

AGENDA ITEM: 9 Pages 29 – 35

Meeting	Safeguarding Overview and Scrutiny Committee
Date	5 January 2012
Subject	Changing Relationship with Schools in Barnet
Report of	Cabinet Member for Education, Children and Families and the Director of Children's Service
Summary	This report outlines changes in national policy relating to increased freedoms for schools, including the growth in Academies and Free Schools and sets out how Barnet Council is approaching these changes.

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Status (public or exempt)	Public
Wards affected	All
Enclosures	Appendix A – Barnet Academies
For decision by	Safeguarding Overview and Scrutiny Committee
Reason for urgency / exemption from call-in	Not applicable

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1. RECOMMENDATION

- 1.1 That the Safeguarding Overview and Scrutiny Committee consider the implications of national policy and legislative changes which give more autonomy to schools, and comment on Barnet's approach to this.
- 1.2 That the Safeguarding Overview and Scrutiny Committee recognise the important role Councillors can play on Governing Bodies and champion their continued active involvement on school Governing Bodies.

2. RELEVANT PREVIOUS DECISIONS

- 2.1 None

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 Barnet Council's changing relationship with schools has significant implications for the Corporate Plan 2011 -2013's strategic objective 'ensure every school is a good school for every child and sufficient schools places are available', which is also a priority in the Barnet Children and Young People Plan 2010-2013. Achieving this objective requires new ways of working as set out in the body of this report.
- 3.2 Key activities in the Barnet Children and Young People Plan for 2011/12 that support the development of a new relationship with schools include:
 - 'Launch the new traded school improvement service in partnership with primary schools'
 - 'Support the development of free schools and academies and their inclusion in the wider schools partnership'
 - 'Support schools that wish to convert to academy status, and encourage their engagement with the wider community'
 - 'Support schools in recruiting able and skilled school governors from the wider community'.
- 3.3 There have been a large number of policy drivers from Government since 2010 including the Academies Act - July 2010 and the Education Act – January 2011. These have increased freedoms for schools and changed the relationship between schools and the local authority. Government has also been consulting on the National Curriculum, the new school admissions code, the schools funding formula, and 16 to 19 provision, and so further change, including the streamlining of guidance, is anticipated across a range of areas.

4. RISK MANAGEMENT ISSUES

- 4.1 Due to the greater autonomy for schools, there is a risk of fragmentation between the family of schools in the Local Authority. The Council is brokering relationships between schools to help retain the strong working partnerships that drive improvement and will help to maintain the overall strength of Barnet's schools.
- 4.2 With less contact between schools and the Council, it is possible that any dips in performance in schools will not be picked up as readily and mitigation will be slower and potentially less successful. See section 9.11 for information about the Council's support and challenge and narrowing the gap functions which help to provide Council oversight of school performance.

- 4.3 There is a risk that without strong Council brokerage of relationships with schools there could be detachment from Council-wide strategies including the Local Authority's statutory duties of providing a school place for every child.
- 4.4 There is a risk that the council will have less ability to influence the priority of Barnet residents for the SEN placements, which could result in more out of Borough placements.

5. EQUALITIES AND DIVERSITY ISSUES

- 5.1 Barnet has a very wide variety of maintained schools, including voluntary aided schools, foundation trust, and community schools. It also has a number of independent schools. This diversity will be further enhanced by the growth in academies and free school. Conversion to academy status provides schools with an opportunity to take advantage of greater freedoms.
- 5.2 Academies are delegated funding to meet the special and additional educational needs of pupils. Individually assigned funding for children with Special Educational Needs (SEN) statements will continue to be paid through the Local Authority, as normal. Barnet Local Authority will continue to have a legal duty to ensure the statement of SEN is fulfilled. These measures will help to ensure that the needs of children and young people with SEN are met.
- 5.3 Special schools that become academies will receive funding equivalent to that which they would have received from the LA as a maintained school in order to make the provision set out in the statements of special educational needs of pupils at the school.

6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)

6.1 Staffing

The Local Authority continues to have a strategic role as the champion of children and young people. As such, it is essential that the Council maintains a good working interface with schools. This is done through Director's meetings for Head teachers, Learning Network meetings, and Councillor representation on Governing Bodies. Barnet has also chosen to retain four Learning Network Inspectors who support and challenge schools around performance and help to broker school-to-school relationships.

