

**EDUCATION SCRUTINY COMMITTEE – 27 JUNE 2018**  
**OXFORDSHIRE COUNTY COUNCIL ACADEMIES PROGRAMME**  
**END OF YEAR REPORT - 2017**

**Report by the Director of Children's Services**

**Introduction**

1. During 2017 the Council continued to implement its policy on academies through an Academies Programme Project as part of its overarching Education Strategy.
2. Following a year of considerable change in the legislative framework and national education policy agenda in 2016 there was no further legislation passed in 2017. The national focus on education policy changed to a different approach led by the National Schools Commissioner which focussed on creating sustainable MATs and embedding a different culture driven by a school improvement focus. The Government remained committed to the academy agenda but expected the mixed economy of LA maintained schools and academies to continue for some time whilst capacity is created in the academy system to support more schools effectively.
3. The council's last formal policy statement on the academies programme was issued in October 2015. It recognised that the Council has a strong track record of supporting schools to become academies. To avoid the risks associated with fragmentation and isolation, particularly of small rural primary schools, it was proposed that the Council adopt a more assertive policy of actively encouraging the incorporation of the remaining maintained schools into sustainable formal collaborative groupings, primarily through the Multi Academy Trust model but also through the extension of the 'collaborative company' model and the pooling of more resources and responsibilities.
4. The full report to Cabinet is available at the link below.  
[http://mycouncil.oxfordshire.gov.uk/documents/s31331/CA\\_OCT2015R15%20Strategic%20Groupings%20of%20Academies%202015-20.doc.pdf](http://mycouncil.oxfordshire.gov.uk/documents/s31331/CA_OCT2015R15%20Strategic%20Groupings%20of%20Academies%202015-20.doc.pdf)
5. Officers continue to follow many of the principles set out in that report although there has been no further interest in the local collaborative company model by schools in 2017 and this has not been promoted actively. The main principles are listed below.
  - a) No school 'left behind' by virtue of ethos or size.
  - b) Consideration of geographical proximity of schools.
  - c) Recognition of active formal partnership links.

- d) Robust consideration of potential of Multi Academy Trusts to promote good and better standards of education and effective working with the Council in carrying out its statutory duties such as place planning.
  - e) Recognition that a strategic plan for school groupings is required to maintain standards and accountability amongst education providers in the county.
  - f) Recognition that too many different trust arrangements will potentially dilute the local effectiveness of schools and adversely affect the Council in fulfilling its statutory duties, for example, to provide sufficient good quality pupil places.
  - g) Seek dialogue about expansion opportunities in the county sought by trusts located in the county.
  - h) Engage with academies in all phases that meet the criteria to be approved as a sponsor with a view to encouraging them to seek such status and offer local solutions in education provision.
  - i) Work with RSC to hold non- performing trusts to account.
  - j) Work with RSC to promote expansion of good performing trusts in county.
  - k) Free School bids from suitable approved sponsors to be encouraged in areas where no basic need solutions are available from current resources and to promote diversity of choice for parents throughout the county.
  - l) Recognition of the formal position of the three Dioceses represented in Oxfordshire schools regarding consent for those schools to convert to academy status.
  - m) Engagement at county level about appropriate academy solutions for C of E schools with ODST. (Schools are currently advised to pursue individual solutions direct with the Oxford Diocesan Board of Education).
  - n) To adopt a more assertive policy in identifying appropriate sponsors for schools required to convert to academy status.
  - o) To promote appropriate groupings to form new Multi Academy Trusts and encourage the growth of existing Multi Academy Trusts based in the county.
6. Officers continue to develop relationships with existing and emerging trusts in the County with a view to influencing the pattern of provision. In addition, schools continue to request and receive individual visits and information related to their specific situation.
7. In 2017 as it became clear that there would be no national push to accelerate the academies programme the Council commenced consultation on how to support and work with a significant remaining maintained school sector.

## **Background**

8. Academies are publicly-funded independent schools. Between 2001 and 2010, there was only one kind of Academy. This was usually a secondary school that had been closed by the Local Authority and re-opened as a new legal entity, often in response to low attainment figures and judgements made by Ofsted. In Oxfordshire, three academies of this kind were established (North Oxfordshire Academy, Banbury, Oxford Academy and Oxford Spires Academy).
9. Academies under the post 2010 legislation are subject to different conversion processes and requirements.

