

WILTSHIRE COUNCIL

CABINET

15 July 2009

PROPOSAL TO DEVELOP AN ACADEMY AT THE LAVERSTOCK SITE IN SALISBURY FROM SEPTEMBER 2010

Purpose of Report

1. The purpose of this report is to set out the background to the proposal to build an Academy to replace Wyvern College, St Edmund's Girls School and St Joseph's Catholic School, at Laverstock in Salisbury, and to seek approval to submit an Expression of Interest (Eoi) to the Department for Children, Schools and Families (DCSF) as at Appendix A. This Academy represents a unique opportunity for the young people of East Salisbury to have educational provision fit for purpose in the 21 Century. If approved by the DCSF the project can move to the Feasibility Phase.

Background

2. Details of the background to this project can be read in the paper submitted to Cabinet on 22 April 2008 and the scrutiny paper of 29 January 2009. The project previously stalled due to unresolved issues from the Schools' Commissioner in relation to the size of the academy and finding a link Higher Education (HE) establishment.
3. In May 2009 the DCSF reissued a Letter of Intent for the Laverstock Academy which allowed the sponsors to recommence the work that had begun previously and develop the Expression of Interest. The re-emergence of the Laverstock Academy as a possibility was a response by both the DCSF and the Local Authority (LA) to St Joseph's Catholic School being designated a National Challenge School as in 2007 it performed below 30% 5 A*-C including English and mathematics. All schools performing below this figure were designated National Challenge Schools and the DCSF requested that Local Authority's (LA's) considered 'transformational' change and a structural reorganisation for such schools. It should be noted that East Salisbury is not an area of high deprivation.
4. The Laverstock Academy proposal is a joint sponsorship between four co-sponsors: the Church of England Salisbury Diocese, the Catholic Diocese of Clifton and Wiltshire Local Authority. These sponsors are also negotiating with a local independent school as an additional co-sponsor and partner. Salisbury Diocese wishes to be the Lead Sponsor of this joint faith Academy.
5. The Expression of Interest establishes the vision for the Academy, key statistics and basic characteristics of the three schools and outlines the Academy proposal. The plan is for the Academy to open in September 2010 and in new buildings by 2013.

6. The Academy will be an 11-18 all ability co-educational Academy of 1500 students with an additional 250 in a newly created sixth form. Detailed work on pupil numbers at the Laverstock site has been modelled. School place planning in Salisbury is extremely complex due to the pattern of school types including single gender grammar schools and denominational diversity. Further complications are added in the current financial climate which affects the timing of house building. In the autumn term 2008 the LA commissioned Place Mace to provide a report on when we might need a further secondary school in Salisbury due to plans in the Regional Spatial Strategy and in preparation for Building Schools for the Future (BSF) readiness to deliver. The report shows that the 11-15 population will be fairly stable over the next five years then it is scheduled to grow, reaching 25% above current levels in 15 years' time.
7. We know that a number of students who attend the Laverstock schools access post 16 provision across the border in Hampshire and face difficult choices and journeys. Many go to Cricklade College in Andover, Totton College in Southampton, Brockenhurst College and Bургate School in Fordingbridge for post 16 education as well as occasionally travelling as far as Winchester. With this initiative to include a sixth form at the Laverstock site it is felt that the young people of Salisbury will have access to a wider range of high quality provision in Wiltshire. The sponsors have already agreed to work in partnership with the Wiltshire College and continue to plan provision with the other Salisbury Headteachers. A substantial sixth form at the proposed Academy at Laverstock could help to meet students' needs in the area more fully.
8. An 'in principle' agreement to support the Academy proposal was minuted by Wyvern College at its Governing Body meeting on 5 February 2008. The Governors of St Edmund's and St Joseph's have met and have been briefed by the sponsors. There were some unresolved issues that meant that the Governors felt unable to give their unreserved support at that moment to the developments. The concerns centre around the need for the new Academy to reflect the religious ethos of the Catholic school, the worry that the new institution will be a very large school with the students and parents used to opting for three smaller and 'intimate' schools, the possible loss of single gender grouping and teaching and the lack of detail over the transitional arrangements for the students and staff. The Governors at the three schools all have meetings planned in early July to discuss the proposal and there is a section in the EOI that reflects their views.
9. Wiltshire LA is working with James Wetz (former headteacher at St Laurence School Bradford on Avon) sponsored by the Gulbekian Society to explore the concept of schools within schools and provision for vulnerable students in an area of high multiple deprivation. This research work, which is extensive, could support the exploratory design of the Laverstock Academy building and help to shape the educational provision and related community developments. It is an exciting project and unique to Wiltshire LA.

