

Cabinet

7 December 2017

Local Authority Multi-Academy Trusts

Recommendation

That Cabinet notes the renewed emphasis on Warwickshire's 'Family of Schools' ¹ rather than establishing a Local Authority Multi-Academy Trust at this time.

1.0 Context

- 1.1 Following publication of the Government's 'Education Excellence Everywhere' White Paper in March 2016, Council officers considered the implications of a fully academised system both in terms of school standards and trading with schools. **Appendix 1** shows the current numbers of academies and maintained schools.
- 1.2 In October 2016 Cabinet authorised an exploration into the legal options, benefits and risks of establishing a Local Authority Multi-Academy Trust.
- 1.3 A project board was established in January 2017, with the Joint Managing Director (Communities) as the Project Sponsor. A headteacher reference group was set up and, in April, 2017 two 'independent experts' moved the project forwards. Feedback from schools indicated limited interest in the proposal (see **Appendix 2**.)
- 1.4 Following engagement with school leaders and relevant partners, and in the context of a new national Government, by July 2017 the benefits of the project remained unclear. A "stock-take" paper was therefore provided for the Joint Managing Directors to consider. This paper focussed on the changed educational landscape, and possible benefits of continuing with the project.
- 1.5 The Joint Managing Directors concluded that, given the change of emphasis nationally, the Council should not, at this point in time, pursue the establishment of a Local Authority Multi-Academy Trust. It was agreed to focus on the strengths of the current mixed market of academies and maintained schools, emphasizing the Council's commitment to the Warwickshire 'Family of Schools'.

¹ Maintained, academy, federation, multi-academy trust, nursery, special, primary, secondary, Diocesan

2.0 Rationale

- 2.1 Section 2.2 in the Cabinet paper of October 2016 anticipated that the Government might review the stipulation that only 19.9% of Multi Academy Trust Governing Board members could be 'local authority influenced'. However, this criterion has not changed. There is consequently little tangible difference between the Council's current representation on governing bodies of maintained schools, and its role in a Local Authority Multi-Academy Trust.
- 2.2 The establishment of a series of smaller multi-academy trusts, facilitated and influenced by the Local Authority would still be achievable. However, financial analysis has revealed that costs would out-weigh benefits. In addition, the Council would relinquish its current school improvement role and would therefore lose a valuable opportunity to engage with maintained schools.
- 2.3 WES services are successful and well-regarded by schools. There is currently a strong trading relationship with maintained schools and with academies, without the need for a local authority multi-academy trust.
- 2.4 Headteachers and governors of maintained schools have told the Council that they would like clarity so that they can make the right decisions for their children and families. This recommendation provides transparency to support them in their decision-making. The message shared with school leaders in October 2017 is reproduced in **Appendix 3**.
- 2.5 The main risk of not forming a Local Authority Multi-Academy Trust is that the Council has less influence in supporting its most vulnerable schools, particularly small primary schools and schools facing budget deficits. However, support for the Warwickshire 'Family of Schools' combined with a strong Challenge Board and school-led improvement model does offset this risk. Also, as the rate of primary academisation has slowed, there is currently less risk that Councils will only be left with schools that are unattractive to sponsors and Multi-Academy Trusts. For the time being, in England and in Warwickshire, a mixed market of academies and maintained primary schools is the reality.

3.0 Next Steps

- 3.1 Councils retain statutory responsibilities relating to all learners, particularly those who are more vulnerable, and also house a range of statutory functions such as moderation of pupil assessment, sufficiency of school places and home to school transport.

In this context, if Cabinet endorses the recommendation, Council staff will:

- a) revisit and champion the concept of Warwickshire's 'Family of Schools'
- b) act on feedback from school leaders through groups such as the Challenge Board, Consortia, Area Analysis Groups and Schools Forum

- c) acknowledge the importance of roles played by the Diocese of Coventry and the Catholic Archdiocese of Birmingham in supporting their maintained schools, building on existing relationships
- d) promote school-led improvement whereby excellent school leaders, rather than Council officers, provide support and encouragement to maintained school leaders
- e) promote peer support, particularly for standalone academy leaders
- f) continue to act on feedback from school leaders so that WES services can go from strength to strength
- g) ensure that Council services operate appropriately, taking heed of the different approaches required for an academy or a maintained school.

