

## **Children and Families Committee**

**Date of Meeting:** 20 March 2023

**Report Title:** School Organisation: Academisation of Schools:  
Forward Plan

**Report of:** Deborah Woodcock, Executive Director of  
Children's Services.

**Report Reference No:** CF/40/22-23

**Ward(s) Affected:** All

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### **Purpose of the report**

This report is presented to committee to allow committee members to be informed of planned schools across the borough who are seeking to move to academy status and join a multi academy trust. The forward plan shows such schools and those that will require committee approval or will be progressed through delegated authority.

### **1. Executive Summary**

- 1.1 At the Children and Families Committee meeting on 12 July 2021 committee approved the delegation, with certain exemptions, for current and future conversions including academy leases and commercial transfer agreements jointly to the Executive Director of Children Services and the Executive Director of Place. Where exemptions apply delegation is not applicable and a full report would be presented to committee.
- 1.2 It was proposed that committee will receive a forward plan at each meeting highlighting conversions due to take place and confirmation of the conversions that have taken place so that committee is fully informed and can note and scrutinise the academisation process. The forward plan has not been to the last two committees due to the size of the agenda and number of key decisions being taken at these meetings, however, this will be included on the forward plan for all meetings going forward.

## **Recommendations**

- 2.1 That the committee approves to receive a 6 monthly update on academy conversions rather than a separate report each committee meeting.

## **3. Reasons for Recommendation**

- 3.1 The committee has asked to receive a forward plan at each meeting highlighting conversions due to take place and confirmation of the conversions that have taken place.

## **4. Other Options Considered**

- 4.1 The option to not inform committee of academy approvals is not considered appropriate as each academy conversion will have varying levels of risk and the inclusion of a forward plan of pending conversions allows committee members to be kept aware of future changes.
- 4.2 School governing boards apply to the secretary of state to progress with an academy order, the alternative is to remain a maintained school. There is no requirement for a school to convert to an academy unless directed to do so through an inadequate Ofsted inspection.
- 4.3 Failure to cooperate could result in the Secretary of State making transfer schemes which would be binding on the council.

## **5. Background Information**

- 5.1 At the C&F committee meeting in July 2021, committee agreed the delegation for academy conversions as below:
  - a. The Executive Director of Children's Services, in consultation with the Chief Finance Officer and Monitoring Officer, has authority to take all steps necessary to agree and execute the commercial transfer agreement, novation of third-party contracts, shared use agreements/facilities access agreements, staffing and information transfer.
  - b. The Executive Director of Place in consultation with Chief Finance Officer and Monitoring Officer to take all steps necessary to agree and execute any transactions in relation to land, facilities or shared use agreements.
  - c. No delegation may be exercised to execute any agreement as set out above where:
    - The school has a deficit of £100k or there is any significant impact on the Medium Term Financial Strategy
    - There are substantive third-party land interests.
      - i. Any public funds are to be reclaimed under section (land contributions)

ii. Any current or proposed legal claim has been identified where an indemnity is sought against Cheshire East Council on any matter.

5.2 This report presents the status of a range of recent and future conversions so that committee are kept aware of ongoing work in this area. However, it should be noted that proposed conversion dates can be delayed for a variety of reasons.

## **6. Consultation and Engagement**

6.1 Appropriate consultation and engagement takes place as part of the academy process with both staff and the local community.

## **7. Implications of the Recommendations**

### **7.1 Legal**

7.1.1 All legal requirements are undertaken and approved ahead of any academy conversion.

### **7.2 Finance**

7.2.1 All financial requirements are undertaken and approved ahead of any academy conversion

### **7.3 Policy**

7.3.1 The implementation of academy conversion is undertaken in accordance with national legislation as per the various Education Acts

### **7.4 Equality**

7.4.1 Not applicable for this report summary

### **7.5 Human Resources**

7.5.1 All HR requirements (mainly relating to TUPE arrangements) are undertaken and approved ahead of any academy conversion.

### **7.6 Risk Management**

7.6.1 All associated risks are considered by legal, finance and HR as part of managing the academy conversion process.

7.6.2 The implications of the roll out of UNIT 4 /ERP administrative/transactional system have increased levels of risk due to the requirement to establish a new payroll process as part of the transition to academy status. This has generated some delays in conversion dates due to associated services having the capacity to build payroll structures ready for conversion.

## 7.7 Rural Communities

7.7.1 Not applicable for this report summary

## 7.8 Children and Young People/Cared for Children

7.8.1 There is scrutiny of multi academy trusts by the Regional Schools Commissioner to ensure they have capacity to adopt the school. Therefore, assuring that the school joins a strong trust that can ensure outcomes for children and young people continue to improve

## 7.9 Public Health

7.9.1 There are no direct implications for public health.

## 7.10 Climate Change

7.10.1 There are no direct implications for climate change.

<b>Access &amp; Authorisation of Information</b>	
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Background Papers:	<a href="https://www.gov.uk/government/collections/convert-to-an-academy-documents-for-schools">https://www.gov.uk/government/collections/convert-to-an-academy-documents-for-schools</a>  Committee paper from 12 July 2021
	<a href="#">Academisation of Schools Report.pdf</a> ( <a href="http://cheshireeast.gov.uk">cheshireeast.gov.uk</a> )