



St. Luke's Science and Sports College

Academy Consultation

**16th September – 18th October
2013**

St. Luke's Science and Sports College

Stakeholder Consultation – Conversion to Academy Status

September 16th – October 18th October 2013

The consultation on Academy status detailed in this document is designed to assist the Governing Body to further assess the case for proceeding, or otherwise, to the next stage of formally applying to the Department for Education (DfE) for Academy conversion.

As previously stated in all letters of communication to stakeholders; no decision has been taken as yet on whether to convert or not.

The document is presented in three sections for ease of use:

1. Introduction from the Governing Body – including information on how to contribute your views.
2. Key issues.
3. Frequently asked questions to support your understanding of the conversion process.

We welcome receipt of your comments via the methods described in section 1 by 18th October 2013.

Thank you in advance of your support.

St. Luke's Science and Sports College Governing Body

Section 1 – Introduction from the Governing Body

1.1 What is the Academy status consultation?

The Governing Body and Senior Leadership Team at St. Luke's Science and Sports College are considering whether the College would benefit from conversion to Academy status under the provisions of Education Act 2010.

After careful consideration, and with the best interest of the school community in mind, the full Governing Body approved a recommendation on Thursday 4th July 2013 to 'register an interest' with the Department for Education in becoming an Academy. This enables the school to access the further detailed information required in order to make a fully informed decision.

During this meeting, it was also decided that the school should embark on a full and formal period of consultation to allow all those with an interest in the school to contribute their views (before the Governing Body decides whether or not to proceed) on the question of:

'Should St. Luke's Science and Sports College convert to Academy status?'

The school will be hosting a number of information evenings in addition to this written consultation exercise and we look forward to receiving your views on this important decision for the future of St. Luke's Science and Sports College.

1.2 The consultation process

The Governing Body is currently seeking the views of:

- Staff and their union representatives
- Parents and carers
- Students
- Partner schools
- The local community
- Other interested parties

In addition to this document, we have established a dedicated area on the school website at www.st-lukes.devon.sch.uk where you can also view and download a full copy of the Governors working party report on the implications of Academy conversion on St. Luke's. This area of the website also provides additional information on the Academy conversion process that may be of use/interest to you.

1.3 How you can contribute your views

The consultation period will last for 5 weeks from 16th September to 18th October 2013 which we hope will give everyone sufficient time to consider the issues and benefits associated with conversion properly and, if they wish, to express their views via any of the following methods:

- **Email** – academyconsultation@st-lukes.devon.sch.uk
- **Questionnaire** – return the questionnaire in the downloadable leaflet to the College reception in a sealed envelope marked 'Academy Consultation Questionnaire'.
- **Letters** – marked 'Private and Confidential – Academy Consultation' and addressed to the Chair of Governors.
- **Staff Consultation Meeting** – to be held in the Main Hall on Wednesday 16th October 2013 from 4.00pm – 5.00pm.
- **Parent/Carer Consultation Evening** – to be held in the Main Hall on Monday 7th October from 7.00 – 8.00pm.

In addition to the above, students will be consulted via a number of methods throughout the consultation period.

Only once all stakeholder comments and representations have been collated and considered will the Governors decide whether or not to apply to convert to Academy status.

Once again, we ask that all responses are sent by Friday 18th October 2013.

Section 2 – Key Issues

2.1 St. Luke's Science and Sports College: aims and context

St. Luke's is a special place and at its heart are the people. Every member of staff, governing body and extended community care about the students. We want to do everything within our power to enable every one of them to flourish during their time with us and give them a strong platform for future achievement and success.

At St. Luke's our aims are clear; we want to:

- Provide the highest quality of education in an environment based on Christian values.
- Promote an ethos of pride, excitement and engagement.
- Enthuse students to become involved in their learning and take responsibility.
- Provide a clear framework for responsible, committed and disciplined behaviour.
- Give every student the chance to succeed in all aspects of life.
- Be a centre for sporting excellence.

Our recent results and latest OFSTED reports show that we are well on our way to achieving these aims with St. Luke's being firmly established as a highly successful secondary school where student achievement is good and fast moving to becoming outstanding.

We, the principal, staff and governors, are fully committed to building on our current successes; maintaining our outstanding reputation as a happy, caring school in which every child matters where we continue to celebrate success in all of its forms and where our core aim is to provide an outstanding quality of education.

Our most recent set of GCSE results once again show a vast improvement with our overall A* - C (inc English and Maths) being 58%. This figure is 12% higher than our FFTD target of 46% - once again proving our ambitious outlook and desire to improve student aspirations .

