



## CHILDREN AND YOUNG PEOPLE COMMISSION 24 OCTOBER 2007

Report of the Corporate Director of Corporate and Adult Social Services

### **Building Schools for the Future – Choice and Diversity: Background Information**

#### **RECOMMENDATION**

1. To note this report.

#### **SUPPORTING INFORMATION**

- 2.1 The agenda gives the hyperlinks to the report to Council Cabinet on 2 October 2007. The main report for the meeting of the Commission on the 24 October and for Council Cabinet on 30 October will be circulated later.
- 2.2 Secondary heads and chairs of governors plus the teaching and non-teaching trade unions have been invited to submit written comments on the issues.
- 2.3 As a wave five authority in the Building Schools for the Future programme, Part 1 of Derby's Strategy for Change has to be submitted in December. As the report to Council Cabinet on 2 October explained there is a clear expectation from the Department for Children, Schools and Families (DCSF) that increased 'choice and diversity' will be incorporated into local authorities' 'Strategies for Change'.
- 2.4 Section 2 of the Education and Inspections Act 2006 simply states:  
  
Duties in relation to diversity and choice  
  
In section 14 of EA 1996 (functions of local education authorities in relation to the provision of primary and secondary education) after subsection (3) insert—  
  
“(3A) A local education authority in England shall exercise their functions under this section with a view to—  
  
(a) securing diversity in the provision of schools, and  
  
(b) increasing opportunities for parental choice.”

2.5 However, the options are effectively: greater self-governance (foundation status), academies, trusts, federations, mergers and the expansion of popular schools. Some of these options are controversial but enforceable as there is a requirement to obtain approval for BSF plans from the Schools Commissioner. A key part of this new role is described as “promoting local choice for parents. This will involve encouraging the development of new Academies and Trust schools”.

2.6 Particularly controversial among the options are academies. At the meeting the Corporate Director for Children and Young People will offer a balanced view. To give Members the very different perspectives on this issue the appendices contain the Frequently Asked Questions from a ‘pro’ and an ‘anti’ pressure group. In addition there is also an excerpt from the a report produced by the Children’s Services Network, which is linked to the respected Local Government Information Unit.

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<b>Background papers:</b>	Appendix 1 – Implications
<b>List of appendices:</b>	Appendix 2 – Specialist Schools and Academies Trust – Frequently Asked Questions
	Appendix 3 – Anti Academies Alliance – Frequently Asked Questions
	Appendix 4 - A New Direction – A review of the School Academies Programme

<b>IMPLICATIONS</b>
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**Financial**

**Legal**

No implications arise directly from this report.

**Personnel**

Please refer to the main report to Council Cabinet.

**Equalities impact**

**Corporate Objectives, Values and Priorities**

### **Specialist Schools and Academies Trust**

These are Frequently Asked Questions from the Trust web site which give the perspective of a pressure group **in favour** of academies.

- **How many specialist schools are there?**

80% of all secondary schools in England now have specialist status. The 2,602 specialist schools are maintained English secondary schools which teach the full national curriculum but give particular attention to their specialist subject, sometimes through an extended school day. All maintained secondary schools are eligible to bid for specialist status. There are currently 27 academies.

### **What are the arguments surrounding specialist status?**

- **Are companies involved only to sell more?**

Absolutely not. Schools are not allowed to accept sponsorship directly from companies with which they have an existing or potential commercial relationship.

'Supplier sponsors', ie companies involved in providing services for schools, can only sponsor on a 'blind' basis through a DfES approved stakeholder.

Sponsorship comes from charitable foundations, businesses without direct educational interests, individuals and schools' own fundraising efforts.

- **Can all schools benefit from specialist status?**

All maintained secondary schools, including special schools, with secondary age students, can now apply for specialist status if they meet the criteria of the programme.

Ultimately, every school which can meet the criteria will be given the opportunity to become specialist. The Government has set a target of virtually all mainstream schools becoming specialist – out of a total of around 3,500 – by 2008, and has lifted the cap on the number of schools which can specialise. The target for special schools is for 100 to gain either a curriculum or SEN specialism by 2008.

In November 2002 the then Education and Skills Secretary Charles Clarke announced that from October 2003 schools which had been unable to raise the £50,000 sponsorship needed to become specialist, but which had shown an entrepreneurial approach, would be able to access help from the Partnership Fund.