10. **Sponsored** academies **can be obliged** to become academies by the Department for Education (DfE) as a result of low standards of attainment.
11. **Converter** academies **choose** to become an academy themselves but have to be approved for conversion by DfE if they satisfy tests regarding standards and sustainability. The decision to apply for conversion rests with the Governors of the school. Converting schools can still seek a sponsor if they feel this will add value to the education of pupils.
12. **New Academies** can be set up through different routes which involve **bidding processes** and include secondary schools, primary schools, special schools, university technical colleges (UTCs), studio schools, free schools, 16-19 provision and alternative provision. Following the 2015 election pledge to create 500 Free schools in the next electoral term, statutory guidance was amended and reissued.

## **Content**

13. The report identifies and analyses trends in this programme during 2017, and indicates changes from those noted in 2016, under the following headings.
  1. National and Local Statistics
  2. Conversion Numerical Data
  3. Trends in Conversions
  4. Local Collaborative Companies
  5. Sponsorship
  6. Cost of Conversions
  7. New Academies
  8. Regional Schools Commissioner
  9. Conclusion

## **Executive Summary**

14. The number of schools converting to academy status increased considerably in 2017 over those completed in 2016. As last year most converters in 2017 were primary schools although three secondary schools also converted to academy status.
15. There were 131<sup>1</sup> academies including Free Schools and Studio Schools in Oxfordshire at 31<sup>st</sup> December 2017. Twenty-three of them converted in 2017.
16. Approximately sixty-two per cent of the total Oxfordshire pupil population are now educated in academies.
17. There remain marked differences in volume of academy conversions between locality areas.

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<sup>1</sup> This figure includes new schools.

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18. Conversions to academy status significantly increased at an average rate of approximately 2 per month in 2017 from 0.5 per month in 2016.
19. Most schools continue to convert as part of groups or with the intention of setting up a group in a Multi Academy Trust (MAT). This trend is expected to continue.
20. Multi-Academy Trusts are maturing and in some cases merging with others to become more sustainable units in terms of both school improvement and financial security.
21. Church of England schools have a number of options for joining a MAT in the county. Catholic schools in Oxfordshire may still only convert to academy status with other catholic schools.
22. Local collaborative companies can be used to promote, build on and formalise existing partnership arrangements for shared support and services between schools. Such a company model can stand on its own or continue to be used as a stepping stone for schools in considering whether and how such an academy partnership may be appropriate to them. No additional companies were formed in 2016 or 2017
23. In 2017 two primary schools with standards issues converted to academy status. Both schools are sponsored by Trusts already operating in Oxfordshire schools. Directed Academy Orders were issued to schools with standards issues as judged by Ofsted under the terms of the new Education and Adoption Act in 2016. None of these school has yet converted to academy status. Building maintenance issues have become major factors in the delay in converting these schools to academy status.
24. RSCs have a legal obligation to issue an Academy Order in response to Ofsted judging a school to require special measures.
25. The pool of sponsors available to support under performing schools in Oxfordshire remained the same in 2017. The need to identify more sponsors is a challenge nationally. However, the supply of sponsors in Oxfordshire remains good and officers have intimated to the RSC that there is potential from within trusts operating in the county to meet the need to support schools with standards issues.
26. A managed system continues to ensure schools convert with all business issues relating to the Council set out in transfer documentation. The cost per conversion to the Council remains approximately £12,000.
27. As part of the programme to meet savings required across Council services a one off contribution to the costs of the Council per conversion has been levied on converting schools since 1<sup>st</sup> April 2016. This is set at £6,000 per school and is met from the DfE grant to them to meet costs of the conversion process.

