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# Academisation and early years education

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## Executive summary

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In 2010, the Government introduced legislation to rapidly expand the academies programme in England. These changes provided new freedoms to academy schools and allowed all schools to convert to academy status including, for the first time, primary schools. While much of the debate and policy focus has concentrated on the impact of these changes on school age children, the implications for early years education has often been overlooked.

Around two in five primary schools offer early years provision and they are particularly important for children in disadvantaged areas where private, voluntary and independent (PVI) provision is often scarcer. In addition, they often play a pivotal role in local early years networks. As nearly a quarter of state primary schools have now become academies, an estimated 72,000 children receive their early education in academy schools.

A number of commitments made by the Conservative party in their recent general election manifesto indicated that many more children will attend academy-based nurseries in the future: the academy programme will continue to expand, with top universities and private schools being required to act as sponsors; a presumption will be introduced that all new primary schools will have a nursery with existing schools receiving capital funding to develop one; and the current ban on maintained nursery schools becoming academies will be lifted.

This report explores the impact of academisation on early years education, for both academy-based nursery classes and for the wider early years sector. The research draws on national data, case study profiles of four areas across England and a roundtable discussion with experts from the childcare and early education sector.

The findings suggest that at present, academisation has not yet had a significant effect on the provision of early years education. Primary academies are about as likely to achieve a 'good' or 'outstanding' Ofsted rating for their early years provision as local authority schools. Neither is significantly more likely to offer nursery provision. There is little relationship between the deprivation level of a local authority and its academisation rate or between the proportion of pupils eligible for free school meals in academies and non-academies at primary level. Areas which have enough free early education places have a similar rate of primary academisation to those that do not. For all of these comparisons the slight variations found are likely driven by the fact that a minority of academies are schools that were forced to convert because they were underperforming.

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However, there are indications that as the academy programme expands and more schools convert, this may hinder the ability of local authorities and Regional Schools Commissioners (RSCs) to oversee schools and early years networks to support settings and raise standards. RSCs cover large areas and these are often not coterminous with regional devolution arrangements or Ofsted regions. Lack of oversight presents a risk to the overall quality and availability of early years provision, which may be compounded by other challenges faced by the sector, including funding pressures for providers and local authorities and the extension of the free early education offer. If the different freedoms, financial arrangements and oversight arrangements result in academies and non-academies following divergent strategies to manage these challenges, there is a danger that this will establish a two-tier system of early education in schools.

This report has found that early years provision in academies is not facing challenges that are unique to this sector. However, this is a rapidly changing area of policy and practice which is highly influenced by the level of funding available. In order to quickly identify and respond to any emerging issues, we recommend the Department for Education monitors the number of early education places in academy schools and the Ofsted ratings of this provision on an annual basis. This is crucial in order to make sure that the sufficiency and quality of early education places are not negatively affected by an increase in the number of academy primary schools in future.

In the shorter term, we recommend that:

1. The Department for Education review the role of Regional Schools Commissioners to make sure they have the ability to identify and support underperforming early years provision, including considering their regional distribution.
2. The Government introduce a Chief Early Years Officer who will represent early years professionals in all types of settings and work with Government to improve the quality and availability of childcare.
3. The Government make sure that funding for early education is adequate to deliver high quality provision by gathering evidence on the costs of this across England and reviewing funding levels every year.

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## Acknowledgements

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## Background: Primary schools, early years and the academy programme

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The current academy programme in the UK has been evolving since the 1980s. Until the 2000s, relatively few academies opened, but in 2010 the new coalition Government rapidly expanded the academy programme and put in place a new set of regulations through the Academies Act 2010 and the Education Act 2011. These measures provided academies with more freedoms (see Box 1), enabled all schools to convert to academy status, provided new powers to force underperforming schools to convert, and also allowed primary schools to become academies for the first time.

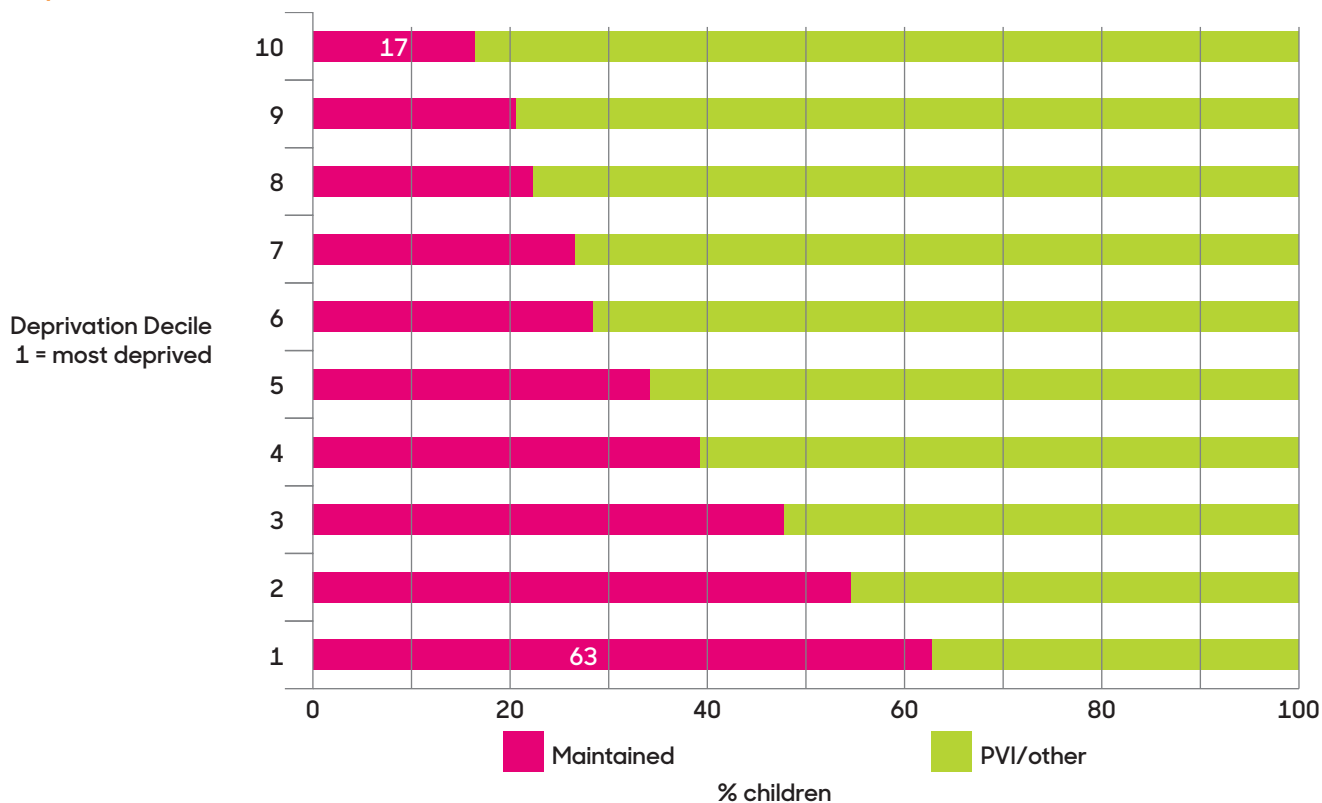
Just under two-fifths of state primary schools have provision for children under school age, catering for 31 per cent of all 3 year olds in early education. Since 2010, the proportion of all primary schools that are academies has grown to 23 per cent (DfE, 2016a; 2017a). Currently, an estimated 72,000 children attend nursery classes in primary academies.<sup>1</sup> Though the future of the academy programme is uncertain, it is likely that more schools will become academies in the future. As such, the changes made in 2010 could have a significant and growing impact on children who attend nurseries in primary schools, and on wider local early years networks.