- **Do schools have to remain specialist?**

No school ever achieves perfect results and there is always room for improvement. Results have shown that the longer a school stays specialist, the better it performs.

Specialist status is about a range of opportunities available to students through links with business and industry and links abroad. In addition, funding is needed to keep schools at the leading edge with technology.

- **Doesn't specialising reduce a child's options?**

All specialist schools must still teach a broad and balanced curriculum, meeting the requirements of the National Curriculum. Children at specialist schools are provided with enriched learning opportunities in their chosen specialist subject area.

Specialism drives up standards across the curriculum and gives students the chance to hone skills in other areas.

- **Do Specialist Schools perform well in value added tables?**

Specialist schools continue to transform secondary education and perform better than non-specialist schools on every comparison, says a new report to be published next week by the Specialist Schools and Academies Trust.

The report, 'Educational outcomes and value added by specialist schools: 2005 Analysis,' shows that specialist schools continue to outperform non-specialist schools in all the following areas: 5+ A\*-C passes at GCSE including English and mathematics; value-added scores; in socially disadvantaged areas; and in the performance of more able students. Specialist schools and academies now account for 80% of all mainstream maintained secondary schools.

It also shows that the 14 academies with GCSE cohorts in 2005 performed best of all the types of specialist school on a value added basis. Based on key stage 2 English and mathematics scores, 29.5% of students in the academies should have got 5+ A\*-C grades in 2005. In fact, as the chart below shows, 35.5% achieved this level, making a value added score of plus 6.0%.

Sir Cyril Taylor, Chairman of the Specialist Schools and Academies Trust, said:

'This report confirms what we already knew, that specialist schools are making a huge contribution to raising educational standards and are having a positive impact on the millions of students who pass through them. That specialist schools outperform non-specialist schools on all comparisons, including in socially disadvantaged areas, is an outstanding achievement.'

Type of specialism	No of schools	KS2 2000	Actual 5a-c 2005	Predicted 5a-c 2005	Value added	Net value added vs non-specialist schools
Academy	14	24.3	35.5%	29.5%	+ 6.0%	+ 9.0%
Humanities	16	27.4	64.4%	59.3%	+ 5.1%	+ 8.1%
Technology	533	27.1	58.8%	56.4%	+ 2.8%	+ 5.8%
Science	207	27.4	61.9%	59.3%	+ 2.6%	+ 5.6%
Language	175	27.5	61.8%	60.3%	+ 1.5%	+ 4.5%
Arts	298	26.9	55.9%	54.5%	+ 1.4%	+ 4.4%
Business	146	26.9	55.8%	54.5%	+ 1.3%	+ 4.3%
Maths	140	27.3	58.5%	58.4%	- 0.1%	+ 3.1%
Engineering	33	26.9	51.9%	54.5%	- 2.6%	+ 0.4%
Sport	273	26.7	50.8%	52.6%	- 1.8%	+ 1.2%
Music*	3	n/a	n/a	n/a	n/a	n/a
Avg for all specialist	1,838	27.1	58.0%	56.4%	+ 1.6%	+ 4.6%
Avg for all non-spec	1,090	26.4	46.7%	49.7%	- 3.0%	

\* too small a group to calculate value added

Elizabeth Reid, Chief Executive of the Specialist Schools and Academies Trust said:

‘Specialist schools have continued to go from strength to strength and the findings of this report are testimony to the hard work of teachers and students.

It is important that we now build on this success and ensure that there is continuous improvement in specialist schools and academies. The Trust’s network of innovative, highly performing schools is central to this and the links schools have with each other and the local community and business, as well as internationally, will help raise educational standards further.’

In addition to improving examination results, schools have identified many other factors that contribute to the specialist dividend including the positive impact on the use of technology and the sharing, developing and implementing of innovative strategies. Together these act as a catalyst for whole school improvement.

