
REPORT OF THE CHIEF EXECUTIVE OF EDUCATION LEEDS

EXECUTIVE BOARD: 3 December 2008

SUBJECT: Future secondary provision proposal for Intake 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 Intake High School. It recommends that the Executive Board authorise Education Leeds to proceed with the publication of a statutory notice for the closure of Intake 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.

BACKGROUND INFORMATION

- 2 The Executive Board approved a public consultation on this proposal in April 2008, following the submission of an expression of interest naming The British Edutrust Foundation (Edutrust) as the sponsor for an academy to serve the Bramley & Stanningley, Armley and Kirkstall communities.
- 3 The consultation ran from 8 September to 17 October 2008. Meetings were held with the school council, staff, governing body and general public. Area Committee and Schools Forum meetings were also attended.
- 4 In total attendance at the various meetings was approximately 250 people (some of these attended more than one meeting). A total of 16 written responses were received. Five were broadly in support of the proposal, four neutral or with conditional support, and seven were against.
- 5 The main issues raised by the consultation can be summarised in 6 key themes:
 - Theme 1. Staffing issues; employment rights and protection, staffing structure, pay and conditions, union recognition
 - Theme 2. Details of the proposed academy; curriculum and specialism, admissions policy, exclusions policy, transition arrangements, 6th form, uniform, name, specific facilities, and rules. Why and how it would be better and improve

- outcomes for young people and the community, and how quickly?
- Theme 3. The need for new buildings, and the arrangements for design, construction and transition.
- Theme 4. Edutrust as an organisation, their plans and background, comparisons to other academy sponsors, their funding arrangements.
- Theme 5 Governance and process issues, local accountability.
- Theme 6 Miscellaneous.

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

7 In the event of any objections being received in response to 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 notice.

RESOURCE IMPLICATIONS

8 There would be an anticipated budget deficit of £250k 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.

9 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.

10 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.

11 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

- 12 The Executive Board is asked to;
- (i) note the outcome of the consultation, to close Intake 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.

REPORT OF THE CHIEF EXECUTIVE OF EDUCATION LEEDS

EXECUTIVE BOARD: 3 December 2008

SUBJECT: Future secondary provision proposal for Intake High School

<p>Electoral Wards Affected:</p> <p>Bramley and Stanningley, Armley, Kirkstall</p> <p><input checked="" type="checkbox"/> Ward Members consulted (referred to in report)</p>	<p>Specific Implications For:</p> <p>Equality & Diversity <input type="checkbox"/></p> <p>Community Cohesion <input type="checkbox"/></p> <p>Narrowing the Gap <input checked="" type="checkbox"/></p>
<p>Eligible for Call-in <input checked="" type="checkbox"/></p>	<p>Not Eligible for Call-in (Details contained in the Report) <input type="checkbox"/></p>

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 Intake High School. It recommends that the Executive Board authorise Education Leeds to proceed with the publication of a statutory notice for the closure of Intake 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 April 2008, following the submission of an expression of interest naming The British Edutrust Foundation (Edutrust) as the sponsor. Options that had been considered were as follows:

2.2 **Option 1** Close Intake High School and establish an academy on the site – the proposal. There are 4 key reasons why Education Leeds believe this is the right

proposal for Intake:

- The need to accelerate improvement. Whilst there has been improvement there is a 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.
- Edutrust is an organisation that is geared up to maximise what Intake can learn from the family of schools in Leeds and that can supplement this with support from their network of academies.
- Edutrust's commitment to developing local communities means that there is an exciting opportunity, with a new state of the art school, to see learning becoming inspiring and accessible to everyone in Bramley, Stanningley, Armley and Kirkstall.

2.5 **Option 2.** Close Intake High School and expand provision at other schools in the area. Commitments are already in place throughout the remainder of the West of the city to rebuild schools and balance provision in line with local demographic need. Many of these building projects are already started, and some nearing completion. This option is not therefore viable. There is a large local secondary school population in the area, and this option would force children to travel further to access secondary education, rather than focussing on improving the school to provide a good local school for that community.

2.6 **Option 3** Leave Intake High School unchanged. 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 improvements in outcomes for the children and young people of the area, meet the National Challenge, and make a stronger contribution to the region of West Leeds.

2.7 The public consultation ran from 8 September to 17 October 2008. Meetings were held with staff, governors, school council, the public, and inner west area committee. In addition, Schools Forum was attended, and asked for an indication of its willingness to write off the anticipated deficit at Intake, and accept the impact on the Dedicated Schools Grant ongoing. Details of the consultees can be found in Appendix 1

3.0 THE MAIN ISSUES

3.1 In total attendance at the various meetings was approximately 250 people (some of these attended more than one meeting). A total of 16 written responses were received. Five were broadly in support of the proposal, seven against, and four neutral or with conditional support. Details of respondents can be found in appendix 2.

3.2 In general, there has been acknowledgement of the need for change at Intake, and the consultation responses have focussed on whether the proposed academy is the right solution, how stakeholders would be able to engage in making decisions about the details of any academy, and the impact on staff, students and residents.

3.3 Concerns about some of the practices at existing academies 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 Edutrust have outlined how the government agenda for academies has changed to reduce many of these concerns, and how a memorandum of understanding currently under consideration will provide further specific reassurances about how any academy would operate within the context of the Leeds family of schools.

