

Denefield School - consultation on academy conversion

Frequently asked questions (FAQ)

The following questions and answers provide information about what academy status would mean should Denefield School convert to academy status. The FAQ are divided into sections:

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A. Academy status

1. What is an academy?

An academy is an independent state school, funded directly from central government rather than through West Berkshire Council. A charitable trust and company limited by guarantee (the Academy Trust) is responsible for the academy, and enters into the Funding Agreement (the contract) with the Secretary of State to establish and run the academy.

Legislation requires that an academy should:

- offer a balanced and broadly based curriculum;
- provide education for students of different abilities; and
- provide education for students who are wholly or mainly drawn from the area in which the school is situated.

There are around 3,100 secondary schools in England and almost 1,000 of these have applied for conversion since summer 2010.

2. How is an academy different from a foundation school?

As a foundation school, Denefield already operates independently of the local authority in many areas. For instance we:

- employ our own HR and finance staff;
- procure all of our own ICT hardware and all software licenses are in our name;
- directly commission our own health and safety and premises surveys and advice;
- are already responsible for our admissions policy, but have chosen to adhere to the co-ordinated admissions' arrangements administered by the local authority.

The areas where academy status would differ include:

- curriculum: an academy does not have to follow the National Curriculum, allowing us to determine the best possible curriculum for our students;
- funding: the academy would receive additional revenue income above that currently delegated to us by the local authority;
- capital funding: an academy is reliant on the Secretary of State, rather than the local authority, for the funding of major building works, including condition/maintenance and improvement works;
- governance: a new charitable trust (the Academy Trust) would be established and our governors would become trustees who have responsibility for the academy. The trustees would also be our directors under company law.

3. Would there be any external sponsors involved?

No.

4. Do Ofsted inspect academies?

Yes, in exactly the same way as for maintained schools.

B. Academy governance

1. How would the academy be governed?

If Denefield decides to convert, the trustees would become the key decision making group, in the same way that our governors are currently.

Our governors are intending that trustees will comprise elected members which would include parents, staff and community representatives, in a very similar way to our existing governing body, thus ensuring that all stakeholders are fully represented.

2. How are parent governors appointed in an academy?

Currently, when a vacancy arises, applications are sought from parents at the school and if necessary an election will be held. This system would continue in a very similar way after conversion.

3. Are there any restrictions on who can be trustee of an academy?

There are eligibility criteria for becoming an academy trustee, which are very similar to the criteria used for maintained schools when selecting governors.

C. Academy funding and services

1. What start-up costs will the school face on transfer to academy status?

The school would receive a £25,000 grant from the DfE if its application is accepted which would be sufficient to cover the legal and other costs of conversion.

2. Do academies receive extra funding?

Academies receive additional funding per pupil directly from the Government rather than via the local authority. The additional funding we would receive reflects the amount currently retained by West Berkshire before delegation to maintained schools.

3. What additional services would the Trust be responsible for sourcing post conversion?

Denefield School, as a foundation school, already has responsibility for determining how many of its services are procured. Post conversion the trustees would be able to choose from a range of providers to deliver services including HR, education welfare and CRB checks. However it is likely that the trustees would wish to continue to purchase many services from the local authority.

D. Academy policies

1. Would there be changes to the number of students admitted into Year 7 each year?

No. The school would continue to admit up to 180 children into Year 7 each year.

2. Would there be changes to the admissions over-subscription criteria of the school?

No.

3. Would Denefield continue to collaborate with other schools?

Yes: the school is committed to collaboration and closer partnership working. Denefield already works closely with other West Berkshire secondary schools and our partner primary schools in both West Berkshire and Reading.

4. How would the relationship with the local authority change?

The school would continue to work with the local authority on common issues and would remain part of the local 'family of schools'.

5. What support does a local authority provide to an academy?

The local authority would retain numerous statutory duties, including ensuring sufficient school places and Special Educational Needs. In addition the local authority would continue to have some responsibility for monitoring standards and intervening where necessary.

6. Would the school year change?

No: the school would continue to set the school year in the context of other local schools.

