

Report of the Young People and Education Improvement Committee

Scrutiny of Academies

Adopted by Committee 19th July 2006

www.bradford.gov.uk/scrutiny



MEMBERS OF THE YOUNG PEOPLE AND EDUCATION IMPROVEMENT COMMITTEE

Full Members of the Committee - Councillors

Conservative	Labour	Liberal Democrat
Clamp	P Thornton (Chair)	Beardmore
Amjad Hussain	A Thornton (Dep Chair)	

Alternates – Supplementary list of members, entitled to attend a particular meeting in place of the appointed member.

Conservative	Labour	Liberal Democrat
Sykes	Godward	Briggs
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VOTING CO-OPTED MEMBERS:

Church Representative: Mr J Anderson (CE) and Mr K Crotty (Catholic)
Parent Governor Representative: Mr R Glass, Mrs K McNulty and Mr M Pollard

NON-VOTING CO-OPTED MEMBERS:

Teachers' Secondary Schools Representative: Mr S Davies
Teachers' Primary Schools Representative: Ms J Laybourn
Teachers' Special Schools Representative: Ms K Challis

PORTFOLIO HOLDER: Cllr Dale Smith

CONTACT FOR ENQUIRIES

Peter Marshall
Performance Co-ordinator
E mail peter.marshall@bradford.gov.uk
Tel (01274) 432104

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Acknowledgements

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Chapter 1 - Introduction

1. This scrutiny has been carried out in accordance with the arrangements detailed in paragraph 2, Part 3E of the Constitution of Bradford Metropolitan District Council (July 2004).
2. The Young People and Education Improvement Committee received a report in February 2005 about the proposed expansion of the Academies programme in Bradford. On the 7th June 2005, the committee formally agreed to undertake a scrutiny into Academies in Bradford and the Terms of Reference were agreed (see Appendix 1)
3. Public scrutiny hearings at which the committee took evidence from a number of witnesses took place on the following dates. Further details are in Appendix 3.
 - 6th October 2005
 - 1st December 2005
 - 24th March 2006
 - 29th March 2006
 - 12th April 2006 (Part of a scheduled committee meeting)
4. The committee received other written evidence from interested organisations – see Appendix 2.

Chapter 2 - Summary of background information.

5. The following is an extract from the DfES website:

What are Academies?

Schools to make a difference

Academies are a new type of school. They bring a distinctive approach to school leadership drawing on the skills of sponsors and other supporters. They give Principals and staff new opportunities to develop educational strategies to raise standards and contribute to diversity in areas of disadvantage.

Academies are all ability schools established by sponsors from business, faith or voluntary groups working in highly innovative partnerships with central Government and local education partners. Sponsors and the Department for Education and Skills (DfES) provide the capital costs for the Academy. Running costs are met in full by the DfES.

The Academies programme aims to challenge the culture of educational under attainment and to deliver real improvements in standards. All Academies are located in areas of disadvantage. They either replace one or more existing schools facing challenging circumstances or are established where there is a need for additional school places. The Department expects Local Authorities (LAs) to consider the scope for the establishment of Academies as part of their strategic plans to increase diversity in secondary provision and improve educational opportunities.

Each Academy will provide an excellent environment for teaching and learning that is comparable with the best available in the maintained sector. It will offer a broad and balanced curriculum to pupils of all abilities focusing especially on one or more subject areas. As the Academy becomes successfully established it will share its expertise and facilities with other schools and the wider community.

As well as providing the best opportunities for their pupils, Academies have a key part to play in the regeneration of communities. A new Academy will be a significant focus for learning for its pupils, their families and other local people. Academies will help break the cycle of underachievement in areas of social and economic deprivation whether in inner cities, suburban or rural areas.

Each Academy will offer local solutions for local needs. Each will be different, drawing on the expertise of its sponsors to help develop its own distinctive ethos and mission. Whether they involve new buildings, refurbishment, or both, Academies will be innovative in design and built to high environmental standards.

6. The government currently has a target of establishing 200 Academies and has 100 either in place or “in the pipeline”.

Chapter 3 - Summary of evidence presented

7. It is important to note that the Committee arrived at its findings and recommendations from consideration of all the oral and written evidence submitted. The summaries given in this chapter are simply to give an indication of the main issues raised and do not attempt to cover all of the evidence presented.

Summaries of evidence received at hearing held on 6 October 2005, from transcript and from written submitted evidence.

8. DfES
Academies are independent, publicly funded schools. All the revenue is from Government. The funding of academies is entirely comparable to LEA schools and revenue funding is by replication of the LEA funding formula.

Academies set up to raise standards in previous weak schools that were failing. Academies are inspected by OFSTED in the same way as maintained schools. Compared with the national average, 5 academies have improved GCSE 5A*-C attainment by over 20 points since opening. Average academy improves at 5 percentage points at GCSE per year of opening.