28. The local authority's overall DSG allocation relating to schools is calculated based on the Government new national funding formula criteria with the intention that eventually schools will be individually funded using the same formula. For the next two financial years, local authorities have been allowed the option to continue with their existing local formula, move to the national funding formula or use some hybrid funding model between these two approaches. Following discussion with Schools Forum and all schools and academies the local authority will, as far as possible from 1 April 2018, adopt the national funding formula criteria for allocating funding to its schools and academies.
29. The authority must provide revenue funding to new academies in the pre-opening stage and during the time it takes for the school to be open in all year groups. This will be a significant amount as new academies open. A Growth Fund to meet this expenditure was created and funded one school in 2016 and two more in 2017. There will be more schools opening in 2018, 2019 and 2020.
30. The Council will always be consulted on any proposal from an external bidder to set up a new academy in Oxfordshire as the responsible body for strategic pupil place planning. It may choose to work actively with proposers if the places are required and offer a cost effective approach to meeting basic need and increased diversity of choice in the area.
31. All new provision schools are now designated as Free schools and may be provided either through the Local Authority presumption route or through a biannual bidding round whereby sponsors can make direct bids to open new schools to Secretary of State.

### **1. National and Local Statistics – Maintained schools converting to academy status**

At 1st January 2018, 6,996 English schools had become academies of which 4,966 are converters and 2,030 are sponsored. The table below sets out trends in academy conversion nationally and locally during 2017.<sup>2</sup>

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<sup>2</sup> Source: Nicky Morgan's speech to education and business leaders about government reforms dated Feb 2016 <https://www.gov.uk/government/speeches/a-world-class-education-system-for-every-child>

Secondaries include 'all through' schools and 'middle schools deemed secondary'. Primary schools include 'middle schools deemed primary'.

<sup>3</sup> These are conversions only and the number does not include new schools.

2017 figures taken from DfE Open academies and academy projects in development as of 1<sup>st</sup> January 2018. <https://www.gov.uk/government/publications/open-academies-and-academy-projects-in-development>

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### National

Date	Secondary	Primary	Special
November 2012	55%	<5%	>5%
November 2013	55%	9%	No national % available. 112 Special /PRUs
October 2014 <sup>2</sup>	64%	17%	No national % available.
October 2015	65% <sup>2</sup>	18% <sup>2</sup>	No national % available
December 2016	68%	21%	No national % available
December 2017	72%	27%	No national % available

### Oxfordshire

Date	Secondary	Primary	Special
1 February 2013	20 (59%)	7(1 sponsored) (3%)	4 (33%)
1 December 2013	21 (62%)	32 (6 sponsored) (14%)	4 (33%)
December 2014	25 (74%) <sup>3</sup>	46 (8 sponsored 20%) <sup>3</sup>	4 (33%) <sup>3</sup>
December 2015	28 (82%) <sup>3</sup>	61 (9 sponsored 26%) <sup>3</sup>	5 (38%) <sup>3</sup>
December 2016	28 (82%)	65 (10 sponsored 28%)	5 (38%)
December 2017	31 (91%)	85 (12 sponsored 36%)	5 (38%)

The greatest volume of conversions in Oxfordshire continue to be in the primary sector and the local conversion rate is higher than the national rate. Primary schools are encouraged by DfE and the Council to convert in groups for the purposes of sustainability and stability.

## **2. Conversions - Numerical Data (Oxfordshire)**

a. Number of academy converters
<ul style="list-style-type: none"> <li>• 121 since start of academies programme in 2007.</li> <li>• The rate at which schools have converted to academy status slowed considerably in 2016.</li> <li>• 23 conversions were completed in 2017.</li> </ul>
b. Conversions by Phase and Type

- In 2012 – there were 21 conversions in total. 14 secondary, 6 primary and 1 special schools.
- In 2013 – there were 31 conversions in total. 2 secondary, 26 primary, 3 special schools.
- In 2014 – there were 18 conversions 4 secondary, 14 primary and no special schools. Four of the primary schools converted as sponsored academies brokered by the DfE.
- In 2015 – there were 19 conversions, 3 secondary, 15 primary and 1 special school. One secondary school converted as a sponsored academy brokered by the DfE, with all others converting on a voluntary basis.
- In 2016 – there were 4 conversions, all primary schools. One primary school converted as a sponsored academy brokered by the DfE, with the other three converting on a voluntary basis.
- In 2017 – there were 23 conversions, 3 secondary and 20 primary schools. Of these two primary schools converted as sponsored academies brokered by the DfE.

c. Conversions as a percentage of school estate

- At 1<sup>st</sup> December 2017 31 (91%) secondary schools,<sup>3</sup>
- 85 (36%) primaries,<sup>3</sup>
- And 5 (38%) special schools in the county are now academies.<sup>3</sup>

There remain marked differences in volume of academy conversions between locality areas. The only locality areas with significant numbers of primary academies are those with multiple academy trusts (MATs) based on a geographical area.

