



Ian Budd  
Director of Lifelong Learning  
Flintshire County Council  
County Hall  
Mold  
CH7 6ND

Our Ref: qA1164349

March 2016

Dear Mr Budd

**SCHOOL STANDARDS AND ORGANISATION (WALES) ACT 2013 – PROPOSAL TO MAKE A REGULATED ALTERATION TO ST. DAVID’S HIGH SCHOOL, SALTNEY, FLINTSHIRE BY ENDING SIXTH FORM PROVISION**

1. Julie James AM, the Deputy Minister for Skills and Technology, one of the Welsh Ministers, has considered Flintshire County Council’s (“the local authority”) proposal to end sixth form provision at St. David’s High School. Proposals to end sixth form provision at maintained schools require the approval of Welsh Ministers under section 50 of the School Standards and Organisation (Wales) Act 2013 (“the 2013 Act”). The Welsh Ministers exercise their school reorganisation functions in accordance with the 2013 Act and the School Organisation Code (“the Code”) made under it. Where proposals require their consideration, the Welsh Ministers must decide to approve the proposals, reject or approve with modifications.
2. I am directed by the Deputy Minister to say that she has considered the consultation document, the consultation report, the statutory objections, the objection report and additional information provided by the local authority for the purposes of consideration of the relevant factors set out in the Code.
3. In exercise of her powers under section 50 of the 2013 Act the Deputy Minister has decided to approve the proposal.
4. Paragraphs 1.3 to 1.14 of the Code set out the factors which should be taken into account by the Welsh Ministers when exercising their functions of determining school organisation proposals. The relevant factors are set out below and are followed by an analysis of how far the Deputy Minister believes the factors have been “satisfied”.

**Objections to the proposal**

5. The Deputy Minister notes that there were no statutory objections about the loss of sixth form provision and therefore relevant to this proposal.

## **QUALITY AND STANDARDS IN EDUCATION**

### **Outcomes (Standards and Wellbeing)**

6. The Deputy Minister agrees with the local authority that the larger sixth form provision to be created at the post-16 hub at Coleg Cambria should include a greater range of courses, larger, viable and stimulating classes, and greater financial stability, with no need for 'subsidisation' from the budgets provided for education at Key Stages 3 and 4. The Deputy Minister sees no evidence to suggest, having taken account of the most recent Estyn annual review of performance, and comments from Estyn, that the quality and standard of education at Coleg Cambria will not be maintained and carried over to their newly built post-16 hub. The Deputy Minister was pleased to note that Estyn judged the college as excellent in a recently published inspection report.
7. Although outcomes are likely to be maintained or improved at Coleg Cambria, the Deputy Minister acknowledges that there could be challenges at St. David's High School, as the school would have fewer than 450 pupils on roll. In accordance with a previous audit commission report, secondary schools with fewer than 600 pupils on roll are small schools. Small schools may, although this is not necessarily the case, experience problems in fully delivering the curriculum and delivering value for money. The Deputy Minister is aware that according to Estyn's most recent inspection, St. David's High School was judged as good for current standards and excellent for prospects for improvement. Furthermore, as the school would no longer have to subsidise the sixth form, and could secure use of the budget solely for Key Stages 3 and 4, the Deputy Minister believes the standards at the school could improve with resources being directed to areas of need. The Deputy Minister notes that although the school was recently assessed in a lower improvement category, it will receive tailored support so that it will improve. The Deputy Minister tends to agree that the proposal is likely to improve the standards of provision for post 16 pupils in the locality, and maintain standards for pupils of compulsory school age. Additional support arising from the recent categorisation exercise will promote improvement.

