

## APPENDIX L

### **COMPETITION AND WAIVERS – SCHOOL SPECIFICATION – LEAD SPECIALISMS and DIPLOMAS**

#### **1.0 Context**

1.1 This appendix sets out the rationale for:

- the decision to go to competition under the Education and Inspections Act 2006 in respect of the establishment of the new 11-19 age range secondary schools;
- the decision to use competition under the Education and Inspections Act 2006 in respect of the establishment of the new 4-11 age range primary school for the West Wight;
- the competition process and outline of the specification criteria for both secondary and primary schools;
- the proposed specialisms and associated lead diploma courses which will form part of the secondary school specifications.

1.2 The background to the establishment of the 11-19 secondary schools as new provision and the position with regard to competition under the Education and Inspections Act 2006 was set out in the Cabinet report of 3 June 2008. Paragraphs 23 and 24 of that report set the background for the recommendation to Cabinet and the subsequent proposal which was consulted on from 23 June to 10 October 2008. The position consulted upon was:

- establishment of five new secondary schools to be let by competition under the Education and Inspections Act 2006.
- the establishment of one new one form entry community primary school for the Freshwater area of the West Wight to be let by competition under the Education and Inspections Act 2006.
- that the Local Authority would not be a 'proposer' in respect of any school let by competition. This would allow the Local Authority to adjudicate the award.

1.3 Schools let by competition have Foundation or Trust status and within the requirements of the Education and Inspections Act 2006 are seen to be more directly accountable to their local community and the parent body of the school. They receive their funding in the same manner as other schools, through the Direct Schools Grant, which is delegated in relation to the locally agreed formula of delegation. Proposers can add to this funding but cannot reduce it or take a 'profit' from it. The Schools Forum has an oversight of the use of the Direct Schools Grant on behalf of all Island schools. The Council retains all of its powers of intervention if the conditions of the let are not being met by the school's leadership and/or governance or if the school is seen to be underperforming.

## **2.0 Competition and Waivers**

2.1 With regard to the five new proposed secondary schools (other than Christ the King College) an application for a waiver to competition could be considered. However, the Education and Inspections Act 2006 is specific in its provision for the granting of a waiver to competition. Two conditions apply:

- that the new school being established is of a religious ethos;
- that the new school is being established from existing schools which already achieve high standards for their pupils and are seen to be successful.

Only the second condition can apply to the five community secondary schools. However, none of the current high schools either collectively or individually have consistently achieved national standards at GCSE. They are unlikely to be seen as successful schools in the terms of the 2006 Act and it is unlikely that a waiver would be granted for any high school to be enlarged to meet the proposed new 11-19 secondary provision.

2.2 In respect of the proposed new community primary school for the Freshwater area the only existing community primary school in the area currently serves the Totland community. To enlarge this school, even though it has an improving record of standards and quality, could deny the Freshwater community a direct input into the new school's establishment and accountability. There is also indication that the community would wish to be a 'proposer' for any new school.

2.3 The Authority has consulted upon the proposal that where competition applies it will not be a 'proposer' in its own right. By remaining outside of the competition the Authority is able to ensure that the specification is fully met and can engage in negotiation with prospective providers on a range of employment and community issues. The disadvantage is that if the Authority enters the competition then the Authority hands the decision regarding the competition 'winner' to the Schools' Adjudicator rather than being the decision maker. As a two star Authority the Council may not be looked upon favourably as a potential provider. If there is no proposal for a new school, or the proposal(s) do not meet the specification, then the school will revert to the Local Authority. Whatever the outcome the Authority retains its statutory responsibilities for the performance of these schools.

2.4 Representation from the statutory consultation has been limited in respect to the proposals for competition. No significant objection has been raised and a number of comments have been supportive of the Council's proposals. Some comments have indicated that the progress made by, particularly Carisbrooke Medina and Sandown High Schools in their 2008 GCSE performance removes the need for competition. However, whilst this progress is recognised it does not alter the position set out in paragraph 2.1.

