faces, and providing a highly personalised approach they can engage students and improve attendance. They intend to provide an applied learning curriculum including off site centres, and provide smaller classes through the increased funding. Longer term work with local primaries would help to improve outcomes in maths and English. SPT acknowledge that this requires long-term commitment and cannot be quickly addressed, but hope to work with the community to connect with parents and gain their support in improving attendance.

3.13 Would the sponsor's support be by working alongside the academy, or be more prescriptive? Would staff work for the Trust, or with them?

SPT believe strongly in a partnership approach, as indicated by their name.

3.14 Overall there is little to distinguish the proposed academy from the current school. Many of the ideas described are being or could be followed by the existing school, remaining under local authority control. How would you improve things with the same staff (transferred under TUPE), students and buildings? How would the academy improve results? How can they be sure they would improve?

The additional funding would enable additional teaching and support staff, and facilitate smaller class sizes. Along with a new curriculum, and new specialisms in applied learning and humanities, this would enable a more personalised approach to learning. This would all help mitigate any short term impact on students, as well as build a foundation for improved outcomes in the future. Staff development would also be enhanced. The feasibility study would add more detail to exactly how the academy plans to differentiate itself from the existing school to improve outcomes for young people.

The changes this time are likely to be much less disruptive to students, and would potentially be felt more by staff. The SPT intends to work with the universities, as their partners, to ensure research on best teaching practice is conducted and shared. There would be a new culture, and new expectations on staff, which are very much focussed on improved outcomes for children. The school has a good record of dealing with performance with staff. It is likely some staff would fall out as the transition proceeds, and this would be managed over time.

3.15 What does the SPT mean by paragraphs 5.2 and 5.3 of the consultation document? (relating to the ethos and values of the Trust and the proposed Academy)

SPT intend to fully explore the connections to existing community groups to support students, teachers and staff, and build on the bedrock which already exists at SLHS. SPT has an interest in developing individuals and providing an education for all pupils on an inclusive basis. The specialisms would change the nature of the curriculum to provide better outcomes for young people.

3.16 How can the SPT's experience of exploiting links with local organisations to deliver improvements be transferred to the academy setting?

The experience of different ways of working with those agencies, such as the PCT, police, social services and community groups can be translated and promoted in South Leeds. The exact role of the universities is still being explored.

3.17 The proposal includes 300 6th form places. Would these all be on site? The sixth form number of 300 seems very high. Why is there no mention of partnership with further education colleges to deliver the entitlement to young people? Has appropriate consideration been given to a partnership approach to post 16 education?

The details of all post 14 provision across the city are currently under review. The SPT would work with Education Leeds and all the other providers on these plans to determine a plan of exactly what provision will be made and where, for the benefit of all students in the whole of Leeds, including SLHS. This reflects other changes, such as the effective increase in leaving age, introduction of diplomas, and emphasis on work based apprenticeships.

3.18 How would protection against discrimination be ensured?

The force of national legislation that protects individuals against discrimination also applies to academies.

3.19 Would school holidays or hours of the school day differ from those of the local authority schools?

There are no plans to introduce any significant changes to either the school day or to school holiday period

3.20 There is too much emphasis on results in the proposal, and not enough on life and social skills

Education Leeds and SPT support the idea that good education is about acquiring a wide range of skills, to understand their place in the community, and realise their own potential in a safe learning environment. This would enable them to gain employment and make a meaningful contribution to that community. SPT has experience of working with local employers and public sector organisations to build those skills.

3.21 The academy should be stricter, with a single uniform for all, encourage students to be polite and respectful, and not allow 3 misdemeanours before excluding pupils. It should have a zero disruption policy. It should provide a good learning environment for the children.

The academy would have a strong approach to discipline, and encourage good behaviour from all pupils. Exclusions do not actually address behavioural problems, but simply move them around, often disengaging them from the

learning process. The academy would endeavour to engage all pupils in a more personalised approach to learning. Details about the exact approach would be included in the stakeholder consultations informing the feasibility study, and these views are noted.

3.22 Admissions should be based on ability, like the DYCA, including only allowing existing pupils to stay if they are high achievers.

Selection by ability cannot be introduced under current legislation. The DYCA admissions policy is based on fair banding. The test is only used if the school is oversubscribed, and then is used to ensure a fair representation of all abilities. It still includes a distance element in the admissions policy, so of those in the same band, local children are prioritised.

