

Academies Consultation Review Scrutiny Report



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CHAIR'S FOREWORD

This report presents the findings of the Academies Consultation Review Panel that has been examining good practice and areas for improvement relating to information and guidance, consultation practices and support generally for those schools that have been through the process of conversion, in the process or currently considering applying for Academy status in the future.

The members of the Academies Consultation Review Group have undertaken a thorough; evidence based review and would like to thank the individuals who have given their valuable time to input into the evidence gathering process.

I would also like to thank the Panel members: Councillor Carole Pattison, Former Councillor Ann Denham and Statutory Co-optee Richard Burge.

Finally, thank you to the Scrutiny Officer Beth Hewitt for the support throughout the review and in compiling the final report.

Former Councillor Beryl Smith
Chair, Academies Consultation Review Sub Group

1. BACKGROUND AND CONTEXT

- 1.1 Following a deputation at Council on 22 June 2011¹, expressing concerns about the consultation process for Academy Schools; Cabinet Member for Children's Services, Councillor Cath Harris, referred the issue to Overview and Scrutiny Management Committee (OSMC) for consideration.
- 1.2 Having sought legal advice, OSMC was clear that the Council had no jurisdiction over the consultation process on the transition to academy status². However, because the Council had a strong strategic role as champion for parents, families and vulnerable pupils and given the amount of parental concerns, including letters and petitions, received by the Director of Children and Young People and Cabinet Portfolio holders about the academy consultation process, OSMC considered it appropriate for Scrutiny to look at the broader consultation issue.
- 1.3 OSMC subsequently referred the item to the Overview and Scrutiny Panel for Children and Young People and recommended that a Panel be set up to undertake a focussed investigation and to establish good practice in respect of consultations for academy status³.

2. TERMS OF REFERENCE

1. To identify good practice and areas for improvement relating to the existing information and guidance and support available to schools considering applying for; or currently in the process of changing to academy status.
2. To identify good practice and areas for improvement relating to consultations carried out by schools considering, applying for; or currently in the process of changing to academy status.
3. To provide practical suggestions to address the areas for improvement in relation to any future guidance and support provided by the local authority and to help improve consultations carried out by schools and governing bodies.
4. To make recommendations, as appropriate.

¹ Council Meeting 22nd June 2011 – Item 7 Questions by members of the public. Question (3) Council received a question in relation to the consultation requirements of schools wishing to achieve academy status.

² Overview & Scrutiny Management Committee 5th July 2011 - Item 8 Scrutiny Referral - Academies Consultation Process

³ Overview & Scrutiny Management Committee 2nd August 2011 - Item 1 Minutes Decision to refer to the Scrutiny Panel for Children and Young People.

3. THE PANEL AND WORKING ARRANGEMENTS

- 3.1 In accordance with the Council's Constitution, the Overview and Scrutiny Management Committee appointed the membership of the Panel as:
- Cllr Beryl Smith (Chair)
 - Cllr Ann Denham
 - Cllr Carole Pattison
 - Richard Burge (Statutory Co-optee Representing the Diocese)
- 3.2 The Panel was supported by Scrutiny Officer Beth Hewitt.
- 3.3 The Panel held a series of meetings between 19 September 2011 and 2 March 2012. The Panel created a survey which was distributed to all teaching and non teaching staff and all school governors in Kirklees. The Panel also held two drop in sessions in North and South Kirklees for people to share their experiences and received evidence via email and letter.
- 3.4 A full list of attendees, contributors to the review are shown on page 45

4. INTRODUCTION

4.1 The Academies Act

- 4.4.1 The Academies Act⁴ came into force in July 2010 with the aim of enabling more schools to benefit from more freedoms and flexibilities. The Act seeks to help schools innovate, raise standards and to help children achieve more.
- 4.1.2 Academy schools are publicly funded independent schools that are free from local authority control. These freedoms include the ability to set their own pay and conditions for staff, freedoms around following the National Curriculum and the ability to change the length of terms and school days.
- 4.1.3 The Act maintains that schools are required to have a curriculum that satisfies the requirements of section 78 of the Education Act 2002⁵ and that secondary schools are required to have an emphasis on a particular subject area. Academies receive the same level of per-pupil funding as they would receive from the local authority if they were a maintained school, plus additional monies to cover the services that are no longer provided to them by the local authority.
- 4.1.4 Whilst the principles of governance are the same in an Academy school as they are in a maintained school; the governing body has greater autonomy. As admissions authority, an Academy is required to set its own admissions policy within the national code and follow the law and guidance on admissions, special educational needs and exclusions as if they were a maintained school.

⁴ The Academies Act 2010

⁵ The Education Act 2002

Academy schools are also responsible for arranging independent appeal panels to consider admission appeals⁶.

- 4.1.5 For schools such as Foundation (and Trust) and Voluntary-aided schools which are already self standing admission authorities there would be little change. Community schools and Voluntary Controlled schools however, would experience significant change.⁷
- 4.1.6 Once an Academy; governors need to ensure that the school is at the heart of the community and collaborate, share facilities and expertise with other schools and the wider community. It is expected that high performing schools that apply for academy status will partner with schools that are performing less well.⁸
- 4.1.7 The decision to apply for academy status rests with each school's Governing Body. Governors must express an interest to the Department for Education (DfE) to convert to an academy. An application can be made to the Secretary of State once all those present at a Governing Body meeting have passed, by a simple majority, a resolution in favour of Academy status. In order for the school to obtain funding the school must establish itself as an Academy Trust and identify the Governors who will sit on the Governing Body.
- 4.1.8 The next stage of the process involves a funding agreement being signed by the Trust and submitted to the Secretary of State for approval. It is important that Governing Bodies complete a consultation with relevant stakeholders before they enter in to the funding agreement⁹ and Governing Bodies will need to be satisfied that a consultation required by legislation has taken place.
- 4.1.9 The Governing Body then has an opportunity to consider the views expressed on whether the school should convert into an Academy. Following this stage the Secretary of State will sign an Academy Order. If the school decides to go ahead, they will be able to withdraw right up until the point that they sign the funding agreement. Once this is signed there is a legally binding agreement between the Secretary of State and the Academy and termination would require a notice of 7 years.¹⁰
- 4.1.10 Schools are free to discuss their plan with local partners including the local authority; however the Academies Act had removed the need for the local authority to approve plans. The requirements for consultation as part of the academy application process are set out in section 5 of the¹¹ and state that:

⁶ The School Admission Code 2012 Application of the Code to Academies, Department of Education.

⁷ Kirklees Guidance April 2011 - Conversion to Academy Status.

⁸ Department of Education. (2011). Special Schools and Academies FAQs. Available: <http://www.education.gov.uk/a00205165/special-schools-and-academies#faq2>. Last accessed 8th May 2012.

⁹ Department of Education. (2011). DfE Guide to Becoming an Academy. Available: <http://www.education-advisors.com/wp-content/uploads/2011/04/A-guide-to-becoming-an-academy-DfE1.pdf>. Last accessed 8th May 2012.

¹⁰ Department of Education. (2011). Can we withdraw from the conversion process? FAQs. Available: <http://www.education.gov.uk/a00205165/special-schools-and-academies#faq2>. Last accessed 8th May 2012.

¹¹ Academies Act 2010 c.32 Section 5 Conversion of schools into Academies.

1. *Before a maintained school in England is converted into an Academy, the school's governing body must consult with such persons as they think appropriate.*
2. *The consultation must be on the question of whether the school should be converted into an Academy.*
3. *The consultation may take place before or after an Academy order, or an application for an Academy order, has been made in respect of the school.*

4.1.11 There is no statutory requirement to consult parents and the school's governing body will determine who it considers appropriate consultees. As an employer of school staff, there is a need for a Transfer of Undertakings (Protection of Employment) Regulations (TUPE) consultation with all staff (teaching and non teaching) and Unions as part of a staff transfer process.¹²

4.2 Consultations and the Law

4.2.1 In Law there is no general duty to consult¹³, however a duty to consult can arise from the expectation or promise that there will be a consultation prior to a decision being taken and this is often based on a past practice of consultation. The most commonly cited statement relating to the duty to consult relates to the common law duty set out by the Judge, Lord, Justice, Stephen Sedley QC. The so-called 'Sedley Requirements'¹⁴ state that:

- a) *That consultation is undertaken when proposals are still in a formative stage*
- b) *That adequate information is given to enable consultees properly to respond;*
- c) *That adequate time is provided in which to respond; and*
- d) *That the decision-maker gives conscientious consideration to the response to the consultation.*

4.2.2 Whilst the Sedley requirements are commonly cited as the leading statement on the duty to consult, they are not the only possible formulation. The nature of consultations is that they vary from case to case. There are no rules on the amount of consultation and courts will always take a holistic approach when assessing which consultations have satisfied the decision-makers obligations to consult.¹³

4.3 Consulting with Young People

4.3.1 Under section 176 of the Education Act 2002¹⁵, Local Authorities and Governing Bodies are under a duty to consult pupils on any proposed changes

¹² Department of Education (2010) What are Academies? Briefing note June 2010.

¹³ Auburn, J. (2007). *Consultation*. Available: www.4-5.co.uk/uploads/docs/.../JRconferencepaperConsultation.doc. Last accessed 8th May 2012.

¹⁴ The Submissions of Stephen Sedley QC were made in the case of R v Brent London Borough Council, ex parte Gunning (1986).

to local schools. Whilst there are no specific ways to involve children and young people in decision making processes, there are some key principles¹⁶ that set out how to involve children and young people which can assist school governors when considering activities to encourage children and young people to be involved.

4.3.2 These principles include that there should be:

- A clear and visible commitment to involving children and young people with a route map of how to make it happen.
- That children and young people involvement is valued
- That children and young people have equality of opportunity to be involved.
- That children and young people participation and involvement are continually evaluated and reviewed.
- That there is an agreed quality standard for working with children and young people.

4.4 Contributor Viewpoints

4.4.1 The Panel considered evidence from a range of contributors including; school governors, teaching and non teaching staff, the public, councillors, the assistant Director for Learning Kirklees, Union representatives and representatives of the Diocese of Wakefield.

4.5 Kirklees Council

4.5.1 Kirklees Council states it has a clear role as the strategic commissioner of the learning system and is committed to working closely with all schools in the Borough to ensure that provision is strategically planned in partnership.

4.5.2 Building on the strong family of schools in the Borough, Kirklees Council wants to emphasise the benefits of collaboration and partnership in raising attainment for all pupils and meeting the needs of vulnerable children, as well as addressing wider societal need.

4.5.3 Kirklees Council states that it actively promotes the full range of maintained school options, including supporting the development of Trust Schools and that it considers each Academy Conversion and or Free School proposal on its merits and respond to the Department of Education Consultation accordingly.

4.5.4 Kirklees Council supports schools taking on greater autonomy and accountability and wishes to constructively engage with those schools in the process of considering Academy conversion to ensure that these significant decisions can be taken in full knowledge of all relevant factors.⁷

4.5.5 There are several implications for the Council on Academy conversions these include that⁷:

¹⁵ Education Act 2002 Part ii, General duties of LEAs and Governing bodies, Section 176.
Consultation with Pupils.

¹⁶ Department of Education (2004) Public Participation Guidance: Working Together – “Giving Children & Young People a Say”

- Kirklees Council has an absolute duty to meet the needs of all children and raise their aspirations in all aspects of their lives and has to maintain good working partnerships with all types of schools in the area.
- Kirklees Council is mindful that funding arrangements for Academy schools will result in reduction in the Council's central resources to sustain a range of services for pupils in maintained schools in Kirklees and that this is likely to have a greater impact on those who are most at risk or vulnerable.

4.5.6 Kirklees Council hopes that Academy schools will continue to buy into a range of value for money Council services to support the provision for all children and young people in the Borough. Where Governing Bodies make the decision to convert, Kirklees Council would want to work with that school to ensure that there is a smooth transition; that will maintain quality and confidence and safeguard the interests of pupils and families.

4.5.7 Cabinet Member for Children's Services, Councillor Cath Harris, echoed the views put forward by the Assistant Director for Learning, adding that there was generally a misconception with the public with regards to the role that the Local Authority plays in a Governing Bodies decision to convert to Academy status. Specifically that the public believe that the Council can intervene in the process or decision when it can not.

4.6 Kirklees Councillors

4.6.1 All Councillors were given the opportunity to contribute to the scrutiny review, however it should be noted that some councillors that contributed were also school governors and/or parents. Therefore, Councillor views in their capacity of school governors and/or parents have been captured in the relevant sections relating to public opinion and school governor sections.

4.7 Unions

4.7.1 The Panel met with representatives from five Unions on the 13 January 2012. The general viewpoint from Unions is that academy conversion is an irreversible process that has far reaching consequences for pupils, staff and the wider community and is therefore not a decision that should be taken lightly or taken by a small group of governors acting without the support of key stakeholders in the school.

4.7.2 Unions believe that in addition to the provision contained in the Academies Act, governing bodies have a common law duty in respect of consultations. Unions argue that parents and staff have a 'legitimate expectation' of being consulted. This common law duty of consultation has been set out at page 8.

4.8 The Wakefield Diocese

4.8.1 The Panel met with Reverend Canon Wildey a representative from the Diocese of Wakefield on the 8 December 2011. The Church of England has a long history of delivering education in the communities covered by Kirklees Council. A third of all primary schools in the authority are Church of England

Voluntary Aided or Controlled and they educate a similar proportion of all primary age pupils.

- 4.8.2 The Wakefield Diocese works with four local authorities including: Kirklees, Calderdale, Barnsley and Wakefield, which includes approximately 100 schools. The Diocese neither encourages nor discourages schools to convert to Academy status, but whenever a school considers doing so, the Diocese will support the schools to deliver education within a Christian context.

4.9 Other Contributors

- 4.9.1 Evidence from school governors, teaching and non-teaching staff and the public was gathered via a number of methods. This included an online survey and two drop-in sessions. The public was also provided with the opportunity to submit evidence via email and letter or via the phone. A summary of these findings can be found within each of the sections relating to **information, guidance, consultation** and **support**.

5. EVIDENCE RECEIVED

- 5.1 The following sections of the report will set out the evidence received for each of the terms of reference. **Terms of Reference 1** has been split into **part a.** and **part b.** to outline first evidence around **information and guidance** and then to outline **support** generally. **Terms of reference 2** will outline evidence relating to **consultations**. Each of these areas is followed by **Terms of Reference 3** which outlines practical suggestions and Panel views.
- 5.2 **Terms of reference 3** outlines the final Review Panel recommendations which are documented in full on pages 42-43.

6. TERM OF REFERENCE 1 (part a.)

To identify good practice and areas for improvement relating to the existing **information and guidance** and support available to schools considering applying for; or currently in the process of changing to academy status.

6.1 Information and Guidance

- 6.1.1 The Panel spoke with a wide range of witnesses about information and guidance. The Panel spoke with both those who had received information and guidance as part of a schools consideration of converting to Academy school status and those who had not yet been through the process. This was felt important to allow comparison of expectations relating to information and guidance and the actual experience of those who had been through the process to date.
- 6.1.2 The Panel considered the different types of information required by different groups, including; parents and the wider community, teaching and non teaching staff and governors. As part of this consideration the Panel discussed the information and guidance with the Assistant Director for Learning for Kirklees, Unions, Cabinet Members, Councillors and a representative of the Diocese.

6.1.3 The Panel considered different aspects of information and guidance including:

- The information available from Kirklees Council
- The information provided by schools and governing bodies to members of the public
- The format and accessibility of information
- The range of information available
- The range of information and guidance expected

6.2 Kirklees Council Information and Guidance

6.2.1 The Panel considered the information and guidance that was available from Kirklees Council on Academy Conversions for all stakeholders. This included the main guidance document 'Conversion to Academy Status' as well the portfolio of Traded Learning Services for Academies¹⁷.

6.3 *Conversion to Academy Status – Kirklees Guidance Document*

6.3.1 The Kirklees guidance document is an 83 page document that covers a wide range of issues. In the opening paragraphs the guidance states that *"the purpose of the guidance is to provide a broad analysis of the complex issues that governing bodies need to consider when making the difficult decision about whether they wish to achieve Academy status"*

6.3.2 Information contained in the documents introductory pages includes information relating to:

- The Kirklees Council position statement
- The Government statement that becoming an academy should not bring about financial advantages or disadvantages to a school, and that academy schools have greater freedoms on how they use their budgets.⁸
- That the funding arrangement for academy schools would result in a reduction in the local authorities central resources to sustain a range of services for pupils in maintained schools across Kirklees.
- That the change in status brings about a change in the statutory relationship with Kirklees and additional responsibilities.
- That the change in status requires schools to manage a number of risks that were previously protected by Kirklees. E.g. industrial tribunals, building emergencies etc.