6.2 Finance

When schools convert to academy status or set up as free schools they are funded directly by government on an equivalent basis to other schools. This includes funding for functions that the council previously carried out. As more schools convert to academy status the centrally retained budget is decreasing. In response to this, the Council is moving towards offering traded services for many of its functions. The council is also working to become more efficient and flexible in their approach as more schools convert to academies; service managers are regularly reviewing the usage the traded services and redeploying or reducing staff and resources where necessary.

6.3 Barnet Council continues to have funding for the following services:

- home to school transport (including SEN)
- education psychology, SEN statementing and assessment

- monitoring of SEN provision, parent partnerships, etc.
- prosecution of parents for non-attendance
- individually assigned SEN resources for pupils with rare conditions needing expensive tailored provision (this is usually a top-up to formula funding)
- provision of pupil referral units or education otherwise for a pupil who is no longer registered at an academy or school.

6.5 Schools converting to academy status receive additional funding to help cover the costs of the conversion process. No resource is available to help local authorities with academy conversions, which involve a significant amount of work.

6.6 **Property**

When schools convert to academy status, buildings and land are transferred to them on a 125 year lease. Sometimes this includes the transfer of leisure facilities, and as such it is vital that the Council works with academies and free schools to maintain community access to school facilities.

7. **LEGAL ISSUES**

7.1 The Local Authority is bound by a number of Acts passed by government, the most relevant of which are the Academies Act - July 2010, the Education Act – January 2011, and the Education Act 1996. Although more autonomy is passing to schools, the Local Authority still has a number of statutory duties including ensuring that there are sufficient schools for providing primary and secondary education in area, (Education Act 1996, s14); and acting quickly and decisively in relation to schools that have received an adverse Ofsted report. (Education & Inspection Act, schedule 7).

8. **CONSTITUTIONAL POWERS**

8.1 The scope of Scrutiny Committees is contained within Part 2, Article 6 of the constitution; the Terms of Reference of the Scrutiny Committees are in the Overview and Scrutiny Procedure Rules (Part 4 of the constitution).

9. **BACKGROUND INFORMATION**

9.1 Schools provide the biggest universal service for our children and young people, with around £250m delegated to Barnet schools every year. Educational attainment in Barnet is high and our diverse schools are one of the things that attract people to the area. 85% of Barnet schools and 93% of PVI settings are currently rated good or better by Ofsted and the Children's Service has an annual rating of 'outstanding'.

9.2 The coalition government is following through on promises to create a small government and 'big society' through decentralisation of powers. One of the most significant changes to date has been the introduction of the Academies Act 2010, which makes it possible for all publicly-funded schools in England to become academies, still publicly-funded but with a vastly increased degree of autonomy in issues such as setting teachers' wages and diverging from the National Curriculum. It also enables the creation of free schools. To set up a free school, groups apply to the Department for Education. Funding is on an equivalent basis (per pupil) with other locally controlled (state maintained) schools. Free schools have latitude for developing a broad and balanced curriculum. They are still subject to Ofsted inspections and are expected to comply with standard performance measures.

9.3 There has been a gradual trend of more funding and other powers being delegated to schools, especially when they become academies. Statutory responsibility for ensuring there are sufficient school places or ensuring schools are of a high standard remains with local authorities, although they have limited powers to manage this. As such developing the relationship between schools and local authorities is vital. Government has indicated that, in this new landscape, it sees local authorities as having a strong strategic role as champions for parents, families and vulnerable pupils.

9.4 Barnet's approach

Barnet is proud of the diversity of its schools. It is supportive of schools that wish to convert to Academy status, and welcomes their inclusion in the wider schools partnership. Since September 2010, 11 secondary schools and one primary school have converted to academy status. Over half of all Barnet secondary schools are now academies. As more schools become academies the parameters of a new relationship with these schools is changing, based on the principles of strong partnerships and shared responsibilities.

Barnet is also supportive of the development of free schools to meet local requirements where there is evidence of demand, a robust business case and available property. Free schools can play an important role in meeting the growing pressure for school places, and the Council encourages groups to engage with it early and work collaboratively to ensure any free schools are reflected in overall strategic planning.

