

## **Defend our Schools**

### **UNISON briefing on the Academies Bill in England**

#### **INTRODUCTION**

The Academies Bill proposes sweeping changes to primary and secondary school management and ownership in England. It is being rushed through Parliament and would allow hundreds, if not thousands, of schools to be fast tracked into becoming academies from September 2010. There are countless issues that will not be resolved within this timescale.

UNISON has opposed the Academies' programme since its introduction and is part of the Anti-Academies Alliance. The new Government's approach to academy schools takes it to a radical new level. The last Government justified the programme as a way to improve schools in disadvantaged areas. The new proposal focuses on rewarding schools which are performing well with academy freedom, with no regard for broader school provision in the local area. Inevitably, a two-tier system would emerge with the grammar school image of academies reinforced. The local authority would be left with a rump of schools with more challenges, surplus places, and less money to support them.

The Bill could pave the way for further opening up of Education to private interest. Michael Gove, the Education Secretary of State, has recently said that he has no 'ideological objection' to firms making profits from academy schools. There has been no consideration of how important functions, currently delivered by local authorities would be delivered in this new system, let alone the impact on staff who would be employed at the whim of a fragmented network of individual school employers.

#### **Lack of consultation**

Such a significant change to England's schooling system should require wide consultation and consideration, involving all of those who are likely to be affected. But there will be no formal consultation through a Green or White Paper, or any way for local government, parents, governors or staff to have a say on these proposals.

Under the Bill, the Secretary of State would be able to order the creation of academies against local wishes. The consultation with local authorities would be removed and the consequences for neighbouring schools will not be considered.

And how much support can the Government assume it has? The current and comparatively limited academy programme has drawn criticism from far and wide. A MORI survey in March 2010 for UNISON and the NASUWT showed that 96% of the public wanted a good local state school provided by the local authority.

#### **Lack of evidence of improvement or accountability**

There is no evidence that there is an academies' factor which raises standards faster than community schools. They are allowed to opt out of publishing data on how students are performing in specific subjects, are not covered by the Freedom of Information Act and have to report very little of their activities to the Department for Education. They are 'exempt

charities', free from registration with and oversight by the Charity Commission. Academies bring more centralised bureaucracy and less local democracy.

'Freeing' schools from the local authority does not indicate whether new academies would be expected to take a broader role as part of the community. UNISON would like clarity on how they would be expected to deal with exclusions, Behaviour Improvement Partnerships or children with Special Educational Needs. We would also be very concerned if there was a move away from important initiatives which have supported a great number of families such as extended schools and breakfast clubs.

In many key areas there are unanswered questions - for example, a parent that has a problem with an academy school not complying with a SEN statement would have no recourse except at national Government level – would each individual problem end up on the Secretary of State's desk, with civil servants required to provide advice? And if not, who will provide advice without charging a hefty private sector fee?

Governing bodies play an important role in school accountability and management. There is currently a governing framework that ensures all those with a stake in the school are represented – parents, staff and support staff and representatives from the local authority. We believe this is an important safeguard to ensure the head teacher is well supported and held to account.

However, it is unclear whether such arrangements would be compulsory for academy schools in the future. UNISON is seeking confirmation that it would not be possible for a governing body in an academy to vote on significant changes to its composition – for example excluding staff or support staff representation.

UNISON does not believe that these important issues have begun to be addressed, and is calling for far closer scrutiny and consultation before these proposals are developed.

### **Pace of reform**

The Secretary of State has said that he wants to see schools transfer to academy status by the start of the new school year in September. UNISON is highly concerned that attempting such rapid change would lead to pressure on schools, their staff and the local authority and uncertainty for them, children and their parents. This cannot possibly be in the interest of planning good school provision for all children in the community.

New academy schools would be taking on complex tasks such as Special Education Needs, property management, admissions policies, staff employment, health and safety, VAT, Private Finance Initiative contracts, safeguarding and many other responsibilities that are currently supported by the local authority. UNISON believes that schools should not be pressured into taking on these additional responsibilities and cannot conceive of how plans will be in place by September.

### **Impact on school support staff**

School support staff are professionals playing a vital role in every school. UNISON's members are often part time and still low paid. Under the proposals outlined in the Bill, school support staff would be directly employed by the new academies, taking them outside of national pay bargaining machinery. This leaves them much more vulnerable to attacks at local level: cuts, poorer working conditions and uncertainty.

They would not be covered by the new School Support Staff Negotiating Body (SSSNB), which has been in development for several years and has been designed to deliver long

awaited fairness, consistency and equal pay for support work that has increased in both scope and demand.

UNISON is greatly concerned that a huge number of support staff will effectively be transferred into the private sector without any say or due consultation or consideration.

### **Inefficiencies will cost more not less**

Direct funding from Whitehall gives academy schools a 10-15% increase in funding, but many of the services currently provided by the local authority need to be procured. On a larger scale this would mean that services would fragment, co-operation lessen, competition increase and economies of scale would be lost. The current academy chains have to employ a wider range of professional staff to fill the gap left by the local authority.

Services would be replicated at many different levels at far higher cost. Local authorities play an important role in coordinating and delivering a range of services, and it would be highly unfair for non-academy schools in an area to be penalised because extra resource is being given to academies.

Academies bring a significant cost at national level. There are already 70 civil servants dealing with funding for the 200 existing academy schools, but this number would have to increase with the number of academies. PriceWaterhouseCoopers is employed annually to assess their success, though they have yet to provide such evidence. In addition, multi-million pound contracts are given to the Specialist Schools and Academies Trust (SSAT) to provide assistance.

Further information on the lack of evidence to support the academy model can be found on the Anti Academy Alliance website at [www.antiacademies.org.uk](http://www.antiacademies.org.uk)

### **Next Steps**

UNISON has always supported measures that improve the quality of education for children as well as ensuring that those working in schools are treated fairly and with respect. We believe that the measures outlined in the Academies Bill would not help to improve the vast majority of schools for all children and would impact negatively on staff. We believe that the pace of introduction, lack of consultation, and lack of consideration for the impact on neighbouring schools and the community makes this Bill completely unfit for introduction.

### **At national level, UNISON:**

- Has briefed the Lords with its concerns as the Bill receives its first readings in their House
- Will be seeking the support of MPs and Peers to oppose the Bill as it goes through the parliamentary process
- Is taking advice on the submission of amendments to the Bill
- Is working with the TUC and other education unions to co-ordinate our campaign against these proposals.
- Continues to support and campaign with the Anti Academy Alliance
- Will produce advice and materials for branches

- Is taking legal advice on the proposals and implications for TUPE and pay and conditions
- Will facilitate wide discussion at national conference and support local campaigns.

**Branches are urged to:**

- Identify any schools which are considering becoming an academy
- Build local anti-academy campaigns using the Press and lobbying MPs about the Bill
- Write to Head teachers, governors, councillors and MPs to highlight our concerns (attached is a model letter which branches can adapt as appropriate)
- Establish joint union action groups involving teaching unions and other support staff unions at local authority level
- Organise school support staff to ensure they have the support of UNISON in any proposed changes to the status of a school or their employment contract.