6.3.3 The frequently asked questions section of the document includes questions relating to the benefits and risks of becoming an Academy. As well as questions relating to additional responsibilities; Traded Services, Special Educational Needs Provision (SEN) and behavioural support services, free school meal eligibility and assessment, pensions, Public Private Partnership Schools (PPP Schools) and admissions. The section also includes questions about consultations, how they should be carried out and what considerations need to be taken.

¹⁷ Portfolio of Traded Services to Academies 2012/13

6.3.4 The remainder of the document includes the following documents and information⁷:

- Guide to Pensions¹⁸
- Local Government Pension Scheme – DfE Briefing note¹⁹
- DfE Guide to Becoming an Academy: DfE Nov 2010⁹
- Portfolio of Traded Services to schools²⁰
- DfE Preliminary advice on funding²¹
- Personnel and Payroll Services and Risks
- Insurance Guidance²²
- What are Academies: DfE¹²
- Kirklees Academies Information²³
- Financial issues for schools contemplating academy conversion
- DfE Guidance: Consultation on Alterations to Schools.²⁴

6.3.5 The Kirklees guidance also signposts to other recommended documents and information as well as a contact list for the Kirklees School Organisation and Planning Team.

6.3.6 John Edwards, Assistant Director for Learning, said there were no plans to do a major rewrite of the Kirklees guidance document, but that there were expected updates on the information relating to Private Finance Initiative (PFI) Schools, pensions and traded services. The Panel heard that the guidance had been sent to all governing bodies electronically.

6.4 The Portfolio of Traded Services for Academies

6.4.1 The Portfolio of Traded Services¹⁷ for Academies is a brochure that is sent exclusively to all Academy schools in Kirklees. The Academy school funding arrangement and financial year are different to schools under the local authorities remit and the portfolio aims to support Academies to manage these differences.

6.4.2 The portfolio is a comprehensive document that includes a wide range of information regarding the services currently on offer from Kirklees Council. It provides a list of statutory requirements that do not need to be bought from Kirklees but that schools need to demonstrate compliance with if bought from another provider.

¹⁸ Teacher's Pensions, The New Academy: Helping You Meet Your Obligations.

¹⁹ Department of Education (2010) Local Government Pensions Scheme. DfE Briefing

²⁰ Portfolio of Traded Services to Schools 2011-12

²¹ Department of Education. (2011). Preliminary advice on funding to maintained schools considering conversion to academies. Available:

<http://www.education.gov.uk/b00204848/academy-funding>. Last accessed 8th May 2012.

²² Department of Education. (2010). Insurance arrangements for academies converting from maintained schools.. Available: <http://www.education.gov.uk/b00205154/supporting-documents-for-schools-converting-to-academies/insurance-arrangements-for-academies-converting-from-maintained-schools>. Last accessed 8th May 2012.

²³ Kirklees Council (2010) Academies Information for Schools.

²⁴ Department of Education, Guidance: Consultation on Alterations to Schools.

- 6.4.3 The Assistant Director for Learning, John Edwards stated that the council had effectively promoted the services it could provide to Academy Schools and suggestions from schools on what else could be included in the portfolio were always welcome and would be considered and added if there was a need to do so.
- 6.4.4 Cabinet Member for Children Services, Councillor Cath Harris explained that the guidance had been provided to all schools and that it was particularly important that Governing Bodies were aware of the finer details that came with converting to Academy status. Such as, there was no formal mechanism for schools converting to Academy status to revert back to Local Authority School control and that a minimum of seven years was needed to elapse before schools could consider this.
- 6.4.5 Cllr Harris stated that it was important that governing bodies explored some of the circumstances that a school could find itself in and the implications of these circumstances if the school was to convert to Academy status. This included events such as; a fire, finding funds for repair and maintenance, insurances, legal actions and understanding the costs of buying in some services.

6.5 Councillors

- 6.5.1 Councillors who provided information to the Panel reiterated the need for guidance and information to be provided on both the pros and cons of converting to Academy status. It was also stated that information should be available in community languages so as to remove any barriers to understanding.
- 6.5.2 Councillors believed there was a need for governing bodies to provide information on a range of options and not just Academy status and that this information should be well balanced. Councillors highlighted instances where feedback from the consultations had been presented in a frequently asked questions format on a school website and whilst this was helpful, it was felt that there needed to be an arena to have in depth discussions about issues.
- 6.5.3 Councillors stated they were aware of information being distributed via letters being sent home with pupils in their school bags. Other information sharing methods included; drop in sessions, the school website and public meetings.
- 6.5.4 Councillors were concerned that despite the academy guidance stating financial incentive should not be a reason in itself to convert to Academy status; arguments presented to stakeholders on the reason to convert often had a financial element to them.

6.6 Unions

- 6.6.1 Unions felt the guidance that had been provided by Kirklees Council to schools was thorough and helpful, but that the legal requirement to consult was vague and left schools and governing bodies free to establish their own protocols.

- 6.6.2 Unions acknowledged that the guidance suggests a number of different ways for governing bodies to engage with local communities and staff, but that the ultimate method employed by schools was down to preference.
- 6.6.3 Whilst Unions acknowledged the guidance provided by Kirklees Council was helpful, they stated they had not experienced any schools to date having followed the guidance completely. Unions stated that whilst information and guidance produced by Kirklees states consideration to change shouldn't be based on any financial gain, there were still schools that had made the decision based on financial incentive.
- 6.6.4 Unions were cautious around the validity of information and guidance that was produced for school governors on which some school governors would make a decision and believed some information and guidance was produced with a specific viewpoint for a specific outcome, e.g. to support or discount a view.
- 6.6.5 Unions were also concerned that school governors needed to be aware of specific situations that could affect a school once they were no longer under local authority control. Unions accepted that this was difficult to predict because the circumstances were to an extent an unknown entity that would only become apparent once they happened e.g. if there was a fire, or storm damage, or the costs relating to ICT, site licences and insurances; which would be significantly greater for an Academy School due to the differences in the economies of scale when compared with maintained schools.
- 6.6.6 Unions believed that 'meaningful consultation' involved having information, guidance and written material available to all stakeholders; ensuring that the case against Academy status had equal prominence and the same weight as any arguments in favour.
- 6.6.7 Unions stated that where a significant number of people affected by the proposals did not speak English, it would be good practice to provide a version of the consultation document in the principal language of those likely to be affected by the proposals.
- 6.6.8 Unions felt there needed to be a 'timetable' outlining the key milestones in the consultation period that would give people time to consider and weigh up all options. Unions also felt it was good practice for schools to publish outcomes of their consultation on their school websites.

6.7 Diocese

- 6.7.1 Reverend Canon Wildey of Wakefield Diocese outlined for the Panel the information and guidance that the Diocese would share with those school governors that had requested information about converting to Academy status. This included that governors should consider:
- The financial implications and 'freedoms' of becoming an Academy,
 - The future vision and values of the school,
 - The educational and community benefits of becoming an Academy and whether it would be in the best of interests of the school and community,
 - How the school would provide an inclusive offer as an Academy School,

- The feelings of all staff and parents,
- Identifying all key stakeholders and going into the communities and consulting as widely as possible. Including; parents, neighbouring schools, preschools, shop-owners, local businesses and community groups,
- Inviting anyone that the conversion would impact to comment.

6.7.2 The Diocese felt it would be helpful for schools to provide a simple document that outlined an unbiased rationale both for and against academies conversion and believed any information provided by the local authority should be factual, non-biased and non-political.

7. Survey Responses - Information and Guidance

7.1 Depending on the respondent type – respondents were asked one of the following questions relating to information and guidance:

- **What information and guidance did you receive about your school converting to academy status and to aid planning on whether to consult on converting to academy status?** (school governors that had been through the process)
- **What information and guidance would be helpful when planning on whether to consult on converting to academy status?** (all school governors)
- **What information and guidance did you receive about your school converting to academy status?** (teaching and non teaching staff that had been through the process.)
- **What information and guidance would be helpful to you about your school converting to academy status and or your school planning to convert?** (all teaching and non teaching staff)
- **What information and guidance did you receive about your school converting to academy status and or your school planning to convert?** (public that had been through the process)

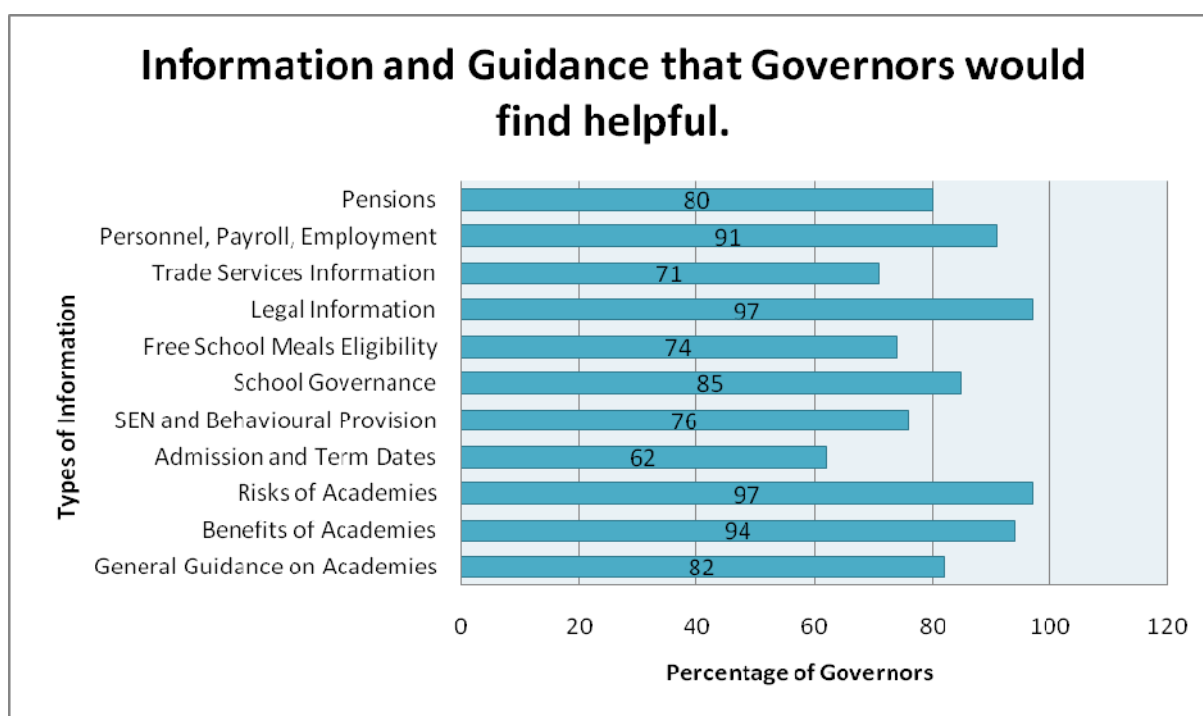
7.2 School governor opinion

7.2.1 Theme: Need for helpful independent, information and guidance.

7.2.2 References were made about the need for school governors to have as much information as possible in order to make informed decisions based on an individual school circumstance. Governors were clear that they wanted to be provided with information relating to both the pros and cons of becoming an Academy and that this should include the risks and benefits.

“I think Governing Bodies considering Academy status should have all the information that is relevant to the decision...Governors also need to have guidance about considering the medium term as well as the immediate consequences of the decision.”

7.2.3 A few governors stated that all of the information and guidance highlighted in the graph below should be made available to them when making their decision.



Results from Online Survey sent to all school governors in Kirklees December 2011 of which there were 34 responses.

7.2.4 Other information and guidance identified as being useful included:

- the effects of Academies on other neighbouring schools,
- understanding where to get legal support in case of disputes and challenges (to the consultation),
- understanding those services that would be provided by Kirklees Council,
- information relating to Church Schools,
- transferring contracts of employment,
- information relating to changing term times, the school day and curriculum and;
- the statutory responsibilities of an Academy school.

7.2.5 A few references were made about the need for access to independent advice rather than from a specific perspective, with one governor stating that they felt it was the role of Kirklees Council to make parents aware of the risks and benefits of a school converting to academy status and what this would mean for the education of the pupils.

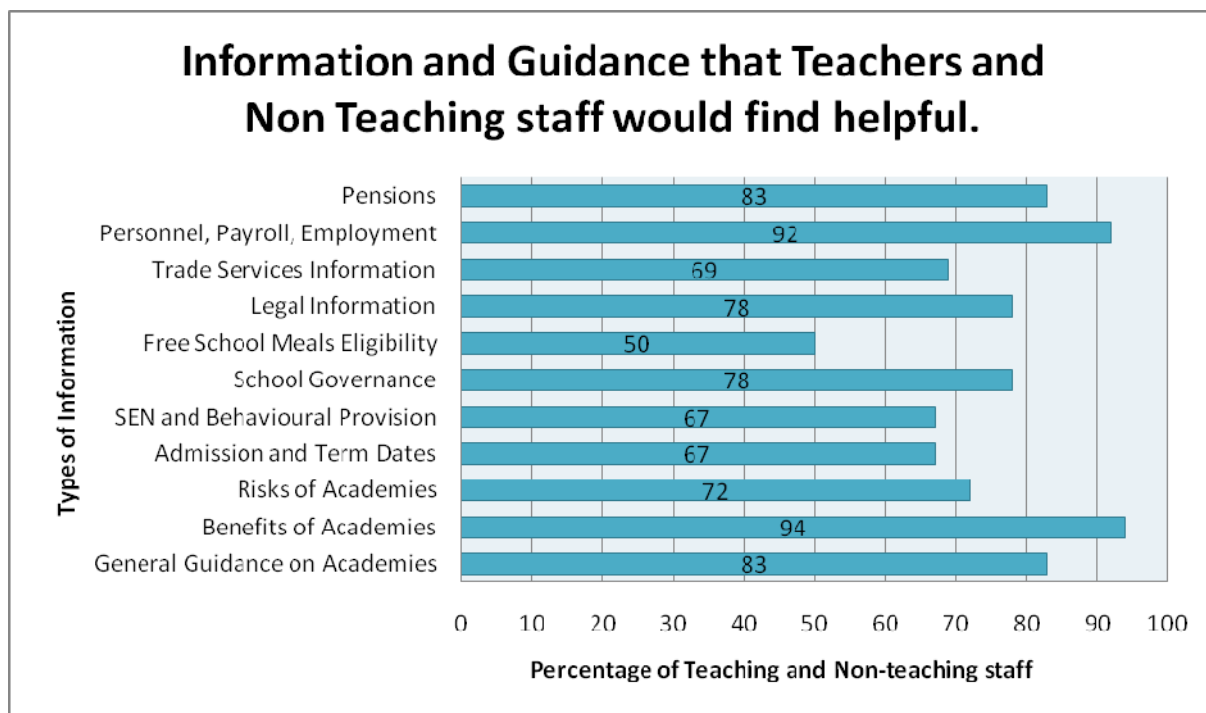
7.3 Teacher opinion

7.3.1 Theme: Concerns over jobs and employment

7.3.2 The majority of responses from teachers were focussed towards receiving information and guidance relating to their employment. This included the need for information relating to TUPE, pay and conditions, staff recruitment and retention and job security should the school choose to convert to Academy status.

7.3.3 Theme: Non bias Information

7.3.4 Some teachers felt the information they had received had been bias either for or against conversion to Academy Status and that it was important that information was presented in a balanced way. One teacher stated that parents needed to be made aware of the risks and the benefits to their child's education.



Results from survey sent to all teaching and non teaching staff in Kirklees. December 2011. Of which there were 36 responses.

7.3.5 Some teachers commented that it would be helpful to have access to all of the information highlighted in the graphs above as well as relating to:

- Term times dates
- The school day
- The curriculum

7.3.6 One teacher stated:

“The process is daunting for any school, but especially a school that is not outstanding. A single site resource with absolutely up to date and accurate details about criteria process and support – almost an ‘Idiots Guide’ would be appreciated.”