The key findings of the report, written by Professor David Jesson, University of York and David Crossley, Specialist Schools and Academies Trust, are:

- Of the 367,171 students in specialist schools in operation from September 2004, 58.0% achieved 5+ A\*-C grades at GCSE in 2005 compared to 46.7% for the 182,010 students in non-specialist schools. The analysis shows that **when looking at 5+ A\*-C GCSE grades, specialist schools performed 24% better than non-specialist schools.**
- The average key stage 2 point count of the pupils entering the 1,838 specialist schools in 2000 was 27.1. These students should have achieved 56.4% 5+ A\*-C at GCSE in 2005 but they actually achieved 58.0% - value added of plus 1.6 percentage points. The average key stage 2 point count of students entering the 1,090 non-specialist schools in 2000 was 26.4. These schools should have achieved an average of 49.7% 5 or more good grades at GCSE. They only achieved 46.7% - a value added score of minus 3.0 percentage points. Therefore, **on a net value-added basis specialist schools performed plus 4.6 percentage points better.**

- **On the new measure of 5+ A\*-C grades at GCSE including English and mathematics, 44.4% of students in specialist schools achieved this compared with 34.3% for non-specialist.**

- **Specialist schools perform better in socially disadvantaged areas.** The report has compared the performance of the 328 specialist schools in socially disadvantaged areas with an average free school meals eligibility of 34% to non-specialist schools with a similar FSM. Specialist schools achieved 36.4% 5 good grades at GCSE compared to only 22.6% for non-specialist.

- The analysis shows that **the most able students perform better at specialist schools.** In specialist schools the 21,961 very able students – those achieving the top 5% of raw scores in key stage 2 English and mathematics in the year 2000 – achieved an average of 71% 5 A grades at GCSE (A\* and A) and an average of 6.6 A\* or A grades per student compared to 65% 5A\*-A grades and 6.0A\* grades per pupil for non-specialist schools.

- **Specialist schools are bound to get better results, aren't they?**

...After all they are allowed to select up to 10% of pupils.

Specialist schools are not allowed to select on the basis of a child's general ability. They are allowed to select 10% of their pupils on the basis of aptitude in the school's specialism, though in reality only a small number - around 6% - use this option. More than half of specialist schools are community schools whose admissions are determined by the LEA, usually on the basis of proximity

- **Specialist status favours schools based in cities.**

... Won't those in rural areas struggle to get commercial sponsorship and be left behind?

A large number of specialist schools are based in rural areas. Rural schools have in the past expressed concerns that as there are fewer private companies in rural areas than in cities, it is often harder for them to raise the £50,000 sponsorship money they need to become specialist. Many rural specialist schools have however benefited from long term relationships with local businesses, achieved after a thoughtful campaign to attract sponsorship.

Fortunately there is help available through the 'Partnership Fund'. This fund is designed to help schools which can demonstrate that, in spite of determined effort, they have not been able to raise the sponsorship necessary to apply for specialist status. The Fund is run by the Specialist Schools and Academies Trust in accordance with DfES guidelines.

- **To become specialist, schools have to achieve certain standards.**

**Aren't those schools which are struggling and which need the most help going to be ignored as a result?**

All schools in England, except those in special measures or with serious weaknesses, are able to apply for specialist status. The application process is rigorous, requiring the school to produce an action plan setting out how they intend to make improvements.

There are many examples of schools starting from a relatively low base which have succeeded in gaining specialist status and have subsequently improved their results.

Aspiring specialist schools are required to show how their gaining specialist status would benefit others in the community and as part of this they are required to set up links with other non-specialist schools.

Also, non-specialist inner city schools are receiving extra equivalent funding from the Excellence in Cities programme.

All maintained schools can affiliate and benefit from networking with successful heads and schools and also access the benefits of professional development opportunities.



### Anti Academies Alliance

These are Frequently Asked Questions from the Alliance web site which give the perspective of a pressure group **against** academies.

- **What are Academies?**

Academies are state schools:

- controlled by private sponsors (who own the land and premises, through a trust)
- outside the local authority system
- with new buildings (in most cases) and running costs funded directly by government (including generous extra 'start-up money').
- with greater freedom over the curriculum than other schools
- with no obligation to operate national pay and conditions agreements (because they are established under private school legislation).

- **What are Academies for?**

The government states that Academies are to raise standards in socially-deprived areas by replacing (in most cases) existing poorly-performing schools.

But many of the schools which are being replaced (the predecessor schools) are actually doing quite well and improving, in terms of GCSE results and Ofsted inspections.