- 3.4 A full summary of the consultation responses can be found in Appendix 3. 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 under six headings. In summarising representations made, every effort has been made to reduce repetition without losing any of the points raised. Copies of the original responses and meeting minutes are available at www.educationleeds.co.uk/schoolorganisation. A summary of the responses to the six key question themes is provided below.
- 3.5 **Theme 1. Staffing issues; employment rights and protection, staffing structure, pay and conditions, union recognition**
The Transfer of Undertakings (protection of Employment) Regulations 2006 (TUPE) applies 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.
- 3.6 **Theme 2. Details of the proposed academy; curriculum and specialism, admissions policy, exclusions policy, transition arrangements, 6th form, uniform, name, specific facilities and rules. Why and how it would be better and improve outcomes for young people and the community, and how quickly.**
Edutrust have 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 Edutrust have a firm commitment to individualised learning, and to both academic and vocational pathways. They have indicated their intent to retain the performing arts specialism, and add a second complementary specialism of English.
- 3.7 **Theme 3. The need for new buildings, and the arrangements for design, construction and transition.**
Education Leeds, Edutrust, and the existing governing body of Intake High School all believe the current buildings are largely unsuitable, having been added to on an ad hoc basis for many years. The new building offers the opportunity for a state of the art, secure building, offering a better learning and teaching environment, which is more accessible to the wider community. There would be full consultation on the design and construction of the new building with all stakeholders, should the proposal proceed. Education Leeds has considerable experience of managing new build projects, and would offer full supporting this process.
- 3.8 **Theme 4. Edutrust as an organisation, their plans and background, comparisons to other academy sponsors, their funding arrangements.**
Edutrust is a charitable trust formed by otherwise unconnected people with a common concern for the poor quality of education available in some parts of the country. They have a wealth of experience in public service and education. They are planning to open a total of nine academies by 2009 offering a nationwide network to develop and share best practice to complement the support offered by

the local family of schools. They have no religious affiliations.

3.9 **Theme 5. Governance and process issues, local accountability.**

The constitution of the academy's governing body must include the sponsor, the local authority, the principal and parent representatives. Edutrust 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 the sponsor. Edutrust intend to use local people to fill these roles.

3.10 **Theme 6. Miscellaneous.**

These issues are addressed individually in the summary of consultation responses in appendix 3

4.0 **IMPLICATIONS FOR COUNCIL POLICY AND GOVERNANCE**

4.1 **NARROWING THE GAP**

The issues addressed in this report will impact on the 'Narrowing the Gap' and 'Going up a League' 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, as they are the decision maker on the proposal to close Intake High School.

5.3 In the event of any objections being received during the statutory notice period 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 notice.

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 the statutory notice.

5.5 **Resource Implications**

5.6 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 £250k to write off in order to open the new academy at Intake. Schools Forum has been consulted on their willingness to write this off by drawing on the Dedicated Schools Grant.

5.7 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.

- 5.8 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.
- 5.9 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 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).
- 5.10 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.
- 5.11 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.
- 5.12 Part of the funding that would go direct 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 Bramley Extended Services Cluster might be.

6.0 RECOMMENDATIONS

- 6.1 The Executive Board is asked to;
- (i) note the outcome of the consultation, to close Intake 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.

BACKGROUND REPORTS

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

Exec Board April 08. Consideration of an Expression of Interest to establish an academy to serve the Bramley area.

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

Appendix 1 – LIST OF CONSULTEES

Who	Contacts	How	What	When
Existing pupils at the school				
Intake current pupils	parents / carers	via schools	letters and consultation documents	09-Sep-08
		given to students to take home	1,500 documents	09-Sep-08
Primary Schools in West Wedge & Feeder schools				
(13)				
Bramley Primary	David Harrison David Kershaw	Post to HT	letter and document	09-Sep-08
Bramley St Peter's C of E Primary	Cath Habrow David Jorysz	Post to HT	letter and document	09-Sep-08
Holybush Primary	Kathleen Alderson to check with Gov Support	Post to HT	letter and document	09-Aug-08
Rayville Primary	Su Edwards Alison N Lowe	Post to HT	letter and document	09-Sep-08
Whitecote Primary	Karen Allan M Law	Post to HT	letter and document	09-Sep-08
Farsley Springbank Junior	Juliet Agar J Bakes	Post to HT	letter and document	09-Aug-08
Stanningley Primary	Jackie Reid J Kerry	Post to HT	letter and document	09-Sep-08
Summerfield Primary	Karon Whitman Chris Hopewell	Post to HT	letter and document	09-Sep-08
Valley View Community Primary	Sarah Griggs to check with Gov Support	Post to HT	letter and document	09-Aug-08
Greenhill Primary	Ann-marie Reeve J Campbell	Post to HT	letter and document	09-Sep-08
Beeston Hill St Lukes C of E Primary	Eric Whitehouse Graham Hobbs	Post to HT	letter and document	09-Sep-08
Horsforth Newlithes Junior	Joanne Blacoe Peter Boden	Post to HT	letter and document	09-Aug-08
West SILC (located at 4 Town Street Stanningley)	Michelle Wilman to check with Gov Support	Post to HT	letter and document	09-Sep-08
Families of children at these schools				
Parents carers via HT				
Secondary Schools West Wedge				
HT and chair of governors				
HT and Chair of Governors				
post to HT				
letter and Consultation document				
18-Sep-08				
09-Sep-08				
Year 6 pupils for whom school is their nearest				
Intake as nearest				
16-Sep-08				
All Councilors				
329 letters advising on admissions and advertising mtg				
16-Sep-08				
Local Diocese - RC & CE				
list of meetings and link to consultation doc				
09-Sep-08				
MPs				
letter and consultation document				
08-Sep-08				
Learning Skills Council				
letter and Consultation document				
08-Sep-08				
F E Colleges				
letter and consultation document				
08-Sep-08				
Chamber of Commerce				
link to / copy of consultation document				
08-Sep-08				
Unions				
letter and Consultation document				
08-Sep-08				
Neighbouring Authorities				
letter and Consultation document				
08-Sep-08				
ELBoard - via Barbara Comiskey				
link to / copy of consultation document				
08-Sep-08				
Education Leeds officers				
Links to consultation document				
09-Sep-08				
Education Leeds officers				
Links to consultation document				
09-Sep-08				
General public				
Links to consultation document				
18/25 Sept 08				
General public				
Electronic access to consultation document				
08-Sep-08				
Post Offices				
poster, letter (and consultation document for Intake)				
08-Sep-08				
Greenthorpe				
Poster and Letter and document				
08-Sep-08				
Whitecote				
Poster and Letter and document				
08-Sep-08				
Bramstan				
Poster and Letter and document				
08-Sep-08				
Fairfield				
Poster and Letter and document				
08-Sep-08				
Calverley				
Poster and Letter and document				
08-Sep-08				
Woodhall				
Poster and Letter and document				
08-Sep-08				
Farsley				
Poster and Letter and document				
08-Sep-08				
Pudsey				
Poster and Letter and document				
08-Sep-08				
Bramley - sent 19/9				
Poster and Letter				
19-Sep-08				
Wellstone Rise - sent 19/9				
Poster and Letter				
19-Sep-08				
Libraries				
poster and consultation document				
8/9/008				
Bramley				
Poster and consultation paper				
08-Sep-08				
Swinnow				
Poster and consultation paper				
08-Sep-08				
Calverley				
Poster and consultation paper				
08-Sep-08				
Farsley				
Poster and consultation paper				
08-Sep-08				
Pudsey				
Poster and consultation paper				
08-Sep-08				

