

ACADEMIES – Implications for Gateshead

“It is our ambition that Academy status should be the norm for all state schools...” (Schools White Paper – November 2010).

1. Gateshead – Current Position

- 1.1 The Council currently maintains 94 schools, comprising:
 - 10 secondary schools (one due to close in 2011)
 - 68 primary schools (two due to close in 2011)
 - 6 special schools
 - 1 nursery school
 - 1 pupil referral unit (PRU)

- 1.2 The legal status of schools varies:
 - 8 secondary schools are community, 2 are voluntary aided (RC)
 - 49 primary schools are community, 19 are voluntary aided (RC & CE)
 - 1 special school has trust statusLike academies, VA and trust schools employ their own staff and own their buildings.

- 1.3 To enhance partnership working, Gateshead Schools have formed 10 cluster groups. The make up of each cluster is attached as an appendix.

- 1.4 Academies are independent schools. Other independent schools in the Borough, not maintained by the Council, include:
 - Emmanuel College (a publicly funded City Technology College)
 - Jewish Schools (privately funded).

2. National Policy

- 2.1 Academies are publicly funded state schools which are independent of local authorities and directly accountable to Department for Education (DfE). The first academies came into existence under the last government, who saw academies as an opportunity for a “fresh start” for schools in deprived areas with a history of poor performance.

- 2.2 The present government extended the academies programme to enable all schools to become academies, either through a “sponsored” route (focus on raising standards) or a “conversion” route (particularly for high-performing schools seeking greater autonomy). The government has continued to develop its thinking on academies through an Academies Act (2010), the Schools White Paper (2010) and now the Education Bill (2011). Primary and special schools, and PRUs can convert to academies.

- 2.3 Progress on developing academies has been slower than perhaps anticipated by the government. By 5 January 2011 there were 407 academies nationally – 271 sponsored and 136 converters.

3. Key Facts about Academies

3.1 Academies:

- receive their funding direct from DfE, through a funding agreement
- are funded using the LA's formula, plus a share of central costs
- are independent and not subject to local authority reorganisation plans
- employ their own staff and set their own pay and conditions
- own their buildings and land (in trust)
- can follow their own curriculum

3.2 How to become an academy:

- apply to the Secretary of State, following a governing body resolution
- the Secretary of State can convert a failing school, by order
- a school can apply alone, in a federation, or with sponsors
- there is no longer a requirement for sponsors to offer funding
- a simple vote of the governing body starts the conversion process
- consultation is minimal, and can follow the decision to convert
- secure a funding agreement from DfE to complete the process.

4. Pros and Cons of Academies

4.1 What are the potential benefits of academy status for schools?

- autonomy, with the "freedoms" described above
- engagement of sponsors to help tackle underperformance
- headteachers have more freedom to take decisions
- schools can work together and support each other
- schools take a share of centrally held funding to spend as they wish.

4.2 What are the potential risks to schools in becoming academies?

- possible opposition of parents, community, staff and trade unions
- isolation from other schools and local authority
- still vulnerable to falling rolls and funding reductions
- financial vulnerability re. insurance, pension costs etc
- loss of a local "safety net" to address problems

4.3 What are the benefits for a local authority if its schools become academies?

- transfer of risk and accountability for school performance to DfE
- schools can gain some of the additional funding without loss to the LA
- Council payments for PFI contracts transfer to schools, funded by DfE

4.4 What are the potential risks to a LA if its schools become academies?

- loss of strategic leadership and planning role
- autonomous schools less likely to operate in partnership
- no right to intervene in under-performing academies
- loss of Council-owned assets (land and buildings) to academy trusts
- existing employees undergo TUPE transfers to new employers
- loss of central funding, capacity and expertise to support schools
- lack of curriculum coherence between schools (pupil transfers)

5. Potential Responses to Academy Programme in Gateshead

- 5.1 Currently, no Gateshead School is “actively” seeking academy status, although several governing bodies of secondary schools are looking at the benefits and risks of becoming an academy.
- 5.2 Generally, there is a strong sense of partnership between schools and between schools and the Council. The benefits of working together and with the Council are felt and acknowledged by most schools and their governing bodies. However, the financial benefits of academy status are a significant factor. A large secondary school could receive in excess of £1m per annum from centrally held funds, to be spent as the head and governors decide.
- 5.3 A number of options are available for the Council to consider in response to the government’s academy programme:
- A. actively work with and encourage schools to remain within the local authority framework;
 - B. remain “neutral”; accepting that some schools might become academies and seek to maintain a good working relationship with them;
 - C. actively promote (or sponsor) a planned and managed transition for some groups of schools (or all) to academy status, and develop a new relationship with those autonomous institutions.

5.4 **Option A.**

To actively work with and encourage schools to remain within the local authority framework. This might include some of the following actions:

- dialogue/consultation with headteachers, governors, dioceses
- a clear lead/policy statement from the Council
- a statement of the benefits of staying with the Council
- a new “partnership agreement” (MoU?) between Council and schools
- detailed briefing of all governors – particularly LA governors
- greater financial transparency and value for money for schools
- continued investment in school improvement activity
- active campaigning if any school considers “opting out”.

The risk with this option is that not all schools may “buy in” to the model.

5.5 **Option B.**

To remain “neutral”; accepting that some schools might become academies and seek to maintain a good working relationship with them. The consequences of this approach include:

- no clear leadership from the Council on this issue
- no clear strategic direction for schools
- acceptance that the provision may become further fragmented
- risk to existing partnership and support arrangements
- some schools benefit from additional funding and freedoms
- loss of funding for central services makes them vulnerable
- no clear role for the Council in some local schools.

5.6 **Option C.**

To actively promote (or sponsor) a planned and managed transition for some groups of schools (or all) to academy status, and develop a new relationship with those autonomous institutions. This might include some of the following actions:

- dialogue/consultation with headteachers, governors, Dioceses
- a clear lead/policy statement from the Council
- an agreed position on the relationship between academies and Council
- decision on which schools might convert (eg all secondary schools; a secondary school together with its cluster primary schools; all schools together?)
- consider whether the Council would wish to act as a sponsor
- consider whether a new “umbrella” trust would be established, involving the Council and other partners
- agreement on which services schools would continue to procure from the Council (subject to vfm test).

6. Some other factors to consider

- 6.1 A recent report of the House of Commons Public Accounts Committee (Jan. 2011) praised aspects of the academies programme (eg the involvement of sponsors in schools in disadvantaged areas), but expressed concern about financial instability, governance and accountability for academies.
- 6.2 The Catholic Education Service has just concluded (28/1/11) initial discussions on whether Catholic VA schools could/should become academies. The legal position has been clarified with ministers, and the CES now states that: **“Our conclusion is that we should make conversion to Academies a ready possibility for Catholic schools, subject to the wishes of their Bishop, Trustees and Governing Body”**.
- 6.3 The National Union of Teachers is actively campaigning against academies (“Say no to academy status”) and urges its members in schools to pass a resolution opposing any move by the governors to seek academy status for that school.
- 6.4 The Education Bill allows for 16-19 academies to be established. This appears to pave the way for the institutions such as “University Technical Colleges”, where a university and/or FE college would sponsor the provision. Newcastle College has submitted an expression of interest in such a development.