2.5 In a number of cases where new primary schools are being formed by amalgamation either the Authority or the Church of England and/or Roman Catholic Diocesan Authorities will apply to the DCSF for a waiver to competition.

2.6 The grounds for applying for a waiver will be as follows:

- the religious ethos of the new school;
- the quality of performance, good or better, in one or more of the schools which form the new school;
- the community support and desire for the new school in the form proposed.

2.7 The schools for which waivers have been applied are set out in the table below:

Schools amalgamating	New School	Waiver responsibility
East Cowes Primary Whippingham Primary	New primary school on the Osborne middle site. School and Community support.	Local Authority
St. John's CE VC Primary Sandown CE VC Primary	New primary school using the existing sites. Schools support.	Local Authority with support of the CE Diocese.
St. Boniface CE VC Primary St. Margaret's CE VC Primary St. Wilfrid's RC VA Primary	New joint faith primary school on the Ventnor middle site.	CE and RC Diocesan Authorities.
Shalfleet CE VC Primary Yarmouth CE VA Primary	New primary school. Proposed for the Shalfleet site.	CE Diocesan Authority.
Godshill Primary Chillerton & Rookley Primary Wroxall Primary	New primary school initially using the current sites, eventual need build school for the rural community. Schools support.	Local Authority.

2.8 The outcome to the waiver applications is expected from the Secretary of State by early December 2008. Where waivers are not granted the schools will go to competition.

### 3.0 Specifications

3.1 Once a decision has been taken to go to competition a specification must be prepared and published for each school, where a competition is to be held. At this stage it is anticipated, subject to Cabinet approval of any competition, that specifications will be published by 12 January 2009 (ref. Appendix P).

3.2 As the Authority, subject to Cabinet approval, will not be a 'proposer' the development of any proposal is supported by an external agency, appointed by government. This agency (OPM) will provide an awareness raising seminar within three weeks of the specifications publication. They will also provide, as requested, consultancy support to any 'proposer'.

- 3.3 From the publication of the specifications a statutory period of a minimum of four months must exist for 'proposers' to prepare their proposal(s). This would see the deadline for return of bids to be 12 May 2009 at the earliest. On return proposal(s) are evaluated against the requirements of the specification and the details of any approved 'proposers' are published with the statutory notices for the school. If no bids are received or approved for a school the statutory notice will state that the school will revert to the Local Authority. Where there are approved 'proposers' they must present to the community during the representation period of the statutory notice. Final decision on the winning 'proposer' is made, by Cabinet, at the decision to implement the relevant statutory notice.
- 3.4 For each school to be let by competition a specification is published. Any 'proposer' must meet or exceed the requirements of the specification in their proposal and demonstrate that they will provide high standards and quality of learning whilst achieving good value for money. The following key criteria will form the basis of any specification for the schools to be let by competition.

#### Secondary

- The context of the Island and the need for economic regeneration within the objectives of Ecoland and the need to improve upon poor education standards.
- The need for schools to take a specialist lead within a coherent and strategic whole Island 14-19 plan, which includes the Isle of Wight College and the work place learning providers.
- Recognition that collaboration and co-operation between providers is an essential in respect of 14-19 provision and that the Local Authority will be the course commissioner from 2010.
- Achievement of high standards in GCSE and Post 16 accreditation, results to be consistently at national standards or higher.
- The 14-19 curriculum to meet the needs and aspirations of all young people, providing both opportunity and balance between academic and vocational provision. Improved choice through specialism of the school and development of specialised diplomas.
- Inclusion for all young people taking account of their individual capabilities and special educational needs. Personalised learning as appropriate to the stage, not age, of the young person. Providing choices, academic and vocational, which are suited to them.
- Demonstration that leadership and the quality of teaching and learning are to be of the highest standard.
- Demonstration that through both community and extended school activity, such as the Duke of Edinburgh Award, that the school will both serve and be directly involved in its community. All schools will be expected to engage and support as necessary the Authority's community and leisure strategies.

