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## **Completed**

November 2014

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## **FOREWORD**

This investigation was launched as a Short, Sharp Review at the agreement of members of the Overview and Scrutiny Committee.

As a group we have been mindful of the fact that we cannot influence the outcome of the proposals for change that have been made by Tudor Grange Academy Redditch. However, we would like to think that all interested parties will agree that this report creates a more transparent view of the process that was followed by Tudor Grange Academy.

My thanks are due to all of my colleagues who worked hard on this review: Councillors Carole Gandy, Pattie Hill, David Thain and Nina Wood-Ford. Our thanks also go to Jess Bayley for the enormous amount of work she did collating all viewpoints.

**Councillor Pat Witherspoon,  
Chair of the Proposals for Change by Tudor Grange Academy Short, Sharp Review**



**Councillor Pat Witherspoon,  
Chair of the Proposals for  
Change by Tudor Grange  
Academy Short, Sharp  
Review**

## SUMMARY OF RECOMMENDATIONS

### CHAPTER 1: PROCESS

#### **Recommendation 1**

We recommend that the Chief Executive of Redditch Borough Council should write to the Secretary of State for Education, the Right Honourable Nicky Morgan MP, and the Minister of State for Schools, the Right Honourable David Laws MP, to request that specific guidance be issued to schools about changing the age range of their pupils in a three-tier education system. This guidance should address the process that must be followed in cases where a school unilaterally decides to make changes that will impact on other schools in the local authority area and / or within a school pyramid.

**Financial Implications:** For Redditch Borough Council there would be the cost of Officer time to produce the correspondence, though it is anticipated that the financial costs involved would be minimal.

**Legal implications:** No legal implications have been identified.

### CHAPTER 2: LOCAL EDUCATION AUTHORITY

#### **Recommendation 2**

We recommend that Worcestershire County Council should consult with Borough Councillors alongside County Councillors when commissioning educational services (within the remit of the Head of Learning and Achievement).

**Financial Implications:** No financial implications have been identified for Redditch Borough Council.

Worcestershire County Council might need to invest additional time and resources when consulting on the commissioning of these particular services. However, The group has been advised that consultation with County Councillors is due to form part of the commissioning process so the costs would be incurred in relation to extending the process to an additional number of consultees. It is difficult to quantify how much this might cost Worcestershire County Council as the costs would vary according to the method of consultation that is selected.

**Legal implications:** This recommendation needs to be referred to Worcestershire County Council.

### **Recommendation 3**

Worcestershire County Council, as the local education authority, should produce written guides about the education system and the process that needs to be followed when changes are made to schools. These guides should be produced in plain English and should be made available for parents and other interested stakeholders to access.

**Financial Implications:** No financial implications have been identified for Redditch Borough Council.

Worcestershire County Council would need to invest Officer time into producing and publishing these guides on the Council's website. However, Members do not anticipate that this would require substantial funding.

**Legal implications:** This recommendation needs to be referred to Worcestershire County Council.

### **CHAPTER 3: ITEMS TO NOTE**

**Communications:** One of the key findings of the review was that there was poor communication by and between numerous parties in relation to the proposals that were brought forward by Tudor Grange Academy. This underpinned the response to the school's proposals within the wider community.

**Consultation with local schools:** The group consulted with local schools during the review and received a significant number of responses which were welcomed and helped to inform the final recommendations detailed in this report.

**Review of the education system in the Borough:** A number of witnesses consulted during the investigation suggested that a further review, focusing on the entire education system in the Borough, should be undertaken. However, the group has concluded that, based on the evidence gathered, a review would not be appropriate but would instead raise expectations within the community that could not be met.

**Planning School Places:** A key concern of the group has been to ensure that adequate school places continue to be provided in the Borough. Whilst Worcestershire County Council is responsible for planning pupil places Members would urge schools to take into account the content of a number of planning documents when considering whether to make changes to their admissions policies.

## **INTRODUCTION/BACKGROUND INFORMATION**

In June 2014 elected Redditch Borough Councillors collectively received a significant amount of email correspondence from local residents about proposals made by Tudor Grange Academy Redditch, to change their admissions policy and the consultation process that had been followed by the school. Whilst Redditch Borough Council has no responsibility for education it was recognised that elected Borough Councillors had a moral responsibility as community champions to investigate the concerns of residents further. The Overview and Scrutiny Committee therefore agreed in July 2014 to launch a review of the process that had been followed. A decision was made to undertake this investigation as a Short, Sharp Review, which are shorter reviews than standard scrutiny exercises, to ensure that the group's findings could be reported to the local community in a timely fashion.

There were a number of key objectives to the review, as detailed in the scoping document.

- To understand the proposals by Tudor Grange Academy to extend the age range of pupils;
- To assess the potential impact on schooling arrangements in the Borough if the proposals were to be implemented;
- Through investigation of this proposal and the basis on which academy schools operate, to support Ward Councillors and residents in understanding how they can best contribute most effectively to the debate and decision on this issue.

The group was not tasked with determining whether the changes proposed by Tudor Grange Academy Redditch should be implemented the outcome of which Members recognised they could not influence. Members were also not asked to reach any conclusions about three-tier and two-tier education or which system would be preferable for the Borough in the long-term.

The review consisted of a number of approaches to gathering evidence. This included an interview at an early stage with the Head of Learning and Achievement at Worcestershire County Council, in order to provide Members with an opportunity to clarify the powers of the local education authority in relation to the changing education environment as well as the process that schools needed to follow when making changes to their admissions procedures. Key documentation, particularly the *Making Significant Changes to an Existing Academy* guidance (issued by the Department for Education in January 2014), also helped to inform the group's understanding of the process that needed to be followed by academy schools when proposing and implementing changes.

