

CABINET – 24 NOVEMBER 2009

EUROPEAN SCHOOL, CULHAM – PROPOSAL TO REPLACE IT WITH AN ACADEMY

Report by Director for Children, Young People & Families

Introduction

1. The European School, Culham is one of a pan-European Union network of schools directly funded by the European Union to meet the educational needs of the children of European Union employees working abroad. In addition to pupils taking up places directly funded by the European Union, the European School also accommodates others with places funded by other European employers with a base in Oxfordshire, and a number whose parents pay fees direct to the school.
2. The European School currently has about 900 pupils on roll aged from 3 – 18 (i.e. Nursery – Year 13), the majority of whom live within an 8km (5 mile) radius of the school. They typically join the school at age 4 and most remain until they are 18 when they sit the European Baccalaureate. The school is not required to deliver the National Curriculum and the curriculum is delivered through a combination of English and one or more European languages, building to 4 or 5 by the time pupils enter the sixth form.
3. The European Union has declared that funding for the European School is to be phased out over a seven year period from 2010 – 2017. It has been proposed that the school be brought into the English schools maintained sector through the creation of an academy which would retain as much as possible of the current European School ethos. This proposal has the support of the Department for Children, Schools and Families. The academy would be sponsored by a company limited by guarantee, with charitable status: Culham Languages and Sciences (CLASS)

Reason Why Annex is Exempt

4. Draft of the Expression of Interest submission to the Department for Children, Schools and Families.
5. The Department's policy is to only publicly release, via their website, final versions of Expressions of Interest once they have been finalised and signed off by the minister. The Executive summary is provided at Annex 1.

Expression of Interest

6. The first formal stage in the possible replacement of the European School by an academy is the submission of an 'Expression of Interest' (EoI) to the Department for Children, Schools & Families (DCSF). This sets out the key

features of the proposal (age range, size, location etc. of the academy); details of the school it would replace (pupil attainment, numbers on roll, turnover, levels of socio-economic deprivation etc.); the sponsor(s) of the academy and potential educational partners (higher performing schools or other educational institutions such as colleges or universities); and an undertaking to comply with key national codes of practice, including admissions. Production and submission of an Expression of Interest is usually the responsibility of the maintaining Local Authority but in the case of the European School these are being undertaken by a consultant.

7. The Department for Children, Schools and Families has recently launched a consultation exercise on accreditation rules for new academy sponsors. The Expression of interest therefore remains in a final draft version pending a decision about accepting Culham Languages and ScienceS as the academy sponsor and receipt from the Learning & Skills Council of a letter supporting the proposal.
8. If the EoI receives ministerial approval the next stage will be to undertake a detailed 'Feasibility Study' which will look at the viability of the academy proposal, including the capital investment that would be needed to create appropriate modern accommodation. As part of the study the views of a wide range of stakeholders will be sought about the proposal to replace the European School with an academy.

Implications for neighbouring schools

9. The European School currently admits 60 children to its nursery and these are guaranteed progression into the primary, secondary and sixth form 'wings' of the school. The proposed academy would be required to comply with the admissions code of practice and therefore this guarantee would no longer apply. The academy would have a Published Admission Number of 60 i.e. it would admit to the Reception Year the same number of children as currently admitted to the nursery. It will be covered by the infant class size limit which restricts classes to 30 children per qualified teacher. These factors, combined with the majority of the children currently living within the immediate vicinity of the school, strongly suggest that the creation of an academy would be unlikely to have a significant impact on admissions to neighbouring primary schools.
10. Casual (mid-year) admissions to the European School have resulted in current secondary age year groups of between 63 and 82 i.e. in excess of the proposed admission number of 60. The admissions code of practice establishes the presumption that the Published Admission Number will apply to year groups as they work their way through the school. Under coordinated admission arrangements the Council will be responsible for administering casual admissions so it is likely that 60 pupils per year group will not be exceeded in the future. The impact of the academy on the numbers of 11 – 16 year old pupils admitted to neighbouring secondary schools is likely, therefore, to be less than that of the European School.