7.4 Public opinion

7.4.1 Theme: Lack of Information for Public

7.4.2 There was a low response rate of the public completing this part of the survey making it hard to make any generalisations. However, one member of the public stated they had not received any information referenced in the graph above and a second member of the public stated:

“Even though the school was in the local area, other parents from the area were ignored and any information about the school becoming an Academy was sent out selectively.”

7.4.3 Depending on the respondent type – respondents were asked one of the following questions relating to the format of information and guidance:

- **In what format was information and guidance provided to you about your school considering converting to academy status and about any consultation process?** (school governors that had been through process)
- **In what format do you believe information should be presented to you about academies, your school converting to academy status and any consultation process?** (all school governors)
- **In what format was information and guidance provided to you about academies, your school considering converting to academy status and about any consultation process?** (teaching and non teaching staff that have been through process)
- **In what format do you believe information should be presented to you about academies, your school converting to academy status and any consultation process?** (all teachers)
- **In what format was information and guidance provided to you about academies, your school considering converting to academy status and about any consultation process?** (Public that had been through the process)

7.5 School Governors

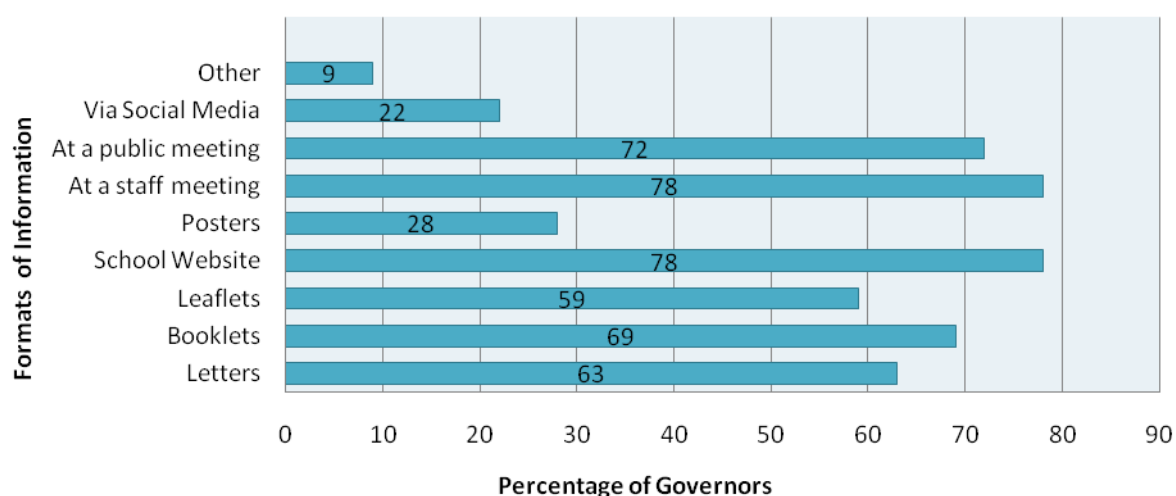
7.5.1 Theme: The need for a wide range of formats in community languages and Braille.

7.5.2 Many governors felt it would be beneficial for information and guidance to (where necessary) be presented in community languages and or audio and Braille so as not to exclude anyone from the consultation. It was felt that this should be extended to having community translators attend public meetings when important information was being discussed.

“Preferable to consult in community language formats...preferably public meetings with community language translators present to follow-up invites, which also need to be in community languages,”

7.5.3 Governors felt the format of information should include all those identified in the graphs overleaf, allowing for as wide an engagement in the process as possible. It was also felt useful to involve the local media.

Formats of Information that Governors would find helpful.



Results from online survey sent to all School governors in Kirklees, December 2011. Of which there were 34 responses.

7.5.4 One Governor stated:

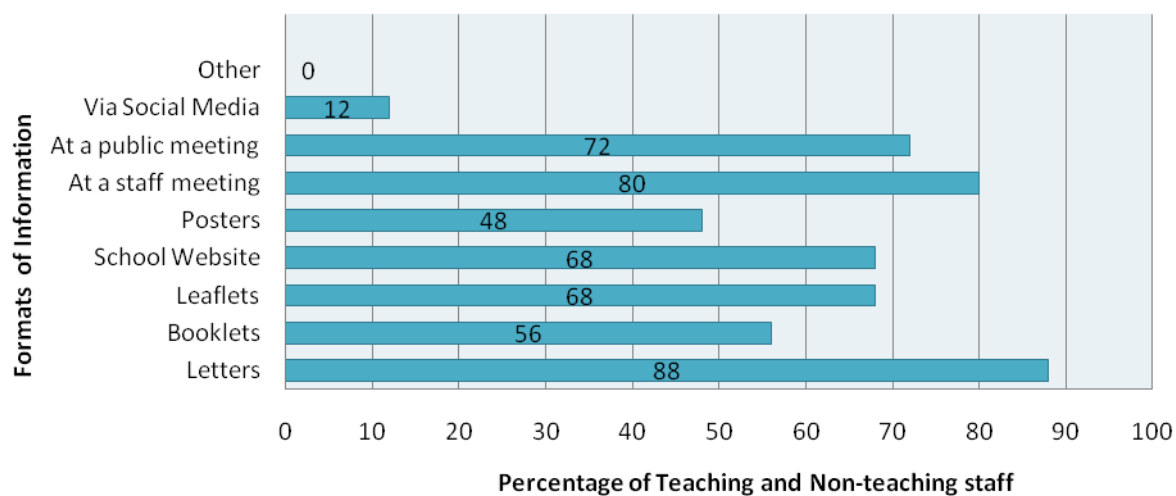
“There cannot be too many formats on the amount of channels used to get information around.”

7.6 Teacher opinion

7.6.1 For those teachers that had experienced and been through the process, the majority of them stated that they had received information via email and through conversations with the head teacher. One teacher stated that information was available on staff notice boards and another stated that they had done some personal research via the internet about potential sponsors and Trust schools.

7.6.2 Theme: Need for a wide range of formats in community languages, audio and Braille.

Formats of Information that Teachers and Non-teaching staff would find helpful.



Results from online survey sent to all teaching and non teaching staff in Kirklees, December 2011. Of which there were 36 responses.

7.6.3 For teachers that had not been through the process, the majority highlighted the need for written letters and staff meetings. Teachers also felt information should come in as many formats as possible, giving references to those in the graph above. It is interesting to note that, teachers who had not been through the process did not identify email as a method of how they would like to receive information, despite this being the main way in which information was distributed to those teachers that had been through the process.

“All paths are needed formally, as [we] need it written on paper. Staff meeting[s] so that you know who is representing you and their motives and, personally, [so] that any individual roles/issues can be addressed.”

7.6.4 Theme: Need for access to union representatives

7.6.5 Teachers felt it was important that they had access to union representatives both before and throughout the process.

7.7 Public opinion

7.7.1 Only one member who had been through the process completed this section of the survey, however they identified the following formats as a way to find information about conversion to Academy Status:

- The school website
- At a public meeting
- Via social media

7.7.2 Theme: Information and guidance should be available to the wider community.

7.7.3 There was a feeling that information should to be shared with the wider community not just parents whose children attended the school considering conversion to Academy status. One member of the public stated.

“I feel all households within a 3 mile radius should have received a booklet in their homes...”

7.8 Depending on the respondent type – respondents were asked one of the following questions relating to how people were kept informed, updated and involved in the consultation process.

- **Were comments and concerns received during the consultation addressed before the end of the consultation period?** (school governors that had been through the process)
- **How did you find out about your schools consideration to convert to academy status?** (teaching and non teaching staff that had been through the process)
- **Did you feel involved and updated about the proposals at all stages of the academy consultation process?** (teaching and non teaching staff that had been through process)
- **Was time allocated in the consultation process to address comments and concerns?** (teaching and non teaching staff that had been through process)
- **How did you find out about your schools consideration to convert to academy status?** (Public that had been through the process)
- **Did you feel involved and updated about the proposals at all stages of the academy consultation process?** (Public that had been through the process)

NB: Only respondents that had been through the process were asked these questions.

7.9 School Governors

7.9.1 Theme: Need time to respond to the comments and concerns

7.9.2 Only one school governor responded to this section of the survey so it is not possible to draw a conclusion; however the respondent stated that all comments and concerns were addressed before the end of the consultation period.

7.10 Teaching and non-teaching staff

7.10.1 The majority of teaching and non teaching staff found out about their schools consideration to convert to Academy status via the head teachers and at dedicated staff meetings. A smaller number of staff found out via email. Only one respondent was informed by the Governing Body.

7.10.2 Theme: Schools experiencing mixed consultation practices.

7.10.3 There was mixed opinion relating to whether teachers and non teaching staff were involved and updated through various stages of the Academy

consultation process. Some respondents felt there had been a lot of information that was clear and that staff had been involved and updated throughout via meetings, the school website and through unions. Whilst others felt they were just told what was going to happen and that the final decision had been made without the ability to influence it.

"It seemed like a done deal and my opinion counted for nothing."

"Staff were involved at every stage of the process and informed of the outcomes..."

7.10.4 Theme: Important to set aside time to respond to comments and concerns.

7.10.5 When asked whether specific time had been set aside in the consultation process to address the questions and concerns of teaching and non-teaching staff, 100% of respondents stated that their views had been considered and that specific meetings had been scheduled to do this. Some respondents stated that there was an open door policy and that there was opportunity to raise questions with senior staff, governors and unions throughout.

7.10.6 Only one respondent was unhappy with the timeframe for addressing the comments and concerns of the consultation stating:

"The responses were quite sometime after the initial consultation which allowed for wild rumors to spread before further meetings [were able to] allay these fears"

7.11 Public Opinion

7.11.1 Theme: The wider community were not aware of consideration to convert to Academy status.

7.11.2 Members of the public felt local people had not received any information from the school considering conversion to Academy status. Where members of the public had received information they felt it was too late in to the consultation process to be positively able to contribute. One member of the public stated that they only found out about the decision in the press, after it had been made.

7.11.3 When asked if the public felt involved and updated in the consultation period, all respondents stated that the school had not consulted with other local schools or the locality generally. The public felt schools were selective in who they consulted with. One respondent stated that they had submitted questions and concerns but that they remained unanswered.

"As a person living less than a mile away, I did not feel the school considered its immediate catchment area. Concerns were sent to the Governing Body but I received no reply."

8. TERM OF REFERENCE 3

To identify good practice and areas for improvement relating to the existing **information and guidance** and support available to schools considering applying for; or currently in the process of changing to academy status.

Views and Practical Suggestions

8.1 Panel Views and Practical Suggestions

Information and Guidance

- The Panel feel interested parties need to have a wide range of information in order to have a chance to develop an informed view and influence the decision to be taken by School Governors. At the very minimum, this information should include:
 - benefits and risks of becoming an academy
 - information on Traded Services for academies
 - information relating to personnel, payroll, pensions and employment
 - admission, term times, school day and curriculum arrangements
 - changes to school governance arrangements
 - legal costs of conversion
 - information relating to insurances
 - information relating to free school meal eligibility
 - SEN provision and behavioural services
 - general guidance for schools considering converting to academy status
 - timetable of key milestones for the consultation process.
- As well as the information outlined above the Panel felt it was important that the guidance provided to school governors needed to make clear that there were a wide range of circumstances that could impact on a school once a school had converted which could have specific implications e.g. fires, damage to buildings etc. And that these potential circumstances needed to be taken in to consideration as part of a decision to convert to Academy status.
- The Panel believe financial incentive should not be a primary reason for conversion to Academy status and school governors needed to be clear and realistic about the actual financial impact of converting to an Academy.
- The Panel felt that the Conversion to Academy Status - Kirklees Guidance was extremely thorough and included a wealth of information; however it was not felt particularly easy to navigate. This was compounded by the guidance having information drawn from a number of different resources and being presented in a number of different fonts. The Panel believe a refresh of the guidance would make the guidance more user-friendly. The Panel also felt care was needed to ensure that some of the URL links to external websites and resources were not broken.

Panel Views and Practical Suggestions Continued

- The Panel believe the duty to consult pupils on proposed changes is an extremely important part of the consultation process but that information on this requirement is lost within the whole body of the guidance.
- The Panel welcomed plans to revisit and update the guidance relating to PFI schools, pensions and Traded Services, but felt information about the School Organisation Planning Team needed to be more prominent in the guidance especially the contact details; as advice to contact the team as early as possible was lost in the guidance.
- The Panel felt the Traded Learning Portfolio was an excellent resource that was well presented and easy to navigate and that this should continue to be presented to governors at appropriate opportunities.
- Given the large number of responses from witnesses and respondents to the survey relating to the need for unbiased information, the Panel believe there was a need for stakeholders to have access to independent advice and guidance before, throughout and after the consultation period.
- The Panel believe all information provided, needed to be balanced and impartial and available in community languages, Braille and audio where there was a clear need to do so; translators also needed to be available for public meetings; again when there was a clear need to do so.
- The Panel feel information and guidance should be available in a wide range of formats including:
 - Letters
 - Staff Meetings
 - Public Meetings
 - School Website
- The Panel believe it would be helpful for all stakeholders, if a standardised template/timetable was produced which clearly outlined the various stages and dates of the consultation period and the date when the final decision was to be taken. This would allow stakeholders to have ample time to contribute, ask questions and ultimately influence the final decision taken by governors.
- The Panel feel governors would benefit from a step by step guidance document which outlines how to approach consultation and that this could include exemplar material which could be tailored to the needs of individual schools.

9. TERM OF REFERENCE 1 (part b)

To identify good practice and areas for improvement relating to the existing information and guidance and **support** available to schools considering applying for; or currently in the process of changing to academy status.

9.1 Support

9.1.1 Kirklees Council

9.1.2 The School Organisation & Planning Team are the first point of contact for schools considering a change to Academy status. Schools are asked to contact the team at the earliest opportunity to ensure that the Council can co-ordinate the engagement and provide the best possible technical support and guidance to the school, as well as providing an opportunity to speak with the Governing Body.

9.1.2 Cabinet Member for Children's Services, Cllr Harris stated that support was available from council officers within the Children's Service for Governing Bodies and Schools who were considering going through the process; and that council officers had attended forums to ensure governors were aware of information on both the pros and cons of conversion to Academy status and the support available generally.

9.2 Councillors

9.2.1 Councillors felt that it was very important that governors were supported and felt able to initiate the discussions about academy conversion and that they were ultimately able to make any decision without pressure from head teachers. They felt it would be beneficial for Governing Bodies to have assistance from an independent body that would be able to share a balanced view on both the pros and cons of Academy conversion and that there was merit in supporting Governing Bodies to understand the full breadth of other options available to them e.g. becoming a Trust school.

9.3 Unions

9.3.1 Unions believe school staff should be supported and encouraged to engage in the process; feeling free to raise concerns and that there should be no attempt by anyone to discourage open debate and discussion.

9.3.2 Unions stated that Governing Bodies should be supported and encouraged to initiate the process with a full and frank debate, inviting speakers both for and against the proposals to attend meetings being led by governors and not by council employees (head teachers).

9.4.3 Unions felt governors needed to be supported to fully understand the implications and responsibilities of converting to academy status, before making a final judgement.

9.4.4 Unions stated that the TUPE process was complex and that there needed to be a timetable agreed with Trade Unions around staff transfers. This would allow Trade Unions to meet with their members in advance and work through any issues with the school and the council prior to any conversion.

10. Survey Responses – Support

10.1 Depending on the respondent type – respondents were asked one of the following questions relating to the support provided during the Academy consultation process or the support that would be considered helpful when going through the process:

- **What kind of support was/should be available when developing the consultation process?** (School governors, teachers, public that have and have not been through the process.)
- **What kind of support would have been/would be helpful to help consult parents, pupils, staff and communities?** (School governors, teachers, public that have and haven't been through the process.)

10.2 School Governors

10.2.1 There was a wide range of responses to what support would be helpful when preparing for and to assist in the consultation period. This included;

- support with legalities,
- understanding the responsibilities of school governors in the process,
- support with equality duties and;
- understanding the short, medium and long term implications of converting to Academy status.

10.3 Theme: General support for governors.

10.3.1 Governors felt there should be general support to help them carry out as wide a consultation as possible and to assist them in analysing the pros and cons of academy conversion and to understand the process in detail.

“A decision to go to Academy status is a major one...As a Governor; I would want support in analysing the pros and cons, especially the significant additional responsibilities placed on governors.”

10.3.2 Theme: The need for a dedicated team.

10.3.3 A large majority of the governors stated that they would find it helpful if they had access to a dedicated team to refer questions to.