In 2017 two new MATs were formed in the county – Acer Trust and The Merchant Taylors Oxfordshire Trust. Vale Academy Trust expanded its geographical area to take in two Abingdon schools. Faringdon Academy of schools and Eynsham Partnership Academy Trust are planning to consult on becoming one trust. The Marlborough School will be joining River Learning Trust in 2018. Kingsdown School, Swindon has also joined River Learning Trust in 2017.

Schools/academies are seeking additional school improvement and financial advantages through this trend.

Increasingly Regional Schools Commissioners require clear evidence of the advantages to both parties when any school seeks to join an existing trust. At Appendix 1 is a breakdown of Number of academies and maintained schools in Oxfordshire.

At Appendix 2 is a breakdown of conversions data by locality.

At Appendix 3 is an update of individual schools that have, or are considering conversion to academy status at December 2017.

<sup>3</sup> These are conversions only and the number does not include new schools.

d. Numbers of pupils in academies
<ul style="list-style-type: none"> <li>• By 1 December 2017 there were 51,500 (60.7%) pupils of statutory age in open academies. When Foundation Stage and post 16 pupils are also included this increases to 58,300 (62.3%) of all pupils in Oxfordshire.</li> <li>• A further 2,200 pupils of all ages are currently on the roll of schools where an Academy Order has been issued by the Secretary of State. This represents an additional 2.4% of pupils on roll.</li> <li>• 95.8% of all secondary aged pupils attend an academy with a further 2.6% of pupils are on roll in secondary schools with Academy Orders and likely to convert to academy status during 2018.</li> </ul>
e. Forecast Number of Converter Academies
<ul style="list-style-type: none"> <li>• The current rate of conversion to academy status is an average of two conversions per month which is significantly higher than last year.</li> <li>• At present a further two secondary, twelve primary schools and one Hospital School have indicated a likely intention to convert to academy status in 2018.</li> <li>• A few schools are in informal discussions about forming new, or joining existing trusts. Factors affecting how quickly these discussions translate into conversion to academy status are set out below.</li> </ul> <p>i. Consolidation of services received for school improvement and back room functions through the Integrated Business Centre managed by Hampshire County Council.</p> <p>ii. Perceived view of Council support for maintained schools.</p> <p>iii. Change in Government policy away from compulsory requirement for all schools to become academies by 2020.</p> <p>iv. RSC encouragement to MATs to grow to sustainable size as set out in 'Good practice guidance and expectations for growth' published by DfE in December 2016.</p> <p>v. Lack of national policy direction for academy programme.</p> <ul style="list-style-type: none"> <li>• Academies are now formally represented on the various bodies that represent schools, for example, Schools Forum.</li> </ul>

### **3. Trends in conversion**

a. Phase
<ul style="list-style-type: none"> <li>• There were three secondary school conversions in 2017. A further one secondary school has an Academy Order and is expected to convert to academy status in 2018. This would take the total of secondary conversions to 94%</li> <li>• Twenty conversions came from the primary phase and the percentage of academies rose in this sector from 11% in 2013 to 20% at the end of 2014 to 25% in 2015, 28% in 2016 to 36% in 2017</li> </ul>



