

Report to: Children, Young People & Families Scrutiny Committee
Cabinet

Date: 12th November 2009
19th November 2009

Subject: Change of status of Abraham Guest High School to become a Foundation school and part of a National Challenge Trust, working in partnership with Winstanley College.

Report of: Executive Director of Children & Young People's Services

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Purpose / summary: The purpose of this report is to: Consult with members on the proposal to the change of status of Abraham Guest High School from community to foundation so that it can benefit from the funding and support that is gained from the National Challenge Trust initiative.

Alternative options considered and reason for selecting the one recommended: These are contained within the report.

Recommendation / decision: It is recommended that members support the proposal.

This report involves a key decision within ground 2.
The decision will be made as a result of this report and will be published within 48 hours and cannot be actioned until seven working days have elapsed – i.e. 1st December 2009

This item is not included in the Forward Plan

Risks / Implications:

Financial and staffing:	Should the proposal progress beyond the statutory notice stage, there will be financial and staffing implications associated with the change in status. This will be explained in the report, sections 1.3 and 1.5
Policy: Equal Opportunities - Has a Diversity Impact Assessment been conducted?	This is the responsibility of the Governing Body
Wards affected:	Winstanley and Norley, Pemberton and Orrell

Property Implications – Does the proposal involve a reduction, addition or change to the Council’s asset base or its occupation?

Should the proposal progress beyond the statutory notice stage, there will be property implications associated with the change in status. These are explained in the report in section 1.3 and in section G of Appendix 1

If yes, have the property implications been agreed with the Corporate Property Officer?

Yes

Does this proposal have significant implications for the Council and the local population?

A diversity impact assessment is not necessary at this stage, however, equality and diversity implications have been considered when producing this report.

Does this proposal involve a new policy or procedure or significant changes to an existing policy or procedure?

A diversity impact assessment is not necessary at this stage, however, equality and diversity implications have been considered when producing this report.

Has the Service Director - Borough Solicitor confirmed that the recommendations within this report are lawful and comply with the Council’s Constitution?	Yes
Has the Service Director - Corporate Services confirmed that any expenditure referred to within this report is consistent with the Council’s budget?	Yes
Are any of the recommendations within this report contrary to the Policy Framework of the Council?	No

* delete which applicable

For Cabinet reports only:

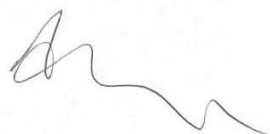
Categorisation of the report:	x
Discussion leading to a decision	x
Monitoring	
Sharing for corporate understanding	

	x
Discussion	
Decision	
Information	

Tracking/Process:

	Consultation	Ward Members	Partners
Committee	Overview & Scrutiny	Cabinet	Council
	12/11/09	19/11/09	

There are no Background Papers to this Report within the meaning of Section 100D of the Local Government Act 1972.



Proper Officer

Date

26/10/09

1. Background:

1.1 National Perspective

A National Challenge Trust is a structural option for the Local Authority (LA) to raise standards in schools where replacement with an Academy would not be the best option. It is designed for schools where fewer than 30% of students are achieving 5+ A*-C's at GCSE including English and maths, and it is agreed that the school is unlikely to meet the National Challenge targets without support from a strong educational partner. This additional capacity can be obtained by creating either Trusts or Federations as they are both vehicles for establishing long-term collaboration with a strong educational partner.

1.2 The aims of the National Challenge Trust

The aim of the National Challenge Trust (NCT) reflects the aim of all Trust schools: to use the experience, energy and expertise from other schools and professions as a lever to raise standards in schools. Coming together within a Trust unites partners and schools, with the commitment to work in unison to improve the attainment of children at the schools/colleges. This collective approach for partners fosters new energy and innovation within the wider school community and can have a much greater impact than schools working with partners individually and / or informally.