The Trusts that set up academies are set up by the sponsors who come from the business sector, faith communities and community groups. First academy opened in 2002, now with 27 open, the target for 2010 is 200 academies to be open or in development.

In order to become an academy, a sponsor must be found who is prepared to put in £2m unconditional capital towards the building development. The DfES need to find a LEA prepared to work with them and finally, an expression of interest is written where people can express what they want from an academy which is then signed off by the sponsor and LEA. This then needs to be accepted by Ministers.

It is a legal requirement that those pupils attending a failing school that is closed to become an academy have the option to transfer to that academy. They also have to be in line with admissions law and code of practice so that they are all ability schools. If the academy has a specialism and is oversubscribed it can then choose 10% according to the specialism.

The majority of Governors can be appointed by the sponsors. DfES requires there to be at least one parent governor and one representative from the LEA..
9. Education
Bradford
With 'Excellence for All', secondary schools will look at having specialisms, and at the moment, 18 out of 29 secondary schools have specialist status.

Two expressions of interest in becoming Academies are currently in draft form for Rhodesway and Carlton-Bolling. There are

currently 5 schools in the district that meet the attainment criteria to become an Academy.

Academies are integrated into the secondary system and are part of its continual transformation.

There is not a local policy on Academies as nothing has been through Council or Executive. However, any proposal goes to the Executive for their approval to consult on the closure of a school.

10. Teachers
Unions

The NUT opposes academies as it wants to protect the quality of education that children actually experience. NUT has overall concerns of what it sees as a large amount of public money spent on an unproven experiment.

UNISON opposes academies on their evidence from reports that academies don't always apply fair and consistent pay and conditions. Academies are not entering into bargaining arrangements and recognition agreements. UNISON have only secured recognition agreements with United Learning Trusts. Recognition agreements would transfer with Transfer of Undertakings Protection of Employees (TUPE) if it's a straight forward transferral from one school to another. There have been no national agreements or discussions. If it's a merger or a new build academy then UNISON believes there may be a 2 tier system where some workers are on different terms and conditions.

A survey was undertaken in Spring 2005. Of 14 out of 17 operational academies, five were on school teachers' pay and conditions and five were on a variation of that. Two teachers have been put on AST level or leadership group but don't have the protection of school teachers' pay and conditions document.

11. David Brett
(Bradford
Community
Cathedral
College)

Bradford Community Cathedral College (BCCC) is definitely going to become an academy and building is starting in January 2006. It has taken BCCC 4 years to become an academy – this is due to a planned merger with Dixon's CTC not happening.

The time taken has led to uncertainty amongst the staff and about half the staff have left. All of the control of funding is with the Academies Division in the DfES. David voiced concerns over the period leading up to being an Academy because there is no plan for direct support to the existing school. David was unsure whether it was Education Bradford or the Council that were steering them through the process to become an Academy. David requested that the strategy for post 16 Academies is determined by consultation with local schools.

A new governing body is forming for the Bradford Academy, the person leading this is an experienced educationalist. Two people from the current governing body will be on the new one. Formal consultation evenings had been badly attended but the opening

evening had had the best ever attendance. The debt from the school of £970,000 will not be cleared by 2007. The school did not have any kind of input into which group was selected for sponsorship.

12. Nigel Jepson – speaking on behalf of Bradford Secondary Heads (BUSH) BUSH has concerns about the admissions policy – the present admissions policy being submitted does not appear to comply with the Bradford policy on admissions that is common to all.

Summary of evidence received at hearing held on 1st December 2005

13. Cllr Dale Smith (Education Portfolio Holder) Suggested possible advantages to Bradford in having a small number of Academies and pointed out some of the communication and involvement difficulties there have been about the proposals currently in existence. A consortium of local businesses might be a possible way ahead and there currently is no Council Policy on the development of Academies in the District. In favour of good LEA representation on any school governing body.

Summary of evidence received at hearing held on 24th March 2006

14. Terry Wrigley (Senior Lecturer in Education at Edinburgh University) Focused on the available data about the existing Academies. Questioned previous evidence from the DfES about the academic results from predecessor schools and suggested that their results were better than the DfES claims. Overall he thinks that there are all sorts of questions about claiming that all of the predecessor schools were a disaster before the Academy project came along and that the real increases in academic achievements are insignificant once factors such as the significant shift from traditional subjects to the GNVQ Intermediate qualification are taken into account.
- Other concerns about the impact of the forms of selection being used by some Academies and the freezing out of influence of local Councils, parents and staff. And why are we handing the democratic control of public assets to individuals?
- Not suggesting that Academies are a disaster but that the claims for their success are flawed and that there are other approaches to turning round failing schools.
15. Representatives from the NUT (Christine Blower, Deputy) Referred to recent Education Select committee report that claims that there is no demonstrable link between the success of the school and an external partner. Concerns about the lack of any educational skills and backgrounds in many of the