Members also interviewed representatives of Tudor Grange Academy Redditch during a visit to the school on 3rd October 2014. This provided the group with an opportunity to learn about the rationale for the changes from the perspective of the school and their views of the process that they had followed.

Karen Lumley MP was invited to an interview to discuss her response to the process and the work that had been undertaken at the national level to address the impact of the proposed school changes. Councillor Rebecca Blake was also invited to an interview, due to her involvement with a petition which addressed some of the issues arising from the school's consultation process. Further evidence was submitted in writing by the Redditch Democratic Alliance and a representative of the action group, Redditch School Changes.

Evidence was also requested from the Council's planning department. This was because the group was keen to obtain information about projected housing growth in the Borough and the potential impact on future demand for school places.

At all times Members were mindful of the limited time available to complete the review. For this reason a decision was taken not to interview representatives from every school in the Borough as part of the review. Instead, Members favoured consultation using questionnaires as this ensured that the group could engage with the largest number of schools possible in the time available. For similar reasons Members issued a questionnaire to Councillors representing wards in the catchment area for Tudor Grange Academy Redditch in order to find out what support, if any, ward Councillors required when responding to changes to the education system in the Borough.

The group finalised their recommendations in early November 2014. The recommendations are all based on the evidence that was gathered during the course of the review. Members also identified a number of key points which, though not related to any of the recommendations, they wanted to highlight in this report (as detailed in Chapter 3).

### Local context

At the time of writing there is a three-tier education system in Redditch Borough. Within this system there are First Schools for children aged 4 to 8, Middle Schools for children aged 8 to 13 and secondary/high schools for children aged 13 to 18. There are also school pyramids, whereby students from particular First Schools are more likely to attend certain Middle and Secondary Schools later in their education.

There was a review of educational provision in Redditch in 1997/98 which was undertaken by Worcestershire County Council. During the course of this review three consultation documents were issued and interested stakeholders were asked about whether to retain a three-tier education system in the Borough. The review aimed to reduce the number of surplus places and some schools were amalgamated as a result. However, based on the feedback provided during the consultation process the decision was taken to retain a three tier education system in the Borough.

In the Worcestershire Comprehensive Area Assessment in 2010 a red flag was included which raised concerns about the quality of life in Redditch. One of the

key concerns was educational attainment levels in the Borough. Since 2010 progress has been made which is partly due to the commitment from a range of partners to work together to collectively address this problem. Education attainment and raising the aspirations of young people is a priority in the Redditch Sustainable Community Strategy, which was produced by the Redditch Local Strategic Partnership. At the local level “help me be financially independent (including education and skills)” is one of Redditch Borough Council’s strategic purposes.

Recent progress with improving educational attainment in the Borough is reflected in national statistics. The number of pupils in the Borough achieving five or more A\* - C grades at GCSE increased from 39.6 per cent in 2008/09 to 68 per cent in 2012/13. Whilst the group recognises that partners cannot become complacent Members felt that these achievements should be acknowledged.

## CHAPTER 1: PROCESS

<b>Recommendation 1</b>	We recommend that the Chief Executive of Redditch Borough Council should write to the Secretary of State for Education, the Right Honourable Nicky Morgan MP, and the Minister of State for Schools, the Right Honourable David Laws MP, to request that specific guidance be issued to schools about changing the age range of their pupils in a three-tier education system. This guidance should address the process that must be followed in cases where a school unilaterally decides to make changes that will impact on other schools in the local authority area and / or within a school pyramid.
<b>Financial Implications</b>	There would be the cost of Officer time to produce the correspondence, though it is anticipated that the financial costs involved would be minimal.
<b>Legal Implications</b>	No legal implications have been identified.

### National Context: Changing the age range of pupils

Early in the review process Members investigated the requirements set at a national level that academies are required to follow when proposing to make changes to a school. Clear guidance is provided in the *Making Significant Changes to an Existing Academy: Departmental Advice for Academy Trusts* report, published by the Department for Education in January 2014. A distinction is made in the document between changes that can be fast-tracked without an academy school having to produce a business case and significant changes which require a detailed business case to be produced by the academy.

Changes that can be fast tracked include changing the lower or upper limit of a school by up to two years (not including the addition of a sixth form). Changes to the age range of pupils are classified as significant when this would extend to three years or more. A full list of changes that can be proposed by academy schools and whether these changes qualify as changes that can be fast tracked or as significant changes requiring a business case is provided in Appendix 4.

In the case of both fast track and significant changes approval is required from the Secretary of State for Education. However, for changes that can be fast tracked it is stated in the departmental guidance that the Secretary of State “...is likely to approve the majority of these requests provided that he is assured that adequate local consultation has taken place and responses have been taken into account, any financial arrangements are sound and appropriate planning



*permissions and other relevant agreements have been secured, where necessary.”*

#### Process for Changes to the age range of pupils attending an academy:

Academies seeking to make changes to a school that can be fast tracked must demonstrate the following:

- Adequate consultation has taken place.
- Funding has been secured in relation to the proposed change.
- The change is aligned with local authority place planning.
- Appropriate planning permissions have been secured (is applicable).

A slightly different process must be followed when an academy is making significant changes to a school. The business case for these types of changes, once it has been produced, must be submitted to the Education funding Agency (EFA). The group learned from Worcestershire County Council during the course of the review that in addition, as of September 2014, business cases should also be submitted to the Regional Schools Commissioner for the West Midlands. The Regional Schools Commissioners are responsible for making important decisions about the academies and free schools in their area and must take into account the conclusions of the EFA when reaching their decision.

