

Brighton & Hove City Council

Children, Young People & Skills Committee

Agenda Item 55

Subject: West Blatchington Primary and Nursery School

Date of meeting: 6 March 2023

Report of: Executive Director Families, Children & Learning

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Ward(s) affected: All

For general release

1. Purpose of the report and policy context

- 1.1 The report provides an update to the Children, Young People & Skills Committee about the consultation being undertaken by the governors of West Blatchington Primary and Nursery School.
- 1.2 The consultation is to consider whether West Blatchington Primary and Nursery School should become an academy as part of The Pioneer Academy.

2. Recommendations

- 2.1 That Committee notes the details of the consultation undertaken by West Blatchington Primary and Nursery School.

3. Context and background information

- 3.1 The governors of West Blatchington Primary and Nursery School launched a consultation on whether the school should become an academy as part of The Pioneer Academy on 25 January 2023 lasting until 28 February 2023.
- 3.2 The consultation was for a period of 5 weeks including the February half term holiday. Details of the consultation were available on the school's website [here](#), together with a question and answer document. Two events were scheduled for current and future parents in early February and additional meetings with parents who couldn't make those original meetings were held. The council were informed of the school's intention to go out to consultation about joining an academy trust on 24 January 2023.
- 3.3 The Department for Education have a [guide](#) available to schools that wish to consider converting to academy status. The governing board has to meet and pass a resolution to convert and if the school is applying to join an

existing multi-academy trust, the trust has to confirm that they are happy for the school to join.

- 3.4 The governing board must consult formally about the school's plans to convert to an academy with anyone who they think will have an interest in the school changing its status. This will include staff members and parents/carers but should also involve pupils and the wider local community. The law doesn't specify how long the consultation should last, but it is important that they show that interested groups, individuals and organisations have had a reasonable opportunity to respond.
- 3.5 The consultation document has been issued to parents/carers and staff at West Blatchington Primary and Nursery School, Brighton and Hove City Council, local primary schools, the local MP, and the Trade Unions recognised by Brighton and Hove City Council.
- 3.6 Following the consultation, if the governing body decide to proceed, it is anticipated by the governing board that West Blatchington Primary and Nursery School would become an academy and join The Pioneer Academy during the Summer Term 2023 or as soon as possible afterwards.
- 3.7 The Pioneer Academy is a Multi Academy Trust (MAT) and details can be found on the government's Get Information about Schools webpages [here](#). There are 15 primary schools in the MAT including Moulsecoomb Primary School which converted in November 2021, after the school was issued with an Academy Order following an inadequate Ofsted rating.
- 3.8 The council remains in on-going dialogue with the governing board, staff and unions regarding the proposal and a formal response to the consultation has been submitted. This response outlines the wide range of support the school has received from the council as well as noting concerns about the length of the consultation and its ability to reach and engage all of the school's community. In addition, concerns about the impact the focus on structural change will have on the school's current school improvement journey.
- 3.9 As soon as an academy order is granted by the Secretary of State a £25,000 support grant is available from the DfE for the school to spend on the conversion process. In 2018 the Schools Forum agreed that a charge of £12,000 would be made by the council to the converting school to fund the process of academy transfer.
- 3.10 Several councils charge schools for the process of academy conversion. This charge contributes to the costs incurred by the council for the work required to convert a school, this includes: the production and negotiation of legal documents including liaison with the Trust's solicitor, agreement of property and lease issues, the time of HR staff to provide advice and support on the TUPE process and the time and support of finance colleagues to close the local authority accounts.

4. Analysis and consideration of alternative options

- 4.1 The report is for noting and no alternative options are relevant.

5. Community engagement and consultation

- 5.1 The governing board of West Blatchington Primary and Nursery School have undertaken a public consultation to inform their decision about becoming an academy as part of The Pioneer Academy.

6. Conclusion

- 6.1 The report provides details of the governing board's proposals to become an academy as part of The Pioneer Academy together with details of the requirements on the council and the potential charge that is applied to schools which choose to convert to academy status.

7. Financial implications

- 7.1 If, following the consultation, the governing body decides to proceed and an academy order is issued, a grant of £25,000 is provided to the school to support the costs of the academisation process. As set out in paragraphs 3.9 and 3.10, the council will be required to undertake significant work, and a charge of £12,000 will be made in view of this.
- 7.2 In the situation where a converter academy has a deficit balance on conversion, the DfE reimburses the local authority and recovers the money back from the academy through abatement of the General Annual Grant paid to academies.

Name of finance officer consulted: Steve Williams Date consulted: 15/02/23

8. Legal implications

- 8.1 Under section 3 of the Academies Act 2010 a maintained school can apply to the Secretary of State for Education for an academy order. This will enable the school to be converted to an academy. Before conversion can take place the school's governing body is required to consult 'such persons as they think appropriate' about whether conversion should take place. The length and manner of the consultation is not specified either in the Act or DfE Guidance but it should be long enough to allow interested groups and individuals sufficient time to make an informed response.
- 8.2 Following the consultation, the governing board is expected conscientiously to consider all the responses it receives.

Name of lawyer consulted: Serena Kynaston Date consulted: 14/02/23

9. Equalities implications

- 9.1 The report provides details of the recent consultation by West Blatchington Primary and Nursery School to consider becoming an academy as part of The Pioneer Academy. There are no direct equalities implications in relation to the report.

10. Sustainability implications

- 10.1 There are no sustainability implications in relation to this report.

