

For general release

REPORT TO:	Children and Young People Scrutiny Sub-Committee 5 February 2013
AGENDA ITEM:	8
SUBJECT:	Update on the implementation of approved Scrutiny recommendations on the impact of Academy Schools and Free Schools on schooling in Croydon
LEAD OFFICER:	Paul Greenhalgh Executive Director of Children Families and Learning
CABINET MEMBER:	Cllr Tim Pollard Cabinet Member for Children Families and Learning
PERSON LEADING AT SCRUTINY COMMITTEE MEETING:	Sylvia McNamara

ORIGIN OF ITEM:	This report forms part of the agreed 2012-2013 work programme.
BRIEF FOR THE COMMITTEE:	To receive a progress report on the implementation of the approved recommendations of the task and finish working group which were accepted by Cabinet

1. EXECUTIVE SUMMARY

1.1 This report provides a progress report on the actions in respect of recommendations from the Scrutiny task and finish working group on 'The impact of new academies and free schools on schooling in Croydon'. In this report the recommendations are summarized as the heading for each section: please refer to Appendix 1 for the full text of the recommendations.

2. Progress on recommendations on The impact of new academies and free schools on schooling in Croydon Task and Finish Working Group

2.1 Progress on first three recommendations:

(1) Council's shift in role

The Council is adapting its role in education to respond to the changing context. The Council maintains a strong interest in the performance of all of Croydon schools and the standards achieved by all pupils. To ensure that the provision of services meets the needs of schools the Council is continuing to develop the school improvement model, in partnership with schools. This includes a combination of service providers, with the council providing some services complemented by commissioning services from schools and external associates through our traded service. A consulting adviser is available to all schools undergoing conversion and there is a designated link officer for all academies.

(2) Academy providers and performance data

The Council is encouraging a consensual, partnership approach with academy providers to ensure that performance data is shared to enable the Council to monitor the quality of education in the Borough and meet its statutory obligations. Most academies readily share data in a timely manner, and where this is not the case the Council has requested that this be addressed. Data is available on all academy chains from DfE sources to inform the scrutiny function.

(3) Free schools

The Council wishes to work with groups wishing to establish a free school. To facilitate this, the Council now provides information in the form of a pack of information that proposers of free schools can use in their applications, and has established a set of criteria for the evaluation of free-school proposals. The Council provides comments to any potential providers who make themselves known.

2.2 Progress in relation to recommendations 4-8:

(4) Conversion handbook for schools wishing to convert to academies

Substantial guidance is now available from the DfE. The designated link adviser is available to support schools through the process and liaises with relevant departments in the Council, including estates management, HR, finance and legal teams. The academies project board has been established and co-ordinates all activity across the council in relation to the conversion or sponsorship process. Additional support is also available through schools purchasing external associate support through the Council's traded service offer. A toolkit and guidance is also available on the governor service website.

(5) Working with local academy chains

The Council has worked successfully with local academy chains to improve other local schools. For example, support by the STEP academy enabled Applegarth Junior School not just to come out of special measures, but to be judged by OFSTED as good. In order to build capacity, the Council has also developed partnership working with other schools, including academy chains which are not local (e.g. Ark Oval, which was also judged by OFSTED to be good) as well as with other outstanding schools as partners to support other schools to improve.

(6) Work with schools converting to academies

Council officers, through the designated link adviser role, now work with schools converting to an academy to ensure that the purpose, intentions and reasons for the conversion are clearly stated and communicated to pupils and parents and to contribute to the development of a positive working relationship with the academy. As stated earlier, a toolkit and guidance is also available on the governor services website.

(7) Using a range of solutions for weak leadership

The Council, through the role of senior officers and link advisers in school improvement, is ensuring that school plans, where schools require improvement, address issues of leadership. This includes facilitating partnership working with good and outstanding schools and working proactively with chosen academy sponsors. The Local Authority works in the context of the Secretary of State having powers to impose academy conversion where the performance of schools is weak (e.g. consistently below floor targets or in an OFSTED category of concern).

(8) Procurement of capital projects

The Council's Capital Hub undertakes rigorous feasibility work to achieve value for money for projects that become part of the education estates strategy.