1.3 The legal framework

An ordinary Trust school is a local authority maintained foundation school. The Trust and the school are separate legal entities – the Trust is the foundation, not the school, and is made up of partners working together for the benefit of the school and appointing governors to the school's governing body (up to a majority of the governing body). The Trust must be an incorporated charity of a particular description – most commonly a company limited by guarantee. The governing body of the Trust school is also a separate incorporated charity. It will be necessary for the Local Authority to ensure the transfer of land and buildings to the Trust and to support the transfer of staff to the Governing Body. (See section G of Appendix 1) National Challenge Trusts use the same legislative framework as other ordinary Trust schools but will focus on specific objectives and be the accountable body. All Trust schools are established under the Education and Inspections Act 2006 and associated regulations, and must meet all the usual requirements of maintained status, and remain local authority maintained schools.

1.4 Governance and Accountability

As with any Trust school, the governing body of a NCT school remains responsible for its day-to-day running and receives its delegated budget. It is the governing body which is the school's admissions authority and it (not the Trust) which appoints school staff. The influence of the Trust is through the governors whom it appoints to the school's governing body. In NCTs, the Trust will always appoint a majority of the governors, meaning that it can control the governing body. As a majority governance Trust, there is also a requirement to form a Parent Council – an informal forum where parents are able to raise issues, be consulted on school policy and give their views. Parent Councils can also be a useful way for the governing body to communicate and consult with parents

1.5 Funding

As the main objective of the NCT is to improve results, the DCSF will provide up to £750K of extra funding for each school over three years to allow for the appointment of new teaching staff and support for the management team. However, this funding is only available in the financial years 2008/9, 2009/10 and 2010/11. Funding will be through the Standards fund and so can be spent up to the end of the academic year.

1.6 Proposals - the local context – Abraham Guest High School and Winstanley College

1.6.1 – Abraham Guest High School

Abraham Guest High School has already consulted on changing status from that of a community school to being a foundation school. The proposed change of status was well received.

The school was adjudged 'good' in the Ofsted Inspection of February 2008.

Recommendations were made to improve rates of progress in the core subjects at KS3 and to apply a more consistent approach to the assessment of learning and the tracking of student progress. However, in 2008 the school achieved 30% 5A*-C including Maths and English compared to a Borough average of 45.6%. 30% of students did not make the progress expected of them. In English specifically there are concerns about progress from KS3-KS4 and KS2- KS4.

In 2009 the number of pupils at AGHS achieving 5A*-C GCSEs including English and Maths improved to 34.7% but fell short of the targets the school set itself. This figure remains significantly below the Borough average. Art and PE remain strengths of the school.

The school is in a period of transition, moving into a new school on a new site in April 2010. Added to this are significant changes in leadership personnel including the retirement of the longstanding Head Teacher in August 2010 and the departure of a Deputy Head due to a promotion.

The forthcoming closure of a nearby low performing High school (Pembec) is likely to affect the intake of the school where currently 65% come from disadvantaged areas of the Borough.

1.6.2 – Winstanley College

Winstanley College, one of the country's leading sixth form colleges, has been chosen as the Lead Educational Partner.

Winstanley College is very keen to support Abraham Guest High School, recognising the benefits of establishing long term relationships and affecting the raising of aspirations of students in relation to further education and in the acquisition of qualifications. All parties are clear that the main objective of the project is to raise standards. Both the Principal and Governors of Winstanley are committed to being a long term partner within the Trust and understand the attendant accountability for raising standards. Winstanley recognises there will be a need to commission support from other agencies and these will be identified once an audit which will inform the School Improvement Plan, has been completed.

1.6.3 Governance

The Governing Bodies of both Abraham Guest High School and Winstanley College have formally acknowledged their desire and intention to go forward with the collaboration and are keen to use the NCT as a way of promoting effective relationships for staff and students and long term gains for the local community.

The proposed governance arrangements as required by the legislation are as follows;

Trust membership – 4 members as selected by Winstanley Governors and one by the LA.

