

NATIONAL UNION OF TEACHERS

ACADEMIES: LOOKING BEYOND THE SPIN

THE NUT'S OPPOSITION TO THE
GOVERNMENT'S ACADEMIES INITIATIVE
– AN UPDATE



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OUR AIM – PROFESSIONAL UNITY

// Creating Academies in place of community or foundation schools involves the transfer of publicly funded assets to an unaccountable sponsoring body. For a contribution of around 8 per cent (maximum £2m) of the cost of building a new, or refurbishing an old, school building to form an Academy, the sponsors are given control of a modern independent school set up as a company limited by guarantee. Sponsors receive the entire school budget directly from the Government. **//**

Academies are publicly funded independent schools, which, according to the Government, are expected to have “innovative approaches to management, governance, teaching and learning.” The Government intends Academies to replace schools which are either in special measures or “underachieving”, or to meet a demand for places by creating new schools.

The first three Academies opened in September 2002 and by September 2004 there were 17. Nine more opened in September 2003 and a further five opened in September 2004. The Government’s Five Year Strategy for Children and Learners, published in July 2004, increases the number of proposed Academies to 200 by 2010 with at least 60 in London.

Original costings suggested a construction budget of £10m per academy. Government building costs for the 12 Academies open by Summer 2004, however, had risen from £237m to £276m within the past year, or an average of £23m per Academy. Most expensive is the Business Academy, Bexley, with a capital budget of £35.9m. In addition the DfES is contributing up to £7.2m a year to pay for each school’s running costs.

Voluntary and private-sector contributions are capped at £2m. Where originally sponsors were asked to provide up to 20 per cent (around £2m) of the capital costs for each Academy, they are now providing only 8 per cent or less. All future costs – salaries, overheads, etc are guaranteed by public money. The Government’s figures for future Academies suggest that the contribution of sponsors could be further reduced, with major sponsors in several Academies expected to pay £1.5m or less.

In August 2004, the Times Educational Supplement reported that half of the 12 Academies open by Summer 2004 had yet to receive the full £2m pledged by their sponsors.

Sir Peter Lampl, the wealthy philanthropist, whose Sutton Trust charity has sponsored specialist schools and funded places at independent schools for able pupils from poor families, has condemned the academies initiative as an “expensive and untested” experiment. He said, “it is difficult to see how this amount of public spending per academy can be justified” (Education Guardian, 31 August 2004).

Reason 1: Academies Put Schools in the Hands of Sponsors

Creating Academies in place of community or foundation schools involves the transfer of publicly funded assets to an unaccountable sponsoring body. For a contribution of around 8 per cent (maximum £2m) of the cost of building a new, or refurbishing an old, school building to form an Academy, the sponsors are given control of a modern independent school set up as a company limited by guarantee. Sponsors receive the entire school budget directly from the Government.

The ability to raise £2m seems to be the sole criteria for sponsoring an Academy. Expertise in education is not a condition. As examples, Roger de Haan, Chief Executive of Saga Holidays, sponsors the Ramsgate Academy; Amey plc, a construction and management firm sponsors the Unity City Academy in Middlesbrough; and Christian philanthropist, Sir Peter Vardy, of Reg Vardy car dealership, sponsors the King’s Academy in Middlesbrough and the Trinity Academy in Doncaster.

In August 2004, the Times Educational Supplement published the findings of its investigation into the accounts of the 12 Academies open by Summer 2004. Fewer than half had received all of the £2m pledged to them by their sponsors. In two cases payments made by the sponsors by the time the new Academies opened amounted to less than £200,000 in projects with building costs of more than £25m. Only five

Academies had received the full £2m sponsorship money. Sponsors of a further six are taking up to five years to make these donations, paying the sponsorship for building work at the schools in instalments.