3.23 Religion should have no place in the school – it should not be part of the admissions policy, and the dress code shouldn't differ because of religion (respondent wished comment to be noted as from a muslim person)

The admissions policy would be that of Education Leeds and would not include a faith element. The uniform details would be part of the consultation informing the feasibility study, and would reflect the requirements of the community. It would respect current legislation preventing discrimination on religious grounds, which includes dress code.

3.24 The academy should provide better careers guidance, including for skilled work and not just academic careers.

This comment is noted and referred to SPT for consideration in the feasibility study.

3.25 The vision on specialism and partnership needs more clarity, especially since not every vocational area can be fully resourced.

This will be subject to the consultation as part of the feasibility study.

3.26 Want reassurance this will not affect current pupils' options which have already been started.

The change would not affect GCSE courses already started.

3.27 The school needs wi-fi and sports facilities, plus to address the PFI contractor issues

These comments have been passed to the sponsor to be included in the feasibility study consultation.

3.28 The sponsor only has a contract for seven years, after which there are no guarantee who will take over. In addition, if the sponsor is deemed to be failing they could be removed after one year. These are unknown factors.

There is no reason why the contract with the sponsor could not be renewed after seven years.

3.29 Schools do not have to be academies to work with partners such as local universities

This is true.

Theme 4 School Partnership Trust as an organisation, their role, funding, plans and background, comparisons to other academy sponsors.

4.1 Garforth Community College has been a partner to support South Leeds High School for some time, but this has not delivered significant help. How can you be sure that SPT, of whom GCC are a major part, would deliver improvements?

The role of a school improvement partner, as required for a school in special measures, is very different from that of an academy sponsor, and much more limited. The support did however see rapid progress in one subject area. The approach of SPT has been recognised as one of the most successful in the country, and as an academy sponsor SPT would be able to bring their expertise in working with local organisations, building on relationships already established, to leverage further improvements.

4.2 Do the salaries of the SPT increase as they sponsor more academies?

No. Many of the SPT members are members on a voluntary basis. Those that are in salaried positions are not paid in connection to their role as academy sponsors.

4.3 Concerns that the experience of Garforth is not applicable to the community of South Leeds, and that an outside sponsor is potentially damaging to the South Leeds community. They have little understanding of this community. 'Objectionable' that a trust from another part of Leeds has control (reasons not specified)

Education Leeds believes that whilst the communities may differ in some ways, the SPT's experience of working in partnership with other Leeds based organisations such as the universities, health and social care are entirely relevant. Good education practice can be translated into a variety of settings.

4.4 Where do the SPT get their funds to sponsor the proposed academy? Repeated claims they are 'private' sponsors.

The SPT is a charitable trust, which raises its funds through charitable donations, private and corporate. During transition, some additional funding is received from the DCSF. On opening, funding comes directly from the DCSF, primarily through the same per capita calculation as any other Leeds school, along with the pro rata share of the local authority central services budget provided directly to the school.

4.5 The SPT is unknown to the school. There is some distrust of them. They are only 9 months old and unproven. How quickly will the stakeholder meetings schedule be published? What's their motivation for getting involved in academies? They don't understand the journey already made by the school, and its experiences.

The SPT will be working closely with the staff, pupils, governing body and community to engage in meaningful discussion about the details of the academy, and seeking to build that relationship through that process. They strongly welcome the opportunity to target resources at more deprived communities, and improve outcomes for working class children; this is their motivation for acting as sponsor. Their record in Garforth is open to all to see, and they would welcome all visitors to

see for themselves their work in that community. The stakeholder meeting schedule will be a matter of priority in October. They see academies as an evolution that allows better collaboration to enhance the lives of young people. Through the work of Garforth Community College to date as a school improvement partner, and through the work on this proposal so far, SPT have built up a good understanding of the issues faced by the school, and have acknowledged the progress made since the creation of the school. They have repeatedly indicated their intention to build on this solid foundation in working as an academy sponsor to deliver further improvements.

4.6 Has the sponsor opened an academy in Doncaster?

No, SPT have not.

Theme 5 Governance, accountability and process issues.