We now need to move forward positively and with confidence to enable this growth to continue to flourish. We need to be able to drive improvements through collaboration and to access appropriate and cost-effective services to support the specific needs of our school.

In considering Academy status, the Governors have at all times been, and remain, very mindful of the fact that their primary responsibility is to take decisions which positively affect the students and staff of St. Luke's Science and Sports College.

2.2 Background

St. Luke's Science and Sports College has the opportunity to convert to Academy status under the 2010 Education Act introduced by the Coalition Government. Schools converting to become Academies ('converter academies') should not be confused with the Academy schools created by the previous Labour Government which were set up to secure improvements in failing schools by bringing in external sponsors.

It is important to emphasise that the conversion we are consulting on would NOT include any form of 'sponsor' involvement in the running of St. Luke's Science and Sports College.

At the time of writing, approximately 40% of all secondary schools in England have either converted to Academy or are in the process of doing so. It is also worth noting that out of the five Exeter Secondary Schools; one is already an Academy and one is part of an Education Trust.

2.3 What is an Academy?

Academies are 'publically-funded independent schools' which, under the terms of the arrangements made by the Secretary of State to fund them, cannot charge fees to students. They are funded directly by the Department for Education (DfE) and are, in the majority of respects, free from local authority (LA) control and directly accountable to the DfE.

However, Academies are still required to comply with the relevant codes in respect of admissions, exclusions and SEN – in exactly the same way as we now as a LA controlled state school. In addition, Academies will continue to receive certain key services from the LA.

In terms of the curriculum, Academies are still required to offer a broad and balanced curriculum (including English, Maths and Science) and will continue to be subject to OFSTED inspections.

The 2010 Education Act sets out the following six main 'freedoms' for Academies:

- Freedom from local authority control
- Ability to set own pay and conditions for staff
- Freedom from the National Curriculum
- Ability to change the length of terms and school days
- Having greater control over school budgets
- Freedom to spend the money the local authority currently spends on its behalf

2.4 Benefits of Academy Status for St. Luke's Science and Sports College

2.4.1 Greater financial freedoms

The LA currently retains a proportion of the funding it receives from central government to provide services to schools within Devon, including St. Luke's Science and Sports College. As an Academy, St. Luke's would receive its share of this retained funding and have increased freedoms in terms of

spending. Based on the latest information available, it is estimated that St. Luke's Science and Sports College would receive an additional £131,600 per year if we were to become an Academy.

Of course, some of this additional funding would need to be utilised to buy-in some of the services no longer provided by the LA and we would face some new responsibilities and some new costs. Significantly however, we would have the freedom to buy in the most appropriate and cost-effective services for the school as opposed to those that are offered by the LA.

It is also worth noting that as more and more Devon schools convert, the LA's capacity to deliver services will be much diminished and so if we remain as a maintained school, we would likely have to seek other providers for some services but would not have the additional funds in which to do so.

For St. Luke's Science and Sports College, we currently estimate that the additional costs associated with Academy status are likely to be in the region of £43,000 per annum, resulting in a net funding benefit to the school of approximately £88,600 per annum.

We are of course keeping these figures under continuous review and now that we have registered our interest with the DfE we will be better informed of our additional funding calculations. We also recognise the fact that the additional funding is likely to reduce over time as more schools choose to convert but it is impossible for us to predict this decline at this stage and we do expect that there will always be some level of net funding benefit to Academy schools.

Critically, this has to be taken in to consideration against a backdrop of reduced school funding with funding for St. Luke's likely to fall over the next two to three years.

It can be concluded that if St. Luke's does not convert to an Academy, some degree of spending cuts would need to be implemented to avoid future operating deficits.

It is the view of the Governing Body that academisation would offer the best opportunity for St. Luke's to avoid any future deficits and subsequent spending cuts whilst also providing additional funds to support the school to continue to provide the very best teaching and learning opportunities for its students.

2.4.2 Curriculum freedoms

In recent OFSTED inspections, the curriculum at St. Luke's has been judged as good to outstanding with students being offered a broad, balanced and varied curriculum to suit both their needs and interests. It is however, no secret that the Government are implementing a thorough national curriculum review that will quite possibly lead to a very centrally prescriptive, inflexible curriculum which may not meet the needs of our students in the way we would want.

As an Academy, St. Luke's would have the opportunity to retain flexibility and control over our own curriculum and thus ensure that our students needs are met in the most appropriate way.

