

Ref: Contact: Dorothy Smith

To:
All Governors, Headteachers and Diocesan Representatives

13th July, 2010

Dear colleague,

Transforming Rotherham Learning and the Government's Proposals for Academies

You will know that the Secretary of State for Education, Michael Gove, has written to all schools giving them the opportunity to register their interest in Academy status. For Ofsted-rated outstanding schools in particular, he has provided the opportunity for them to become Academies from September 2010.

The Local Authority wishes to summarise what the Secretary of State perceives as the "freedoms" Academy status could give schools; and offer a commentary on them. We also believe it is important in this context to restate the principles we have all agreed as part of the Transforming Rotherham Learning strategy. In so doing, we aim to ensure excellent outcomes for our children and young people through sustaining strong strategic partnerships, whatever the choices of individual schools in the new policy environment.

We feel this is important as all Governors should consider the Secretary of State's offer and you will want your debate to be as informed as possible. Moreover, a recent Chairs and Vice Chairs meeting specifically requested a letter outlining the LA perspective as they were concerned that our excellent partnerships and collaboration in Rotherham could be undermined.

Firstly, you will be aware that an Academy is an independently funded state school. If a school becomes an Academy, then it will receive its budget from a new organisation, the Young People's Learning Agency (YPLA), which also manages funding for 16-19 year old students. It will no longer receive its budget from the Local Authority, as part of the Local Authority Scheme of Delegation. Its budget will be similar to its current one with an additional amount for those services whose funding is currently centrally held by the local authority to pay, for example, for school improvement support and SEN.

Staff (through TUPE regulations) and land will be transferred to the Academy Trust, an independent charity. In essence, the Trust would be the existing governing body but significant changes could be made to the constitution. Fuller detail on this has yet to be published by the DfE but it is an important element of the process.

Interest in Academy status is currently variable across the country and relatively low in Rotherham. At present no Rotherham primary school has expressed an interest and this includes the 14 currently outstanding primary schools based on Ofsted inspection outcomes. Three secondary schools have expressed an interest – Wales, Brinsworth and St. Bernard's. Two of the latter are rated outstanding by Ofsted and have already passed governing body resolutions to convert to Academy status. In effect when the Bill becomes law (the Secretary of State is aiming for the end of July but September is judged more likely by many commentators), Wales and Brinsworth will become Academies.

Rotherham's other outstanding secondary school is Wickersley and the Governing Body have passed an unequivocal resolution against Academy status. None of our six Special Schools, five of which are currently rated by Ofsted as outstanding, has yet expressed a formal interest.

We recognise that the Secretary of State has determined that no consultation with stakeholders is necessary before a governing body decision to convert to academy status. However, best practice would suggest that consultation would be a preferred option that Governors may wish to take, not least to secure the continued support of staff, parents, Primary partner Headteachers and the broader community.

The Secretary of State has set out several "freedoms" which Academy Status gives schools. We would offer the following commentary on each:

- **"freedom from local authority control"**

This is not a novel freedom in the Rotherham context, where policy and strategy for the school system have been determined in partnership with Headteachers within the Learning without Limits initiative for at least four years. In particular, all schools and partners have signed up with the Local Authority to several key principles within Transforming Rotherham Learning, our strategy for change for the future.

- We are all responsible for all Rotherham's children and young people.
- All Rotherham's learners will achieve; no one will be left behind.
- Learning is the core business: investment, policy and strategy must be driven by opportunities for learners.
- Learning communities will be rooted in and responsive to the needs of local people.

Our response to these principles and challenges is to develop 16 Learning Communities across the borough, creating strong partnerships between secondary, primary and special schools, multi agency locality teams and other community stakeholders. That vision remains central to our future despite the disappointing cancellation of our BSF programme by national government earlier this month.

Transforming Rotherham Learning is our collective commitment to all the children and young people of Rotherham to ensure equality of opportunity and provision across the Borough. Both potential Academies have assured the LA and their secondary school partners that they remain firmly dedicated to those principles, irrespective of their new status. Maltby Academy has already formally committed to this partnership and has been influential in developing TRL. It is different to the new Academies in the important respect that the LA remains a sponsor of the school – a formal partner in its governance.

- **"having greater control over school budgets"**

Rotherham currently delegates to schools an unusually large share of government funding in comparison with other Councils. The Academies would receive an additional sum, approximately 7 or 8%, currently held by the LA to supply services to all schools, but would then need to buy those services on the public market. Their income would be determined by the YPLA not the Council and they would not enjoy the support currently afforded to schools if they experience financial difficulty.

- **“freedom to spend the money the local authority currently spends on your behalf”**

A significant challenge implicit in this apparent “freedom” is the potential to affect the fair distribution of investment across all schools and all learners. In particular, a significant part of the money retained by the LA is dedicated to support for children with special educational needs. If that resource was depleted pupils may well be disadvantaged. As yet, the funding mechanism for Academies is not fully transparent and the LA is seeking guidance on it.

- **“freedom from following the national curriculum”**

Government is relaxing many of the curriculum prescriptions of recent years for all schools. There is now considerable flexibility available to Headteachers in determining what is taught and how it is learnt. Academies will still have to provide a broad and balanced curriculum and, in secondary, follow KS4 examination syllabi.

- **“for outstanding schools significant freedom from future Ofsted inspection”**

Ofsted is an imperfect organisation but it is important that all schools are accountable to their local community. It is not yet clear how government intends to ensure Academies are responsive to those they serve.

- **“ability to change the length of terms and school days”**

Currently schools can already change the school day through consultation with its parents and LA. It would be unfortunate if academies chose to do so without consultation. Local authorities currently determine the length of terms across the local community with the main benefit that all learning communities and neighbouring local authorities roughly follow the same pattern of a school year. The determination of different lengths of terms by potentially many different Academies could make life very difficult for parents already trying to make child care decisions during both term and holiday times.

The above “freedoms” are those described in the Secretary of State’s letter. It does not mention freedoms in relation to the transfer of land from the Council to the Trust governing the Academy. However this is another “freedom” which could change community access to many schools, not only in Rotherham but nationally.

We must emphasise that, at present, the bill has no intention of enabling schools to select pupils and indeed states that academies should receive children largely from their immediate community. Both Wales High School and Brinsworth have assured the LA and their partners that they would not consider selection if they become Academies.

The Local Authority recognises that Headteachers with their Governing Bodies have the right to respond to the new opportunities made available by Government. It remains our firm intention to continue to work closely with all Rotherham schools whatever their choice

of status and identity. We welcome the assurances from the potential Academies that their new status will not compromise their commitments to TRL and the partnerships which we believe are the guarantee to our learners of a rich and equitable education. In particular the core principle that:

We are all responsible for all Rotherham's Children and Young People

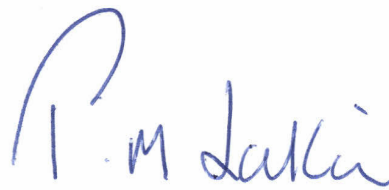
will continue to inspire everything we do. That is why we would recommend any school considering Academy status should carefully examine the balance of advantages and consult their partners and community before proceeding further.

As the Academy debate unfolds, we will be communicating with you again. In particular, at the recommendation of headteachers and Governors, we will invite you to reconfirm your commitment to the principles of Transforming Rotherham Learning and to the collaborative practice which is serving our children so well and is our best investment in their future.

Yours sincerely,



Joyce Thacker
Strategic Director
Children and Young People's Services



Cllr Paul Lakin
Cabinet Member for Children and Young
People's Services