5.1 The consultation is not true consultation, it is being rushed through as evidenced by errors in the document. Concerns about respondents views not being listened to, and information not being given out with enough notice or to a wide enough audience (including lack of translations, parents of every primary school child in the area, and neighbouring schools, and an error about the date of the public meeting). Concern that the statutory notice period should not run over school holidays, and that, the additional meetings were advertised at short notice. Concerns the decision has already been made. Holding the consultation meeting in Eid made it impossible for some parts of the community to attend. Repeated claims that the decision had already been made (one specifically said in July). Why can't a ballot be held, as is being done in Sheffield?

In November 2007 Leeds City Council began a process to explore options for academies within Leeds, which led to an expression of interest for an academy to replace South Leeds High School with SPT as the sponsor. In July 2008 Executive Board considered this EOI and approved a public consultation on the proposal. They will make a decision on whether to proceed with this recommendation in December 2008, based on the consultation responses. If they do, then a further statutory notice period would allow further representations to be made. Current guidance does not limit statutory notice periods to term time only.

The consultation was conducted in line with DCSF guidance, and previous practice in Leeds. Particular effort was made with parents of year 6 pupils who are currently making choice about secondary schools, and all feeder primary schools were made aware at the start of the consultation period. In response to the request of the Inner South Area Committee, an additional three public meetings were arranged at short notice, one for each ward, to improve consultation and ensure the views of all parts of the mixed community forming South Leeds High School were heard. All reasonable steps were taken to advertise these additional meetings, including contacting the feeder primaries. Education Leeds will review how effective this was, and whether arrangements could be improved in future, to further improve their already good consultation practice. The initial public meeting at the school was held after Eid, and additional meetings held after this to further assist participation.

Officers have taken due care to accurately represent the consultation, and not to assume any outcome. On occasion, the officers may have made abbreviations such as 'would if the proposals are approved' into "will", however it was made clear this in no way presupposed the outcome of the decision making process, and was

merely an attempt at being more easily understood. An addendum containing clarifications and corrections was issued during the consultation period, as soon as they were realised, and they do not materially affect the nature of the proposal or consultation.

The ballot being conducted in Sheffield will not be binding, and is therefore merely another way of enabling views to be heard. The consultation process for this proposal allows ample opportunity for representations to be made. Officers have repeatedly encouraged stakeholders to make their views known, and to include alternative proposals or amendments which can be duly considered by the Executive Board of the council, who are the decision maker.

The document states that translations are provided on request, and one request for a Polish translation has been met. None of the schools have requested translations.

- 5.2 I disagree with the view of the meeting that the consultation has not been conducted properly. I believe the show of hands in that meeting should be ignored as the atmosphere may have prevented many from expressing their true opinions. The decision should be based on the facts and strategic thinking, and not be swayed by the reactionary statements you have been exposed to so far. I have confidence in the decision makers to act in a way to benefit the education and economic prosperity of South Leeds. Another respondent also indicated the public meeting was not helpful because of the aggressive behaviour.**

No response

- 5.3 Who is on the Executive Board that makes the decision?**

Executive Board is made up of elected city councillors.

- 5.4 The process cannot be trusted as the post of Principal Designate has already been advertised/ appointed before the consultation period is complete.**

The post of Principal Designate was ring fenced to employees of South Leeds High School, and the School Partnership Trust (SPT). Three expressions of interest were received. The appointment of a Principal designate would facilitate much of the additional consultation needed to determine the details of the new academy in a timely manner with full participation by all members of the community.

The current head teacher was appointed to the post of Principal designate in the final week of the consultation period.

- 5.5 The consultation document does not mention Belle Isle, which is how this community identifies itself, thus demonstrating its lack of real understanding of this community and what is best for it.**

The document refers to the names of the wards affected as a matter of council procedure, and this does not reflect any failure of understanding.

- 5.6 Why were feeder primary schools not made aware of the consultation? Why were some schools not aware?**

Local feeder primary schools were informed of the consultation, and checks were completed to ensure all documentation was received. These checks identified that

two out of 20 schools had not seen the information, and so it was resent in the first two weeks of the consultation period. At the same time as conducting these checks, additional letters advertising the consultation meetings were provided, through the school, for all parents of children in the feeder primaries. All neighbouring secondary schools were also notified.

5.7 The Expression Of Interest for the academy has a box asking if the governing body was consulted. This box is ticked, but it's not true, some governors were unaware. How can this have been ticked? The proposals are illegal because the governing body were not consulted. In Spring, the governors were told there was no proposal to turn SLHS into an academy, yet the Executive Board considered a paper in Oct 07 and gave permission to start exploratory conversations with the DCSF over such a plan.