## Primary

- The context of the Island and the need for economic regeneration within the objectives of Ecoland and the need to maintain high standards at Key Stage 1 improve upon poor standards at Key Stage 2.
- Recognition that collaboration and co-operation between primary and secondary schools within both the local and Island community is essential.
- Achievement of high standards at the end of the Foundation Stage and in Key Stage 1 and Key Stage 2 tests, results to be consistently at national standards or higher.
- The curriculum to meet the needs and aspirations of all children, providing both opportunity and balance between literacy and numeracy and the wider curriculum.
- Inclusion for all children taking account of their individual capabilities and special educational needs. Personalised learning as appropriate to the stage, not age, of the child. Providing choices which are suited to them.
- Demonstration that leadership and the quality of teaching and learning are to be of the highest standard.
- Demonstration that through both community and extended school activity that the school will both serve and be directly involved in its community. Provision and support, where appropriate for pre-school providers. All schools will be expected to engage and support as necessary the Authority's community and leisure strategies.

### **4.0 Specialist Status**

- 4.1 In establishing the new secondary schools the Authority will take a coherent and strategic approach to specialism. All the new schools, including the Diocesan provision Christ the King College will have specialist status. This will enhance opportunity for young people, providing greater diversity of choice and parental preference.
- 4.2 The specialist provision of the current high schools has not, in the past, been strategically led by the Authority resulting in some duplication at both first and second specialism. The current guidance from the Department for Children, Schools and Families (DCSF) is that the Local Authority should have a strategic overview of specialisms within an area to avoid duplication and increase the diversity of provision offered to parents and young people. It is the Authority's intention to follow this advice in establishing specialisms for the proposed new secondary schools.
- 4.3 Any change in specialism does not negate the past work done. For example the new extended school and community requirements to be placed on all schools from 2010 would allow a previous sports specialist school to maintain its sports programme through extended school and community provision

whilst taking on a new specialism. Similarly achievement of a specialist status does not remove the requirement for any secondary school to collaborate and co-operate with all Island providers in the provision of the 14-19 curriculum and its associated learning pathways.

4.4 The specialist and associated lead diploma provision for the proposed new secondary schools is set out below.

Proposed future specialisms and matching diploma line for the secondary specifications

School and Future specialism	Lead Diploma Lines post reorganisation	Diploma lines from Sept. 2009	Diploma lines from Sept.2010	Diploma Lines from Sept. 2011
Cowes Business and Enterprise	<ul style="list-style-type: none"> <li>• Business and administration</li> <li>• ICT</li> <li>• Retail+ Business</li> <li>• Hospitality and catering (with HTP)</li> <li>• Public Services</li> </ul>	Business and administration		Retail+ Business Public Services
Ryde Languages	<ul style="list-style-type: none"> <li>• Travel and tourism</li> <li>• Languages</li> </ul>			Travel+ Tourism Languages
Carisbrooke Technology	<ul style="list-style-type: none"> <li>• Engineering</li> <li>• Construction and the built environment</li> <li>• Land based</li> </ul>		Construction and the Built Environment	Manufacturing + Product design
Medina Performing Arts	<ul style="list-style-type: none"> <li>• Creative and media</li> <li>• Manufacturing and product design</li> <li>• Hair and beauty</li> </ul>			Manufacturing + Product design
Sandown Sports	<ul style="list-style-type: none"> <li>• Society, health and development</li> <li>• Sport and leisure</li> </ul>		Society Health and Development Sport and Leisure	
Christ the King College Mathematics and Computing	<ul style="list-style-type: none"> <li>• Science</li> <li>• Humanities</li> </ul>			Science Humanities

4.5 For the diploma provision these are the lead school providers. The diplomas can be taken across schools and would no single school would necessarily deliver the whole diploma. For example Medina could lead on Creative and Media (Performing Arts) but the drama component of Creative and Media could be delivered at the Isle of Wight College and the element music through Platform One a work based learning provider. Medina is the home institution

(certifying centre) for this diploma line. Development of the diploma will be with Isle of Wight College and Work Based Learning Providers.

- 4.6 St Georges Special School will not be a home institution for any diploma but will have access to all diploma lines. The intention is that they will lead the development of the Foundation Learning Tier which all providers can then access.