

Outcome of statutory notice on a proposal to lower the age range of Wetherby High School from 11-18 years to 11-16 years from September 2022

Date: 9th February 2022

Report of: Director of Children and Families

Report to: Executive Board

Will the decision be open for call in? Yes No

Does the report contain confidential or exempt information? Yes No

What is this report about?

Including how it contributes to the City's and council's ambitions

- This report describes a two-part consultation on a proposal brought forward by the Governing Body of Wetherby High School, working in partnership with Leeds City Council, to lower the age range of the school from 11-18 years to 11-16 years with effect from September 2022, thereby formally closing the sixth form on a permanent basis.
- Consultation was carried out between September 2021 and December 2021 in accordance with section 19(3) of the Education and Inspections Act 2006 and with the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, starting with an informal consultation taking place between 24 September 2021 and 22 October 2021. A statutory notice was then published on 22 November marking the start of a four-week formal consultation, as required by the 'Prescribed Alterations' regulations. This report seeks a final decision in respect of this proposal.
- Where formal objections are received in respect of school organisation proposals, the Executive Member for Learning, Skills and Employment will engage with the Chair of Children and Families Scrutiny Board and agree next steps. The outcome of those discussions is conveyed to Scrutiny Board members so that they might express agreement or otherwise. As objections were received during the representation period, this process was followed, and Scrutiny Board members determined that no further scrutiny of the objections was required.
- This report summarises the representations received during the informal and statutory notice periods and seeks approval from Executive Board on the recommendations below.

Recommendations

- a) Approve the proposal to lower the age range of Wetherby High School from 11-18 years to 11-16 years with effect from September 2022;
- b) Approve the recommendation to exempt the decision from Call-In for the reasons set out in paragraph 18; and
- c) Note the responsible officer for implementation is the Head of Learning Systems.

Why is the proposal being put forward?

1. Sixth form numbers at Wetherby High School have declined over several years to the point where the choice of courses and quality of experience that the school could provide was limited compared to the much wider range of both academic and vocational study routes offered at other schools and colleges. By 2019 the school could no longer afford to operate its sixth form and it stopped recruiting into year 12 whilst the existing year 13 students completed their studies. There are now no post-16 students on roll at the school and there is little to no chance of the sixth form re-opening. This proposal seeks to formalise the closure of the sixth form at Wetherby High School.
2. The range of courses and qualifications offered by post-16 providers in the Leeds and North Yorkshire areas has increased over recent years. These organisations also offer specialist facilities, and their size bridges the gap between school and university or employment. Wetherby High School feels these organisations provide students with the best offer for their post-16 education and the school works with a range of good and outstanding post-16 providers, all easily accessible from Wetherby, to ensure that all students are placed on a pathway that meets their needs and interests. Wetherby High School has strong links with Notre Dame Catholic Sixth Form College, Leeds City College and St Aidan's and St John Fisher Associated Sixth Form, and this is where most of its students attend post-16 education, with a significant number also attending York College.
3. Several secondary providers across Leeds have already successfully made a change from the age range of 11-18 years to 11-16 years, taking advantage of the variety of alternative options available to young people in the city.

What impact will this proposal have?

Wards Affected: Wetherby

Have ward members been consulted? Yes No

4. The proposed age-range change would provide more clarity to parents/carers about the provision that is offered and enable the school to continue to concentrate resources and focus on providing high quality 11-16 age range school places. This proposal actively contributes towards achievement of the Child Friendly City aspiration to 'improve educational attainment and closing achievement gaps for children and young people vulnerable to poor learning outcomes'. A good quality school place also contributes towards delivery of targets within the Children and Young People's Plan such as our obsession to 'improve achievement, attainment and attendance at school'.
5. The Equality, Diversity, Cohesion and Integration Screening (EDCI) form is attached as an appendix to this report.

What consultation and engagement has taken place?

6. The process in respect of this proposal has been managed in accordance with the relevant legislation and with local good practice.
7. As Wetherby High School is part of a foundation trust, the governing body is the proposer for this change. Working in partnership with Leeds City Council, the Governing Body held an initial informal consultation on the proposal between 24 September 2021 and 22 October 2021. A total of 99 consultation survey responses were received during the informal consultation period of which 57% either strongly or somewhat supported the proposal, 40%

either strongly or somewhat opposed the proposal and a further 3% neither supported nor opposed it.

