



Are Academies the way forward?

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The Government's Academy school initiative has been very controversial since the idea was launched in 2000 by the then Secretary of State David Blunkett.

There are now 130 Academies open across England and a target to open up to 400. Yet there is growing concern that the claims made for them are not being met. The fifth, most recent, Price Waterhouse Coopers report concluded that there is "*insufficient evidence to make a definitive judgement about the Academies as a model for school improvement*".

Whilst the report acknowledges that many academies have improved attainment at some level it calls for further research on the impact of academies on the wider school system. Serious concerns about changes to the intake of academies through admissions and exclusion policies remain.

Yet when considering a proposal to move towards Academy status, school governors and local councillors receive plenty of information – often from potential sponsors themselves. The information is almost always from a pro-Academies standpoint.

This briefing looks at academies from a different perspective. It highlights the concerns that parents, teachers, councillors, governors, academics, trade unions and some MPs are raising.

NO
ACADEMY
IN
WATERHEAD

SAY NO TO
ACADEMIES

Attainment – are Academies best value?

Academies' improvement exaggerated

Despite the favourable presentation of improved GCSE results by the government there are plenty of reasons to be concerned. There is no independent evidence that Academies are delivering significantly improved results at a faster rate than other maintained schools.

Of the 638 'National Challenge' schools announced by Ed Balls in June 2008, 26 of these were Academies. This was 31% of the existing Academies, a larger proportion than in the maintained sector. Of the oldest Academies, nine out of 36 (25%) saw their GCSE results fall in 2008. Again a larger proportion than in the maintained sector. (*The Guardian*, 30th August 2008.) Clearly academies are no magic bullet. The hard work of school improvement depends, as it always has done, on improving a range of factors.

The claims about the effects of sponsorship and other features of independence are almost worthless. There was no control group created when the experiment began – where similar funding etc was made available on a level playing field – in order to provide real comparisons. So whilst there are some extravagant claims of improvement, there is no hard evidence.

The most common measure of attainment is 5 A*-C grades at GCSE. Research has shown that these figures have been inflated by the inclusion of certain GNVQ courses in which passes allow for accreditation of 4 GCSEs. But the proportion of pupils attaining five or more A*-G grades (level 1) in the 21 Academies open in 2006 hardly changed. 19% of pupils did not achieve level 1, up from 18% in their predecessor schools. (Dr Terry Wrigley, University of Edinburgh.)

"It is too early to judge whether there is a significant institutional effect on performance. And no adequate judgment can be made unless there is a direct comparison, eg between a similar LEA-maintained comprehensive school that enjoys funding at the same level as an Academy." (www.atl.org.uk)

The cost of the Academy process

There are huge costs associated with setting up an Academy, costs borne by the Local Authority. The Authority is responsible for the consultation process and redundancy for staff in schools that are closed. In Coventry the conversion of Woodway Park comprehensive into the Grace Academy cost the council £3.5 million. A large part of this was payments to contractors. "More than 30 different companies have

"Of the 36 oldest Academies, nine (25%) saw their GCSE results fall in 2008, a larger proportion than in the Comprehensives."

Can you get BSF money without Academies?

"BSF funding is not dependent on local authorities having Academies. Where LEAs don't propose Academies, we would expect them to have a robust alternative strategy for driving up standards that is equally good." DfES spokesman (www.news.bbc.co.uk, 25.08.06.)

"Our BSF funding is not linked to finding sponsors for Academies. We are not proposing any Academy for this Authority." James Hodgson, BSF Project Director, Barking and Dagenham, in response to AAA question 17/04/08.

In reality many local authorities are told 'No Academy, no BSF'. If this is your experience please let us know.

been involved so far. Among them is Environ UK for a bat survey, Zetica for an unexploded bomb survey, Arup for security and traffic work and Townshend LA for landscape architectural work." (*Coventry Telegraph*, 3rd June 2008.)

Dudley Council cabinet member for children's services Liz Walker estimated the cost to the council for two Academies could reach £1.5 million. "We are committed to the Academies, for now. But if the costs become any more exorbitant, we will pull out because we just haven't got the money." (*Express & Star*, 1st November 2008.)

"It is beyond dispute that the Academies programme is significantly more expensive than other initiatives and that it also generates significant conflict, within local communities of schools and politically. If the educational benefits are not conclusively greater than those derived from less costly and disruptive alternatives, then the rationale for pursuing the policy becomes ever harder to defend against the charge of dogmatism." (TUC document: *A New Direction – a review of the school academies programme*.)

The impact of the recession?

