
HURWORTH SECONDARY SCHOOL ACADEMY ORDER

**Responsible Cabinet Member – Councillor Cyndi Hughes,
Children and Young People Portfolio**

Responsible Director – Murray Rose, Director of People

SUMMARY REPORT

Purpose of the Report

1. This report informs Members of an Academy Order issued by the Parliamentary Under Secretary of State for Schools regarding the conversion of Hurworth Secondary School from a Community School to Academy status.

Summary

2. The Academies Act (2011) received Royal assent on 27 July 2010. Schools deemed outstanding by Ofsted were enabled by the Act to apply for Academy status. Following consultation, the Governing Body at Hurworth Secondary School made an application. The Academy Order confirms preparations for the school's transfer and requires the Authority to cease to maintain Hurworth Secondary School.

Recommendation

3. It is recommended that :-
 - (a) Members receive the report.
 - (b) The Council resolves to cease to maintain Hurworth Secondary School on its conversion to Academy status.
 - (c) The Council delegates powers to the Director of People to liaise with the Hurworth Governing Body to negotiate and agree the transfer arrangements and arrange a conversion date on or after 1 April 2011, in line with the Secretary of State's direction.

Reasons

4. The recommendation is supported as the Council has been directed to carry out these actions by the Secretary of State for Schools.

**Murray Rose
Director of People**

Background Papers

There are no background papers relevant to this report.

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| S17 Crime and Disorder | There are no issues arising from this report |
| Health and Well Being | There are no issues arising from this report |
| Carbon Impact | There are no issues arising from this report |
| Diversity | There are no issues arising directly from this report. Darlington has a diversity of secondary school provision, including one existing Academy, voluntary aided schools and community schools. |
| Wards Affected | All wards in Darlington |
| Groups Affected | Pupils aged 11-16 and their families |
| Budget and Policy Framework | The Dedicated Schools Grant will be adjusted following Hurworth's conversion to Academy status, consistent with Darlington's <i>Scheme of Financing Schools</i> |
| Key Decision | Yes |
| Urgent Decision | Yes |
| One Darlington: Perfectly Placed | There are no issues arising from this report |
| Efficiency | There are no issues arising from this report |

MAIN REPORT

Information and Analysis

5. The Academies Act (2010) made it possible for more schools to apply to convert to Academy status. Academies have greater freedoms than maintained schools, in that they act as their own Admission Authorities, employ staff directly and have control of their school's land and assets.
6. The Hurworth Academy will be run by an Academy Trust. The DfE will enter into a Funding Agreement with the Academy Trust. Academies are funded directly from the Department for Education although their budget shares are calculated with reference to the *Scheme of Financing Schools* operated in their home Authority. The Authority's Dedicated Schools Grant is reduced accordingly for the number of pupils attending Academies.
7. Academies are not bound to purchase local authority services and an additional element of funding is transferred from the Local Authority budget to Academies, to allow them to buy services (ranging from payroll support to curriculum advisory services) from the open market.
8. When any school converts to Academy status, the Local Authority must transfer all the land and assets to the Academy Trust and staff employed at the school transfer to the employment of the Academy Trust, under TUPE..
9. In the case of Hurworth School, in April 2006, when Hurworth School became a foundation school the premises was transferred to to the Foundation Trust and the staff transferred to become employees of the Governing Body of Hurworth School.
10. The Authority must cease to maintain the predecessor school on its conversion to Academy status. Negotiations have commenced with the DfE and lawyers acting for Hurworth Secondary School regarding Academy status. It is anticipated that a funding agreement can be signed to enable a change of governance on 1 April 2011. Should it be impossible to meet this date, Members may delegate to the Director of People powers to make the necessary arrangements at a mutually convenient time.
11. A copy of the Academy Order is attached to this report as an **Appendix**.

Outcome of Consultation

12. The Governing Body of Hurworth Secondary School consulted with the Authority, parents, the local community and the Parish Council before taking the decision to apply for Academy status.

Financial Consequences

13. On conversion to becoming an Academy, the converting School will receive their School Budget, in accordance with the Darlington Borough Council's funding formula for Schools. In addition to this funding they will receive a Local Authority Central Spend Equivalent Grant (LACSEG). This is paid to academies in recognition of the fact that as independent

schools they no longer receive a number of services from local authorities (LAs), and must make appropriate provision for themselves, which could include purchasing the services back from the Local Authority. The LACSEG, is reduced from the Local Authority's retained Dedicated Schools Grant.