

By: Rosalind Turner, Managing Director, Children
Families and Education

To: School Organisation Advisory Board – 3 December
2009

Subject: SCHOOL ORGANISATION - SCHOOL IMPROVEMENT
MODELS

Classification: Unrestricted

Summary: This report sets out different type of school
organisations in Kent and the new models being
introduced to support school improvement. The School
Organisation Advisory Board is asked to note the
report.

Introduction

1. Attached to this brief report is an Annex detailing the role of SOAB, school types and the new models of school organisation which are intended to help raise standards in schools. The purpose of the paper is to support members through the school organisation process.

Recommendation

2. Members of the board are asked to Note the report

David Adams
Area Children's Services Officer
01233 898550
David.adams@kent.gov.uk

Background Documents:

None

The Role of the School Organisation Advisory Board

As its title suggests the role of the School Organisation Advisory Board is to advise Cabinet, and in particular the Cabinet Portfolio holder for Children, Families and Education on matters related to school organisation.

The Board normally meets monthly (except for August) and provides a forum where matters of both local and county wide importance related to school organisation can be publicly debated. All meetings of the Board are open to the press and public and they are also web cast. Following the consideration of a matter the views of the Board are passed to the Cabinet Portfolio holder so they can be taken into full account as part of the decision making process.

Many of the matters which come before the Board would have first appeared in the County Council's Forward Plan as they are a 'Key' Decision. The definition of a Key Decision is set out in law and the criteria contains a number of elements. The criteria for a Key Decision is set out in the Council's Constitution and the element which is of most relevance to the work of the Board is:

Major changes in the arrangement for the delivery of services; including changes in the designation of schools.

The responsibilities of the Local Authority

The core role of the Local Authority in terms of School organisation is to secure the supply of school places i.e. to ensure that there is a school place for every child of statutory school age (5 – 16) who needs one. Beyond that the Local Authority is charged with offering diversity and choice. Local Policy and individual circumstances will determine how this is encapsulated within individual proposals to address such issues as selection, single sex teaching, age range, post – 16 provision etc. Clearly we work within the parameters of national legislation. The current legislative framework is largely derived from the 1998 schools Standard and Framework Act as modified in subsequent Education Acts in 2002, 2005 and 2006.

The role of the Area Children's Services Officers (ACSOs)

In Kent the school organisation function of the Local Authority is discharged at officer level, principally by the ACSOs, who each cover two District or Borough Council areas.

The ACSOs are responsible for developing proposals to:

- remove excess surplus capacity or develop additional school capacity thereby ensuring an appropriate but not excessive supply of school places;
- developing reorganisation proposals to inform the Building Schools for the Future (BSF) Programme;

- addressing the potential non - viability of small schools;
- developing 'Structural Solutions' for Secondary schools in response to the government's National Challenge agenda;
- addressing significant and sustained underperformance through school reorganisation where appropriate;
- developing proposals for the relocation of schools from one site to another;
- changing the character (by gender, age range or size) of individual schools.
- managing on behalf of the Local Authority any competition processes for the establishment of new schools.

As well as developing proposals for consideration by the Managing Director and elected Members, ACSOs are also responsible for organising statutory consultation processes and associated public meetings, where they will present and explain consultation proposals.

Types of School Provision

Community

Community schools are wholly owned and maintained by the Local Authority and set up to serve the needs of the local community. The Local Authority employs the staff, owns the school's land and buildings and as the admission authority has the primary responsibility for deciding the arrangements for admitting pupils.

Voluntary Controlled (VC)

Schools in this category were established by a foundation, usually a church. They provide the same range of education as Community schools but also reflect the ethos of the foundation that established them. The premises are held on trust by the foundation and the Local Authority employs the staff and is the admissions authority.

Voluntary Aided (VA)

These schools were also established by a foundation, often a church. They provide the same range of education as Community schools but reflect the ethos or religious nature of the foundation that established them. The governing body is the admission authority and publishes its own admissions policy. Given the denominational nature of these schools, children may come from a wider area than the immediate local community. The premises of the school are held on trust by the foundation. The governing body has additional

responsibilities for the upkeep of the buildings and employs the staff of the school, both teaching and non-teaching.

Foundation

When Grant Maintained status was abolished by The School Standards and Framework Act 1998, Grant Maintained schools were given the option to become either Foundation or Community schools. Most opted for Foundation status. Subsequently other schools have been granted Foundation status which can be secured through a simple consultation/application process. As Foundation schools, the governing body is the employer and the admissions authority. Foundation Schools own their own land and buildings, manage their assets and may establish or join charitable foundations to engage with outside partners. Foundation schools are slightly more independent from the Local Authority than Community schools but the relationship with the Local Authority is broadly similar and the Local Authority has powers of intervention as with Community schools.