It is worth noting at this stage that although the Governing body do not expect an immediate significant changes to our current curriculum, it is their view that the greater freedoms available to Academy schools with respect to Curriculum may come to have increased significance in the future post the Governments National Curriculum review.

2.4.3 Increased strategic freedoms

Despite currently being a LA maintained school, St. Luke's has always enjoyed a fair degree of autonomy with respect to the leadership and management of the school and have benefited greatly from the strategic support from the LA. Nevertheless, we firmly believe that Academy status would increase the autonomy even further and, in light of potential cuts to LA services, the Governors feel that it is a crucial aspect of any conversion.

The school would undoubtedly benefit from this increased autonomy and flexibility through such avenues as collaboration, leadership and management and innovation. Conversion would enable the school to have greater independence to make decisions about the future of the school, enable the leadership and management to innovate and develop creative solutions to inform strategic change.

2.4.4 Sports Specialism

As a Specialist Sports College, St. Luke's is now recognised nationally as a leading school in terms of provision, development and support for students who have a talent for sport. Our sporting reputation has grown rapidly over the past few years as we continue to develop upon our sporting performance academies.

As we continue to grow our pool of talented athletes, there is also a need to ensure that we can continue to support them both academically and within their arena of sport through dedicated mentoring and adapted curriculum provision.

Again, the freedoms associated with Academy status will enable us to do this and ultimately attract further talent in to the College.

2.5 Possible concerns associated with Academy conversion

2.5.1 Long-term financial uncertainty

We have already outlined above the situation with respect to the funding arrangements for schools converting to Academies and recognised that, although there is an additional increase in funding, that this will decline over time. As a Governing body we cannot predict what this decline will be but remain confident that our net gain from Academy status will always remain positive. This coupled with the fact that we will be in a position to buy in the services we need in a more cost-effective manner; gives us confidence for our financial security over the forthcoming years.

The Governors have spent a great deal of time forward-planning with respect to the College's predicted financial picture post any Academy conversion and are secure in their judgements for financial security.

2.5.2 Impact on staff

One of the 'freedoms' afforded to Academies is the right to set their own terms for staff pay and conditions. Understandably this is an issue of great concern for all staff and their respective unions.

Although Unions have been very vocal about this in the past and have raised many concerns, it is worth noting that Unions are now adopting a more flexible and pragmatic approach to Academy conversions and are working closely with schools to develop the best possible solutions and arrangements to protect their members interests within the Academy setup. As a Governing body we would want to work very closely with our Union representatives so that they are an integral part of any Academy conversion that took place.

We also want to make it very clear as a Governing body that we fully recognise and appreciate the enormous effort and achievements of all staff at St. Luke's. The concerns and welfare of our staff have been very much at the fore throughout our discussions and will continue to do so as we move forward.

It is quite clearly in the best interests of our school that we continue to have a fully motivated, happy and engaged body of staff that continue to put the achievements of our students at the fore. This will be a priority for us all during our continued deliberations.

It is also clear that conversion to Academy will help us as a Governing body to 'protect' all staff against the pressures that come with reduced budgets.

2.5.3 Governance implications

The most significant change with respect to Governance of Academies is the change in legal status of the Governing Body. On conversion, the school would set-up an Academy Trust which is a charitable company with appointed governors being 'unpaid' Directors of this company. This does mean that individual Governors will take on additional legal responsibilities.

With respect to the role of the Governors; this remains unchanged with the core responsibility of the Governing Body being to set the strategic direction of the school, monitor finances, provide challenge to senior leaders and ensure the quality of education.

It is not anticipated that any conversion in Academy status would result in changes to the current Governing Body.

2.5.4 Management and leadership

On conversion, St. Luke's would have to procure certain services and responsibilities that were under the auspices of the LA. Throughout the conversion process, it would be the role of the Governors Working Party to determine what services would need to be bought in post conversion and which can be maintained by the current staff team. Throughout this process, the Governors remain totally focussed and aware of the fact that the primary role of the Senior Leadership Team is to ensure the highest quality of education and care for the students of St. Luke's.

With this in mind, the Governors Working Party will consider any additions in staff needed post conversion; particularly in areas relating to HR and finance.

During the conversion process the school will procure specialist external support using the £25,000 academy conversion grant funding from DfE.

Section 3 – Frequently Asked Questions

There is no doubt that you will have many questions relating to Academy status/conversion that you would like answering. Based on our research of other schools who have gone through the process, we have tried to answer as many of these as possible in this next section. We have grouped the questions and responses into the following categories;

- General enquiries
- Staffing
- Curriculum
- Admissions
- Finance, resources and services
- Governance

3.1 General enquiries

Have the Governing Body already made the decision to convert?