9.5 Please see Appendix A for a list of Academy conversions and Free Schools.

9.6 Barnet Council has focussed on local decentralisation, in line with government policy. Barnet has been a high delegating authority for some time and already has a strong infrastructure to support government priorities.

9.7 Barnet's approach to some of the key challenges and opportunities posed by the changing legislative and policy landscape are outlined below:

9.8 School Improvement

Centralised grant funding for school improvement ceased from 1 April 2011, with responsibility for school improvement transferring to schools. In response to this, Barnet Council worked with primary schools to put in place a new model for school improvement support on a traded basis – the Barnet Partnership for School Improvement (BPSI). During consultation, secondary schools indicated that they felt able to deploy these resources without the need for a Local Authority traded service. BPSI has been extremely well received by primary schools, and one secondary school has chosen to buy into the service. The traded service was set up by a steering committee of 12 head teachers who directed the service to provide for their needs.

9.9 Challenge and support

Although funding for school improvement is delegated to schools, Barnet Council, in its role as champion of children and young people, has chosen to retain a small challenge and support function. Monitoring and challenge to schools is provided by four Learning Network Inspectors, who act as the eyes and ears of the Local Authority. They maintain strong relationships with the whole family of schools including academies, free schools, voluntary aided, foundation trust and community schools.

9.10 Governing bodies also have a strong role to play in supporting and challenging schools around performance. Councillors have a great opportunity in their positions on governing bodies to help raise standards in local schools, be accountable for the performance of the

school to parents and the wider community, plan the school's future direction with school professionals and make decisions on the school's budget and staffing.

9.11 Narrowing the Gap

Barnet is focussed on narrowing the gap between the attainment of the highest and lowest attaining children in the borough. In addition to Learning Network Inspectors, Barnet has chosen to retain a small Narrowing the Gap team as this remains both a national and a local strategic priority. This team provides challenge and support to schools and monitors data on their performance in this area.

9.12 Community role

Barnet is committed to supporting schools to use their position as hubs of the community to open up their facilities for use by the local community. Schools also have an important role to play in early intervention and prevention. As part of its investment in early intervention and prevention, the Local Authority is introducing a virtual 'Team Around the Setting' into schools, bringing together multi-agency professionals help schools find solutions to school-based issues and issues for individual children

9.13 Pupil Place Planning

Although the local authority retains the statutory responsibility for ensuring that there are sufficient school places in the local area it is not the decision-maker in relation to all school expansions. Central government makes decisions on whether academies can expand and is also the decision-maker in relation to free schools. The increasing pressure on pupil places in the borough requires cooperation between the local authority and all schools.

9.14 Future challenges and opportunities

As the local authority's relationship with schools continues to evolve, it is essential to maintain strong communication channels between all schools. To support this, a schools policy network has been set up for schools and local authority representatives to discuss local implementation of national policy and ensure that resources are most effectively deployed to the benefit of Barnet's children and young people.

10. LIST OF BACKGROUND PAPERS

10.1 None

Legal – MM

CFO –MC

Appendix A

So far Barnet has 14 academies, and a further two are in the process of conversion. These are set out in the table below.

School	Type before conversion	Target conversion date
London Academy		Pre-existing academy
Wren Academy		Pre-existing academy
QE Boys	Foundation	Converted – 1 September 2010
Ashmole	Foundation	Converted – 1 October 2010
The Compton	Community	Converted – 1 January 2011
East Barnet	Community	Converted– 1 April 2011
QE Girls	Community	Converted - 1 August 2011
Independent Jewish Day (Primary)	Voluntary Aided	Converted - 17 August 2011
Mill Hill	Foundation	Converted - 1 September 2011
Ravenscroft (now The Totteridge Academy)	Community	Converted - 1 September 2011
Whitefield	Trust	Converted - 1 September 2011
Christ's College	Community	Converted - 1 September 2011
Hasmonean High	Voluntary Aided	Converted - 1 October 2011
Hendon	Foundation	Converted – 1 November
Copthall	Community	In process of conversion
Henrietta Barnett	Voluntary Aided	In process of conversion

The borough has one free school, Etz Chaim (a primary school), which opened in September 2011. A further free school, Golder's Green Free School (primary), has been agreed by the Secretary of State for Education and is due to open in September 2012.