- **Why sponsors?**

*...an external sponsor [...] brings not only a financial endowment but also vision, commitment, and a record of success from outside the state school system*

*Tony Blair 2004*

- **Who are the sponsors?**

- business entrepreneurs
- business charities
- private companies
- religious organisations
- Church of England (often as the United Learning Trust);
- Catholic Church
- other Christian organisations (e.g. Oasis)
- others
- private schools
- football clubs
- etc

- **What motivates sponsors?**

religious sponsors

- to promote their faith

business sponsors

- philanthropy
- self-promotion
- influence how schools are managed
- support New Labour
- gain influence with government
- 'corporate social responsibility'
- promote company image
- influence the curriculum
- shape the future workforce

There is a shift in the type of sponsors. Religious organisations continue to be prominent, but there are proportionally fewer individual multi-millionaire business sponsors and more company sponsors. This relates to another development: Academies are increasingly being key elements in the government's 14-19 vocational agenda, sponsored by local employers and geared to local labour market needs, and often acting as the hubs of local vocational networks of schools (as in Manchester, Nottingham and Birmingham, for example).

- **What do sponsors pay?**

They are supposed to pay £2 million, but they often pay less, or even nothing. The National Audit Office report 'The Academies Programme', published in February 2007, looked at the 27 academies opened by September 2005 and found that a year later only 11 had received the £2 million. For example, the Haberdashers livery company, sponsor of the Haberdashers' Aske's Knights Academy in south London, have paid only £295,000. Nine had received payments of less than £1 million. Some sponsors had agreed to pay in instalments but in four cases the payments were behind schedule.

- **What are the issues?**

In addition to the pay and conditions of staff, the key issues are:

- Governance
  - Curriculum
  - Leadership
  - Pupil attainment
  - Impact on local schools
- 
- **Governance**

The sponsors control the Academy governing body: they

- appoint the majority of the governors
- appoint staff

- decide pay and conditions
- decide admissions – they have to abide by Admissions code, but not necessarily the local authority's policy
- decide on curriculum – within a broad government framework

### **Academy Governing Bodies don't represent parents and staff**

Among the principal reasons to oppose Academies are the changes in governance which they represent. Under the policy on the constitution of governing bodies published by the DfES in 2006, the allocation of places on the governing bodies of community, foundation and voluntary controlled schools must be as follows:

- Governing bodies can have a minimum of 9 and a maximum of 20 places.
- At least one-third of their places to parents, elected by the parent body.
- At least two places, and not more than one third, to staff. One place is reserved for the headteacher, the others are elected by the staff.
- One-fifth of places to LEA governors (at least one, and not more than one-fifth, in foundation schools).
- At least one-fifth in community schools and at least one-tenth in foundation and voluntary controlled schools for community governors, appointed by the governing body.
- In foundation and voluntary controlled schools, at least two and not more than one-quarter for foundation governors.

The DfES policy on Academy governance (on its website) is as follows:

*The DfES does not prescribe the numbers of governors on an Academy governing body, though it is usual for an Academy to have around 13 governors. The Sponsor is able to appoint the majority of trustees (governors), typically around seven out of thirteen governors, and this must be agreed with the DfES. Each Academy governing body is also made up of the principal, in an ex-officio capacity, a local authority representative, and at least one elected parent representative. Most Academies also have a teacher governor (either elected or appointed), a staff governor (either elected or appointed) and many include community representatives.*

### **Comparison of a typical Community School governing body of 13 with an Academy governing body of 13 with 1 Local Authority governor:**

<b>Governors</b>	<b>Community School</b>	<b>Academy</b>
Sponsors	0	7
Headteacher	1	1
Elected Staff by right	2	0
Teachers with permission of GB (elected or appointed)	0	0 or 1
Staff with permission of GB (elected or appointed)	0	0 or 1
Elected Parents by right	5	1
Parents appointed by GB		0+

Local Authority	2	1
Community (appointed by GB)	3	0 or 1

- A Community School has a minimum of 3 and a maximum of 6 parents by right, all elected.
- A Community School GB of 13 has a majority of parents and staff governors (7/13), all elected.
- An Academy has 1 parent elected by right.
- An Academy GB of 13 has a majority of sponsor governors (7/13), a maximum of 1 elected parent, and no elected staff governors by right.

The 2<sup>nd</sup> annual report by PricewaterhouseCoopers on Academies, commissioned by the government and published in 2005, found that many teachers in Academies were critical of the governing body (p11).