Maintained schools represent a minority of early years provision, though they tend to be more important for children who live in disadvantaged areas. Some of this provision is in standalone maintained nursery schools, but the majority is in schools. Chart 1 shows that children from disadvantaged backgrounds disproportionately attend provision in the maintained sector, compared to the private, voluntary and independent (PVI) sector. Overall, 63 per cent of children in the most deprived decile attend free early education in a maintained setting compared to 17 per cent in the least deprived decile.

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1. Based on figures in DfE (2016b)

**Chart 1: Percentage of three year olds in free early education by provider type and deprivation decile**



Source: National Audit Office (2016)

As children from disadvantaged backgrounds predominantly attend early education at maintained schools, the academisation reforms could have a significant impact on the differences in outcomes between disadvantaged children and their more affluent peers. The attainment gap between these groups emerges during children's earliest years and widens throughout their time at school. For these reasons, it is crucial that close attention is paid to the early years in the public debate about academisation, which has so far focused on 'school' provision for children age four and over.



### Box 1. Key facts about the academy programme in England

- ▶ Academy schools are state-funded schools that receive their funding directly from central government, rather than through local authorities. They are run by self-governing non-profit charitable trusts.
- ▶ Education policy is devolved among the four UK nations, and the academy programme exists only in England.
- ▶ The Academies Act 2010 granted academy schools a range of new freedoms.
- ▶ Academies can depart from the National Curriculum, but they do have to offer a broad and balanced curriculum that includes mathematics and English.
- ▶ Academy schools with early years provision must deliver the Early Years Foundation Stage curriculum like other providers.
- ▶ A 2014 survey of primary and secondary academies published by the Department for Education found that 79 per cent have changed or plan to change their curriculum (Cirin, 2014).
- ▶ They can set the length of the school day and term dates.
- ▶ They can introduce their own standards for teaching pay and conditions, and can employ teachers without Qualified Teacher Status.
- ▶ Academies are still required to follow the same admissions and exclusions rules, and are subject to the same Ofsted inspections regimes as other state schools.

### Box 2. Types of academy schools

There are three main types of academy school in England, though they all have the same legal status as 'academies'.

- ▶ Sponsored academies. These are mostly struggling schools (rated by Ofsted as 'requires improvement' or 'inadequate') that have become academies in order to improve their performance. They are then managed by government-approved sponsors, such as other schools, businesses, universities, faith groups, or voluntary groups. Sponsors are able to appoint school governors and influence the school's curriculum and ethos.
- ▶ Converter academies. The coalition's 2010 reforms allowed all maintained schools with a 'good' or 'outstanding' Ofsted rating to opt out of local authority control by converting to academy status. They can then become single academy trusts or join a multi-academy trust. Other schools may join a multi-academy trust or start a trust in partnership with another school rated 'good' or better. Converter academies do not need to have a sponsor.
- ▶ Free schools. The 2010 reforms also introduced Free Schools, which are a type of academy started by founders who apply directly to the Department for Education and must demonstrate the need in a community for a new school. The Education Act 2011 established 'the Free School presumption': "where a local authority thinks there is a need for a new school in its area it must first seek proposals to establish an academy (free school)". A traditional community school will only be allowed if no suitable academy or free school is proposed (DfE, 2016c).



## Current trends

Primary schools in England have been able to become academies since 2010. A number of factors affect the creation of academy schools, such as the willingness of good schools to convert and the availability of suitable sponsors for underperforming schools. As of March 2017, 23 per cent of state funded primary schools in England had converted to academy status, compared with 69 per cent of secondary schools (see Chart 2). At the same point in 2016, these figures stood at 18 and 65 per cent respectively. This shows a relatively rapid pace of conversion to academy status among primary schools over the previous 12 months, and suggests significant scope for further expansion. While there are proportionally more schools in the secondary phase compared with the primary, the total number of primary academies has significantly exceeded that of secondary academy schools (3,836 compared with 2,134).

The White Paper Educational Excellence Everywhere set out the 2015–17 Government's expectation that all schools would convert to academy status by 2022 (DfE, 2016d). Criticism of this proposal, particularly from Conservative-led councils, caused the Government to retract this commitment in favour of new legislation to make it easier to force underperforming schools to become academies. Though it appears likely that the trend of primary academisation will continue to rise, with new schools likely to be opened as academies under the free school presumption (see Box 2), this reversal placed uncertainty over the future pace of conversion. However, the Conservative Government's recent general election manifesto reaffirmed their commitment to further academisation. In addition, the Government has pledged to lift the existing ban on maintained nursery schools from becoming academies (Conservative Party, 2017).

**Chart 2: Number and percentage of state schools in England by type**

School type	Number of schools	% of all schools
All primary schools	16,770	100
All primary academies	3,836	23
Converter academies	2,596	15
Sponsored academies	1,104	7
Free schools	136	1
All secondary schools	3106	100
All secondary academies	2134	69

Source: DfE (2017a)

## Early years provision in primary academies

Chart 3 sets out early years provision in different types of primary schools. This follows some distinct patterns. A small proportion of schools – around five per cent – offer places for two year olds, and this is the same for academy and non-academy primaries. Overall, a similar proportion of academy and non-academy primary schools offer nursery class places for three year olds, at 40 per cent and 37 per cent respectively. The somewhat higher figure among academy primaries is driven by a significantly larger proportion of sponsor-led academies offering places to this age group (49 per cent). Sponsor-led schools are those that are underperforming and have converted to academy status to support school improvement. It is perhaps no surprise that sponsored academies are more likely to have early years provision, as there is a correlation between school performance and area deprivation, and deprived areas are more likely to have more early years provision in schools (as shown below).

