

8 June 2015

Dear Governors,

We are parents of a child at Scarcroft Primary School, and Millthorpe Secondary is our catchment area school. We are both academics, with expertise in children's linguistic and social development (as Senior Lecturer in the School of Education, Communication and Language Sciences at Newcastle University, and as Professor of Linguistics at the University of York, respectively). We have written individually to the Governors of Scarcroft shortly after the consultation period started (our initial letters can be found here: https://docs.google.com/document/d/1sYm_dCz-a6l_mZNGeuuJVt5cKr23qctd2cACMFwiboE/edit?usp=sharing, and https://docs.google.com/document/d/1vU0CNIhFEW6MQloPcdf6f8m1IFEPnu_gc3_as6Slvkc/edit).

To date many of our questions remain unanswered, and the consultation process has served to raise further questions. We know this to be true for many of the parents who are involved in the process, and we therefore urge you to halt the process of the Southbank Academy plans until you have had the chance to consider all the concerns that are being raised. This is one of the biggest decisions you will make, not just for these schools, but for York schools in general. York has prided itself on having excellent schools with a very low number of academies, which shows that you do not have to be an academy to achieve excellence. Below we summarise aspects of the consultation process which have made it frustrating. We reiterate some of the points which many of us have been making in our attempt to share with you our knowledge, experience and, above all our passion for our schools, in order to make this a collective decision-making process.

1. The consultation process has been unfair and rushed

- The announcement was made by the schools just before the Easter break, and was followed by a lack of communication from the schools for several weeks due to election 'purdah'. The packed parent-organised meeting at Priory Street during that period speaks volumes about the number of parents who were extremely concerned and who spoke about how much they cared for their schools and their future.
- This left six weeks during which parents (and we now realise, many governors) have been trying to gather as much information as possible about the reasons, the process, and the repercussions for the children, staff, and local community. This should have been a period of open debate, with fora to allow parents to talk to teachers, governors, and – crucially – to other parents. Instead, the majority of the consultation sessions (at least at Scarcroft) were scheduled during working hours, thereby excluding most working parents. The meetings have been micro-managed, with plenty of opportunities for head teachers to make their voices publicly heard, but very few opportunities for parents to do so (e.g., formal presentation lasting an hour, then only a short session to answer dozens of questions delivered on post-it notes, once again denying parents the chance to hear what other parents have to say).
- The line of argument against allowing parents more voice is that 'they are vulnerable' and 'they don't know enough'. But schools work best when parents are active partners and stakeholders in the organisation, and their collective wealth of knowledge needs to be capitalised upon, rather than be seen as an 'obstructive' element in the process (to quote the current Education Secretary). In the large parent group that has approached our schools so far we have experts in education at all levels (primary through to tertiary), health, social care, law, and social inclusion, and leaders in all sorts of organisations. Alongside our jobs we have been actively involved in events and activities organised by teachers and parents; we know our

schools well, and we care about the communities around them. We DO have a wealth of knowledge, and we have compiled a comprehensive literature on academies (<https://scarcroftmatters.wordpress.com/resources/>). We have striven to ensure that this literature makes a clear separation between impartial facts (garnered from independent academic research), government documents, and opinion from published and social media. We have ensured our focus is on the impartial facts and not on anecdote. It IS possible to separate fact from opinion on this matter, and it IS possible to inform parents fully, with a balance of pros and cons.

- Even if we were to discount the above point and assume that many parents really do not know enough to be able to make an informed choice, it is the schools' duty to educate them on this matter, in a balanced way. The schools, on the other hand, have restricted their initial information to a number of pro-conversion points, many of which fall apart under scrutiny (more on this below). Most alarming in this process has been the realisation (through the informal consultation sessions) that many of the governors have had little time to digest the plan and to make up their own minds about whether or not it is suitable for our schools. This should not be surprising given that many of you are working parents like us, and that the urgency to start the process was triggered by the deadline for the £100,000 government grant for Academies. Looking at the governors' meeting minutes in the lead up to that, it is actually reassuring that many of the questions you asked echo the concerns that have since been raised by parents.

Summary from point 1: the consultation process has been rushed and has not allowed parents, teachers or governors to evaluate the plans adequately, or indeed to consider other alternatives to achieve the same goal, of which there are many.