Consultation forms a key part of both fast track and significant changes to academy schools. The consultation process on a significant change must last for a minimum of four weeks and run alongside consultation about admissions arrangements if there are proposals to change these too. Specific timeframes are not provided in the guidance for consultation over changes that can be fast tracked, though academies must be able to demonstrate that “adequate” consultation has taken place.

As part of the consultation process the local education authority must be consulted and the EFA must be satisfied that the Council’s feedback, including “reasonable objections”, has been taken into account by the academy. There are other stakeholders which it is suggested the academy should consult with. A full list of suggested consultees is detailed in Appendix 5 to the report.

#### Process for changes to admissions:

Any changes that affect the admissions arrangements for an academy are subject to compliance with the national *Schools Admissions Code: Statutory Guidance for School Leaders, Governing Bodies and Local Authorities*, (February 2012). Under the terms of this code all schools must have admissions arrangements that clearly outline how children will be admitted to the school and admissions authorities must set their admissions arrangements annually.

All admission authorities must set an admission number for each age group which is known as a Published Admission Number (PAN). In cases where an admissions authority is proposing to decrease their PAN the authority must

consult on these proposals. This consultation process must last for a minimum of eight weeks and must take place between the 1st November and 1st March of the year before the arrangements are due to apply (the example provided in the code is to complete consultation by 31st March 2012 for admissions in September 2013). Stakeholders can object to any proposed changes to the admissions arrangements and these objections must be referred to the Schools Adjudicator by 30th June. Any decision made on this subject by the Schools Adjudicator must then be acted on by the admissions authority.

### Tudor Grange Academy Redditch – Process for Change

Tudor Grange Academy Redditch opened on 1st April 2014, in place of the previous Kinglsey College which closed on 31st March 2014, and is sponsored by Tudor Grange Academies Trust. In May 2014 Tudor Grange Academy Redditch announced that they would be consulting on making changes to the school.

Tudor Grange Academy Redditch did provide a rationale for proposing changes to their admissions policy. The school highlighted the potential benefits that could be accrued by pupils in terms of educational attainment. In particular, the changes would contribute to continuity of education and reduce the need for pupils to move schools mid-way through Key Stage 3. Furthermore, when responding to a number of points that had been raised by stakeholders in response to the consultation, Tudor Grange Academy Redditch stated that *“...we are keen to further improve the educational experience that we offer. We feel that offering parents/carers the choice of an 11-18 school within Redditch will support our drive to achieve this and further improve the educational outcomes for all our students.”*

The following key changes were proposed by Tudor Grange Academy Redditch to the school's admissions policy:

1. Changing the age range of Tudor Grange Academy Redditch from the present high school age range of 13 – 18 years to a secondary school age range of 11 – 18 years.
2. Changing the PAN to 180 students for years 7 – 11 and 220 in the sixth form. (The school was proposing that the changes to the PAN should be phased in and did not propose to change the PAN for years who were already studying at the school).

The consultation for the proposed changes to the age range of pupils studying at the school took place over a period of five weeks from 19th May to 20th June 2014. The consultation for the proposed changes to the admissions policy at the school took place over a period of nine weeks from 19th May to 18th July 2014. Interested stakeholders were invited to respond to the school in writing about their proposals, though a parents evening was also arranged to take place on 10th June from 7.00pm to 8.00pm at the school. All of the consultation documents were published on the school's website.

When consulting on changes academy schools are urged “*to take timing into account in order to maximise response to the consultation, including attendance at any public meetings – for example consulting during term time rather than school holidays.*” The group believes that Tudor Grange Academy Redditch took this guidance into account and for this reason the consultation periods for both suggested changes were extended from the minimum of four weeks (for a significant change to the age range at the school) to five weeks and from a minimum eight weeks, for changes to the admissions process, to nine weeks thereby taking into account the June half-term week.

In addition, Tudor Grange Academy Redditch notified Worcestershire County Council in advance of the formal announcement that they would be consulting about changes to the school’s admissions policy. However, the group has not been able to clarify the exact amount of notice that was provided.

Originally it was proposed by the school that the changes would come into effect from September 2015 and the scrutiny group understood that based on the nature of the proposals Tudor Grange Academy was eligible to fast track their changes. However, following the conclusion of the consultation exercise Tudor Grange Academy Redditch held a school governors’ meeting to consider the feedback that had been received during the consultation period. Following this meeting, on 13th August 2104, the school announced that they would be submitting a business case to the EFA by September 2014 with the intention to implement any changes from September 2016.

The scrutiny group was interested to learn that Tudor Grange Academy Redditch had decided to submit a business case even though the changes were eligible to be fast tracked. In part the group recognises that due to the timing of the school’s consultation processes the proposed changes to the PAN could not have been implemented until September 2016. However, a number of key considerations were raised by Tudor Grange Academy Redditch as reasons for issuing a business case and changing the proposed deadline for implementation of the changes:

- The school’s governors took into account the feedback that had been received from stakeholders during the consultation process. A number of respondents had suggested that the changes appeared to have been proposed relatively quickly and that it would be helpful for parents and children if there could be a postponement.
- A number of schools in the Tudor Grange Academy pyramid had responded to the proposals by proposing to make changes to the age range of their pupils and admissions procedures at their schools.
- Some of the schools in the Tudor Grange Academy pyramid had reported that they would prefer to commit to pyramid wide change co-ordinated by the local education authority.
- Tudor Grange Academies Trust is managed as a business. Submitting a business case represented sound business sense.

