

**TELFORD & WREKIN COUNCIL**

**CABINET –26 FEBRUARY 2015**

**PLANNING OF SCHOOL PLACES:  
SCHOOLS CHANGING THEIR STATUS AND ASSOCIATED TRANSFER OF  
LAND AND ASSETS**

**REPORT OF THE ASSISTANT DIRECTOR FOR EDUCATION AND CORPORATE  
PARENTING**

**LEAD CABINET MEMBER – CLLR PAUL WATLING**

**PART A) – SUMMARY REPORT**

**1. SUMMARY OF INFORMATION**

At the current time a number of schools within the Authority have either changed their status or are planning to do so within the next few months. The purpose of this report is to give detail of all the changes, explain what impact they may have for the Council in the future and authorise the Assistant Director for Education and Corporate Parenting (in consultation with the Lead Cabinet Member for Children, Young People and Families) to take all required actions and exercise all the Council's relevant powers to enable the changes of status and associated transfers of land and assets described in this report, to take place in respect of any school in the Borough.

**2. RECOMMENDATIONS**

**2.1 That Cabinet receives and takes note of all the information relating to schools change of status contained within this report; and**

**2.2 Agrees that the Assistant Director for Education and Corporate Parenting, in consultation with the Lead Cabinet Member for Children, Young People and Families, is authorised to take all required actions and exercise all the Council's relevant powers to enable the changes of status to Trust Schools or Academies and associated transfers of land and assets to take place in respect of any school in the Borough.**

**3. SUMMARY IMPACT ASSESSMENT**

<b>COMMUNITY IMPACT</b>	Do these proposals contribute to specific Priority Plan objective(s)?	
	Yes	<i>Children &amp; Young People – to consult and involve all stakeholders with a vested interest in children's education and safety</i>
	Will the proposals impact on specific groups of	

	people?	
	Yes	<i>Children and Families living within the Wards served by the schools</i>
<b>TARGET COMPLETION/DELIVERY DATE</b>	<i>Some schools have already changed their status. Others are due to convert between April and September 2015</i>	
<b>FINANCIAL/VALUE FOR MONEY IMPACT</b>	Yes	<p>The financial impact on the Local Authority of schools changing status is different for Trust Schools and Academies:</p> <p>- For both Academies and Trust school status means that the schools become eligible for 80% relief from NNDR ('Business rates'). As schools rates bills are matched by the funding allocated via the local school funding formula, a reduction in rates results in a saving of Dedicated Schools Grant (DSG), which is then available for redistribution to all schools. However, the change also reduces the amount of rates collected in T&amp;W, thus offsetting any increases in rates elsewhere. As Local Authorities now retain 50% of any increase in business rates, this will result in a reduction in this funding stream.</p> <p>In addition a conversion of a school to Academy status directly reduces the Local Authority's income from the Education Services Grant (ESG), as only £15 per pupil is paid for academy pupils. An additional £87 per pupil is paid for pupils in maintained schools. The government's rationale for this is that Local Authority responsibilities for academies are less than for maintained schools. In practical terms the economies of scale of the services no longer required to support Academies do not produce the equivalent levels of savings, so adding additional pressures to the Council's financial position.</p> <p>TD/TAS 26.1.15</p>
<b>LEGAL ISSUES</b>	Yes	Changes to school organisation are governed by the requirements set out in a number of Acts, Statutory Instruments and government guidance. The changes of status are initiated by the schools concerned and not the Local

		<p>Authority.</p> <p>Legal advice will be provided during the implementation of these changes to ensure that there is procedural compliance and that the required property and contract documentation is completed effectively.</p> <p>The Assistant Director Law Democracy and People Services has power under the Constitution to affix the seal to documents if required. Any specific legal issues relating to the documentation, contracts and land transfers will be addressed as they arise. (IR 29.01.15)</p>
<b>OTHER IMPACTS, RISKS &amp; OPPORTUNITIES</b>		
<b>IMPACT ON SPECIFIC WARDS</b>	Yes	<i>The individual school changes of status will impact on the individual wards within which schools are located. However there is potentially Borough wide impact due to parental preference in choosing which schools children attend.</i>

**PART B) – ADDITIONAL INFORMATION**

There are currently two groups of schools which have opted for trust status. These are firstly - **The Wrekin Co-operative Learning Trust** which has been formed by Short Wood Primary School, Limekiln Lane, Wellington and Wrekin View Primary School, North Road Wellington. This trust was set up with effect from 1<sup>st</sup> September 2012.