Appendix 2

Intake - Summary of respondents (letters and e-mails)	
Governing Body - Intake	1
Governor - Intake	1
Parent/Carer - Intake	2
Member of staff - school not stated	2
Other Local Authority	1
Trade Union	2
EL officer	1
Other - school not stated	2
Parent/Carer - primary school	2
Chair of Governor - Primary School	1
Other adult relative - school not stated	1

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, as 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. Copies of the original responses and meeting minutes are available at www.educationleeds.co.uk/schoolorganisation. They are grouped into 6 main themes.

Theme 1 Staffing issues; employment rights, staffing structure, pay and conditions, union recognition

1.1 A number of questions about arrangements for the transfer of staff to the proposed academy; job security for current staff (including staff on secondment), terms and conditions of employment, how long any protection might stay in place, the possibility of any restructure, pension protection, transfer to a new employer.

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. Members of staff and their representatives would be consulted extensively throughout the process. The only way terms and conditions could then be changed is through negotiation, on either a one to one basis, or through the unions. Although new terms and conditions could be introduced for new staff, Edutrust recognise this would be extremely unwise. TUPE does apply to staff on secondment. TUPE means you do not have to work for the new organisation for 6 months before qualifying for employment rights.

Ongoing, teaching staff have national pay scales and terms of employment, and these would be maintained.

Support staff are employed on local authority terms and conditions, which do vary across the country. The terms and conditions they are currently on would be protected under TUPE. Edutrust have indicated their intention to honour any other commitments that have been given until the academy opens. In future, as Edutrust expand the number of academies they run, they would seek to harmonise terms and conditions between all their academies. However, this is not intended to reduce the terms to the lowest common denominator, it is intended to recognise local negotiations and apply them across the board. Any changes would take some time to implement, and would be consulted upon.

At present there are no plans to change the staffing structure of the school. This remains a decision for the Principal Designate. If new structures were to be introduced for the opening of the academy in September 08, the details would need to be in place by December 08 in order to allow for the consultation required under TUPE. If by December it is known the Principal Designate would wish to change the staffing structure, but doesn't have the exact details of that new structure, Edutrust will return and explain the situation to staff in detail.

Edutrust have full access to the local government and teachers pension schemes,

and would be bound by them. Pension entitlements are protected by law. It's possible the government may introduce the law pertaining to future academies, but not to this transfer.

1.2 What options for redeployment would exist, and would redeployment protect staff's salary and grade? Would it be to equivalent permanent posts?

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 were 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.

1.3 If there were financial problems at the new academy after it has been established, would Edutrust consider changing terms and conditions of staff to address them?

Edutrust is a registered charity. It has a guaranteed income stream from the DCSF, on the same per capita basis, so there is no reason to suppose there should be any funding issue. Any decision on the staffing structure would be for the academy to decide, not Edutrust.

1.4 What are the benefits of working for / in an academy?

Education Leeds believes this proposal offers the best opportunity for sustained improvement, which has not been possible to date. This would provide a stable environment for staff and pupils. It would also provide for a better physical environment in a new fit for purpose building.

Edutrust would offer the ability to support the school both within the local family of Leeds schools, and within their wider network of academies. This would enable them to bring in the benefits of partnership working, using all their staff and facilities to ensure long term sustained success for the school. Examples include using the local universities to research best teaching practice nationally, and share this with the academy.

Edutrust is made up of education professionals, who are committed to support the professional development of all staff. In many ways they see academies simply as another form of good school, with good facilities, good professional development, and a good employer.

1.5 Would there be changes to the working day, working hours, holidays etc – the basic operating hours of the academy?

Terms and conditions protect the days and hours of work, and the academy would have to work within that. TUPE protects against significant change. Holidays are at the academies discretion, but Edutrust wish to work with the Leeds community and apply that discretion sensibly.

Education Leeds and Edutrust want to secure successful sustainable outcomes for young people, and any staff unrest would undermine that. Any changes would be

negotiated to help secure those outcomes.

1.6 What happens if staff leave the academy, are their terms and conditions protected?

No such guarantee can be given as this is dependant on the circumstances that an individual departs the academy's employment.

1.7 Would there be a perception about leaving an academy after it opens?

It is unclear what perception any perspective employer might have about any applicant's CV.

1.8 Are sick pay and maternity pay protected?

Yes, there is national legislation that determines minimum entitlement. The application of TUPE means that, at the point of transfer these are protected at the same rights that apply currently. In addition the statutory protection afforded by school teachers pay & conditions provides an additional level of reassurance to teachers.

1.9 Would unions be recognised, and can that be changed?

Edutrust is fully committed to working with the unions within the national JCC and local framework. They recognise that all good employers work with unions, and are already proactively engaged with unions at a national level. There is also legislation which insists unions be recognised in an institution of this size. The unions can ask for ACAS intervention if they feel they are being ignored.

Theme 2 Details of the proposed academy; curriculum & specialism, admissions policy, exclusions policy, transition arrangements, 6th form, uniform, name, specific facilities, and rules. Why and how it would be better and improve outcomes for young people and the community, and how quickly.

2.1 A number of questions about how plans would be drawn up to ensure students and staff have a voice in the arrangements for the academy, and how the academy would be of benefit to the wider community, and how Edutrust plans to ensure the school is the hub of the community as the focus [inevitably] shifts to results.

A commitment to consult extensively about many aspects of the new academy has been repeatedly provided by Edutrust, and has already started both formally and informally. This includes staff, students, local residents, other primary and secondary schools, unions and others. The intention of Edutrust would be to ensure the academy becomes the hub of the community, meeting their wider needs beyond just creating a good school with successful outcomes for young people, and consultation is critical to achieving that aim.