General
Secretary &
John Bangs,
Assistant
Secretary)

sponsors and hence the question about what exactly can they offer than a relatively small sum of money to help pay for a new building. Concerns about how badly designed some of the new Academy buildings have been and some of the changes to teacher conditions of service that have been introduced at some Academies. Some Academies are getting bad OFSTED reports and some are developing a curriculum with a particular focus on certain vocational areas which some parents are unhappy with. References made to research which questions the DfES view about the success of the Academy programme and mentioned one particular work which suggests that many Academies have improved their results by improving their intakes. Worried about the impact of Academies on neighbouring secondary schools (and that the DfES appears to have done no work in this area), SEN provision and the apparent large number of pupils being excluded. When pupils are permanently excluded from an Academy, the money does not go with them and the LEA is left with the cost of their education. The international evidence seems to suggest that involving the private sector is not the way to improve schools and that there a number of other interventions that do seem to work.

16. NASUWT (Jerry
Bartlett and
Pam Milner)

Agreed with the comments raised by colleagues from the NUT. Very happy with the investment the Government has put into Education but very puzzled by the rush into the untried and potentially detrimental side route of Academies as a way of addressing the issue of Failing schools. Concerns about funding of Academies as it is very hard to find out the real figures from the DfES. Believe that the evidence is not conclusive either way about the claimed success of the Academies programme. Suggesting it is a nonsense for the DfES to spend so much time and energy working on national agreements to improve conditions of service etc for teachers and others in schools and then to exempt Academies from all of these agreements. There are Academies which refuse to recognise trade unions. How can the DfES in the future manage 200 Academies centrally? They do not have the capacity or skills.

17. ATL (Stuart
Herdson, Senior
Vice-President)

Referred to the concerns of the ATL about Academies and talked about the issues raised in a couple of ATL documents about Academies which were distributed. Used the Academy in Leeds as an example to make a number of points. Has no special needs children. An adjoining LEA school has 45 and picks up the kids excluded from the Academy. So this school has falling roles as the Academy becomes more popular. Similar issues re excluded kids from some other Academies i.e. significant numbers being permanently excluded which results in a financial problem for the LEA. Will be problems with people coming in from London to set up and run a school in Bradford. Wants new Academies to be tied into all requirements under

the LEA procedures including those on Admissions. Important that Academies are not allowed by whatever means to cream off the better ability kids. Academies are not based on collaboration in an area which makes planning of provision and coherent admission policies very hard. Concerns about the impact of Dixon's Academy and what can be done about this. Agreed with the points raised by colleagues from the NUT and the NASUWT.

Summary of evidence received at hearing held on 29th March 2006

18. Paul Litchfield Paul Litchfield from the DfES (Academies Division) updated the committee with regard to the proposals to establish an Academy to replace Rhodesway School.

Summary of report received at meeting of committee held on 12th April 2006

19. Cllr Dale Smith & Mark Carriline (Assistant Chief Executive, Education, Community & Social Care) The "Principles to govern the establishment of further Academies in Bradford" were presented and are detailed in Appendix 4. Two Academy developments pre-date these principles (Dixon's and Bradford Academies) and there are three existing schools about which discussions are currently taking place with regard to possible Academy developments i.e. Rhodesway School, Carlton-Bolling College and Wyke Manor School.

Chapter 4 – Findings

Transfer of pupils

20. The committee was reassured that the DfES confirmed that all pupils at a school closed to become an academy would have the option to transfer to the successor academy and that the contradictory information on their website (“We expect most pupils at schools replaced by Academies to have the option of transferring to the Academy”) would be amended. To date, this has not yet been amended on the DfES website

Admission arrangements/Selection

21. The committee notes with concern the comment from the DfES that the Government has always sought to reach agreement with LEAs on admissions policies for academies and in almost all cases, this has been achieved. Given that schools can not exist in isolation, it is essential that agreement has to be reached in all cases.

Funding

22. Capital – It would appear that new Academies are “given” new premises and hence are not locked into the kind of fixed amount “repayments” that other schools in the BSF programme are required to do. In addition, normal BSF schools have their funding reduced because of the top slicing of the DSG to fund the affordability gap. Academies will not suffer in this way.
23. Revenue – The committee was assured that the revenue funding for Academies is in effect similar to that of other schools in the Local Authority.

Evidence of Success

24. The committee’s view is that Academies are not yet proven to be successful and agrees with this finding from the New Philanthropy Capital –

“The key attributes for those [academies] that are successful are likely to be the same as for any other school: good leadership, good teaching and a strong and positive ethos.”¹

25. The committee has seen no evidence of any monitoring of the effect of the existing Academies on neighbouring schools or any comparisons with local authority schools which have been successfully “turned around” without becoming Academies. This evidence based approach is vital given the importance of this issue.
26. The committee is concerned that academies academic achievements are looked at on a national basis with all secondary schools and believe that it would be more appropriate to compare academies with similar failing schools to be able to get a more realistic view of any improvements. The DfES agreed that this type of

¹ On your marks: Young people in education, A guide for donors and funders. New Philanthropy Capital. April 2006

comparison has not been undertaken and agreed to implement such an analysis.