At the time of writing Members had not been informed about whether a decision had been made by the EFA or Regional Schools Commissioner for the West Midlands regarding the school's proposals.

#### Feedback from Stakeholders:

During the course of the review Members consulted with a number of interested stakeholders about the proposals for change that were made by Tudor Grange Academy Redditch.

As part of this process the group sent a questionnaire to local schools to obtain further information about their views of the process. A total of 11 completed questionnaires were received from a variety of First, Middle and Secondary Schools. There was general consensus in the responses that were received that a thorough consultation process should be followed by schools when proposing to make any changes to their admissions policies. Typical of these responses were the following comments:

*"...As the key stakeholders (parents) should be central to any decision making... and the consultation needs to be properly considered and acted upon."*

*"...Schools should not be allowed to do this without a full consultation with parents. Children caught up in the transition period would suffer and results could take a downturn."*

A number of schools also suggested that consultation should involve thorough co-operation with other schools in a pyramid in order to minimise the uncertainty and disruption that might otherwise be experienced by pupils as well as to reassure parents and teachers at those other schools:

*"...The governing body wishes to maintain the integrity of the current local and educational community (and to ensure) that changes are made as a result of robust collaboration and not in isolation or in competition for pupils. The governing body is not in principle against two-tier education (but) believes any changes needs to be across the town, not in localities or piecemeal."*

A small number of respondents had undertaken formal consultation, like Tudor Grange Academy Redditch, to change their school's admissions process:

*"..Our proposals have been made public and we will submit our plans to the EFA".*

However, more schools reported that they had already consulted informally with parents about the potential to change the age range of their pupils to be more like a school in a two-tier education system than that in a three-tier system.

*“A consultation (informal) was shared with all parents across the pyramid and the response was overwhelmingly in favour of retaining the three-tier system. This was done in the summer term.”*

*“... We surveyed our parents and with a high response rate they voted for the three-tier system (93%).”*

A number of schools had not undertaken any consultation but had instead assessed their capacity to make changes. In general these schools had concluded that changes would not be feasible because the school would need to reduce their PAN and because the changes could have a negative impact on the school's finances.

*“We would not be able to without lowering our PAN from 45 to 30.”*

*“We have undertaken a feasibility study and we would need to cut the PAN significantly. With a lag in funding this would also mean this change would wipe out our reserves.”*

The group also received further information about the petition that was launched following the announcement that Tudor Grange Academy Redditch would be consulting on changes to their admissions policy. Members discussed this petition in detail with Councillor Rebecca Blake and were advised that this petition did not oppose the school's proposals per se but was launched in response to the consultation process that was adopted. The petition also provided an opportunity for parents and other interested stakeholders to share views about the proposed changes and consultation process. A total of 1,800 people signed the petition which was submitted for the consideration of Tudor Grange Academy Redditch. A further petition was organised by the action group Redditch School Changes following the announcement that the school would be submitting a business case. This petition and accompanying information was dispatched to the Secretary of State for Education, The Right Honourable Nicky Morgan MP, for consideration.

Some of the key concerns raised by the lead petitioners in both cases were:

- The impact that changes to one school could have on other schools in the pyramid.
- Parental concerns that if they did not send their children to secondary school aged 11 they might miss a place at age 13 when leaving Middle school.
- The future viability, both financially and in terms of numbers attending the schools, of Middle Schools and what impact this might have on pupils.
- A reduction in the PAN for schools where changes to the age range are implemented and the potential impact this could have on the provision of school places in the Borough if a significant number of schools decide to implement such changes.
- Awareness amongst parents of the potential impact of the changes on local schools, particularly those in the same pyramid, and the process that needed

to be followed by academies in order to make any changes to their admissions processes.

- The need for greater co-operation between schools within a pyramid over any potential changes to minimise disruption experienced by other schools and students.

The evidence submitted by Karen Lumley MP was also considered extremely useful by the group. Members were advised that in response to the proposals for change that she had organised meetings with local schools on a pyramid by pyramid basis, based on an understanding of the implications of changes to any one school on other schools in that pyramid. She had also raised questions in Parliament in relation to this case. The responses revealed that the Department for Education did not hold records for the number of local authorities that operate three-tier education systems, though the department was able to confirm that 190 schools in England are recorded as being Middle Schools. As there are over 240 schools in Worcestershire alone Members concluded that the figures provided for the number of Middle Schools in the country demonstrate that the three-tier education system is in a minority at the national level.

### Conclusions:

Based on the evidence gathered the group has concluded that Tudor Grange Academy Redditch followed the proper process when proposing and consulting on changes to their school inasmuch as the school followed the guidance provided by the Department for Education about changes to academy schools as well as guidance in the Schools Admission Code. Indeed, the school went beyond these requirements by consulting with the local education authority in advance of announcing the consultation process. Furthermore, Members agree that the rationale provided by Tudor Grange Academy for making changes to their admissions policy demonstrated that they had good intentions with regard to improving the educational attainment of pupils at the school.

However, based on the feedback received from other schools in Redditch Members concur that ideally more action could have been taken when consulting on changes to the school's admissions policy. The examples of the other schools in the area that had undertaken informal consultation with parents about a potential change from a three-tier to a two-tier education system demonstrate that additional steps outside the formal process could have been implemented and this would have helped to address local concerns.