**Chart 3: Number and percentage of primary schools with early years provision by type**

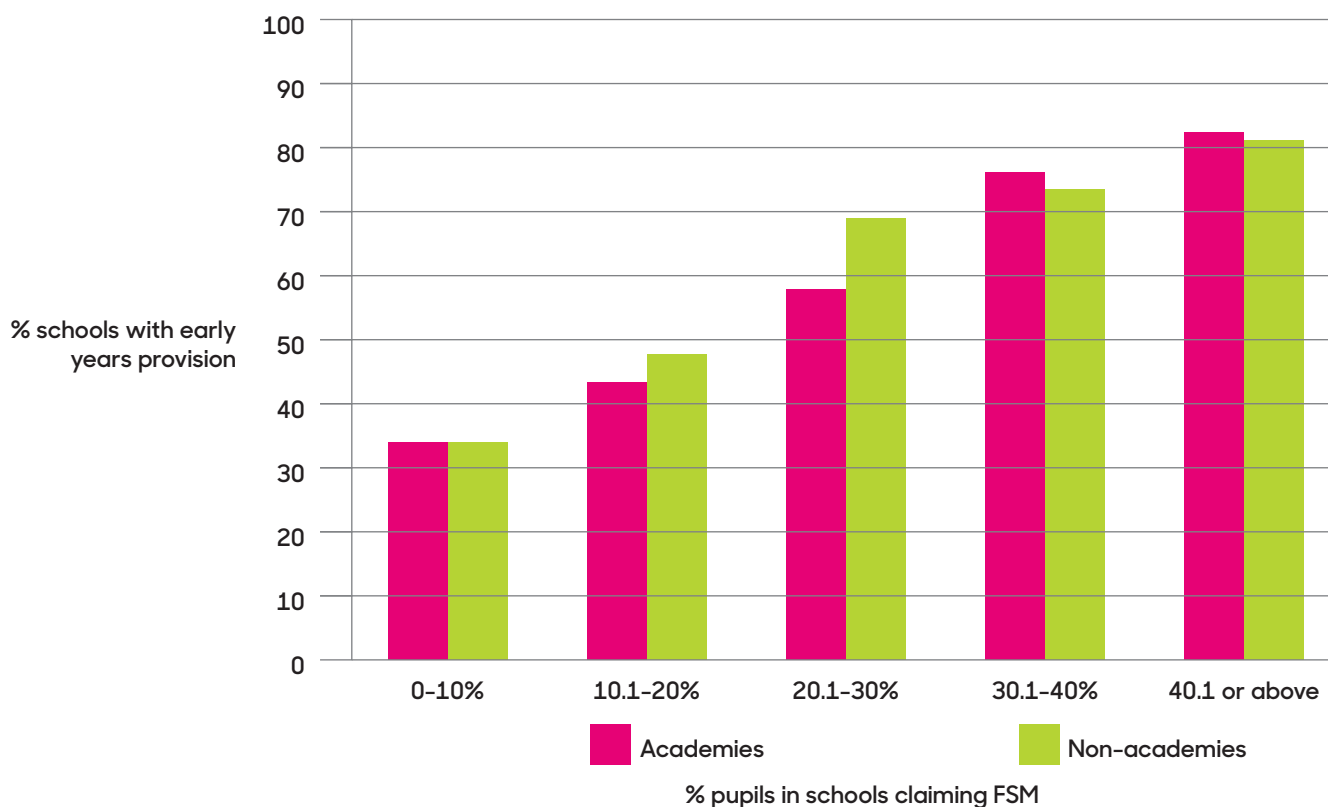
Early years provision (youngest pupil group)	Converter academies	Sponsored academies	All academies	Non-academy primary schools
Two year olds	5% (137)	5% (55)	5% (195)	5% (671)
Three year olds	37% (968)	49% (537)	40% (1516)	37% (4795)
Reception class	36% (936)	30% (330)	36% (1382)	37% (4741)

Source: DfE (2017a)

## Level of deprivation among primary academies

The link between deprivation and school-based early years provision is illustrated in Chart 4. The chart suggests that, like other primary schools, academies with more pupils eligible for free school meals (FSM) are more likely to have early years provision. Among all primary schools, 14 per cent of children on average receive FSM. This proportion is marginally higher in academy schools at 16 per cent, which again is a difference that is driven by sponsored academies.

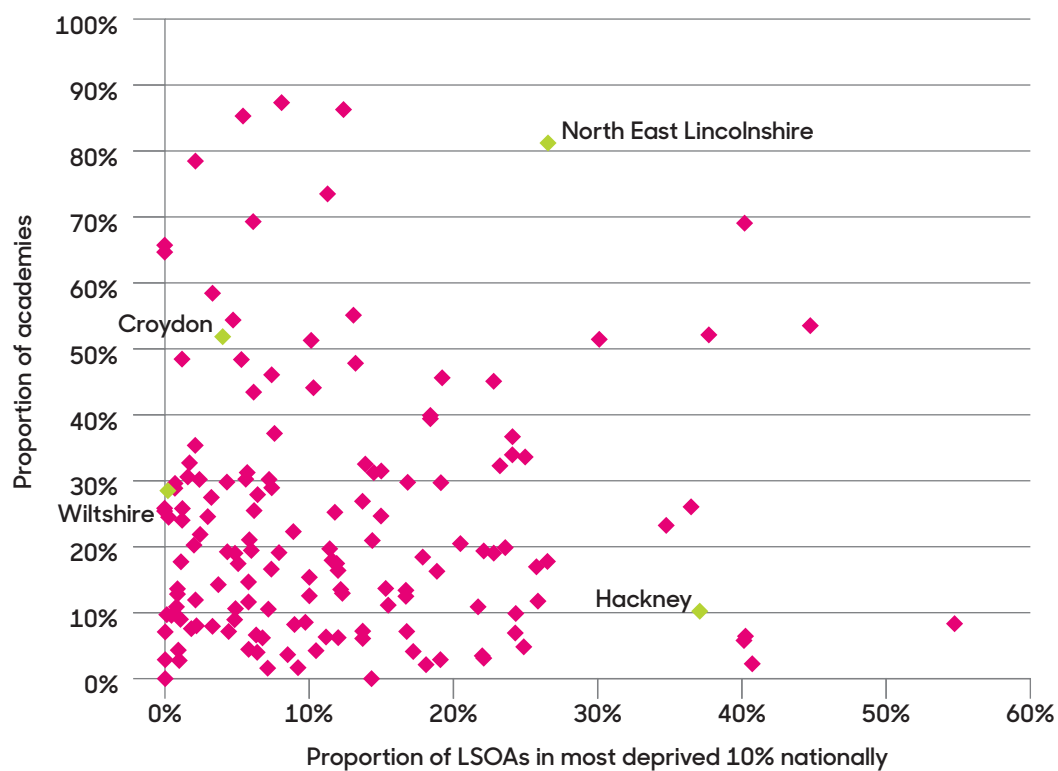
**Chart 4: Primary schools with early years provision for two or three year olds by percentage of pupils claiming free school meals**



Source: DfE (2017a)

There is significant variation in the proportion of local primary schools which have converted to academies. Chart 5 compares the level of deprivation in a local authority to the proportion of local primary schools which are academies. The level of deprivation in a local authority is illustrated by the proportion of Lower Layer Super Output Areas (LSOAs) that are in the most deprived 10 per cent nationally, according to the Income Deprivation Affecting Children Index (IDACI). There is no significant correlation between these two variables.

