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**Scrutiny Board (Children's Services)****Report of: The Director of Children's Services****Date of meeting: 8<sup>th</sup> March 2007****SUBJECT:****Scrutiny Inquiry: Implications of Trust Schools for the Local Authority – The impact of Trust Schools for the Children's Services Authority and partnership working.**

<b>This Report is for;</b>			
Discussion Only <input type="checkbox"/>	Information Only <input checked="" type="checkbox"/>	Advice/consideration prior to taking a Key or Major decision <input type="checkbox"/>	
<b>Decision to be taken by:</b>			
Full Council <input type="checkbox"/>		Corporate Governance and Audit Committee <input type="checkbox"/>	
Executive Board <input type="checkbox"/>		Standards Committee <input type="checkbox"/>	
An Area Committee <input type="checkbox"/>		Member Management Committee <input type="checkbox"/>	
A Regulatory Committee <input type="checkbox"/>		A Director using delegated authority <input type="checkbox"/>	

## **1.0 Purpose Of This Report**

- 1.1 This report considers recent legislation on Trust Schools in the context of Children's Services Arrangements in Leeds.

## **2.0 Background Information**

- 2.1 It is noted that members of Scrutiny Board have already been provided with general background information on Trust School legislation, the status of Trust Schools and the role of the Local Authority in the Trust School process. Members may wish to refer to that briefing paper in the context of the further information provided below which specifically concentrates on Trust Schools in the context of the Children's Services authority and partnership working.

## **3.0 General Considerations**

- 3.1 In essence, Trust School status, although keeping the school in the LEA maintained sector, sets the relationship of the schools within the Children's Services authority, on more of an arms length basis. Although this is an alignment with a commissioner and provider model it does weaken the link with the Children's Services Authority.
- 3.2 It is helpful that the Education and Inspections Act makes it a statutory requirement on governing bodies to promote well-being and community cohesion and to have regard to the Children and Young People's Plan. It should be remembered that, prior to this, school governing bodies had not been named as relevant partners in the Children Act. It is clear that the development of the Trust Schools policy was an important point of re-consideration for the Government when writing in this statutory duty. This is important given the role of the Director of Children's Services in holding to account partners that may be failing in a duty to co-operate.
- 3.3 In another respect, the Government's goal of seeking to introduce greater diversity and choice to the schools system could be seen as running contrary to the type of collective response from providers which the Every Child Matters agenda requires. However, The Education and Inspections Act also reinforces changes to the school inspection framework and the inclusion in that framework of the five Every Child Matters outcomes. This will be important in maintaining focus on the Every Child Matters agenda within the strategic leadership of the school.
- 3.4 The latest published guidance for Head Teachers and Governors to help them to set out the potential advantages in seeking Trust status, also helps.
- 3.5 A number of "trust school proposal models" are illustrated in the guidance. These largely focus on more formal links with other schools, education establishments, business, or wider community considerations. Included in the possible models are trusts formed around the Every Child Matters agenda, the 14-19 agenda and the community regeneration agenda. Any guidance which places the emphasis on Trust School proposals that pull together providers in an area, as opposed to setting them apart, is important.
- 3.6 Local authorities were consulted on the original drafts of this guidance and part of the Leeds City Council's response was the suggestion that the proposals for a change to Trust School status should address the extent to which the change would assist a Children's Services Authority in delivering the Every Child Matters agenda. The final guidance includes this consideration.

- 3.7 The fact that acquiring trust status involves the transfer of land and buildings from the Children's Services authority to the incorporated governing body of the new trust could be seen as an inhibiting or complicating factor. It is clear that the infrastructure of publicly funded assets within communities and across Leeds needs strategic planning to facilitate new types of service provision in line with the concept of "wrapping services around the individual child".
- 3.8 It is interesting that the DfES has similar concerns in this regard. One of the first papers the DfES produced in the context of asset transfer was a clarification that separately funded City Learning Centres (most of which are integral to an existing school building or co-located on the site) should not be regarded as part of the transferring assets.
- 3.9 The DfES maintains that the safeguards described in paragraphs 3.2 and 3.3 above with regard to the schools inspection framework and the duty on Governing bodies to promote well-being and community cohesion and have regard to the Children and Young People's plan, mitigate these risks to integrated planning. However, this remains an aspect of Trust Schools that will need to be carefully watched, particularly with the advanced programme in Leeds for Children's Centres integrated with Primary Schools and Childcare provision co-located on school sites.
- 3.10 Finally, there will be the need to continually assess the impact on the Children's Trust Arrangements, and in particular, representation on the Children Leeds Partnership and Integrated Strategic Commissioning Board of any emerging Trust Schools. The emergence of local trusts as new registered charity interests in their own right and also any wider associations any new Trust Schools in Leeds may have should their trust partner be one of the national trust networks being planned, may need a new types of partners to be reorganised. This will be a developing picture so no key impacts can be assessed at this stage.

#### **4.0 Other considerations**

- 4.1 All Children's Services Authorities are charged with planning a workforce reform agenda around new types of induction, joint continuing professional development and possible new generic Children's Services jobs and careers, in order to ensure the supply of any new types of worker required under the Every Child Matters Agenda. There have already been developments in this regard in terms of the leadership of the new integrated Children's Centres and new types of posts covering aspects of individual pupil support, parenting and family support. Trust Schools will become new employers in their own right, and, whereas the guidance is clear in terms of preserving national pay and conditions for professional groups such as teachers, it is silent with regard to other staff under Local Authority conditions of service. An increase in the number and diversity of employers does make strategic workforce planning more complicated.
- 4.3 A key concept in the Leeds approach to Children's Trust Arrangements is locality planning. Leeds is one of only 16 authorities piloting Budget Holding Lead Professionals in localities. In one sense, proposals to form Trust Schools along the lines of the models mentioned in paragraph 3.5 above could be a driver to new capacity among providers in localities enabling us to commission new forms of services for children, young people and their parents through new combinations of providers.
- 4.4 On the other hand, in the context of the delivery of the extended services in schools programme, the emergence of Trust Schools could be a complicating factor. It is clear that not all local schools will individually offer all five of the required

components of the extended services offer. In a number of localities there will be a “best fit” strategic option. It is important that any consideration by governing bodies in terms of proposing trust status is complementary to that strategic fit process. A complicating factor would be where those rolling out the extended services agenda feel obliged to look at second best site options because of a possible Trust School proposal.

- 4.5 A further complication in this regard would be if a school which is already a key hub in terms of extended services coverage in a locality starts to investigate trust options which see the school in a different alignment. Whilst this may be seen as a new, fresh and exciting development from the point of view of the single school, it could actually represent a damaging move in the context of a wider strategic plans to secure city wide coverage of entitlements, (such as the Extended Services agenda and possibly the local youth entitlement). It is unclear, what weight will be given to this type of argument should a Children’s Services authority decide to oppose a trust proposal on such grounds.

## **5.0 Recommendations**

- 5.1 Board members are asked to receive the above points of consideration as evidence from the Director of Children’s Services on the potential impact of Trust Schools for the Children’s Services Authority partnership working.