27. A PWC survey undertaken on behalf of the DfES shows a low response rate (20%) from parents to questions about the popularity of existing Academies. This response rate seriously undermines the claims from the DfES about the popularity of the existing Academies.
28. In relation to the success or not of Academies, the committee fully endorses the findings of the House of Commons Education and Skills Committee on the Academies programme published in May 2005 i.e.

The communities that will be served by Academies are particularly vulnerable and have suffered from many years of inadequate education provision. We welcome the Government's desire to invest in the schools serving these communities. But the Government should ensure that the current programme of Academies is thoroughly evaluated, both in respect of the performance of individual academies and the impact on neighbouring schools, before embarking on a major expansion of an untested model.

We fail to understand why the DfES is putting such substantial resources into Academies when it has not produced the evidence on which to base the expansion of this programme. We recommend that the Department publish its existing evaluations of Academies, making clear the limitations of the research due to the small number of schools involved.

We welcome the success of Academies which have raised educational standards in areas of historical underachievement. However, we observe that other Academy schools seem not to have produced improved results compared to the school that was previously on their site.

As the Government continually repeats, the development of the Academies programme is still in its early stages. As yet, the evidence for and against the initiative is primarily anecdotal. What evidence there is paints a mixed picture. Despite the paucity of evidence, the Government is enthusiastically pushing forward with the programme and with new Academies. We caution against this approach and urge the DfES to monitor carefully the performance of academies and adjust its policies accordingly. In particular, the Department should consistently measure the proportion of pupils entitled to Free School Meals and the number of exclusions in Academies.

The Government should monitor the effect of Academies on neighbouring schools, in terms of funding (including by the creation of surplus places at neighbouring schools) and staffing (e.g. the loss of well-qualified teachers at one school to a nearby Academy with a sixth form).

We agree that the participation of an enthusiastic and committed private sponsor might benefit a school. But once again, the DfES does not seem to have set up a rigorous enough structure to evaluate the effects of sponsorship. It might be prudent to establish a number of Academies without sponsors so that the effect of sponsorship can be properly monitored and tested, or to examine the role of sponsorship of different characters in CTCs. The Department should also consider allowing donors to sponsor schools which are not Academies on the same basis, in order to measure the effectiveness of sponsorship even more accurately.

Governance/Sponsorship/Accountability

29. It would seem that the DfES has the ultimate say over which sponsor is to be used for a particular new Academy. Given that any new Academy is a local solution to a local problem and that certain sponsors want to introduce particular approaches and beliefs to the running of the Academy, it seems bizarre to the committee that the choice of sponsor is essentially made by civil servants in London.
30. The committee asked the DfES if it can remove sponsors should they prove to be inefficient and/or unsatisfactory. The answer from DfES is as follows: *It is possible under the terms of the funding agreement (a contractual agreement between the Academy Trust and the Secretary of State for Education) for the Secretary of State to appoint sufficient new school governors to form a majority if there is a serious breakdown in the management of the Academy, or the standard of performance of pupils becomes unacceptably low.* This would seem to say that direct removal of the sponsor is not possible which the committee believes is a very unsatisfactory position.
31. The DfES states that Academies are accountable to local parents in the same way as maintained schools and that the whole driving force of the Academies programme is linked to local accountability and collaboration. It seems to the committee that the prescribed nature of the governing body contradicts this laudable intent. There is only a requirement for **one** parent governor (see below) and **one** elected members and no requirement for any staff representatives.
32. With regard to Parent Governors, the committee believes that the requirement for an Academy Board to have at least one parent governor is completely inadequate and an insult to parents given that a typical secondary school may have about 6 or 7 parent governors and the messages from the DfES about the importance of parents being involved in schools. For the DfES in their evidence to be proud that some Academies have two or more parent governors demonstrates how out of touch they are with the vital role of parents in school governance arrangements.
33. The committee was pleased to receive the following response from the DfES re the Overview and Scrutiny function and Academies: *"As an Academy is not maintained by the local authority then it would not fall within the Council's remit in a formal sense, but the DfES – and academy trusts – regard themselves as properly accountable, and would always wish to co-operate with reasonable requests for scrutiny from a local authority".*
34. The committee agrees and supports the Portfolio holder (Cllr Dale Smith) in his suggestion of a local consortium as a possible sponsor for an Academy.

Every Child Matters

35. Given the very high level of importance given by the Government to the implementation of ECM and in particular the vital importance of all schools being involved in key elements such as extended schools and child protection, the committee is concerned about the statutory responsibilities the LEA have in relation to ECM. In other words, it is hard enough for the LA to persuade all local authority schools to participate in appropriate ways and will be potentially even

harder to persuade an “independent” Academy to fully engage.