8. A summary of the views expressed by the 56 survey respondents to the informal consultation who strongly or somewhat supported the proposal is below (individual respondents may have made more than one of these comments):
 - There are benefits for young people of going to a larger external sixth form.
 - Wetherby High School sixth form is unable offer the full range of courses that larger post-16 providers can.
 - Wetherby High School has strong links with larger sixth form providers.
 - Wetherby High School can focus on catering / improving provision for the 11-16 age range.
 - There is no need for a sixth form in Wetherby as there are other sixth form facilities available within a reasonable travelling distance of the town.
 - It makes good economic sense as Wetherby High School isn't large enough to support a viable sixth form.
 - Wetherby High School has effectively been operating successfully as a 11-16 age range school since 2019.

9. A summary of the views expressed by the 40 survey respondents to the informal consultation who strongly or somewhat objected to the proposal is below (individual respondents may have made more than one of these comments):
 - Wetherby residents should be able to attend a local 11-18 age range school.
 - Students should not have to travel long distances to access sixth form provision.
 - Existing transport links to alternative sixth form provisions are inadequate.
 - There is insufficient alternative sixth form provision in the local area.
 - Students' wellbeing could be negatively impacted by moving to an external sixth form.
 - Wetherby High School would become less popular because of the change.
 - Without a sixth form the school would be less attractive to new, high quality teaching staff.
 - New housing developments in Wetherby could result in the need for more secondary places including a local sixth form.
 - There would be negative environmental impacts because students living in Wetherby would not be able to walk to post-16 education.

10. After fully considering all consultation responses the Governing Body decided to publish a statutory notice, which marked the start of a 4-week statutory representation (consultation) period ending at 4pm on Sunday 19 December 2021.

11. The statutory notice was published in the Yorkshire Evening Post on 22 November 2021 and the full proposal was available via the school's website and on the Leeds City Council website. All parents/carers at the school received notification, along with any stakeholder who responded to the first informal stage of public consultation and provided their contact details. Other local schools were also informed about the proposal along with community groups and other relevant stakeholders. Copies of the notice were posted at entrances to the school and on a notice board inside school and information about the statutory notice was shared on social media platforms.

12. Details of the statutory notice were shared with local ward members. Local ward members are wholly supportive of the proposal proceeding.

13. During the four-week representation period, following publication of the statutory notice there were 8 representations received of which 3 supported the proposal and 5 objected to it.
14. A summary of the main themes from supportive comments submitted during the statutory notice period is included below (individual respondents may have made more than one of these comments):

- Wetherby High School is already functioning as an 11-16 age range school and has not recruited into the sixth form since 2019.
- Evidence has been provided as to why the sixth form is not sustainable.
- A wide range of other post-16 options is available.
- Without a sixth form, resources and focus can be concentrated on the 11-16 age range.
- Clarity about the sixth form provision at Wetherby High School would help parents/carers to make more informed choices about year 7 preferences.
- Support was expressed for the potential rebuild of Wetherby High School.

15. Summary of objections received during the statutory notice period:

- a) **Concern about post-16 provision not being available locally:** Two respondents commented that children in Wetherby should be able to attend a school in their local area up to the age of 18 and one also stated that they should not have to travel a considerable distance to access post-16 provision. One respondent was concerned that families have moved into the Wetherby area with an expectation that education up to age 18 would be available locally. One respondent suggested that most young people are not ready to leave high school at age 16.

Response: In the past, enough students chose to stay on into the sixth form at Wetherby High School to make the provision viable in terms of the range of courses and qualifications offered as well as being financially sustainable. The number of sixth form students has gradually decreased over recent years and as of September 2019 students have not been recruited into the sixth form. There are a range of large post-16 providers in Leeds and North Yorkshire which offer a wide range of options to sixth form students and these have become very popular with local families. Wetherby High School has strong links with a range of post-16 providers and works to ensure that all pupils move on to a setting which caters for their needs and interests.