10.3.4 Theme: Creation of ‘Buddy Schools’.

10.3.5 A large majority of governors stated they would like to have support from schools, governors and teachers that had already been through the process.

10.3.6 Theme: Sample information and guidance.

10.3.7 Governors felt it would be helpful to have access to exemplar letters, leaflets and timetables that could be tailored to individual school needs and which would assist them to prepare quality documentation for all stakeholders.

“A dedicated team to refer to...access to documents prepared. Experiences by other schools that have already converted.”

10.3.8 Theme: Independent council representative.

10.3.9 Some governors stated that it would be helpful if there was an independent council representative who could assist with the chairing of meetings to ensure that meetings were not one-sided.

“Having someone external to the school to chair meetings and to avoid any bias.”

10.3.10 Theme: The need for question and answer sessions.

10.3.11A few governors stated it was important that there were dedicated question and answer sessions, both for governors and wider stakeholders.

10.4 Teachers and non-teaching staff

10.4.1 Like governors, the teaching and non-teaching staff surveyed provided a range of responses relating to the support they would find helpful during consultation periods. Specific reference was mentioned around understanding the effects on employment, if a school chose to convert. It was also made clear that all school staff needed to be consulted not just teaching staff.

10.4.2 Understanding the change in partnership between Kirklees Council and the school was also highlighted as important as well as the benefits and risks involved in converting to Academy status. A small number of staff stated it would be helpful to understand the legal implications of conversion and that there needed to be a dedicated question and answer meeting to discuss some of the frequently asked questions.

10.4.3 Theme: Need for dedicated named support.

10.4.4 Similar to the dedicated team identified by school governors there were a number of references to the need for a dedicated named support person, that could provide independent advice and act as a facilitator at meetings. One teacher stated that this should be a council employee.

10.4.5 Theme: Creation of ‘Buddy Schools’.

10.4.6 Similar to the responses from governors, a large majority of teachers and non-teaching staff identified the desire to work with and have support from schools that had already been through the process.

“Regular meetings and discussions with schools that have been through the process.”

10.4.7 Theme: Sample information and guidance.

10.4.8 Similar to the responses from governors a number of teachers and non-teaching staff identified the need to have exemplar literature to share with all stakeholders being consulted.

“Sample information packs from a converted Academy.”

10.4.9 Theme: The need for a standardised approach and timetable.

10.4.10 Teachers and non-teaching staff stated that it would help if there was a step by step guide and standardised approach to consultations that had been tested and identified as good practice; and that this approach could be replicated by all schools going through the process.

10.5 Public opinion

10.5.1 There were no responses from members of the public relating to support.

11. TERM OF REFERENCE 3

To provide practical suggestions to address the areas for improvement in relation to any future guidance and **support** provided by the local authority and to help improve consultations carried out by schools and governing bodies.

11.1 Panel Views and Practical Suggestions

Support

- The Panel recognised the role of the School Organisation and Planning Team but felt that many of the respondents were unclear as to its role and the support it could provide to those schools considering converting to Academy status. The Panel felt this could be improved by raising the team's profile, where opportunities presented themselves.
- The Panel felt there may be merit in the creation of an 'independent officer' role to support governing bodies, teaching and non-teaching staff and other stakeholders through the process.
- The Panel felt teaching and non-teaching staff were understandably concerned about the effects of Academy Conversion on their employment. It was therefore felt that there would be merit in ensuring greater emphasis was placed on explaining these factors and ensuring teachers understand the implications prior to any decision being made.
- Given the large number of responses from both governors and teaching and non-teaching staff wishing to have access and contact with schools that had already experienced the process; the Panel feel steps should be taken to create 'Buddy Schools' to provide this additional level of support throughout the process.
- The Panel were concerned that staff previously had not always had access to Union representatives when they needed them and that it was imperative that staff were not prevented by school senior management teams or governors from exercising their right to access Union representatives. The Panel felt it was important that this access should be available before, during and after the consultation period.

12. TERM OF REFERENCE 2

To identify good practice and areas for improvement relating to **consultations** carried out by schools considering, applying for; or currently in the process of changing to academy status.

12.1 Consultations

12.1.1 The Panel spoke with a wide range of witnesses about the Academy consultation process and about consultation processes generally. The Panel spoke with those who had experienced a recent Academy consultation process and those who had not yet been through the process. This included those who would be going through the process shortly.

12.1.2 Like the evidence gathered around information it was felt important to gather the experiences of those who had and hadn't been through the process so as to make comparisons between expectations and the actual experience of those who had been through the process.

12.1.3 The Panel considered the consultation approach taken by schools and governing bodies and the experience of a wide range of groups including; parents and the wider community, teaching and non teaching staff (including head teachers), school governors, the Assistant Director for Learning, Unions, Councillors, Cabinet Members and representatives of the Diocese.

12.1.4 The Panel considered different aspects of the consultation process including:

- the length of consultations,
- when consultations took place (e.g. term time),
- the correspondence and advertisement of the consultation with relevant stakeholders,
- the format of the consultation,
- feedback to stakeholders from the consultations.

12.1.5 The Panel also sought to identify good practice guidance for consultations by exploring the councils 'Involving Communities Framework'²⁵ as a model for carrying out effective consultation.

12.2 Kirklees Council

12.2.1 The Kirklees Guidance⁷ states that in order for governing bodies to make a statutory decision to convert to an Academy, the Governing Body would need to work through a process of careful balanced decision-making and that this could take into account the weight of both the advantages and disadvantages of freedoms and additional responsibilities as well as the risks that the school governing body will have to manage.

12.2.2 The Kirklees guidance further states that it is essential to ensure that the decision made is soundly based and that consultation is intended to support and enable good and secure decision-making. A rigorous and transparent

²⁵ Kirklees Council and Partners (2007) Involving Communities Framework.

consultation process will allow key stakeholders to have confidence in the process, reducing the chance of the consultation process being open to challenge.

12.2.3 The Kirklees Guidance⁷ stated that there was no prescriptive guidance for academy consultation but that there were strong guidelines for other prescribed alterations to schools that can inform best practice when schools consider converting to Academies.

12.2.4 This best practice is found in the 'Consultation on Alterations to Schools' DfE²⁴ guidance which can be found in the back of the Kirklees guidance. Kirklees states that the DfE guidance underpins the framework for all of the statutory and non statutory consultation regarding school organisation proposals for change that the Kirklees School Organisation and Planning Team have carried out.

12.2.5 Kirklees Council states that this framework is the benchmark for robust, rigorous and transparent consultation and that this approach has set clear expectations for public consultation with a range of stakeholders in Kirklees. High level engagement and the value of the opportunities for feedback and dialogue during and after consultations are particularly important in gaining the confidence of stakeholders and supporting good implementation of proposals should they become approved.

12.2.6 The Kirklees guidance states that it is good practice for proposers to allow for a six week consultation in term time with a minimum of four weeks and that everyone likely to be affected by the change should be consulted.

12.2.7 Affected individuals are identified as including parents, pupils, staff and other key stakeholders; the DfE guidance¹⁶ contained within the Kirklees Guidance goes in to more detail stating that the Governing Body must consult a range of local stakeholders including:

- any local authority to be affected by the proposals, in particularly neighbouring local education authorities where there maybe significant cross boarder movement of pupils;
- families of pupils at the school;
- teachers and other staff at the school;
- the governing body, teachers and other staff of any school that may be affected by the proposals;
- any trade unions who represent staff at the school and representatives of any trade union of any other staff at the school that may be affected by the proposals;
- if the proposals involve or are likely to affect a school which has a religious character there should be consultation with the Diocese, Bishop of Diocese of the Roman Catholic Church or other relevant faith group.
- if the proposals affect the provision of full-time 14-19 education the Young People Learning Agency (YPLA);
- Members of Parliament whose constituents are likely to be affected by the proposals
- Local district or parish council where school is situated and the local ward councillors.

- where proposals affect early years provision, the early years development and child care partnership and those that benefit from a contractual arrangement,
- any other interested parties and any other persons the governing body thinks appropriate.

12.2.8 The DfE guidance¹⁵ contained in the Kirklees Guidance document states that under Section 176 of the Education Act 2002, Local Authorities and Governing Bodies are also under a duty to consult pupils on any proposed changes to local school organisation that may affect them. The guidance on this duty is contained in the 'working together – giving children and young people a say' document.¹⁶

12.2.9 The Kirklees guidance states that all consultation documents and presentations need to make it clear what governing bodies are proposing and wish to find out from the responses to the consultation. The consultation documentation should also make clear the reasons behind the proposals and how the proposed changes would likely affect consultees.

12.2.10 The Kirklees guidance states that stakeholders need to know how to make their views known. It also states that stakeholders need to know where they can send their views before the deadline to ensure that their views are taken into account by the governors taking the final decision.

12.2.11 The Kirklees guidance states that there needs to be a system in place prior to the consultation starting that will manage and process the responses received. The guidance asks proposers to identify how responses would be analysed and reported back to the governing body to support the final decision being taken and when this would happen.

12.2.12 The methods by which the outcomes of the consultation and final decision will be fed back to the key stakeholders will also need to be considered. The Kirklees guidance states that any consultation methodology needs to be tailored to the purpose of the consultation and the stakeholders involved and that this can be best designed in discussion with the School Organisation and Planning Team.

12.2.13 The guidance from the DfE²⁴ contained within the Kirklees guidance states that those bringing forward proposals should be able to demonstrate how they have taken into account the views expressed during consultation and how they have reached any subsequent decision about the proposals.

12.2.14 The DfE guidance also states that where in the course of the consultation a new option emerges which the proposers wish to consider, it would be appropriate to consult afresh on the option before proceeding to publish proposals.

12.2.15 Cabinet Member for Children's Services, Cllr Cath Harris stated it was important that in order for governing bodies to make an informed decision they would need to ensure that they had received evidence on both the pros and cons of converting to Academy status and that it was especially important that

evidence on which governing bodies made their decisions were not one sided and or based on any financial incentive.

- 12.2.16 Cllr Harris stated that the public had become more accustomed to being consulted following the Building Schools for the Future Programme (BSF) and therefore there was less understanding when a school chooses not to consult as widely as it perhaps could.

12.3 Councillors

12.3.1 Councillors believed the public were more comfortable with decisions made when they were involved in the consultation process throughout. Where there was sufficient demand there should be the ability to attend meetings and drop-in sessions and that there needed to be more community school involvement in the consultation process.

12.3.2 Councillors acknowledged that all schools were different and therefore consultations should be tailored to individual school circumstances. It was also stated by one Councillor that there should be a period of a couple of months in order to ensure stakeholders had access to and time to consider all relevant information and that this could be extended where other options needed to be considered. It was further stated that all feedback collated from a consultation period should be shared with all governing bodies and discussed openly in a public forum before any final decision was made.

12.4 Unions

12.4.1 It is the view of Unions that no school governing body should take a vote on Academy Conversion without full and meaningful consultation with the whole school community having already taken place. Unions gave reference to the Kirklees Guidance which suggests that there is a timetable of 3 months to carry out a complete consultation. Unions stated that from their experiences of the process to date, three months was too short when competing with the other pressures and deadlines that schools have.

12.4.2 Unions suggested that a six month timetable would be more realistic and that the timing of the consultation should begin as soon as any discussion about the possibility of converting to academy status arises and before any vote by the governors occurs.

12.4.3 Unions stated that schools should organise stakeholder consultation meetings where speakers both for and against conversions could make their case and where parents, staff and other key stakeholders could ask questions and receive answers and feedback.

12.4.4 The timing of the consultation meetings should facilitate attendance by the widest possible number of interested parties and this might mean taking account days of religious worship which might otherwise have precluded some individuals from attending.

12.4.5 Unions believe 'meaningful consultation' means that the whole school community should have the opportunity to hear both sides of the argument for

and against academy conversion, so that all interested groups can genuinely come to an informed view on the pros and cons of Academy status.

12.4.6 Unions further state that as minimum those consulted should include:

- parents,
- pupils,
- staff and their union representatives,
- parents from neighbouring schools,
- the Local Authority.

12.4.7 Unions believed governing bodies needed to take account the view of all stakeholders in influencing their decision and that where the community, staff and or pupils are opposed to conversion, the governing bodies should oppose the idea of conversion. The Unions believed that good engagement and fair and transparent consultation practices would increase the confidence in consultations generally.

12.5 Diocese

12.5.1 The Diocese stated that good consultation could strengthen the relationships with parents, teachers, the community and the school generally and that when done well, would allow for honest discussions about the benefits and disadvantages, as well as the ability to consider the risks involved. It was felt important that consultations should allow a range of ways for people to get involved and voice their opinions.

12.5.2 The Panel asked Reverend Canon Wildey about his experience of school consultations. He stated that he had been invited to all meetings to offer his advice and guidance and that he had experienced the following consultation methods:

- school assemblies,
- drop-in sessions,
- leaflets,
- general conversations,
- meeting between unions and parents/teachers,
- open evenings.

12.5.3 The Diocese recommended no less than 4 weeks to carry out a consultation and that this should be carried out in term time. It was felt that feedback and comments could be addressed following the consultation period and that this could be dealt with by the governors who could meet to analyse the responses.

12.6 The Involving Communities Framework

12.6.1 The Panel sought to identify good practice for developing and carrying out good consultations and as such considered the 'Involving Communities Framework.'²⁵ The framework sets out a single partnership approach to involving communities in Kirklees and has been adopted by West Yorkshire Police, NHS Kirklees, the West Yorkshire Fire Authority and Kirklees Council.

12.6.2 Whilst schools in Kirklees were not involved in the development of the framework, the Panel felt there was a common purpose between schools being able to shape local services and decisions to improve the quality of life and well-being for pupils, families and communities; and the framework aims to create and maintain an ongoing dialogue with communities and better understand community aspirations.

12.6.3 The framework sets out 10 key principles to allow effective community involvement. These include:

1. Being joined up and co-ordinated
2. Having a central role for Councillors
3. Being representative and inclusive
4. Appropriateness
5. Embedded
6. Empowering communities
7. Dialogue and influence
8. Involving the voluntary and community sector
9. Being honest
10. Being imaginative

12.6.4 The Framework outlined a 'menu of involvement' to help partners plan the involvement of communities and to ensure there was positive, constructive two-way dialogue. Complete information relating to both the 10 Key Principles and the menu of involvement found in appendix 1 page 47

13. Survey Responses – The Consultation Process

13.1 Depending on the respondent type – respondents were asked one of the following questions relating to the Academy consultation process:

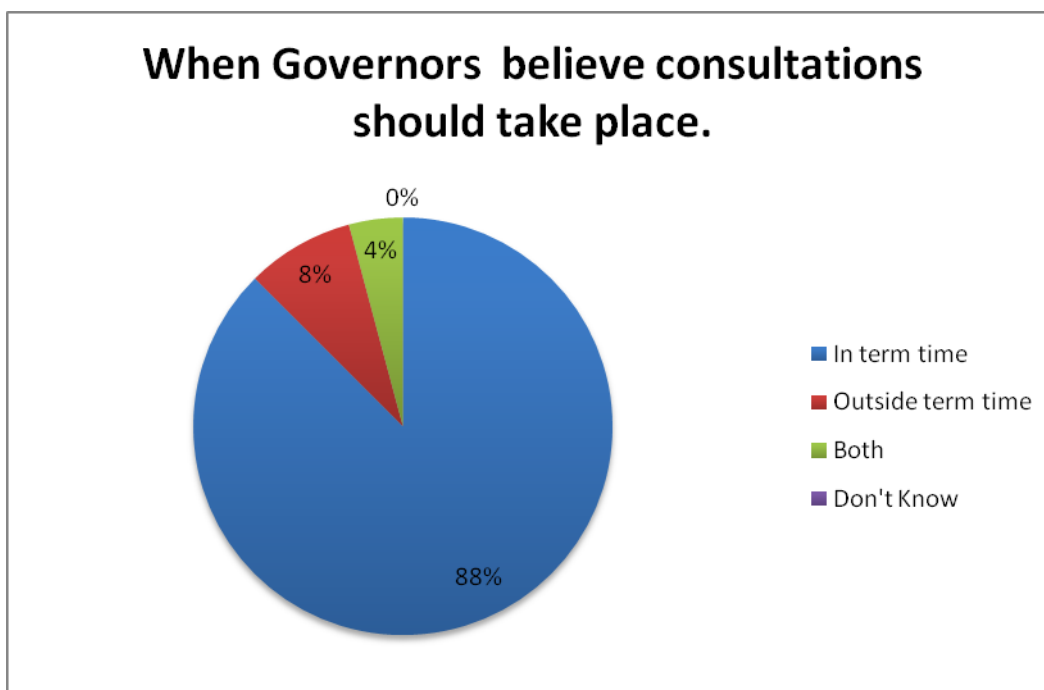
- **How long was your school's consultation process?** (School governors, teaching and non-teaching staff and members of the public that had been through the process.)
- **What do you consider a reasonable amount of time to hold a consultation process?** (School governors, teaching and non-teaching staff that had not been through the process.)