2.2 A number of questions about the effect of transition on children at the school, and what would be done to minimise the impact on pupils.

The transition for new and existing pupils would be managed and planned carefully. Primary to secondary transition is a difficult time for pupils, and would be invested in. The physical environment for students in the new building would be easier, and would reduce difficulties for them. Until the new school opens it would be business as usual, and the same support staff would be around to provide support and continuity. A phased transition, by year group, into the new building would support the students through transition, and site visits would be planned to

familiarise the staff and students with the new building ahead of it opening.

2.3 What are Edutrust's admissions policies? Are children from the Bramley community guaranteed a place? What means of appeal would exist, especially for the nearest? What would happen to the selection by ability for the performing arts specialism?

Admissions policies at Edutrust's academies look like those of a local authority. First they prioritise children with SEN, and then looked after children, then siblings and then finally children living closest to the school measured by straight line distance. This matches the policy of Education Leeds, and supports Edutrust's intention to create a school for its local community. There would be no selection by gender, religion, or academic ability. Furthermore the academy would be bound by the admissions code of practice.

There is an issue to be resolved around the 10% selection by ability for the specialism of performing arts, which currently exists at the school. The continuation of this of this policy would not cause any problem, and the head teacher designate would need to resolve this through consultation.

Appeals, in line with the code of practice, can be made by any student or parent whose application has been rejected by the school, including those living nearest to the school. It is possible, if the school becomes oversubscribed, that not all the children with the school as their nearest would get in. However, the local authority still has a duty to find alternative provision for those children, which would continue to be met.

2.4 A number of questions about increased levels of exclusions – what is Edutrust's policy on exclusions? Generally responses reflected anxiety about excessive exclusions, but included one response in favour of exclusions to stop disruptive pupils affecting the education of others.

Any funding agreement with the DCSF to establish an academy includes a commitment to meet DCSF guidance on managing exclusions. The sponsor has every intention of signing up to the memorandum of understanding currently under consideration by LCC, to avoid any exclusions in partnership with the Leeds community of schools, and to be a part of the Leeds system of managed transfers. The sponsor does not intend to exclude large numbers of children, although accepts they can be used in some situations as a last resort. They have indicated that they will work towards a zero exclusions policy.

Edutrust have a clear commitment to a whole school policy on exclusions, with agreement between pupils, parents and the school on acceptable behaviour. Policies would be based on managing behaviour, containing disruptive behaviour, and working with individuals to find ways to engage them in learning, to ensure all pupils learn, rather than simply moving the disruption around. No child should be in class that is disrupted, but that can be achieved without exclusion. Good teaching practice, for example good lesson planning, and support with professional development for staff would also help manage behaviour in class.

2.5 What are the plans for vocational courses? Would they be sidelined under pressure for academic results? Not all children thrive under the academic route, would they be catered for? Would the staff be allowed to teach and not just focus on results?

The whole 14-19 reform includes significant focus on non vocational courses, through the diplomas with vocational content and through employer based apprenticeships, and this would form part of the offering. It is not possible to clarify exactly what would be offered at each institution until the city wide review is complete. Edutruster are committed to both academic and vocational routes, and would expect the curriculum to have a wide range of offerings. They would take a highly personalised approach to support individual needs and aspirations.

2.6 What are the plans for the 6th form, and why are the planned numbers so high? The proposal is for an 11-16 school. I'm amazed further education colleges aren't mentioned in terms of delivery of education and training entitlement of young people. Has appropriate consideration been given to post 16 education and training, and the role of FE colleges as providers?

The proposal is for an 11-19 school, with 300 6th form places. All post 16 provision is being reviewed as part of the 14-19 review, reflecting changes to the school leaving age and the introduction of diplomas. Edutruster has an aspiration for 60% retention rate from an admissions limit of 240. There are new ways to organise post 16 provision in the city to ensure more young people achieve through greater cooperation between providers e.g. colleges, schools and academies, work based providers, and the voluntary sector. These plans are not yet finalised, and so the exact nature for that provision is not yet clear. This strategic partnership approach, also used elsewhere, focuses on joint centres of excellence, not on wasting money in competing with each other, and provides a mixture of unique offers at individual institutions, and collective offer. This approach embraces all academies in Leeds.

2.7 Why would the academy be better [for young people and the community]? Do Edutruster fully understand what is needed yet?

The biggest change would be the status change, which is a catalyst for changing aspirations, achievement and parental involvement. This would all be achieved through strong governance, which Edutruster would support. Edutruster have not yet completed an audit to understand exactly what is needed. These would form part of the consultation by Edutruster.

2.8 Why is an academy the recommendation of Education Leeds? Why is it the only option? The benefits are not convincingly demonstrated. The school should be given more time, and the stability and continuity to build on the improvements already seen and recognised by Ofsted. Education Leeds and LCC should work with the existing school to secure improvements.

The four key reasons for recommending this option are:

- 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 Edutruster we have an organisation that is geared up to maximise what Intake can learn from the family of schools in Leeds and that can supplement this with support from their network of academies.
- Edutruster's commitment to developing local communities means that we have an exciting opportunity, with a fantastic new school, to see learning becoming accessible to everyone in Bramley.

This proposal recognises the improvements to date, and seeks to build on these

foundations. This consultation has failed to generate any alternative proposals that could also accelerate sustainable improvements and provide the funding for new fit for purpose buildings.

2.9 By what means would the academy improve results and students' education?

Edutrust believe strongly in a highly personalised approach which meets the needs of individuals. The new building would also provide a state of the art, fit for purpose learning environment, which supports better teaching and learning. Teachers would encourage students to raise their aspirations, and assist them to find what they can succeed with.

2.10 Would the academy retain its performing arts specialism?

Edutrust intend to retain the specialism, and introduce a second complementary specialism of English

2.11 Would the academy have a uniform?

There would be a uniform, which the academy would provide. Decisions on the design of the uniform, and whether the 6th form, would have a uniform would form part of the consultation and would be decided by the school and its pupils.

