

Report to: **Lead Member for Education and Inclusion, Special Educational Needs and Disability**

Date: **13 June 2016**

By: **Director of Children's Services**

Title of report: **Notice of Motion: East Sussex County Council's position in response to the government's academy policy**

Purpose of report: **To consider the Motion that the County Council opposes the government's enforced academy policy**

RECOMMENDATION:

The Lead Member is recommended to recommend that the County Council notes the contents of this report and adopts an amended Notice of Motion as set out in paragraph 3.1 of this report.

1 Background

1.1 The following notice of motion has been submitted by Councillors Field and Councillor Shuttleworth: *'This Council opposes enforced academisation and will take all available steps to discourage Government from this course of action'.*

1.2 In line with County Council practice, the matter has been referred by the Chairman to the Lead Member for Education and Inclusion, Special Educational Needs and Disability for consideration to provide information and inform debate on the Motion. The Lead Member's recommendation on this Notice of Motion will be reported to the Council at its meeting on 12 July 2016.

2 Supporting information

2.1 The Department for Education (DfE) published a white paper in March 2016 setting out the next stage of its strategy for education, "Educational Excellence Everywhere". The white paper proposes extensive changes for the role of Local Authorities (LAs) in education should it pass into law. While much of the detail remains unclear, a key proposal of the white paper was to legislate to require all schools to become academies. The Government has now responded to feedback and dropped plans to legislate for compulsory academisation but, at the same time, has reaffirmed its continued determination to see all schools become academies in the next 6 years. Underperforming schools (those that are judged as inadequate by Ofsted) will continue to be required to convert to academy status, where they can benefit from the support of a strong sponsor and 'good' schools will be supported to convert and to take the lead in supporting other schools as part of multi-academy trusts. The response also indicated that small rural schools would not be forced to join large national academy chains.

2.2 However, the government has said it will bring forward legislation to trigger conversion of all schools within a local authority area in two specific circumstances:

- Where it is clear that the LA can no longer viably support its remaining schools because a critical mass of schools in that area has converted.
- Where the LA consistently fails to meet a minimum performance threshold across its schools, demonstrating an inability to bring about meaningful school improvement.

2.3 Currently in East Sussex, of 192 schools 46 are academies (24%): 23 primary schools, 13 secondary schools, 8 Special Schools, 1 all thorough school and 1 pupil referral unit. Nationally 22% of all schools are academies, so East Sussex is in line with the national average for the percentage of schools that are academies. In terms of pupils, 33% are now educated in an academy in East Sussex (20% of primary pupils, 50% of secondary pupils, 80% of special school pupils, 59% of All Through School pupils, and 100% of PRU pupils).

2.4 Of the 146 schools that are currently local authority maintained schools 88.2% are Ofsted rated 'Good' or 'Outstanding' (88.3% of primaries, 91.7% of secondaries and 50% of specials).

2.5 The recent Ofsted inspection of local authority arrangements for supporting school improvement in East Sussex in November 2015 reported the following findings:

- *'The impact of the local authority's strategy for improvement, 'Excellence for All' and the work to ensure the quality of its own advisers and brokered services since the last inspection was clear.'*
- *'The impact of the local authority's work is evident in the improving profile of inspection outcomes in primary schools. There has been a significant reduction in the number of inadequate primary schools and a marked improvement in the proportion judged good or better.'*

2.6 As the role of local authorities in the local educational system continues to change and evolve, East Sussex County Council, as set out in "Excellence for All", retains its commitment to ensuring an excellent education for all children and young people in the county, irrespective of the type of school, college or setting they attend. This can best be achieved if every school, academy, early years setting and college is a full participant in local partnerships. In this diverse educational landscape, the local authority, irrespective of academy status:

- Holds all schools to account.
- Works collaboratively with all providers.
- Encourages good and outstanding providers to support others to improve, through building capacity for system leadership.
- Promotes and creates sustainable, formal partnerships between schools, colleges and settings. In particular, the Council recognises the challenges that small rural schools face and has been pursuing a strategy of working with schools to develop partnerships and federations. There are currently 13 federations of schools across the county. Federations provide greater sustainability for schools both in terms of pupil outcomes and financial sustainability.
- Respects the autonomy and expertise of schools, but does not hesitate to act where there are serious concerns: through direct intervention in maintained schools or by referring concerns about academies to the Regional Schools' Commissioner.

3. Conclusion and reasons for recommendations

3.1 In light of the government's change of policy in relation to academies as announced on 6 May 2016, and the Council's current policy approach to working with academies, it is recommended that an amended Notion of Motion is adopted that more accurately addresses the new government policy:

East Sussex County Council:

- Supports the government's announcement on 6 May that it will not continue with plans for legislation to bring about the blanket conversion of all schools to academy status;
- Believes that there should be no requirement for any good or outstanding school to convert to academy status and that the Local Authority should continue to support all schools to participate in sustainable partnerships;
- Would like further clarification about the government's proposals to bring forward legislation which will trigger conversion of all schools within a local authority area.

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LOCAL MEMBERS

All Councillors

APPENDICES: None

BACKGROUND DOCUMENTS: None