

# **Children, Young People and Learning Policy Overview Committee - Major review of the local authority's current and future relationship with academies and free schools**

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## **REASON FOR ITEM**

The first witness session for the Committee's review into the local authority's current and future relationship with academies and free schools took place on 23 November 2016, and a summary of the matters discussed can be found in the minutes of that meeting. The second witness session took place on 11 January 2017, and a summary of the matters discussed can be found in the minutes of that meeting.

This meeting, on 1 March 2017, will include the third witness session. It is proposed that the Committee will hear from witnesses from a representative cross section of head teachers across the Borough to help in the Committee's review into the local authority's current and future relationship with academies and free schools.

## **OPTIONS OPEN TO THE COMMITTEE**

**The Committee is asked to consider the evidence given by the witnesses, together with further information provided by officers**

## **INFORMATION**

1. At the meeting on 19 October 2016, Members were provided with the scoping report for the review (Appendix 1) and background information on the reasons for the review.
2. At the meeting on 23 November 2016, the first witness session took place and the Committee heard from a number of witnesses to provide an overview of the Council's current position. These witnesses included the Cabinet Member for Education and Children's Services, the Head of School Improvement/Education Quality and Strategy, Finance Manager, Children and Young People, School Placement and Admissions Team Manager and the Head of Disability Services.
3. At the meeting on 11 January 2017, the second witness session took place and the Committee heard from representatives from School Forum, Schools' Strategic Partnership Board and Governor Executive Committee.
4. For the third witness session, a questionnaire was sent out to head teachers to obtain their view on The Council's current and future relationship with academies and free schools. The questionnaire also asked head teachers to provide confirmation as to whether they would be able to attend the meeting on 1 March

2016. At the time of writing, it is not yet been confirmed whether any representatives will be attending.

### **Papers with Report**

Appendix A - Scoping report



# Children, Young People and Learning Policy Overview & Scrutiny Committee Review Scoping Report

**Major review of the local authority's current and future relationship with  
academies and free schools**

## **1. REVIEW OBJECTIVES**

### **Aim and background to this review**

National education policy, as outlined in the White Paper 'Educational Excellence Everywhere' published in March 2016, laid out a clear direction of travel for all schools with the Government's ambition being for all schools to cease to be maintained by Local Authorities (LAs) and become academies by 2020 or sooner. Although recent changes in Government have marked an easing of the pace of conversion, the Government continues to promote this ambition and recent months have seen the merging of the Department for Education's (DfE) Education Funding Agency (EFA) with the resources of the Regional Schools Commissioner's office.

In light of this significant change to the national landscape in education and the associated reduction in funding for Councils to use to support schools in their local area, Members have expressed interest in exploring the Council's current relationship with schools in Hillingdon who already have academy/free school status and in considering how these relationships may evolve to include maintained schools who may be considering academy conversion in the short or medium-term. It is noted that it is possible that there will be a national transition period of up to four years before all schools choose or are directed to convert to academy status.

The aim of this review is to present Members with a picture of the Council's current roles, responsibilities and relationships with local standalone and multi-academy trust (MATs). As part of this process, the review will explore the changing relationship of the Council with all schools as the academy agenda gains momentum and should clarify the Council's strategy for supporting maintained schools who may choose to convert to academy status in the short and medium-term alongside those maintained schools who have not yet made decisions about conversion.

The review should allow Members to ensure that the proposed and reduced statutory education function at local government level from September 2017 is able to operate efficiently and effectively, making best use of reduced resources whilst ensuring that the Council is able to continue to champion high standards of education for all residents and for the most vulnerable learners in the borough whether they are educated in academy, free or maintained settings.

### **Terms of Reference**

1. To gain a comprehensive understanding of the national and local academy agenda.
2. To explore the Council's current relationship with academies in the borough.
3. To investigate the measures that the Council currently has in place to support conversion to academy status.
4. To ensure that the Council's vision for academy schools is clear, aligns with the Council's wider strategic plans and is in the best interests of residents and providers of education.
5. To review the shape of Council's current and future relationship with schools and to provide practical recommendations that ensure that Council resources are used effectively during and after the national education transition period.

