

REPORT TO: Executive Board

DATE: 16 June 2016

REPORTING OFFICER: Strategic Director – People and Economy

PORTFOLIO: Children, Young People & Families

SUBJECT: White Paper – Education Excellence Everywhere

WARDS: All

1.0 PURPOSE OF THE REPORT

1.1 This report will provide a summary of the White Paper Education Excellence Everywhere and the key elements of the proposed Education Bill. It will outline some of the key implications and seek approval to explore the future role of the local authority in supporting schools.

2.0 RECOMMENDED: That the Board

- 1) consider the implications of the White Paper Education Excellence Everywhere and proposed Education Bill; and**
- 2) approves the development of options for the future role of the Council in supporting schools.**

3.0 BACKGROUND INFORMATION

3.1 On 17th March 2016 the Secretary of State launched “Education Excellence Everywhere” and the Department for Education’s five year strategy “World-class education and care”. These two documents set out the government’s plans for education over the next five years and their vision to “provide world-class education and care that allows every child and young person to reach his or her potential regardless of background”. The proposed reforms seek to radically reshape education and reduce and redefine the role of the local authorities.

3.2 There are seven key areas covered within the White Paper and these are listed below:-

- Great teachers – everywhere they’re needed;
- Great leaders running our schools and at the heart of our system;
- A school-led system with every school an academy, empowered pupils, parents and communities and a clearly defined role for local government;

- Preventing underperformance and helping schools go from good to great: school-led improvement, with scaffolding and support where it's needed;
- High expectations and a world-leading curriculum for all;
- Fair, stretching accountability, ambitious for every child; and
- The right resources in the right hands: investing every penny where it can do the most good.

3.3 Great Teachers

3.3.1 In order to address the more challenging recruitment landscape for teachers the following policy proposals are suggested:

- Reform of the National College of Teaching and Leadership to better design and deliver targeted recruitment incentives, campaigns and opportunities that attract sufficient new entrants to the profession, including those who are looking to return to the classroom.
- Reduce the costs of recruitment by creating a teacher vacancy website.
- Allocation of Initial Teacher Training (ITT) will be reformed and will be based on need, demand and quality.
- ITT content will be strengthened to include more subject knowledge and evidence-based practice
- **Qualified teacher status will be replaced with accreditation based on a teacher's effectiveness in the classroom**
- There will be a new standard for Teachers' Professional Development to help schools improve the quality of continued professional development
- The feasibility of paying teachers to publish their research and CPD will be explored.

3.4 Key Implications

3.4.1 Currently the Local Authority is the main appropriate body that quality assures newly qualified teachers and supports Halton schools with the assessment process leading to Qualified Teacher Status (QTS). The proposal is that it will be for schools and headteachers to decide when trainees have reached the required level of accreditation. Academy principals will continue to have the flexibility to determine what requirements they make for any potential teacher.

3.5 Great Leaders

3.5.1 To empower and extend the reach of the best leaders it is proposed that:

- Encourage more leadership development training delivered by successful schools
- A range of experts including headteachers and CEOs from multi-academy trust (MATs) design new voluntary National Professional Qualifications for each level of leadership

- Rebalance incentives so that great leaders are not discouraged from working in challenging schools – **introduce ‘improvement periods’ during which schools will not be inspected by Ofsted**
- Introduce the new National Teaching Service to support elite teachers and strong middle leaders to work in some of the most challenging areas
- **Move to fully skills-based governing boards – establishing a database of everyone involved in governance**

3.6 Key Implications

- 3.6.1 Where a school is judged to require improvement and a new Headteacher steps forward to lead this improvement the school will not face re-inspection until around 30 months after the previous inspection, unless requested. Furthermore, where a poorly performing maintained school is replaced by a sponsored academy it will not normally face re-inspection until its third year of operation.
- 3.6.2 Governing boards will be expected to focus on recruiting skilled people, there will no longer be a requirement for academy trusts to reserve places for elected parents. Although it is expected that the majority of those involved in governance will be unpaid advice is being sought as to whether key positions such as the Chair could be offered payment.

3.7 A school-led system with every school an academy

- 3.7.1 The proposed Education Bill announced in the Queen’s Speech on 18th May 2016 amended the original proposal from the White Paper that by the end of 2020, all schools will be academies or in the process of becoming academies, with local authorities no longer maintaining schools.
- Instead it is proposed that schools convert to academies in the worst performing local authorities and those that can no longer viably support their remaining schools.
 - It is intended to make the process of becoming an academy swifter and smoother for schools and local authorities.
 - The responsibility for School Improvement will be removed from the Local Authority and shifted to others in the school system.
 - A new Parent Portal will be established to help parents navigate the schools system and a new complaints process will be established with a route to the Department for Education and public service ombudsman. It is proposed that there will be a clearer and simpler admission process.
 - Finally, the role of local authorities will be revised and it will be responsible for ensuring every child has a school place, that the needs of all pupils are met and that it champions parents and the local community.

