

LBM-W EDUCATION BRIEFING

COALITION'S SCHOOLS POLICY CONFIRMED AND TO BE SWIFTLY IMPLEMENTED

Following the Queen's Speech, we now know some extremely important and fundamental things about the Coalition Government's plans for schools and we know that two relevant Bills will follow shortly.

- The principle of the "commissioner/provider split" is continued and indeed reinforced.
- High performing schools (both secondary and primary) will be able to change to academy status immediately.
- Other schools will have to go through a process and meet criteria but will in principle also be able to make the change.
- Such new academies will be expected to partner a low achieving school and help it improve.
- The "free school" model will enable parents groups to press for changes of provision where what they have is not satisfactory and to act themselves as providers of schools. This will have to be in partnership with experienced providers, including commercial education companies.
- Local Authorities (while retaining overall strategic responsibility) will not be able to prevent these developments.
- Both national (DfE) and local (LA) bureaucracies and budgets will be cut back to enable maximum funding to reach the actual schools, including a "pupil premium" for children from disadvantaged backgrounds.
- Teachers will have greater freedom over curriculum matters (though still within the National Curriculum framework) and over how they teach it.

WHAT DOES THIS MEAN FOR EXISTING SCHOOLS?

- Existing Community, Foundation, VC and VA schools (both secondary and primary) that are graded "outstanding" by OfSTED will be able to move to academy status immediately with minimum process. Others will have to face more extensive processes and hurdles to make the change.
- This will not affect any religious character the existing school may have nor remove existing trust arrangements.
- Schools will be able to partner low achieving schools without regard to religious character.
- It looks as though decisions are likely to be for governing bodies. LAs will not be able to impede the change and trustees (eg of church schools) may not be able to do so either.
- Low achieving schools in areas of high deprivation should have better budgets but will need to partner a high achieving school to get maximum financial flexibility. They will undoubtedly be being nudged into partnerships and if reluctant are increasingly likely to find themselves replaced by new "free school" provision.
- Low achieving schools not in high deprivation areas will face the biggest challenge.
- Academies will receive their revenue budgets without being top-sliced by LAs but must remember that they will have to purchase their own services.

WHAT DOES THIS MEAN FOR EXISTING LARGE SCALE PROVIDERS SUCH AS THE CHURCH OF ENGLAND?

- The existing primary and secondary schools of such providers will be able to decide for themselves to become academies and to look for partner low achieving schools. They will need diocesan (or other religious authority) guidance and support over this.
- There are particular questions about the change of Foundation, VC and VA schools to academies which we address in outline below.
- Existing Community Schools wishing to become academies will be looking for existing education provider partners. Dioceses will in principle be able to meet this need.
- Similarly, the new academies will need cost effective suppliers of both “back office” and standards services. Dioceses or regional/national consortia should be ready to meet these needs.
- Low achieving schools provided by these large bodies will be at risk and will need urgent attention.
- The large providers do not have sufficient legal powers of intervention in their schools and will need those urgently.
- These changes which can be driven by individual schools will cause stresses to the “families” of such large providers not altogether dissimilar to the stresses which will be caused to LAs. Dioceses and other bodies will need to consider how to minimise and address these in order that the sense of belonging (and hence of ethos) is not weakened.

THE ACADEMY MODEL VERSUS VOLUNTARY OR FOUNDATION

We suggest that the following issues are key (though of course there will be others).

- *Revenue Budget* Maximum revenue is achieved through the academy model, together with maximum control of expenditure. However, new academies must look carefully at economies of scale (especially for back office and standards functions).
- *Capital* It is hard to estimate the level of capital availability in the immediate future because of the general economic situation. However, all available development capital is likely to be controlled by LAs as part of their Commissioner role and the category of school should be irrelevant. On-going capital, however, is another issue. Here the separate VA capital stream surely remains a powerful factor.
- *Employment of Staff* Only the VC model will not include employment of staff and powers for extensive use of religious criteria. This must be a weakness in the VC model. Academies have greater flexibility in respect of terms and conditions.
- *Admission Powers* Similarly, only the VC model will not include admissions authority powers. A second weakness.
- *Curriculum flexibility* Academies already have this but the others clearly will have under the legislation now announced.
- *Ethos* The lack of employment and admissions powers in a VC school provide GBs with fewer levers to influence ethos.
- *Relationship of trust or of academy company to the school* Powers to challenge the school and its GB are most clear in academies and altogether absent in VCs. Dioceses and trustees need to consider this issue even for Foundation and VA models. Legal changes are necessary to enable powers of intervention to match those available to academy proprietors.

We suggest therefore that there are probably power reasons to encourage VC and Foundation schools to move to the academy category. However, it is not clear to us that the same is true for VA schools and this is an issue which clearly needs careful attention and discussion by the relevant provider policy bodies.

LBM-W will be continuing to issues briefs and updates and will shortly be circulating a brochure setting out the services it can offer to schools and providers in this changing context.

A handwritten signature in black ink that reads "Howard Dellar". The signature is written in a cursive style with a large, prominent 'D'.

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