We don't yet know how the recession will impact on the education sector, let alone the academies programme. Originally it had £5 billion earmarked for it. Is it right to spend such huge funds to benefit a small minority of schools? Other school improvement programmes such as Excellence in the Cities have produced similar, if not better improvements in attainment at significantly less expense. So are academies really best value?

Or are they really just the logic of deregulation and privatisation – what many call neo-liberalism – imposed on the education sector. If, as Gordon Brown recently acknowledged, neo-liberalism has not worked for our economy, why continue it in our education system? The most successful school systems in the world are fully funded, local administered, comprehensive public systems such as Finland. There is no evidence anywhere that privatisation and deregulation improve school systems. It may allow a small number of schools to gain a competitive advantage but without benefitting the wider system.

It is also worth considering whether business leaders such as hedge fund speculators like Arpad Busson – founder of educational charity and academy sponsor ARK – are the right sort of people to run our schools. Suddenly the gloss conferred on such people by the long boom has turned dull. Like many of his counterparts Busson has lost millions. Carpetright millionaire Lord Harris has seen the share value of his company collapse. Are these business leaders really the role models for our education system?

Sponsorship, consultation and start up issues

Consultation process

The DCSF requires that all local community groups should be consulted, including parents, governors and staff of predecessor schools, where appropriate. The quality of these consultation exercises varies enormously. Unfortunately in many cases local councils and Academy sponsors do not strive for the widest possible consultation, and rarely treat the response they receive as binding.

In general the experience of 'consultation' is:

- It takes place after the decisions have been made behind closed doors;
- It isn't about the principle of having an Academy, it is based on the premise that there will be one;
- It's a one-sided sales pitch – the case against isn't allowed to be formally presented as part of the consultation; and
- It isn't decisive – whatever the response, the Academy goes ahead.

Parents' ballots

In Sheffield the council decided to ballot the parents of Parkwood School, and its feeder schools, using the Electoral Reform Society to run the ballot. There were problems with the ballot:

- At consultation meetings, opponents of the Academy proposal were not allowed equal status to put their case;
- A glossy brochure presenting the case for the Academy was sent out with the ballot paper; and
- The council declared they may disregard the result.

However, a ballot is the only way that a truly fair consultation can be conducted. If the decision to open an Academy is to have any legitimacy a binding ballot of parents needs to be held.

Can the Sponsor withdraw?

"Academy sponsor in talks to sever support" (*TES*, 10th October 2008.) Unity City Academy is one of the longest established academies in the country. Amey PLC have been the sponsor since it opened in 2002. Now Amey want to walk away.

There is no precedent for what this will mean for the school. But how must the pupils, parents and teachers feel, waiting to find out the fate of their school?

If sponsors can walk away it raises serious doubts about the stability of Academies. There are nine governors at Unity City Academy, two representing Amey, and three sponsor nominees. Who will run the school if Amey are no longer the sponsor?

"United Learning Trust, the biggest Academy sponsor in the country, has a support staff turnover of 38%."

Who is really benefiting?

Academies are not meant to be run as businesses. Sponsors are not paid for running the Academy. The Department for Education and Skills says there are "strict" rules governing the awarding of contracts by Academies, which need to obtain at least three quotes to ensure public money is spent properly.

However these rules can be waived, as in the case for Bob Edmiston who runs the Grace Academy in Solihull. "Accounts for his 1,350-pupil Grace Academy show that the school paid the IM Group £281,000 over two years to organise the payment of wages to school staff and for other "management services". The Academy has also paid £53,000 in the past two years to Christian Vision." (*The Guardian*, 5th March 2007.) Bob Edmiston runs the IM Group and Christian Vision.

Are there more acceptable Sponsors?

The government are encouraging Further Education colleges and Universities to become Academy sponsors. Shouldn't universities have links to a variety of local schools, not just their sponsored school? Rather than spreading their assistance, Academies will help produce a hierarchy.

- Are the universities best placed to run schools?
- Will they listen to the parents more than local councils if there are parents' concerns?
- Will they be prepared to work as part of the local authority strategic plan?

"University sponsorship, like private business sponsorship, undermines local democracy, including directly elected staff and parent representatives on governing bodies. Sponsors have potentially autocratic powers." (UCU statement on Academies: www.ucu.org.uk/media/pdf/g/o/UCU_academies_2pp_A4.pdf)

Federated Academies

The DCSF describes Federated Academies as: "The creation of a single governing body or a joint governing body committee across two or more schools." (www.standards.dfes.gov.uk/federations/what_a_re_federations/?version=1)

The government will allow independent schools, successful secondary schools and further education colleges to participate in Federated Academies. The Federated Sheppey Academy has the independent school Dulwich College as lead sponsor. In practice this means Dulwich college taking over the control of a school in Sheppey, with the local council and parents having no say over its future.