11. The European School will, in addition to admissions to the Reception year, have a second 'normal year of admission': to Year 12. The sixth form will have 200 places split evenly between Years 12 and 13. With a near 100% transfer from Year 11 into Year 12 (this is currently the situation with the European School and thought likely to continue with the academy), it is expected that about 40 students will be admitted to the sixth form from outside of the academy. With the medium of instruction being a combination of English and four or five European languages this could make the academy attractive to local students who excel at Modern Foreign Languages and are looking to pursue these through the sixth form and, possibly, onto Higher Education. Didcot Girls' School currently has Modern Foreign Languages as a specialism and therefore its sixth form of about 200 students may be affected by the creation of an academy.
12. As a maintained academy, the pupil performance results (end of Key Stage 2, GCSE and A/AS Level) would contribute to the County Council's aggregate performance data. As the European School does not currently follow the National Curriculum, nor enter students for GCSEs and A/AS levels, it is not possible to quantify what the effect of the academy would be. However, the European Baccalaureate, which is pursued by sixth form students in the European School, is at least as challenging as A-Levels.
13. The Department for Children, Schools and Families will expect the academy to work closely with local schools and this commitment is set out in the draft Expression of Interest and would be reflected in any Funding Agreement entered into by the Secretary of State.

Financial and Staff Implications

14. There are no financial implications arising directly from this report. If approval is given to undertake the 'Feasibility Study' this will require County Council staff to commit time to this. The activities to be undertaken as part of the study may involve staff from Children, Young People & Families (mainly Raising Achievement and School Organisation & Planning), Shared Services (Finance and Human Resources), Environment & Economy (Property Services) and the Corporate Core (Legal Services and Transformation). It would be appropriate to establish a project team.
15. The European School will be subject to capital investment should it become an academy. Under the 'Academies Framework' it will be the responsibility of the County Council to manage the project. This is the same situation as currently applies to the Oxford Academy which is currently under construction. A sum of £300,000 from the overall Oxford Academy budget was top-sliced to meet the Council's costs: about £160,000 for project management and technical advice, £50,000 for surveys etc. with the balance available to defray some of the Council's associated staff costs.
16. Generally the £300,000 is a one-off top slice irrespective of the number of academy projects that a Council is managing at any one time. However, given the unique nature of the European School/Academy project, and the

possibility of a third concurrent academy project, a further allocation of £400,000 has been confirmed. This is sufficient to cover all the Council's project management costs associated with the European School/Academy project but would not be sufficient to cover all associated Council staff costs were the Oxford School/City of Oxford Academy project to go ahead simultaneously.

17. Within the standard Expression of Interest document the 'host' Local Authority is required to confirm that it will meet any off-site works that may be required (Section 4.3) and indemnify the academy in respect of all employment costs associated with transfer of staff from the predecessor school to the academy, including TUPE and severance costs (Section 5.2). In respect of both of these expectations written confirmation has been received that neither of these requirements will apply in the case of the European School/Academy. The text of an e-mail to this effect is attached at Annex 2.
18. Academies replacing maintained predecessor schools are entitled to a share of central expenditure against the Dedicated Schools Grant which is incurred on their behalf. As a school not maintained by the Council, the European School currently creates no central expenditure charged against the Dedicated Schools Grant. The e-mail at Annex 2 implies that as an "independent" school being brought into the maintained sector the central expenditure 'top slice' will not apply. Explicit clarification by the Department for Children, Schools and Families of the relevant paragraph is being sought by officers and the outcome will be reported orally to the meeting.

Equality and Inclusion Implications

19. At this stage no formal assessment has been made of the potential equalities and inclusion implications of the European School becoming an academy. The implications may emerge through the feasibility study which would follow ministerial approval of the Expression of Interest. As a maintained school the academy would be bound by the Code of Practice on Admissions, and Exclusions, participate in 'hard to place' protocols and also be required to admit and make provision for pupils with a Statement of Special Educational Needs which names the academy. It is likely, therefore, that the creation of an academy would increase opportunities for disadvantaged or vulnerable pupils to have access to a broader range of specialist facilities

RECOMMENDATION

20. **The Cabinet is RECOMMENDED to**
 - (a) **note the contents of the draft Expression of Interest;**
 - (b) **support the submission of the Expression of Interest as the basis of a proposal to replace the European School, Culham with an academy subject to the financial guarantees detailed in paragraphs 16, 17 and 18; and**

- (c) **request officers to bring a further report on the outcomes of consultations undertaken as part of the 'Feasibility Study'.**

JIM CROOK

Interim Director for Children, Young People & Families

Background papers: Nil

Contact Officer: Roy Leach, Strategic Lead School Organisation & Planning
Tel: 01865 - 816458
Roy.leach@oxfordshire.gov.uk

November 2009

CULHAM ACADEMY

IN OXFORDSHIRE

EXPRESSION OF INTEREST FOR AN ACADEMY

This form should be used alongside the following documents, which are available from the Department for Children, Schools and Families website (www.dcsf.gov.uk) or from your Expression of Interest Consultant.