Chart 5: Local authorities by level of deprivation and proportion of primary academies (case study areas are highlighted)



Source: DfE (2017a) and DCLG (2015)

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# The impact of academisation on quality improvement

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Proponents of the academy programme argue that schools which have more freedoms, in combination with rigorous oversight, are more likely to identify successful strategies (Gove, 2014). However, an alternative case has been made that schools in England already enjoy a significant degree of autonomy and the causes of low performance can be traced to other factors such as poor teaching and poor allocation of resources (Muir and Clifton, 2014; Clifton et al, 2016). The 2015–17 Government articulated three aims for the academy programme: improving the performance of struggling schools; helping successful schools to improve further; and ensuring that successful schools use their strengths to support other schools (Department for Education, 2016d).

The impact of the academy programme is debated. An Education Select Committee report on the impact of academies in 2015 concluded that it was too early to draw clear conclusions about the long-term impact of academy sponsorship on school performance. Proponents of the academies programme point to sponsored academies' improvement, which is perhaps to be expected given that sponsored academies tend to start in circumstances where a school turnaround strategy would be necessary. On the other hand, opponents cite the poor attainment overall of sponsored academies, which is also to be expected given their low starting point (House of Commons Education Committee, 2015). Some specific criticisms of the academy programme were identified in the report, such as a narrow emphasis on school structure and autonomy as an improvement tool, the lack of evidence that school autonomy would help to close the achievement gap, a lack of oversight and accountability, and the tendency of good schools to 'go it alone' and not meet commitments to support other schools. The freedom of academy schools to employ unqualified teachers has been raised as a particular concern. However, a 2014 survey of primary and secondary academies found that only 5 per cent hired unqualified teachers that were not working towards Qualified Teacher Status (Cirin, 2014).

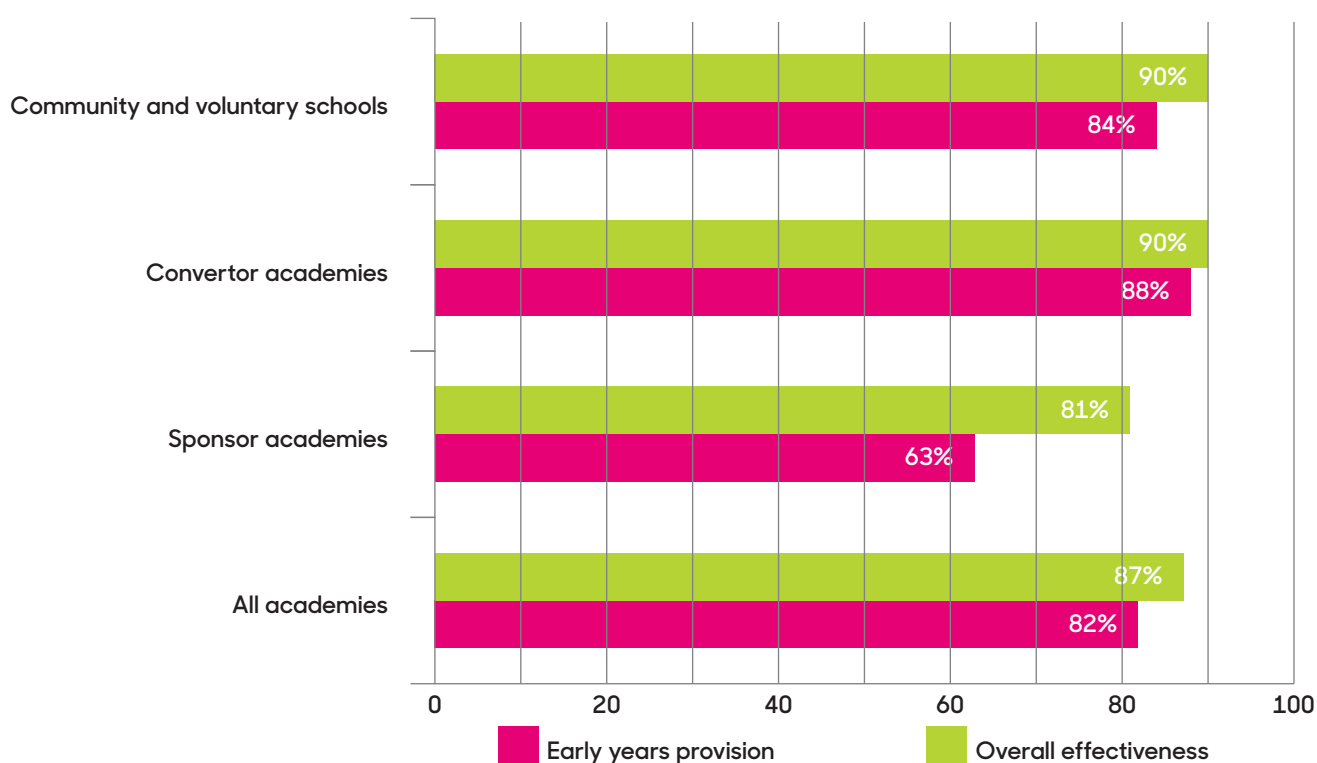
An analysis conducted by the Education Policy Institute, which looked at both the primary and secondary phases, concluded that neither multi-academy trusts nor local authorities appeared to be a more successful model when measuring children's outcomes: the variation between different local authorities and between different multi-academy trusts is greater than the variation between the two groups (Andrews, 2016). In other words, the performance of pupils in academy groups is similar to that in local authorities.

From September 2014, Ofsted introduced separate grades for early years provision, where it is based within schools, in addition to schools' overall effectiveness grades. Though the number of schools that have since received a separate early years grade remains low, this enables comparison of the performance of school-based early years provision across different types of primary schools.