Two Academies have paid out large sums of money to companies in which their private-sector sponsors have major interests. West London Academy, Ealing, is sponsored by Sir Alec Reed, chairman of Reed Executive. Its accounts, published in 2004, revealed that the Academy paid a total of £180,964 to businesses and a charity with major connections to Sir Alec Reed. King's Academy, Middlesbrough, sponsored by Sir Peter Vardy, was billed by organisations and individuals with connections to Sir Peter Vardy for £290,214, including £14,039 to the Billy Graham Evangelistic Association.

Faith groups are involved in five of the 17 Academies that have opened and 11 of the 26 in development. The largest single sponsor of the Academies programme is the United Learning Trust, an arm of the Church Schools Company. This ecumenical Christian educational charity is operating Academies in Manchester (opened September 2003), Northampton and Lambeth (opened September 2004). Further ULT Academies are planned in Barnsley, Salford and Westminster.

The Vardy Foundation plans to establish a chain of Academies or new schools in the northeast of England. It already sponsors Academies in Middlesbrough (opened September 2003) and Doncaster, as well as the Emmanuel City Technology College in Gateshead.

Concerns have been raised about the ability of sponsors to meet the needs of local multi-faith communities. In 2003, the Church Times reported plans to divert part of the Church Commissioners' Mission Fund into education. "Schools are today's and tomorrow's future, said Commissioner Peter Bruinvels. "It's about front-line evangelism."

The Government is also keen to encourage links between the independent school sector and Academies. The independent school, Dulwich College, has announced that it is to sponsor an Academy in East London. North London Collegiate School in Edgware is sponsoring an Academy in Hackney, due to open in 2007. Other independent schools which intend to support Academies include King's School in Canterbury and Oundle in Peterborough. Under the draft Charities Bill for England and Wales, independent schools not involved in helping their local community could lose their charitable status. Charitable status allows 80 per cent relief from business rates, and tax relief on investment income and covenanted gifts or appeals. It is also questionable whether independent schools have the experience to deal with the multitude of social factors facing inner city schools.

Reason 2: Academies Threaten Fair Admissions Procedures

Academies have the potential to disrupt fair and efficient admissions arrangements within authorities and in neighbouring authorities. Their establishment gives parents the perception that the Academy is the "best" secondary school in the area irrespective of the quality of other schools. Their designation and the extra resources given to them can act as a magnet for parents attracted by the sales pitch of such a designation, irrespective of the achievements of nearby secondary schools. Many Academies are oversubscribed. More than 800 pupils applied for 180 places at the City of London Academy, opened in September 2004.

Academies have a profoundly destabilising effect on the capacity of all secondary and primary schools to achieve a balance of abilities amongst their pupil intake. It is this "unofficial" and profoundly unfair impact which could undermine education in all other schools.

Although Academies are represented on local admissions forums, they are responsible for their own admission arrangements, subject to approval by the Secretary of State. The expectations on Academies to succeed in terms of academic success and popularity with parents could well lead to more Academies using their ability to select up to 10 per cent of pupils by aptitude.

The Government has been severely criticised by the House of Commons Education Select Committee for allowing specialist schools to select pupils by aptitude. Selection by aptitude can undermine the operation of a comprehensive education system and re-introduce the damaging selection process. Pupils with special educational needs, those who are learning to speak English as an additional language and those whose home circumstances are difficult, could be further disadvantaged in these situations.

The NUT welcomes the announcement by Stephen Twigg, Parliamentary Under Secretary of State for Schools, that the Government may abandon its policy of allowing specialised schools to select up to 10 per cent of pupils by aptitude. Speaking at Labour's National Policy Forum in July 2004, he revealed that the Government was ready to launch a review of the policy and admitted that he found it difficult to argue in favour of it.

In July 2004, the Guardian newspaper reported that it had received anecdotal evidence that one London Academy was favouring pupils perceived to have a higher academic ability. "The new Academy is keeping to the letter of its policy by selecting on bands (levels of academic ability)," reported one parent. "But places are going to those at the top of each band. One boy in the middle of the top band was turned down, while others near the top who live further away from the Academy got in."