In a three-tier authority area Members feel that there is likely to be greater consideration amongst local people of the potential impact that changes to the age range of pupils in one school will have on other schools in the same pyramid. Members agree that the uncertainty surrounding the future of other schools in the pyramid encouraged concerns to develop within the community that led to the significant levels of critical feedback, including the email correspondence that was sent to Borough Councillors, prior to the launch of this scrutiny review. Members also feel that this uncertainty contributed to the decision by some other

schools in the pyramid to consult on their own changes, thereby creating potentially even greater uncertainty.

In this context, the group has concluded that the national guidance for changes to academy schools does not address the particular needs of schools in a three-tier education system and needs to be updated to reflect these considerations. In particular, Members concur that reference needs to be made to the need for greater co-operation between schools within the same pyramid to occur when any schools, including academy schools, are considering making changes to their admissions policies. Members believe this needs to be addressed in order to ensure that the uncertainty and confusion that followed Tudor Grange Academy Redditch's announcement that they would be consulting on changes do not accompany future consultation processes which they feel will inevitably arise, whether in Redditch or in other parts of the country, where a three-tier education system is currently in place. This would help to reassure parents, as there will be greater clarity about how consultation should proceed in these circumstances and the potential outcomes, and would also provide useful support to academy schools that want to explore making changes that they feel will benefit their pupils.

## CHAPTER 2: LOCAL EDUCATION AUTHORITY

<b>Recommendation 2</b>	We recommend that Worcestershire County Council should consult with Borough Councillors alongside County Councillors when commissioning educational services (within the remit of the Head of Learning and Achievement).
<b>Financial Implications</b>	<p>No financial implications have been identified for Redditch Borough Council.</p> <p>Worcestershire County Council might need to invest additional time and resources when consulting on the commissioning of these particular services. However, The group has been advised that consultation with county Councillors is due to form part of the commissioning process so the costs would be incurred in relation to extending the process to an additional number of consultees. It is difficult to quantify how much this might cost Worcestershire County Council as the costs would vary according to the method of consultation that is selected.</p>
<b>Legal Implications</b>	This recommendation needs to be referred to Worcestershire County Council.

### Local Education Authority Responsibilities

At an early stage Members investigated the powers and responsibilities of Worcestershire County Council as the local education authority in the county. Members were interested to learn that the local education authority retained a small number of statutory responsibilities, though had limited powers over local schools, particularly academies and free schools. Some of the key responsibilities of the local education authority include:

- determining the funding formula for local schools, including academies and free schools.
- a statutory responsibility to ensure that every child is provided with a school place of a reasonable quality.
- responsibility for ensuring that pupils are provided with transport to enable them to access their nearest school.



## Commissioning Services

Members were advised during the course of the review that Worcestershire County Council was considering commissioning many of the services that are delivered by the Council and within the remit of the Head of Learning and Achievement. As part of the commissioning process the Council is intending to consult with relevant stakeholders and was considering consulting with local County Councillors in order to appreciate local views about any proposed commissioning arrangements.

The group has discussed with the Head of Learning and Achievement the potential for Borough Councillors to be included in this consultation process. Members highlighted the fact that residents primarily addressed their email correspondence about Tudor Grange Academy Redditch's proposals to their Borough Councillors demonstrating that residents were likely to turn to elected representatives at the district level for support regardless of whether the service was within the remit of the Borough or the County Council. The group therefore concurs that Members at a district level have access to local knowledge that would be useful for Worcestershire County Council to consider as part of their commissioning process.

Furthermore, Redditch Borough Council has committed to supporting efforts to improve educational attainment in the Borough, through adoption of the Strategic Purpose "help me be financially independent (including education and skills)." This strategic purpose, though designed to address previous concerns about educational attainment levels in the Borough, is also partly based on recognition that young people are the employees of the future and that a well-educated workforce will have a beneficial impact on the local, regional and national economy. Any contribution that Members can make to addressing this objective, including participation in a commissioning process for learning and achievement, should make a positive contribution to meeting this strategic purpose.

However, in order for Worcestershire County Council to obtain valuable input through consultation with Borough Councillors elected Members at the district level would need to commit to actively engaging in the consultation process. The group agrees they should highlight the fact that unfortunately they only received a limited number of responses from Borough Councillors to a questionnaire that they had been invited to complete. All Borough Councillors representing wards in the catchment area for Tudor Grange Academy Redditch, were invited to complete a questionnaire, (except for two of the Members representing wards in the areas who had also been appointed to the review; Councillors Carole Gandy and David Thain). Two Members, Councillors Joe Baker and Jane Potter, returned completed questionnaires. Two further Members, Councillors Rebecca Blake and Michael Braley, submitted evidence in an alternative form. This leaves eight Councillors who did not respond to the questionnaire.

Members were incredibly disappointed in the low number of questionnaires that had been submitted by Borough Councillors. The group would suggest that in future, particularly if Worcestershire County Council does choose to consult with

Borough Councillors, the group Leaders should be invited to take an active role in encouraging members of their group to respond to any consultation. Ultimately this will benefit residents who have sought help from their Borough Councillors, as by participating in the consultation process Borough Councillors will be acting as effective community champions.

<p><b>Recommendation 3</b></p>	<p>Worcestershire County Council, as the local education authority, should produce written guides about the education system and the process that needs to be followed when changes are made to schools. These guides should be produced in plain English and should be made available for parents and other interested stakeholders to access.</p>
<p><b>Financial Implications</b></p>	<p>No financial implications have been identified for Redditch Borough Council.</p> <p>Worcestershire County Council would need to invest Officer time into producing and publishing these guides on the Council’s website. However, Members do not anticipate that this would require substantial funding.</p>
<p><b>Legal Implications</b></p>	<p>This recommendation needs to be referred to Worcestershire County Council.</p>

School Changes Procedures – Awareness

During the course of the review Members learned a lot about the current education system in the country that they had not previously appreciated. This included obtaining information about the process for making changes to academy schools, the remaining responsibilities of the local education authority and the role of particular individuals and bodies within the education system.