### **Provision**

8. It appears highly likely to the Deputy Minister that an increased number of viable post-16 options will be available at Coleg Cambria as a result of the proposal which would tend to provide better learning experiences.
9. The Deputy Minister notes that there has been no opposition to the proposals and she tends to agree that overall, opportunities for post-16 students will likely increase as a result of the proposal.
10. The Deputy Minister is aware that St. David's High School's buildings were rated as satisfactory by the EC Harris Survey. The condition of the newly built post-16 hub at Coleg Cambria will be an improvement and provide modern facilities for students to enjoy. Therefore, the Deputy Minister concludes that the quality of accommodation is likely to be improved as a result of the proposal.
11. The Deputy Minister is satisfied that the proposal will improve the provision available for post-16 students as they will have access to a wider range of courses in one location and will be provided with expanded and improved facilities.

12. Pupils entering year 13 in 2016 who move from St. David's High School to another provision seem unlikely, to the Deputy Minister, to choose school based provision. She notes that the local authority is attempting, where possible, to ensure that learners are taught by the same teachers should they move to Coleg Cambria as the college will be entering into a service level agreement (SLA) with relevant schools to achieve this. The Deputy Minister takes the view that these transitional arrangements may be sufficient to minimise disruption as pupils will have already been travelling to meet others undertaking similar courses.
13. The Deputy Minister notes that those wishing to access post 16 provision in Year 12 will be able to exercise their preference by applying to Coleg Cambria or other further education providers.

### **Leadership and management**

14. The Deputy Minister notes that in financial and administrative terms the proposal would be likely to have a positive effect on St. David's High School as its budget would no longer need to subsidise sixth form courses or the school organise options for pupils looking to undertake post 16 courses. The Deputy Minister notes that the school has had healthy finances in recent years and that the proposal should not negatively impact on this position. The Deputy Minister believes that the proposal appears more likely than not to put St. David's High School on a firmer financial footing. The Deputy Minister was disappointed that the recent grading of the school notes that it does not appear to have improved substantially in the last year. However, she is also aware that the school will now receive a tailored package of support to support improvement.

### **Need for places and the impact on accessibility of schools**

15. The Deputy Minister is aware that over the last few years, pupil numbers at St. David's High School have been declining, with surplus capacity increasing from 3.7% in 2009 to 26.1% in 2015. She recognises that projections for pupil numbers indicate that the numbers will begin to increase, within the next few years. Whilst the Deputy Minister notes that removing the sixth form from St. David's High School will increase surplus capacity at the school, she is satisfied that the local authority is exploring options to utilise the surplus accommodation, though she notes from the local authority's comments that there are issues regarding the capacity and suitability of the accommodation. The local authority has also identified housing developments that will be likely to produce further pupils and increase the number on roll and therefore the sustainability of the school.
16. The Deputy Minister understands that the local authority proposes that future sixth form pupils who would otherwise have attended St. David's will be able to attend Coleg Cambria's new post-16 hub at the Deeside site, which is expected to have improved facilities and accessibility, including the potential for Welsh medium options should there be sufficient demand. The Deputy Minister recognises that there has been an investment of over £14.6m to build the new post-16 facilities at Coleg Cambria to provide post-16 education for 700 pupils. The Deputy Minister is satisfied that the new post-16 hub would be able to accommodate any displaced pupils from the sixth form of St. David's High School. The Deputy Minister is also satisfied that there is likely to be sufficient space for pupils from other local schools in the locality as well, should they choose to attend the new post-16 hub. As the post-16 hub at Coleg Cambria is a new build with modern facilities, the Deputy Minister is satisfied that the

quality of accommodation provided will, provided the build is completed as stated, be at least be equivalent to that provided at St. David's High School and in all likelihood be much better and more fit for purpose for 21<sup>st</sup> Century education.

17. Due to the relative proximity of St. David's High School to Coleg Cambria's new post-16 hub, it appears unlikely to the Deputy Minister that any pupil will need to travel for more than an hour to school. Although some pupils may experience increased travel distances, the local authority has assured the Deputy Minister that no sixth form pupil would have to undertake a journey that would take longer than an hour.