<ul style="list-style-type: none"> <li>• The percentage of special school converters remained at 38% in 2017.</li> </ul>
<p>b. Groups.</p>
<ul style="list-style-type: none"> <li>• Of the schools that converted in 2017, nineteen joined established MATs in the county and two of them were sponsored conversions.</li> <li>• There are twenty three MATs with more than one school operating in the county.</li> <li>• Seventeen of the MATs are formed by groups of Oxfordshire schools (i.e. where the schools did not join a pre-existing external academy trust), and six which have joined a national academy chain/external sponsor. (See section 5 – Sponsorship, below for further information).</li> <li>• The trend of schools joining MATs is expected to continue. MATs are beginning to consolidate by joining together. Wheatley Park School as a single academy trust joined River Learning Trust last year. Kingsdown School in Swindon and Chipping Norton School, both Single Academy Trusts, joined this MAT in 2017. Various primary schools and a further secondary Single Academy Trust are planning to join this Trust in 2018.</li> <li>• Single Academy Trusts are being encouraged to consider forming new or joining existing groups.</li> <li>• Trusts which originate outside the county are forming Oxfordshire ‘hubs’. For example, GLF Schools originally based in Surrey operate William Morris Primary and Longford Park Primary Schools in Banbury and have been approved as sponsor for the new school in Banbury in 2020. They are also growing a Didcot hub with Aureus Secondary school and Aureus Primary School which is due to open September 2018.</li> </ul>
<p>c. Faith Schools and Academies</p>
<ul style="list-style-type: none"> <li>• The Oxford Diocesan Board of Education formed a MAT in 2012, the Oxford Diocesan Schools Trust (ODST). Twenty five Oxfordshire schools have joined ODST and more intend to join the trust in 2018. Church of England (controlled and aided) schools require the consent of their Diocesan Board of Education to convert to academy status. Such consent will not be given to join external academy chains, for example AAT and CfBT, but may be given for ‘locally grown’ trusts.</li> <li>• In 2014 approval was granted for the first voluntary aided school to join a local MAT based in Eynsham and another local MAT with an aided school, The Warriner School MAT, was approved in 2015. Other schools are now in discussion with ODBE about similar groups in other parts of the county. ODST continues to grow and regional hubs within the Diocesan area have been created in 2017. However, some larger MATs are unwilling to incorporate voluntary aided schools because of the proportion of representation required by Oxford Church of England Diocese for these schools to protect their faith ethos. Some only incorporate community schools for the same reason.</li> </ul>

- There remain two Catholic MACs in the county with ten member academies – the Dominic Barberi MAC (7 schools), and the Pope Francis MAC (three schools). Both form part of the governance structure set out by the Birmingham Catholic Archdiocese. In operational terms a MAC operates in exactly the same way as a MAT. Catholic schools may only convert as part of a catholic academy trust.
- There are two catholic primary schools in the county which fall under the auspices of the Portsmouth Catholic Diocese and cannot join with either community schools or Catholic schools from the Birmingham Catholic Archdiocese as different articles of association apply to each. The nearest academy trust provided by Portsmouth Catholic Diocese for these schools to join is Pier Giorgio Frassati Trust currently based in West Berkshire.

#### **4. Local Collaborative Companies**

##### a. Alternatives or steps towards academy status

- A Collaborative Company is an option open to schools to formalise arrangements for collaboration between local groups of schools. The council has published guidance to enable a group of schools to set up a company if they wish to do so.
- No such companies were in existence in 2013. In addition to the four companies established in 2014 three more were established in 2015. No further new companies were formed in 2016 or 2017.

Local collaborative companies can be used to promote, build on and formalise existing partnership arrangements for shared support and services between schools. Such a company model can stand on its own or be used as a stepping stone for schools in considering whether and how such an academy partnership may be appropriate to them. The model paperwork remains available for schools to use but officer support for such initiatives is no longer available.

#### **5. Sponsorship**

##### a. Sponsors

- By the end of December 2016 there were twenty one approved sponsor trusts responsible for Oxfordshire schools. This number has remained the same for 2017.
- Between them these trusts manage ninety Oxfordshire academies (up from eighty in 2016) of which seventeen were in need of a sponsor to convert. Other schools run by the sponsor trusts in Oxfordshire were voluntary converters and Free Schools.
- There are currently fourteen 'locally grown' academy trusts/individual academies, which are DfE approved sponsors. These are Activate

Learning, Bartholomew School, Blackbird Academy trust, Cheney Academy Trust, The Ridgeway Academy Trust, Oxford Diocese, Faringdon Academy of Schools, Gillots School, Northern House, River Learning Trust, Mill Academy Trust, Vale Academy Trust, Propeller Academy Trust, The Warriner Academy Trust.