2.12 Would the school name and rules be changed?

The rules would change, and again this would form part of the consultation so that pupils can determine some of their own rules. The name would also be consulted on.

2.13 What would be different on day one, given that the new build is two years away?

Edutrust recognise the importance of a fresh start, without being destabilising. Options for symbolic changes such as new uniforms, redecoration, renaming the school would allow for a new start, and would be consulted on fully and not imposed.

2.14 What is the expected timescale to see improvements? Education Leeds should have taken steps before.

Education Leeds have supported the school, including creating the circumstances to appoint the current Head Teacher. For 3 years results have been improving, but if the school becomes an academy we expect those improvements to be faster, because it would have extra staff and resources. This proposal enables Edutrust to build on that base.

2.15 Suggestions for specific facilities to be included at the new school were made, including dance studios to be hired out, youth clubs, and adult education facilities. Community areas should be separated, and shared facilities include some IT, photography, arts, PA and sport. Adult day classes for literacy, computing, art and PA should be included. Driveway access and drop off points to relieve congestion. Cycle tracks or mountain bike tracks around the school grounds should be included.

The suggestions are noted and will be considered alongside all other informal

consultation responses by the sponsor.

2.16 Improved outcomes have been seen elsewhere in the UK without academies being established.

Price Waterhouse Coopers have reported that academies have a track record of faster improvements.

2.17 How would an academy benefit the community? The school should be open to everyone

The new building would be designed to be accessible for community use. The colleges and universities would be engaged with the community activities. The additional consultation conducted by Edutrust would ensure local needs are considered.

2.18 Many children have thrived because of the extra support given by staff in the evenings, at weekends and in the holidays. Would the staff be staying, and would they continue to provide that support?

Yes, the staff would transfer to the academy, and that support would continue.

2.19 What support would be given to teachers to ensure their development, and to stop the endless flow of supply teachers?

Edutrust believe strongly in professional development for staff, and are committed to support this. They are discussing with both universities in Leeds how they might support the professional development of staff. In addition, the new buildings should provide a much better working environment for teachers, helping them to deliver more effective teaching, and improving their job satisfaction.

Theme 3 The need for new buildings, and the arrangements for design, construction and transition

3.1 A number of questions about the construction of the new school, the impact of the building process on the school and local residents, the continued availability of sports facilities, what would happen to the old building.

During construction, the building work would be scheduled to minimise noise during lesson time, and to residents. Education Leeds has a wealth of experience managing such projects, and minimising all disruption. Residents are encouraged to keep talking to the school to pass on information about disruption, and to talk to your local councillors.

The intention would be to build the new school on a new part of the site and demolish the old one. However, demolition would only happen once sign off of the new building was complete. Any opportunity for continued community use of the old building would be considered, subject to funding.

During construction continued access to sports facilities would be ensured by using those of neighbouring schools and community facilities, and providing transport where necessary. Education Leeds would arrange and fund such access.

3.2 Why waste money on new buildings and a new site instead of investing directly in the pupils? The new building is window dressing the proposal.

Education Leeds, Edutrust, and the governing body all believe the current buildings are largely unsuitable, having been added to on an ad hoc basis for many years. The result is a building that is hard to manage, and it has reached the stage where it is better to start again than continue adapting. A new build offers the opportunity for a state of the art, secure, building, offering a better learning and teaching environment, and more accessible to the wider community.

3.3 A number of questions about the design of the new building and grounds, and the design process; the impact of the final build on local residents, and whether staff, pupils and the public would have a say in its design, including exactly what facilities it would contain (IT, sports facilities and lockers and parking facilities all mentioned specifically).

Edutrust intend to run a full consultation with staff and students on the design of the building, subject to the funding constraints. This includes the option of lockers for pupils, which have been a feature of other recent new builds. A DVD would be provided with examples of recently completed new schools in Leeds to provide some ideas and demonstrate what is possible. Opportunities would also be made to visit other new academies. The building plans are an early priority, and would be shared with all stakeholders.

The intention at this stage would be to provide new sports facilities on the site of the current school buildings.

Outline planning permission must be applied for ahead of the final decision on the closure of Intake and the establishment of the academy. This is necessary because of the timescales involved. It does not in any way assume the outcome of this consultation. It contains very little detail at this stage, and so does not compromise the additional consultation on the design and construction. At a later stage of the planning process plans would be available for inspection and formal consultation would ensure all views are taken into account.

There is £1.5m allocated for IT hardware and infrastructure within the overall funding. The building would have full wireless connectivity, and the IT infrastructure would extend into all areas, including subjects where it is not currently available.

3.4 Where would the access be for the new school? There is already congestion on Intake Lane affecting the primary school. There is also congestion at the existing entrance. If the school becomes more popular where does it end?

The plans for the new building have not yet been finalised. The suggestion at this stage is for access from Intake Lane, but that is subject to consultation by Edutrust, and more formally through the planning application process. In order to make the planning application Edutrust would need to complete a traffic impact assessment. Residents and all other stakeholders should make their views known through the formal planning process.

3.5 Why can't there be a new school without it being an academy?

The funding available under BSF is only £10m. This would not allow for a new building, and would not transform the teaching and learning environment in the same way as a new building. There are no other alternatives to secure the funds for a brand new school.

3.6 We didn't know about this meeting so please reassure us we will get to know about the planning application.

Notices are generally placed in the local press and in the locality (e.g. on lamp posts). Anyone concerned can also contact the school for information.

3.7 Would the academy have effective security?

Edutrust would expect CCTV, controlled access, a sympathetic design, and responsible usage of a thriving facility.

3.8 Where does the money for the new building come from?

The £25m capital for the new building comes from central government.

3.9 The field drainage issue need to be resolved before building work starts.

3.10 A number of comments supporting the new buildings for the school

3.11 Any new school building can and should be open to the community [whether or not an academy]

Theme 4 Edutrust as an organisation, their background, their plans, and comparisons to other academy sponsors, their funding arrangements.

4.1 What other academies does Edutrust run? How would this academy link to the others?

Edutrust have one academy in Gainsborough, Lincolnshire which opened in September 2008. They are currently in discussions to open a further nine in 2009 (including Intake), and one in 2010. They intend to create a Principal's board, where all Edutrust Academy Principals can meet to share good practice and drive improvements forward.