Respondent were also able to comment generally on the consultation process.

13.2 School Governors

13.2.1 Theme: The consultation period should be inclusive for as many people as possible.

13.2.2 The following responses were received with regards to the length of the consultation period and when school governors felt consultations should take place.



Results from Online Survey sent to all School governors in Kirklees December 2011 of which there were 34 responses.

13.2.3 One governor stated:

“Meetings should be done at times when all parents, staff and governors can attend.”

13.3 Teachers and non-teaching staff

13.3.1 Theme: Schools experiencing mixed consultation practices

13.3.2 There was clearly a very mixed experience between those that had experienced the consultation process. Some teaching and non-teaching staff felt that the senior management team and governors had listened to the comments and concerns raised throughout the consultation period. Others stated that they felt the decision was made without their input and that parents were not asked to inform the decision either.

13.3.3 For those teaching and non-teaching staff that had not been through the process they believed that any consultation should involve all staff and that there needed to be a period of time to discuss in detail, comments and concerns raised by the process.

“There should be consultation and discussion with whole staff [and a] period of time for open discussion to air any concerns in an honest and non-judgemental atmosphere. Clear implications provided for all staff members and impact on the school in general.”

13.4 Public opinion

13.4.1 Theme: Public unaware of consultation period.

13.4.2 Only three members of the public completed this section of the survey making it hard to generalise however, one stated that the consultation period had been less than six weeks and that the other two did not know how long the consultation had been, based on the fact that they had found out about the consultation after the end of the consultation period.

13.4.3 Two members of the public stated that the consultation had taken place in both in and outside of time term and one member of the public stated they did not know whether it was in or outside of term time.

14 **TERM OF REFERENCE 3**

To provide practical suggestions to address the areas for improvement in relation to any future guidance and support provided by the local authority and to help improve consultations carried out by schools and governing bodies.

14.1 Panel Views – Practical Suggestions

Consultations

- The Panel feel the 'Involving Communities Framework'²⁵ is an extremely valuable resource for school governors to assist them in developing the consultation process and more effectively involve communities effectively in the consultation period.
- The Panel feel it is important for School Governors to be open and honest about the level of influence that stakeholders can have on the final decision and that there should be a clear statement at the start of the process about what influence stakeholders could actually have.
- The Panel heard a range of views relating to an appropriate length of time to carry out a consultation. However, the Panel felt there needed to be some distinction between the period of time prior to the actual consultation period (when governors were preparing) and when initial information about the schools consideration to convert should be shared with Stakeholders.
- The Panel believe the consultation period itself should be at least 12 weeks and should take place in and outside of term time to allow for an as wider range of stakeholders to be involved as possible, but that it was advisable to set aside time both before the consultation period to prepare and after the consultation period to provide feedback on the findings; and to answer comments and questions raised by the consultation period.
- The Panel were concerned by the obvious lack of consultation with stakeholders in the wider community and that every effort needed to be made to support governors to consult as widely as possible. This should also include serious consideration of the duty to consult pupils on proposed changes.
- The Panel were concerned that the experiences of witnesses and respondents to the scrutiny review were very mixed when it came to how they had been informed and updated by the consultation process in their respective schools. The Panel therefore believe it is important that steps are taken by school governors to ensure that all stakeholders are appropriately updated and informed prior to, during and after the consultation process.

Panel Views and Practical Suggestions Continued

- The Panel felt it would be advantageous for governors to address comments, concerns and questions raised throughout the consultation process, prior to any final decision being taken by governors and where there was significant disapproval, school governors should stop and think carefully about the decision they were about to make.
- Whilst the Panel was clear that the ultimate decision on whether a school should convert or not is taken by the schools governing body, the Panel were concerned that there maybe variation across governing bodies on the actual numbers of governors being party to the final decision. The Panel felt it was important for all governors to be involved in the final decision and not a small unrepresentative subgroup or a steering group with influence from Head Teachers.

15. RECOMMENDATIONS

The Panel would like to make a number of recommendations in relation to information, guidance and support. The Panel is conscious however that the Council has no jurisdiction over the consultation process and transition to Academy status, but hopes that the Council through its strategic role as champion for parents, families and vulnerable pupils, will be able to provide some level of influence and direction to help improve the current information, guidance and support that surrounds conversion to Academy status.

The Panel therefore asks that the Council works with Governors and Schools to facilitate the following recommendations:

1. The Panel recommend that there is a refresh of the current 'Conversion to Academy Status – Kirklees Guidance' document by:
 - Making the document more reader friendly and easier to navigate.
 - Updating links contained in the document that are currently broken.
 - Providing a clear explanation of the role of the School Organisation and Planning Team and how the team can support schools; including making more prominent in the guidance the contact details for the team.
 - Incorporating a sample step by step timetable for governors to use as an aid.
 - Incorporating into the guidance or providing a link to exemplar information and literature for governors to use as an aid.
 - Making more prominent in the document the duty to consult pupils on proposed changes.
 - Featuring the 'Involving Communities Framework' guidance should feature in the guidance as an example of good practice for governors to follow.
2. The Panel recommend that the information and guidance provided by school governors is available in community languages, audio and Braille where there is need to do so and; that the information and guidance is available in a range of formats.
3. The Panel recommend that as a minimum the information and guidance that should be available for all stakeholders should include:
 - benefits and risks of becoming an Academy,
 - information on traded services for Academies,
 - information relating to personnel, payroll, pensions and employment,
 - admission, term times, school day and curriculum arrangements,
 - changes to school governance arrangements,
 - legal costs of conversion,
 - information relating to insurances,
 - information relating to free school meal eligibility,
 - SEN provision and behavioural services,
 - general guidance for school considering converting to academy status,
 - timetable of key milestones for the consultation process,

- information relating to unknown events and circumstances that could impact on a school once a school had converted e.g. fires, damage to buildings etc.
4. The Panel recommend that the consultation period should be at least 12 weeks long and should take place in and outside of terms to allow for an as wide a consultation as possible.
 5. The Panel recommend that time is set aside both before the consultation period to ensure stakeholders are prepared about the intention to consult and after the consultation period to ensure that comments, questions and concerns raised by the consultation period are addressed prior to any actual decision being made by the governing body.
 6. The Panel recommend that school governors undertaking public consultation and engagement should use the 'Involving Communities Framework' to assist them in developing the consultation process.
 7. The Panel recommend that school governors undertaking public consultation and engagement should include as a minimum the following stakeholders:
 - parents/carers,
 - teaching and non-teaching staff,
 - pupils,
 - local Schools (including neighbouring local authority schools where there may be significant cross border movement of pupils.)
 - the Diocese (where necessary)
 - Unions,
 - local councillors,
 - local MPs,
 - local residents,
 - pre-schools,
 - local businesses
 - community groups.
 8. The Panel recommend that all school governors should be party to the final decision taken as to whether a school should convert to Academy status.
 9. The Panel recommend that there should be exploration towards creating 'buddy schools' to provide an additional level of support for governors and teachers from those who have already experienced and been through the process.
 10. The Panel recommend that the Council should explore the viability of creating a dedicated officer role; that would be independent to the affected parties involved in the Academies process and the Children and Young People Service (ChYPS); and that would offer support to governors, before, during and after the consultation process.

GLOSSARY

Academies Act	An Act of Parliament that makes it possible for all publicly funded schools in England to become an Academy; giving schools more flexibilities and autonomies.
Academy School	A school that has converted to academy status. This is directly funded by central Government and is independent of the direct control of its Local Authority.
Academies Order	The Secretary of State may make an Academy Order in respect of maintained schools in Kirklees for the purpose of enabling the school to be converted into an Academy.
BSF	Building Schools for the Future – A national school build programme established by the Labour Government in 2004. The programme was shelved in 2010 by Secretary of State Michael Gove.
Community School	A type of state funded school in which the local education authority (LEA) employs schools staff, is responsible for school admission and owns the school estate.
DfE	Department of Education – Formed in May 2010 the department is responsible for education and children’s services.
Deputation	A way for members of the public or a group of individuals to lobby the Council and let the Council know about a particular concern the have on a local issue.
Foundation School	Foundation schools are run by their own governing body, which employs the staff and sets the admissions criteria. Land and buildings are usually owned by the governing body or a charitable foundation.
OSMC	The work of Scrutiny in Kirklees is co-ordinated by the Overview and Scrutiny Management Committee (OSMC). To ensure independence, the Committee has cross party representation and cannot be chaired by a member from the same political group as the Leader of the Council.

	It manages and oversees a structure of four Scrutiny Panels, which include councillors from all political groups and a number of Voluntary & Statutory Co-optees.
Involving Communities Framework	A framework to set out a single partnership approach to involve communities and maintain dialogue with people in Kirklees and to help shape local services, decisions and improve the quality of life and well-being for Kirklees communities.
PFI Schools	Schools subject to the private finance initiative (PFI) which opened up opportunities for more private sector involvement in the provision and modernisation of public services.
PPP Schools	Public Private Partnerships (PPP) is the generic term for the development of projects involving both the public and private sectors (with varying levels of involvement and responsibility) of which PFI is one variant.
SEN	The term 'special educational needs' (SEN) has a legal definition, referring to children who have learning difficulties or disabilities that make it harder for them to learn or access education than most children of the same age.
Traded Services	A range of services available to schools from the Council.
Trust School	A Trust school is a type of foundation school which forms a charitable trust with an outside partner. For example, a business or educational charity aiming to raise standards and explore new ways of working.
TUPE	TUPE is an acronym for the Transfer of Undertakings (Protection of Employment) Regulations. The purpose of TUPE is to protect employees if the business in which they are employed changes hands. Its effect is to move employees and any liabilities associated with them from the old employer to the new employer by operation of law.
Voluntary Aided School	Voluntary-aided schools are mainly religious or 'faith' schools. As with foundation schools, the governing body employs staff and sets the admission criteria. School buildings and land are normally owned by a charitable

	foundation, often a religious organisation. The governing body contributes to building and maintenance costs.
YPLA	The Young People Learning Agency supported the delivery of training and education to 16-19 year olds in England. Including funding learning opportunities and support and funding for Academies. In April 2012 the YPLA became part of the Education Funding Agency (EFA) an executive agency with the DfE.

ATTENDEES AND CONTRIBUTORS

- John Edwards Assistant Director for Learning Kirklees Council
- Cabinet Member for Children Services, Councillor Cath Harris Kirklees Council
- Lead Member for Scrutiny Panel for Children and Young People, Councillor Cahal Burke
- Reverend Cannon Ian Wildey, Representative Wakefield Diocese.
- Mike Forster, Unison
- Hazel Danson, National Union of Teachers
- Gill Collins, Association of Teachers and Lecturers.
- Howard Roberts, National Union of Teachers
- Jo Bailey-Taylor, NASUWT
- Alison Monkhouse, Corporate Research and Consultation Team Manager
- 34 School Governors (32 had been through a consultation and 2 had not.)
- 36 Teaching and Non Teaching Staff (25 had been through a consultation and 11 had not.)
- 5 Members of the Public (all 5 had been through a consultation.)

SOURCES OF EVIDENCE

1. Council Meeting 22nd June 2011 – Item 7 Questions by members of the public. Question (3) Council received a question in relation to the consultation requirements of schools wishing to achieve academy status.
2. Overview & Scrutiny Management Committee 5th July 2011 Item 8 Scrutiny Referral - Academies Consultation Process.
3. Overview & Scrutiny Management Committee 2nd August - Item 1 Minutes Decision to refer to the Scrutiny Panel for Children and Young People.
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6. The School Admission Code 2012 Application of the Code to Academies, Department of Education
7. Kirklees Guidance April 2011 – Conversion to Academy Status.
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 20. Portfolio of Traded Services to schools 2011/12.
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 22. Department of Education. (2010). Insurance arrangements for academies converting from maintained schools. Available: <http://www.education.gov.uk/b00205154/supporting-documents-for-schools-converting-to-academies/insurance-arrangements-for-academies-converting-from-maintained-schools>. Last accessed 8th May 2012.
 23. Kirklees Council (2010) Academies Information for Schools.
 24. Department of Education, Guidance: Consultation on Alterations to Schools.
 25. Kirklees Council and Partners (2007) Involving Communities Framework

Involving Communities: A Partnership Approach for Kirklees

Our Purpose

The aim of this framework is to set out a single, partnership approach to involving communities in Kirklees. It is a commitment to join up and coordinate involvement activity across the partnership; and to ensure that a wide range of involvement activity is routinely used. It aims to create and maintain an ongoing dialogue with communities in Kirklees, so that we better understand our communities' aspirations. It will help in shaping local services and decisions and lead to improved quality of life and wellbeing for Kirklees' communities.

The framework does not replace existing strategies, and our statutory obligations are not exempt, rather it is designed to create a more co-ordinated approach that is supported by more detailed guidance.

Our Principles

Our approach to involvement is guided by a number of key principles:

1. **Joined up and co-ordinated:** public services in Kirklees will carry out involvement activity jointly unless it is inappropriate to do so. We will ensure our activities are effectively co-ordinated and that we make best collective use of shared information and intelligence.
2. **A central role for our councillors:** as community leaders, our elected councillors are and will be increasingly central to our approach to involving communities. As decision makers it is they who must balance conflicting messages with broader consideration across the area.
3. **Representative and inclusive:** we will involve a representative cross section of the community and recognise that what is 'representative' may be different for different functions, services or decisions. We will reflect the diverse nature of Kirklees communities and create opportunities for including groups that are seldom heard from.
4. **Appropriate:** We will use the activities from our menu of community involvement that are appropriate to the situation and communities.
5. **Embedded:** We aim to achieve a culture of involvement that is built into our routine functions and decision making
6. **Empower communities:** we recognise the importance of activities that support and develop communities' understanding, confidence and skills to enable access to involvement opportunities.
7. **Dialogue and influence:** we will create and maintain an ongoing dialogue with communities and demonstrate how their involvement has influenced the decisions made.
8. **Voluntary and community sector:** we recognise the importance of this sector, both as a sector we wish to involve and engage, and as a key partner in delivering community involvement activities, particularly in helping the partnership to access more vulnerable or marginalised groups.
9. **Honest:** we will be clear, open and honest about:
 - why we are engaging communities
 - what they can actually influence, change or decide for themselves.
 - what has changed or why change was not possible through regular feedback.
10. **Imaginative:** we will use innovative, creative and original techniques to complement more traditional methods by identifying and promoting best practice from across the partnership and outside Kirklees.

Our Approach

We will continue to find more ways of working together to involve communities that avoids duplication and that ultimately leads to better a better quality of life for communities in Kirklees.

The Kirklees Partnership use the term "Involving Communities" to cover the range of activities used to ensure our communities know about, understand and are engaged in decisions about services and how they are delivered.

The "menu of involvement" below is designed to help plan the involvement of our communities and create a two way dialogue with them, whether they are made up of people that:

- Live or work in the same area
- Have common interests or
- Are from a similar background (e.g. age, gender, disability)

To create a truly effective dialogue we will ensure we use a selection of one or more activities to involve communities in both routine functions and specific decisions.

Menu of Community Involvement Activities:



Our Commitment

By adopting this framework and its associated guidance we, the Kirklees Partnership, commit to involve communities in the design and delivery of better public services. We will know we have achieved this because we will be able to show that:

- better services have been created that are responsive to the needs and aspirations of local communities.
- communities have a greater understanding of how and why public services are delivered in particular ways by partners.
- an ongoing dialogue is established between Councillors, services and communities in a way that shows clearer and informed decision making.

Involving Communities: 'Listening' Guidance

Kirklees Partnership Menu of Community Involvement Activities

The 'menu of involvement' below is designed to help plan involvement activity with our communities and create a two way dialogue with them, whether they are made up of people that:

- Live or work in the same area
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To create a truly effective dialogue we will ensure we use a selection of one or more activities to involve communities in both routine functions and specific decisions.