In Sandwell, the Academy specialises in sport, business and enterprise studies. In May 2003, the NUT division reported the concerns of headteachers in secondary schools specialising in these areas, that the Academy would compete directly for staff and pupils. This has led a number of secondary headteachers to consider approaching their governing bodies with proposals to select up to 10 per cent of their pupils.

A number of Academies are sponsored by religious organisations and have admissions policies and a Christian ethos similar to those of faith schools. The facility to give priority to children of a particular faith means it is possible for these schools to refuse places to local pupils.

The NUT has further concerns regarding the targeting of potential pupils by Academies. The City Academy in Bristol, for example, distributed promotional leaflets advertising the Academy only in the more affluent areas of Bristol. The school has since denied that it is attempting to attract pupils from more prosperous areas. The Greig Academy in Haringey experienced difficulties in recruiting pupils and targeted the leafy suburbs rather than the neighbourhood area of Tottenham.

Reason 3: Academies Threaten Teachers' Pay and Conditions of Service

Academies – as independent schools – can operate outside the School Teachers' Pay and Conditions Document (STPCD) and the Burgundy Book. The DfES states that it is "the responsibility of the Academy to agree levels of pay and conditions of service with its employees and to employ appropriate staff numbers".

Academies' independence and the encouragement they receive from the DfES to "innovate" in this area pose a threat to the pay and conditions of service entitlements of teachers. Whilst teachers in Academies which replace existing schools have their conditions protected on transfer, the NUT is aware that teachers newly appointed to Academies are often placed on separate contracts which involve longer working hours and less favourable working conditions. Having teachers working on different contracts and for different hours of the school day can in turn lead to a divided, two-tier workforce in Academies.

Reason 4: Academies Have a Damaging Effect on Other Local Schools

The DfES Academies website says that Academies are designed to replace schools facing challenging circumstances. The Academies initiative is based on the idea that to close and open schools will automatically remove the problems that previous schools on the same site experienced. The discredited "Fresh Start" initiative should be a warning to the Government of this approach. The first Academies are not being used as a pilot before the initiative is expanded further. Belatedly, the DfES has commissioned an evaluation of the Academies initiative, admitting that there is insufficient information "to fully test the cost-effectiveness of the Academies programme". This is due to be completed in Autumn 2004.

In July 2004 the Secretary of State, Charles Clarke, admitted to an Education Select Committee that there was no evidence that Academies were improving performance to date. He said: "I concede to you that that is a hope at this stage rather than evidence I can offer." This makes the proposals in the Five Year Strategy for Children and Learners to increase the number of Academies to 200 by 2010 all the more extraordinary.

Many schools are in need of substantial funding to renovate their buildings and equipment. Academies, however, have already received more money from the DfES than was originally planned. Originally the funding for Academies was on the basis of £2m from sponsors; £8m from the DfES. These figures are now inaccurate, a Times Educational Supplement Survey, published in August 2004, shows that the amount the DfES is committing on building costs alone ranges from £13.3m (Manchester Academy) to £35.9m (The Business Academy, Bexley). Where originally sponsors were asked to provide up to 20 per cent (around £2m) of the capital costs for each Academy they are now providing only eight per cent or less.

There is a danger that LEAs will find themselves having to make up any shortfall in funding from the sponsor or DfES. This is likely to be at the expense of other local schools, many of whom are in need of substantial funding. The Ducie High School in Manchester was subject to a several million pound refurbishment programme before the decision was made that it should become the Manchester Academy. The Academy will move into new buildings, leaving the refurbished school site redundant. In Sandwell the LEA sold the land surrounding the former Thomas Telford school to sponsors but then had to contribute £1m towards the preparation of the land to facilitate the development of the new Sandwell Academy.

