

Introduction

During the 2015-16 and 2016-17 academic years the Governing Body and the Senior Management Executive of the College spent considerable time looking at a range of strategic options in order to secure the best possible provision for its current and future students, in the context of the significant reductions in resourcing that state sector schools and colleges have been experiencing in recent years and also Government policies to focus 16-19 general education provision within 11-18 schools and academies or 16-19 specialist colleges. Alongside these factors has been the development of the Government's policy on vocational skills, technical education and apprenticeships provided in the General Further Education Colleges or by specialist vocational/skills/technical providers.

During this period the Government announced a National Review of post 16 provision covering all general further education and sixth form colleges in England, delivered through a series of Area Based Reviews) with the aim of restructuring the further education sector.

Aligned to the National review was the announcement in November 2015 that the Government would permit Sixth Form Colleges to become 16-19 academies, where academisation is a recommendation /outcome of the relevant area based review.¹ However, only Sixth Form Colleges that are deemed to be "financially and educationally strong [assessed by the DfE and Ofsted as good or outstanding for both]" were afforded the option of converting to become a standalone Academy [Single Academy Trust status] - the College satisfies both of these criteria.

Background

The Sixth Form College, Colchester, is one of the most successful colleges in the country and maintains an outstanding local and national reputation. The College's mission is *'to foster a supportive environment between school and adult life in which it provides high quality academic and general education programmes of study and strong pastoral support that meet the needs of 16 to 19 year old students living mainly in the Colchester area, and leads to them acquiring the necessary qualifications, talents and skills vital for success in their adult lives'*.

It is very secure in terms of both finances and student admissions and currently has approximately three thousand full time students on roll, most of whom are following two-year AS/A Level courses. Since September 2003 there has also been a cohort of students following the International Baccalaureate (IB) Diploma programme.

The College provides a very significant inclusive 16-18 general education service to local 11-18 schools (including the 2 local selective schools), as the College enrolls a large number of students who would be highly unlikely to continue with sixth form study in their school sixth forms (with some at risk of becoming NEET) but a willingness to engage in 16-18 study at the College.

The College was, a founder member of Colchester Teacher Training Consortium and also, in 2012, led the successful application to the Government for a Teaching School (NEETSA) on behalf of the group of CTTC schools.

In November 2016 the Essex Based Area Review commenced. The review concluded in March 2017 with a recommendation that The Sixth Form College, Colchester should explore conversion to a Single

¹ Detailed in the Government's November 2015 Spending Review

Academy Trust. The recommendation was fully consistent with the conclusions reached by governors and senior managers who determined that in the context of resource reductions and cost increases, it would be better for The Sixth Form College to change legal status and convert to a (16-19) Single Academy Trust arrangement.

The financial benefits associated with the change to Academy status (including the reclaiming of VAT on all non-business expenditure)² will enable the College to continue to best serve the local community into the future by offsetting some of the resource reductions and ongoing cost increases thus maintaining the quality of provision currently afforded to students at the college (including maintaining the current range of 16-19 curriculum offerings and choices for students) and maintaining levels of collaborative work with local schools.

Proposal to dissolve the Sixth Form College in order to become a 16-19 Academy

Over the past twelve months the Governing Body have continued their academisation explorations and on July 14th passed further resolution to move forward with a formal application to the DfE for Single Academy Trust status. This resolution signals a further period of investigation and consultation – it is not a final decision to convert.

The Governing Body will not pass the final resolution to become a 16-19 Academy (agreement to the signing of the 16-19 academy funding agreement with the Secretary of State) until all stakeholders and the wider college community have had the opportunity to comment on the proposal to **dissolve the Sixth Form College and transfer all property, rights and liabilities of the Sixth Form College to a new 16-19 Academy Trust.**

A copy of the DfE model funding agreement can be found [here](#).

The Governing Body will not agree to convert unless, having taken into account legal and financial due diligence, it is content that conversion would be in the best interests of the College and its students.

In accordance with the requirements of the Academies Act 2010, the Governing Body is formally consulting stakeholders and other interested parties on whether academy conversion (**which involves dissolving the Sixth Form College Corporation and transferring all property, rights and liabilities of the Sixth Form College to a new Academy Trust**) should take place.

We welcome your feedback about any aspect of our proposals. In particular, Governors want to understand the reasons for those views, to help ensure that they have considered all relevant issues before they make their final decision.

Further information about how to comment on the proposals, is set out in the consultation section below.

² Currently, sixth-form colleges must pay VAT on all "non-business expenditures". There has long been a campaign to allow sixth-form colleges to claim this money back from HM Treasury. Schools and, crucially, academies are already permitted to do so under the Finance Act 2011 which enacted a VAT refund scheme for academies (including 16-19 academies). This additional income plus smaller subsidies (for example the contribution made to meeting insurance costs) provides institutions with more funding to invest in the front line education of students.

Consultation

The formal consultation period runs from **Tuesday 29th August to 12 noon on Wednesday 11th October 2017**.

As part of the consultation process, governors are particularly keen to hear from interested parties in relation to the following questions:

1) Dissolution of the Sixth form College

Do you support the proposal for the Sixth Form College to dissolve the Sixth Form College Corporation and transferring all property, rights and liabilities of the Sixth Form College to a new Academy Trust?

A copy of the statutory notice can be found [here](#)

2) Funding Agreement

Do you support the proposal for the new academy trust to enter into a funding agreement with the Secretary of State to open a new 16-19 Academy [The Sixth Form College, Colchester Academy Trust]?

A copy of the DfE model funding agreement can be found [here](#).

3) Equality Impact

Do you consider that dissolving the Sixth Form College will have a positive or negative impact on the local community or those with protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation) as a result of this proposal?

4) Do you have any additional comments, questions or suggestions that you would like us to consider?

A list of FAQ can be found [here](#)

You are invited to respond to this consultation by giving your comments or representations at any time during the consultation period, by email to johnsont@colchsfc.ac.uk or by post addressed to: 'Academy Consultation Response' The Sixth Form College, North Hill, Colchester, CO1 1SN.