It is not uncommon for schools and academies to have an age range of 11-16. In Leeds, all but one of the Catholic high schools, all but one of The Gorse Academies Trust high schools and all the high schools in the Cockburn Multi-Academy Trust do not have sixth form provision. There are also other high schools in Leeds who either do not offer post-16 provision at all or which have a limited and very bespoke offer. It is therefore very common for young people to travel locally, across Leeds, and to neighbouring local authority areas, to access post-16 provision. There are well-established public transport options available to support students from the Wetherby area to access sixth form provision elsewhere.

- b) **Concern about the potential impact of the proposal on Wetherby High School:** Two respondents were concerned that the lack of a sixth form would have a negative impact on the school and its reputation. One of these respondents suggested that the proposal would limit younger students' aspirations.

Response: Some very successful secondary providers in Leeds do not offer sixth form provision. Of the five Leeds secondary schools/academies with 'well above average'

progress outcomes at GCSE in 2019 (the last year for which national performance data is available), two, including the top provider, have no sixth form.

Nationally, there is a correlation between the numbers attending a sixth form provision and its success, meaning that smaller providers tend to have results that are not as strong as larger providers. This may not be because of poor provision at these settings; instead that the relatively small numbers of students may make it difficult for them to offer a range of A-levels to meets all students' aspirations.

Wetherby High School has not operated a sixth form since 2019 and this has had no negative impact on its popularity. Over this time the total number of preferences received for year 7 places at the school has increased year on year and the number of first preferences has shown an increasing trend, with initial data for the 2022 admissions round indicating a significant increase in first preferences compared to previous years.

- c) **Concern about future demand for post-16 provision in Wetherby:** Two respondents made comments about sixth form provision being needed in Wetherby to support demand from planned new housing developments in the area and one went on to also say that the number of primary school children in the area is already increasing. One respondent expressed concern that data on expected pupil yield from new housing developments was not provided as part of the consultation process.

Response: The total number of reception places allocated across primary schools within the Wetherby Primary Planning Area increased by 12 from September 2020 to September 2021 and current projections suggest that further increases are likely in future years, linked to the impact of new housing. The new housing developments in the Wetherby area (circa 1,100 units) are likely to yield an additional 22 secondary-aged children per year group in total over a decade long build-out period. This equates to additional demand of around 2 secondary age pupils per year group annually, which is insufficient to support the reintroduction of post-16 provision in Wetherby. There is also no guarantee that all additional secondary-aged children living in the area would go on to access sixth form provision. It is anticipated that any increase in demand for sixth form places linked to new housing would be met by the providers who have successfully accommodated students from the area since Wetherby High School stopped recruiting into its sixth form in 2019.

Initial consultation on the proposal to change the age range of Wetherby High School took place between 24 September and 22 October 2021. The consultation was widely publicised and included two public engagement sessions, one online on 6 October and one in person at Wetherby High School on 20 October. An overview of the proposal and consultation process was distributed locally and sent to parents/carers of children and young people attending schools in Wetherby. Information about the consultation was also available on the Leeds City Council and Wetherby High School websites. The purpose of the information that was shared was to raise awareness of the consultation process, enable people to express their views on the proposal via an online survey and signpost interested parties to the engagement sessions. Leeds City Council officers and representatives from Wetherby High School were available at the engagement sessions to answer questions and provide more information, for example if anyone had wanted to know about the expected yield from new housing developments in the Wetherby area.

- d) **Concern that some of the alternative post-16 provision for Wetherby High School students is faith-based:** One respondent was concerned that faith-based alternatives may limit options for some families.

Response: A range of accessible sixth form options are available to young people living in and around Wetherby, some of which are faith-based and some are not. Typically, around 25% of Wetherby High School year 11 leavers go on to attend faith-based sixth form provision. Students who left Wetherby High School in 2020 went on to 10 different non-faith sixth form provisions and 3 faith-based ones. The intended destinations for the 2021 leavers suggested that students would go on to attend 17 non-faith and 2 faith based sixth form provisions. The school has strong links with a number of these providers and supports students to move on to settings that can accommodate their needs and interests.

