



Baroness Barran

Parliamentary Under-Secretary of State for the School System
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18 July 2022

To interested Peers,

My Lords,

Re: The Schools Bill: Report day 1

I committed to write in response to some of the questions raised on day 1 of Report stage for the Schools Bill. My responses are detailed in this letter.

Summer engagement on academy trust standards

The government has supported the removal of clauses 1 to 4 and schedule 1 in order to develop a revised legislative approach to the academy trust standards over the summer months. I committed to setting out further details about how we plan to work with the sector and parliamentarians over that period (Hansard, column 1389, 12 July 2022).

Although the academy standards measure has been removed from the Bill, our policy intention remains to move to a statutory framework that is fit for a fully trust-led system. In order to achieve this ambition, the initial phase of the Regulatory and Commissioning Review will consider the core principles and minimum standards by which the future school system will operate.

This review is intended to define clearly the scope of the academy standards regulations and the principles behind them. To achieve these aims, the department will work alongside an external advisory group to develop both the content of the academy standards regulations and the delivery approach of the review's proposals, including in relation to the intervention powers required to uphold the revised standards.

We are also planning an intensive programme of engagement alongside the review, which will include the teacher and headteacher unions, school leaders, multi-academy trust chairs and CEOs, local authority leaders, system thinkers and representative bodies, including the Churches. In addition, through the department's Regions Group we will be engaging regionally with sector leaders. I would welcome any further conversations with your Lordships on matters you believe it is important for us to consider in relation to the future regulation of the academy sector.

The government's plan is to publish interim findings of the review in September.

In relation to the noble Lord Baker's remarks about the need for a consultation period on any changes to the rules on regulating schools (Hansard, column 1372, 12 July 2022), I have already committed to any academy trust standards regulations being consulted on each and every time they are made, and this commitment stands for the revised provisions. In addition, I would reiterate that in relation to multi-academy trusts, the responsibility for meeting the standards will apply at trust-level, rather than individual schools.

Regulatory Review

The Terms of Reference for the Regulatory Review have been published on GOV.UK at: [Academies regulation and commissioning review: terms of reference \(publishing.service.gov.uk\)](https://www.gov.uk/government/publications/academies-regulation-and-commissioning-review-terms-of-reference). A copy of the Terms of Reference has also been laid in the house libraries.

In short, the Terms of Reference confirm the review will consider four key areas:

- How we define, measure and judge trust strength, building on the principles in the Schools White Paper.
- How and when a regulator would intervene and direct.
- How the department incentivises system improvement, including through commissioning.
- How can we most effectively deliver regulation and commissioning.

This will include the minimum standards we set for trusts and our overall strategies for regulation and commissioning.

We have established an external advisory group (EAG) to support the review. The full list of members has been published on GOV.UK at [Academies regulation and commissioning review advisory group - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/academies-regulation-and-commissioning-review-advisory-group).

The EAG includes those with regulatory and commissioning expertise from across the sector. The group will meet regularly over the course of the review, working alongside the department to provide support and challenge.

The group does not represent the totality of who we will be closely consulting. Separately to this group, we will closely engage representative bodies and a range of leaders in the sector to shape our thinking as noted above. The sector can contact the review via: Regulatory.Review@education.gov.uk

Criteria for moving a single-academy trust into a multi-academy trust

I undertook to share the publicly available criteria used by the department when moving a single academy trust into a multi-academy trust, in response to a request from Lord Hunt (Hansard, column 1406, 12 July 2022).

The Regional Directors' (RD) [decision-making framework](#) explains that when a standalone academy is joining an existing trust with more than one academy, the RD will want to be assured that the governance and leadership of the trust is clear and robust and the trust has the capacity to drive improvement across all schools within it.

The decision-making framework refers to further guidance, *Building strong academy trusts*: [Guidance for academy trusts and prospective convertors](#). Paragraphs 63 to 74 of this guidance set out in detail what RDs take into account when assessing academy trusts and taking decisions, including decisions about single-academy trusts joining multi-academy trusts.

I will place a copy of this letter in the House library.

Yours sincerely,

A handwritten signature in cursive script that reads "Diana Barran".

BARONESS BARRAN

PARLIAMENTARY UNDER-SECRETARY OF STATE