Chart 6 looks at the inspection outcomes of primary schools with early years provision that were inspected after this change (2015 for most inspections), and shows the proportion of schools that achieved a 'good' or 'outstanding' grade. In general, early years grades are higher than those for schools' overall effectiveness, and this is the same across types of schools. This is driven by schools rated 'requires improvement' for overall effectiveness having higher early years grades. Of the primary schools that were graded as 'requires improvement', 56 per cent had 'good' or 'outstanding' early years ratings.

Though a smaller proportion of academies have 'good' or 'outstanding' early years grades compared with non-academy schools (87 per cent compared with 90 per cent), the chart shows that this small difference is driven by early years provision in sponsored academies, of which only 81 per cent achieved these grades. These schools also have much lower rates of achievement for overall effectiveness. Both of these differences are to be expected, given that sponsored academy schools were previously underperforming schools that were required to convert.

**Chart 6: Percentage of primary schools achieving 'good' or 'outstanding' at most recent Ofsted inspection (Dec 2016)**



Source: DfE (2017b)

Available data suggests the impact of academisation in the early years on children's outcomes may currently be limited, or unclear. However, there are a number of issues relating to early years education that require attention. These are examined below. The influence of these factors may develop over the coming years as the number of primary academies increases, and the impact of the academy programme becomes clearer.

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Potential and emerging issues were identified and explored through a review of the existing literature; case studies of four local areas across the country involving interviews with staff from local authority early years teams and primary academies (see Appendix); and a roundtable with experts and stakeholders across the childcare and early education sector.

#### **Recommendation**

In order to quickly identify and respond to any emerging issues, we recommend the Department for Education monitors the number of early education places in academy schools and the Ofsted ratings of this provision on an annual basis. This is crucial in order to make sure that the sufficiency and quality of early education places are not negatively affected by an increase in the number of academy primary schools in future.

## **School oversight structures**

There are currently separate oversight structures for local authority schools and academy schools. Local authority schools continue to be accountable to local authorities themselves. Local authorities are responsible for providing support services, monitoring school performance and making interventions where problems arise (as well as meeting strategic duties such as ensuring sufficient places are available).

Academies are overseen by Regional School Commissioners (RSCs) on behalf of the Secretary of State for Education (see Box 3). Like local authorities, the responsibilities of RSCs include monitoring performance and taking action to support schools that are underperforming, though they are only able to advise and commission improvement activities, rather than carry out direct interventions. They also have a duty to identify failing local authority schools and match them with an appropriate academy sponsor (House of Commons Education Committee, 2016).

There are potential issues with this system. As there are only eight RSCs across England, they tend to cover large areas. For instance, the Regional Commissioner for South Central England and North West London is responsible for 27 local authority areas, which have 436 primary academies plus secondary academies – this number is likely to increase as academisation continues. The areas covered by RSCs are not co-terminus with other governance structures – three different RSCs have a part of London in their remit, and one RSC is across parts of four Ofsted inspection regions.

In many cases, local authorities, Ofsted and RSCs will have a great deal to offer one another in terms of sharing expertise about emerging local issues and successful school improvement strategies. However, while the different bodies often work well together, the nature and quality of their partnerships varies greatly across the country, and in some areas there is no relationship at all.

Without strong guidance over how the two systems should interact, and with RSCs' large geographical remit, there is a risk that it will become increasingly easy for problems to develop in schools and for these not to be picked up as capacity to intervene strategically to address problems has been complicated and diluted.



### Recommendation

The Department for Education should review the role of Regional Schools Commissioners to make sure they have the ability to identify and support underperforming early years provision, including considering their regional distribution.

### Box 3: Regional Schools Commissioners

- ▶ Regional Schools Commissioners (RSCs) were introduced in 2017 to provide oversight of academy schools at a regional level. Previously, academies were directly accountable to the Department for Education.
- ▶ The core functions of RSCs are to intervene where academies are underperforming, and to broker sponsorship for underperforming maintained schools to become academies.
- ▶ They cannot intervene directly in schools, but they can prescribe and commission actions to be taken by an underperforming academy trust. They have no direct role with schools which are performing well.
- ▶ There are eight RSCs, each with a small staff, in England. They are accountable to the National Schools Commissioner. RSCs and the National Schools Commissioner are civil servants.
- ▶ RSC areas are different to standard local government regions, including those used by Ofsted. Parts of London are in three different RSC areas.

## The role of schools in early years provision

There can be significant advantages for schools in offering early years provision. They are able to ensure that children are 'school ready', easing the transition to reception and potentially improving children's outcomes. Early years provision based in schools can benefit from school infrastructure and expertise, such as special needs support.

Schools have a range of options in setting up early years provision. Schools may provide care directly or contract out provision (for example, by leasing space to a provider). Schools can also use a mixture of types of provision, for example by arranging care that wraps around nursery classes through a private nursery or childminders.

Choosing the right model poses difficult questions for schools. In-house provision, in which staff have the same terms and conditions as school staff, is expensive. It is rarely viable for a school to provide year-round day care with in-house staff: the fees needed to cover staff salaries would be prohibitively expensive. Many schools therefore arrange 'linked' provision, where terms and conditions match those of the local early years market. This means that it is viable to offer more flexible day care but that the qualification, experience and skill mix of staff may be more limited.

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Like all schools, academies have a choice over whether to offer early years provision or not, and their decisions are likely to be based on how they weigh up the opportunities and challenges outlined above. A stronger emphasis on the freedom of academies to run their schools autonomously of the local authority's early years strategy might mean that primary academies have a different early years offer, compared with non-academy primary schools. However, as set out in Chart 3, there is as yet little difference between the likelihood that academies and other primary schools will run early years provision. A slightly higher proportion of primary academies cater for children from three years of age (40 per cent, compared with 37 per cent of non-academy primary schools), a difference that is largely driven by sponsor-led academies.

Overall, evidence from the case studies and roundtable discussions was supportive of the notion that there is presently little difference between academies and non-academies in terms of their ability or willingness to cater for early years. One academy reported that being part of a multi-academy trust made it easier to negotiate and manage additional nursery provision, but this was attributed more to greater expertise in the team than to structural factors. Schools' choices about early years provision are sensitive to the funding available – this is discussed in more detail below.

## The role of local early years networks in quality improvement

Whether schools choose to offer nursery provision or not, they must support each child's transition into school, usually at age four in reception class. Good practice centres on not waiting until children are in school, but working closely with other providers within local early years networks to drive up quality by sharing information and best practices and setting expectations of school readiness (Ofsted, 2014).

Early years networks are often supported by local authorities, which have a statutory duty to promote high quality early education. This duty sits alongside a number of responsibilities set out under the Childcare Act 2006 to reduce inequalities in outcomes between children and provide sufficient children's centres, free early education and childcare for working parents (Butler and Hardy, 2016).