4.2 What's the difference between the sponsors of DYCA, and Edutrust?

The DYCA initially had a property developer and the Church Of England diocese as sponsors. The property developer pulled out half way. Edutrust are a registered charity, and a non religious organisation.

The government agenda for academies, and the role of sponsors, has changed considerably. Early academies were encouraged to introduce more radical changes, whereas sponsors now typically work to build on and add to existing good practice, as is the case with Edutrust.

4.3 What would the similarities between and Church of England academy and Edutrust academies be?

The church has a single trust for each of their academies, whereas Edutrust will have one trust covering multiple academies. All sponsors are limited by guarantee, and are charities. There are no formal connections between the church and Edutrust.

4.4 How was Edutrust established?

Edutrust is a charitable trust formed by otherwise unconnected people with a common concern for the poor quality of education available in some parts of the country. Ian Comfort, Chief Executive of Edutrust has a background as a teacher, barrister, long time local authority servant, and former Director of Education in a London Borough.

4.5 Is there a more suitable sponsor for this school's specialism? Can Edutrust bring in partners who can support the performing arts and English?

Neither the local authority, nor the governing body of the existing school choose a new academy's specialism, it is chosen by the DCSF.

The universities, Price Waterhouse Coopers and Pinsent Masons are involved as partners already, and can provide specific support e.g. around English, but it is possible to involve others over time. Examples may not always be readily transparent, e.g. a senior member of staff in IT at Edutrust, who has a background in IT at an arts company. The first priority for Edutrust however is to make this a successful school.

4.6 How do Edutrust receive their income?

Edutrust get their funds through personal and corporate charitable donations. However the funding for the school is on the same per capita basis from the DCSF as all other state schools. They also receive their share of the local authority funding for central services directly into the academy.

4.7 How many academies do Edutrust have with similar demographics, and what are their track records?

Edutrust have only one academy which is already open, in Gainsborough Lincolnshire. It only opened in September 2008, so does not yet have any results. The demographics of their existing and proposed academies vary, and one of their key principles is to adapt each one to its particular circumstances to meet local needs.

4.8 What are Edutrust's targets for attainment? We don't know what you can achieve.

Within 3 years Edutrust aspire for Intake to be amongst the top 25% of similar schools in the country.

4.9 Would Edutrust's financial contribution (£1.5m) be secure in the current economic climate?

The funds are invested to provide both a good return and good security, using the best investment managers possible.

4.10 What happens if those funds are lost?

The £100k interest and endowment of £1.5m can earn a relatively small contribution, a welcome extra that could go into the academy. However, the per capita funding from the DCSF would be secure, and represents the main funding stream.

4.11 The interest provided from the capital invested by Edutrust (variously quoted between £40k and £75k by respondents) seems a relatively small contribution.

It is a welcome extra.

4.12 Can the sponsor withdraw their capital?

The money is held in a trust fund of which the governing body are trustees, and no one else can withdraw that money.

4.13 Why did Edutrust select Intake ahead of conducting the detailed consultations and audits to understand exactly what is needed?

The selection of the sponsor is made by DCSF, however there has been a long period of discussion between the governing body and Edutrust, allowing confidence in the sponsor to be established, and an understanding of the key issues to be developed.

Theme 5 Governance and process issues, local accountability.

5.1 What is the governing body's role in the creation of the new academy, in particular in choosing the sponsor? The current governing body have been informally involved for some time.

The government select the sponsor, and complete some screening to ensure they are financially sound. The local authority has a role in checking their suitability.

It is true that, unusually, the governing body at Intake High School have been in discussion with Edutrust for approximately 15 months. It is also true that through this contact the school have been able to influence the specialism of the proposed academy, however, legally both the sponsor and specialism are decided by the DCSF. The dialogue between the governing body and Edutrust has in no way assumed or prejudiced the outcome of this consultation.

5.2 What is the role of the sponsor – what does that actually mean?

Initially sponsors provided some £2m towards buildings costs of new academies. That has now been changed, and multiple sponsors provide £1.5m per academy, and the funds are provided via an endowment fund for exclusive use by the individual academy.

The sponsor appoints 51% of the governing body, but these would be local people in the case of Edutrust.

Edutrust's partners, Price Waterhouse Coopers and Pinsent Masons, are not providing professional services. They are involved as part of their corporate community responsibility programmes.

5.3 What would the constitution of the governing body of the new school be? How does this reflect the government's stated aim to reduce the size of governing bodies? Would this ensure local accountability?

The DCSF prescribe that an academy sponsor must appoint at least 51% of the governing body. They also prescribe that at least one and no more than 2 local authority representatives be included, one parent, one teacher, one support staff and the principal be members. Fresh elections for each of these posts must be held. Edutruster would be likely to limit their direct appointments to one or two members, for example Price Waterhouse have offered one person to assist with financial expertise, Pinsent Masons have offered one to provide legal expertise. These appointments would still be local people. It is true that this prescribed format precludes the government's aim of reducing governing bodies to 10 or fewer members. The overall number and structure would be determined through consultation.

5.4 Our local councillors would have no right to represent our concerns to the academy.

Local councillors could be included as part of the governing body, as per the response in 5.3 above. Furthermore, local councillors would still be able to write or talk to the governing body of any academy, just as they do now to community schools to work with them.

5.5 What are the transition / appointment arrangements for the governing body? When does it start work?

Fresh elections have to be held for the members of the new governing body. The new governing body cannot start work until the academy opens. It can exist in shadow form before that, but not until after the decision has been made, as it must not interfere with the decision making process. This means it would be May/June when a shadow governing body could be established.

5.6 What are the potential blocks to this process?

The key potential blocks are a decision not to proceed with the closure notice, and/or planning objections. There are some possible issues around the TUPE arrangements, but these can and should be planned for and avoided.

5.7 What happens if the academy or Edutruster fails and what is the timescale? Would you look again at closure?

There are two members of the charitable trust – the DCSF and the sponsor. Under normal circumstances both parties have to provide seven years notice to dissolve the partnership. If the school and sponsor are judged to be failing, the DCSF provides notice of one year to improve. In that situation support to improve would be provided by the DCSFG and Ofsted.