2. **The arguments made for Academisation in this particular case are neither consistent nor convincing.** There seem to be two main arguments being put forward for this proposal, one financial and one related to better collaboration and innovation between the three schools in the MAT (with discrepancy amongst heads regarding which one is more important).
 - a. **The financial argument**
 - With respect to the financial argument, the crux of the argument is that, by breaking away from Local Authority (LA) authority control, the schools get to keep the extra 2% that is normally top-sliced by the LA and thus have more spending freedom. However, this extra revenue can only be evaluated as part of a properly worked out business plan, which lays out the new spending against the extra revenue, and takes into consideration that the new company will be responsible for the upkeep of buildings, land, etc. and that staff overheads will cost more. To this day, every time we have asked our school if there has been a carefully worked out and comprehensive business plan, the answer has been that this can be worked out AFTER the academy is formed. This is a dangerous way forward, and not one that would be taken by any established business, especially when so much of the argument for this plan is being made on an assumption that the schools will be financially better off. We urge you to pause the decision-making until you have developed and scrutinised a comprehensive business plan. Can the £25,000 grant from the DfE be used by the schools to explore the legal aspects of the potential changes?

- Apart from the 2%, we are told that the schools will have more purchasing power, being able to get better discounts for services. This argument does not hold. How can a small cluster of schools have better purchasing power than a larger one? The schools already buy a lot of their services outside the LA, and as part of the larger Southbank cluster CAN have better purchasing power without being part of a single organisation. This happens across the sector, including universities.
- Given that all the other 'guarantees' (of retaining teachers, staff, facilities, etc.) made in the newsletter to parents and teachers hinge on the financial argument above, we have repeatedly questioned the schools about the extent to which these guarantees can be made. We now understand from the Q&As posted by the schools online (<http://www.scarcroft.york.sch.uk/academy-conversion/responses-to-questions-raised/>) that it is not possible to make such guarantees in the Articles of Association. The list can therefore be seen more as a wish list than a binding document, and should not be used as a robust basis to convert, or to sway parent/teacher opinion, as the newsletter has the potential to do.
- The extra pot of money that Academies can bid for is currently four-times oversubscribed, and thus there is no assurance that any of it will be available to this MAT.
- The flipside to this financial 'benefit' for the schools has not been made clear to parents or teachers:
 - 1) LAs are already underfunded, and by taking further money away from them the dwindling number of staff serving education, other York schools may be disadvantaged. The ethical issue here needs very careful consideration by the governing bodies.
 - 2) The diminished involvement of the LA breaks the link between local democracy and education, and puts the support of our schools in the hands of central or regional officers who may have little experience with the local context.
 - 3) The land ownership on which the schools are currently built might be transferred to the Trusts (<http://www.legislation.gov.uk/ukpga/2010/32/schedule/1>), taking it away from the local community.
 - 4) Any further funding cuts from central government (and these have been announced already) will affect academies and maintained schools equally, as the funding is per pupil. So even if the current Trusts have the best intentions for preserving staff levels and services, any future cuts WILL force them to make very difficult decisions, especially with the liberties that academies have with regards to employing less qualified teachers, class sizes, etc. In fact, at the Millthorpe governors' last meeting in March (<http://www.millthorpeschool.co.uk/millthorpe/wp-content/uploads/2015-03-25-MT-FGB-mins.pdf>), the Head Teacher announced that there will be job losses of 3.5 FTE by September, and that urgent appointments for English and Geography could be made at NQT level to keep the costs down. One of the governors raises concerns about appointing at NQT. Similar concerns will no doubt be raised within MATs, but with diminished voice from governors due to the extra layers of structure (Members and Trustees).

Summary from point 2a: Funding cuts ARE going to affect both maintained and Academy schools and we have no guarantees that Academies will be in a better position to ride these.