- More academy trusts are expected to apply for sponsor status in 2018.
- As yet no Oxfordshire trusts have lost sponsor status when standards are not maintained in their schools. However, no sponsors are automatically approved to add more schools to their trust and will always need RSC approval to do so.
- There is evidence that criteria used by all the RSC's are moderated and more robustly applied than in the past.

b. Underperforming Schools

- Practice has been that *once schools are judged to require 'special measures' a package* of local support to effect rapid change in school improvement and management structure is put in place.
- In April 2016 the Education and Adoption Act 2016 was enacted. The DfE also published revised statutory guidance 'Schools Causing Concern: Intervening in failing, underperforming and coasting schools' at the same time with provisions which came into force at the same time as the Act. Key outcomes from that Act and new statutory guidance are set out below.
- Schools are eligible for intervention if found to be 'coasting'.
- RSCs now have powers to issue any school with a performance, standards or safety notice. Local Authorities (LAs) also have this power for maintained schools but the powers of the RSC now take precedence.
- Governors of maintained schools eligible for intervention are obliged to cooperate with the RSC, another school or school improvement agencies as directed.
- The RSC can direct the size and membership of Interim Executive Boards (IEB) in schools identified as eligible for intervention. The RSC will also determine terms of appointment and termination of appointments.
- LAs must liaise with the RSC in schools eligible for intervention before ordering Governors to commence school improvement activities and are required to inform him/her before suspending a delegated budget. LAs cannot suspend the budget of a maintained school under an IEB set up by the RSC.
- RSCs must inform LAs if intervening in a maintained school and RSC plans will take precedence over any LA plans.
- The RSC must issue Academy Orders for maintained schools rated inadequate by Ofsted. S/he must also take action if an academy is rated inadequate by Ofsted.
- There is no requirement for a consultation on becoming an academy or sponsor if the school is a community school. There is a requirement for RSCs to hold a consultation with key stakeholders in Foundation, trust and religious schools.

- LAs and Governors of maintained schools are obliged to facilitate forced conversions.
- Academies found to be failing or coasting are also subject to scrutiny by the RSC in the same way as maintained schools. All funding agreements will be updated to give consistent rights to terminate by to the RSC if the academy is failing or coasting.
- In seeking new sponsors for religious schools there must be consultation with the responsible faith body.
- Three Directed Academy Orders (DAOs) were issued under the terms of the Education and Inspections Act 2016 in May 2016 but only one of these schools has converted to academy status at the end of 2017. One DAO has been rescinded in July 2017 on achievement of an outstanding Ofsted judgement by the school concerned. The other school remains unattractive to sponsors due to buildings issues and reluctance of the Trust to become responsible for that potentially to the detriment of schools already in the Trust. This is a national trend. One further DAO has been issued mid-2017 and a sponsor for the school is identified in principle. LA led IEBs are in place in three schools at present.
- Schools identified as being of concern by the Council continue to be offered support to raise standards.
- The most significant barrier to conversion to academy status of a school requiring special measures is building related issues. The RSC has as yet not addressed this matter and it remained an issue throughout 2017 and continues into 2018.
- Two schools converted to academy status as a result of having been judged to require special measures by Ofsted during 2017.

The pool of sponsors available to support under performing schools in Oxfordshire did not change in 2017. Oxfordshire is fortunate to have a good supply and range of sponsor options in the county. However, existing approved sponsors must demonstrate the capacity to support expansion before approval will be granted for additional schools to join. This continues to reflect both the rapid expansion of the academies programme and the need to maintain existing standards in currently good provision.

c. Strategy to increase pool of sponsors locally.

- As the supply of good sponsors within the county has improved, largely due to 'locally grown' providers acquiring sponsor status and growing in size, the Council has taken the stance that there are sufficient good Trusts in the county at present to cope with demand for intervention for schools in difficulties. It remains the decision of the RSC which Trust is appointed to support individual schools in difficulties.
- In 2017 external sponsors opened two new schools in the county – see section 7 below. Some of these external sponsors identified over the last two years are acting as sponsors for converter schools and are encouraging other existing schools to join their Trusts.

