

Appendix A:

Extracts from LGA Summary of the White Paper

The Government's White Paper *Educational Excellence Everywhere* was published on 17 March 2016. The White Paper covers teaching and leadership in schools, (Chapters 2 and 3), preventing and tackling underperformance in academies (Chapter 5), curriculum reform (Chapter 6), governance and standards (Chapter 7), and fair funding for schools (Chapter 8), which is the subject of a separate consultation. This briefing summarises the main issues which will directly affect councils.

Mandatory Academisation

All schools will be required to become academies or to be in the process of becoming academies by 2020, with all converted by 2022. This will be achieved by

- Using the powers for Regional Schools Commissioners (RSCs) in the Education and Adoption Act 2016 to forcibly convert maintained schools judged by Ofsted to be Inadequate.
- In council areas that are underperforming or the council no longer has capacity to maintain its schools, new powers will be given to the Secretary of State to ensure schools become academies 'to a faster timescale'.
- A new duty on councils to facilitate the process of all maintained schools becoming academies.
- If schools have not started the process of becoming academies by 2020 they will be directed to do so by the Secretary of State. (page 55, paragraph 4.7)
- Most schools will be expected to form or join a Multi Academy Trust (MAT) (page 57, paragraph 4.15)

Conversion costs and land transfers

- Schools will continue to get financial support to become academies (page 56, paragraph 4.8).
- To speed up the process of academy conversion, when a community school converts to academy status and the council owns the land, the land will transfer to the Secretary of State. The Secretary of State will then grant a lease to the academy trust. If the land is owned by the school, a Diocese or a charitable trust, it will not transfer. (page 56, paragraph 4.12/13).

Remaining education role for councils

- As well as the duty to maintain schools, responsibility for school improvement will move from local authorities to the school-led system and their role in allocating funding to local schools will be overtaken by the

move to a National Funding Formula, as announced on 7 March (page 68, paragraph 4.71).

- Therefore, the Government intends to legislate to change local authorities' powers and duties. Instead of running schools or school improvement, local authorities will focus on delivering their core functions. In the short term, local authorities will continue to have responsibilities which include: employment of staff in community schools; ownership and asset management of school buildings; and responsibilities relating to the governance, organisation and curriculum of maintained schools. Those responsibilities will shrink as each school in their area becomes an academy; when every school has done so, they will fall away entirely (page 69, paragraph 4.72-73).
- In the future the council role in education will be focused in three areas:
 - i. **Ensuring every child has a school place.** The Government will continue to provide 'substantial funding' to councils to do this. Councils will keep a duty to work with schools and parents on home to school transport; giving schools the opportunity to provide school transport services where that makes sense locally. Councils will take a lead in crisis management and emergency planning.
 - ii. **Ensuring the needs of vulnerable pupils are met.** This includes retaining current responsibilities for pupils with Special Educational Needs and Disabilities (SEND) and looked-after children; school attendance and tackling persistent absence; alternative provision for excluded children; safeguarding, radicalisation and extremism.
 - iii. **Acting as champions for all parents and families.** This includes a continuing role in coordinating admissions; supporting parents to navigate local SEND arrangements and provision; and championing high standards locally for all pupils and, where necessary, calling for action from the Regional Schools Commissioner to tackle underperformance (page 70, paragraph 4.77).
- The Government will review the responsibilities in relation to children in the light of the policy changes proposed, including the implications for the roles of the Director of Children's Services and the Lead Member for Children (page 71, paragraph 4.79) and consult on any changes to statutory guidance.

School accountability

- The White Paper says that in an academised system, where schools will be more locally accountable to academy trusts with whom parents have a direct relationship, it is even more important that parents and governing boards should be able to challenge schools and hold them to account' (page 21, paragraph 1.58).
- A new online Parent Portal will be established in 2017 to set out clearly the key things a parent needs to know about schools (page 66, paragraph 4.51 – 53).

- A new duty will be placed on academies to ensure that they listen to views and needs of all parents (page 66 paragraph 4.55).
- The Government will produce new guidance for schools and Multi Academy Trusts (MATs) on handling complaints and make it simpler for parents and the local community to escalate complaints to the Department for Education (DfE) and beyond that to a public service ombudsman. DfE will consider how parents might be able to petition RSCs for their child's school to move to another MAT in cases of underperformance or other exceptional circumstances (page 67, paragraphs 4.56 – 4.59).
- DfE will consult on changes to the admissions system to make it easier for parents to navigate, including simplification of the admissions code. They will consult on the council role in coordinating admissions, including requiring councils to handle the administration of the independent admissions appeals function (page 67, paragraphs 4.61 – 62).
- Academy trusts will no longer be required to reserve places for elected parents on governing boards (page 51, paragraph 3.30).