Association of Teachers and Lecturers

ATL
the education union

2007

POSITION STATEMENT

Academies – a changing position

Background

In 2005 ATL adopted a policy which, among other things, opposed the poor staffing practices found in some academies, including union recognition and conditions of service. It also identified four key issues of principle which made the academies programme unacceptable:

- sponsorship/governance;
- set-up and running costs;
- lack of public accountability;
- collaboration with the local education community.

In his statement to the House of Commons in July 2007, Ed Balls, the Secretary of State for children, schools and families announced policy changes, some retrospectively, which indicate a shift from the intentions of the originators of academies. In the context of the changes made ATL has revisited its position.

Pupil performance

ATL's 2005 judgement remains sound: 'It is too early to judge whether there is a significant institutional effect on performance. And no adequate judgement can be made unless there is a direct comparison, e.g. between a similar LEA-maintained comprehensive school that enjoys funding at the same level as an academy.' In its recent report: *A New Direction*, the TUC has urged the Government to establish an independent panel to assess the effectiveness of the academies programme. ATL, which worked closely with the TUC on the report, strongly supports this call.

Pay and conditions

Academies are not subject to the statutory terms and conditions that operate for teachers in state schools, nor to the prevailing local authority frameworks for support staff. Worryingly, the fourth annual PricewaterhouseCoopers evaluation comments that: "Changes to the school day, teachers' pay and conditions and the flexible use of support staff *have been noted as positive benefits*" (our emphasis). 'Positive benefits' is not a term that our members, some of whom have had pay deducted for doctor's appointments, would use.

Sponsorship/governance

"The test of whether an organisation can be a potential sponsor should not be its bank balance, but whether it can demonstrate leadership, innovation and

commitment to act in the public interest…I now want every university to actively engage with Academies," Ed Balls, July 2007.

An end to inappropriate sponsors is an excellent step, but it does not resolve the key issue, which remains that an academy's governing body should comprise a broad and balanced range of interests, including parents and staff. No sponsor, however worthy, should have a controlling interest.

Lack of public accountability

Although the DCSF is committed to scaling down its academies operation, it continues to act in the place of a local authority, apparently monitoring compliance with the confidential funding agreements with sponsors which control the behaviour of academies. As the number of academies increases this will become increasingly unsustainable and suffers the major defect of lack of transparency. Like maintained schools, academies should be openly accountable to their local communities.

Collaboration with the local education community

"All Academies now actively collaborate with schools and colleges in their area…Currently, all Academies replacing local authority schools proceed with local authority endorsement at the feasibility stage, and at the funding agreement stage we already have a duty to consult local authorities and we take their concerns fully into account…They already have a duty to collaborate with all other schools in their area," Ed Balls, July 2007.

Several local authorities have entered into sponsoring arrangements for academies, some with guaranteed conditions for staff. In practice these arrangements will meet the need for local accountability as well as ensuring participation by academies in local collaboration. An academy sponsored by a university and the local authority looks like a different kind of institution from a freestanding academy under the control of a carpet salesman. ATL continues to oppose the academies policy on principle, but envisages positive relationships with new wave academies if they meet four key criteria.

Appropriate criteria for the establishment of any future academies

- **Pay and conditions of service**

Pay and conditions at least as favourable as those in the maintained sector, as detailed in the School Teachers' Pay and Conditions Document and The Conditions of Service for School Teachers in England and Wales (the Burgundy Book). Pay and conditions for support staff to be no less favourable than those support staff in maintained schools and adherence to any nationally agreed pay framework.

- **Governance**

At least one staff governor on the governing body.

- **Admissions**

Adherence to local authority admissions procedure.

- **Recognition**

ATL is already working constructively with many employers and sponsors to seek the best pay and conditions for our members in academies, but there is evidence that some members are being refused their basic employment rights. ATL therefore calls on the Government to deny sponsorship to those organisations that are refusing to give automatic recognition rights to the school workforce unions.