No – the Governing Body have spent a great deal of time discussing the benefits and risks associated with Academy status and agreed to register an interest in order to access further information and support. This consultation exercise is extremely important to us with your views and opinions helping us to form our final decisions.

Would the school change its name?

No – St. Luke’s is very proud of its identity and will continue to be a specialist Science and Sports College providing high quality education for local children of all abilities.

What changes would students and parents/carers see if St. Luke’s becomes an Academy?

In essence there would be very little that visibly changes as a result of converting to an Academy. The school would continue to be called St. Luke’s Science and Sports College and would retain the current school uniform which we feel reflects us as a school well.

Will St. Luke’s maintain its status as a Science and Sports College?

Yes – St. Luke’s have benefited enormously from the specialist status and will continue to use both of these subjects within the school to improve academic attainment across the whole school.

Will St. Luke’s continue to be a Voluntary Controlled school?

Yes – our partnership with the Diocese provides many benefits for both students and staff and we will continue to work closely with our friends and colleagues at the Diocese. St. Luke’s will always commit to providing the very best education within a framework of Christian values.

What evidence is there that Academies deliver better outcomes for students?

There is no evidence of this, not least because most 'convertor academies' are already rated as 'good' or 'outstanding' schools by OFSTED and in many respects it remains business as usual. What is clear is that the additional funding does allow these schools to maintain, and improve on, the already excellent outcomes for the students.

Until what point can the Governing Body pull-out of the conversion process?

The Governing Body can withdraw at any point up to the final stage of signing the Funding Agreement. Even if the school has indicated to the DfE that it intends to convert, nothing is binding until the Funding Agreement is signed.

Can Academy status be undone?

The Academy Trust (Governing Body) or the Secretary of State can terminate the contract however there is a seven year termination clause. Converting to Academy status is therefore a long-decision.

Should the school go ahead with a conversion post consultation, when would it start to operate as an Academy?

The most appropriate time from a management organisation perspective for conversion status would be during the next academic year. Our priority is to ensure we undertake a full and comprehensive consultation and give ourselves an appropriate amount of time to digest your views prior to moving forward.

3.2 Staffing

What impact, if any, will conversion have on current staff?

All qualifying staff would transfer from the employment of the LA to the employment of the Academy Trust. Qualifying staff are generally those who have contracts of employment at a converting school on the date of conversion. This transfer takes place within the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) for staff transfer, which ensures that staff retain all of their existing rights, terms and conditions and pension arrangements, including continuity of service.

What does TUPE protect?

The TUPE Regulations provide that the current employer's rights and obligations arising from a contract of employment existing on the date of transfer shall, by reason of such transfer, be transferred to the new employer.

What freedoms do Academies have over staff terms and conditions?

Academies have the freedom to move away from existing terms and conditions for any new staff that join the Academy. However, this is not currently a priority for the Governors or Senior Leadership Team at St. Luke's.

There will be a full consultation with staff as part of this process, including a meeting for all staff to discuss their views. In addition, there will be a further formal consultation process within the TUPE regulations.

What about pension schemes?

The teachers' pension scheme is unaffected by this change in status. The school would take responsibility for supporting staff pensions and would have to fund any deficit in the pension fund via employer pension contributions. The school would have to obtain an actuarial evaluation and pay this deficit off over a period of years. However, if the school did not become an Academy, the deficit would still have to be paid off via employer pension contributions paid by the school, so, either way the school budget would be affected.

What are the implications for staff workload?

If post consultation we decide to become an Academy; some senior staff and admin staff, in particular, will have to spend time working on the conversion process. However, they will also be supported by external experts funded by the DfE grant available to converting schools. Post conversion, the governors will review the need to appoint additional staff who have expertise in the areas of HR and Finance.

3.3 Curriculum

Would the current College Curriculum change?

Currently the College believes that its Curriculum offers a wide range of breadth and depth for students. We have a range of courses on offer that meet the needs of all of our students; therefore no significant changes are currently being considered. This does not mean that the freedoms with respect to curriculum change offered by Academy status will not be an advantage in the future if conversion does occur.

Who would quality assure the College and its curriculum?

The quality assurance process associated with Academy schools is exactly the same as that offered to St. Luke's at present in that we would be subject to regular and robust OFSTED inspections in addition to our own internal scrutiny offered via the Governors and the Senior Team.

