

20 September 2011

Local Schools seeking academy status and plans for underperforming schools

Ward(s) All

Portfolios: Councillor R Andrew, Children's Services

1. Executive Summary:

- 1.1. The Scrutiny and Performance panel received a briefing in January 2010 providing information on the proposed Academy programme for schools. This was with a secondary focus in the first instance. The Secretary of State wrote to all Local Authorities, at the beginning of November 2010, outlining the general principles of the proposed Academy programme and the ways in which underperforming schools should be supported to improve.
- 1.2. The programme was to be extended in three ways:
 - to spread the Academy experience to all schools,
 - to extend opportunities for academies to be developed in networks and clusters of schools within a local area
 - a focus on underperforming schools
- 1.3. The Secretary of State wishes to see increased autonomy for all schools, a rapid expansion in the Academies programme and the establishment of a network of 'free schools' and greater accountability for underperforming schools.
- 1.4. The Secretary of State also made it clear that if he considers that becoming an academy is the best solution for a school, he will use his powers to make this happen, whether it is opposed by the local authority, or the school or both.
- 1.5. Conversations held with schools in Walsall have resulted in governing bodies working cooperatively within the programme, playing an active part in shaping the development and outcome.
- 1.6. The programme has now been extended and this paper provides information on the current position in Walsall.

Existing Academies in the borough, developed under the previous system, were:

- Walsall Academy
- Shelfield Community Academy

- Grace Academy Darlaston

1.7. In the first instance, the current Government allowed schools which were judged to be outstanding by Ofsted to be offered the opportunity to convert to Academy status from September 2010 onwards. Later it was announced that schools that were judged good with outstanding features in particular areas could also apply. At the current time the following schools that have become Academies through these route are:

- Park Hall Infant Academy
- Ryders Hayes Primary
- Shire Oak Science College
- Queen Mary's Grammar
- Queen Mary's High School
- Barr Beacon School

Applications are pending for:

- Park Hall Junior
- Joseph Leckie Community Technology College
- Castle Business and Enterprise College
- The Streetly School

1.8. The Secretary of State also publicised the criteria for underperforming schools, where:

- Attainment is low and pupils progress poorly
- The most recent Ofsted judgement is, using the Secretary of State's term, 'merely satisfactory'
- There is a record of low attainment over time – whether or not the most recent results have crossed a minimum threshold
- Pupils in the school achieve poorly compared to schools with similar intakes

The initial discussions focused on the secondary sector and resulted in four schools moving towards Academy status with a sponsor:

- Blue Coat CofE Performing Arts College
- Frank F Harrison Engineering College together with Hatherton Primary School
- Willenhall School Sports College

These schools will become Academies during the Winter and Spring of 2012. In addition Sneyd has closed and been replaced by the Black Country Engineering Academy. It is predicted that by early 2012 only 6 secondary schools of 19 in Walsall will be maintained (32%) and 68%of will be Academies.

1.9. As the Academy programme develops, primary schools are now being targetted. The Secretary of State required plans in place for underperforming

primary schools. The criterion for 'Gove Plans' was related to schools performing under the 60% threshold for combined English and mathematics at level 4 together with the progress children and young people make in English and in mathematics compared with the England median levels for those subjects. These plans are local authority plans which were created in partnership with Walsall Children's Services – Serco and the headteachers of the relevant schools. Based on this criteria and the 2010 results there were 11 schools identified. Consultation with Chairs of Governors, Headteachers and the diocese was key to the development of the plans prior to submission to the Department for Education. All schools involved played an active role in the process.

- 1.10. These plans were submitted in April and were signed off by the Department for Education (DfE). The DfE commented favourably on Walsall's plans and the way that 'school to school' support was built into them. They are monitored regularly through a Performance Review Group and focus on the impact on key issues. [Their progress is reported to SLT within Children's Services.]
- 1.11. More recently there has been an announcement of a 'list' of schools nationally who have underperformed over a period of 4-5 years which is not acceptable to the Secretary of State. The focus has been on the first 200 nationally.
- 1.12. Conversations between the Department for Education and the Director of Children's Services have taken place and the Local Authority has been asked to explore sponsorship in relation to four schools:
 - Hatherton Primary (already progressing to Academy status within the Frank F Harrison Federation)
 - Croft Primary
 - Harden Primary
 - Bentley Drive

2. Reason for scrutiny:

- 2.1. The Scrutiny and Performance Panel have requested an update on the Academy programme across the borough and in particular information relating to local schools seeking academy status and plans which are in place to support underperforming schools.