### **Resourcing of education, and other financial implications**

18. The Deputy Minister recognises that sixth form funding will be redistributed to alternative schools selected by pupils so there will not be any savings as a result of the proposal. She also recognises that there will be no capital receipts from land or building sales as a result of this proposal. The Deputy Minister understands that St. David's High School has had a relatively healthy budget for the last few years. Whilst the local authority has not directly linked the maintenance of the sixth form to the budget position, it appears to the Deputy Minister that the maintenance of a sixth form adds complexity to the management of the school budget. Whilst the proposal will not lead to a more equitable distribution of funding between schools, it will ensure that the school will be able to focus its resources on supporting learning for 11-16 year olds, thus funding between age groups will be more equitable.
19. The Deputy Minister considers that the proposal will contribute to the delivery of sustainable schools for the 21st Century and to the better strategic management of the school estate, as the proposal will remove what the local authority considers to be an unviable sixth form and will improve the facilities available for those pupils. The Deputy Minister understands that the local authority has received funding under the 21st Century Schools for Education Programme for the new post-16 hub.
20. The local authority states that all learners who meet the criteria within their Transport Policy will be entitled to free transport to the post-16 hub. The Deputy Minister notes that this may result in some learners having different transport arrangements and she does not expect that this will inhibit uptake of post-16 places, particularly as journeys will be likely to be well below the guidance in the Travel Measure.

### **OTHER GENERAL FACTORS**

#### **Equality impact assessment**

21. The Deputy Minister is satisfied that the local authority has carried out an equality impact assessment. She notes that the equality impact assessment identified various positive impacts such as, enhanced higher education and employment opportunities due to the availability of more learning pathways, less time travelling to access subject choices and more compliant buildings for disabled pupils due to the new hub being a modern build. Although the assessment also identified a negative impact as the proposal would result in increased travel distances for some post-16 pupils, the Deputy Minister is satisfied that journey times are not likely to be excessive. The Deputy Minister is satisfied that no pupils from groups with protected characteristics would be disadvantaged as a result of this proposal.

## **Community impact**

22. The Deputy Minister agrees with the conclusion drawn in the local authority's community impact assessment which identified that the proposals to reorganise provision in the Deeside area could have a positive effect as the facilities and services currently provided for 11-16 pupils would remain in place and the facilities and services provided for post-16 pupils would be improved. The Deputy Minister is satisfied that the local authority has considered travel arrangements and car parking as part of the improvement project at the new post-16 hub, and the planning procedures necessary has ensured that local residents have had an opportunity to engage in the process.
23. The Deputy Minister tends to largely agree with the local authority that the extra choice, availability and appropriateness of courses at post-16 are likely to improve choice for the wider community. Students choosing the hub or other sixth forms in future would benefit from only needing to attend one location rather than travel between potentially several sites and would have improved facilities. The Deputy Minister is satisfied that the proposal is not likely to negatively impact on pupils from economically deprived backgrounds.
24. The Deputy Minister understands that no land is likely to be disposed of as a result of this proposal.

### **Specific factors to be taken into account for proposals to add or remove sixth forms whether proposals will lead to an improvement in the educational or training achievements of persons who are above compulsory school age but below the age of 19;**

25. The Deputy Minister finds reasonable the local authority's assertion that the proposal will lead to an improvement in the educational or training achievements of persons over compulsory school age as larger post-16 institutions provide more opportunities for participation in extracurricular activities, and attainment at Coleg Cambria is good at this level. The Deputy Minister tends to agree that there will be benefits in terms of greater subject choice for students and as provision will be centralised at the post-16 hub, there is unlikely to be a need to travel during the school day which is inconvenient for learners, and reduces time for study or other curriculum enhancing experiences.

### **Whether proposals will contribute to an appropriate range of relevant courses and qualifications and high quality, employer informed, vocational learning routes targeted at pupils of all abilities, whilst maintaining GCSE, AS/A Level and other established courses, as required under the Learning and Skills (Wales) Measure 2009 for 14-19 year old learners;**

26. The Deputy Minister notes that St. David's High School is unlikely to sustain both the variety and quality of courses needed to satisfy the Learning and Skills (Wales) Measure 2009 with the declining and low pupil roll. The Deputy Minister is satisfied that Coleg Cambria is a popular college and will provide the variety and quality of courses required to satisfy the Learning and Skills (Wales) Measure 2009.