*“The governing body is not accessible and responsive to parents and students”*

Agree: 52%

Disagree: 48%

*“The governors do not represent the cultural backgrounds and interests of the parent group”*

Agree: 60%

Disagree: 40%

*“Teachers are well represented on the governing body”*

Agree: 48%

Disagree: 52%

*“Teachers do not participate on a regular basis in the development of Academy policies”*

Agree: 59%

Disagree: 41%

*“Teachers are afraid to make constructive criticism of the Academy”*

Agree: 43%

Disagree: 57%

The 3<sup>rd</sup> Annual Report on Academies by PricewaterhouseCoopers, published in 2006, commented on the governance of Academies where more than one of them were controlled by the same sponsor (pp25-6):

*In these Academies, the governance arrangements were primarily collective, with strategic decisions being taken on behalf of the group of Academies by a central governing board. In addition, each individual Academy had a local governing body, which tended to be responsible for day-to-day decisions.*

In other words, in the increasing number of chain-store Academies the key decisions are being taken by the sponsors far removed from the parents of

staff of the schools they control.

## Curriculum

Sponsors are not just figureheads, they make the key strategic decisions – the headteacher merely implements them, as the 2005 PricewaterhouseCoopers report confirms (p13):

*The evidence shows that the vision is set and defined by the sponsor, and then operationalised by the principal.*

According to the same report, 46% of Academy teachers felt that sponsors were directly involved in planning the curriculum (p15)

This raises concerns about sponsors using their position to exercise religious influence – not just the handful of fundamentalist Christians like Vardy and Edmiston who advocate creationism but the large number of schools sponsored by other religious organisations, including the Anglican church, which are using Academies as a backdoor way of getting more ‘faith’ schools.

Another area of concern is business sponsors using Academies to promote business values. It is no coincidence that the specialism the majority of them favour is ‘business and enterprise’. But the government’s 14-19 agenda takes this much further, enabling local employers to use Academies from age 14 as training schools for the future workforce of the local economy, at the expense of a broad and balanced education till 16.

## Innovation

The government claims that Academies will be beacons of innovation. The 2006 PricewaterhouseCoopers report questions this. It found that not all Academies are innovative and many are less innovative now than they were when they opened. (What needs to be added is that many ordinary secondary schools have been far more innovative than Academies anyway.)

*4.14 there was also interesting evidence from the evaluation to suggest that some Academies were beginning to pull back on some of the more innovative approaches that had been implemented in their first year. (PcW 2006)*

### Organisation of the curriculum – views of staff

#### Staff survey

**Most recent *tranche* of Academies (opened Sept 2004) n=89**

Other Academies (opened pre-Sept 2004) n=288

#### Agree

#### Disagree

#### Don't know

The curriculum is more flexible and innovative than in other (non-Academy) secondary schools

**40%** 52%

**35%** 23%

**25%** 25%

The way support staff are used allows for innovation in the curriculum

**41%** 41%

**44%** 38%

**16%** 22%

The Academy curriculum is innovative in responding to the needs of pupils with SEN

**46%** 53%                      **36%** 31%                      **18%** 16%

The Academy curriculum is not innovative in responding to needs of gifted and talented pupils

**35%** 24%                      **45%** 56%                      **20%** 20%

Flexible salary packages mean that the Academy can provide a more innovative curriculum

**24%** 24%                      **32%** 27%                      **44%** 49%

The timing of the Academy day/year means that the Academy is able to be more innovative

**30%** 49%                      **48%** 28%                      **22%** 23%

ICT is used to support innovative teaching and learning

**69%** 86%                      **23%** 5%                      **8%** 8%

*4.16 This development, evident in the data, of Academies beginning to withdraw a little from innovation is an interesting one. Based on the interviews with sponsors and principals it reflects the fact that in the early stages of the initiative there was a strong expectation within the sector that Academies would universally adopt radical, innovative approaches to teaching and learning. The evidence suggests that some of the initiatives that were implemented were not particularly well founded, and were regarded as having a very limited impact on pupil performance.*

*4.17 Finally, it is also important to note that, whilst there are clear examples of good, innovative practice amongst Academies, it is not universally the case that all Academies are successfully adopting such approaches.*

## **Leadership**

The government claims that the headteachers of Academies demonstrate exceptional leadership. The 2006 PricewaterhouseCoopers report asked Academy heads about their leadership strategies:

### ***Key dimensions of Academy leadership – what the principals say***

- *Adopting a strategic approach*
- *Raising pupil aspirations*
- *Ensuring the curriculum is flexible and responsive*
- *Balancing innovation with the ‘basics’*
- *Creating leaders for tomorrow (“Our vision has always been based on the notion of leaders, the kids being leaders for tomorrow within their own community”) (p24)*

This list is completely banal – any headteacher would agree, and many would have much more interesting things to say.