In the meeting EL indicated they did not prepare the Expression Of Interest document, and so could not answer. The most recent Ofsted monitoring report from July 08 does refer to the governing body working closely with the LA and sponsor over the EOI. The decision to enter exploratory talks did not constitute a firm proposal. Only on considering the Expression of Interest in July 08 was a decision made to consult on this proposal.

5.8 Can this proposal be stopped? Would a petition stop the proposal, and how many signatures on a petition would be needed? Would the overwhelming opposition of staff stop the proposal?

The purpose of the consultation is to gather the views of all stakeholders, so they can be considered by the Executive Board. A decision will be made on whether or not to proceed with the proposal at the Board meeting on December 3rd 2008. If the decision is made to proceed there will be a statutory notice period allowing for further representation. Education Leeds have advised all respondents, including petitions, to include their alternative proposals so they can be given due consideration by the Executive Board. They have advised that the number of signatures is less relevant than the content of the response; if thousands sign simply to say no, or requesting something unachievable then it is unlikely to have much effect, but if one person suggests a viable alternative then it will be given proper consideration.

5.9 The consultation period is normally 2 years but this is only 6 months, why?

This statement is incorrect. This proposal has followed consultation practice developed in Leeds over 62 closures and seven years. This has been recognised as good practice and meets the DCSF guidance for a 6 week consultation period at this stage.

5.10 Did the consultation document go to all parents in the area?

The consultation document was sent to the families of the current pupils of SLHS. Letters advising of the public meetings, and how to get hold of the consultation documents, along with copies of the consultation documents were sent to the local feeder primary schools, and neighbouring secondary schools. Every individual year 6 pupil for whom SLHS is their nearest school had a letter explaining how this affected them, advertising the public meetings, and how to obtain the documents. Following a suggestion at the Inner South Area Committee meeting that this information had not comprehensively filtered through from the schools themselves, letters advising of the public meetings and how to get hold of the consultation documents were sent to all parents of children in the feeder primaries.

5.11 The panel at the meetings should have included someone to represent the argument against the proposal.

Leeds City Council requires Education Leeds to lead the specific consultation. The purpose of the meeting is to answer questions and capture views about that specific proposal, and capture any alternative suggestions. This enables the Executive Board to make a decision on whether to proceed with the proposal in its current form. If they decide to pursue alternative proposals, they would then be consulted on separately.

5.12 Students feel they have not been given much information, as letters were sent to parents and carers

The letters were sent to parents/carers as they are the people with legal responsibility for the schooling of current students. The information was also given to the head teacher and staff for distribution within the school as they felt appropriate. A meeting was arranged with school council through the head teacher, in order to address the specific concerns of students. Students will also be consulted during the feasibility phase to ensure their views on some of the details of the proposed academy are heard.

5.13 Why are academies exempt from the Freedom Of Information act? What protection can you give to maintain this? Examples quoted at DYCA of the school refusing to publish some policies resulting in solicitors becoming involved.

Education Leeds and SPT do not believe this is the case, and would answer any requests made unless they were matters affecting personal protection and privacy.

5.14 Can Education Leeds confirm that the proposal is not made by the governing body, but by the sponsor?

The proposal is made by the sponsors, Education Leeds, and the local authority collectively. The DCSF are also involved in appointing the sponsor and as decision maker on the proposed academy.

5.15 Can ward members be kept informed of the progress of the proposal beyond the consultation period?

Education Leeds has provided fortnightly updates by email to keep members informed.

5.16 What would the format of the governing body be? How many local authority governors would there be, and how could there be a maximum number of local authority governors if the overall number was not known? How would the governing body make up ensure local accountability? How would ward members be able to have a voice? Sponsor appointed governors are not acceptable or democratic.

The number of local authority governors is legally prescribed, there must be at least one but no more than two. Other members of the governing body may be local people, and almost certainly would be in this case. The intention of government in describing the format of the governing body is to provide the flexibility for the sponsors to establish their own, locally appropriate models. The format of the governing body is one of the details that will be established through

consultation during the feasibility study. The SPT fully intends to have an open dialogue with councillors, and they may well be able to hold posts on the governing body.