It is noted that the academy agenda presents a major shift in the way that schools are governed and led and, therefore, on the expectations of Councils. The changing relationship of LAs with their schools presents an opportunity for Councils to redesign or repackage their services to schools or to reshape their provision of a number of education services. This Committee's Terms of Reference include education services, school performance and attainment and wider education and learning partnerships. This means that this Committee has a key role in providing direction and recommendations for the effective delivery of the Council's statutory duties around education.

## **2. INFORMATION AND ANALYSIS**

The London Borough of Hillingdon has 104 state-funded schools. Of these, 47 (45%) are academy/free schools and 57 (55%) are currently maintained by the Council. Of the 47 academy/free schools, three are registered as free schools including one specialist

provider. There have recently been three additional free schools approved in the borough. Two of these are mainstream secondary settings and one a special education provider.

The largest majority of academies are in the secondary sector with 20 settings holding academy status and, in most cases, having converted as standalone academies some time ago. In 4 of these cases, standalone academies have well-established MAT status and are now responsible for outcomes in other local schools. Currently a number of single-school secondary academies are actively exploring or have applied for MAT status and it is anticipated that these schools will extend their reach in the next year.

In the primary sector, 52 of the 72 primary schools in the borough are currently maintained settings with the largest majority of primary academies (20 in total) sitting within a local MAT.

The table below shows a breakdown of schools by type and their current inspection grades (correct as of September 2016). It should be noted that, in line with Ofsted protocols for new schools or those who have recently converted to academy status, 7 schools have yet to be inspected. It is also noted that 1 maintained primary school is currently in the process of converting under a new Directed Academy Order.

Type of School	No. with current judgement *	% Outstanding	No. Outstanding	% Good	No. Good	% Requiring Improvement	No. Requiring Improvement	% Inadequate	No. Inadequate
<b>Primary All</b>	<b>69 (of 72)</b>	<b>17.4</b>	<b>12</b>	<b>69.6</b>	<b>48</b>	<b>11.6</b>	<b>8</b>	<b>1.4</b>	<b>1</b>
Academy	17 (of 20)	11.8	2	58.8	10	29.4	5	0	0
Maintained	52	19.2	10	73	38	5.8	3	2	1
<b>Secondary All</b>	<b>19 (of 22)</b>	<b>26.3</b>	<b>5</b>	<b>52.6</b>	<b>10</b>	<b>15.8</b>	<b>3</b>	<b>5.3</b>	<b>1</b>
Academy	17 (of 20)	29	5	53	9	12	2	6	1
Maintained	2		0	50	1	50	1	0	0
<b>Special All</b>	<b>9 (of 10 )</b>	<b>33.3</b>	<b>3</b>	<b>44.4</b>	<b>4</b>	<b>22.2</b>	<b>2</b>	<b>0</b>	<b>0</b>
Academy	6 (of 7)	33.3	2	33.3	2	33.3	2	0	0
Maintained	3	33.3	1	66.3	2	0	0	0	0

<b>All Schools in Hillingdon</b>	<b>97 (of 104) *new schools without a judgement</b>	<b>21.00%</b>	<b>20</b>	<b>64.00%</b>	<b>62</b>	<b>13.00%</b>	<b>13</b>	<b>2.00%</b>	<b>2</b>
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The DfE is clear that the establishment of MATs is key to providing effective system-leadership in education and that school-to-school support and improvement models delivered within the MAT structure is central to securing more good school places across the country.

It is noted that the large, national academy chains have not yet established themselves in the borough and that, presently, the MATs operating within Hillingdon are local in nature with some cross-border presence.

The table below outlines the shape of the MATs that currently operate within the borough:

MAT	No. of schools
The Rosedale Hewens Academy Trust	7
LDBS Frays Academy Trust	4
Park Federation Academy Trust, The	3
Elliot Foundation Academies Trust, The	3
QED Academy Trust	3
Eden Academy, The	3
Vyners Learning Trust	2
Orchard Hill College Academy Trust	2
Barnhill Partnership Trust, The	2
Willows School Academy Trust, The	1
Uxbridge High School Academy Trust	1
Diocese of Westminster Academy Trust, The	1
Ruislip High School	1
Bishop Ramsey Church of England School	1 (+ 1 free school confirmed)
Swakeleys School for Girls	1
Bishopshalt School	1