The proposed new Governing Body of Abraham Guest High School (AGHS) will be made up of 7 governors elected by the governors at AGHS and 8 governors elected by the Trust members.

The proposals have received Ministerial approval.

2. The next steps including the consultation process.

2.1 The first stage of the consultation is underway and involves parents and staff of both the school and the college, parents of pupils at local primary schools, and students at the college.

2.2 The Governing Body of Abraham Guest High School will consider the responses and decide whether to publish statutory notices by November 12th.

2.3 The response from statutory notices will be considered by December 10th.

2.4 The draft school improvement plan will be produced during November

2.5 If the responses are favourable and the Governing Body agree, the Trust will be established formally by January 25th 2010.

Conclusions:

The LA in its drive to raise standards of attainments for all pupils is required to use structural solutions in order to secure continued and sustained improvement and transformational change in schools. Where it becomes apparent that school can benefit by working in partnership with a strong and successful educational partner, the LA will facilitate the partnership. In the case of Abraham Guest High School, the LA is proposing the establishment of a National Challenge Trust with Winstanley College in order to create a more confident institution with the internal capacity to drive and sustain its own improvement. By supporting the Trust, Winstanley College acquires the opportunity to raise the aspirations of local schoolchildren and provide a clear pathway for continuing education and to develop close and sustained cooperation with local schools. The significant NCT funding that becomes available through the NCT will facilitate this. Members are requested to support the LA in this action.

Signed

Appendix 1

The Accountability Framework

Stakeholders	Responsibilities / accountabilities	Responsibilities / accountabilities	Assessed by the effectiveness of the:	Timescale
	<i>Pre Trust planning phase</i>	<i>After Trust school established</i>		
Section A Trust partners	<ul style="list-style-type: none"> Partners agree Memorandum and Articles of Association Ensuring the Memorandum and Articles of Association clearly identify the Trust's: <ul style="list-style-type: none"> role in the school's improvement planning process relationship with the lead educational partner commitment to establishing effective governance 	<ul style="list-style-type: none"> Ensuing effective governance Monitoring overall progress of school Evaluating progress against agreed, time specific, goals [During NC Funding phase] Ensuring NC Funding results in agreed outcomes 	<ul style="list-style-type: none"> Completion of preliminary legal processes Procedures for identifying the most appropriate skills set for GB Appointment procedures to ensure GB has range of most appropriate skills Structure / operation of GB sub-committees Nominated governors at GB meetings. Systems for self-evaluation and review. 	<ul style="list-style-type: none">
Section B Lead Education Partner	<ul style="list-style-type: none"> Ensuring the plan: <ul style="list-style-type: none"> addresses the key priorities faced by the school delivers the most appropriate actions in the most appropriate timescale has challenging, but realistic, targets and milestones 	<ul style="list-style-type: none"> Within the Trust ensuring the plan: <ul style="list-style-type: none"> addresses the key priorities faced by the school delivers the most appropriate actions in the most appropriate timescale has challenging, but realistic, targets and milestones Participates in the monitoring, evaluation and review of the plan, including vfm and NC targets. 	<ul style="list-style-type: none"> Involvement in the school's self-evaluation and review Data analyses Regular contact with HT and SLT Systems for monitoring and evaluating outcomes against short-term targets and milestones. 	<ul style="list-style-type: none">
Section C School Governing	<ul style="list-style-type: none"> Following statutory processes in accordance 		<ul style="list-style-type: none"> The completion of the statutory processes The access available to data required for the 	<ul style="list-style-type: none">