5.17 Concerns that the process could undermine the existing school and governing body.

The decision making timescale and process has been clearly explained to minimise any concerns. It is important that it is conducted in a way that does not pre-judge the outcome, but equally that it allows preparation for the proposed academy to proceed smoothly, and with all stakeholders fully engaged, including the current head teacher and governing body. The appointment of a head teacher designate and shadow governing body is therefore done at the SPT's risk.

5.18 Where is the school left if the proposal does not go ahead?

The initial decision will be made by Executive Board in December. If they choose to reject the proposal at that stage it will not proceed. In this case Education Leeds would need to bring forward alternative proposals on how the school can meet the National Challenge. They may commission Education Leeds to consult further on alternative options, and a new timetable would be published at that point. If they choose to proceed with the proposal, the statutory notices would be published allowing further representation. At the same time the feasibility study would be completed and reported to the Executive Board. The final decisions on closure and the opening of the academy would be made in parallel in March 2009.

5.19 The sponsor is unaccountable to anyone.

Academies are inspected by Ofsted, just like all other community schools. If they are not deemed to be working, Ofsted can issue a notice to improve, and give the sponsor notice of 1 year, and replace the sponsor.

5.20 People should be aware of exactly what academy status means as this is not covered in the document.

It is important to remember that this proposal is about the closure of SLHS. To understand the full implications of the closure proposal, the consultation document describes the academy proposed as a replacement. There is however a separate parallel process decided by the DCSF will consider the academy proposal, and this will be supported by additional stakeholder consultation. Education Leeds believes the document provides a reasonable balance between providing enough information about academies generally and the SPT's proposal in particular, whilst not overwhelming people with information and also respecting this parallel consultation and decision making process. The consultation meetings also provide opportunity for stakeholders to ask questions about whatever aspects of academy status concern them.

5.21 Academies are not bound by the same education legislation that state schools are.

5.22 In such a close community as South Leeds outside sponsors are unacceptable and could be damaging. They should not have the power to run our school.

Education Leeds does not believe the introduction of sponsors would be damaging, but rather through their skills and experience can bring additional expertise to support the school. This sponsor is entirely rooted in Leeds. It is a local

sponsor.

5.23 Repeated concerns that schools should remain under the control of local authorities in principle, and that ownership and control should not be given to 'private' or outside sponsors, or rich individuals.
Under current legislation, academies are an option available for consideration, Education Leeds is making this proposal in the belief that it provides the best opportunity to improve outcomes currently available to them. The proposed sponsor is a registered charitable trust and not a private company or individual, and any academy would be run by the governing body as described in 5.16 above.

5.24 What happens if the sponsor no longer wishes to be associated with the school? Can the school revert to local authority control?
The sponsor is tied to a long term contract, for seven years. They cannot leave before this, unless deemed to be failing, where the same legislation applies as exists for Community Schools.

5.25 There is not enough evidence to form a useful judgement on the proposed academy. Academy status will not automatically make it more desirable to students.
Education Leeds acknowledges that some of the details of the proposed academy remain unclear at this stage, but believes there is sufficient merit in the proposal to proceed with the feasibility study. This will be informed by extensive stakeholder consultation, and will form the basis for any decision on whether the proposed academy proceeds.

Theme 6 Financial and miscellaneous

6.1 The school should have its £800k debt [£1m combined with South Leeds] written off and allowed to continue. If the academy opens the sponsor will also invest £2m, this plus the deficit write off should all be given to the current school.

There is no legal mechanism to write off the debt as a community school. The only way for the debt to be written off is for the school to close. There is still an expectation for the school to continue to manage its budget and minimise its deficit in the run up to closure. The deficit has not been the driver for the proposal, either to close the school, or for the academy to replace it. The sponsorship money is only available to an academy.

6.2 Leeds City Council should resist the pressure for academies from central government, and use the money to support the current South Leeds High School.

The recommendations of Education Leeds are informed and bound by the current legislative framework, and represent what it believes to be the best options for children and young people within that context. Academy status represents the best opportunity to secure additional resources for the school, because all funding goes direct to the school, including the proportion held back for central services for community schools. There is also the endowment fund provided by the sponsor, which is not available to community schools. Neither funding stream is available to a community school, nor is there any other way to secure additional funding long term, nor to write off the current deficit. Additional funding is available to community schools in proportion to their need, and as the current school improves it will receive less funding, risking the sustainability of recent progress.

6.3 How can the deficit be written off if the school becomes an academy – would this money come from the funding for other schools?

During the consultation Education Leeds stated this should not be assumed, and other funding mechanisms would be explored.