Local Authority Policy and “process”.

36. It is noted that there is no agreed Council policy on academies. Nothing has been through the full Council or Executive. The DfES is in the driving seat with regard to a matter of huge importance to Bradford. The Academy developments and discussions are all held in secret, with the elected members who are responsible for education in the district being kept completely or partially in the dark. Although the SOC makes the final decision on closing a school, this decision is made a considerable time after it has been decided to establish a new Academy and it is very unclear about who makes the latter decision. It is certainly not made in any democratic and open process. The committee believes that these processes are completely unacceptable.

37. The committee welcomes and supports a number of principles which should apply to any proposed academy development Bradford District and which were put forward to it on the 12 April 2006 by the Portfolio Holder for Education, Cllr Dale Smith, but notes that these are not yet formal agreed Council policy. These principles are detailed in Appendix 4.

Staff Conditions

38. It appears that Academies are prone to less conducive industrial relations, with some not entering into national bargaining arrangements and recognition agreements. The committee is concerned that TUPE doesn't prevent changes to the school day and the structure of the day. For instance, one academy had teachers with a 30 minute lunch hour and they had to do supervision at the same time. New staff can be put on different pay and conditions than the existing teachers enjoy.

Curriculum

39. The committee is concerned that Academies do not have to follow the National Curriculum and wonders why all other secondary schools do. This seems inconsistent and dangerous given that providers of post 16 education make assumptions about the specific skills and knowledge their incoming students have. Current Information from the DfES website on curriculum is as follows:

Pupils attending an Academy will follow a broad and balanced curriculum with a particular focus on one or more areas. Over time we expect that all Academies will introduce more innovative and creative approaches to the curriculum. Academies are not bound by the National Curriculum and are free to adopt innovative approaches to the content and delivery of the curriculum. In line with maintained schools, Academies will carry out Key Stage assessments and offer qualifications within the national framework. They will also be inspected by the Office for Standards in Education (OFSTED).

Deficit Budgets

40. The financial impact of the deficits that closing schools have on the money available for local authority schools will be very significant. It seems completely unreasonable to the committee that a decision by the DfES to set up an Academy

in the district results in less money being available to the local authority schools.

Effect on other schools

41. No assessment is being made by the DfES on the impact being made on neighbouring school when they are considering establishing a new Academy. The committee believes that this is short sighted and wrong and ignores the overall needs of the educational family locally.

Capital Costs: use of BSF

42. It is clear to the committee from the initial evidence received that the DfES are very unclear about how new Academy buildings will be funded. Mention is made of the use of BSF both in evidence given to the committee and on the DfES website but further enquiries reveal that there is a huge amount of lack of clarity with regard to how these proposals will work in Bradford which is a BSF Pathfinder. The DfES even suggested that the authority should have indicated in its initial BSF Business case how many Academies are going to be built in the district. This was an unreal suggestion given the huge amount of uncertainty about proposed Academies. In addition, specific questions about who might cover "affordability gaps" received vague and unsatisfactory responses.

43. It has subsequently emerged that Academy new buildings are going to be funded through capital grant from the DfES and contributions from the sponsor with the programme managed through the Local Education Partnerships.

How do Academies make a difference?

44. The following is from the DfES's presentation on this matter to the committee:

- a. Offer a special emphasis on one or more areas of the curriculum, such as sport, science and technology, modern foreign languages, business and enterprise or the arts.
- b. Provide a curriculum that suits both academically able students and those for whom a vocational or work focused curriculum is more appropriate.
- c. Become centres of excellence sharing their expertise and facilities with other local schools and the community.
- d. Have sponsors from the voluntary sector, business or faith groups, who will bring their skills and expertise from outside education and will contribute to the school.

45. The committee believes that (a) to (c) are able to be delivered by local authority schools already and many already do so. Having sponsors is an approach that needs very careful evaluation and for the DfES to appoint sponsors with no track record in running schools and to give them control of a school seems somewhat irresponsible.

Single faith academies.

46. There are clearly concerns about the matter of faith and the establishment of Academies in Bradford District and it is clear that this matter needs to be handled in the context of Bradford District as a whole.

Chapter 5 - Recommendations

1. Transfer of pupils

That the DfES ensures that the information on its website about the transfer of pupils to Academies reflects the information provided to this committee by the DfES in evidence i.e. that **all** pupils at a school closed to become an academy would have the option to transfer to the successor academy.

Action: DfES

Timescale: October 2006

2. Admission arrangements/Selection

That Bradford Council reaches agreement with the DfES on the admissions policies for any proposed Academies before final agreement is reached about the establishment of any such Academies.