Haydon School	1
Charville Primary School Academy Trust	1
Harefield Academy Trust	1
Heathrow Aviation Engineering UTC	1

The local landscape means that there are 57 maintained school settings in the borough who may be in scope for academy conversion. At this stage, the Governing Bodies and school leaders of these schools are engaged in exploration of their future status with a varied picture in terms of definite decisions and timescales. This term, the Council's School Improvement Team has undertaken an academy exploration survey with maintained school Chairs of Governors to gain a picture of the progress that schools are making. To date, 22 Chairs of Governors have responded to the survey with the largest majority of these schools in the early stages of exploring this agenda. In order to support schools with this process, the School Improvement Team, in partnership with the Schools' Strategic Partnership Board (SSPB), is planning Academy Conversion Information Events for maintained schools.

## **Key Information**

### **School Improvement and the local Academy sector**

The Council does not provide a traded service via a Service Level Agreement for school improvement for academies. However, during the past two years particularly, the Council's education teams have developed stronger links with the academy sector in Hillingdon. The establishment of the SSPB as the central steering group for school improvement allows for the views of all Head Teachers including those in MATs to be represented at a strategic level. Recommendations made at SSPB are informed by links with each of the important education executive groups across the borough including the Primary Forum, Hillingdon's Association of Secondary Head Teachers and the Governors Executive Committee. SSPB recommendations should be fed into Schools Forum discussions and decisions and, in line with statutory guidance relating to Schools Fora, the views of academy schools are equally represented. The Hillingdon Schools Improvement Plan 2015 - 18 outlines the Council's commitment to championing high quality education for all learners in the borough regardless of where they are educated. In line with this approach the Council currently provides a range of education support functions to academies in Hillingdon at no cost. These include:

- General education improvement advice and guidance including ad hoc email/telephone school improvement advice
- Bi-monthly Head Teacher's Briefings and centralised Head Teachers Termly updates

- New Head Teachers to Hillingdon orientation event / induction
- Assessment and moderation training including the provision of statutory moderation services
- Additional improvement events and coordination capacity for borough-wide improvement conferences and networks
- School-specific performance data reports and support from the Business Performance Team

In addition, the Council's oversight of standards of performance in all schools in the borough means that academy schools are included in the internal 'Schools At Risk Register'. The support and challenge role that the Council has in relation to maintained settings only is provided through the allocation of dedicated School Improvement Link advisory support. This resource is limited and is not provided for academy/free schools. Where concerns arise regarding standards within these settings, the Council's School Improvement Team follows DfE guidance by engaging swiftly with the Regional Schools Commissioner's office and, where necessary, Ofsted partners to highlight these concerns. Where concerns are raised with the Council regarding non-regulated safeguarding notifications, systemic questions, complaints about academy trusts or information related to Members Enquiries, the School Improvement Team will link with individual academy Head Teachers or MATs to gather information and pass this onto partners as required.

The significant brokerage role that the Council has in relation to linking schools together for improvement purposes is supported by the provision of school-to-school support from a wide range of schools including academies. The Council has negotiated intensive support packages for schools at risk which have been provided by local academy schools or MATs. These include the chairing of Interim Executive Boards, brokerage of National Leader in Education support where additional school support is provided by teachers from an academy trust and bespoke pre- and post-inspection leadership packages for high risk schools.

It should be noted that MATs and academy Head Teachers are not duty bound to engage with school improvement services from LAs. In Hillingdon, most single academies and trusts engage positively with the School Improvement Team and associated services.

### **Wider Education Services provided to academies by the Council**

The Council offers some services to academies via Service Level Agreements. Engagement with these services is variable with some larger trusts using internal models of support. It should be noted that all but one academy in the borough uses the Service Level Agreement with the Participation Key-Working Service. Services currently on offer via Service Level Agreements include the following, which are subject to review:

- Schools Finance (very occasional ad-hoc requests)
- Learning & Development



- Health & Safety
- Schools Library Service
- Participation Key Work Service

In addition, the Council fulfils its statutory duties to all schools including academies through the provision of a range of universal services including All Age and Disability Services including Special Educational Needs (SEN) and liaison with the School Placement and Admissions Team which involves the placement of in-year admissions. Some additional services are provided to academies through enhanced funding agreed by Schools Forum from the centrally-retained Dedicated Schools Grant (DSG). These include:

- Educational Psychology Services
- Procurement
- Early Years Advisory Service
- Family Information Service
- SEN - Inclusion Team
- SEN - Early Support/Portage
- SEN - Sensory Needs
- School Courier
- LADO/Child Protection/Domestic Violence Officers

## **Responsibilities**

The following Council service areas may be required to provide input to this review:

- School Improvement Team
- Wider education services including Admissions and School Place Planning
- Council Finance Team inc Schools Finance
- Legal Team

## **Connected activity**

The SSPB has recently proposed a review of governance arrangements for school improvement to support the borough's transition into a new landscape of school support. If approved, this report should be available early in 2017.

## **Current intelligence, best practice and research**

Prior to the publication of the White Paper and in line with the Government's clear commitment to the academy agenda for all schools, many LAs have been working with schools to explore different shapes, paces and models of school governance, leadership and improvement. It is generally accepted that school-to-school support provides an effective model of improvement for most schools and that facilitating the collaboration of high-quality school leaders results in improved outcomes for children and young people. Building capacity in the school-led improvement community is critical to the success of this

model and the Government has invested in the creation of Teaching Schools alongside the development of oversight functions through the Regional Schools Commissioner's office.

Historically, in Hillingdon the freedom for good or outstanding maintained schools to convert to academies has resulted in a number of settings opting to move away from LA control. A number of these schools have developed into MATs and offer trust-specific models of governance and support to their families of schools. It should be noted that there have not been any academy conversions in the borough since 1 September 2015.

Across the country, the engagement of academies with Councils is variable although anecdotal evidence suggests that smaller academy chains have tended to retain stronger links with LAs than larger chains. In addition, across the London Councils region there is a diverse approach to academy conversion, ranging from blanket direction for all schools to convert by a given date to a longer-term commitment to school improvement functions for maintained schools.

Most LAs provide or signpost academies in the area to school support services. Some LAs, including a number of London boroughs, have well-established traded services with their academies and, in some cases, these commercial relationships have evolved into the development of arms-length partnerships or trusts with links into a Council as required. In some cases, these partnerships have been established within a local Teaching School structure or via an outsourced provider.

The DfE is developing some triggers for mass-scale academy conversion which should be available later this year. These triggers, based upon LA performance and viability will be used to decide which Councils will be directed to proceed to full academy conversion. In addition, the withdrawal of the Education Services Grant funding from April 2017 onwards will mean that many Councils will be required to make timely decisions about their capacity to provide support services to those schools who may not have chosen academy conversion in the shorter-term.

In some areas, LAs have been approached by groups of maintained schools who are keen to explore the establishment of Council-supported MATs or co-operatives. DfE guidance indicates that consideration of these multi-academy trusts will be predicated on no more than a 49% LA influence on the Boards that form the trust and that, in line with all applications to form MATs, there will be a requirement for the trust to demonstrate a proven ability to raise and sustain high standards. A recent survey of 47 LAs has indicated that more than a third of these LAs are beginning to explore this option with their maintained schools.

For all Councils, supporting maintained schools who wish to convert into academy status may bring capacity challenges. The national withdrawal of funding and duties around school improvement and wider education services may reduce the Council's capacity to coordinate discussions with school leaders and national partners and there may be additional capital assets, legal and finance pressures on Councils as schools convert.

## **Further information**

Educational Excellence Everywhere white paper March 2016 -

<https://www.gov.uk/government/publications/educational-excellence-everywhere>

Oversight and monitoring of academies January 2015 (annex 3)

Re-imagining the role of councils in supporting London's schools (annex 4)

LGA response to education white paper (annex 5)

[http://www.local.gov.uk/children-and-young-people/-/journal\\_content/56/10180/7751981/NEWS](http://www.local.gov.uk/children-and-young-people/-/journal_content/56/10180/7751981/NEWS)

LGA councils call for oversight of academy finance (annex 6)

[http://www.local.gov.uk/children-and-young-people/-/journal\\_content/56/10180/7936318/NEWS](http://www.local.gov.uk/children-and-young-people/-/journal_content/56/10180/7936318/NEWS)

## **3. EVIDENCE & ENQUIRY**

Members may wish to explore the current shape of the Council's relationship with academies through engagement with Council service area leads and representatives from both the academy/free school and maintained school sectors including governors. Witness sessions and written reports may be the most effective way of gathering this information. In addition, surveys designed to capture the views of all schools can be used to provide responses from a wider range of schools.