Headteacher poaching

The Observer reported on 14th September 2008 that 1,000 schools started the new year without a permanent head. "The government has drawn up a secret list of heads and senior teachers, screened and approved, who will quit their jobs to help run its flagship Academies when positions arise".

Governance, curriculum, pay and conditions

Who governs Academies?

Academy governors are responsible for: appointing the Principal; employing the staff; administering the finances; authorising appointments and changes to terms and conditions; approving the curriculum, personnel policies and procedures.

It is worrying then that “The sponsors of the Academy jointly appoint the majority of its governors”. Instead of one third of the governors being elected parents, alongside teacher representatives, you will now have: “Where there would often be several parent governors at a school, Academies are only required to have one. They may also include a teacher and a staff governor.” (References: DCSF Academies, Trusts and Higher Education prospectus.)

“The NGA has serious concerns that, on the basis of minimal financial investment and with potentially little or no previous experience of education, Academy sponsors are given the responsibility for running state schools. We believe it is wrong for sponsors to be granted the right to appoint the majority of governors in perpetuity.” (National Governors Association: www.nga.org.uk/pol-academies.aspx)

The Curriculum

The government has said that Academies, “can combine a greater flexibility over the curriculum with the sponsorship and expertise of religious, private or voluntary sector contributors.” the curriculum is therefore likely to be susceptible to being influenced by the ethos of the sponsoring bodies. For example, in the North West:

- Manchester Airport are sponsoring an Academy whose specialism is Travel and Tourism;
- Manchester University Hospital Trust are sponsoring an Academy whose specialism is Health;
- Granada are sponsoring an Academy whose specialism is Media; and
- Bovis and Laing are sponsoring an Academy whose specialism is Construction.

There are currently 65 open or planned Academies that have specialisms in ‘business’ or ‘enterprise’, but only 15 specialising in ICT and 28 specialising in Maths. (DCSF Academies list, October 2008.)

There is also concern about the influence of some faith groups on the curriculum, in particular on sex and relationships education.

While Local Authority schools have to supply a wide range of educational options to pupils as part of the 14–19 Reform, Academies are exempt from the National Curriculum, potentially limiting the opportunities available to their pupils. “Changes to the curriculum, particularly the introduction of vocational subjects and GNVQs, ...is likely to explain, at

“In Coventry the conversion of Woodway Park comprehensive into the Grace Academy cost the council £3.5 million.”

least in part, the rapid improvement in results in some Academies.” (*PricewaterhouseCoopers Academies Evaluation 4th Annual Report, July 2007.*)

Staff terms and conditions

Many Academies employ teachers and other staff on privately negotiated conditions of service and pay. In some Academies, there is a secrecy clause, which prevents employees from openly discussing their pay and conditions.

Teachers are also being expected to work an extended day and for more days in each academic year. Also, in many Academies, teacher and support staff Trade Unions are not recognised, and there have been problems with “TUPE” transfer. UNISON, the UK’s largest public sector trade union, awarded United Learning Trust (ULT), the biggest Academy sponsor in the country, a badge of shame for its poor employee relations. “The Academies group is undercutting what is already the lowest pay offer in the public sector. It has imposed the bare minimum pay offer of 2.45% that is currently the subject of arbitration.” (UNISON press release, 13th October 2008.)

“Reports of high turnover among staff in some of the Academies already in operation seems to be an indication that retention of teachers, and thus the destabilising effect on pupils’ education, is a cause for concern.” (*ACADEMIES – Information for Teachers from the National Union of Teachers.*)

TUPE’s protection for staff only goes so far

Any staff transferred from a school to an Academy have their terms and conditions protected by Transfer of Undertakings (Protection of Employment) – TUPE. This is often used to make it seem that there are no real changes for staff on transfer. However protection only goes so far.

- The TUPE regulations do not protect staff against loss of employment in the event of a reorganisation after the Academy has been established nor during the process of establishing an Academy.
- Changes can be made if they are justified for clear economic, technical or organisational (ETO) reasons though unions may contest those justifications.
- Working conditions which are not contractual terms are not protected. Transferees may be likely to encounter changes to areas such as the school day and timetabling. One of the operational Academies, for example, has three hour lessons and splits the lunch hour into two 30 minute breaks. (NUT teachers pay and conditions in Academies guidance, October 2007.)

All education unions are opposed to Academies

At the 2008 TUC Congress the TUC voted unanimously to affiliate to the Anti Academies Alliance, joining the NUT, NASUWT, ATL, UCU and UNISON.