## 6. Cost of conversions

### a. Total cost for the year.

- At the commencement of the academies programme in the county in 2012/13 a sum of £600,000 was identified to promote the policy of the Council in this regard. A small team was set up to introduce a managed system of conversions and to highlight policies and changes in role of the authority associated with this programme and the mixed economy of schools which would exist. In subsequent years additional funds have been allocated and since 2016/17 as part of the CEF main budget. Since 1<sup>st</sup> April 2016 approximately 50% of costs have been directly to schools voluntarily converting to academy status.
- A managed system continues to ensure schools convert with all business issues regarding the Council set out clearly in transfer documentation. Policies have been approved and followed which seek to minimise the Council's exposure to financial risk or ongoing commitments in relation to these converter schools.
- The key items of expenditure remain central co-ordination and management of this system, costs associated with land transfer documentation and transfer of commercial interests including staff and resources.
- It has been recognised that this represents essential work which must be undertaken by the Council.
- As schools convert to academy status the Council's Dedicated Schools Grant (DSG) allocation continues to reduce as funding for academies is passed to the Education Funding Agency to administer.
- The authority is required to provide revenue support funding to new academies both in the pre-opening stage and during the time it takes for the school to be open in all year groups. This can be up to 7 years for primary schools. This will be a significant amount as new academies open from September 2016 onwards. A Growth Fund has been created with Schools Forum agreement from previously held unallocated DSG balances to ensure this is funded. However, these balances are finite, unless additional resources are made available to the LA's DSG the longer term impact of new schools will be the requirement to redirect monies from established schools to provide set up and economies of scale funding for these schools. The funding issue for set up and economies of scale costs associated with new school is acknowledged by the DfE's DSG funding unit and the DfE is in the process of forming a small task group to look at and advise on the issue. Oxfordshire is volunteering to join this group.
- Revenue funding for opening new schools is set by each Council independently and there is considerable variation in rates paid.

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- As schools convert to academy status with a sponsor brokered by the DfE any deficit at the point of conversion cannot be met from DSG but has to be met from the Council core funding or from other council resources and is therefore a direct cost on Council tax payers.
- As the (in the main larger and more sustainable) schools convert to academy status the authority also loses access to their considerable financial balances which in the past it has been able to use, within the provisions of the Council's Scheme for Financing Schools, provide security for short term revenue deficits and loans to schools from time to time.
- As financial reserves and grants reduce it will be increasingly difficult for the authority to address unforeseen issues in the way it has previously.
- Whilst there is no direct financial advantage to individual schools of conversion to academy status the value for money and availability of Council services for buyback by maintained schools may reduce providing a driver for consideration of academy status.
- The local authority's overall DSG allocation relating to schools is calculated based on the Government new national funding formula criteria with the intention that eventually schools will be individually funded using the same formula. For the next two financial years, local authorities have been allowed the option to continue with their existing local formula, move to the national funding formula or use some hybrid funding model between these two approaches. Following discussion with Schools Forum and all schools and academies the local authority will, as far as possible from 1 April 2018, adopt the national funding formula criteria for allocating funding to its schools and academies.

### b. Cost per conversion (average) for the year.

- Cost per conversion is approximately £12,000. This includes professional advice to set out policies affecting the transfer of land and business to new companies which is applicable to all conversions.
- The council receives no funding for this work but has a statutory duty to comply with Academies legislation in this respect.
- Secondary, individual primary and special schools continue to be given a grant of £25,000 to meet professional costs incurred by the conversion process. There are no further grants available to schools for the conversion process as there were up to 2016.
- As part of the programme to meet savings required across Council services a one off contribution to the costs of the Council per conversion has been levied on converting schools since 1<sup>st</sup> April 2016. This is set at £6,000 per school and is payable on issue of Academy Order for voluntary converter schools only. Costs of, and recouped to recover, the conversion process and grants to cover them have remained static for two years.

**7. New Academies**

a. New academies which opened in 2017.

- Aureus School, Didcot and Longford Park Primary school, Banbury opened in September 2017.
- They will offer up to 1200 places for pupils aged 11-16 years and up to 420 places for pupils aged 4-11 years plus Nursery respectively. Both schools are managed by GLF Academy Trust which already manages William Morris Primary School in Banbury.
- Opening of Gagle Brook Primary School in Bicester was deferred until 2018 due to delays in the construction of houses on site.

b. New academies post 2017

- New academies for which bids are made directly to SoS do not necessarily fit with the county strategy for provision of places. The Council will always be consulted on any proposal as the responsible body for provision of sufficient pupil places and may choose to work with proposers if the places meet the requirements set out in the Pupil Place Plan and offer a cost effective approach to meeting basic need or increasing diversity of choice in the area. The decision to approve the bids however rests with SoS and, whether supported by the Council or not, will have a knock-on effect on capital, revenue and standards that the council will have no direct control over.
- In 2017 Free school bids were approved for further planning for a new special school in the north of the county and an all through school for Grove Airfield development. These bids did fit with the Council's long term strategy to meet demand for pupil places.
- A summary of new academies to be provided and for which sponsors have been sought is set out below.