Main Considerations for the Cabinet

10. With the pressure to raise standards for all students in Salisbury the proposal for an Academy at Laverstock invests in those students. When aligned to the proposed

Academy at Salisbury High School there would be considerable investment in young people and families in the city. This would be in keeping with the Council's and the National agenda of supporting the most vulnerable young people and 'narrowing the gap' in attainment and raising aspiration.

11. The three schools on the Laverstock campus present a major challenge in terms of the quality and suitability of their current building stock. Wyvern and St Edmund's have a complex mix of poor quality buildings with a significant number of relocatables (mobile classrooms) on site. A recent survey of the schools has considered the long term needs of the buildings and identified that the proportion that should be rebuilt to address these issues is 100% at Wyvern, 95% at St Edmund's and 46% at St Joseph's. If the Cabinet decides not to proceed with this project there would be a difficulty with the maintenance of the existing buildings and no other secure financial commitments for replacement in the future. Laverstock would be one of the last sites under any BSF proposal to be considered as after the initial high priority schools have been identified, future rebuilds must be in the same geographical area prioritised by deprivation and low performance.
12. Both the proposed Academies in Salisbury will fully embrace the notion of collaborative arrangements between each other and across the city to support the principles that are underpinning the 14-19 reforms. This will include the two grammar schools, Wiltshire College and other providers to allow the full entitlement of courses and programmes to be offered. The academies will be committed to recognising, understanding and supporting learners from all backgrounds and understanding their particular needs and styles. They will be committed to persistent and continuous improvement for every learner and they will foster a culture of achievement and aspiration. The Academies will be fully inclusive.

Environmental Implications

13. There are no sixth formers on the Laverstock site at present. There are currently 1600, 11-16 students on site which will need to decrease to 1500 over a period of time by lowering the admissions number. However, when the sixth form is fully operational there could be a further 250 students attending. Overall there will need to be 150 more students attending the site. There could be an increase in the volume of traffic. However, this sixth form provision will be an entitlement to post 16 education that currently is not available to pupils.

Equality and Diversity Impact of the proposal

14. Provision of a new Academy replacing the Laverstock schools will have benefits to all members of the community of East Salisbury and the City as a whole but will benefit the most vulnerable members of the community by raising aspirations and achievement. Closing the attainment gap for particular groups of young people is both a national and local priority. The Academy will be open to all and it has a commitment to social equity and equal opportunities.

Risk Assessment

15. There are risks related to school organisation and place planning for other local schools in the area. The estimated numbers of students at Laverstock are based on known data of students attending primary school and the trends in birth rate. While there are enough places in the City for the known students and some spare capacity for known building programmes there is a risk that there will not be enough places if all the possible buildings under the South West's Regional Spatial Strategy comes to fruition. If all the house building occurs then there is a possibility that there will need to be a further secondary school built.
16. Although the total number of students in the Salisbury area should support another sixth form, as yet these numbers are unsubstantiated. A further risk may be the effect on other schools and College sixth form numbers in the area. The LA is working with the Learning and Skills Council (LSC) alongside the other partner schools and College in the City to resolve the numbers for the sixth form.
17. The Academy is planned to be built on the same site as the three schools now. The issue of decant (movement of current pupils during the construction of the Academy) will be complex on this site as it is restricted in size. This will be considered in the next Feasibility Stage if the Expression of Interest progresses.
18. The costs associated with off-site works must be met by Wiltshire Council. The costs identified in the financial implications section of this report have been based on experience with other projects but more precise details of the works required will not be known until the Outline Business case (OBC) is completed at the end of the Feasibility Stage. Project management and off-site costs, together with the overall level of DCSF funding, will be assessed during Feasibility. This analysis will be critical in resolving the financial risks identified below, prior to the Council entering into any legally binding agreement. It should be noted that the EoI, when agreed by the sponsors, whilst indicating a strong commitment on behalf of Wiltshire Council, is not a legally binding document.
19. There will be a complex mix of land ownership issues on the existing Laverstock sites, with each of the sponsorship parties having land interests in the site. This may result in a complex suite of land transfers and leases, which has yet to be fully appraised.
20. The planning process represents a risk which will be managed through careful pre-application consultation, and a thorough review of the contents of the planning application, which will ultimately be prepared by the contractor.

