

Wiltshire Council

Children's Services, Schools and Learning

30 October 2012

---

**A Briefing Paper for Members and Senior Officers Regarding Current Developments in Relation to Post 16 in the Salisbury Area and in Particular the development of a University Technical College (UTC) for Wiltshire**

**Purpose of the Report**

1. To provide an update in relation to the work on Post 16 provision in the Salisbury area and especially on the recent developments relating to the potential development of a University Technical College (UTC) for Wiltshire based in the South of the County. The provision aims to meet the needs of learners in the area and in direct response to the Salisbury Area Task Group Report.

**Background**

2. In September 2010, the Children's Services Select Committee established a task group to undertake a review of the post-16 education available in the Salisbury area. This was to become the Further Education in the Salisbury Area Task Group. The Task Group was, in summary, established to:
  - (a) Identify the number of young people leaving the Salisbury area to access 16-19 education;
  - (b) Identify why these young people choose to travel and the impact of doing so;
  - (c) Investigate the young people's perception of the 16-19 provision available to them;
  - (d) Make recommendations, if a gap is identified, as to how this need might be met.
3. At the Meeting of Children's Select Committee 31 May 2012 the Committee endorsed the final report of the Further Education in the Salisbury Area Task Group. At the next meeting the Cabinet Member for Children's Services responded to the report acknowledging that officers would work with local providers to explore all potential opportunities to address the identified gap in provision. The report prepared by the Salisbury Area Task Group acknowledged that there was insufficient Post 16 provision to meet the current needs and demands of young people and as a consequence young people travelled out of Wiltshire to access provision. This provision included Level 3, including A Level as well as other levels.

4. Since the report and the Cabinet Members response developments have moved quickly in relation to exploring two possible routes under the Governments current policy for increasing the range of 16-19 provision. A group of parents linked to the three 11-16 schools on the Laverstock campus have been exploring the potential for developing a 16-19 Free School and Wiltshire College have been leading some research into developing a University Technical College which focuses on young people 14-19. In both cases there is an emerging focus on Science, Technology, Engineering and Maths (STEM) activities and developments in relation to potential applications to establish them have moved swiftly in recent weeks.
5. The consultant appointed by Wiltshire College to explore UTCs was tasked with investigating the viability of a central Wiltshire based UTC with Land Based focus and a UTC located in the south of Wiltshire with a Military Technical Engineering focus. At the initial stage, June 2012 the work focused on feasibility as the DfE had closed the application process.
6. In the case of the Free School the preparation work for the bid also began in the summer of 2012. A bid is now being prepared for submission early in the new year with the support of the New Schools Network. In the case on the University Technical College (UTC) a window opened to submit an Expression of Interest by the 16 November 2012. It is anticipated that later application windows will be available, although the details of these are not known.

### **University Technical Colleges (UTCs)**

7. UTC s are new state schools for 14-19 year-olds, funded under the Academies funding system, they provide a combined technical and academic education for approximately 500-800 young people and are set up to meet a clear local labour market need. Learners attend for a full “business day” (typically 8.30am to 5.00pm) and an extended academic year. They normally specialise in a particular aspect of Science or Engineering, are non-selective and have catchment areas that extend for 20-25 miles to serve a sub-region.
8. A UTC is opening in North Bristol in 2013 (with a focus on Aerospace Engineering) and another is opening in Swindon in 2014 (with a focus on Engineering with Business and Enterprise). Both have catchment areas that extend well into North and West Wiltshire. Currently there are no applications across the border to the south of the county in Hampshire or Southampton but any such future development is likely to draw learners from the Salisbury area at both pre and post 16.
9. UTCs are independent of any existing organisation and are Academy Trusts which are set up as companies limited guarantee, typically using model Articles of Association provided by the Department for Education. Local authorities can be members of this partnership and in any case have an entitlement to a place on the Governing Body.

10. The Academy Trusts acquire charitable status, under the Academies Act 2010, when they are awarded a Funding Agreement by the Secretary of State. The main significance of this is that their operation is regulated by the Secretary of State (unlike registered charities which fall under the remit of the Charities Commission).
11. The Baker Dearing Trust, which advises the Department for Education on UTCs, recommends that partnerships establish companies as part of the application process. This ensures that the Department can award the pre-opening grant once the application has been approved and allows the Trust to sign contracts and begin hiring senior staff.
12. UTCs are expected to operate from refurbished buildings that are already publicly-owned. A limited amount of capital funding is available to support this refurbishment but new builds are only supported in exceptional circumstances. A decision on a final location is not required until after the approval of an initial application.

### **Current Developments in relation to the Development of a UTC**

13. From the initial feasibility it became clear that a UTC in South Wiltshire could provide a new and high quality option for technically-minded learners, helping to reverse the traditional outward flow of young people from the area and address the youth unemployment. The new provision would both support the agenda for Raising the Age of Participation (RPA) and there is evidence that it could ease projected pressure on school capacity, resulting from housing growth set out in the Wiltshire Core Strategy and the Army's Super Garrison plans and would link closely to the aims of the Military Civilian Integration Partnership.
14. Nationally it is anticipated that UTCs will help to provide labour market entrants with intermediate (level 2) and higher level technical skills (levels 3 and 4) relevant to the needs of the relocated Defence Technical Training College in Lyneham and the expanding Science Park around Porton Down. This would help address the need for a "seamless FE and HE offer" set out in the recent LEP Mapping of Employability and Skills.
15. Research specially commissioned for the report showed that Wiltshire has a below-average proportion of university students studying Engineering and Science and fails to retain those who graduate in Science subjects. It is anticipated that students leaving the UTC would address this in balance. Students who be prepared and qualified to progress to a range of outcomes, including Advanced (level 3) Apprenticeships, higher education (level 4) in Science or Engineering and technical jobs and would have technical and employability skills that would make them an attractive proposition for local Engineering and Science employers.
16. As evidence from the initial feasibility study started to emerge in late July, the Government invited applications for expressions of interest in a further round of UTCs with a closing date of 16 November. Applicants will be interviewed in January/February and, if approved, will receive

£300,000 of development funding to prepare for opening in 2014 or 2015. Assuming the partners then wish to proceed they would present their final proposal to the Secretary of State who, if content, would issue a funding agreement.