Witnesses may include:

- Council Senior Finance officers
- Council Senior Education officers from a range of services including but not limited to Safeguarding, Admissions, Early Intervention & Prevention Services, School Improvement, SEN
- A range of multi-academy trust Chief Executives
- Maintained school Head Teachers covering the full range of opinion
- Representatives from the range of executive committees for schools including SSPB, The Primary Forum Executive, The Hillingdon Association of Secondary Head Teachers and the Governors' Executive Committee

## **Key information required**

It is proposed that some or all of the following information will be required to enable the Committee to undertake an effective review:

- Feedback from academy leaders
- Feedback from maintained school leaders
- Academy risk analysis information from the Council Finance Team and other services
- Input from additional Council services engaging with academies
- London Councils advice

### **Lines of enquiry**

The following provide examples of some questions that Members may wish to ask Witnesses taking part in the review:

- What is the current relationship between the Council and academies?
- How effective are the Council's arrangements for supporting and challenging the education of Hillingdon's children and young people in academy schools?
- How does the performance of academy and maintained schools in Hillingdon compare?
- Are the Council's current arrangements for engaging with academies in the best interests of the Council as a whole, its children and wider residents?
- What are the implications for the Council of an all schools conversion in the short, medium and longer-term?
- How best should the Council support schools in a national transition period?
- What role, if any, should the Council have in promoting local and national academy trusts?

## **4. REVIEW PLANNING & ASSESSMENT**

<b>Meeting Date</b>	<b>Action</b>	<b>Purpose / Outcome</b>
TBC	Agree Scoping Report	Information and analysis
TBC	Witness Session 1	Evidence & enquiry
TBC	Witness Session 2	Evidence & enquiry
TBC	Draft Final Report	Proposals – agree recommendations and final draft report
TBC	Cabinet - Consider Final Report	Agree recommendations and final report
TBC	Monitoring of implementation of recommendations	

\* Specific meetings can be shortened or extended to suit the review topic and needs of the Committee

## **Resource requirements**

- Independent review of school improvement governance and strategic committees relating to the national transition period in education
- Detailed survey of school conversion timescales
- LA viability triggers review to include Council finance modelling following withdrawal of ESG funding from April 2017.

## **Equalities impact**

As the measures outlined in the White Paper translate into practice it is expected that the role of Councils with regard to education will move away from the promotion, monitoring and support of high-quality education standards. The pace of this move will be dependent on the speed of all-school conversion to academy status. However, the Council is likely to retain its role as a champion for the most vulnerable young people in its area including those with SEN and/or a disability and those facing disadvantage. In addition, the Council is likely to retain responsibility for School Place Planning, aspects of Admissions and quality outcomes for all children for whom it has a corporate parenting responsibility. The Council may consider access to good or outstanding school places in both academy and maintained schools as key to ensuring an equitable educational offer for Hillingdon's learners. It is noted that closing attainment gaps is central to school improvement. The Hillingdon School Improvement Plan 2015-18 refers to the Council and school community working together to demonstrate 'that we are closing the gap rapidly for young people from our most vulnerable groups (including those who are disadvantaged...)'. The Ofsted framework for inspection of LA school improvement services states that one criterion used to decide whether to inspect is 'where pupils eligible for the pupil premium achieve less well than pupils not eligible for the pupil premium nationally'. Additionally and as a key element of risk assessment under the new common inspection framework, Ofsted uses the analysis of gap data, alongside a range of other measures, to determine intervals between inspection and to confirm lines of enquiry.

## **5. ANNEXES**

- Annex 1 - Hillingdon School Improvement Plan
- Annex 2 - Schools' Strategic Partnership Board Terms of Reference
- Annex 3 - Oversight and monitoring of academies January 2015
- Annex 4 - Re-imaging the role of councils in supporting London's schools
- Annex 5 - LGA response to education white paper

Annex 6 - LGA councils call for oversight of academy finance