More evidence of whether Academy leadership is exceptionally good can be found in their Ofsted reports. According to the National Audit Office report on

Academies published in February 2007 (p21):

*2.22 Of the eleven academies inspected so far, four (36 per cent) were judged to have good or outstanding teaching and learning. The equivalent proportion across all secondary schools was 51 per cent.*

### **Pupil attainment**

The government's main claim for Academies is that they have been more successful in raising exam scores than their predecessor schools or other comparable schools. This claim needs examining.

#### **1. The picture is mixed**

First, not all Academies are doing better – some are doing worse. The picture is mixed. This is the evidence from the 2006 PricewaterhouseCoopers Academies Evaluation 3<sup>rd</sup> Annual Report:

#### **3.8 Pupil performance in Academies – Key Stage 4, 2004-2005**

- *Across all Academies, the average improvement in performance was 5 percentage points (pp), compared to a national average of 3pp and an average for the LEAs in which the Academies are located of 2pp;*
- *In seven out of 11 Academies, pupil performance had improved between 2004 and 2005, whereas in the remainder (four Academies), performance declined;*
- *Of the seven Academies in which performance had improved, the average improvement was 15pp, compared to the national average of 3pp; and*
- *Of the four Academies in which performance had declined, three had shown relatively small declines, whereas in one Academy, the decline was significant (14pp).*

*3.10 In terms of Key Stage 4 (GCSE), the improvement in performance across all Academies was marginally better than the corresponding improvements at national level or in similar (comparison group) schools. For example, the average 2002-2004 increase between predecessors and Academies in terms of the per cent of pupils with five or more GCSEs at A\*-C and A\*-G, was 6.6 and 1.5 percentage points (pp) respectively. This compares to the national average of 2.1pp and 0.1pp. The average Academy improvements for A\*-G are greater than all three comparison groups (1.5pp compared to 0.4pp, 0.3pp and 0.5pp); and in relation to A\*-C they are greater than two of the three comparison groups (6.6pp compared to 4.9pp, 5.5pp and 6.8pp). [Comparison Group 1 - lowest 10% of national performance distribution at Key Stage 2; Comparison Group 2 - lowest 15% of national performance distribution at Key Stage 2; Comparison Group 3 - Overlapping Intake Schools (OIS) i.e. secondary schools whose feeder primary schools overlap significantly with those of an open Academy.]*

#### **3.11 Pupil performance in Academies – Key Stage 4, 2002-2004 (5+ GCSEs A\*-C)**

*to the predecessor school exceeded the corresponding improvements at national level by more than 4pp (6.6pp compared to 2.1pp).*

- *The performance improvement amongst Academies outstripped performance in two of the three comparison groups of schools.*
- *Six out of 11 Academies performed better than Comparison Groups 1 and 2.*

The 2007 National Audit Office report Executive Summary notes that ‘the Department also provides each academy with start-up funding for up to four years after opening, or occasionally longer. Start-up funding has averaged £1.6 million in total so far for each of the first 12 academies.’ This amounts to an extra £460 per pupil a year. The report questions whether improvements in attainment will be sustained once the extra funding stops.

## **2. Government figures don’t stipulate English and maths GCSEs**

The government gives blanket figures for GCSE passes. A comparison of GCSE results between Academies in 2005 and their predecessor schools in 2002, taking GNVQs and English and Maths into account, carried out by Terry Wrigley at Edinburgh University (and reported in the Guardian 22 May 2006) gives a very different picture:

	Predecessor schools 2002	Academies 2005	
GCSE 5 A*-C	23%	37%	
Students taking GNVQs	13%	52%	
GCSE 5 A*-C In 5 different subjects including English and maths	14.3%	14.9%	An increase of 0.6%
Number of students getting GCSE 5 A*-C In 5 different subjects including English and maths	235	238	An increase of 3 students

According to the TES 12 January 2007, the inclusion of English and maths means that 15 of the 24 Academies for which results are available were at or below the 25% 5 A\*-C threshold. The national average is one in six schools.