Action: Director of Education

Timescale: Ongoing

3. Funding

- a) That the revenue funding for Academies will be based on the same detailed formula as for other schools falling within the LEA's remit
- b) That the creation of further Academies out of precursor schools with accrued budget deficit positions at time of their closure, is accompanied by guarantees that those deficits will not fall on the LEA and, consequently, will not be a 'top slice' first charge set against other schools' budgets.
- c) That the funding of any 'affordability gaps', arising under any of the possible BSF funding models, is transferred out of the LEA's responsibility in the event of a BSF project falling within the LEA's Strategic Business Case planning becoming an Academy.

Action: DfES

Timescale: October 2006

4. Evidence of Success

- a) That the Executive, through the Bradford Academies Partnership (see Recommendation 5a below), satisfy itself, in an accountable and transparent process, that agreeing any new Academies has been proved by rigorous research and evaluation to be the best way forward for any particular failing school. Such evaluation to include a rigorous examination of all the other possible ways to "turn round" the school.

Action: Executive

Timescale: Ongoing

- b) That the promised comparative data from the DfES detailing the achievements of the existing Academies against similar “failing” schools be supplied to this committee as soon as possible and that this data should be collected regularly and made public as part of the ongoing evaluation of Academies
- c) That both historic and future surveys of parents with children in existing Academies on their views of Academies clearly detail the percentage of eligible parents who took part in such surveys.

Action: DfES

Timescale: October 2006

5. Governance/Sponsorship/Accountability

- a) That the agreement between the DfES and Academy Trusts enables the DfES to remove a sponsor in a direct way if the sponsor proves unsuitable or fails to meet their liabilities under the agreement and that the Local Authority can make representations to the DfES if it believes that the sponsor is proving to be unsuitable.
- b) That, in order to establish a sponsor that has the support of the community, the choice of sponsor is made in full consultation in an open and transparent manner with the relevant stakeholders of the failing school
- c) That in order to ensure that Academies are really accountable to parents, the number of parent governors and teacher representatives on the governing body of an Academy is determined in the same way as the number of such governors on the governing body of a local authority community school.
- d) That the DfES Academies Division provide 6 monthly reports to this committee on developments with regard to Academies in Bradford.

Action: DfES

Timescale: October 2006

- e) That this committee, in the light of the advice from the DfES, establishes a suitable relationship with the existing Academy and any proposed Academies in order to inform its ongoing work on the evaluation of the Academies programme in Bradford.
- f) That the Executive approves the establishment by the Assistant Chief Executive (Education and Social Care) of a Bradford Academies Partnership. This body would involve all the key players in the development, establishment and running of Academies in the district and would facilitate the following:
 - i) Discussion on any proposals to establish an Academy in Bradford as soon as such proposals are made public.

- ii) Commission research etc on any such proposals
- iii) Ensure that suitable consultation took place with parents and pupils of directly involved school and any neighbouring school,
- iv) Invite discussions with local organisations on possible sponsorship consortiums both in financial and other terms

Action: Executive

Timescale: October 2006

6. Every Child Matters

That the ECM Young People and Children Partnership Board seek written assurances from any proposed Academy of their commitment to being a full partner in ECM and that proposals for any cluster arrangements as part of the ECM delivery include any existing and planned Academies.

Action: Assistant Chief Executive (Education and Social Care)

Timescale: October 2006

7. Local Authority Policy and “process”.

That the committee welcomes the principles governing the establishment of further Academies in Bradford that were presented by Cllr Dale Smith to the Young People and Education Improvement Committee on the 12 April 2006 and urges the Executive to adopt them as formal Council policy

Action: The Executive

Timescale: By October 2006.

8. Staff Conditions

That any organisations proposing to establish an Academy in Bradford District fully consults and negotiates with all the relevant trade unions at an early stage in the process.

Action: DfES

Timescale: Ongoing

9. Curriculum

That, in order to ensure that pupils progressing at 16 and 19 have the expected range of skills and knowledge, Academies in Bradford deliver the full National Curriculum.

Action: Executive

Timescale: Ongoing

10. Effect on other schools

That the DfES, as part of its ongoing evaluation of Academies, include data on the impact of Academies on neighbouring secondary schools.

Action: DfES

Timescale: October 2006

11. Academy Buildings

- a) That given the very unclear picture that has emerged about the capital issues arising from the establishment of Academies in a BSF Pathfinder such as Bradford, further discussions take place on these matters between the Council and the DfES involving representatives from this committee.
- b) That, given that Academy buildings must be fit for purpose, it is vital that factors such as making use of the best practice that has been developed in the BSF programme in terms of design and bringing stakeholders together, sustainability, future learning needs, secure by design and whole life cycle costs are fully considered.

Action: Director of Education

Timescale: October 2006

12. How do Academies make a difference?

- a) That, given the DfES belief that the contribution of the sponsor is one of the key factors that make Academies successful, choice of sponsors is both very demanding and very important and it is vital that much more thought and consultation is put into this process. See recommendation 5b above.
- b) That, given the lack of hard evidence on the success of the Academy model of school, the Executive proceed with caution and is requested to consider very carefully any further proposals for the development of Academies in Bradford.