6.4 How would academy status benefit Education Leeds?

There would be no benefit to Education Leeds

6.5 Why can't the school be closed, have its debt written off, and then reopen as a community school?

Such an approach would not be legal. Under current legislation, any proposal to open a new school would require a competition, to which anyone, including an academy sponsor, may respond. The local authority could submit a bid to open a new community school, but this would mean the local authority could not make the decision on the competition; instead it would be made by the schools adjudicator. The DCSF would not approve such a measure to clear the debt. Whatever the outcome of the competition, it would inevitably delay the opening of a new school, creating yet more uncertainty for the staff, pupils and parents.

6.6 Funding is based on pupil numbers, so if the academy is unpopular and numbers decrease, would staff need to leave the academy in 2010, and what would happen to them?

Any staff leaving an academy would be treated the same as those leaving a VA school, and be given redeployment support. However, it is possible that the additional funding the academy receives could be used to provide additional staff, or cushion any such effect of funding decreases.

6.7 What happens to the funding for excluded pupils (acknowledging that SPT intend to keep them to an absolute minimum, but recognising they may on occasion be necessary)?

The funding follows the pupil, and is given to whichever institution they attend.

6.8 Why have Education Leeds invested £28m in a new building, only to give that asset to the new academy? Would the community have continued use of the building, and what are the implications of it being a PFI building? How would outstanding issues with the building be managed as an academy? Will the asset be transferred to the sponsor, what are the implications of this, and will a full land and assets evaluation be completed?

As a PFI building, SLHS is effectively leased by LCC. If the proposal to open an Academy proceeds the building would, in effect, be sub let to the Academy who become the tenant instead of SLHS. The issues surrounding the transfer of asset are being fully explored by Education Leeds and form part of the main body of this report. Education Leeds wishes to ensure continued community use of the building.

SPT have indicated their desire to work with the facilities management company to secure improved responsiveness to issues as they arise.

6.9 An academy is not concerned with the welfare of the children, but is a money saving exercise for the Government and Leeds City Council.

The ongoing funding for an academy is on exactly the same per pupil basis as any other community school in the authority. It would not save the government or LCC any money at all.

6.10 The stated capacity of the school as 1225 is incorrect, there is not that many in the sixth form.

The net capacity is based on the buildings and their use, not on pupil numbers actually attending the school. It is correct for 2008 based on the specification and design plans, although the final plans are still waiting for validation. Prior to this there were temporary classrooms on site which increased that capacity and which have now been removed.

6.11 The parents do not trust Education Leeds because of the last change, and so may move their children away from the school.

This consultation has provided opportunity for parents to have many of their questions and concerns answered. The feasibility stage will provide opportunity to get them involved more proactively in deciding some of the details of the academy, alongside students, staff and the governing body. SPT hope that through that process, they can build trust and confidence in the proposals to ensure staff and students want to stay. Should they feel that they have been unable to work with the community to create that relationship, SPT could also decide not to proceed. It is important to separate the current consultation to close the school and establish an academy, from the feasibility study which will scope out the specific details of the proposed academy.

6.12 A member of the governing body personally acknowledged academy status was necessary to move forward. They indicated the governing body's decision to support the proposal, accepting that by engaging constructively now they can influence the details of the proposal.

6.13 Academies reduce democratic choice.

Introducing an academy in South Leeds increases the choice and diversity of educational provision for that community. Issues of accountability and governance are addressed in 5.14 above.

6.14 If an academy gets into debt the local authority cannot help it out as it is independent.

6.15 What would happen to the head teacher designate if the academy does not proceed? Would they get a payout?

The current headship is his substantive post, in which he would remain.

6.16 Education Leeds Information Management team indicated a desire to have data sharing agreements which enable the continued sharing of pupil level data on attainment, attendance, exclusion and school census to continue to monitor all pupils in Leeds, address issues and plan provision accordingly.

This is included in the memorandum of understanding that SPT intend to sign.

6.17 In favour of the proposal to close SLHS because it represents failure.

6.18 Can't see how it is possible to leave the school alone given its current stance

and history.

6.19 Agree with working with other schools

6.20 Agree with smaller class sizes

6.21 The academy needs to provide somewhere to pick up and drop off children.

6.22 A number of comments observing the current facilities were good, and did not need anything else.

6.23 Petition from school council with 331 signatures. Stop the change to an academy, it will affect the way children are taught and change it from a community school to a more privatised one.

