

Proposal to become an academy and join Every Child, Every Day Academy Trust



Questions and Answers – second document

Issued 2 October 2020

This document details questions that have been asked already during the consultation. It is issued in addition to the consultation document and Q&A document that were published at the beginning of the consultation.

The proposal

1. Why is the school considering this now?

School evaluated academy options in 2017/18 and selected ECED as the most appropriate one to join. We became an Associate Member with a Memorandum of Understanding when it became apparent that conversion and fully joining ECED was not possible due to our financial position at the time. Since then the relationship with ECED has grown with greater collaboration across a range of areas, which included Mr Ali becoming the interim (part time) CEO of ECED as well as being Headteacher of Chessington. We believe that the school has seen real benefit from working with ECED and that the relationship has been an integral part of the improvements that we have made educationally and financially at Chessington in the last couple of years. But there is still more to do. This proposal is about cementing our place within ECED so that we have a family of schools to collaborate with to continue our improvement.

2. Is this an appropriate time to be considering this change given Covid?

The Memorandum of Understanding with ECED was for two years (i.e. to 2020) so we need to consider this now. As well as ECED, the Council and the DfE (through the Regional Schools Commissioner) want to know our intentions. While a number of things, including this, were paused during the summer term while the school was largely closed, the school is now fully open and there is no reason that the process cannot proceed.

3. What are the benefits to Chessington of joining ECED?

We have already benefited from working with ECED. As a small local trust, Chessington has had and would have a strong voice within the trust. Collaboration has provided opportunities for staff to collaborate and broaden their experience – which has impacted our curriculum planning, schemes of work and how we teach our pupils. Being part of a family of schools aids recruitment and retention of staff as they can see opportunities to continue to learn, develop and grow within the trust. Working with ECED has supported our pupil recruitment and growing reputation. Working with Hollyfield has supported sixth form progression for our pupils and that collaboration would support the development of our own sixth form in the future.

4. Were other trusts considered?

Yes, Governors considered other trusts and carefully evaluated them to consider the benefits to Chessington and their cultural fit with our school and community. ECED was the trust identified as the most beneficial match.

5. Could we achieve similar synergies if we linked closely with other council maintained secondary schools rather than ECED?

We are the only council maintained secondary school in Kingston. There are no secular co-educational council maintained secondary schools in Richmond or in the areas of Surrey that are closest to us. So while we could collaborate with other council maintained secular secondary schools, these would not be local to us – which reduces the benefit and impact of the collaboration. We believe that formal collaboration within an academy trust is the strongest family of schools that we could be part of.

6. Could Chessington create a new single academy trust?

While legally this is possible, it would not get approval from DfE. Their policy clearly favours schools joining multi academy trusts.

7. Is ECED looking to grow and include more schools as 3 schools is still small for a multi academy trust?

ECED intends to remain a local trust. We understand that it would be interested in other local schools joining, and is particularly interested in forming links with primary schools that feed into the secondary schools to embed collaboration between primary and secondary.

8. Could ECED be taken over by / merge into a larger MAT? Could a school within it move between MATs?

At a school level, if an academy becomes eligible for intervention (most often, but not only, after an 'inadequate' judgement in an Ofsted inspection) then the DfE is able to require the school to be transferred to another academy trust. The DfE does not have those powers for individual schools otherwise. If the school is not eligible for intervention, it could only transfer to another academy trust if the trust it is leaving, the trust it is joining and the DfE all agree to the transfer – so a school itself cannot 'force' a transfer.

For a whole academy trust, the trust could decide to transfer all of its schools to another academy trust (so merge into it), which would require the agreement of the existing trust, the future trust, and the DfE. The DfE does not have the legal powers to force a trust to close (its powers are vested primarily at school level), but it may encourage a trust down that route if it believes the trust would be unable to function effectively in the future.

The best way to be in charge of your own destiny is to continue to provide high quality education.

Implications for the school

9. Would joining ECED help or hinder our aspiration to have a sixth form?

Potentially it could support this aspiration. It may be that being part of ECED would enable us to overcome the challenges of setting up a sixth form, and collaborate to establish an educationally and financially viable offer.

10. Would the daily experience of pupils change if we join ECED?

The day to day timetable and offer would not change, but behind the scenes students would benefit from the increased staff collaboration and the increased opportunities for students that come from being part of a trust.

11. Would the admissions policy change?

No.

12. Would the curriculum change?

No. We would look to expand curriculum choices as pupil numbers grow, and our desire to have a sixth form is well known.

13. What services does the school receive from the Council that it would lose if it converts?

How would it replace those services? Would they cost more and / or be lower quality?

The Council provides certain statutory duties for Chessington, several of which (such as safeguarding and SEND) would remain. The Council's school improvement role would cease, and the school would source that as part of ECED in the same way as their current successful schools do. Other Council services are already traded – i.e. the school has the choice whether to buy from the Council or from other providers and we make those decisions based on quality and cost.

14. How would the academy cope in the event of an emergency (such as a fire) if it is not maintained by the local authority?

All of the other secondary schools in Kingston are academies. They continue to work closely with the local authority to collectively provide high quality education for our community. That relationship continues irrespective of the legal status of the school – we are all on the same team!

So if an emergency arose, any local school would work closely with the Council. For a number of issues the Council may still have statutory responsibilities – such as if there was a safeguarding concern. For emergencies that are covered by insurance, such as a fire, the school would continue to have adequate insurance in place and the process would be the same as now; in addition, the local authority retains the legal responsibility for providing sufficient school places and so would need to work closely with the school to secure alternative accommodation if the school building was unavailable.