Action: Executive

Timescale: Ongoing

13. Faith and Academies

That there is a need for special consideration with regard to faith based policies in relation to any new Academies in Bradford and that multi faith schools would best meet the needs of the pupils in the District.

Action: Executive

Timescale: Ongoing

Appendices

- Appendix 1 Terms of Reference
- Appendix 2 Evidence log
- Appendix 3 Programme of Public Hearings.
- Appendix 4 Principles to govern the establishment of further Academies in Bradford

Young People and Education Improvement Committee

7 October 2004

Terms of Reference for a Scrutiny of Academies

See Part 3E paragraphs 2.1 to 2.11 of the Constitution of the Council

1. Subject of Scrutiny

Academies.

The scrutiny will examine the proposals for Academies in Bradford District.

In particular, the scrutiny will seek to:

- a. Understand fully the proposals for establishing Academies in Bradford District (i.e. what exactly is being proposed and what the current process for establishing Academies is).
- b. Scrutinise the advantages and disadvantages of these proposals in relation to raising educational standards in Bradford and to make appropriate recommendations
- c. In particular, address the following issues
 - Suitability and choice of sponsors
 - Admissions policies
 - Impact on BSF programme
 - Legal and political responsibilities framework.
 - Other relevant legal issues
 - Accountability and governance
 - Curriculum implications of sponsorships
 - Staffing implications
 - Financial implications for LEA
 - Implications for Education Bradford
 - Effects on remaining secondary schools in the District
 - Views of parents
 - Evidence of impact and success of existing Academies

2. Possible Interested Parties

	Name	Organisation / body / department
	Cllr Dale Smith	Education Portfolio Holder
	Phil Green	Director of Education
	Mark Carriline	Assistant Chief Executive
		Organisations etc involved in the proposed establishment of an Academy from the Bradford Cathedral Community College
		Teacher Unions and other relevant unions
		Relevant Headteachers
		Parent Governors/Chairs of Governors
		DfES
		Established Academy with representative from sponsor
		Chair of Education & Skills Select Committee
		Director of Legal Services
		Director of Finance

3. Methodology

- a. Committee (or nominated sub group) to hold “hearings” ie meetings in public. Invited “Interested Parties” to give a brief presentation (with a previously submitted written submission) to be followed by questioning by the committee.
- b. Committee (or nominated sub group) to invite written evidence from selected “Interested Parties”.
- c. Committee (or nominated sub group) to commission research
- d. Committee (or nominated sub group) to hold open meetings at which members of the public or interested organisations can present their views and evidence.
- e. Committee (or nominated sub group) to visit other relevant organisations to obtain evidence.

2. Indicative timetable

Date	Event	Comments
7 th June 2005	Committee agrees Terms of Reference	
Late September/early October	Public Hearing – invited witnesses to give evidence	

Young People and Education Improvement Committee

Scrutiny of Academies

Log of evidence received and considered

Number	Title	Date & Comments
1	Conclusions from Education Select Committee report (re Academies)	March 05
2	Transcript of hearing	6 th October 05
3	Transcript of hearing	1 st December 05
4	Transcript of hearing	24 th March 06
5	Transcript of hearing	29 th March 06
6	Report to the committee on Academy developments in Bradford from Director of Education	12 April 06
7	PowerPoint presentation from DfES	6 th October 05
8	Letter from Cllr Dale Smith	6 th October 05
9	Written responses from DfES to questions raised before 6 th Oct hearing.	6 th October 05
10	Responses from DfES re further questions:	13 th January 16 th January
11	Written Information from various Trade Unions involved in schools	24 th March 06
12	Written information received from Terry Wrigley, University of Edinburgh	24 th March 06

Young People and Education Improvement Committee

Scrutiny of Academies

Details of public hearings

Hearing (1) – 6 October 2005

St Peters Centre for Learning, Oak Room part A & B

Time	Organisation	Name
10:00	Committee arrive for initial briefing etc	
10:30	Formal start to hearing with introduction by Chair	
10:30	DfES	Sir Bruce Liddington (Head of the New Projects Unit) Neil Flint (Head of Operations)
11:30	“LEA”	Phil Green (Director of Education) and David Platt (Education Bradford)
12:15	Lunch	
13:00	Teacher Unions	A “panel” NUT (Karen Robinson) ATL UNISON (Dean Harper and Sue Easton)
13:45	Bradford Cathedral Community College	David Brett (Headteacher)
14:30	Bradford Secondary Heads	Nigel Jepson (Headteacher – Carlton Bolling Community College)
15:15	Formal end of hearing	
15:20	Committee to review hearing and agree next steps	
15:30	End of hearing	

