

# School and partnership governance

LEEDS  
**EDUCATION**  
CHALLENGE



# Aims

- To consider why schools are changing category
- To look at the similarities and differences between community schools, trusts and academies
- To consider where our school is now and why we might consider a change in governance model.

# The Case for change - DfE

England's schools can be better. Over the past 15 years, a number of major studies have examined systematically how well students perform in literacy, mathematics and science in different countries of the world at different ages. These studies have begun to expose how well different education systems are doing – and have cast the education debate in this country in a wholly new light. In the latest round of tests of 15 year olds (PISA), England was 17th in reading, 24th in mathematics and 14th in science – ahead of countries like Spain, the USA and Italy, but still well behind, for example, Finland, Hong Kong and Canada

# "Maintained" means maintained by the local authority



**Dedicated schools grant**

- special educational needs (SEN)
- support services
- behaviour support services
- museum and library services
- central staff costs (maternity, long term sickness and trade union duties)
- costs of certain employment terminations
- Revenue contributions to capital and grant match funding
- School related insurances



Trust schools remain local authority-maintained



Local Authority



**SERVICES**



**School**

# Trust schools

- Trust schools are foundation schools with a foundation and are therefore very similar to voluntary aided schools.
- The school forms a trust which can include partners from other schools, businesses, FE and HE. The trust appoints foundation governors to the governing body. This can be a minority or a majority. If the trust appoints the majority of governors there must be a parent council.

# Trust schools

- The land and buildings are usually owned by the governing body or a charitable foundation.
- The governing body is the employer of the staff.
- The school has its own admissions policy within certain guidelines.

# The benefits of Trust schools

A trust school:

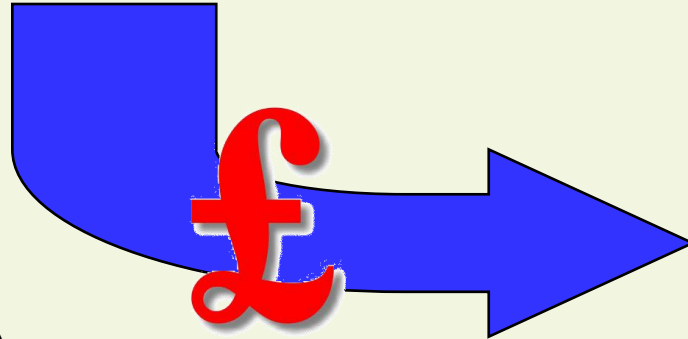
- Enjoys more flexibility – it can set its own admissions criteria (in accordance with the admissions code), employ its own staff and have responsibility for school land and buildings
- Is able to better support children and young people's all-round development, helping to tackle issues of deprivation and social exclusion
- Is able to develop new and existing long-term partnerships
- Can access the experience and expertise of partners
- Benefits from strengthened governance and leadership skills
- Engages more fully with parents
- Employs its own staff

**Constant change**  
**Uncertainty**  
**Speculation fills vacuum**  
**Urgency**  
**Not always well worked out**  
**Strong feelings raised**  
**Hard to get “independent”**  
**advice**

# Academies

- Independent Schools
- No direct link to Local Authority
- “Free” from National Curriculum
- Directly funded by government
- Powerfully promoted by government
- Not supported by unions

# Academy funding



General Annual Grant  
(GAG) including the local  
authority central spend  
equivalent grant (LACSEG)



# Academies

- There is no statutory requirement for any formal relationship between LAs and academies, beyond LA statutory duties such as SEN statementing, admissions coordination and provision of home-to-school transport
- All employees leave the LA contracts of employment and are employed by the charitable company (academy)
- Academies receive funding directly from the DfE through the Young People's Learning Agency (YPLA).
- The school land and buildings are owned by the charitable company

# Academies

- Community school land is owned by the LA; it is normally leased to the academy trust on a 125 year lease for a peppercorn rent.
- The academy trust is the employer of the staff.
- The academy has its own admissions policy within certain guidelines.

# The Academy Trust

The academy trust will be set up as a charitable company limited by guarantee. Because it is a company, the academy trust must have a "two-tier" governance structure made up of a

***“group of “members” who will appoint the governors”.***

# The role of governing body

The academy trust (made up of members) has a strategic role in running the academy.

The governors act in three capacities; as "directors" under company law, as "charity trustees" under charity, and as "governors" under education law.

# The responsibility of the governing body

Although a significant amount of day-to-day responsibility is delegated to the headteacher and the academy trust staff, the governors are ultimately responsible for ensuring that the academy trust operates within the framework of company, charity and education law which applies to the academy trust

# Community schools, trust schools, academies, and free schools – A COMPARISON

## Handout

# Considering the options

## **FIRST : What's in it for the children?**

Other things that may need to be considered

- Do we feel constrained?
- What would we do differently?
- How would our children benefit?
- On balance what do we gain?

# Considering the options

- Do we already work in partnership?
- What more can we offer and to which school?
- What effect would becoming an academy or trust have on our local and partner schools?
- What are the financial implications?
- If we became an academy what local authority services would the school lose and how would the school commission replacements?