What are the resource implications?

16. There are no resource implications for delivery of this proposal.

What are the legal implications?

17. This proposal has been brought forward by the Governing Body of Wetherby High School, working in partnership with Leeds City Council, to lower the age range of the school from 11-18 years to 11-16 years with effect from September 2022. Consultation was carried out between September 2021 and December 2021 in accordance with section 19(3) of the Education and Inspections Act 2006 and with the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013. The regulations set out that, for a proposed age range change at foundation schools, such as Wetherby High School, the school's Governing Body is the proposer, and the local authority is the decision maker. The consultation process began with an informal consultation taking place between 24 September 2021 and 22 October 2021. A statutory notice was then published on 22 November 2021 marking the start of a four-week formal consultation, as required by the 'Prescribed Alterations' regulations. This report seeks a final decision in respect of this proposal.
18. It is recommended that this report be exempt from the Call-In process, in line with Executive & Decision Making Procedure Rule 5.1.3. Executive Board is the decision maker for this proposal and statutory guidance states that a final decision must be made within 2 months of the end of the statutory notice period, therefore by 19 February 2022, or be referred to the Schools Adjudicator. The representation period ended on 19 December 2021 and the earliest a report could go to Executive Board was February 2022. If the decision was then 'called-in' and Scrutiny Board subsequently referred the matter back to Executive Board with a recommendation to reconsider its decision, this would be outside of the 2-month decision period. The consequence would be that a local decision could no longer be made, and the matter would automatically be referred to the Office of the Schools Adjudicator to decide.
19. At its meeting in September 2021 Executive Board members agreed that in the future, and in response to the recommendation of the Children and Families Scrutiny Board, anonymised consultation responses be shared in full with Executive Board Members as 'background documents'. These would be published alongside the agenda papers, but not form part of the formal agenda. Executive Board members are asked to consider the summary of responses in this report as part of their decision making, with the full consultation responses being available for reference by Members if needed.

20. The objections received after publication of the statutory notice were referred to Scrutiny Board following consideration by the Executive Member for Learning, Skills and Employment and the Chair of Children and Families Scrutiny Board. Scrutiny Board members determined that no further scrutiny of the objections received was required.

What are the key risks and how are they being managed?

21. The number of sixth form students has gradually decreased over recent years and as of September 2019 students have not been recruited into the sixth form. It is not financially sustainable for the school to provide a sixth form offer and there is little to no chance of the sixth form re-opening. An approval to lower the age range of the school to 11-16 years would provide more clarity to parents/carers about the provision that is offered and enable the school to continue to concentrate resources and focus on year groups 7 to 11. If Executive Board decided not to approve the change, the sixth form would remain closed, albeit with the school's age-range remaining as 11-18 years which would be incorrect and could be confusing for parents.

Does this proposal support the council's 3 Key Pillars

- Inclusive Growth Health and Wellbeing Climate Emergency

22. Approval of the proposal would enable the school to continue to focus on providing high quality school places for 11-16 year olds, and this proposal actively contributes towards achievement of the Child Friendly City aspiration to 'improve educational attainment and closing achievement gaps for children and young people vulnerable to poor learning outcomes'.
23. A good quality school place also contributes towards delivery of targets within the Children and Young People's Plan such as our obsession to 'improve achievement, attainment and attendance at school'.

Options, timescales and measuring success

What other options were considered?

24. The Governing Body of Wetherby High School has considered the option of keeping the sixth form open and determined that it is not financially sustainable to do so. If sixth form provision was to be retained, the range of courses that could be offered would not be sufficiently broad to meet the needs and interests of all students.

How will success be measured?

25. If this proposal is approved, Wetherby High School have already established strong links with a range of good and outstanding post-16 providers that are popular with their students and will continue to work to ensure that all their pupils move onto a post-16 setting which caters for their needs and interests.

a) What is the timetable for implementation?

26. The proposal is to lower the age range of the school from 11-18 years to 11-16 years with effect from September 2022.

Appendices

27. Equality, Diversity, Cohesion and Integration Screening form.

Background papers

28. The anonymised consultation responses received following publication of the statutory notice in relation to this proposal.