### 3. Changes in pupil composition

There is evidence that changes in the social composition of Academies is a major factor in any improvement. Stephen Gorard, Professor of Education at the University of York, studied the first 3 Academies opened in September 2002. (published as 'Academies as the 'future of schooling': is this an evidence-based policy?' in the *Journal of Education Policy* Vol. 20, No. 3, May 2005, pp. 369–377.) He found 2 had significantly improved GCSE results and 1 had worse results, and is now in 'special measures. The main factor in improvement in the two schools was that they were attracting more pupils from middle-class families. Gorard concludes:

*Are Academies a solution to the perennial problem for school improvers? Do they deliver superior educational outcomes without changing the nature of their student intake? The answer, on the evidence available here, has to be 'no'. (p375)*

*...this relative decline in FSM students in Academies does lead to the concern that any 'improvements' in GCSE outcomes are attributable to a change in student intake more than innovative approaches to management, governance, teaching and the curriculum." (p375) "All of these reservations need to be considered in the light of the higher funding for Academies (both capital and revenue, just like specialist schools), their ability to select by aptitude or religious preference, their potential (long term) to alter the local housing population, their reported high level of exclusions even of GCSE-age students (BBC, 2004), and their marketing practices such as targeting leaflet campaigns only in more affluent areas (NUT, 2004). [...]*

*Sleight-of-hand school improvement involves schools changing the nature of their intake, often as an unintended outcome of a change in admission procedures, and then claiming that an ensuing rise in test scores is due to an improvement in teaching or management. The early Academies show signs of already doing this. Perhaps instead they should be bold enough to claim instead success precisely on the basis of changing their intake (or at least the ones in Bexley and Middlesbrough could). (p376)*

There is evidence in the latest PricewaterhouseCoopers report (2006) that Academies are admitting more pupils from middle-class families and fewer from working class families, and that the rate of change is greater than in other comparable schools:

*3.3 ...there has been a decline in the corresponding proportion of pupils eligible for FSM from 44.5% to 41.6%. This decline has on average exceeded the corresponding declines amongst comparison schools (32.1% to 30.2%), and amongst English schools as a whole (14.9% to 14.4%).*

One element in this is the high rates of exclusion at many Academies, sometimes 4 times as high as neighbouring schools. According to the 2007 national Audit Office report, permanent exclusion rates in Academies are nearly 4 times higher than the national average.

#### **4. Academies should be compared with comparable programmes**

Other programmes aimed at raising standards in schools in socially deprived areas are having as much success as Academies, or more, without handing schools over to private sponsors. One example is the Keys to Success programme in London. The 2 Academies which opened in London in 2004 improved their GCSE results by 4% and 5%. A group of the 68 lowest performing London schools in the Keys to Success programme improved by 4% in 2003 and another 4.5% in 2004. The total cost of the programme is £3 million a year. (TEN Policy Briefing, 2005, p11.)

Another example is the Excellence in Cities programme. According to the 2007 National Audit Office report (p10):

*...for three main measures of GCSE performance (five or more grades A\* to C, grades A\* to G, and grades A\* to C including English and maths) in 2006, academy pupils gained on average better results than Fresh Start schools but not as good as those of Excellence in Cities schools in deprived areas.*

The conclusion of the House of Commons Select Committee on Education, March 2005 was that:

*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 the programme.*

#### **Impact on local schools**

There is widespread concern that Academies can have a negative impact on neighbouring schools, in a number of ways:

- Increases market competition – and competition may encourage other schools to select
- Creams other schools
- Non-admission / Exclusion of SEN and ‘challenging’ pupils
- all-through Academies may mean closure of primary schools
- Academies till 18 may undermine local sixth forms and sixth form colleges

The government claims that, on the contrary, Academies will help neighbouring schools by sharing expertise and facilities. But the 2006 PricewaterhouseCoopers report stated:

#### **LINKAGES WITH THE WIDER COMMUNITY OF SCHOOLS**

*5.10 Last year’s research highlighted a mixed picture in relation to perceptions around Academies’ links with other local schools, and the evidence from this year’s research is broadly consistent with previous findings. For example, less than one half of staff surveyed both this year and last year thought that their Academy proactively supported schools within the local community by sharing*

*expertise and resources.*

Similarly, the 2007 National Audit Office report 'The Academies Programme' found that 'there has been little collaboration between most academies and neighbouring secondary schools'.

In short, it is not surprising that, for all these reasons, 44% of heads oppose Academies and only 7% support them (Education Guardian 5 December 2006).