1. The Expression of Interest Guidance
2. Sponsorship Guide: Establishing an Academy
3. Delivering Academy Buildings through PfS

Section 1: Executive Summary

1.1 Please provide a brief summary of the project:

This proposal is to bring the current European Union funded and run European School Culham into the mainstream state funded sector as an innovative, co-educational Academy, as far as possible retaining the ethos of a European School. The Sponsor will be Culham Languages and ScienceS a company limited by guarantee, with charitable status, chaired by Lord Michael Jay, independent member of the House of Lords. The Directors of the company offer outstanding expertise in the key areas of European languages and culture, the sciences, business and education. The Sponsor's network will develop substantial support to the Academy. The Sponsor intends that key partners will be drawn in from higher education and industry to enhance the Academy's development

The Sponsor believes that a move to Academy status for European School Culham will offer a unique opportunity to build on the two major strengths of the predecessor school – its excellence in European languages and its close links with the science institutions at Culham and Harwell, together with the Higher Education institutions in Oxford and major engineering enterprises, such as BMW, and Npower. The Academy will seek to become a centre for language and science teaching, both of which are key to Britain's future international competitiveness and in which as a nation we are weak. The Sponsor also envisages that the Academy will also develop as a beacon for other schools in Oxfordshire and indeed nationally.

This proposal for an Academy has been developed at a time when the European School's Board of Governors based in Brussels is planning the eventual closure of European School Culham, near Abingdon in 2017. European School Culham is one of 14 European Schools in various European Union (EU) Member States set up under an Intergovernmental Treaty to provide mother tongue education for the children of the staff of EU Institutions and agencies. It provides education for children aged 4-19 enrolled in language sections, delivering a significant part of the curriculum through a second vehicular language and insisting on the learning of a third Modern language from age 14 to 16 years, leading to the European

Baccalaureate at age 18/19. FTE posts tend to be filled by mother tongue teachers who are supplied on fixed term contracts as secondees from their home Member State, with their national salaries paid by the Member State and a European Schools' salary and allowances paid by the school. Other staff and teachers are recruited locally and have to be native speaker of the language section in which they work except for teachers of sport, music and art.

The proposal is to bring the European Union funded and run European School Culham into the mainstream state funded sector as a new, co-educational academy, as far as possible retaining the ethos of a European School. Initially, the Academy would continue to receive EU funding to support the continuation of the European style of education available at the school. The withdrawal of EU funding would be phased over seven years between 2010 and 2017. The creation of this Academy will coincide with an exciting period when the UK is redefining its identity in Europe and the wider world.

The creation of this proposed Academy will offer a unique opportunity to bring into the national system a school, which could develop as a national centre of excellence in the teaching of languages. In particular, the Academy could assist with the development of language teaching materials, particularly at primary level and also eventually offer immersion training for teachers and summer schools for pupils. Over time the Sponsor also intends that the Academy will work with its partner network to evolve as a distinctive centre of national repute for science education.

The new all age, two form entry Academy will provide a 60/30 +30 place Nursery and admit up to 720 students aged 5 - 16 with a further 200 students in the sixth form. The size and eventual opening date for the Nursery will be decided during Feasibility. The Sponsor intends that the Academy will open in 2010 in existing buildings and be enhanced by being in new/refurbished buildings in 2013. The site for the new Academy would be the current site of European School Culham, which will be leased to the Academy Trust. The name of the Academy will be decided during Feasibility, following consultation with the predecessor school and its community.

The pre-decessor school provides for the children of staff working at EU institutions and increasingly for fee paying bilingual and multi national families in the South Oxfordshire area. The majority of its pupils live within a 5-8 km radius of the school. Children (60) join the school at age 4 by application and stay to age 18 when they sit the European Baccalaureate. Most then take up places in Higher Education. The only academic entry criteria used is whether the child will cope with being taught in the language of the language section in which they have been enrolled. At age 7 a second language is introduced. At age 13, history and geography are taught in language 2. At age 14, language 3 is introduced. At age 16, there is the option of a fourth and fifth language.

In recent years, including in 2009, European School Culham has outperformed all the other schools in the European Schools system. The average student leaving Culham in 2009 gained an EB at level..... In 2008 it was []. As well as being the best of its type in Europe, European School Culham has a successful track record of placing students in Higher Education. Most of the Russell Group universities accept

the EB for entrance purposes with the EB generally being seen as equivalent to(rough number of A levels or better at what sort of grade?)