Implications for staff

15. Do staff automatically transfer to ECED? Would staff who did not agree with academy status also transfer? Would Mr Ali remain the Headteacher?

In short, yes to all three questions. All staff who have a permanent or fixed term contract of employment with the Governing Body of Chessington School that extends to or beyond the transfer date would have a right to transfer their employment to ECED. That includes Mr Ali who would continue to be the Headteacher. If a member of staff did not want to work in an academy then they would be able to refuse to transfer, but this would legally mean that they were resigning. Our understanding is that staff choosing not to transfer is extremely rare and we hope that no staff at Chessington would not wish to continue to be part of our journey of improvement.

16. Would staff be required to relocate to other ECED schools?

No, the contract of employment of our staff states or implies that their place of work is Chessington. So if we joined ECED we could not just relocate a member of staff to Grey Court or Hollyfield. What being part of a trust does offer is the ability for staff to gain greater experience – if they wish to – by working with or at another school perhaps for part of their time, for example to gain sixth form experience.

17. How long does TUPE protection last?

TUPE applies to the contract of employment, so it lasts as long as you hold that contract. It is not 'time limited'. Kingston Council as current employer could propose changes now, and would have to follow a process of consultation before any changes could take effect. A future employer would have the same rights, but the proposals would generally need to be unconnected to the transfer (i.e. if government funding reduced and so a restructure was necessary).

18. Would there be shared posts with other ECED schools?

In the future new posts could be shared so that people spent time in (or worked with) more than one school if that was appropriate.

19. Do academy schools find it harder to recruit and retain staff?

Staff want to work at a school with a positive culture and reputation, with high quality and supportive colleagues, and where they share the values, ethos and expectations of the school. We believe that we would continue to be an attractive place to work if we remain as a community school – but we believe that joining ECED could make us more attractive because of the broader development and career opportunities that there can be within a multi academy trust.

Process and timing

20. Is consultation of 4 weeks normal?

The Academies Act does not set a prescribed timeframe. 4 term time weeks provide sufficient time for individuals to consider the issues and respond.

21. What is Mr Ali's role in the process given his dual roles as Headteacher of the school and Interim CEO of ECED?

The relationship with ECED has evolved, organically and in good faith, since the school became an Associate Member in 2018. It is essential, however, that the decision making at Chessington around this decision is procedurally correct. Accordingly, Mr Ali is not involved in the discussion or decision about whether Chessington joins ECED – the non-conflicted other Governors can ask him for information (in his role as Headteacher) but he will not be present for the discussion and decision. Similarly, Ms Hammond and Mr Tan will not be involved as a result of their relationships with ECED.

22. If the decision is to convert, is 1 January realistic? Or is it likely to be after that?

The consultation document talks about conversion happening on or after 1 January – 1 January is the earliest possible date. Whether it is 1 January or later depends upon when decisions are made by the Chessington Governing Body, ECED trustees, and the Secretary of State. It then also depends on how long the implementation takes (such as legal work and integration into some ECED systems such as their finance and banking arrangements).

About ECED

23. Does ECED provide high quality education? Would SEND provision, or support for disadvantaged pupils, be neglected as part of ECED?

Yes, ECED provides high quality education. Grey Court has received an 'Outstanding' judgement at its last two inspections and Hollyfield is judged as 'good'. Both schools have strong outcomes and progress data, including for disadvantaged pupils. SEND provision and support for disadvantaged pupils would certainly not be neglected as part of ECED.

ECED stands for Every Child, Every Day – that is their moral purpose and it is as inclusive as it sounds. The commitment to SEND and to disadvantaged pupils is exceptionally strong. Grey Court hosts part of Strathmore School (a special school in Richmond) on its site and has an additionally resourced provision for pupils with speech, language and communication needs within the school.

24. What is the financial position at ECED?

The 2018/19 accounts are available publicly from ECED or Companies House. One of Mr Ali's priorities in 2019/20 was to improve financial management and control across the trust, using experience gained here as a result of the challenging financial context of Chessington. Academy financial years run from 1 September to 31 August, so the 2019/20 financial year has recently finished. The external audit of the figures will take place in the next few weeks, and that is clearly of considerable interest to the Governing Body. Governors will examine the financial situation very carefully.

25. Do ECED schools follow the national curriculum?

Yes.

Implications of not joining ECED

26. What are the implications if the school decides not to join ECED?

Chessington would remain a community school that is maintained by Kingston Council. The Governing Body could explore whether to join an alternative academy trust, and the Council and / or Department for Education could encourage this approach if they wished to (but they could not force the Governing Body unless Chessington becomes eligible for intervention).

27. Could the relationship with ECED reduce / fall apart if we do not join? Would Mr Ali remain Interim CEO of ECED if the school does not join?

We cannot speak for ECED, but if you collaborate for two years in good faith and then one party decides not to strengthen that, then there is a chance the other party would seek other partners instead. It seems unlikely that ECED would wish Mr Ali to remain as Interim CEO for too long into the future if Chessington has decided not to join.

28. Would Mr Ali remain as Headteacher here if Governors choose not to join ECED despite Mr Ali being in favour of joining?

Mr Ali's commitment is to the school and its pupils. If Governors decide not to join ECED Mr Ali would need to look for other opportunities that could bring similar benefits to the school and its pupils.