Menu of Community Involvement Activities:



How to Use this Guidance

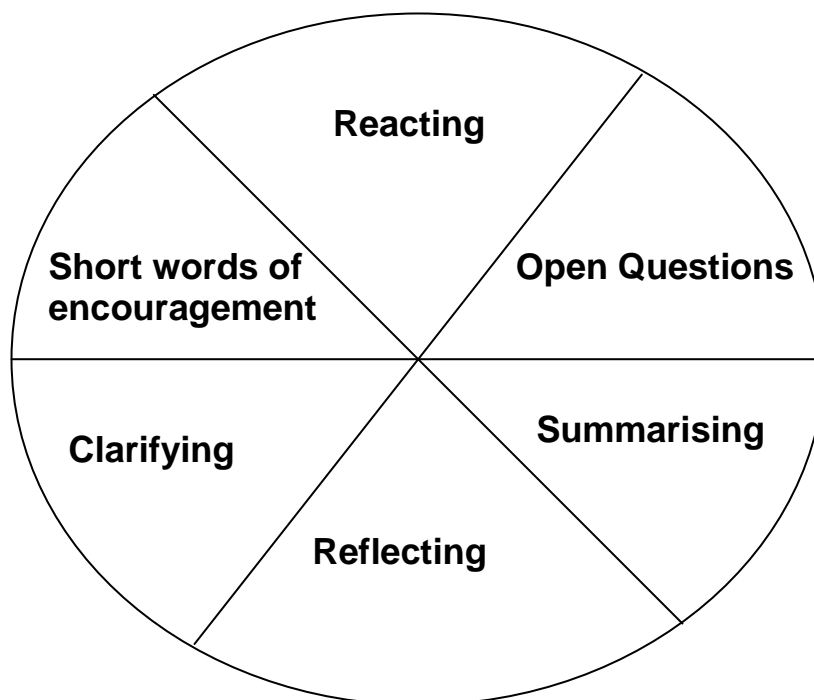
- This guidance aims to give some pointers about 'listening'.
- It explains how to be a good listener, about 'active listening' and about how vital listening skills are when involving communities in our work.

'Active Listening' and the Listening Wheel

- Active listening requires more than just listening to what a person or group of people says. It involves taking an interest in what they say, making sure they are comfortable, and providing support and understanding. It requires taking into account body language that is being displayed, and also the tone, speed and pitch of voice and interaction.
- Listening makes the person or people who is talking or communicating with us feel worthy, appreciated and respected. When we give someone our attention they will respond positively by interacting on a deeper level, and therefore feeling able to share experiences and feel like their involvement is valued.
- The listening wheel overleaf shows the key factors that lead to effective listening.

Involving Communities: 'Listening' Guidance

The Listening Wheel



Open Questions

These are questions not requiring a yes or no answer. They usually begin with 'how', 'what', 'when', 'where' 'who', 'why' or 'tell me about'. They encourage the person you are listening to; to talk and explore the topic you are discussing or involving them about.

Summarising

A summary helps to ensure that the person or people you are listening to knows that you have listened and that you have understood what they have told you.

Reflecting

Repeating back a word, phrase or collection of thoughts can encourage people to further explore what they want to talk about. It also helps to give time to consider in more detail what has been discussed already.

Clarifying

Sometimes a person or group of people may touch upon or gloss over an important point. By exploring these further we can help people to clarify these points.

Short Words of Encouragement

Sometimes people need a bit of encouragement to speak or to continue to speak. They may need further confirmation that you are giving them permission to go on. Example of short words of encouragement include 'Mmm', 'I see', 'Yes', 'Go on', 'Ok'.

Reacting

Sometimes people are looking for you to show some understanding or empathy for their situation. It's important to show we have understood their situation and how they are feeling.

Involving Communities: 'Listening' Guidance

How Listening Relates to Community Involvement

- Any involvement activity will require some element of using listening skills, but they will be particularly important during direct interaction with people face-to-face, on the phone or via e-mail.
- Involving communities via listening might take the form of speaking with a member of the public over the phone, meeting someone face-to-face, meeting a group of people face-to-face or responding to a member of the public via e-mail.
- Not having effective listening skills can be a major barrier to making people feel like their involvement is valued and to make them feel comfortable enough to want to talk and open up in a comfortable environment.
- Good listening skills can enable better dialogue with communities, and can open up opportunities for more long-term dialogue with them about particular issues or services.
- 'No one ever listened themselves out of a job' (Calvin Coolidge).
- Think about how good you are at listening and which active listening techniques you need to use when involving communities.

Ten Top Tips for Listening

1. Develop Empathy

- Empathy is the ability to co-experience and relate to the thoughts, emotions, or experience of another without them being communicated directly by the individual. Empathy develops into an unspoken understanding and mutual decision making that is unquestioned, and forms the basis of mutual understanding and community.
- Empathy can be employed as a communication skill. Empathy can allow great communicators to sense the emotions of an audience and is the mutual understanding and inspiration communicated to the audience. A lack of empathy involves a poor sense of communication that fails to understand the perspective of the audience.

2. Reflect on what stops us from listening

- Our own experiences and pre-conceptions can be major barrier. We naturally try to make sense of what people are telling us by relating it to our own experience and second guessing what they are saying. If a person then says something that does not fit the mental picture we have built-up, it can be tempting to disregard what they say. It is worth being aware of this risk and as far as possible not falling into this trap.
- We all have our own beliefs and prejudices. Sometimes it can be hard to put these aside, but being a good listener means valuing and exploring the views of others, even where we might disagree or want to offer our own interpretation.
- Our own state of mind can be a barrier, maybe because we're having a bad day or have other events taking place in our life which are on our mind.
- Time pressures can mean we're less willing to have a dialogue with people or to listen to them fully. However, while thoroughly working through a problem or carrying out an involvement exercise may seem time intensive in the short-term, it can save time and effort long-term (e.g. not having to backtrack or deal with the consequences of not having support from local people).
- Noise and distractions can be a barrier. Think about the need for a quiet space to be able to listen or carry out an involvement project.

3. Body Language

- Sensitive non-verbal behaviour is vital to establishing a positive dynamic with a person or group of people. It is also vital when working through differences or negotiating solutions.
- Body language that can put people at ease includes: sitting straight or leaning forwards to show attentiveness, maintaining appropriate eye contact (mirroring the level of eye contact you get from other people usually works), responding via facial expressions, avoiding physical contact, not fidgeting or looking around the room and avoiding any bad habits such as looking at your watch or Blackberry while people are speaking to you! Also think about the tone, speed and pitch of your voice.

Involving Communities: 'Listening' Guidance

4. Let people speak

- Any involvement exercise is about giving an opportunity for local people to have their say and respecting people's right to say what they feel. You may not always agree with what local people say to you, but it is important that you let them have the opportunity to have this say. This is the democratic process in action.
- An essential ingredient of good listening skills is not to impose your own views on a situation or stonewall a discussion with your own solution or wants. Local people you are involving can be thought of as 'co-creators' (an expression used in the car industry to describe customers).

5. Put your own baggage to one side

- Sometimes involving local people means going out of your personal comfort zone and having interaction with people you may not ordinarily come into contact with. This is part and parcel of working in a public sector environment.
- Being overly formal and technical may be unsuitable and actually create a barrier to effective communication and dialogue. Don't get too hung up about your own professional expertise – an involvement exercise is not about you, it's about getting views from others.

6. Be yourself

- Being personable, friendly and reasonably informal can help people to warm to you and feel their views are valued. The personal touch can win people over and makes them feel more comfortable and trusting toward you.
- Be personable (as well as professional) when interacting with the public in your professional capacity.

7. Listen as individuals

- We all have our part to play in creating involvement opportunities and being effective listeners. Being an effective listener will not only help to build better relationships with local people: it can help you to better relate to work colleagues, stakeholders, and in your personal life!
- Local people often want to have dialogue with people or individuals, rather than the council or public organisation as a single entity. The individual touch can be vital when having a dialogue with people. Think about the potential leadership role of elected members as visible advocates and for being democratically accountable to local people.

8. Listen as a collective

- How many times have you heard people say 'those in power don't listen to the people' or that 'the council does not listen to what people want'?
- Closing feedback loops after any involvement exercise is vital for ensuring that local people know that you have heard what they have said, have considered what's said, and have moved forward with a decision or piece of work. Dialogue is about seeking ongoing involvement at any stage of the service planning and delivering cycle: developing, deciding, implementing, evaluating.

9. Diffuse Challenging Situations

- We may sometimes encounter people who are angry or distressed. It is worth remembering that in many cases this anger is not targeted at us as individuals but at someone who has upset the person or at the world at large. However, we always need to consider our own personal safety. Kirklees Council has guidance on [work related violence](#) on its internal intranet pages.
- Difficult situations can be diffused by effective listening skills. Avoid getting into a debate – it is sometimes better to let a person 'let off steam' verbally. Recognise the other person's feelings (e.g. 'I can see you have very strong feelings about that'). Use a constant and calm tone of voice.
- Body language can also help to diffuse difficult situations – think about posture (sit or stand at an angle to the other person, to avoid suggesting confrontation), keep eye contact frequent but not constant, use open hand gestures, keep a reasonable distance and be cautious about

Involving Communities: 'Listening' Guidance

touch.

10. Use the listening wheel

- Bear in mind the listening wheel when interacting with the public. Use it to build better relationships with people and provide opportunities for local people to begin a dialogue with us.

Exercise: The Open Questions Game

In pairs, one of you should secretly select a pretend occupation such as a Judge, Teacher, Newsagent, Bus Driver, Nurse, GP, Solicitor, Used Car Salesperson or maybe even a Local Government Officer!

The aim of the game is for your partner to guess the occupation by asking open questions. Every time they ask an open question you must answer honestly and then your partner gets another guess. If they ask a closed question you answer honestly, but that is the end of their guesses and it becomes your turn to guess their pretend occupation. The only exception is if they ask 'are you a ...' and guess correctly. If they do this, their turn continues and they try and guess the next occupation on your list that you pretend to be.

Remember, open questions are questions that cannot be answered with a yes or no. They often begin with 'how', 'what', 'where' and 'who'.

Involving Communities: 'Discussing' Guidance

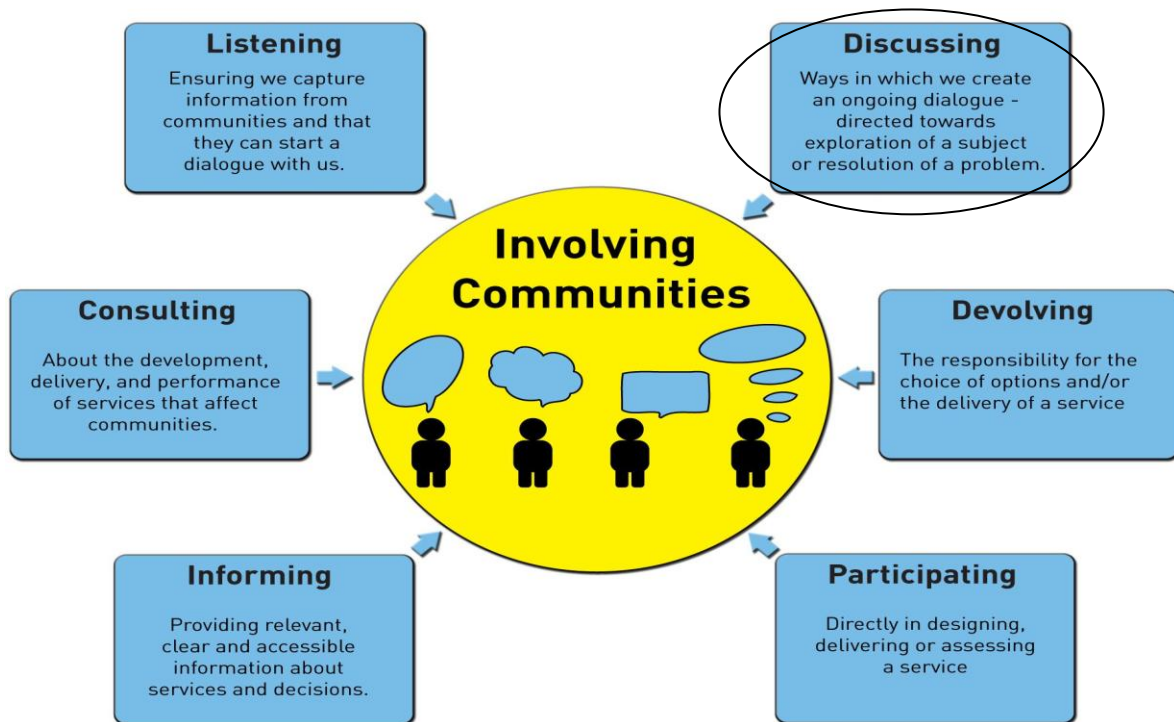
Kirklees Partnership Menu of Community Involvement Activities

The 'menu of involvement' below is designed to help plan involvement activity with our communities and create a two way dialogue with them, whether they are made up of people that:

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- Are from a similar background (e.g. age, gender, disability)

To create a truly effective dialogue we will ensure we use a selection of one or more activities to involve communities in both routine functions and specific decisions.

Menu of Community Involvement Activities:



How to Use this Guidance

- This guidance aims to give some pointers about 'discussing'.
- It explains what consultation means, how it relates to community involvement and highlights some tips, guidance and case studies to help you along the way.

Discussing – and how 'discussing' relates to community involvement

Discussion is the way in which we create an ongoing dialogue directed to exploration of a subject or resolution of a problem. 'Discussing' usually involves a long-term relationship between officers and communities employing a variety of mechanisms appropriate to the needs and circumstances of local people. It incorporates elements of *informing*, *listening* and *consulting* and, importantly, is a two-way process that includes aspects of *participating* and *devolving*.

Involving Communities: 'Discussing' Guidance

Ten Top Tips for Discussing

- 1. Discussion is an ongoing activity and not a one-off exercise.**

Discussion shouldn't be undertaken sporadically in order to address, for example, immediate and possibly changing council needs and priorities. This will inevitably encourage a belief on the part of community members that the council are in it for their own ends - a sure route to mistrusts and cynicism. The resolution of both immediate and more long-term problems can be achieved through dialogue that is regular and ongoing.
- 2. Manage time-frames**

The different time frames of professionals and communities need to be managed. Community relationships and partnership involve a long-term commitment, yet the realities of political terms and budgets necessarily have a shorter time frame.
- 3. Relationships between individuals**

Discussion between council departments and communities is often mediated through relationships between individuals. This contact can be interrupted by staff changes, transfers, and shifts in resources. Management arrangements need to include ways to maintain community contact, given these changes.
- 4. No 'one size fits all' approach**

Different communities, groups and individuals require different levels and methods of engagement, the particular make up of which should be configured to the specific needs of local people, and thereby offer the most effective outcomes for the beneficiaries in question.
- 5. Discuss before action is taken**

Mechanisms for discussing should aim to involve people in decisions that affect them, before decisions have already been made. You should discuss issues and priorities with the community before action is taken and decisions being made to ensure their concerns are understood throughout a process and are reflected in the final outcome and evidence.
- 6. Communication and trust**

Creating effective, ongoing dialogue often depends on the establishment of relations based on trust or at least mutual understanding and expectations. Accordingly you should try to be always open, honest and accountable when sharing information and responding to contributions from participants.
- 7. Internal communication**

Discussion with communities should be matched by effective internal communication in order to create joined-up engagement activities, avoid duplication of effort and ensure unanimity of message.
- 8. Discussion is a two-way process**

Discussing involves a range of activities that encourage a two-way flow of information where all involved are listening to and account is taken of each other's views. The quid pro quo of finding out from community members about their priorities and concerns is telling people about our services, our performance, and changes which affect them.
- 9. Discussion should be inclusive**

Discussing with some groups is easier than others. Inclusive mechanisms for ongoing discussion and engagement are important because such exercises often need to capture the views of an accurate cross section of the population as a whole, and also sections of the community that may have needs or views that are different from those of the majority.
- 10. Feedback to the community**

You should always provide feedback to the community about the results of previous

Involving Communities: 'Discussing' Guidance

discussions and explain how the community's input contributed to the decision making process and decision. Once a decision has been made you should discuss with those affected or interested the reasons behind it, the implications for them and the part played by the local community in contributing to this outcome.