3. Recommendations:

That:

- 1. the developments of the academy programme be noted;**
- 2. Members consider the implications for the Local Authority on the extension of the academy programme.**

4. Resource and legal considerations:

- 4.1 The government is clear that becoming an Academy should not bring about financial advantage or disadvantage to a school, but should enable Academies to have greater freedom over how they use their budgets. Schools are now increasingly responsible for commissioning services and support to address their priorities and these services can be purchased from a range of providers. Schools need to be clear on the quality of the services commissioned and more importantly the impact of that support.
- 4.2 Academies receive a pro-rata share of the relevant expenditure within centrally retained education both the Schools Budget and the Local Authority (LA) Budget.
- 4.3 For 2011-12 and 2012-13 the local authority element of the Academy grant for central services (LACSEG) will be reduced in line with the reduction in local authority formula grants. This means that the council has to passport this reduction onto Serco (c.£33 per pupil in each school becoming an Academy is removed from the contract price). The future of LACSEG is currently under review as part of the national school funding exercise.
- 4.4 The conversion process is prescribed by the Academies Act 2010 and model documentation has been provided by the DfE to ensure the process is not unnecessarily delayed. Schools are provided with a £25,000 support grant to cover the legal and other professional costs of conversion.
- 4.5 Depending on the status of the school becoming an Academy, the Council, supported by Walsall Children's Services – Serco, provide any relevant TUPE and land transfer advice. If the school becoming an Academy is Community or Voluntary Controlled, the Council is the employer of the staff and as such the Council, supported by Walsall Children's Services – Serco, have to follow a TUPE process to transfer the staff to the Academy. If the school is of any other status, the employer being the Governing Body has to follow the TUPE process. In all cases the staff in Academies are employees of the new academy trust.

5. Environmental impact:

- 5.1 The fabric of schools and the access to community facilities and extended services in schools may be affected by the lower amount of devolved funding available to schools and to the local authority.

6. Performance management:

- 6.1 The loss of School Improvement Partners (SIPs), the potential loss of school improvement professionals within the Local Authority and the lack of quality assurance and training from other educational consultants working in schools, mean that there is a risk that the rate of improvement of schools could slow

down. However the DfE view is that school to school improvement driven by headteachers will result in improvement.

6.2 The role of Governors will be critical in ensuring that schools are addressing their priorities and that sustained and continued improvements are made. Their role will be to challenge appropriately so to secure the successes needed to increase the number of good to outstanding schools in the borough. This is a key driver within the Primary Strategy which was developed with schools.

6.3 The Local Authority will be the 'Champion' for the children and young people of Walsall and will still remain responsible for the performance of schools, alerting the Department for Education of potential dips in performance which may result in a request for an inspection.

6.4 Protocols will be agreed to ensure the sharing of information on a variety of performance indicators is received by the Local Authority.

7. Equality Implications:

7.1 If the increasing number of schools becoming academies has the desired effect, then the performance gap between the national levels and that of individual and groups who are vulnerable to underachievement will narrow over time. In the time needed to establish new systems and to reform the current systems locally, the more vulnerable schools and their students could suffer unless additional attention is focused on them. This is particularly the case in schools where the physical environment is poor and the neighbouring schools have benefited from capital expenditure in the past. The Council, through Serco will provide additional support in these cases to prevent this.

7.2 The responsibility for equalising opportunity for individuals and groups who are vulnerable to underachievement, will rest with the governors and trustees of the schools and academies.

Consultation:

Appropriate consultation with Chairs of Governors, Headteachers and the diocese was key to the development of a range of plans prior to submission to the Department for Education.

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