The European School Culham is highly respected for its ethos, which is inspired by Jean Monnet's vision of children "educated side by side.....acquainted with all that is great and good in the different cultures, it will be borne in upon them as they mature that they belong together. Without ceasing to look to their own lands with love and pride, they will become in mind Europeans". The new Academy will seek to maintain the ethos, character and purpose of the predecessor school and secure further improvement in the already high levels of student achievement.

The Sponsor intends that the Academy will become a specialist language academy authorised by the EU to deliver the European Baccalaureate. The Academy, with the support of the EU, will continue to provide the full European Schools Education framework for existing European School Culham students. Over time, the Sponsor intends that this core approach to a European style of curriculum will facilitate an innovative delivery of the National Curriculum, routinely taught through more than one EU language. In this way, aspects of the National Curriculum e.g. Science could also be assessed in, for example, French for the purposes of the European Baccalaureate requirements.

The Sponsor also intends to build on the local area's focus on science and technology industries for example the European Space Agency at Harwell and the EFDA-JET nuclear fusion plant at Culham and develop the Academy as a centre for science education. The first and main subject specialism of the Academy will be Languages whilst the second will be Science. The Sponsor intends that this focus on languages and science will act as a driving force for promoting high standards and nurturing the wider development of the Academy. The Sponsor is well placed to support these ambitions.

The Academy will work to sustain close links with local schools and Oxfordshire Local Authority. The Sponsor is already in discussion with the Oxford Academy to explore the creation of a formal school improvement link. This will be achieved through a range of strategies that enable both institutions to share good practice and engage in joint ventures. It is envisaged that the Academy at Culham will collaborate on the teaching of modern languages, as well as mathematics and science. There will be opportunities to support links into Europe. The Academy will seek to work with local primary schools to support the National Primary Language Strategy. It is envisaged that the Academy will build on current European School Culham links with the Links into Languages National Project and develop as a Languages hub.

The Academy will wish to be involved with the local community in a number of ways and will work with local partners to develop funding frameworks to promote an active lifelong learning programme on site, that includes the use of the Academy's drama and sporting facilities.

Text of a letter of clarification from DCSF re: Local Authority financial responsibilities

Roy

We spoke yesterday afternoon. I confirmed that it would be helpful to get a formal council response on the Expression of Interest this month. Otherwise we could not go to Ministers for approval to move into feasibility and this would then jeopardise the EU timetable for approving the next stage of the Culham change to Academy status (relevant EU committee meets December). The sponsors and the school itself are concerned about extending the period of uncertainty as this might affect staffing stability and morale.

We would not complete feasibility, and move to a signed Funding Agreement (FA), until the final EU approval was given, expected April next year. I envisage us also at that point again, as applies with all Academy projects, asking the LA formally to confirm it is content before the FA was submitted to Ministers for approval.

I also confirmed that Ministers would be explicitly advised that:

- (a) Oxfordshire LA would not fund any additional costs arising from the capital work, beyond those received from DCSF/PfS directly for the project. This included not funding any off-site work, which at this stage we both assumed would not arise but which would not be known for sure for some time;
- (b) the LA would also not meet any staffing related costs arising from the transfer of existing Culham staff to the Academy (sometimes known as "TUPE"). Once again these were not thought to be an issue at present but, as with capital works, this was not an LA school and you would not therefore be expected to bear additional costs arising out of its conversion to Academy status.

In addition the Government expects Culham to work closely with local schools, including Oxford Academy and primary schools, and expects to this be formally set out during feasibility. As a 2FE school, however, it will only have a certain capacity to achieve this but we feel that partnership working is important to justify its move into the state funded sector.

As (hopefully helpful background) you may already be aware that the Government has made allowance, for DSG purposes, for a small number of "independent" schools to move into the Academy, i.e state-funded sector. My finance colleagues advise that this includes Culham.

On a final point regarding the draft Expression of Interest, this is as you will note, near final but not yet 100%. As the Government has just begun consulting on new rules for sponsor accreditation this section is not yet complete. And we haven't heard the LSC view yet. Our general practice is not to publicly release the Expression of Interest on our website until it is final and signed. Would it be possible for you to e.g

CA7

just use the summary, plus extracts from the key sections from the LA viewpoint, rather than release the full document on the website?

CA7

Once again thank you for your help with this project. I think it will be complex rather than controversial and, unlike normal Academy projects, it will at least not require a formal LA school closure process (but still lots of local consultation by sponsors & project managers).

Sean

Sean Cox
Project Lead, DCSF
New Academies Division x307244
(020 7340 7244)
Sanctuary Buildings
Great Smith Street
London SW1P 3BT