Local authority early years support varies between areas, but typically includes:

- ▶ support and advice via telephone and email;
- ▶ regular updates on early years policies and frameworks;
- ▶ a programme of training and professional development;
- ▶ an annual monitoring visit;
- ▶ a quality assurance scheme; and
- ▶ coordinated quality networks and clusters.

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When problems are identified through monitoring or by Ofsted, local authorities may intervene through a range of measures, such as support from a consultant to develop an action plan, brokered peer-to-peer support, a bespoke training programme and regular visits to assess and support progress. The models through which local authorities seek to meet these duties are evolving in response to changing Government priorities and falling funding, with less emphasis on centrally mandated quality monitoring and improvement processes and more on collaborative networks and self-directed improvement.

Primary schools are often important stakeholders in these collaborative early years networks. However, where more of them begin forming their own partnerships within multi-academy trusts, networks operated by local authorities could weaken. Schools and nurseries may face a situation whereby once they had access to a system of mutual collaboration and exchange of best practice, supported by a broad and diverse range of settings, such networks may now be increasingly isolated and fragmented. This is a particular concern for settings in geographically dispersed areas, where participation in networks is harder to achieve.

Secondly, as more schools with nursery classes convert to academy status, the pool of settings reliant on the local authority to purchase early years services may shrink. Thus, the opportunity for them to benefit from more efficient economies of scale when purchasing or delivering improvement services also decreases.

The experience of the majority of schools and local authorities we spoke to was that schools that had converted to academy status remained as engaged with the local authority and early years networks as they had been prior to conversion. This was the case for both standalone academy schools and those in multi-academy trusts. However, they have no legal requirement to do so, and could if they choose refuse any support or monitoring.

One local authority that had experienced a relatively high rate of primary academisation reported that schools swiftly opted out of local authority early years support structures shortly after converting, but have since trickled back. This may be because headteachers and leaders have gradually learned more about the challenges of supporting high quality early years provision and the benefits of participation in collaborative early years networks. Nevertheless, this highlights a clear risk that the early years is overlooked in school planning during periods of change. There is a need to ensure that high quality early years provision is considered in all aspects of educational planning.

The role of quality improvement networks is particularly important given the quality challenges that face the whole sector. Only high quality childcare boosts children's outcomes but early years staff are among the lowest paid professional groups in the labour market: non-senior staff in private and voluntary day care providers earn on average £8.00 per hour while senior managers earn £11.20 per hour (DfE Survey of providers, 2017). Childcare providers raised with us that they wanted to increase staff pay levels but struggled to do so under current government funding for places.

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### Recommendation

The Government should introduce a Chief Early Years Officer who will represent early years professionals in all types of settings and work with Government to improve the quality and availability of childcare.

## Free early education and childcare

Changes in the entitlement to free early education and childcare are posing new challenges for schools. All three and four year olds and 40 per cent of two year olds are entitled to free early education for 15 hours per week, and this is due to extend to 30 hours per week for the three and four year old children of working parents from September 2017. Only a minority of free early education is delivered in primary schools (DfE, 2016a). However, schools have in many local areas played an important role in addressing gaps in provision, especially for two year olds and particularly where the local authority has sought to develop high quality places for vulnerable children. School-based provision is particularly important in deprived areas where there is limited PVI provision.

Local authorities are required to monitor whether there is sufficient childcare in their local area. Nationally, 47 per cent of English local authorities report that they have enough free early education places for two year olds in all of their local area, and 64 per cent report having enough free places for three and four year olds (Harding, Wheaton and Butler, 2017).

The relationship between local free childcare sufficiency and rates of academisation is illustrated in Chart 7. In areas where councils reported having enough free childcare for two year olds the average proportion of primary schools that are academies (21 per cent) is lower than in those areas that reported they did not (27 per cent). The figures are similar for the rate of academisation in areas that do and do not have sufficient childcare for three and four year olds (23 per cent compared with 27 per cent). This suggests that areas that are struggling to meet demand for free childcare, for both the two year old and the three to four year old offer, tend to be areas with slightly higher proportions of primary academies.

The association does not allow us to infer causal links, and these slight differences may again be driven by sponsored academies being predominantly located in areas of disadvantage, where there tend to be fewer childcare providers (NAO, 2016). As such, concerns regarding the impact of academisation on local provision of free childcare are at present not strongly supported by the data. However, as changes to free childcare from September may put further pressure on local capacity (see Box 4), this situation should be monitored closely in the years ahead.

### Recommendation

The Government should make sure that funding for early education is adequate to deliver high quality provision by gathering evidence on the costs of this across England and reviewing funding levels every year.

**Chart 7: Childcare sufficiency by average rate of academisation**

		Number of areas	Average proportion of primary academies
Free 15 hour offer for 2 year olds	LAs with <b>enough</b> provision to meet demand	69	21%
	LAs with <b>not enough</b> provision to meet demand	69	27%
Free 15 hour offer for 3-4 year olds	LAs with <b>enough</b> provision to meet demand	93	23%
	LAs with <b>not enough</b> provision to meet demand	44	27%

Source: DfE (2017a) and Harding, Wheaton and Butler (2017)

#### Box 4: The impact of the 30 hour offer

The expansion of free early education and childcare to 30 hours per week during term time (or 1,140 hours per year) from September 2017 is likely to influence evolving patterns of early years provision. The offer poses a challenge for nursery classes in schools as most offer sessional provision: extending hours of care implies either reducing the number of places offered, expanding setting capacity through extra space and staff, or forming partnerships with other settings.

A majority of respondents to a National Association of Headteachers survey in 2015 reported that their school does not receive enough funding to cover costs (NAHT, 2015). Many respondents reported having to use the rest of the school budget to fill the deficit. Given the increasing pressures on school budgets, the report argues this practice will become unsustainable. When asked about the prospective impact of the 30 hour offer, two in five survey respondents stated that extending the level of free childcare would make early years provision less financially sustainable, while 15 per cent said it would make their funding more sustainable.

Just over two in five respondents stated they were at full occupancy for their early years provision while four out of five said they were at more than 80 per cent of their occupancy level. Half of respondents argued they did not have the capacity to increase the number of nursery education hours they offered, with a further half of such respondents arguing that they could do so if capital funding was available. A third stated they would not be able to increase capacity even with capital funding.

More recently, in December 2016, the Family and Childcare Trust surveyed local authorities across England and found that only a third expect there to be sufficient places available for the 30 hour offer, with just over half not yet knowing whether or not there would be enough (Harding, Wheaton and Butler, 2017).