## **A New Direction – A review of the School Academies Programme**

This report was commissioned by the TUC and was prepared by The Children's Services Network (CSN), part of the Local Government Information Unit (LGIU). The full report is accessible through:

<http://www.tuc.org.uk/extras/academies.pdf>

### **Extract**

#### **Conclusion and recommendations**

160 The new direction for secondary school provision set out in this report requires a clear commitment from Government about the need to review the various elements of the existing system in order to give a much more rounded picture of what is working well and also the main barriers to further progress. This process would identify key areas where reform of the system is required in order to ensure that secondary school provision in all parts of the country is uniformly delivering to a high standard, especially in tackling the legacy of educational underachievement in some communities.

161 As the TUC General Secretary highlighted in his foreword to this report, few doubt the Government's commitment to, and success in, improving educational achievement and tackling poverty in our most disadvantaged communities. There is also little doubt that the Government is genuinely committed to achievement of this aim through the range of school improvement measures that it is currently implementing. However, one of the problems is that there is a general perception that the Academies programme is the only such measure in place and this perception is reinforced by the media attention that the programme has attracted.

162 The controversial aspects of the Academies programme have led to a disparate national debate on the overall impact of the wider range of school improvement measures and this has in turn inhibited how Government and key partners can work together to further develop the strategy for improving the quality of secondary school provision. Two of the four recommendations below address this key challenge and if acted on would offer a real opportunity for all partners to come together with Government to agree a new direction that would have widespread support and would build on successes to date.

163 However, the findings of this report highlight that the Government also needs to undertake an immediate review of the operation of the Academies programme in conjunction with partners in order to tackle some of the main areas of controversy. As set out in the previous section of this report, there is an urgent need to tackle some of the shortcomings of the 'Academy model' in the short-term through further amendments to the model funding agreement for Academies. For example, by further building on the reform of the role of sponsors and giving local authorities a greater strategic role and by ensuring that Academies generally adhere to national standards that are applied to the maintained sector by the force of education law.

164 However, there also needs to be a longer-term strategy to restore Academies to the maintained sector and this would require the Government to use primary legislation to ultimately achieve this objective. In the meantime the Government needs to work towards this by achieving consensus among partners on appropriate criteria for the establishment of any future new schools and the involvement of sponsors. This should lead to a far more effective implementation of the BSF programme and a much clearer understanding by, and support from, all partners involved in the full range of initiatives supporting improvement in each locality.

165 Finally, there is a need to address the deficiencies within the Academy model for supporting the collective voice of the workforce as articulated by the school workforce unions. The fragmented nature of union recognition across Academies undermines the huge advantages of a coherent collective voice for teachers and support staff that is found in the maintained sector. And linked to this, there is a need for the Government to ensure that stronger safeguards are put in place to ensure that the flexibilities given to Academies on workforce issues are not used by them to undermine the current national framework for pay and conditions which applies to the majority of the workforce in maintained schools, especially as the impact of TUPE wanes.

166 The recommendations below provide a positive starting point for developing a wider dialogue on building a new direction for secondary school provision that would support, and build on, the Government's achievements to date.

### **Key recommendations**

167 The Government should:

1. Establish an independent panel of academics and policy specialists to assess, briefly but rigorously, each element of its school improvement approach in order that the effectiveness of each element may be judged against each other, including the cost and other relevant factors.
2. Re-state and clarify its overall approach to school improvement in the light of this assessment, showing clearly the part played by each initiative (including the Academies programme) and how they mesh together to form a comprehensive and coherent strategy, bearing in mind the importance of local authority school improvement services.
3. Agree to review the Academies programme in the light of the changes that have taken place in the programme itself and in the context within which it operates since it was announced in 2000 with the aim of developing a strategy involving the following steps:
  - a. determining how existing mechanisms in the programme (e.g. the funding agreement) can be better utilised to address key shortcomings, in particular around accountability issues and the role of sponsors;
  - b. working with partners to develop agreed criteria for the establishment of new schools and the involvement of sponsors;

c. reviewing the position of Academies outside the maintained sector and considering framing new legislation to reverse this.

4. Work in partnership with the school workforce unions to ensure that:

a. Union recognition is an entitlement in all Academies on the same basis as it is in maintained schools.

b. Academies are required to offer pay and conditions that are at least as favourable as the national frameworks for teachers and support staff in maintained schools.