The fact that Academies receive considerably more capital funding than community or foundation schools means that they have the potential to destabilise local admissions by sending the message to parents that, because of their preferential funding and independent school status, Academies are better than maintained schools.

The Government has introduced legislation to allow “all age” Academies educating both primary and secondary pupils, and for 16-19 Academies. The West London Academy in Ealing, for example, also provides primary and pre-school education. The Business Academy, Bexley, initially established as an 11-18 Academy, plans to become a 4-18 school. In Lewisham, Islington, and Leicester there are proposals to establish all-through Academies. The expansion of all-through Academies could lead to the closure of local primary and nursery schools and a further “magnet” effect on parental perceptions of Academies.

Academies are independent schools, and therefore outside the responsibility of the Local Education Authority. The existence of Academies, particularly in small LEAs, such as some of those in London, where a large number of Academies are planned, makes it very difficult for LEAs to plan and provide a coherent and comprehensive education system for its pupils. They even undermine the viability of LEAs. In Westminster, for example, the LEA is considering operating as an educational trust because of the impact of the current Academies programme on its secondary schools.

Further, Academies damage the operation of local democratic accountability and make it difficult for parents to make representations or seek advice on educational issues from their elected councillors who have no responsibility for Academies. There is an incompatibility between Academies’ independent status and the requirements of the Children Bill which aim to build closer links between education and other local public services to improve child protection and integrate all services affecting children.

LEAs’ planning role will be further affected because of the distorting effect on admissions in other schools, as there will often be a considerable time-lag between the closure of a school and the opening of a new Academy with full capacity for all year groups. Neighbouring schools will experience significant fluctuations in their pupil numbers during this process, which would be multiplied if several Academies were in the vicinity.

The Government’s active promotion of Academies, despite reservations of LEAs, is confirmed in the Five Year Strategy document (July 2004). The section on Academies contains references to the role of LEAs, as being in co-operation “where possible”. However, LEAs are left in no doubt as to the Government’s agenda:

“However, the Government will not stand by and allow Local Authorities to sustain failure by refusing to engage with academies where they can meet parental demand for good school places. Where necessary we will use existing powers - and seek any additional powers necessary - to hold Local Authorities to their responsibilities. The Building Schools for the Future programme also requires Local Authorities to consider academies and other options for new schools in their plans for upgrading the entire secondary estate in each locality”. (Page 52 para 37)

Reason 5: Academies Threaten Children’s Entitlement to a Broad and Balanced Curriculum

The Government has said that Academies, “can combine a greater flexibility over the curriculum with the sponsorship and expertise of religious, private or voluntary sector contributors to raise the achievements of pupils.” The NUT is concerned that this flexibility will mean that Academies may not provide a broad and balanced curriculum, particularly if sponsors influence what is taught in schools. Sir Alec Reed, for example, sponsor of the West London Academy in Ealing, has said that enterprise will be integrated into all aspects of the curriculum. He is reported to have said that he wants every child to see himself or herself as “Me PLC”.

The Academy in Bristol focuses on vocational courses of study such as catering and hotel work. Parents have expressed a number of concerns over the move to vocational courses and fear that their children will not have equality of opportunity to follow academic courses.

The Business Academy, Bexley, fits the National Curriculum into a four-day week. Friday is devoted to business studies. The school has its own mini stock exchange and trading floor. This begs the question of whether it is desirable for pupils to be drawn into the competitive “world of work” at the age of 11, or even earlier with the “all-age” Academies.

Very few of the announced Academies have an arts subject as a specialism. The majority have business and enterprise as a specialism, reflecting the interests of their sponsors, who have been actively encouraged by the Government to participate in the Academies programme. Over time this trend could distort the curriculum on offer to pupils.

The NUT is concerned about the influence of faith groups on the curriculum. The Vardy-sponsored King’s Academy in Middlesbrough teaches biblical creationism along with evolutionary theory. Parents’ groups and teachers have expressed concern about the ethos of the King’s Academy, the extent of which, they claim, was not made clear. A statement included in a curriculum document published by Emmanuel City Technology College in Gateshead, also sponsored by the Vardy Foundation, states that history lessons should consider if England escaped invasion by Hitler because of an act of God.