When consulting with a number of expert witnesses Members discovered that there were certain features of the education system that were not typically widely known. This included limited awareness:

- That local authority maintained schools had similar powers to fast track certain changes to their admissions processes without needing the prior approval of the local education authority. This was highlighted during consultation with Worcestershire County Council.
- Of the role of Regional Schools Commissioners in making decisions about changes to academy schools.

- Of the increasingly restricted powers available to local education authorities vis-à-vis academies and free schools in particular.

Members concluded that if the witnesses they were consulting were unfamiliar with these factors it was likely that local residents, including many parents, would also be unaware of some of these matters. Indeed, a number of the witnesses consulted by the group commented that there appeared to be limited public awareness of many aspects relating to changes being made to schools. The following typified these comments:

*“In the main they are not aware. Parents are also shocked when they have a problem with a school and that if they are an academy the LA (local authority) will no longer get involved, such as regarding problems with admissions, SEN etc.”*

In addition Members reached the conclusion that the education system was a rapidly changing environment and this could make it difficult for interested stakeholders to remain familiar with the different processes and powers. Indeed, it was during the course of the review that the Regional Schools Commissioners assumed their roles in respect of academy schools.

In this context the group concurred that it would be useful for written guides, containing up to date information about key processes and the powers of different stakeholders, to be made available for public consideration. Ideally, the group believes that this information should be maintained by Worcestershire County Council as the local education authority. There are already pages on Worcestershire County Council’s website which are dedicated to schools, providing further information about issues such as school closures, schools admissions, school transport and free school meals. The group agrees that it should be possible to upload additional information onto this website in the form of written guides. The information provided in these written guides could clarify procedures and outcomes for making changes to school admissions policies and thereby potentially both reassure parents and help to ensure that any future proposals to make changes at local schools are not accompanied by the same level of confusion and uncertainty that was experienced following Tudor Grange Academy Redditch’s proposals.

## **CHAPTER 3 – ITEMS TO NOTE**

### **Communications:**

One of the key conclusions reached by Members during the review was that much of the confusion and uncertainty that arose locally did so due to poor communications. This was a problem for a number of key bodies, though in particular the group feels that Tudor Grange Academies Trust and Worcestershire County Council could learn from this experience.

Members acknowledge that, based on comments made by representatives of the school during a visit in October, the school was committed to considering all feedback provided in response to their consultation process and potentially amending their proposals accordingly. Unfortunately, Members also feel that the speed with which the consultation was announced and the lack of significant discussions with other schools prior to this announcement about the proposed changes led interested stakeholders to conclude that the proposals were a fait accompli. To ensure that similar misunderstandings do not arise in future Members would suggest that when proposing changes all schools should carefully communicate the rationale for their proposals to key stakeholders and the extent to which feedback will inform any outcomes of the process.

Similarly the group recognises that Worcestershire County Council did not have the power to determine the outcomes of Tudor Grange Academy's proposals to make changes to their admissions policy. However, Members have concluded that Worcestershire County Council, as the local education authority, could have taken more action to co-ordinate responses to the consultation process and to clarify the process that needed to be followed. Members believe that this would have helped to reassure the public, particularly parents, pupils and other schools in the Tudor Grange Academy Redditch pyramid. Members therefore urge Worcestershire County Council to play a more active role in responding to any further proposals to change schools in the Borough that might emerge in the future.

### **Consultation with local schools:**

During the course of the review Members issued a questionnaire to local schools. This questionnaire was designed to provide schools in the Borough with an opportunity to submit evidence during the exercise. Unfortunately, due to the inevitably tight timescales available during a Short, Sharp Review, Members were only able to provide limited notice and the deadline was set the week before half term in October 2014 which Members recognise is a busy period for schools.

Despite these obstacles Members were pleased to receive 11 completed questionnaires from local schools. The identities of the schools that sent completed questionnaires to the group have been treated as confidential. However, Members wanted to thank all of these schools for taking the time to complete their questionnaires. The evidence they submitted did help to inform the group's conclusions including the recommendations detailed in this report.

## **Review of the education system in the Borough:**

During the course of the review a number of witnesses consulted by the group suggested that the changes proposed by Tudor Grange Academy Redditch and the response from the public to these proposals indicated that there was a need for a review to be undertaken to provide greater certainty about the future structure of the education system in the Borough. In a number of instances the witnesses suggested that this review should be undertaken by the local education authority.

The group did investigate this suggestion further but concluded that unlike in the 1990s, when the local authority undertook a review of the Redditch education system, Worcestershire County Council was not in a position to undertake this review. Nor did Members feel a review of this subject would necessarily add value to the debate. Members were mindful of the fact that academy schools have significant autonomy and do not need to refer to the local education authority to make changes to their admissions policies. Indeed, any school, whether it is an academy school or local authority maintained school, can submit proposals to change the age range of their pupils via a fast tracking process without requiring the local education authority's permission. In this context the local education authority lacks the power to require schools to comply with any conclusions that might be reached in a review of the education system.

Worcestershire County Council have confirmed, both during an interview with the group and during a County Forum meeting at Redditch Town Hall on 1st October 2014, that the Council lacks both the power and the resources to undertake a review of the education system in the Borough. There is also a risk that if Worcestershire County Council was to launch a review of this subject expectations could be raised which could not be met because the Council would not be able to require local schools to comply with any conclusions that might be reached.