7. Would the school name change?

No: the governors have no intention of changing the school's name in any way post conversion.

E. Educational provision

1. What are the educational advantages in converting?

Academies have the freedom to determine their own curriculum and are not tied to following the national curriculum. This freedom would allow our staff, as professionals, to devise a curriculum that is best suited to the needs of our particular pupils.

2. What are the safeguards for vulnerable students?

Under the terms of the Funding Agreement, the contract between the Academy Trust and the Secretary of State, an academy has to act in exactly the same way as a maintained school in relation to Special Education Needs, behaviour, and exclusions.

3. Who is responsible for deciding if a student needs a Statement of Special Educational Needs (SEN)?

The relevant local authority would retain the responsibility for determining statements, and would decide whether the academy is nominated on a students' statement of SEN.

4. What does the academy have to teach?

The Academies Act 2010 requires an academy to offer a balanced and broadly based curriculum and provide education for children of different abilities. The DfE template Funding Agreement requires the curriculum to include English, maths and science, and that it shall make provision for the teaching of religious education, and have a daily act of collective worship.

5. What would be the impact on free school meals?

Post conversion, applications for free school meals would be made directly to the school and Denefield would make every effort to encourage families that are entitled to free school meals to apply for them.

6. What would be the impact on musical instrument tuition?

There would be no change to the present system for musical instrument tuition.

F. Employment in an academy

1. What is the impact of academy status for current staff?

Currently, all staff working at Denefield School are employed by the governing body. On conversion, staff contracts would transfer to the new Academy Trust. This takes place within the *Transfer of Undertakings (Protection of Employment) Regulations (TUPE)*, which ensures that staff would retain all of their existing rights, terms and conditions including pension arrangements.

2. What do TUPE regulations 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.

3. Would the academy change terms and conditions for future new staff?

The current governing body believes that the new academy trust should employ teaching staff under existing School Teachers' Pay and Conditions for the foreseeable future. In addition there are no plans to alter the terms and conditions of support staff.

4. Will the school need additional administrative staff in order to meet the requirements of being a charitable company (regarding finance, HR, buildings etc)?

The school already has dedicated finance, HR and premises staff. The school already uses specialist external firms as necessary and would continue to do so to provide expertise in specific areas.

5. Do academies have to recognise trade unions?

Where TUPE applies, all trade unions recognised before the transfer continue to be recognised by the new employer. The school already has very good relationships with all unions and would very much wish to see this continue post conversion.

G. Land and buildings

1. Who owns the land?

The governing body already owns the freehold to the land the school occupies. The ownership of both the land and the buildings would transfer to the new Academy Trust on conversion.

2. How does an academy access capital funding?

Academies receive some capital funding for the maintenance of existing buildings directly from government. This is called Devolved Formula Capital, and is distributed according to the same methodology as used for maintained schools. In addition academies will be able to bid into a national fund being set up to finance more major works arising from condition surveys.

3. Who is responsible if the boilers break down or a roof needs repair?

Post conversion the Academy Trust becomes responsible for the maintenance of all buildings on the site. The school already has a programme of planned maintenance works that is designed to minimise the risk of things like boiler failure.

4. Who is responsible if there is a major fire at the school?

As is currently the case, the school's insurance would cover the cost of any such event.

H. Consultation process

1. Who is being consulted?

The governors would like to hear the views of all interested parties. The school has distributed information to parents and staff, and will engage in consultation with students through the Student Council and assemblies. Trade unions have been kept informed throughout the process, as has West Berkshire and Reading local authorities. The school will also inform both Tilehurst and Purley Parish Councils, the other secondary schools in the authority and the primary schools involved in our partnership work.

2. How will you deal with further questions?

Comments and questions can be sent to the governors in writing c/o the Clerk to the Governors at Denefield School, or responding via email to the dedicated address, academyconsultation@denefield.org.uk. This FAQ document will be developed on the website throughout the consultation period. A summary of points from the Parents' Forum meeting on 11 October 2011 will also be collated and also made available via the website.

I. Further information

Where can I obtain further information?

The Department for Education website has further information, and links to other sources of information, about academies: www.education.gov.uk/academies

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