### **Whether proposals are likely to lead to increased participation in learning by pupils beyond compulsory school age, taking into account transport issues and costs to**

**the learner and others, the affordability of such costs, and the likelihood of learners being willing to travel;**

27. The Deputy Minister tends to agree with the local authority's belief that participation in learning by pupils beyond compulsory school age will increase as a result of the proposal as there will be more opportunities and choices available. She has no reason to disagree with the local authority which asserts that increasing the number of courses is likely to increase participation. The Deputy Minister understands that the level of local interest is high as the new build sixth form hub has been promoted for some time. The new facilities could increase interest and uptake. Although pupils may have to travel further for post-16 education, the Deputy Minister is satisfied that pupils are unlikely to have to travel during the school day to access their choices, as extended provision will be available at Coleg Cambria. The Deputy Minister feels that this may increase participation as it will reduce the inconvenience of travelling during the school day. The Deputy Minister understands that some sixth forms, such as Hawarden will be retained and there will therefore be an element of choice between school and sixth form settings.

**The extent to which proposals contribute to the 14-19 agenda taking account of the views of local 14-19 networks and learning partnerships;**

28. The Deputy Minister notes that the local authority believes that the proposal will raise attainment and create more opportunities for engagement in extracurricular activities. The Deputy Minister notes that the local authority believes this will contribute to the 14-19 agenda by improving the experience at post-16 and better preparing pupils for life. The Deputy Minister tends to agree with the local authority that the proposal is likely to improve the post-16 experience as the overall provision at Coleg Cambria is judged as being in the top quartile of colleges in Wales and is unlikely to worsen as a result of the proposal, with additional funding and improved facilities being provided.

**The effect of proposals on 11-16 provision in schools;**

29. The Deputy Minister tends to agree that the proposal is likely to have a neutral or positive effect on 11-16 provision in St. David's High School as the budget for Key Stages 3 and 4 will be focussed on those pupils. This could result in smaller class sizes, improved choice of courses and more support for literacy and numeracy. However, the Deputy Minister recognises that on the face of it, the proposal could affect the viability of St. David's High School by reducing pupil numbers. Although the school would be fairly small at fewer than 450 pupils, the Deputy Minister notes that there are other 11-16 schools in other local authorities that are smaller than this and that appear likely to continue to be maintained. The Deputy Minister notes that whilst there may be a small risk that in future pupils may opt for an alternative secondary school where they can receive a continuous all-through education from age 11 to 18, nearby schools that provide this such as Hawarden High School and Castell Alun High School are already well subscribed and would be unlikely to accommodate them. The Deputy Minister recognises that there has not been any objection to the loss of the sixth form provision and no opposition from those with an interest in St. David's High School. This provides some reassurance to the Deputy Minister that parents in the locality of St. David's High School will continue to engage with the school.

**How proposals would affect the viability of institutions already providing good-quality post-16 provision, including school sixth forms, Further Education Institutions and private training organisations;**

30. The Deputy Minister has not found reason to disagree with the local authority's view that existing partnerships between existing post-16 providers will be maintained as a result of the proposal and new opportunities will become available. She also notes that the local authority believes that the transition of learners into appropriate pathways will be improved as there will be fewer institutions to visit. The Deputy Minister notes that the 2 nearest school based post 16 providers that will be retained perform well and have large cohorts of pupils. In her view these are unlikely to be significantly affected by the proposal.

**The extent to which proposals will provide additional learner benefits compared with the status quo and other tenable options for post-16 organisation; and**

31. The Deputy Minister understands that there are currently collaborative arrangements in place between the sixth forms of St. David's High School, John Summers High School, Holywell High School, Connah's Quay High School and Deeside College; she notes that this collaboration enables St. David's High School to offer a range of academic and vocational subjects. The Deputy Minister recognises that these courses are only available as result of students travelling to other providers to access the courses, and that outcome have not been on a par with local averages. The Deputy Minister is satisfied that the proposal will offer students a variety of courses that are delivered in one place at Coleg Cambria's new post-16 hub and will remove the need for them to travel between providers, allowing more time to be spent on learning and improving outcomes. She takes the view that this should benefit pupils overall.