The group did consider the potential for a review to be conducted by an alternative body but did not identify any organisation or individual who could fulfill this role in an independent manner. Furthermore Members learned during the course of the review that in some parts of the country two-tier and three-tier school structures coexist. Whilst Members felt that changes need to be considered on a pyramid by pyramid basis they concluded from these examples and the rest of the evidence they had gathered that the two systems could operate side by side. For these reasons the group did not feel that in response to the changes proposed by Tudor Grange Academy Redditch there was a need for a review of the entire education system in the Borough.

## **Planning School Places**

Worcestershire County Council, as the local education authority, is required to provide certain data on an annual basis to the Department of Education. This includes a forecast of future numbers on the school roll in order to assist in

predicting potential shortfalls in school places in the county. The Council publishes these figures for the year ahead on their website.

The forecast figures are also reported to the Planning Department at the Borough Council's request. These forecast figures help to inform the content of a number of key documents produced by Redditch Borough Council's Planning Department. This includes the *Planning Obligations for Education Contributions (Supplementary Planning Document)* and the *RBC Infrastructure Delivery Plan Report*, which is a working, evidence based document rather than a Planning policy.

These documents recognise that in recent years there has been a reduction in the number of students within Redditch studying at a secondary school level. However, the forecast figures also indicate that the long-term outlook for demand for school places in parts of the Borough is likely to increase partly due to a higher birth rate in the Borough compared to other districts in Worcestershire. The increasing demand in the long-term is clearly detailed in the *RBC Infrastructure Delivery Plan Report*:

*“Primary pupil numbers are increasing in urban areas where the rising birthrate is felt most keenly. Secondary schools are currently experiencing more of a dip in numbers but will feel the impact of the higher primary numbers in due course. WCC (Worcestershire County Council) has experienced a growth in pupils entering reception in recent intakes with demand for places particularly high in the north of the Borough necessitating new or expanded first school provision as part of new development.”*

The group recognises that it is important to be cautious when predicting the likely impact of new development on future demand for school places as it is not possible to determine completely accurately how many families will purchase homes on the new developments, the number of children per family or the parental choice that will be made regarding the education of their children. However, the group believes that it could be helpful for schools to consider the information contained within these reports when considering making any changes that could impact on their PAN.

Members considered recommending that the Supplementary Planning Document and *RBC Infrastructure Delivery Plan Report* be sent to every school in the Borough so that the schools could take into account forecast housing growth and when considering whether to make changes to their schools. However, Members have been advised that copies of the Supplementary Planning Document and of the Local Plan have already been sent to every school in Redditch. Members would therefore urge all local schools to consider the content of these documents as part of any process they follow to initiate changes to their admissions policies.

## **CONCLUSION**

This review has entailed a thorough investigation of the circumstances surrounding Tudor Grange Academy Redditch's proposals to make changes to their admissions policy and the impact on the local community.

Members recognise that change is challenging and often both organisations and individuals will require support in order to manage the outcomes of any changes effectively. In this context, and taking into account all the evidence they have gathered, the group have concluded that it is imperative that within a three-tier education system changes to schools are discussed and co-ordinated by partners in the same pyramid. This is crucial to ensure that confusion and uncertainty amongst parents, pupils and other schools within the same pyramid is kept to a minimum.

Members concur that if their recommendations are implemented they will have a positive impact on the education system in the Borough and would therefore urge all parties concerned to act on their proposals.

**APPENDIX 1**  
**Scrutiny Proposal Form**

(This form should be completed by sponsoring Member(s), Officers and / or members of the public when proposing an item for Scrutiny).

**Note: The matters detailed below have not yet received any detailed consideration. The Overview and Scrutiny Committee reserves the right to reject suggestions for scrutiny that fall outside the Borough Council's remit.**

Proposer's name and designation	Councillor Pat Witherspoon	Date of referral	22/07/14
Proposed topic title	Proposals for change by Tudor Grange Academy		
Link to national, regional and local priorities and targets	<p>Council Strategic Purposes:</p> <ul style="list-style-type: none"> <li>• Help me to be financially independent (including skills and education)</li> </ul>		
Background to the issue	<ul style="list-style-type: none"> <li>• Tudor Grange Academy in Redditch is part of a Trust which provides education at various sites across the country. In Redditch the Trust currently runs Tudor Grange high school for children aged between 13 and 18.</li> <li>• Earlier in the year the school governors ran a consultation about changing the age range of the school to 11 – 18 years from September 2015. This would mean a reduced admission number for the school for years 7-11 and in the sixth form. Details are available on the school's website: <a href="http://www.redditch.tgacademy.org.uk/parents/change-of-age-range-consultation/">http://www.redditch.tgacademy.org.uk/parents/change-of-age-range-consultation/</a></li> <li>• The proposals were subject to consultation between 19<sup>th</sup> May – 20<sup>th</sup> June 2014 and a meeting was held at the Academy to explain the proposals.</li> <li>• A considerable number of members of the public contacted Borough Councillors expressing their concerns at the proposals and the timescales involved.</li> <li>• Education in Redditch is currently arranged as 3-tier – primary; middle and high schools. Members of the public were concerned that, if implemented, the proposals to change one school in the Borough would have an adverse impact on the other schools, as two</li> </ul>		



