

Education Overview and Scrutiny Committee

Meeting to be held on 12 March 2013

Electoral Division affected: All

Update on the current Lancashire County Council position on Academies.

(Appendix 'A' refers)

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Executive Summary

This report sets out the County Council's current position in relation to academies within Lancashire. It updates the information provided to Education Overview and Scrutiny Committee on 6 November 2012

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 to consider becoming Academies.

Academy is the legal term that includes Free Schools of all types, University Technical Colleges (UTCs) 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 2011 the Department for Education has been in regular touch with all Local Authorities including Lancashire to discuss schools that were included in the original 200 and 500 underperforming categories as well as further schools which they felt were underperforming.

The Education Act 2011 received Royal Assent on 15 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 April 2013 Pupil Referral Units (PRUs) will receive delegated budgets and will be able to convert to Academy Status
- The Free School model has been extended to include applications for Alternative Provision Free Schools which will be PRU type organisations.
- Once the funding order for an Academy is agreed the local authority is directed to cease to maintain the school

2 National situation

As of 1 February 2013 there are 2,673 academies open in England. Of these, 2,055 are converter academies which equates to 77% of the total number of academies. The converter academies are divided into 1,199 secondary schools (58%) 795 primary schools (39%), and 3% of other schools (57 special schools 3 Pupil Referral Units, and one 16+ academy.) There are 618 sponsored academies, which equates to 23% of the total number of academies. The sponsored academies are divided into 399 secondary schools (65%), 211 primary schools (34%), and 1% of other schools (6 special schools, and 2 are all through schools).

3 Lancashire's current position

As of February 2013 the situation in Lancashire is as follows:

- 24 schools have converted to become an academy
- Of these, 20 are secondary schools and 4 are primary schools.
- 21 are 'converter' academies, equating to 87.5% of all Lancashire academies. 3 are 'sponsored' secondary academies, equating to 12.5% of all Lancashire academies.
- A further 2 primary schools are in the process of converting, of which one is to be a sponsored academy. These schools have Academy Orders agreed and are currently developing funding agreements with the Secretary of State.
- Lancashire has just less than 1% of all academies open in England.
- The first free school, which was previously an independent all through school, opened in September 2011 in West Lancashire.
- The first studio school opened in September 2012 in East Lancashire. This was a newly created school.
- There is currently one UTC which has a funding agreement with the DfE and plans to open in September 2013 in East Lancashire.
- The total number of all types of school in Lancashire is 567. Of these 484 are primary schools, 82 secondary schools, one is an all through school and one is a 14-19 school.
- This equates to less than 1% of primary schools in Lancashire being academies and 24% of secondary schools being academies.
- There are a higher number of free schools wishing to open in neighbouring councils such as Wigan and Blackburn with Darwen, which may impact on Lancashire schools.
- 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 programme and identified schools to be considered to become a sponsored academy.

Appendix A: List of academies and free schools in Lancashire

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
Reason for inclusion in Part II, if appropriate		

N/A