The new Government are pushing hard for the curriculum to be narrowed with a focus on the E-Baccalaureate. As an Academy would our focus go this way and as such would we lose subjects like Art, PE, Music, Drama etc..?

As previously stated; both the Governors and Senior Team at St. Luke's believe that our current curriculum fully meets the needs of our students. Although Academy status would give us the freedom

to design and shape our own Curriculum; we would not intend to lose valuable creative subjects such as the ones mentioned in the question posed. It is worth reiterating that an advantage of transferring the control of the curriculum to the Governing Body is that it would guard against the sort of changes being posed by central government and any associated regulations, such as those dictating whether subjects are compulsory or not at Key Stage 4. In conclusion, our view is that the flexibility offered is an opportunity and a potential benefit to the College and students.

3.4 Admissions

Would the current admissions arrangements change if St. Luke's becomes an Academy?

Academies must still abide by the Admissions Code. The Governing Body of St. Luke's are not interested in changing the current arrangements so the same pupils would come to the school if it were an Academy or not.

Would the application process change?

Parents would still complete a common application form which would be submitted to the LA. As an Academy we would then be responsible for administering the applications once they were forwarded from the LA. However, it may be that the College decide to sub-contract this work out to the LA on conversion.

Who controls the Planned Admissions Number under Academy status?

As an Academy we would be our own admissions authority and would set the Planned Admissions Number (PAN) for the College. However, whether we are an Academy or not, any change to the PAN would require consultation with the LA.

3.5 Finance, resources and services

Do Academies receive extra funding?

Academies receive their funding direct from the Government as opposed to via the Local Authority. The main Academy budget consists of two elements:

- School Budget – which would be worked out in exactly the same way as it is currently.
- The share of the funding that is currently retained by the LA from all maintained schools. This is given directly to the Academy to manage as it sees fit.

How would the Academy procure the services that the LA currently manage using this additional funding?

The Governors working party, along with the Senior Team, would decide on what and how to procure the services that are currently provided by the LA. The benefit of this is that the College would have greater control over the quantity and quality of these services compared to now and could be sourcing more economically for the benefit of the College.

For how long would the Academy be receiving the additional 'top slice' Academy funding?

The direct funding agreement means that the Academy would always receive the additional funding because they will always be taking on the additional responsibilities currently managed by the Local Authority. What we cannot confirm is the level of funding that will be dedicated in the future.

Will students with special educational needs be disadvantaged?

The responsibilities for Academies with respect to students with special educational needs would remain the same as for a non-academy school. If St. Luke's becomes an Academy its commitment to all students, including those with SEN, would remain exactly the same and we would continue to provide specialist staff and facilities.

Can services currently provided by the LA which support the children in school, such as the educational Psychology Service or Behaviour Support, be easily provided elsewhere?

Yes is the simple answer to this question. However, we could also buy back these services from the LA if we particularly value the service they provide. Essentially we would simply have greater choice.

Are there any financial costs to becoming an Academy?

There are costs relating to the legal conversion and other 'one-off' conversion costs. Each school receives a £25,000 grant from the DfE towards these expenses and, in the event of Governors wishing to withdraw from the process, no part of this grant is repayable to Government.

What insurance costs would an Academy need to cover the significant risks posed by potential emergencies such as fire, flood, pupil accidents, crimes etc?

All Academies are required to take out a wide range of insurances, often to levels specified by the LA or the DfE. The Academies receive a grant from the DfE equivalent to the cost of insurances so it has a net effect on the budget. There will also remain in place the insurances provided via the PFI building contracts.

3.6 Governance

What will the responsibilities of the Governing Body be?

The existing Governors will be responsible for establishing the Academy Trust and managing the conversion. The Academy Trust will then enter in to a funding agreement with the Secretary of State for the running of the Academy. The Academy Trust has a strategic role in running the Academy and will be responsible for appointing Governors (also known as the Trustees or Directors) to the Governing Body of the Academy. It is the Governing Body that manages the Academy on behalf of the members of the Academy Trust. The key responsibilities are to:

- Ensure the quality of educational provision
- Challenge and monitor the performance of the Academy

- Manage the Academy Trust's finances and property
- Employ staff

What is the role of the Academy Trust?

An Academy Trust is a charitable company responsible for the running of the Academy. It has a strategic role in running the academy but delegates management of the school to the Governors. In essence they act like a Board of Directors of a company.

Will the Governing Body still include parent governors?

Yes. St. Luke's truly values the input of parents and would continue to invite parents to be Governors of the Academy.