Hearing (2) – 1st December 2005

City Hall – Committee Room 1

Time	Organisation	Name
	Portfolio Holder for Education	Cllr Dale Smith

Hearing (3) – 24th March 2006

City Hall – Committee Room 3

Time	Organisation	Name
12:00	Edinburgh University	Terry Wrigley (Senior Lecturer)
	Representatives from the NUT	Christine Blower, Deputy General Secretary & John Bangs, Assistant Secretary
	NASUWT	Jerry Bartlett and Pam Milner
	ATL	Stuart Herdson, Senior Vice-President

Hearing (4) – 29th March 2006

City Hall – Committee Room 3

Time	Organisation	Name
16:30	DfES	Paul Litchfield (Project Lead New Projects Unit - Academies Group)

Committee meeting – 12th April 2006

City Hall – Committee Room 1

Time	Organisation	Name
16:30	Bradford Council	Cllr Dale Smith (Education Portfolio Holder) & Mark Carriline (Assistant Chief Executive – Education, Community and Social Care)

Principles to govern the establishment of further Academies in Bradford

Presented to the Young People and Education Improvement Committee by Cllr Dale Smith, Education Portfolio Holder on the 12 April 2006.

- 1. Bradford is challenging the culture of underachievement and looking to a step change delivered through its primary and secondary strategy, and its "Excellence in Bradford" programme - real improvement focused on quality and excellence.*
- 2. We welcome the opportunity to be involved in the Academy programme, as this will assist us in consistent delivery of our secondary strategy. This focuses on delivering a common student entitlement, which includes impartial information, advice and guidance, a modern, differentiated curriculum designed to meet all students' needs and high quality teaching and learning. We would expect academies and their sponsors to provide a strong contribution and a significant measure of innovation within this.*
- 3. Bradford's educational vision emphasises the importance of partnership. Confederations and Education Improvement Partnerships will work strategically across schools, colleges and work based learning providers to offer an innovative and coherent approach to overall secondary and 14 - 19 entitlement. Academies and their sponsors would be a welcome addition to these developing partnerships focused on student success, participation and progression. We expect sponsors to be full partners in these developments.*
- 4. The government's Five Year Strategy focuses on personalisation of learning and specialist schools. Bradford is working strategically (for the benefit of students and best use of resources) through key partners (i.e. Headteachers, College Principals and the leaders of other work-based learning providers) to organise its specialist schools, second specialisms, vocational specialisms and leading edge and training schools in a coherent and co-ordinated way. Academies would have to be full members of this strategic group and approach, working to develop innovative and effective practice and to avoid wasteful duplication of provision.*
- 5. A co-ordinated 14 - 19 curriculum focused across our Confederations means that young people have the opportunity to access high quality provision across a number of schools, work based learning providers and colleges. Admissions policies and arrangements therefore follow the Bradford policy of priority areas and ranked over-subscription criteria, and schools adhere to this. Increased opportunities for students are reflected through the way our partnerships operate. Academies would need to conform to these agreed admissions and Confederation/EIP arrangements, within DfES guidance.*
- 6. Vocational provision is key to our 14 - 19 strategy. Academies will be able to play a lead role with other key providers through the agreed strategic development of schools as vocational centres. Sponsors would also be welcome to add their expertise to our programme and play a lead role in these developments by agreement. Our provision is based on a skills and prior attainment audit, progression and regeneration, resulting in local solutions to local needs.*
- 7. As a pilot LAA Authority, Bradford is seeking to deliver strategically through partner agreements the ECM agenda. We would expect any sponsor to subscribe fully to the goals of our Children's Services Plan and their realisation.*

8. *Bradford is a Phase 1 BSF authority and agreement on Phase 2 means that we need to work closely and strategically with the Academy development teams. Programmes must complement one and another and ensure a highly coherent development of facilities and centres so that young people of Bradford benefit to the full. Academy sponsors will need to subscribe to this approach and to be familiar with our Education Vision and Strategic Business Case. Neither is fixed in stone, and continuing dialogue ensures opportunities to influence these key documents.*
9. *In summary, Bradford is committed to Education Improvement Partnerships and Confederation working as the key underpinning for our 14-19 and overall secondary strategy. It is vital that Academies and their sponsors see themselves, in line with DfES guidance, as a fully integrated part of the Bradford secondary education strategy, and that their specialisms, 14-19 provision and collaborative structures are all completely aligned with the overall Bradford District strategy and the agreed plan for their Confederation. Therefore, each Academy must play a full and integrated part in District-wide provision and their local confederation developments and plans.*
10. *There has been a chequered history in Bradford of other authorities and organisations becoming the relevant authority for local secondary schools. It is therefore a key principle that no one organisation should sponsor more than one academy until it has demonstrated a successful track record in terms of key stage and post-16 outcomes for at least a five year period.*
11. *Any sponsors must demonstrate a clear commitment to and consistently work within the principles set out above; any sponsors with extreme religious or other underpinnings will not be acceptable to the Council.*
12. *We welcome interest in sponsorship from any bodies who meet these criteria and who are interested in co-sponsoring an Academy, especially where these bodies represent different communities and interests within the Bradford District.*