4.0 Conclusion

- 4.1 Endorsement of the recommendation would place the Council's engagement with schools on a positive footing. It would provide clarity for school leaders, and acknowledge the strengths of the current mixed market of provision through Warwickshire's 'Family of Schools'.
- 4.2 Please note that an Equalities Impact Assessment has not been undertaken because recommendations in this paper do not represent a change in existing policy.

Background papers

None

Supporting Paper

Cabinet Report 6 October 2016 – Local Authority Multi-Academy Trusts

	Name	Contact Information
Report Author	Chris Malone	chrismalone@warwickshire.gov.uk Tel: 01926 742588
Head of Service	Chris Malone	chrismalone@warwickshire.gov.uk Tel: 01926 742588
Joint Managing Director	Monica Fogarty	monicafogarty@warwickshire.gov.uk
Portfolio Holder	Colin Hayfield	cllrhayfield@warwickshire.gov.uk

The report was circulated to the following members prior to publication:

Local Member(s): None

Other members: Councillors Dahmash, Hayfield, C.Davies, Williams, Morgan and Roodhouse

Appendix 1

Academies and maintained schools in Warwickshire, October 2017 *NB schools in the process of academising are recorded as maintained*

6 maintained Nursery Schools

Primary Schools

Type	Number	% of all primary schools
Maintained	154	77.8%
Academies	44	22.2%

Secondary Schools

Total number Secondary Schools = 36			
Academies	32		89%
Maintained	4		11%

Special Schools

Total number special schools = 12			
Academies	5		42%
LA Maintained	7		58%

Appendix 2:

Feedback from schools on joining a Local Authority Multi-Academy Trust

The most recent data relating to schools' feedback suggests that the maximum of schools looking to form a MAT with WCC would be 60 (25% of 243), with the Independent Experts indicating that schools consider they have four options:

- Stay maintained (and possibly form a schools' company);
- Join an existing MAT;
- Form a yet unspecified MAT with local schools; or
- If a church school, were bound by the decision of the Diocese.

During consortia meetings, only 13 Heads indicated an interest in exploring the options further and 5 expressed an ambition to form or join a MAT. The consortia meetings included discussion with schools about what support they would welcome if they were to set up a local MAT. The main areas identified indicated support in setting up a MAT. This indicates no substantive support in forming a MAT with the LA.

Communication in October 2017

The following communication has been shared with school leaders through a range of opportunities including Heads Up, the Headteacher Conference, Schools Forum:

'The Council's Joint Managing Directors have explored in detail the possibility of Warwickshire developing a Local Authority Multi-Academy Trust(s). This work was undertaken following the publication of the 'Education Excellence Everywhere' white paper in March 2016, and the Council's Cabinet Paper of October 2016.

Very helpfully, Head Teachers and Warwickshire Schools have given considerable time and engagement to this work, and in particular expressed direct views through the headteacher reference group. Nationally, the policy context has been less than clear and at the same time it has become apparent that there are mixed appetites and/or perceived benefits to be gained from a LA MAT(s). Consequently, recommendation will be made to Cabinet in December 2017 that, given the change of emphasis nationally, the Local Authority should not, at this point in time, pursue establishment of a LA MAT. The Cabinet paper will emphasise Warwickshire's continued support for both maintained schools and academies, and recommend that the focus should now be on the strengths of the current mixed market of academies and maintained schools. The Council's commitment to the Warwickshire 'Family of Schools' remains as strong as ever and we hope this will simply be seen as a pragmatic position.

Our thanks to all who contributed to this evaluation'.