

Decision Maker: EDUCATION POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Date: Thursday 30 January 2014

Decision Type: Non-Urgent Non-Executive Non-Key

Title: ROLE OF THE LOCAL AUTHORITY WITH ACADEMIES

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Chief Officer: Terry Parkin, Executive Director of Education, Care & Health Services

Ward: Borough Wide

1. Reason for report

- 1.1 To inform members of the changing relationship between schools and the local authority (LA) as more schools become academies and therefore operating independently from the LA..
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2. **RECOMMENDATION(S)**

- 2.1 The Education PDS Committee is asked to comment on the content of this report.

Corporate Policy

1. Policy Status: Existing Policy:
 2. BBB Priority: Children and Young People
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Financial

1. Cost of proposal: Not Applicable:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre:
 4. Total current budget for this head: £
 5. Source of funding:
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Staff

1. Number of staff (current and additional):
 2. If from existing staff resources, number of staff hours:
-

Legal

1. Legal Requirement: None:
 2. Call-in: Not Applicable:
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected):
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments:

3. COMMENTARY

- 3.1 The Bromley Education Covenant, approved by Full Council in January 2013, clearly sets out the council's commitment to ensuring that the quality of education in the borough is of the highest standard. The council is working to encourage all schools to become academies so that they will have the freedoms and independence deemed important for schools¹ to be able to deliver an outstanding education for all.
- 3.2 A large percentage of Bromley's school workforce both grew up and live in the borough and therefore are committed to realising the potential of all Bromley children, irrespective of the school where they are employed. School leaders have a strong history of working in partnership with one another and within this context it is important that the LA continues to broker and strengthen school to school support to enable the best of outcomes. It is therefore the council's ambition that, during this time of transition, the opportunity to initiate and develop joint working is seized so that at the point that all schools are operating independently of the LA there will be an established support network in place.
- 3.3 Although local authorities do not have direct responsibilities for the performance of successful academies, they do retain a legal responsibility for performance in the area as a whole. The LA also has responsibilities for children's general wellbeing and safeguarding and it is therefore crucial that Bromley secures and strengthens effective joint working with academies. The LA will continue to work with academies on securing the correct provision for children with special educational needs, continue to take families to court where non-attendance at school is a significant issue and continue to oversee admissions and place planning. This will require the ongoing maintenance of effective professional relationships between the LA and academies.

3.4 Current situation

- 3.4.1 The LA's approach to school improvement is, wherever possible, to negotiate for schools to support one another as it is those working in the field who are best placed to secure lasting change. Hence the fact that a number of academies with headteachers designated as National and Local Leaders of Education are working in collaboration with the LA to design models of intervention and support for schools identified as requiring improvement.
- 3.4.2 Overall performance at KS2 needs to improve and while Bromley's ambition is to build a climate of trust and mutual support, a greater degree of challenge is required to effect improvement across some of Bromley's primary schools. The previous model of LA support to schools requiring improvement was to offer a range of interventions that were subsequently withdrawn once progress was being made. As a result, not all schools could sustain that improvement which is why the school to school arrangement offers more sustainability and a longer term solution.
- 3.4.3 A number of strong multi academy and umbrella trusts such as RAPT (Realise Academy Partnership Trust), Aquinas and The Pioneer Trust have been formed from Bromley schools and it is our intention to use these as the foundation for a strong and lasting support network. The new role for the LA is as a broker of effective and long lasting partnerships while leading on a strategy which ensures that all schools are included in this collaborative venture. Indeed work has already begun with headteacher groups to realise this vision. In support of this, the LA will coordinate a conference for all Bromley schools and academies which will take place in the summer term and have the 'strategy for future partnership and collaborative working' as its core focus.

¹ For the purposes of this report the term 'school' will be used to mean either school or academy when referring to generic education establishments in the borough

3.5 The new landscape: our services² that will retain a relationship with academies

- 3.5.1 The LA will retain statutory responsibility for ensuring that we have enough school places for all our children as well as coordinating admissions to primary and secondary academies. This means that we will continue to operate an admissions function which will require a close working relationship with academies. This activity is vital for us to fulfil our responsibilities around safeguarding and ensuring that all pupils are placed, whether as part of a normal admissions round or as an in year admission. The Council retains its commitment to ensuring a good choice of schools for all parents including parents of children with special educational needs.
- 3.5.2 Strong governance is vital for an academy to reach an outstanding judgement. Currently our governor support function for schools is highly valued and the expectation is that academies will continue to want to commission this expertise. Although the LA will not be obliged to offer this service, it is included in the market testing bundle as a commitment to supporting effective governance in local academies. Allied to this the LA is keen to ensure that academies retain an LA governor and that this should ideally be included in any converting academy's articles of association. Although not delegates of the LA, these governors are expected to act in the best interests of the pupils and the community which the academy serves.
- 3.5.3 The LA will retain some statutory functions around the educational welfare of children and will need an appropriately diminished offer in order to cover its statutory duties. As well as retaining the statutory duty to initiate court proceedings for non-attendance, the investigatory work prior to prosecution is another area that the LA has some responsibility for. A further key aspect of the LA's future role will be to maintain and promote the work of the Children's Safeguarding Board and it will be crucial for academies to engage with the work of the board as well as training opportunities promoted by The Board.
- 3.5.4 Special education needs and disabilities is going through a period of significant change as nationally the move is to Education, Health and Care plans. The production of such plans remains the responsibility of the LA and consequently we envisage that relationships across all academies will be strong in this area. Academies' 'duty to cooperate' will require partnership working for the good of this group of children and young people.
- 3.5.5 Vulnerable children and young people and their needs continue to be a key responsibility of the LA and the service listed above will all have a part to play in ensuring that no child comes to harm. The Council is fully committed to its corporate parenting responsibility for Looked After Children and is working closely with providers of education for our most vulnerable young people to ensure that they have the best of opportunities to succeed.
- 3.5.6 However, the fundamental requirement for the borough to ensure that all children and young people are kept safe and have the opportunity to reach their educational potential is that local services, including academies, work together in a spirit of partnership and cooperation. It is hoped that in the autumn of 2014 a report following on from the summer conference will be produced for Members on how these relationships will work in practise.

Non-Applicable Sections:	Policy, Legal, Financial and Personnel Implications
Background Documents: (Access via Contact Officer)	Report no ED13032: Future role of the LA in Education Services, March 2013

² Currently market testing is taking place across a number of services identified. Should it be decided to outsource a service, it will still be the LA that is responsible for the delivery of that service