Education Leeds believes the changes would be positive. Although it would no longer be a community school in the legal sense, it would be locally accountable, run for the local community, and with a sponsor committed to working in partnership with the community.

6.24 Can the deficit be postponed? The debt should be postponed / frozen.

Yes, it is possible. However, this debt would still need to be repaid at some point. If the school has in the meantime committed to a cost structure that prohibits repayment in order to improve outcomes, then this proposal does nothing to resolve the issue in the long term.

6.25 This is all to get rid of the debt.

The deficit is not a driver for this proposal, it is about accelerating and sustaining outcomes for young people. Managing the deficit is the responsibility of the school and not the Local Authority. If an academy opens, the funding will need to be found elsewhere to write off that debt.

6.26 The prevailing attitude of the meeting was inconsistent, complaining about previous decisions and yet praising the school that had resulted, despite unacceptable [respondent's view] results.

6.27 Concerns about (unspecified) negative things heard about academies.

It is difficult to respond to generalised comments such as this, however Education Leeds believes it has given comprehensive reassurance about the nature of this proposal. It has addressed issues around employment protection for staff, and the role and nature of the sponsor. It has attempted to explain how the government agenda for academies has changed, and is now more supportive of them working with their local communities, and how the memorandum of understanding in Leeds will embed this. It has also described the feasibility study which will include extensive consultation over the details of the academy, ensuring it reflects the needs and wants of the local community.

6.28 Separately several observed the sponsor was not proposing more facilities.

6.29 Concerns about the methods of teaching at an academy

6.30 For SLHS to improve the behaviour of the children needs to improve. The Senior Leadership Team at SLHS have not got a handle on this.

- 6.31 The responsibility for education of young people in the maintained sector should rest with Local Authorities**
- 6.32 An academy would be outside the Leeds community of schools which would be damaging for the whole South Leeds community.**
- The SPT fully intend to work with the Leeds family of schools, as indicated by their intention to sign the memorandum of understanding.
- 6.33 The Expression Of Interest does not comply with DCSF guidance over SPT planned financial contribution**
- 6.34 Alternative proposal suggested by NUT: Keep SLHS open, use the National Challenge fund and other resources to support the school, and reschedule the debt payment so it can be brought into balance more gradually, allowing more investment to accelerate improvements. Explore specialist status as part of this plan.**
- Specialist status could not be achieved until debt paid off.
- 6.35 Request that all responses and a summary of responses be made public.**
- The responses can be found at www.educationleeds.co.uk/schoolorganisation
- 6.36 Concerns about future uncertainty, and whether the school will ever return to local authority control.**
- It is impossible to anticipate long term changes to government policy, and therefore to address all potential changes. Should the feasibility study prove positive, and the proposal proceed, then there is reasonable expectation of a long term partnership, backed by the current legal contract of seven years duration. The sponsor has indicated their intention to operate within the Leeds family of school, and with the local authority, see response in 3.4 above. At this time the only way it is envisaged the school would return to local authority control is if the school were failing and the DCSF removed the sponsor, however it is possible an alternative sponsor would be found and academy status remain.
- 6.37 Concerns that the school is being bullied and blackmailed into the proposal – not substantiated with any evidence of the threats being made against them.**
- Education Leeds takes any such accusations seriously, however there is no specific allegation to answer.
- 6.38 The building would benefit from air conditioning**
- 6.39 Schools beyond 1000 pupils become depersonalised**
- There is no proposal to change the admission limit of the school. It will remain at 210, ie 1050 pupils in years 7 – 11.
- 6.40 Will facilities at the school only be made available at the school if it embraces the academy proposal? (reference to the question in the consultation document about what facilities are wanted).**

The question does not imply that facilities can only be used if the academy

proposal is accepted. It is a genuine attempt to gather the views of the community about what other provision they would like to see included in any proposal. Any suggestions made can and will be given due consideration whatever the outcome of this proposal.

6.41 The fact that so many people have voiced opposition to the proposal shows it is not a failing school and they care about education.

Whilst the views aired in most of the consultation meetings and in writing have been overwhelming against the proposal, they still represent a minority of the community responding. More importantly, there has been only one viable alternative proposal suggested – see 6.34 above. Other proposals to write off or freeze the debt are not viable (see 6.1 and 6.24 above)