School	Reason for new provision	Date of opening
Gagle Brook Primary school, Bicester to be sponsored by White Horse Federation	Basic need generated by housing development.	September 2018
Aureus Primary School, Great Western Park, Didcot to be sponsored by GLF	Basic need generated by housing development.	September 2018
The Swan School to be sponsored by River Learning Trust	Free school bid to meet Basic Need	September 2019

SW Bicester Secondary School, to be sponsored by The White Horse Federation	Basic need generated by housing development.	September 2019
Barton West Primary school, to be sponsored by Cheney Academy Trust	Basic need generated by housing development.	September 2020
Southam Road, Banbury, primary school	Basic need generated by housing development.	September 2020

There are more new schools identified to meet housing growth but not as far advanced in planning terms.

- All new provision schools are now designated as Free schools and may be provided either through the Local Authority presumption route or through an ad hoc bidding round whereby sponsors can make direct bids to open new schools to Secretary of State.

**c. Costs Associated with provision of new schools**

- The Council will incur some costs for all new schools it seeks to provide. These will include revenue costs associated with start-up funding for a new school and capital funding for the site and buildings.
- The Council will incur revenue costs for all new academies where it has an interest in the land and buildings on which the new academy is to be based.
- Staff resources are required to manage the programme of provision of new academies from identification of sponsors to occupation of the academy by all year groups.

**8. Regional Schools Commissioners**

**a. Background.**

- Oxfordshire is located in North West London and South Central region and the Regional Schools Commissioner (RSC) for this region remains Martin Post, former headmaster of Watford Grammar School for Boys. Five outstanding Head teachers were originally appointed to act as his Board and the roles were effective from August 2014. Appointments were made for a period of 3 years. New representation was appointed in Autumn 2017. An additional post of Deputy RSC was created in 2016 and this is still held by Dame Kate Dethridge.
- The RSCs responsibilities include:
  - i. Monitoring performance and intervening to secure improvement in underperforming academies, including directing them to commission school improvement services and using formal interventions in the most



- severe cases.
- ii. Taking decisions on the creation of new academies in their area by approving applications from maintained schools wishing to convert to academy status.
  - iii. Supporting the national schools commissioner to ensure that the sponsor market meets local need - including by authorising applications to become an academy sponsor, monitoring the performance of existing sponsors and de-authorising them where necessary, recommending suitable sponsors to ministers for maintained schools that have been selected to become academies and encouraging new sponsors.
- The Council has established a good working relationship with our RSC to allow the council to carry out its statutory duties regarding academies in a co-ordinated manner. The RSC meets regularly with senior officers to discuss schools and academies. He also attends Education Scrutiny Committee as appropriate to discuss education provision matters in academies in the county.
  - As documented above the powers of the RSC increased significantly in 2016 and the direction of travel is clearly towards the role being expanded further.

## 9. Conclusions

- I. All schools that converted to academy status in 2017 did so as members of groups.
- II. The number of schools converting to academy status is significantly higher in 2017 than in 2016. The increase is seen mainly as a reaction to the national education policy and perceived position of the Council.
- III. MATs in the county are beginning to merge to form larger units. External MATs are forming Oxfordshire hubs and Oxfordshire based MATs have taken in schools from outside the county.
- IV. Under performing schools have been identified, early support is put in place and schools have completed conversions as sponsored academies. The Council seeks to be proactive with Governing Bodies in promoting suitable sponsors to the RSC.
- V. New academies and free schools continue to be set up in the county in response to demographic need and parental demand. Procedures are in place to set up new academies as required by the county or to engage in positive dialogue with sponsors applying to open schools in the area through DfE bidding annual processes.
- VI. Over 60% of pupils in publicly funded education in Oxfordshire are taught in academies.
- VII. The value for money and availability of Council services for buyback by maintained schools is now being considered more proactively following the slowdown of national policy to encourage academisation.
- VIII. Additional powers of the RSC through legislation will impact on the future role of the Council and services to be provided.
- IX. To achieve the above programme considerably more resources may be required in the short term for the Council to comply with its obligations in respect of converting academies.

**LUCY BUTLER**

Director for Children's Services

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