It is, as yet, not clear how the 30 hour offer will affect patterns of early years provision in schools. Where schools are the primary provider of free early education, particularly in less affluent areas, access to the 30 hour offer could be limited if schools are not able to offer places. However, the practical barriers to doing so appear formidable in many cases. It seems likely that a range of choices will be made by schools in light of local circumstances.

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## Conclusions

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In the seven years since the expansion of the academies programme in 2010, the proportion of primary schools that are academies has risen to nearly a quarter. While this is a much smaller proportion than in the secondary phase, the total number of primary academies is much larger than that of secondary academies, and many more primary schools are likely to become academies in the future.

Two in five primary schools offer early years provision. They often play an important role in collaborative networks of local settings, tend to provide higher quality teaching compared with PVI settings, and are disproportionately used by children from disadvantaged backgrounds, for whom early education is particularly beneficial. For these reasons, this report has examined the impact of academisation for those attending academy-based early education, as well as on the wider early years sector. The research draws from national datasets, local case studies, and a roundtable with key experts and stakeholders.

The picture that emerges from the research is that academisation has not yet had a major impact on how early years provision operates in practice. Comparing Ofsted grades given to different types of schools with early years provision shows very little difference between the standard of academies and non-academies, both for their separate early years grades, as well as for their overall effectiveness. As with previous research, this suggests that the variation in quality between the academy model and the local authority model may currently be limited or unclear.

Similarly, academies are not significantly more likely to offer early years provision, or to cater for pupils in receipt of free school meals. There is also little correlation between rates of academisation and local levels of deprivation or childcare sufficiency. In all of these cases, the minor differences that exist can largely be attributed to the fact that many academies were once underperforming local authority schools that were forced to convert.

However, this picture may shift over the coming years as more primary schools become academies. This trend may also undermine efforts to support school improvement through the use of local and regional oversight structures and collaborative early years networks, both of which are already at risk of becoming increasingly fragmented and weakened. The task of managing these issues without compromising the quality or availability of early years education is likely to be further complicated by wider contextual factors, such as growing funding pressures for schools and local authorities, and upcoming changes to the free early education entitlement. It is vital that as the academy programme develops, the early years sector is considered a priority.

## Appendix: Local case study profiles

Authority	Population	Primary academies %	Free school meal entitlement %	3 year old free offer take up %	EYFS (age 5) 'good' level of development %
Croydon	379,000	52% of primaries plus a maintained nursery run by an academy chain under SLA	19%	82%	70%
Hackney	269,000	10% of primaries plus school federations	30%	85%	69%
North East Lincolnshire	160,000	81% of primaries	16%	97%	71%
Wiltshire	486,000	29% of primaries	8%	96%	71%
England average	NA	23% of primaries	15%	93%	69%

Source: ONS (2016), DfE (2016a; 2016b 2016e; 2017a). Our case studies were selected on the basis of their different experiences of primary academisation so far.



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## Wiltshire (South West)

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### Local authority experience

Wiltshire Council's school improvement strategy is based around a system of monitoring led by a group of advisors, most of whom are practising heads of good and outstanding schools. The group visit schools throughout the year and examine performance data. Settings that are deemed to be at risk are offered an intensive and tailored support package. Schools pay for this service, unless they are deemed to be at risk. The local authority experiences very high engagement among all schools, though there is slightly less contact with academies, as they often have their own monitoring and improvement arrangements.

The local authority also fosters collaborations across PVI and maintained early years settings, led by teaching schools, with strong participation from academy schools, community schools, and other early years providers.

The local authority attributed good levels of engagement from primary academies to most being standalone academy trusts, or belonging to small partnerships started by groups of headteachers, rather than large national academy chains.

In preparation for planned cuts to the Education Services Grant, which funds the local authority's school improvement team, the council are currently working with settings across the sector, including academies, to build a self-sustaining school-led improvement system. The aim of this is for schools to become more reliant on their own collaborative networks, and less dependent on the local authority.

### Schools' experience

We spoke to a number of headteachers in Wiltshire and Swindon from a Multi-Academy Trust (MAT) that manages primary schools across both authorities, plus schools in Oxfordshire and Gloucestershire. The MAT was borne out of an existing federation of schools and was initially driven by the greater opportunities for collaboration between partner schools. As the size of the trust has grown to include 18 settings, the advantages of being a part of the network have increased. Students and staff work across the schools, within their local hubs as well across the four local authorities, sharing ideas and expertise, providing support, and organising sports events and festivals.

The MAT has a wide range of schools that specialise in catering for different needs and age ranges, including ones with a concentration of children who do not speak English as a first language and who have special educational needs and disabilities (SEND). As such, schools across the network are able to benefit from the diverse experiences of their partners. A large and diverse network has also made it possible for schools to take measured risks by trialling different practices, and for other settings to benefit from an understanding of what has worked well.

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Other benefits of academisation discussed by the interviewees include increased freedoms over procurement, as well as a greater level of expertise among the central leadership, accounts and premises teams, and other back office operations. This was felt to have made it easier to deal with major changes, and to negotiate additional nursery provision. While the academy provides intensive support for school improvement where it is needed, it also allows schools to retain a great deal of autonomy and individual school identity. Schools that joined the academy were encouraged to maintain strong relationships and high levels of engagement with local authorities.

Schools benefit from a range of early years support services provided by the local authority, particularly relating to the provision for children with SEND. The council offers information and support, provides updates on key policy and safeguarding changes, makes observations and recommendations, and fosters local early years networks with other providers.

Interviewees were highly positive about having early years provision within schools. It was felt that having nursery classes eased children's transition into reception, improved relationships with parents, and allowed staff to prepare children according to the expectations of the primary school. The nursery also builds relationships with other early years providers whose children feed into the school, in order to support school readiness, and ease transitions into reception.

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## North East Lincolnshire (Yorkshire and Humber)

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### Local authority experience

Out of the 47 primary schools in North East Lincolnshire, the 9 remaining local authority maintained schools participate in an early years network. Activities include ongoing peer review and support, including through the pairing of 'like-for-like' schools, and dedicated groups focusing on school readiness and literacy. The local authority also offers a continuing professional development programme for all providers that is designed each year taking into account trends in EYFS Profile assessment outcomes.

Primary academies still participate in elements of the local authority early years support offer. For example, they may still attend relevant networks and groups and some schools buy in support. Like other schools, academies have participated in 'quid pro quo' arrangements, for example where strong academy schools host visits to share good practice. The local authority also sends early years updates to all schools.

Primary academies initially opted out of local authority early years support structures but have trickled back. This may be because headteachers and leaders have gradually learnt more about the challenges of supporting high quality early years provision and the benefits of participation in collaborative early years networks.