**How proposals might affect the discretionary transport provision a local authority may provide to learners above compulsory school age.**

32. The Deputy Minister is aware that the local authority will still provide free transport to the new hub for post-16 learners who meet the eligibility criteria within their Transport Policy.

**Additional Factors to be taken into account in approving/determining school organisation proposals**

**Whether there are any other related proposals**

33. The Deputy Minister considered the relevancy of other proposals to reorganise schools and sixth form provision in the Deeside. There is currently a proposal relating to John Summers High School that is part of the school modernisation programme but is not considered directly relevant to this proposal and will be separately referred to the Minister for Education and Skills or the Deputy Minister for Skills and Technology for determination in due course.

**Whether consultation has been conducted in accordance with the Code**

34. The Deputy Minister is mostly satisfied that the consultation document was provided to the relevant consultees referred to in paragraph 3.2 of the Code. However, the Deputy Minister does note that three secondary schools in England were not sent a link to the

consultation document, and the local authority is of the view that those schools would not be likely to be affected by the proposal. The Deputy Minister is satisfied that the closest schools in England were aware of the consultation as the local authority has informed her that relevant officers from the local authority had informal contact with officers in the neighbouring local authority and the three schools in question and no concerns were raised. In addition because of the close proximity of St David's High school, the level of local awareness was likely to have been high. Furthermore, the West Chester local authority was aware of the proposal and had no concerns about the effect of it in the locality. The Deputy Minister is also satisfied that the consultees had at least the specified time period required by the Code to respond to the document. The Minister also considers it unlikely that pupils displaced from the 6<sup>th</sup> form at St David's would transfer to a school in England as the local authority is providing transitional arrangements which will support their transfer to the hub.

35. The Deputy Minister is satisfied that for this proposal, the local authority conducted consultation in accordance with the Code.
36. The Deputy Minister believes that the local authority has sufficiently explained the rationale for the proposals, although it would have been beneficial to have provided additional information about the effect of the proposal on pupils aged 11-16.
37. Furthermore, the Deputy Minister is satisfied that the consultation report addressed the main issues from the consultation process and also included Estyn's full response. Overall, the Deputy Minister is satisfied that the local authority has carried out consultation in accordance with the requirements of the Code.

**Whether the proposal has been published in accordance with the Code and the notice contains all of the required information**

38. The Deputy Minister is satisfied that the publication requirements have been complied with.
39. The Deputy Minister has decided to approve the local authority's proposal to end sixth form provision at St. David's High School, on the grounds that it will:
  - be likely to maintain or improve the standard of education provision at post-16;
  - provide young people with a wider choice of post-16 provision located at one site;
  - provide enhanced facilities for post-16 pupils;
  - contribute to the aims of the Learning and Skills (Wales) Measure 2009 by strengthening sustainable provision; and
  - facilitate the management of the St. David's High School budget so that it can be focussed on maintaining and improving the standards for pupils aged 11-16.
40. The Deputy Minister notes that this proposal is due to be implemented with effect from 1 September 2016 and from that date pupils of St. David's High School will cease to be admitted to the sixth form. When the proposal is implemented, the Deputy Minister looks to the local authority to ensure that appropriate arrangements are put in place and that the transfer of pupils is carried out with the minimum disruption possible. The local authority should inform Schools Management and Effectiveness Division, Education and Public Service Group within the Welsh Government when the proposal has been implemented.



41. I am sending a copy of this letter to the Chief Executive of Flintshire County Council.

Yours sincerely

A handwritten signature in cursive script that reads "Steve Vincent".

**STEVE VINCENT  
DEPUTY DIRECTOR  
SCHOOLS MANAGEMENT AND EFFECTIVENESS DIVISION**