	<p>systems would be running side by side. They were also concerned at the proposed timescale and the impact this would have on admission arrangements for all schools across the Borough.</p> <ul style="list-style-type: none"> <li>• These proposed changes undertaken in isolation of a wider review of the education system in Redditch might contribute to a significant reduction in educational attainment and significant challenges to the other schools in the area and thus children in the Borough, which will eventually have an extremely detrimental impact on our economy.</li> <li>• Whilst this is not a matter for which the Borough Council is directly responsible we take our role as community leaders very seriously; there may be an opportunity to engage with the Borough Council, the County Council and the Redditch Partnership, school governors and parents on a wider review of the education system that operates within the Borough in order to ensure it is the best solution for the people of the Town.</li> </ul>
<p>Key Objectives Please keep to SMART objectives (Specific, Measurable, Achievable, Relevant and Timely)</p>	<ol style="list-style-type: none"> <li>1) To understand the proposals by Tudor Grange Academy to extend the age range of pupils;</li> <li>2) To assess the potential impact on schooling arrangements in the Borough if the proposals were to be implemented;</li> <li>3) Through investigation of this proposal and the basis on which Academy schools operate, to support Ward Councillors and residents in understanding how they can best contribute most effectively to the debate and decision on this issue.</li> </ol>
<p>How long do you think is needed to complete this exercise? (Where possible please estimate the number of weeks, months and meetings required)</p>	<p><i>Initial presentation to an O&amp;S Committee meeting? With consultation documents from the school as background?</i></p>

## **APPENDIX 2** **Witnesses**

Members would like to thank the following for providing evidence during the course of the review:

Emma Baker, Acting Development Plans Manager  
Councillor Joe Baker  
Councillor Rebecca Blake  
Councillor Michael Braley  
Mr Simon Coleman (Redditch School changes Action Group)  
Kevin Dicks, Chief Executive  
Mr John Edwards, Head of Learning and Achievement, Worcestershire County Council.  
Ms S Harvey, Redditch School Changes action group.  
Sheena Jones, Democratic Services Manager  
Karen Lumley MP  
Ms C Maclean, Executive Principle, Tudor Grange Academies Trust  
Ms M McAllister, Admin Support, Tudor Grange Academy Redditch  
Councillor Jane Potter  
Mrs R Rees, Head Teacher, Tudor Grange Academy Redditch.  
Dr P Rock, Director, Tudor Grange Academies Trust  
Councillor Paul Swansborough  
Professor J M Winterbottom, Chair of Governors, Tudor Grange Academy Redditch, and Director, Tudor Grange Academies Trust

The group would also like to thank four students from Tudor Grange Academy and their teacher who met with the Chair of the review on Monday 3rd November for their comments.

Finally, Members once again wish to thank the schools that returned completed questionnaires for their consideration.

**APPENDIX 3**  
**Timeline of Activities**

<b>Date</b>	<b>Task Group Activity</b>
13th August 2014	Scoping discussion and brainstorm of approach to the review.
3rd September	Discussion of key documentation including the <i>Making Significant Changes to an Existing Academy: Departmental Advice for Academy Trusts</i> report (January 2014).
12th September	Interview with Mr John Edwards, Head of Learning and Achievement, Worcestershire County Council.
26th September	Proposed questions for the consideration of key expert witnesses and consideration of the national <i>School Admissions Code</i> .
3rd October	Interview with representatives of Tudor Grange Academy, Redditch.
10th October	Interview with the Karen Lumley MP and consideration of information about population projections for the Borough.
17th October	Interview with Councillor Rebecca Blake, organiser of a petition in response to the consultation process that was followed by the school.
31st October	Considering evidence submitted by on behalf of the Redditch School Changes Group and the Redditch Democratic Alliance respectively. Also considering responses provided by local schools and Borough Councillors in completed questionnaires.
6th November	Agreeing the group's recommendations and content for the final report.

## **APPENDIX 4:**

### **Changes to academy schools**

The following changes to academy schools can be fast tracked:

- An enlargement of the school premises, including the physical size of the school.
- Changing the lower or upper age limit of pupils by up to two years, including a secondary school changing pupil intake from 13 – 19 to 11 – 19.
- Adding or increasing boarding provision.
- Changes to admission arrangements for academies with “old style funding arrangements”.

The following changes to academies are classified as “significant” and require a business case to be submitted by the school.

- Changing the upper or lower age limit of pupils by three years or more.
- Adding or removing a sixth form.
- Changing the gender composition of the school.
- Enlarging the physical capacity of the academy including increasing the pupil numbers.
- An academy amalgamating or merging with another academy.
- An academy setting up or joining a Multi-Academy Trust.
- Changes effecting reserved provision for pupils with Special Educational Needs (SEN).
- A change in the type of SEN for which the academy is organised to make provision.
- Decrease in or removal of boarding provision.
- Gaining a faith designation.
- Change to a Church of England Academy’s characteristics.

## **APPENDIX 5**

### **Changes to Academy Schools: Suggested Consultation Stakeholders.**

The *Making Significant Changes to an Existing Academy: Departmental Advice for Academy Trusts* report, published by the Department for Education in January 2014, details which key stakeholders must be consulted when changes are proposed to an academy school and also lists further suggested stakeholders to consult.

The local education authority must be consulted due to the Council's role in relation to the provision of school places locally to children.

The document also suggests that academy schools consult with the following stakeholders:

- Each local authority which maintains a SEN in respect of a child attending the school.
- Parents of children attending the academy.
- Other parents living in the area.
- Primary and secondary schools, FE colleges and Sixth Forms in the area.
- The Admissions Forum in the area (if one exists).
- Admissions authorities in the area (if admissions are likely to be effected).
- The relevant PCT in the area.
- Any NHS Trust or Foundation Trust in the area.
- Any diocesan authorities or faith sponsors of academies with a religious designation.