Kirklees case studies:

Kirklees Case Studies: Discussing

Love Lindley Group: The Group comprises Local Residents, Shopkeepers, Police, Elected members, Youth Workers and Community Workers in Lindley. It arose out of ongoing discussions about how to enhance community pride in the area. A major initiative has been a Christmas fair that promotes the high street for shopping, raises money for charity, gets young people on board and brings the community closer together. One outcome has been the creation of an excellent partnership between professionals and the community.

PACTs: Partnerships and Communities Together (PACTs) provide a means for establishing ongoing dialogue with residents relating to priority issues identified by residents themselves. PACTs provide an opportunity for local people to raise issues of concern, shape priorities and assess whether these have been subsequently acted upon. They provide for professionals, in turn, an opportunity to identify some of the main sources of anxiety and unease in the community and discuss with residents a range of possible solutions.

Involving Communities: 'Devolving' Guidance

Kirklees Partnership Menu of Community Involvement Activities

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- Live or work in the same area
- Have common interests or
- Are from a similar background (e.g. age, gender, disability)

To create a truly effective dialogue we will ensure we use a selection of one or more activities to involve communities in both routine functions and specific decisions.

Menu of Community Involvement Activities:



How to Use this Guidance

- This guidance aims to give some pointers about 'devolving'.
- It explains what devolving means, how it relates to community involvement and highlights some tips, guidance and case studies to help you along the way.

Devolving – and how 'devolving' relates to community involvement

Devolving is the process whereby individuals and their communities have the responsibility for the choice of options and/or the delivery of a service. Effective devolvement has a key role to play in involving communities and there are many different mechanisms by which this can be undertaken. Devolving responsibility to local communities is an important step in achieving effective and substantive community involvement. It provides a qualitative enhancement in *participating* and *discussing* and offers an effective conduit for *informing* and *listening*.

Ten Top Tips for Devolving

1. Genuine commitment to devolution

You should only devolve where there is an identified need and a genuine commitment to enable people to make real decisions that have an impact on their lives - don't devolve if there is no commitment to or if it is just to 'tick a box'.

① This [report](#) by the Joseph Rowntree Foundation offers some key considerations in relation

Involving Communities: 'Devolving' Guidance

to effective devolvement principles and a summary of lessons learned from case studies

2. Be clear about purpose and scope

You can only devolve decisions effectively if you are clear from the outset what you are trying to achieve, the scope of the initiative and what decisions you wish to devolve – this will help you to identify the right approach and the right mechanisms. Be clear on how much is being shared or devolved. For example, do local people oversee a consultation process but have no say in the ultimate decisions from the consultation?

3. Devolve decisions early

There is no single blueprint for devolution - there are many ways of devolving decision-making power to communities and it can be done at different stages of engagement. It needs to be agreed at an early stage how decision-making can be devolved and how much of a final say communities can have.

4. Respect people's opinions

Devolving involves a real commitment to respect and act upon people's opinions and decisions. Community well being, vibrancy, and sustainability is enhanced by citizens participating in decision making processes.

You should always make the aims of the devolving initiative clear to participants and explain the extent to which their views will influence decision-making.

5. Power and accountability

Devolutionary processes should have sufficient power to enable participants to achieve the agreed objectives. This may require a change in the existing power sharing arrangements and entail adequate resources to manage the process well and to deliver the required results. They also require good record-keeping and reporting of both processes and outcomes.

6. Transparency and communication

Communicate the commitment involved. The involvement of communities in decision-making can be very time consuming for the participants. Try to plan in ways for rewarding effort and supporting communities. This should be supported by an effective communications plan and planning process.

Communicate any shift of power in decision-making within the different levels of a local authority. It is vital that senior officer and/or political support has been gathered.

7. Be creative

There are many ways to devolve decision-making power to communities and it can be done at different stages of engagement. Look creatively at how power can be devolved or shared and planning this into any initiative early.

📄 www.peopleandparticipation.net offers a range of devolvement methods and techniques and includes guidance on [Participatory Appraisal](#) and [Participatory Budgeting](#).

8. Appropriate devolution

A guiding aim should be to always work towards devolving responsibility for the choice of options and/or the delivery of a service wherever possible. The principle of subsidiarity holds that such decisions are best handled at the lowest possible level. However, this may not be possible in all circumstances.

There are many ways of implementing devolving decision-making; the specific mechanism/s chosen and the extent of devolution should be appropriate to the particular circumstances and range of possibilities.

Involving Communities: 'Devolving' Guidance

9. Part of a wider process

Devolving choice of options and/or the delivery of a service to local people will be most effective if it is part of a wider approach involving other aspects of community engagement and neighbourhood working more broadly.

10. Resources

Devolving decision making does not necessarily mean that central support requirements lessen – indeed in the short or even medium term it may require a higher level of guidance and monitoring.

Kirklees case studies: Devolving

- PACTs and Area Committees provide local people with an opportunity to determine the range of options available in terms of service delivery and where and how that is delivered. Support is also provided to Co-optees on Area Committees so that they can play a central role in the decision making process particularly in relation to budget expenditure.

Useful websites

① You may also find some of the following websites useful:

- <http://www.involve.org.uk/>
- http://www.involve.org.uk/people_and_participation/
- <http://www.haltonteamship.net/communityengagement/>

Involving Communities: 'Participating' Guidance

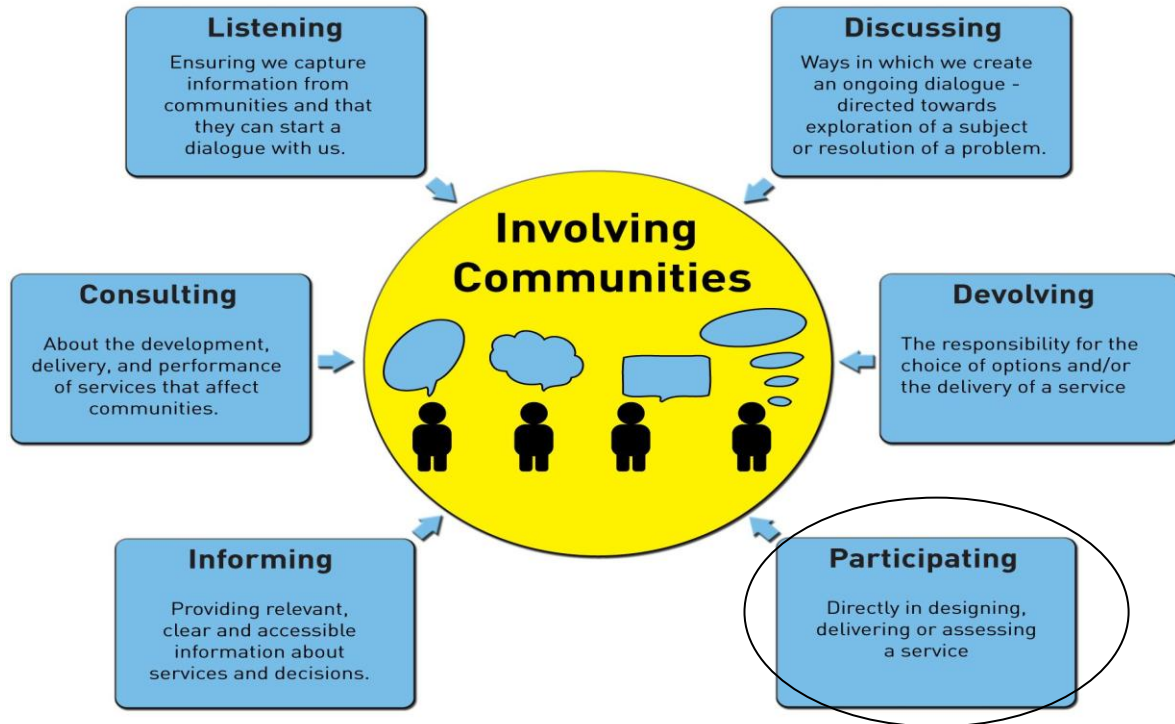
Kirklees Partnership Menu of Community Involvement Activities

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To create a truly effective dialogue we will ensure we use a selection of one or more activities to involve communities in both routine functions and specific decisions.

Menu of Community Involvement Activities:



How to Use this Guidance

- This guidance aims to give some pointers about 'participating'.
- It explains what participation means, how it relates to community involvement and highlights some tips, guidance and a case study to help you along the way.

Participation – and how 'participating' relates to community involvement

"Participation provides people with the skills and relationships so that they are better able to govern themselves". Sir Bernard Crick

The term 'participation' is often employed generically, embracing a wide variety of practices and techniques. However, here it has a much more specific meaning and refers to the process whereby individuals or groups take a central role in designing, delivering or assessing a service. It is based on the belief that those who are affected by a decision have a right to be involved in the decision-making process. Participation means having a 'part', implying some level of collaboration and of shared ownership or responsibility. Participation is two-way communication and collaborative problem-solving with the goal of achieving better and more equitable outcomes.

Involving Communities: 'Participating' Guidance

This emphasis on playing a real part in the decision-making process is implied in the definition of participation provided by Involve:

'Participation is everything that enables people to influence the decisions and get involved in the actions that affect their lives'.

Ten Top Tips for Participating

1. Participation depends on respect and honesty

Honesty, mutual trust and respect are essential for effective participation. It requires clarity, transparency and honesty about the purpose and the limits of what can and cannot be changed, who can be involved and how, and what happens as a result.

① This [statutory guidance](#) offers useful help concerning the practical considerations and approaches to participation.

2. Participation is active, not passive

Participation is when the community is involved in the development, decision making process or delivery of a project or issue. For it to be meaningful the community must be involved in a project from the very outset, before decisions are made. They should feel that they have had sufficient input. There is a real difference between participants simply attending an information session and being actively involved in a project.

3. Participation is about everyone taking ownership

Effective participation is taking place when it leads to a positive change in the relationship between services and the community they serve and when local people are empowered to set the agenda.

For it to be meaningful, services and organisations have to build it into their values, structures and procedures in a way that is proportionate to the circumstances, goals, type of organisation and the community involved.

Meaningful participation never stops; it is not a project or task with a beginning and an end, and it requires commitment, time, effort and resources. For communities taking part in local decision-making or discussing future policy it can have a transformative effect on how people think about themselves and their role in society. But they will need support to help build their skills and confidence.

4. Participation should make a difference

The purpose of participation is to achieve change in relation to the purpose identified; it may also make a difference to all those involved in terms of learning, confidence and sense of active citizenship. This requires active commitment to change by all parties.

5. Accessibility and inclusion

No participant should be excluded because of lack of physical access to meeting places, timing, appropriate support (e.g. child care) etc. Participation should be representative and/or inclusive, depending on the purpose of the exercise. Services and organisation should be proactive in engaging with those people and communities who are socially or economically disadvantaged, excluded or discriminated against on any basis.,

6. Use the right methods

There are numerous ways in which local residents can actively participate in designing, delivering or assessing a service. These include forums, committees and panels (established to support and direct specific community projects) alongside specific mechanisms and processes.

Involving Communities: 'Participating' Guidance

The methods and mechanisms should be chosen on the basis of the make-up of the local community or project – a method used successfully with one group maybe completely inappropriate for the next one. Participating should occur at a level which is right for the individual and community

① See [here](#) and [here](#) for more information on different participatory methods and techniques.

7. ...but remember that participation is more than the methods used

It is far more than a method or collection of ways in which to engage the public. It is a process which runs from deciding to open up decision-making through to finding effective ways of dealing with the input received from participatory processes. It links these processes to mainstream democratic and/or organisational decision-making processes

8. Respect people's time and opinions

You should make it clear how much time is involved in taking part, that it is not compulsory and that people have the right to withdraw at any time. People may be encouraged to be involved but effective participation requires them to choose to be involved. Participation cannot be compulsory.

Participation is a dialogue to influence change that involves listening and responding constructively to what communities say or want to do. Prompt and honest feedback is one way of letting communities know that their views are valued

9. Power and accountability

Participatory processes should have sufficient power to achieve the agreed objectives. This may require a change in the existing power sharing arrangements and entail adequate resources to manage the process well and to deliver the required results.

Participatory processes need to be accountable to all those involved (including the organisation that may be running / commissioning the exercise, and to the wider 'community'). This requires good record-keeping and reporting of both processes and outcomes.

① This [good practice tool](#) for local authorities provides some essential tips on monitoring and reporting

10. Learn from other initiatives

Check the [Guidance](#) for details of any similar participation activity (past, present or future) and speak to the relevant services and/or partners – you may be able to collaborate or share information.

Kirklees case studies: participating

- **Study Support initiative** - The Study Support initiative was established by local people via NRF steering Group and Thornhill Lees Community centre. The community articulated their concerns about numeracy and literacy amongst younger people in the area. Professionals were able to bring together school heads to explore the issue further and work closely with Thornhill Lees Community Centre to put in a bid to NRF to establish a 12 week programme study support initiative in a community setting, which succeeded in getting funding. The community played a big part in identifying gaps in service provision and in designing, delivering and assessing the initiative. The final evaluation identified real improvements in children's numeracy and literacy.

Useful websites

① You may also find some of the following websites useful:

- <http://www.involve.org.uk/assets/Uploads/People-and-Participation.pdf>
- <http://www.involve.org.uk/assets/Publications/Deliberative-public-engagement-nine-principles.pdf>
- <http://www.communities.gov.uk/publications/localgovernment/strongsafeprosperous>

Involving Communities: 'Informing' Guidance

Kirklees Partnership Menu of Community Involvement Activities

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Menu of Community Involvement Activities:



How to Use this Guidance

- This guidance offers suggestions about 'informing'.
- It explains what informing means, how it relates to community involvement and highlights tips, guidance and a case study to help.

Informing – and how 'informing' relates to community involvement

Informing people is probably the most common way in which people and communities are involved. There is often a legal duty to tell people about what we do and what services we offer. It is important to get it right.

Local public services are informing people all the time, through websites, leaflets, adverts and press releases. What can you do to improve how you keep people informed?

Top 10 Tips for informing people

1 - Be clear about who, what, why, when and how?

These simple questions need answers before you start informing the public. When you have answered them effectively you'll have great information!

Involving Communities: 'Informing' Guidance

2 - Get professional help!

A quick chat with a communication or marketing colleagues in your organisation will help improve the information you are working on. They will help you to be clear about why you need to inform the public.

Similarly communication or marketing colleagues can help you get creative. There is a lot of information bombarding the public – how will yours stand out?

3 - It's good to talk

Having a conversation with someone is the best way to convey information. You might want to consider face to face briefings to pass on your information. Or try something online like a facebook group where you can 'chat' online. This method may be better than producing more leaflets and posters. Think – does the world need another leaflet?

4 - Keep it simple

Writing in plain English is important. The average reading age for the public is 12 years old – so always keep it simple. Public sector information is often difficult to read and understand – yours can be better.

i - Plain English tips - <http://www.clearest.co.uk>

5 - Tell a story

It's a lot easier to inform people if they can relate to a story. A story about a real person using a service is much more engaging than a list of instructions. Stories don't need to be long – just a few sentences about a real person can make your work come alive.

6 - Paint a portrait

Pictures of people can make your information more warm and human. A picture does tell a thousand words – especially if someone is smiling. Make sure people's faces are clear and that pictures represent our diverse communities. But remember to get peoples consent for their photos to be used.

7 - Keep it short

On Twitter you only have 140 characters to give your message and tell your story! An average page of a magazine (such as the News of the World Sunday supplement) only has about 200 to 250 words on it. TV adverts are only 30 seconds long. Hold people's attention – keep it short.

8 - Provide clear contact details

Include correct phone numbers and email addresses – people may want to find out more and its vital that they know who to contact. Double check contact details are reliable before you give them out.

Multiple logos and branding can be confusing so keep to a minimum. If you include too many logos on your communication people may be unsure who to get in touch with.

9 - Make it accessible

Think about who your information is intended for and if there's anything you need to do to make it accessible. For example, does it need to be in bigger print? Is it readable on a coloured background? Are there specific audiences for your information who would benefit from a different approach – maybe a face to face conversation?

10 - Team effort

Wherever possible work with others to develop your communications. Try out ideas, words and pictures. People interpret information in lots of ways, many images and words have different meanings to different people. For example is it a barbecue, a "Barbie" or a BBQ? Test out your information before you give it out.