The parents group campaigning against proposals by the Vardy Foundation to open an academy in Doncaster have put Northcliffe school, up for auction on eBay for £2 million in protest and to highlight their concerns about a creationist curriculum in particular.

The NUT is particularly concerned about the influence of faith groups on sex and relationships education (SRE). The proposed Archbishop Michael Ramsey Academy in Southwark includes the following statement in its draft Sex and Relationship Education Policy “..we need to recognise that some authorities, such as the Family Education Trust, believe that sex education may actually promote sexual experimentation.” This is a dangerous view. Studies show that sex education does not increase the likelihood of young people having sex at a young age. In fact the opposite is true. Sex education at school and in the home can reduce unwanted teenage pregnancy, particularly if it is linked to advice and information on the use of contraceptives.

The curriculum in Academies, therefore, is more susceptible to being influenced by the views and ethos of their sponsoring bodies than community schools where governing bodies represent stakeholder interests.

Reason 6: Academies Undermine the Independent Role of School Governors

Academies threaten the role and responsibilities of school governing bodies as representatives of the local “stakeholders” in a school. Initially sponsors were “invited”, but not obliged, to include LEA or elected representation on school governing boards. Academy governing bodies are only required to have one member of the LEA on the governing body. Sponsors, on the other hand, may want to ensure that sponsor governors have a majority on the governing body.

In August 2002, an article in the Times Educational Supplement stated that eight of the 13 governors at Capital City Academy in Brent would be appointed by its sponsor, Sir Frank Lowe.

The funding agreement for Capital City Academy sets out that the governing body will have 7 governors appointed by the sponsor, 1 elected parent governor, 1 elected teacher governor, 1 elected staff governor, 1 LEA governor, 1 local community governor and the Headteacher. Additional governors might be coopted or appointed by the Secretary of State. The community governor will be appointed by the sponsor. The proportion of parent governors is much smaller than in an equivalent community school.

There is no requirement for teaching staff to be included on the governing body of an Academy. Teaching staff are not included on the governing board of Walsall's Academy; they have a non-teacher governor to represent their interests. Teachers need to have their application cleared through the Headteacher if they wish to have an interview with the chair or deputy chair of the governors.

The governing body of Unity Academy, Middlesbrough, is designed to be more like the board of a company rather than the governing body of a school with line management responsibilities for the school principal. Amey (the Academy's sponsor) is quoted as recognising that the company's reputation is "on the line" with the Academy.

The Times Educational Supplement's investigation of the accounts of Academies highlighted the influence that sponsors have over the spending of school funding and the governing body. Typically, members of the company which runs the school are appointed either by the Secretary of State or the sponsor. In several cases the accounts showed that the majority of directors of the company, which manages funding from the DfES and the sponsor, and are also governors, have been appointed by the sponsor.

Academies Under Pressure

While the NUT opposes the Academies initiative, it recognises the pressures on Academies created by the high expectations of the Government. In political terms, it is important for the Government that the substantial financial investment in Academies should be seen to be succeeding, and quickly.

Academies are replacing some of the most challenging schools in the country. New buildings and equipment are welcome, and should be the right of all schools, but in themselves cannot work miracles. Only dedicated, highly qualified and motivated teaching staff, working in a supportive environment, can achieve sustained improvements in pupil achievement over time. There are no quick fixes to the deep-seated problems caused by deprivation. The patchy experiences of the Fresh Start and Education Action Zone initiatives illustrate this point.

Many NUT members will be working in Academies and the Union is committed to protecting their salaries, working conditions and professionalism. The Union is concerned that unrealistic pressures on Academies to deliver "quick wins" will be experienced by teaching staff. Already, reports of the turn-over among heads and senior staff in the small number of Academies in operation is an indication of this pressure – and another reminder of Fresh Start.