The other group is known as **The Beacon Co-operative Learning Trust**. This has been formed by The Charlton School, Severn Drive, Wellington and four of its local primary schools -Apley Wood Primary School, Pool Farm Avenue, Apley, Crudgington Primary School, Crudgington, Dothill Primary School, Severn Drive, Wellington, and High Ercall Primary School, Church Road, High Ercall. This trust was set up with effect from 14<sup>th</sup> December 2012. In recent months Queenswood School, previously a community school, has also opted to join the Beacon Co-operative Learning Trust .

When a community school changes its status to become a trust the land on which the school stands and which is used by the local authority for the purpose of the school has to be transferred to, and will vest in the trust body. Staff, teaching and non-

teaching, employed by the council on behalf of the school are also transferred so that the trust becomes their employer. The schools have also become their own admission authorities but again none of them are currently planning to alter their admission arrangements from those they have used as community or controlled schools.

The Charlton School was already a Foundation School, its own admission authority with its own land and staff and so changes there have been minimal.

In addition there are four secondary schools which are currently part of a Multi-Academy Trust ( MAT) known as the **Telford Co-operative Multi Academy Trust**. This trust has included Wrockwardine Wood Arts Academy, Sutherland Business and Enterprise Academy, Lakeside Academy and the Phoenix Academy working with representatives from the Schools Co-operative Society. These schools are in discussion with the Office of the Regional Commissioner about alternative arrangements in which they would become part of larger groups of sponsored academies operating in the region.

Any new agreements made will be between the existing Multi Academy trust board and any new sponsoring organisation. Wrockwardine Wood and Sutherland Academies are to merge to form the new Telford Co-operative Academy opening in September 2015 and currently being completed on a site adjacent to the Oakengates Leisure Centre. All the necessary land transfers and building agreements related to this have already been completed. As the academies are already independent from the council in terms of the land they occupy and the staff they employ the council will not have any formal part in any new arrangements put into place.

The current Blessed Robert Johnson Catholic College is due to close at the end of the current academic year on its current site in Wellington. To replace this, the new Holy Trinity Academy is to open in September 2015 on a site in Priorslee. Again, all the necessary land transfers and building agreements related to this have already been completed.

There are also three further schools, which may become academies. These are Dawley CE (Aided ) Primary School, .KickStart Pupil Referral Unit and Mount Gilbert Special School. In the case of these three schools they will become sponsored academies as a result of them being in an Ofsted category of concern.

When a school becomes an academy it is usually granted a 125 year lease on its site and all the staff, land and assets transfer to the governing body. This is done using various legal agreements including an overarching commercial transfer agreement.

In the case of Dawley CE Primary School the land is already in their possession as the school is an aided one. The KickStart Pupil Referral Unit is already on the site of Telford College (TCAT) and the College has submitted an application to become the sponsor of the PRU. In the case of Mount Gilbert the land is owned by the Council and will be leased to an appropriate sponsor as described above.

Any school can apply to change status to become a trust or academy schools if their governors so desire under current legislation. They do not have to seek permission from the local authority and statutes dictate which land and assets must be transferred to them

Any new state funded school to be opened must be an academy or free school under current legislation. There are very limited exceptions to this rule, one of which is the opening of a new aided school.

The new Lawley Village Academy is due to open in September 2015 and will be sponsored by REAch2 , an academy chain which specialises in primary schools and which already has academies operating in neighbouring local authorities. The land and buildings of the new school will transfer to the sponsoring trust on completion of the build.

### **IMPACT ASSESSMENT – ADDITIONAL INFORMATION**

The net effect of all the changes in status mentioned above is that the council will make over an amount of land to each school either as an outright transfer or on a 125 year lease. A number of teaching and non-teaching staff will cease to be employed by the council and instead be employed more directly by the schools and academies. None of the schools converting is currently planning to alter the terms and conditions of their staff as far as we are aware.

### **PREVIOUS MINUTES**

None

### **BACKGROUND PAPERS**

None

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