### Schools' experience

The local stakeholders we spoke to suggested that this conversion was driven by a combination of a legacy of increasing autonomy, which meant that schools had the confidence to work independently of the local authority, and diminishing local authority support, which meant schools felt they were likely to be better off, or at least had little to lose, as academies.

The shift to an academy model appears to have, in practice, had primarily administrative rather than practice consequences for many schools because most were already operating with a significant degree of autonomy. Arrangements for school improvement and training, for example, were not necessarily affected by academy conversion. In part this was because converter schools chose to join trusts that offered autonomy. The trigger for change in schools, rather, is a change in leadership, which had only tended to occur among sponsored academies.

Some stakeholders were concerned about capacity within the system of early years support. One school cited a specific example where this issue arose. The school has a relatively high proportion of children who speak English as an additional language. In the past, the school had drawn on support from a language advisor employed by the local authority. However, this post was abolished by the local authority. The school was able to buy in support but the value of the resources available to the school for this purpose did not replicate the amount of support previously received from the local authority.

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One school we spoke to currently offered free sessional provision for two, three and four year olds and planned to roll out the 30 hour offer from September. However, the school had vacant places and did not expect strong parental demand, though the nursery manager noted that it was difficult to predict if there would be a shortage of places locally that might affect take-up in the school. The nursery was already offering some day care (9am to 3pm) and planned to offer 30 hours in a fixed number of patterns to support stable, high quality sessions.

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## Hackney (Inner London)

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### Local authority experience

Hackney's early years and primary provision is unusual, in that it has very little academisation but a number of school federations – similar to multi-academy trusts in that they share a single governing body, but funded by the local authority. Local authority support is provided by Hackney Learning Trust, which was set up as a private, not-for-profit company to improve education services for Hackney, and has since returned to council control.

The Learning Trust provides a mixture of core and targeted support for early years providers, with a special package of support for those not achieving Ofsted ratings of at least 'good'. Schools report receiving support particularly for speech and language development.

Planning for the 30 hour offer has helped support engagement from schools. As schools have sought advice about business planning, the Trust has used the opportunity to promote two year old places to schools.

The increase in school autonomy in the local area, brought about by slowly growing numbers of academies and federations, has encouraged the Trust to ensure that it delivers a high quality service, as schools increasingly have a choice about what support they access and commission. However, a closer relationship is double-edged: staff can make commitments to schools that would ideally be paid for as a traded service.

EYFS profile results have risen significantly in the last decade – results are now close to the national average, having been very low in 2008. This improvement is attributed to a range of factors, including a focus on home learning, investing heavily in vulnerable children by offering them, for instance, full-time early years provision, and facilitating local partnerships among early years settings based around their children's centres. The Trust views successful partnerships as being dependent on provider autonomy.

### Schools' experience

Stakeholders from both the academy trust and the federation pointed to the financial incentives of academisation and federation respectively. In the federation, otherwise separate governing bodies, leadership teams, and back office operations can be merged, and contracts for services and specialist provision can cover all schools in the federation, instead of each one individually. For the academy, being independent of local authority control allows more flexibility in choosing service providers, enabling them to shop around for the best quality and prices. By being free to choose providers with the most competitive rates they were able to afford more hours of specialist provision.

Recruitment and retention was highlighted as another major benefit of federation. Staff that begin working for one school in the federation are able to move around schools, allowing them greater scope for more varied roles and opportunities for promotion.

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All stakeholders found that having early years provision within schools provided a number of advantages, primarily in terms of easing the transition from early years to school for children, and in terms of staff training. For staff, the integration between early years and the primary phase meant being able to train together, share experiences and learn from one another. There is also a mutual benefit for early years and primary school staff in seeing a more complete picture of a child's learning journey.

The stakeholder from the academy trust felt that the change to academy status had prompted enabled schools to develop a more diverse and broad curriculum, which was joined up between the early years and key stage 1. This was felt to boost the children's self-esteem and engagement in school by relating more to their personal strengths and interests. Conversion to academy also allowed the school to continue offering exclusively full-time early years provision. While this was challenged by the local authority, the Education Funding Agency has accepted it.

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## Croydon (Outer London)

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### Local authority experience

The local authority has not found significant differences between maintained and academy provision in terms of the amount of support they take up from the authority. One member of council staff described a 'strong collective understanding' that the type of school does not matter in terms of the nature of their engagement. Each school or maintained nursery has an allocated link advisor who looks at quality, outcomes, and vulnerable groups at no charge from the council. Whilst academies could refuse this service, all have accepted the support so far.

The council recently arranged a multi-academy trust operating in the borough to begin managing a local authority nursery under a one year rolling service level agreement. While the nursery retains its own governing body, the leadership sits at the trust level, allowing the nursery to save money for the council. Parents were said to be pleased with this arrangement because it provides the nursery access to more resources and has led to a higher Ofsted rating. The trust benefits from being able to raise the school readiness of children likely to join their schools, and having a wider range of career development options for staff.

The local authority stakeholder pointed to a recent increase in the proportion of children reaching a good level of development according to the EYFS framework, and higher Key Stage 2 SATs grades. This was attributed to a good targeting of support and a focus of resources on where gaps in provision exist, as well as on underperforming groups of children.

### Schools' experience

The local stakeholders we spoke to suggested that their conversion to academy status was motivated primarily by a desire to reform their curriculum. Having developed a new curriculum for the primary phase based around encouraging independent learning, one school felt restricted by the local authority and decided to 'strike out' on their own. While this made little difference to the early years provision, where the statutory framework already allows for innovative curricula, having more freedom over the primary stage enabled the school to provide a coherent approach to learning across the whole school.

As well as the freedom to reshape the curriculum for the primary phase, academisation was seen to bring about two further benefits to schools. Firstly, the freedom to employ staff without Qualified Teacher Status helped one school overcome the recruitment issues they had previously been facing, allowing them to select from a wider pool of candidates, some of whom were, in their opinion, better suited than the qualified candidates. As a result, the school had also become less reliant on agency staff which one interviewee found to be more expensive, less committed and less accountable.



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Secondly, the stakeholders highlighted the benefit of "cross-academy collaboration", which allows staff from across the multi-academy trust to work with each other and discuss issues, offer support, standardise baseline measures, moderate progress, and provide quality assurance. While engagement with the local authority remains good, it was felt that it may have reduced slightly since the school became an academy. While this may pose the risk of quality standards slipping, it was felt that this was outweighed by the benefit of cross-academy collaboration.

One stakeholder expected the 30 hour offer to be an opportunity to channel more children into nursery classes within the academy, where they could work to improve school readiness and ease transitions into the reception. The school expected the offer to lead to increased demand for the school's nursery classes, which are currently below full occupancy.

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