Following the OFSTED inspection of the Business Academy, Bexley, the original draft report identifying the school as having “serious weaknesses” was challenged by the school and replaced by a less damaging “monitoring letter”. This is an illustration of the pressure on the Academy to achieve a “clean bill of health” from OFSTED.

Not least in the interests of teachers, support staff and pupils working in Academies, the NUT calls on the Government to re-consider its decision to expand the Academies programme, evaluate the evidence on the successes and weaknesses of Academies to date and engage in a dialogue with teachers, parents, governors, LEAs and other stakeholders, including sponsors, on how such schools can be supported, without destroying the principle of locally accountable, comprehensive education provision.

WHAT TO DO IF AN ACADEMY IS PLANNED IN YOUR AREA

If an Academy is planned in your area look beyond the glossy Government spin which has accompanied recent Academy openings. Remember that the Government needs to present the initiative in the best possible light.

Here are some suggestions on what you might do.

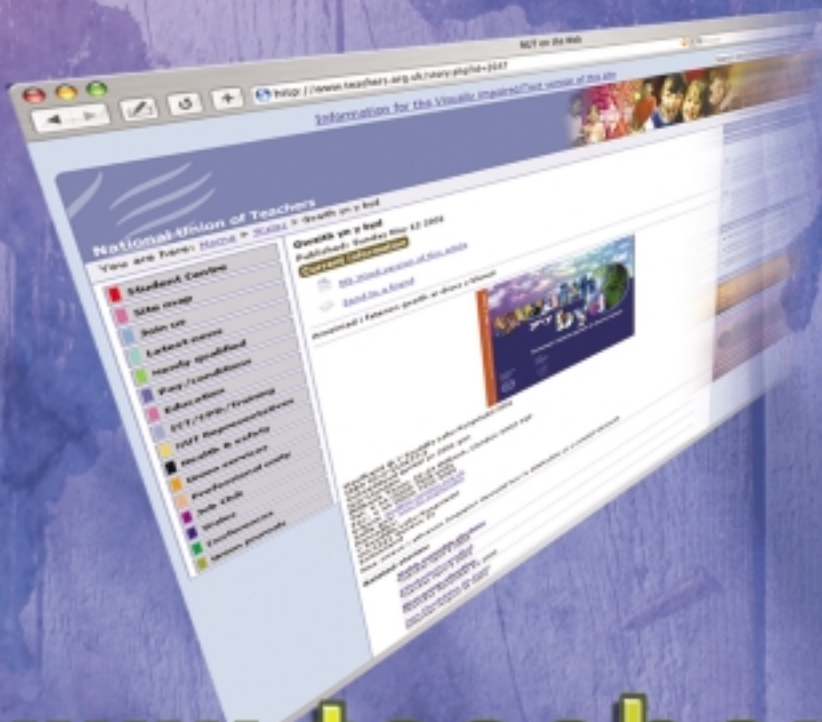
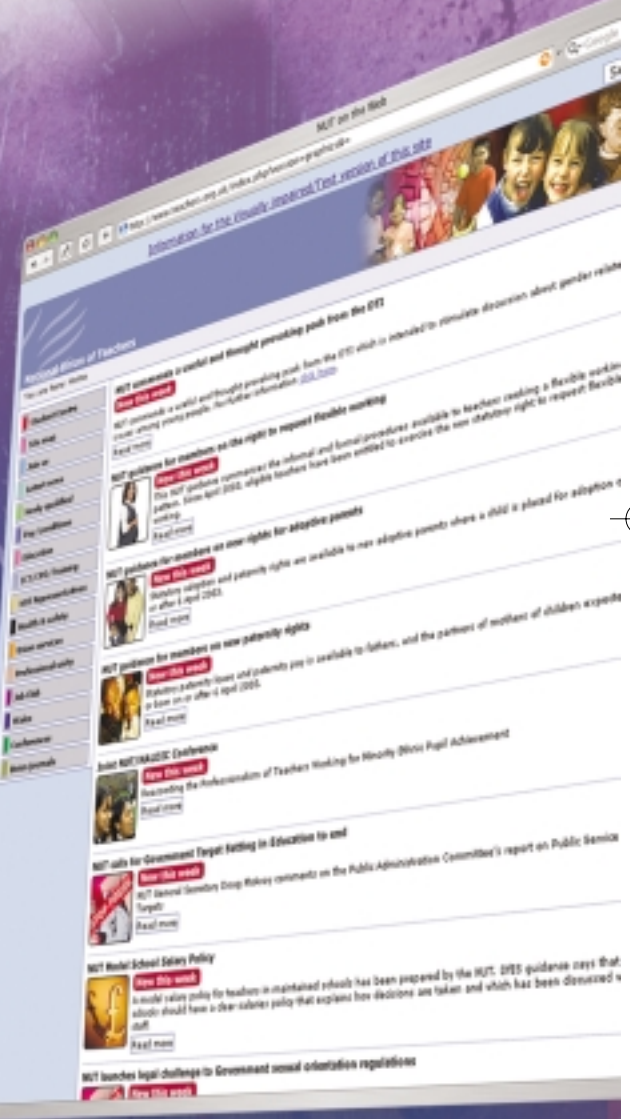