Trust (A foundation school with a foundation)

Any maintained school can become a Trust school – primary, secondary and special schools. A Trust school is a state-funded Foundation school supported by a charitable trust. It is made up of the school and external partner(s) working together for the benefit of the school. It manages its own assets, employs its own staff and sets its own admission arrangements. A school can choose which partners to work with – for example, businesses, business foundations, colleges, universities or community groups. Increasingly central government is encouraging secondary schools to apply for Trust school status.

National Challenge Trust Schools

National Challenge Trust schools can be established by local authorities where a school is deemed to be unable to reach the minimum target of 30% 5A*-C and above including English and Maths by 2011 and to sustain and improve attainment levels thereafter. The Local Authority can apply to the Secretary of State for an existing Community, Foundation, Aided or Controlled school to become a National Challenge Trust school which must forge new improvement partnerships led by high performing educational partner. The aim is to give the school and the community a fresh beginning and a break with previous underachievement. The establishment of a new National Challenge Trust School has to have the approval of the DCSF. Competition is not required and exemption will be agreed automatically. National Challenge Trust School status attracts substantial extra funding from the DCSF to support rapid school improvement.

Academies

Academies are wide-ability, state-funded schools established and managed by sponsors from a wide range of backgrounds, including high performing schools and colleges, universities, individual philanthropists, business, the

voluntary sector and the faith communities as well as local authorities . Academies are not maintained by the Local Authority but are funded directly by central government. Academies are bound by the same School Admissions Code, SEN Code of Practice and exclusions guidance as all other state-funded schools.

Academies are more autonomous than other maintained schools and the Local Authority's powers of intervention are more limited. Academies also have greater flexibility in the way they operate, for example in terms of teachers' contracts, the organisation of the school day and the curriculum offer.

In Kent academies are encouraged to collaborate and co-operate with the wider community of schools and the Local Children Services Partnerships.

Federations

A federation is established where two or more schools agree to enter into a formal association to work together on a shared agenda. This can involve the establishment of a single governing body and single point of leadership for all schools across the federation – usually called an Executive Head teacher. When a single governing body is established the federation is usually referred to as a 'hard' federation.

Other forms of federation may stop short of unified leadership and governance but could involve an agreement to collaborate to form a Joint Committee to make decisions on their behalf. These kind of arrangements are sometimes referred to as 'soft' federations or formal collaborations.

The establishment of a federation is governed by Statutory Guidance and Regulations. Schools themselves are responsible for developing federation proposals (although the Local Authority may encourage them to do so). Typically it can take about 3 – 4 months to establish a federation. The statutory consultation period is only 6 weeks. Schools organise and run the consultation process themselves.

Federations can be single phase or cross phase. They usually involve a stronger school linking with a weaker school in an attempt to raise standards and allow both schools to benefit from strong leadership and governance. Usually a federation will be led by an Executive Headteacher with each school managed on a day to day basis by a Head of School, although there are other less common models of leadership.

The Local Authority has the right to be consulted by schools who are considering federation but we do not have a veto unless the school is in an Ofsted category. Federations have been identified as a so – called 'Structural Solutions by the DCSF as a possible response to National Challenge. If the Local Authority takes the view that a National Challenge school cannot achieve and sustain 30% 5 A* - C, it can require a National Challenge school to federate with a strong, high performing school if it feels that this is the best way of securing the requisite level of attainment.

Federations may, in some circumstances, offer a solution to the shortage of high quality applications for headship, especially in the primary phase. A table summarising Kent primary, secondary, special schools and Pupil Referral Units by district and status is attached as appendix 1.

Competition for New Schools

The Education and Inspections Act in 2006 built on the provisions of previous Education Acts in 2002 and 2005.

Under this legislation local authorities lose their dominance over the decision to initiate change. The desire for any organised group to promote new school provision or parental dissatisfaction with the status quo can trigger a competition and attract the necessary resources to bring about change whether or not there is an objective need to expand or contract existing provision.

Proposals to establish a new school will trigger the requirements for a public competition to decide the character and promoter/operator of any new school unless the Secretary of State approves an application from a promoter to publish proposals without a competition process. In all cases whether the process has been initiated by the Local Authority or triggered by a group of parents, the Local Authority will have the power to define the broad specification for new provision and the duty to secure appropriate premises and funding.

If the Local Authority is not involved in any of the proposals it can judge the competition, otherwise the independent schools Adjudicator will determine the proposal.

Given the extended requirements for consultation under the competition regulations, it takes typically about 18 months to run a competition process from start to finish. This takes account of intervening school holidays and the need to hit our own internal deadlines for meetings and the production of reports etc.

The Local Authority has experience of running a new school competition to establish a new school from the amalgamation of Ellington and The Hereson Schools in Ramsgate, w.e.f. September 2009 and opening a primary school in Ashford w.e.f 1 September 2012.

Martyn Doole
Area Children's Services Officer
Thanet and Dover