Involving Communities: 'Informing' Guidance

Case study: 'Chances for all' project

The 'Chances for all' project is a partnership group in Kirklees providing skills training to the public. The Group talked about their project with Janet Parkin, the Editor of Together magazine. The Together magazine is delivered to every household in Kirklees and Janet was able to advise the Group how to use Together to get their message out.

Janet says: "Together is for all residents and when writing for the public you need to make sure you answer the question the public is asking: *What's in it for me?*"

The story was written to make it clear:

- What skills and training were on offer
- Who would be eligible
- And where and when can they apply

A telephone number and email address was included and as a result of the article the "Chances for all" project got a lot of responses. More than 40 responded for just one article - improving their chances of getting better skills and a new career.

① - Together magazine - together@kirklees.gov.uk

Involving Communities: 'Consulting' Guidance

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Menu of Community Involvement Activities:



How to Use this Guidance

- This guidance aims to give some pointers about 'consulting'.
- It explains what consultation means, how it relates to community involvement and highlights some tips, guidance and case studies to help you along the way.

Consultation – and how 'consulting' relates to community involvement

Consultation is the process of gathering information, opinions and advice from individuals or groups. It moves beyond *informing* to actively seeking views, and therefore has a key role to play in involving communities.

Local public services consult people on a range of issues, from general attitudes to views on more specific proposals for new initiatives. Consulting communities about the development, delivery and performance of services that affect them is an important part of involvement activity because it helps to shape local services and decisions – ultimately leading to an improved quality of life.

Consulting communities and *listening* to their views can also help pave the way for a more ongoing dialogue between communities and local public services – through *discussing*, *participating* and *devolving*. This emphasis on dialogue is reflected the [Consultation Institute](#)'s definition of consultation:

The dynamic process of dialogue between individuals or groups, based upon a genuine exchange of views and with the objective of influencing decisions, policies or programmes of action.

The process of consulting people often makes use of research methods (such as surveys, interviews and focus groups) as tools for gathering views effectively.

Involving Communities: 'Consulting' Guidance

Ten Top Tips for Consulting

1. Be clear about your purpose

- You can only consult effectively if you are clear from the outset about what you are trying to achieve and how you intend to use the findings – this will help you to identify the right approach and the right people.
- You should only consult where there is an identified need and a genuine commitment to listening to people's views – it's not good practice to do the same thing if it has been done before or if it is just to 'tick a box'.

2. Use resources efficiently

- Check **Involve** for details of any similar consultation activity (past, present or future) and speak to the relevant services and/or partners – you may be able to collaborate or share information.
- You should allow sufficient time for the consultation to be carried out and allocate enough people with the appropriate skills to do the job effectively.

3. Target the right people

- You need to be clear about your target group(s) – are you seeking the views of the whole population, or particular geographies or communities of interest?
- You should ensure that, as far as possible, all relevant groups are included in your consultation activity and that 'harder to hear' groups are not excluded.
- ⓘ Please see our guidance on being '**representative and inclusive**' for further advice.

4. Use the right methods

- *Quantitative* methods (for example [questionnaires](#)) seek to make measurements and provide numbers. *Qualitative* methods (for example [focus groups](#)) are designed to seek insight and understanding. Choose the right method or combination of methods to meet your aims.
- You should also use methods that are appropriate to your target groups and the topics you are consulting on. For example, if an issue is particularly sensitive or personal, it may be better to discuss one-to-one in a depth interview rather than as part of a focus group discussion.
- ⓘ Kirklees Council employees can access a full set of research and consultation [guidelines \(intranet\)](#) for further advice on using some of the different methods and consulting with particular groups.

5. Ask the right 'about you' Qs

- Asking these types of questions (age, gender, ethnicity etc) can help us better understand the different views and needs of different communities.
- ⓘ Kirklees Council employees can access guidance on '[asking about you' questions](#)' (*intranet*) for further advice on why, when and how to do this.

6. Respect people's time and opinions

- You should always make the purpose of the consultation clear to participants and explain the extent to which their views will influence decision-making.
- You should also make it clear how much time is involved in taking part, that it is not compulsory and that people have the right to withdraw at any time.

7. Follow the required standards

- ⓘ Kirklees Council's [research and consultation strategy](#) sets out key standards and principles for undertaking research and consultation. Some are included within these general 'ten top tips'; others apply to more specific circumstances – for example when consulting children under 16.
- ⓘ If you work within the field of health and social care, then the Kirklees Council guidance: [raising standards in consultation, research and involvement \(intranet\)](#) might also apply. This includes details of the Research Governance Framework for health and social care.

Involving Communities: 'Consulting' Guidance

- ⓘ You should also be aware of any wider standards such as [information management](#) (*Kirklees Council intranet*), including data protection, that may affect your consultation.

8. Think about your analysis

- The analysis stage of any consultation is extremely important and should not be overlooked. Give some thought to your analysis *before* starting to consult – deciding what you want to get out of it can help you to think more clearly about the type of data you need to collect.
- Be honest in reporting back the findings – they should be presented as objectively as possible, tell the whole story and not be used to mislead.
- ⓘ Kirklees Council employees can access guidance on analysing and reporting [quantitative](#) and [qualitative](#) data (*intranet*) for further advice.

9. Remember to feed back

- You should always share the findings and how you have used these with participants (and the wider community) – this will help to demonstrate that you have listened to people's views and taken them seriously. If you are not able to act on the findings, then tell people why.

10. Ask for support if you need it

- Kirklees Council's Corporate Research and Consultation (CRAC) team are a corporate source of advice and support for research and consultation activity. They can also advise you on commissioning external suppliers to undertake research.

ⓘ www.kirklees.gov.uk/yoursay

☎ 01484 221748

✉ consultation@kirklees.gov.uk

Kirklees case studies: consulting

- **Huddersfield Area Action Plan (AAP):** as well as being *informed* about proposals for the future development of the town, local residents were *consulted* about how this might best be done. Both comments cards and focus group discussions were used to gather people's views, with sessions targeted at particular communities of interest including older people, women and young people.
- **'Together' research:** Kirklees residents across all localities are being consulted about communication, in particular *Kirklees Together* magazine, to help future developments to be more informed by local people's views. Face-to-face doorstep interviews were chosen as the method of consultation, with 'quotas' set to ensure a good cross-section of participants across randomly selected sampling points.
- **Place survey:** every two years a random sample of residents are consulted (via a postal survey) about their perceptions of the area and local public services. All local authorities are required to undertake this survey and the information is used to help monitor performance and drive improvements. Weighting is used to help ensure that the survey data is broadly representative of the Kirklees population.

Useful websites

- ⓘ You may also find some of the following websites useful:

- **The Consultation Institute** - www.consultationinstitute.org/
- **The Market Research Society (MRS)** - www.mrs.org.uk
- **The Social Research Association** - www.the-sra.org.uk
- **Local Authorities Research and Intelligence Association (LARIA)** - www.laria.gov.uk

SCRUTINY ACTION PLAN

Project: Academies Consultation Review

Lead Scrutiny Officer: Beth Hewitt

The Panel would like to make a number of recommendations in relation to information, guidance and support. The Panel is conscious however that the Council has no jurisdiction over the consultation process and transition to Academy status, but hopes that the Council through its strategic role as champion for parents, families and vulnerable pupils, will be able to provide some level of influence and direction to help improve the current information, guidance and support that surrounds conversion to Academy status.

The Panel therefore asks that the Council works with Governors and Schools to facilitate the following recommendations:

			FOR COMPLETION			
No.	Recommendation	Directorate/ Cabinet Member(s)/ Organisations asked to coordinate the response to the recommendation?	Do you agree with the recommendation? If no, please explain why.	How will this be implemented?	Who will be responsible for implementation?	What is the estimated timescale for implementation?
1	<p>The Panel recommend that there is a refresh of the current 'Conversion; to Academy Status – Kirklees Guidance' document by:</p> <ol style="list-style-type: none"> 1. Making the document more reader friendly and easier to navigate. 2. Updating the URL links contained in the document that are currently broken. 3. Providing a clear explanation of the role of the schools organisation and planning 	<p>Cllr Cath Harris Cabinet Member for Children Services.</p> <p>Alison O'Sullivan Director of Children & Young People</p>	Yes	<p>The School Organisation & Planning Team will update the 'Conversion to Academy Status – Kirklees Guidance' document to:-</p> <ol style="list-style-type: none"> 1. Include a clear contents / intro page to aid navigation and signpost (3) below and other helpful sources of information and guidance 2. Check and repair URL links 3. Give a clear account of 	<p>Jo-Anne Sanders</p> <p>Warwick Firmin</p>	September 2012

	<p>team and how the team can support schools; including making more prominent in the guidance the contact details for the team.</p> <ol style="list-style-type: none"> 4. Incorporating a sample step by step timetable for Governors to use as an aid. 5. Making more prominent in the document the 'duty to consult pupils' on proposed changes. 6. Featuring the 'Involving Communities Framework' guidance in the guidance as an example of good practice for Governors to follow. 			<p>the role of the School Organisation & Planning Team in providing professional and technical guidance and support as well as clear contact details. This will also include a commitment from the Team to contact head and governors of schools considering conversion at the earliest opportunity.</p> <ol style="list-style-type: none"> 4. Include examples of actual timetables to illustrate the conversion process 5. Emphasise the duty to consult pupils in the section detailing consultation <p>The 'Involving Communities Framework' will be signposted as an example of good consultation practice that governors may follow</p>		
2	<p>The Panel recommend that the Information and guidance provided by School Governors is available in community languages, audio and Braille where there is need to do so and that the information and guidance is available in a range of formats.</p>	<p>Cllr Cath Harris Cabinet Member for Children Services</p> <p>Alison O'Sullivan Director of Children & Young People</p>	Yes	<p>Verbal and written guidance (in the updated guidance) from the School Organisation & Planning Team will signpost translation services and support for the production of different format documents and encourage their use as</p>	<p>Jo-Anne Sanders</p> <p>Warwick Firmin</p>	<p>September 2012</p>

				<p>appropriate to generate accessible consultation materials.</p> <p>Consider the suggestion of Cllr Harris of having a covering note in relevant community language and or Braille with details of who to contact should there be a specific translation needs.</p>		
3	<p>The Panel recommend that as a minimum the information and guidance that should be available for all Stakeholders should include:</p> <ul style="list-style-type: none"> • Benefits and risks of becoming an academy • Information on traded services for academies • Information relating to personnel, payroll, pensions and employment • Admission, term times, school day and curriculum arrangements • Changes to school governance arrangements • Legal costs of conversion • Information relating to insurances • Information relating to free school meal eligibility • SEN provision and behavioural services • General guidance for school 	<p>Cllr Cath Harris Cabinet Member for Children Services</p> <p>Alison O'Sullivan Director of Children & Young People</p>	Yes – for Governing Bodies	<p>In the updated guidance, the School Organisation & Planning Team will encourage Governors to summarise information in consultation materials and signpost detailed information and guidance on the Kirklees website and other relevant sites. Much of this information is available in the Kirklees Guidance. Other details are specific to the particular school and Governors proposals. Some information may not be known at the time of consultation.</p> <p>The role of the School Organisation & Planning Team is to offer guidance and advice.</p> <p>(In the event of unknown</p>	<p>Jo-Anne Sanders</p> <p>Warwick Firmin</p>	September 2012

	<p>considering converting to academy status</p> <ul style="list-style-type: none"> • Timetable of key milestones for the consultation process. • Information relating to unknown events and circumstances that could impact on a school once a school had converted e.g. fires, damage to buildings etc. 			<p>events and circumstances that could impact on a school, the DfE has a contingency fund to support schools. The LA would provide immediate appropriate support to ensure the minimum disruption to children's education.)</p>		
4	<p>The Panel recommend that the consultation period should be at least 12 weeks long and should take place in and outside of terms to allow for an as wide a consultation as possible.</p>	<p>Cllr Cath Harris Cabinet Member for Children Services</p> <p>Alison O'Sullivan Director of Children & Young People</p>	Yes	<p>In the updated guidance, Governors will be advised to carefully consider a 12 week consultation period to include at least 6 weeks in term time (the current best practice for school organisation changes) and to satisfy themselves that all stakeholders have had sufficient time to engage with the issues and make their views known.</p>	<p>Jo-Anne Sanders</p> <p>Warwick Firmin</p>	September 2012

5	<p>The Panel recommend that time is set aside both before the consultation period to ensure stakeholders are prepared about the intention to consult and after the consultation period to ensure that comments, questions and concerns raised by the consultation period are addressed prior to any actual decision being made by the governing body.</p>	<p>Cllr Cath Harris Cabinet Member for Children Services</p> <p>Alison O'Sullivan Director of Children & Young People</p>	Yes	<p>In the updated guidance, Governors will be advised to allow sufficient time before and after consultation to prepare stakeholders and to follow up any issues or concerns, before making a formal decision.</p>	<p>Jo-Anne Sanders</p> <p>Warwick Firmin</p>	September 2012
6	<p>The Panel recommend that School Governors undertaking public consultation and engagement should use the 'Involving Communities Framework' to assist them in developing the consultation process.</p>	<p>Cllr Cath Harris Cabinet Member for Children Services</p> <p>Alison O'Sullivan Director of Children & Young People.</p>	Yes	<p>In the updated guidance, Governors will be advised to seriously consider using the 'Involving Communities Framework' as a toolkit to help develop the consultation process.</p> <p>The robust consultation methodology, developed by the School Organisation & Planning Team for local use, should also be considered.</p>	<p>Jo-Anne Sanders</p> <p>Warwick Firmin</p>	September 2012
7	<p>The Panel recommend that School Governors undertaking public consultation and engagement should include as a minimum the following stakeholders:</p> <ul style="list-style-type: none"> • Parents/Carers • Teaching and Non-teaching staff • Pupils 	<p>Cllr Cath Harris Cabinet Member for Children Services</p> <p>Alison O'Sullivan Director of Children & Young People</p>	Yes	<p>In the updated guidance, a detailed list of essential and discretionary consultees will be highlighted to ensure that the widest possible range of relevant stakeholders and interested parties can be effectively consulted regarding proposals.</p>	<p>Jo-Anne Sanders</p> <p>Warwick Firmin</p>	September 2012

	<ul style="list-style-type: none"> Local Schools (including neighbouring authority schools where there is cross boarders for pupils living and attending school in neighbouring authorities.) The Diocese (where necessary) Unions Local Councillors Local MPs Local Residents Pre-schools Local businesses Community Groups 					
8	The Panel recommend that <u>all</u> school Governors should be party to the final decision taken as to whether a school should convert to Academy status.	<p>Cllr Cath Harris Cabinet Member for Children Services</p> <p>Alison O’Sullivan Director of Children & Young People</p>	Yes	In the updated guidance, it will be strongly advised all Governors should be included in the decision-making process. The legal minimum requirement is a majority of the (quorate) governors present. This can be advised but not enforced.	<p>Jo-Anne Sanders</p> <p>Warwick Firmin</p>	September 2012
9	The Panel recommend that there should be exploration towards creating ‘buddy schools’ to provide an additional level of support for Governors and Teachers from those who have already experienced and been through the process.	<p>Cllr Cath Harris Cabinet Member for Children Services</p> <p>Alison O’Sullivan Director of Children & Young People</p>	Yes	The School Organisation & Planning Team will contact newly converted academies to invite staff governors and parents to agree to share their experiences of conversion with new converttee schools in order to provide a buddying resource (and necessary training for the role) in order	<p>Jo-Anne Sanders</p> <p>Warwick Firmin</p>	September 2012

				to support colleagues.		
10	<p>The Panel recommend that the Council should explore the viability of creating a dedicated officer role; that would be independent to the affected parties involved in the Academies process and the Children and Young People Service (ChYPS); and that would offer support to governors, before, during and after the consultation process.</p>	<p>Cllr Cath Harris Cabinet Member for Children Services</p> <p>Alison O’Sullivan Director of Children & Young People</p>	<p>No. This would be an unnecessary expense and potentially confusing for Governing Bodies. It would not be appropriate for the council to fund independent advice.</p>	<p>The School Organisation & Planning Team are professional, responsible, dedicated and provide impartial advice and guidance. It is essential to have support from someone who understand the complexities of particular situations and can co-ordinate all the relevant services (HR, legal, PR&P) to ensure a smooth process.</p> <p>Governing bodies have access to DfE advice through an assigned project officer.</p> <p>Governing Bodies of converting schools need to obtain their own independent legal advice, for which they receive a DfE grant.</p>	N/A	N/A