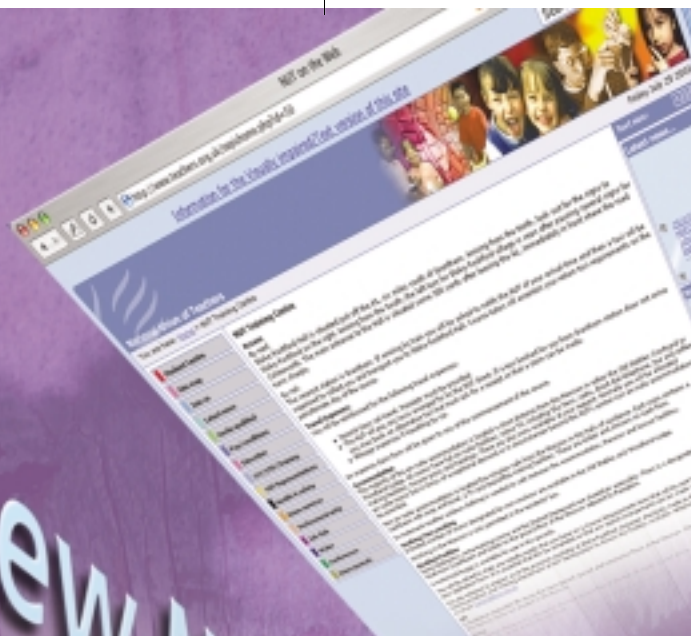
Teachers

- In the first instance, contact your NUT Division/Association or the Regional Office for further information. This is vital if your school is becoming an Academy or if you are considering applying for a teaching post in an Academy.
- Look on the Privatisation section of the Union’s website www.teachers.org.uk for further information.
- For advice on admissions, governance, sponsors and any proposed variations to the curriculum in Academies, contact Janet Theakston in the Privatisation of Education Unit at NUT Headquarters on 020 7380 4717 or e-mail j.theakston@nut.org.uk.
- For guidance on pay and conditions of service arrangements in Academies, contact Andrew Morris in the Salaries and Conditions of Service Department at NUT Headquarters on 020 7380 4774 or e-mail a.morris@nut.org.uk.

Parents

- Contact your local branch of CASE (The Campaign for State Education). CASE’s website is located at www.casenet.org.uk.
- Talk to the parent governors of your school about your concerns.
- Look on the Privatisation section of the Union’s website www.teachers.org.uk for further information.

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