- b. **The collaboration and innovation argument.** The second main argument that the schools are making is the Multi-Academy (MAT) structure allows for better collaboration between the schools, and allow teachers more innovation in the curriculum. When one looks at the available evidence nationwide, neither of these arguments stands up to scrutiny. LA schools

already enjoy most of the same freedoms; collaboration is encouraged under various models; and the freedom to vary the curriculum is recommended for all schools. We identify these points based on the recent cross-party report, chaired by a Conservative MP, on the status of academies and free schools (House of Commons Education Committee, Fourth Report of Session 2014-15, available online

<http://www.publications.parliament.uk/pa/cm201415/cmselect/cmeduc/258/258.pdf>). The following points are quoted directly from the conclusions of this report:

- *Current evidence does not allow us to draw firm conclusions on whether academies are a positive force for change.*
- *The majority of academy freedoms are available to all schools. One of the few that is not available—but equally one of the most widely used and important—is the freedom to vary the curriculum (whilst still being required to offer a broad and balanced curriculum to all pupils). We therefore recommend that curriculum freedoms be made available to all schools.*
- *The voice of parents can be marginalised in some academies.*
- *We have heard evidence that local authorities can be effective at brokering school partnerships. We recommend that the Government set out how it will incentivise the spread of this best practice, including through Ofsted. The codification we have recommended of the responsibilities of local authorities with regard to academies should include their role in ensuring effective collaboration between all schools.*
- *We have sought but not found convincing evidence of the impact of academy status on attainment in primary schools.*
- *Despite all the attention paid to academies and free schools, of the 21,500 state-funded schools in England, 17,300 are maintained schools and 4,200 are academies as at August 2014. It is not the case that the system will inevitably achieve full academisation.*
- *The process of conversion to academy status has been exceptionally fast by international standards. We recommend that the DfE review the lessons of the wholesale conversion of the secondary sector to inform any future expansion.*

Summary from point 2b: It is clear from the report above that there is no evidence that innovation can only be achieved through academies. Innovation can be found in any structure because it can be achieved through a strong partnership between Heads, teachers, support staff, parents, and children.

3. Ways forward

If it is collaboration that is the key issue driving this proposal, then the Academy structure is only ONE of many options that the schools need to be looking at, including the existing clusters which can be strengthened, learning partnerships, co-operative models, soft & hard federations, memoranda of understanding or a formalisation of our own current 'hybrid' model. Given the alarming concerns about academies, why are we restricting our decision-making process to one structure which has not so far provided evidence for achieving these goals, and one that comes with the most potential dangers regarding links with local communities, governance structure with too much power at the top, conditions for staff, and voices for parents?

In fact, looking at the details of the MAT model that is planned by the Southbank schools, we have doubts about whether the model will be acceptable under the Education Funding Agency rules. The current Academy conversion plan (<http://www.scarcroft.york.sch.uk/academy-conversion/information-about-the-proposal/>) does not make the following information clear, all of which is worrying (information taken from the Academies financial book, and only recently added to the Scarcroft Q&A section:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/363753/Academies_Financial_Handbook2014.pdf):

- *'Members' in the MAT structure sit above the Trustees.* They have the power to appoint and remove Trustees, and make amendments to Articles. This gives a lot of power to a small number of people.
- *The Trust will manage payroll and human resources.* This will limit the degree of autonomy to which individual schools within the Trust can operate, as currently intended in the proposal.
- *The board of Trustees of the academy Trust **must** appoint a principal or chief executive who may act as an ex officio trustee.* How does this fit with the plans of the three heads to have equal powers?
- *The academy Trust **must** also have a chief financial officer (CFO), appointed by the Trust's board, who is the Trust's finance director, business manager or equivalent, to lead on financial matters.* At the moment this post is listed as a temporary one, but it is hard to see how it will not be needed in the future, and therefore important to have long-term financial planning for this post.

In light of these points, and many others to have been raised during the consultation process, we therefore urge you to slow down the process, consult more widely and more fairly, and to have the courage to say no if you do not feel that this model is right for us. While there is a claim on the Q&A website that the MAT conversion for all schools is an unavoidable process, there is no official guarantee that this is the case. We also reiterate the warning from the cross-party report cited above that the pace of change is too fast. The same argument that our heads are making for being proactive rather than reactive can be made for deciding NOT to convert. And the argument regarding 'multiple heads' are better than one should surely include the parent 'head'. We need to work together and have done so for years; let's not make this process divide us.

Thank you for your continued attention.

Yours faithfully,

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