5.8 Who would own the land and buildings if the academy fails and is closed?

These would revert to local authority control. The authority maintains ownership.

5.9 What happens if a parent doesn't want a child to stay at the school if it turns into an academy?

Parents and carers would be able to apply through Education Leeds for a transfer to any other school with a place. Parents of year 6 pupils allocated a place at the school would be able to appeal for any of the other schools they preferred.

5.10 What is the decision timetable?

An indicative timetable is provided in the consultation document. The next decision is by Executive Board on 3rd December. If they believe the proposal still has merit and they wish to proceed, statutory notices will be published, immediately and a final decision could be reached by Executive Board in March 2009

5.11 What happens to the school's deficit on closure?

The new school must open without a deficit. Unless alternative funding can be found to clear the deficit, it would be written off through the Dedicated Schools Grant. The school are being supported by Education Leeds to minimise the deficit by year end.

5.12 There should be a ballot of parents and staff at Intake and the feeder primaries on this proposal.

This consultation meets the legal requirements and DCSF guidance to ensure local views are heard, and includes all stakeholders. It is consistent with the many consultations conducted by Education Leeds in the past six years. The council will make a decision based on those responses. A ballot which simply rejects the proposal does not allow for an alternative to be considered

5.13 The sponsor should not have been allowed to appoint the headteacher designate. It should have been a full open advertisement.

The appointment process and decision maker is determined in the funding agreement for the proposed academy. The sponsor, DCSF and Education Leeds, were involved in the appointment process. The sponsor secured the support of the DCSF to waive the requirement for a full and open advertisement in order to facilitate effective transition. The existing head teacher of Intake High School was appointed Principal Designate of the Academy. This is subject to the project proceeding as currently outlined.

5.14 The process has not been widely publicised.

The consultation has been conducted and advertised in a manner consistent with previous school organisation changes made by Education Leeds, and with DCSF guidance. The full list of consultees is in Appendix 1. Letters have been sent to current Intake pupils, to local primary pupils and other local secondary schools and other local stakeholders. Posters and documents have also been placed in libraries and post offices.

5.15 The current governing body note their support for this proposal, based on their belief that academy status offers the only realistic route for a new school building which is in their view essential to continuing the improvements seen at the school in recent years, and their belief that Edutrust represent a strong passionate sponsor with beliefs and values which complement those of the school.

5.16 There has been no discussion of alternative proposals as there should be in any genuine consultation. Responses that do not agree with the proposal will not be listened to.

LCC requires Education Leeds to consult on one clear proposal, so the balance

and range of views on it can be clearly considered and decision can be made on whether to proceed or not. Presentation of multiple options confuses the democratic decision making process, as more than one option inevitably gains some level of support. For transparency, the consultation document briefly describes why alternative proposals have not been supported. During the consultation process Education Leeds officers have repeatedly encouraged respondents to suggest alternatives, which can then be considered by the Executive Board when they consider this report. Based on all the responses, they will make a decision whether or not to proceed, or to commission additional work and further consultation on alternative proposals.

5.17 This process is being driven by national government is and not from the local community.

The proposal is made by Education Leeds and the local authority in conjunction with Edutrust as the proposed sponsor.

5.18 It is unreasonable that the public consultation period includes two weeks of the Christmas holidays

The decision on whether to proceed with the proposal will be made by Executive Board on 3rd December. Should they decide to proceed with the proposals, statutory notices will be published, allowing further representation. The indicative timescale for this is 5 December 2008 – 30 Jan 2009. A final decision must be made within two months of the end of the statutory notice period. This meets current guidance on consultation, and is timed to run in parallel with the decision on the proposed academy, based on outcome of the feasibility study.

5.19 Why should the education of children be controlled by people who just have money and are not elected in any way?

The government's academy agenda encourages sponsors to bring in additional resource and expertise for the benefit of young people and secure better outcomes for them. The selection of sponsors involves rigorous scrutiny by both the DCSF and the local authority to ensure suitability. Academies are subject to Ofsted inspection, and sponsors can be removed by the DCSF. Governing bodies of academies have local representatives, though their exact make up is flexible, and as with all schools, they are responsible for the running of the school.

Education Leeds believes Edutrust can offer valuable support to improve outcomes and sustain them. Edutrust themselves are a registered charity.

Theme 6 Miscellaneous

6.1 I'm worried the academy stigma would make people think it's a failing school. Some parents are already threatening to leave. What reassurance can you provide?

Evidence shows that within 2 years of opening, academies significantly increase in popularity. DYCA is now 30% oversubscribed.

6.2 Was the David Young increase [in attainment] achieved in the same building?

The David Young Academy opened in new buildings, following the closure of two

predecessor schools Agnes Stewart and Braim Wood Boys School.

6.3 Why are we getting different stories from the unions?

The unions have principled objections to academies, based on their views about whether this they take education out of state control, and it is important to distinguish between these and any specific concerns about individual academies. The unions have responded to this consultation separately.

Education Leeds acknowledges that the unions always rightly challenge the need for any change, and the evidence that the change would guarantee improvements. In this case Education Leeds accepts that improvements cannot be guaranteed, but we have outlined the reasons why they believe this would improve things, and their commitment to supporting that.

6.4 This proposal would set the school up in competition with other schools, break up the community of schools, be foisted on the community, remove local accountability, and take resource out of the system.

Edutrust fully intend to operate the proposed academy as part of the local family of schools, and the engagement of other local partners such as social services and the PCT is key.

The proposal is subject to the normal decision making process, and if any reasonable alternative is suggested then this will be explored. The consultation process ensures stakeholder views are heard and addressed. There would be local governance, and those members of the governing body that are appointed by Edutrust would be local people, not from London. Edutrust intend for parents, support staff teachers and local residents to be included in the governing body.

Academies take no more resource out of the system than any other school. Their per capita funding is exactly the same as any other local authority school.

6.5 What happened to the £10m identified under BSF for this school? That potential investment has been lost. The government is using blackmail by stating that the BSF funding would be withdrawn unless Leeds City Council agrees to more academies.

