

Education Overview and Scrutiny Committee

Meeting to be held on 10th July 2012

Electoral Division affected: All

Update on the current Lancashire County Council position on Academies.

(Appendix 'A' refers)

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Executive Summary

The reports set out the County Council's current position in relation to academies within Lancashire. It updates the information provided to the Education Overview and Scrutiny Committee on 1st November 2011

Recommendation

The Education Overview and Scrutiny Committee is asked to note the report and give its views on the information provided.

1 Background and Advice

In the summer of 2010 the Department for Education (DFE) set out its plans to enable maintained schools to become Academies and the Secretary of State wrote to all schools judged outstanding by OfSTED to encourage them to apply for Academy Status, these are often referred to as Converter Academies.

Since that time all maintained schools have been encouraged by the DFE to consider becoming Academies and the County Council has, at the request of headteachers and governors, held a series of briefing sessions over the past two years to help governors to make informed choices when considering whether or not to apply for Academy status.

Academy is the legal term that includes Free Schools of all types, University Technical Colleges (UTC's) and most Studio Schools. These new forms of school are independent from the local authority, and report directly to the Secretary of State.

In June 2011 the Secretary of State indicated that there were 200 under-performing primary schools nationally for which he considered the most appropriate strategy for improvement was that they become Sponsored Academies - linked to, and sponsored by another Outstanding Academy or Outstanding College. The Secretary

of State also indicated that there were a further 500 under-performing primary schools nationally for which movement to becoming a Sponsored Academy should also be considered.

Since August 2012 the Department for Education has been in regular contact with all Local Authorities including Lancashire to discuss schools that were included in the original 200 and 500 underperforming categories. In the case of Lancashire this initially amounted to 7 schools in category 1 and 17 in category 2.

The Education Act 2011 received Royal Assent on 15th November 2011. The Act is wide ranging and amends or repeals 47 separate issues connected with education and children law which were previously covered in 18 education and children Acts. The Act makes changes to the arrangements for setting up new schools, and amends the Academies Act 2010 to make provision for 16 to 19 academies and alternative provision academies. The full Education Act is contained on the Department for education website:

<http://www.education.gov.uk/aboutdfe/departmentalinformation/educationbill/a0073748/education-bill>

The new academy presumption in the Education Act 2011 requires local authorities to first seek proposals for an Academy where they consider there is a need for a new school.

County Council position on Academies

The County Council has adopted a clear and consistent position around academies, namely that all categories of school are of equal value. There is no prejudice for or against a particular category.

The current position

- All maintained primary, secondary and special schools can apply to become an Academy
- In early 2012 there has been consultation on pupil referral units converting to Academy Status
- Once the funding order for an Academy is agreed the local authority is directed to cease to maintain the school

The National Position

The Secretary of State in June 2012 reported that by September 2012 around 50% of secondary schools nationally would either be open academies or in the process of becoming academies. With regard to primary schools this figure for September 2012 would be around 6%.

These national figures clearly point to a variance in the number of academies within local authorities. In some local authorities the vast majority of schools are now academies whilst in others this is not the case.

Lancashire's current position

Academy conversions to date

- 18 schools have converted to become an academy
- Of these 14 are secondary schools and 4 are primary schools.
- A further 6 schools are in the process of converting (5 secondary and 1 primary, of which two are sponsored Academies). These schools have Academy Orders agreed and are currently developing funding agreements with the Secretary of State for September 2012.
- The first Free School in Lancashire, which was an independent school, opened in September 2011.
- There are currently 2 validated other new Free Schools wishing to open in Lancashire, both in East Lancashire.
- The local authority will continue to work closely with academies and Free Schools in terms of planning for the provision of school places.
- The DfE has contacted the Local Authority regarding the sponsored academy program, and identified schools that it wishes to be considered to become a sponsored academy. This has been an ongoing dialogue around a changing cohort of schools since August 2011.

A list of the current free schools and academies in Lancashire is set out at Appendix 'A'.

Consultations

n/a

Implications:

This item has the following implications, as indicated:

Risk management

There are no implications for risk management arising from this report.

Local Government (Access to Information) Act 1985

List of Background Papers

Paper	Date	Contact/Directorate/Tel
Update on the current County Council position on Academies in Lancashire	November 2011	Bob Stott, Directorate for Children and Young People, 01772 531652

Reason for inclusion in Part II, if appropriate N/A