17. Following the announcement, a meeting was held by Wiltshire College to discuss the initial findings from the feasibility study. It was recognised that a central Wiltshire Landbased provision would compete with Lackham College to the west and Sparsholt College to the east. Based on the available evidence it was agreed that further development work should be explored on a Military Technical Engineering UTC based in the South of the county.
18. In September 2012 the draft feasibility study was made available by Wiltshire College to officers in Schools and Learning and Economic Regeneration. This was in direct response to questions raised at the LEP Board about the approval of the Swindon UTC and the potential need for a UTC in Wiltshire. The report recommended that:
  - (a) An application should be made, based on a specialism in Defence Industry Engineering and Science Skills and a supporting focus on Leadership. This will reflect the long-standing and growing importance of defence industries to the Wiltshire economy.
  - (b) The UTC would be ideally be based in Salisbury with an official 20-mile catchment area radius, which would include schools in Southampton and Hampshire. This would potentially offer opportunities to 7000 Year 9 learners, who would be considered to be within the catchment area.
  - (c) The lead partners should be a local university (the University of Southampton have expressed interest), the Army (43 Wessex Brigade) and some of the major Defence Industries employers for example in Porton Down and Amesbury.
  - (d) These partners would need to establish a company limited by guarantee to act as the charitable trust that would operate the school (this is a requirement of the funding). The liability of the individuals named on the Articles of Association is limited to £10 and all corporate partners are protected by limited liability and specific indemnities.
19. A UTC working with employers, the MoD and Southampton University, the Local Authority and other providers would enable south Wiltshire to lead the way in delivering technical learning opportunities across a wide geographical area.
20. On the 12<sup>th</sup> October, Lord Baker (Baker, Dearing Trust) contacted the Pro Chancellor of Southampton University and the Principal of Wiltshire College to discuss plans for a UTC in Wiltshire having already made contact with the MoD. He visited Wiltshire College, Salisbury Campus on the afternoon of 24<sup>th</sup> October to discuss the emerging plans. Wiltshire Council was represented by Councillor Fleur de Rhe-Philippe, Cabinet Member for Economic Development and Strategic Planning along with officers from Schools and Learning and Economic Regeneration.

21. During the afternoon a range of presentations were made to the audience which consisted of employers and other potential partners. Lord Baker was extremely positive about the emerging developments and is keen to see a UTC opened in the Wiltshire area.
22. The event confirmed that Wiltshire College proceeds in establishing a partnership which includes the University of Southampton, the 43 Wessex Brigade and other defence industry. It is proposed that the partnership establishes a Trust and proceeds with a formal application to express interest for a UTC.

### **Considerations for Wiltshire Council**

23. In other UTC bids that are being taken forward nationally Local Councils have been identified as being part of the partnership and in a number of cases play an active role as members of the Trust that is formed to establish the UTC, they also have representation on the Governing Body. The Council will need to consider what role, if any, they would wish to play within the development of the UTC.
24. Evidence from successful applications suggests that the bids that are more likely to be taken forward have the support of the Local Council. This support can take a number of forms including:
  - (a) Becoming one of the initial “subscribers” who agree to become one of the three “members” of the company. (Under Article 8, the “members” agree to contribute a sum no greater than £10 to the Trust’s assets should it be wound up with debts. This is the total financial exposure of the members under company law. There is also provision within the Articles (Article 133) for the directors of the Trust to be indemnified against any personal liability arising out of their stewardship of the company, although neither protection would rule out civil action if the trustees were deemed to have acted negligently or beyond their powers (“ultra vires”).
  - (b) To become a “member” of the Trust at a later date and after the initial Expression of Interest has been submitted. (Under Article 8, the original “subscribers” can appoint subsequent “members” of the Academy Trust. Thereafter the Articles make no distinction between the original “subscribers” and the additional “members”. They are all required to contribute to the Article 8 guarantee and are all trustees of the company, with an obligation to act in pursuit of its objectives).
  - (c) To become a member of the Governing body. As with other Academies, there is provision for the Local Authority to appoint a Governor (“the Local Authority Governor” under Article 51). Such a Governor would not be a “member” in terms of the Articles.
  - (d) Support and engage through facilitation and advocacy. In some cases Local Authorities have taken up this role and provided one off payments and/or not charged for services; although they are not formally part of the ULT/Academy Trust.

## **Risks**

25. At this point in the proposal for expression of interest the evidence suggests that there are no immediate or significant financial risks to the Council with engaging in the partnership or indeed becoming a initial subscriber to the Trust. However, if successful at the expression of interest stage significant work will need to be done in order to manage any potential risk to the Council in relation to the more detailed planning for the curriculum offer, student admissions and place planning along with transport costs in students accessing the provision.
26. Initial evidence suggests that individual applications for both a UTC and Free School both focused on STEM activity in the area would not necessarily disadvantage the process for either application. Both developments enable the Local Authority to demonstrate that it is enabling diversity and choice for students in the area thus discharging its statutory duties for strategic planning 16-19.

## **Conclusion**

27. Members are invited to note the content of this paper, consider and agree the level of council involvement in the UTC development.