Under the academy proposal we have the opportunity for greater investment in a new school, not just a refurbishment.

6.6 Why have you waited so long to invest?

There has been continued investment in the site, the most recent block was added approximately 5 years ago

6.7 I'm concerned about whether this has been planned as part of a bigger picture for West Leeds, which has not had the investment. Farnley Park is not right, Swallow Hill is managing the bulge in pupil numbers so is not getting the best out of the new build. The projections provided in the document are not adjusted for the impact of Swallow Hill, so how has the planning been linked together?

The planned admissions limit for Intake is aspirational, and Education Leeds recognises that the school is currently undersubscribed. However the planned

admissions limit of 240, in conjunction with the other changes in West Leeds, is a considered judgement of the best size for the school, enabling the local population to access the school. Projections are based on historical sizes and preference patterns, and so we have made that clear in the document, however extensive modelling work was completed for the area to confirm this size.

- 6.8 I don't want my year 6 daughter to attend Swallow Hill because of the disruption there, but she has been allocated a place there. We thought they'd get a new school from the start there, but it's not the case, so how can you be sure of the plans here?**

No year 6 pupil has, yet been allocated a place at any high school for entry in September 2009. Preference forms have been sent to all parents/carers asking them to indicate their preferences. To help them make that choice, their nearest school has been identified on that form.

In terms of the proposed changes at Intake, they would provide a fit for purpose building, offering the community resource and infrastructure needed for a modern school. The current building would not be demolished until the new building is ready, and all students would remain on the same site, so this would minimise disruption.

- 6.9 Thank you for how you handled the misinformation provided from other sources earlier.**
- 6.10 It's good that you have the support of the teachers and governing body for success because that's important.**
- 6.11 Elsewhere sponsors have not given the cash they promised, have brought in bizarre ethos, local authorities have lost control, and they have not achieved their targets.**
- 6.12 I'm a parent from Kirklees, and travel here every day to access the performing arts specialism, but have been disappointed by the school academically. What would the academy offer?**

Edutrust indicated they cannot answer such a specific question of this nature until they are more familiar with the details. This will form part of the feasibility study.

- 6.13 Education Bradford has indicated no issues and supports the proposal.**
- 6.14 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.**
- 6.15 Concern that answers on how education would be enhanced are not robust and complete.**

Education Leeds believes the rationale provided in support of this proposal demonstrates how education would be enhanced at the proposed academy. There will be further scrutiny of the details of the proposal when the feasibility study is considered by the DCSF.

- 6.16 Support for additional specialism of English**

6.17 Can the consultation document be sent to local residents to ask them what they want?

The details of the public meeting and how to get hold of the consultation document has been advertised in the local press, post offices and libraries amongst others, enabling residents to respond. There is a limit to what can practicably and cost effectively be done to advertise the process. There would be additional informal consultation which would endeavour to engage local residents further.

6.18 A number of the statements made indicate this decision has already been made – as does the appointment of the head teacher designate and acting up of the current deputy.

No decision has yet been made, and all reasonable effort has been made to ensure this is clear in all responses. If the new academy is approved, then in order to open by September 2009 some processes have to start in parallel with this decision. These include the appointment of the principal designate.

6.19 The addition of English as a specialism is welcome recognition of its importance, but should not be at the expense of attention to other core subjects, particularly maths.

6.20 Pleased to note the focus on transition in year 7 – this is important and a lot of work has already been done in this area which should continue.

6.21 The school should not be taken out of local control and accountability, which an academy would do. The sponsor has powers to change policies and agreements, including teachers' pay and conditions and recognition of unions, without proper consultation, after the academy is established. This would be outside the local community and divisive to other schools.

Specific reassurances about the local accountability and governance of the proposed academy have been provided (see 5.3). Edutrust's intention to sign the memorandum of understanding regarding behaviour within the Leeds family of schools has also been given, and provides concrete evidence of their intention to work with the Leeds local family of schools. This is central to Education Leeds' support of this proposal.

6.22 The proposed school is far larger than the existing school and can only take pupils from other local successful schools.

The admission limit for the school will reduce from 260 to 240 in September 2009. This change has already been consulted on, and has been planned in conjunction with the rest of West Leeds. It is unconnected to the academy proposal. There is no further change proposed to the size of the school as part of the proposal to change to an academy.

There will be a combined admission limit of 1,275 in West Leeds in 2010, with 240 (19%) at Intake. Of the 8,107 children currently with a west wedge school as their nearest, 22% live closest to Intake. Far from drawing children from other schools, the proposed school would be appropriately sized to serve its local community. The admissions limit reflects the size of the local population.

6.23 Local community use should not be dependent on it being a new school.

The community uses the current school, however there are practical constraints as to what is possible given the current physical buildings. Designing new buildings from scratch would allow better planned access and community use, and the creation of specific facilities. The academy route is the only way to secure new buildings with improved community access.

6.24 It is not clear if the academy could be returned to local authority control.

Should the DCSF change the fundamental conditions surrounding academies they would need to provide the sponsor with seven years notice to quit. However if the school and sponsor are judged to be failing, the DCSF provides notice of one year to improve. In that situation support to improve would be provided by the DCSF and Ofsted. Ultimately, if the DCSF were not satisfied with progress the sponsor could be removed and replaced, or the school returned to local authority control.

6.25 The best option is to leave the school as a community school and for Education Leeds to work with the school to secure further improvements.

Education Leeds have provided as much support as possible to the school in recent years, however it has proven difficult to sustain the improvements. The change to academy status allows for additional resource to be brought into the school to accelerate and sustain these improvements.

6.26 The NUT requests all responses to the consultation, and a summary of the responses, be published and made available to members of the public on request.

Copies of the responses will, as always, be published, and are summarised in this Exec Board report as a matter of public record.

6.27 The responsibility for the education of all young people in the maintained sector should remain with local authorities. Local authorities are best placed to provide central services and monitor standards.

Academies are part of the choice and diversity currently available under Local Management of Schools all schools are free to obtain many of the support services from any provider, and are not obliged to use local authority services. Furthermore, academies are also free to choose to use Education Leeds to provide these services. Inspection remains the responsibility of Ofsted for community schools and academies alike.