The impact on other schools and strategic planning

This area of concern was highlighted in the recent PWC report. It is the “known unknown” of the academies programme. The long term impact on our education system has never been properly considered. The impact of privatisation and deregulation has had dramatic consequences elsewhere in the economy. What can we expect from deregulation in education? It is hard to assess the situation properly. However since the role of local authorities was changed from being the provider to the commissioner of education services, the processes of deregulation and privatisation have accelerated rapidly. There is now a wider diversity of types of school. OECD research has shown that the “greater the diversity of types school the greater the social segregation”. The engineering of intake through admissions and exclusions hint that this process is occurring.

In some areas – such as Southwark – local authorities have handed over the entire secondary provision to academies. Others have opted for one or two. But whatever the model, the impact on strategic planning of education will be considerable. The needs of society are constantly changing. The number, location and capacity of schools needs strategic planning. Yet sitting outside the maintained sector and only accountable to the DCSF, academies will be beyond LA control and able to assert their own needs.

Exclusions

Academies exclude disproportionately high numbers of students. In the school year 2006/2007 they excluded nearly 10,000 pupils. They were responsible for 2% of all temporary exclusions and 3% of permanent exclusions, despite making up only 0.3% of state schools in England. (*The Guardian*, 25th June 2008.) Academy 360 in Sunderland excluded 40 pupils in its first two weeks in September 2008. (*The Times*, 18th September 2008.)

Re-engineering the school population

Academies use ‘fair banding’ procedures to re-engineer their school population. Where an Academy is proposed for a lower attaining school ‘fair banding’ will make it harder for less able children to gain access. Academies are allowed to apply Criterion Referenced Banding – to achieve an intake representative of the national ability profile.

A nationally representative sample of the results of the 2006 QCA optional Year 5 tests in reading shows that:

- 19% of children achieved Level 5 (Band 1);
- 40% of children achieved Level 4 (Band 2);
- 24% of children achieved Level 3 (Band 3);
- 17% of children achieved below Level 3 (Band 4).

(www.dcsf.gov.uk/sacode/ information note on banding.)

“In the school year 2006/2007 Academies excluded nearly 10,000 pupils.”

Academies in areas with a higher proportion of Band 3 and 4 pupils than the national average will be able to turn some of these pupils away.

Sinfin Community School Governors in Derby withdrew their support for the transition to an Academy in November 2008. Their letter to parents said: “The possibility of admission using fair-banding could lead to the situation where some local pupils are unable to join the school because their ‘band’ is full and other pupils living farther away are offered a place because there are places available in their band.”

Fair admissions

“The School Admissions Code came into force on 28 February 2007. The admission authorities for all maintained schools and Academies are required to comply with the new Code’s mandatory provisions and to take account of its guidelines in setting their admission arrangements.” (*Academy Principal Handbook*.)

Sir Phillip Hunter, chief schools adjudicator, released figures for appeals in 2007/2008. “Hunter identified no apparent breaches of the code in the vast majority of community schools but found around half of faith, foundation and Academy schools have breached the rules in some way.” (*The Guardian*, 4th November 2008.)

The impact on other local schools

If Academies can find overt or covert methods of selecting pupils, this will have an impact on other local schools.

Walsall Academy is just over a mile away from Sneyd Community School. When Walsall Academy opened in 2004 it had 27.1% of children on Free School Meals (FSM), an indicator of deprivation. It now has 12%. (Parliamentary written answers, 10th January 2008.) Where have the FSM children gone? Sneyd Community school FSM has increased from 15% in 2004 to 20% in 2007.

“Academy schools are based on a flawed premise that standards will be raised and disadvantage tackled by passing to private sponsors the ownership of a school building, its grounds and facilities, taking these assets from the local community, investing in sponsors the power to hire and fire staff, set their own pay levels and conditions of service and apparently seeking to replicate the independent sector, which has itself many difficulties and inadequacies.” (www.nasuwt.org.uk)

“We don’t need to worry about the priorities of local government.” Sir Ewan Harper, United Schools Church Trust Chief Executive. (USCT runs United Learning Trust, the biggest Academy chain in Britain.)





Parents, teachers, support staff and local people campaigning against Academies and for good local schools

This Briefing was produced by the Anti Academies Alliance. We are a campaign composed of parents, teachers, unions, governors, councillors and MPs. The TUC, NUT, NASUWT, ATL, UCU, UNISON, FBU and MU are affiliates.

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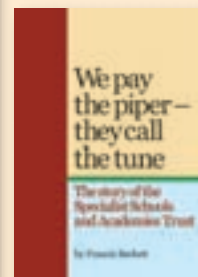
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