2.3 Progress in relation to recommendations 9-10:

(9) If an academy is found to be inadequate

Academies are directly accountable to the Department for Education (DfE) and this is a matter for the DfE. However, the Council has an interest in standards for all children in the authority. The Council continues to work through the Association of Directors of Children's Services to establish what the procedures and responsibilities would be, should an academy be found to be providing an inadequate education to Croydon's children. The government's policy on intervention in academies is still evolving but Ofsted is likely to take a key role in monitoring progress where an academy is judged to require improvement.

(10) Employment disputes in academies

Through the HR service the Council already offers a full range of HR services to all schools including academies. In the case of converter academies schools generally continue to purchase the service but where academy chains are involved, the chains often have an established HR provider.

2.4 Progress in relation to recommendations 11-17:

(11) Traded services

In relation to Traded Services a project board and associated project team have been established to steer and progress overall development. Development work is underway to inform an options appraisal for the School Improvement Service and other schools' services. The options appraisal will be subject to consultation with schools and the Council's decision making process.

Discussions have taken place with neighbouring authorities with regards to their position and stage of development regarding traded services. Some cross borough trading and commissioning activity is already in place. Particular services (ICT and safeguarding) have been purchased by out of borough

schools where there are gaps in provision in those Local Authorities. Further soft marketing approaches are scheduled to take place in the next few months will inform decisions on Croydon's trading options.

There is on-going evaluation of the traded offer and the take-up of services. An example of this is that course organisers review the evaluations and revise programme plans and adjust delivery accordingly. Officers are also in the process of obtaining evaluations from school leaders for delivered in-school consultancy activity and are developing protocols to manage evaluations directly with schools for future planned consultancy work. A wider evaluation with schools that have purchased annual packages (across all corporate services) will take place in spring 2013.

(12) Financial performance of traded services

During the 2012-13 financial year traded services with schools operated from the Department of Children, Families and Learning have been successful in being on schedule to meet raised targets for income generation. Council co-ordination of traded services to schools has been strengthened through a council-wide Traded Services Management Board, which will review progress to date, future planning, review financial monitoring and establish quality assurance protocols for purchase contract, service level agreements and annual buy-back of services. It is expected that the current work on further development of the model for traded services will result in a proposal to Cabinet, which will seek to ensure the development of a sustainably viable model of delivery.

(13) Governing bodies and services bought from the Council

In order to provide feedback to officers mechanisms have been put in place through governor services to support the process. At the beginning of each term a model governing body agenda is disseminated to clerks, chairs and head teachers. An agenda item on evaluating the impact of current service level agreements and choosing new SLAs will be added in the spring term model agenda. This however is not obligatory and Chairs of governors can choose to adapt or ignore agenda items on the model template.

(14) Councillors who are governors

The traded service brochure which includes all traded services available across council services has been disseminated to Local Authority (LA) governors, senior management teams and all governing bodies in schools. Governing bodies, including LA governors, make impartial decisions based on value for money. LA governors may be placed in a position of conflict of interest if they only promoted local authority services so it is difficult for LA governors to act as ambassadors. However, through partnership working with schools and through involving schools in the development and review of the traded offer alongside officers, schools may be more inclined to buy into the services on offer.

(15) Distinguishing statutory and discretionary services

The Children, Families and Learning Department has undertaken a detailed analysis of the council's statutory responsibilities to schools, for which it is responsible. This has informed which statutory services should be provided to schools funded by the Council and which discretionary, traded services should be considered. As stated earlier, development work is underway to inform an

options appraisal for the School Improvement Service and other schools' services within Learning and Inclusion. This will include options for creating a Local Authority Trading Company whilst also considering other trading options. Legal advice has been sought on the different options available. This will inform future recommendations to Cabinet.

(16) **Issues of concern in academies**

The impact of academies on education in Croydon is covered in the annual standards report, and this aspect of the report will be developed further for future years.

(17) **Council's long-term view about academies**

As long as there are local authority maintained schools, the council is obligated to maintain these and it is for schools' governing bodies to decide whether to convert. Not all schools will seek to convert or would view this as desirable. This is especially the case for many primaries and special schools. In this respect services have been developing their business models to reflect the changing environment, defining the core statutory offer to schools and traded elements to all schools, irrespective of designation. Developing financial models related to academisation is complex, and we continue to work on this modeling.

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BACKGROUND DOCUMENTS: None