Body / IEB (if closure, LA responsibilities)	with LA's delivery plan <ul style="list-style-type: none"> Supporting GB / IEB decision to establish a Trust in Consultation meetings Supporting the Lead Education Partner and others in developing the NCT Improvement Plan 		planning process	
Section D Trust School Governing Body		<ul style="list-style-type: none"> Holding the school leadership to account for standards, behaviour, etc Establishing strong systems of governance to ensure that the school has effective systems and procedures for delivering its aims and objectives 	<ul style="list-style-type: none"> GB's success in fulfilling the Trust's view of priorities and delivering the agreed improvements. 	<ul style="list-style-type: none">
Section E School HT / SLT	<ul style="list-style-type: none"> Working with GB to plan and deliver required improvements Working with the Lead Education Partner and others in developing and monitoring Improvement Plans 	<ul style="list-style-type: none"> Delivering the in-school elements of the Plan Co-ordinating the work of other partners Evaluating progress of contractors against agreed, time specific, goals Ensuring vfm 	<ul style="list-style-type: none"> The completion of the statutory processes (<i>pre Trust phase</i>) The access available to data required for the planning process Performance against agreed outcomes within agreed timescales 	<ul style="list-style-type: none">
Section F School improvement providers (including external contractors and LA and Trust members providing school improvement services)	<ul style="list-style-type: none"> Engaging in the planning process Delivering specific agreed actions against agreed outcomes in line the plan 	<ul style="list-style-type: none"> Delivering specific agreed actions against agreed outcomes in line the plan. 	<ul style="list-style-type: none"> Systems for monitoring and evaluating progress against agreed outcomes by HT / SLT, GB, Lead Educational partner and Trust External monitoring and evaluation by LA, NCA, NS and DCSF 	<ul style="list-style-type: none">
Section G LA	<ul style="list-style-type: none"> Producing delivery plan for undertaking 	<ul style="list-style-type: none"> Implementing actions to establish the Trust 	<ul style="list-style-type: none"> Progress towards delivering statutory procedures Procedures for 	<ul style="list-style-type: none">

	<p>statutory processes</p> <ul style="list-style-type: none"> • Receives NC funding and channels to Trust partners • If community or voluntary controlled school: <ul style="list-style-type: none"> • Ensuring transfer of land to the Trust • Processing the transfer of staff to the GB 	<ul style="list-style-type: none"> • Providing relevant and effective school improvement support • Receives NC funding and channels to Trust partners • Monitoring and evaluating agreed improvement plans, including effectiveness of main school improvement provider 	<p>monitoring and evaluation which are effective, unbureaucratic and link to existing mechanisms for LA self-review.</p> <ul style="list-style-type: none"> • Systems for overseeing and reporting progress of Trust and GB in achieving agreed targets and milestones. 	
<p>Section H</p> <p>NCA</p>	<ul style="list-style-type: none"> • Ensure Lead Education Partner made aware of the priorities facing the school and its strengths and weaknesses • Assist Lead Education Partner to develop an effective plan 	<ul style="list-style-type: none"> • Point of accountability for the LA and Department on the school's progress 	<ul style="list-style-type: none"> • The school's success in meeting targets • The quality of the school's self-evaluation 	<ul style="list-style-type: none"> •

<p>Section I</p> <p>DCSF</p>	<ul style="list-style-type: none"> • Ensure NCA is effective • Confirm that the “route” in line with legislation • Ministerial sign-off & release of NC funding • Monitor (and in some cases assist) LAs to design and deliver the project plan 	<ul style="list-style-type: none"> • Ensure NCA is effective • Oversight of the delivering improvement in standards and vfm in NC funding 	<ul style="list-style-type: none"> • Sol and Project Plan • Reports to NCBs • The school’s success in meeting targets 	<ul style="list-style-type: none"> •
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Key to acronyms:

NC – National Challenge

HT – Headteacher

LA – Local Authority

NS – National Strategies

GB – Governing Body Trust

SLT – Senior Leadership Team

NCT – National Challenge

VfM – Value for Money

IEB – Interim Executive Board

NCA – National Challenge Adviser Board

NCB – National Challenge

Sol – Statement of Intent

DCSF – Department for Children, Schools and Families