Financial Implications

Capital budget implications:

21. In general terms it is important to identify, as far as possible, all of the potential costs of this project at the outset so that the Council has a clear understanding of the costs involved. While it is understood that Partnerships for Schools (PfS) will, in broad

terms, fund the core of the project, there are certain caveats on this which are outlined below.

22. At present no indicative level of overall funding has been provided by DCSF or PfS. On approval of an Expression of Interest, an indicative Funding Allocation Model (FAM) will be issued. Using the basis of the FAM provided for The Wellington Academy, it could be expected that the funding allocation would be in excess of £35 million, with abnormal costs, such as decant, funded beyond that'
23. Academies are built by the LA to a Design and Build Contract Framework. £7.17 million is required from the LA's capital programme over the next two years for off site works and project support costs to build both the Salisbury Academies. This will draw down approximately £60 million plus of DCSF finances to rebuild the schools. There is a risk that if we do not proceed quickly enough to the Feasibility Stage that government money to do this will not be forthcoming.

Revenue budget implications:

24. Academies are funded directly by the DCSF and in order to fund this there will be a reduction to the overall level of Dedicated Schools Grant (DSG) in respect of the budget for each new Academy. The deduction will mirror the LA formula for funding each school and therefore will be revenue neutral to the overall delegated schools budget for Wiltshire.
25. Academies also receive an additional allowance in respect of the funding that Local Authorities hold back centrally from maintained schools; this is called the Local Authority Central Spend Equivalent Grant (LACSEG) and is top-sliced from the LA's DSG in order to be paid to the Academy. Using the prescribed formula it is estimated that the top slice for the Laverstock Academy in its first year would be £64,000 increasing to £109,000 in a full year. It is clear that as the number of Academies increases the impact on central DSG funded budgets held by the LA is greater and could potentially have implications for service delivery.
26. Academies will receive School Standards Grants, Standards Funds and Leadership Incentive funds. In the first year of opening an academy will be entitled to receive the full amount of School Standards Grant (SSG) that would have been paid to a school, or schools, that close when an academy opens. This means that the predecessor schools do not receive any SSG in the year of closure and this may impact on the financial position of the closing schools'
27. Any balance (surplus or deficit) remaining on a school's budget which closes when an academy opens is returned to the local authority. However the LA may pass the surplus to the academy if it chooses but deficits must be retained by the LA. Any deficits from closing schools need to be written off from within the overall schools budget and therefore this has implications for the funding for schools across Wiltshire.
28. Schools Forum is currently considering the position in relation to surpluses and whether they should be retained in addition to deficits.

Legal Implications

29. Where an Academy is developed from existing schools, the Transfer of Undertakings Protection of Employment (TUPE) applies. The Expression of Interest at 5.2 contains a section in relation to TUPE and indemnity. The LA is asked to meet all costs associated with restructuring and to indemnify all employment costs relating to the transfer to an Academy. The LA is negotiating this with the DCSF as three of the four schools involved in the proposed two Salisbury Academies, Salisbury High School, Wyvern and St. Joseph's the Local Authority is not the employer, the current governors are. The LA is the employer only for St. Edmund's Girls School. This matter is being dealt with by our legal department.
30. The LA wishes to become one of the four co-sponsors of the Laverstock Academy. This is because it will have an equal voice in every part of its vision, planning and construction. It will be an equal partner in all Project Steering Group, Design Group, Education Group and Transition Group meetings. Guidance notes for sponsors recently presented by the DCSF states that there is an expectation that the Academy Trust establishes and secures donations for an endowment fund to be used for the benefit of students attending the Academy. However, LA's, Diocese and other schools involved as co-sponsors are now exempt from sponsorship.
31. Cabinet will be advised of any significant legal issues and risks at the time approval is sought for the Local Authority to enter into any legally binding commitment.

Options considered

32. No other option is being considered at this time.

Conclusion

33. Cabinet is asked to approve the Expression of Interest at Appendix A to be submitted to the DCSF in July 2009 and to approve the Local Authority as co-sponsors to this Academy.

Appendix A – Expression of Interest

Carolyn Godfrey
Director, Department for Children and Education

Report Author: Nick Glass Head of Secondary School Improvement Ext: 3853