3.8 Key Implications

Current Position

- 3.8.1 The current position is that every high performing school can put forward an application to convert to academy status and every failing school is required to become a sponsored Academy. Under the Education and Adoption Act coasting schools i.e. schools where data shows pupils have failed to reach their potential over 3 years schools could be required to be taken over by a strong sponsor if they cannot demonstrate capacity to improve. The white paper seeks to further extend the Secretary of State's power to remove maintained schools from the local authority.
- 3.8.2 In Halton of the 8 high schools 5 are academies/free schools. Two of these high schools are MATs and two are academies sponsored by the Ormiston Trust. 1 of the 4 special schools is a single academy and 4 of the 50 primary schools are academies 3 sponsored and one working towards becoming part of a MAT. Under the new Education and Adoption Act it is likely that further schools will be required to convert. The proposed Education Bill seeks to convert schools to academies in the worst performing local authorities or those that are no longer viable – the threshold which will be used has yet to be published.

3.9 Multi-Academy Trust

- 3.9.1 Although high performing schools can still choose to convert as a single academy, the expectation is that schools will either join or form multi-academy trust and that these trusts will be made up of a combination of strong high performing schools, small schools, primary schools and weaker schools that can benefit from the support, breadth of curriculum and resources of the MAT.
- 3.9.2 In Halton there are already two multi-academy trusts led by the two teaching schools Wade Deacon and The Heath. These two MATS already work with a number of schools both within Halton and in other local authority areas and have some capacity to expand further. They do not, however, have the capacity to work with all Halton schools.
- 3.9.3 To ensure the most appropriate offer and strategic fit for all Halton schools, it is proposed to explore the range of different options open for schools. These options could include exploring the development of a local authority supported Multi-Academy Trust with strong sponsorship. Any MAT would be a separate legal entity to the local authority and would require the approval of the Regional Schools Commissioner. Alternatively the local authority could explore working more collaboratively with other neighbouring local authorities. Other approaches may emerge over the coming weeks which better meet the needs of Halton Schools.

3.10 Capacity

- 3.10.1 Although the White Paper specifies that there will be a new duty placed on local authorities to facilitate the process of all maintained schools becoming academies there are no further details. However, if the changes to funding local authorities outlined in the schools national funding formula are approved this will severely limit the authority's ability to undertake this function and if it is considered that a local authority no longer has the capacity to maintain its schools there will be new powers to ensure schools become academies to a faster timescale.
- 3.10.2 The previous academy conversions required a significant amount of officer time to complete. The conversion process varied according to the complexity of the school but the simplest took 4/5 months with others taking over 18 months. All conversions were co-ordinated by the Operational Director and involved legal support (in some cases specialist external advice due to the complexity), estates support, property services, health and safety, internal audit and finance support. Other officers were involved if schools had early years provision or a resource provision unit. Two of the schools yet to convert are PFI. Currently every school seeking to convert received a grant, however, there is no additional funding for local authority. In fact the level of ESG reduced from £87 per pupil in 2015/2016 to £77 in 2016/2017 and the schools national funding formula consultation document proposes further reductions to the ESG which funds the authorities education role and the central DSG.

3.11 Land/Assets

- 3.11.1 Under the current arrangements academies which were previously maintained schools lease their land back from the local authorities on 125 year lease. It is proposed that to speed up the conversion process when a community school converts to an academy, the land held by the authority will transfer to the Secretary of State. The Secretary of State will then grant the lease to the academy. However, there will still need to be individual local negotiation where there are any shared use or access issues. In addition, the government will not take ownership of any land owned by a school or a charitable trust, however it will remove the ability of maintained schools to convert to foundation status.

3.12 Diocesan Arrangements

- 3.12.1 To date there is only one sponsored voluntary aided school academy within Halton. The process proved to be very difficult and lengthy. 1/3rd of the schools in Halton are voluntary aided. As this has been a challenge across the country the government is looking to agree Memorandum of Understanding with the National Society for the Church of England and the Catholic Education Service which acknowledges that churches expect academies to remain part of the diocesan family of schools, sets out the principles for the development of a strategic relationship between the Regional Schools Commissioner

and the Dioceses and establishes clear protocols for agreeing the arrangements required when church schools become academies.

3.13 Local Authority Role

3.13.1 The Local Authority will continue with responsibilities such as employment of staff in community schools, ownership and asset management of school buildings, governance, organisation and curriculum of maintained schools. However as schools convert to academy status the level of funding and the level of responsibility will reduce.

3.13.2 The responsibility for providing school improvement will be removed from the Local Authority by September 2017. However, LAs will continue to retain responsibility for the oversight of testing arrangements.

3.13.3 There is a lack of clarity within the White Paper about the arrangements between 1st September 2017 and 2022 when all schools have become academies and how the school improvement role will be undertaken for those schools converting later in the process.

3.13.4 Local Authorities will be responsible for the following education services:

- Ensuring every child has a school place – sufficient school, special school and alternative provision places to meet demand.
- An expanded role in schools admission including the responsibility for handling all school admission appeals and co-ordinating in year admissions
- The responsibility for providing transport services
- Taking the lead in crisis management and emergency planning.
- Ensuring the needs of vulnerable pupils are met through identifying, assessing and making provision for children with special educational needs and disability and looked after children
- Promoting school attendance and tackling persistent absence
- Ensuring alternative provision is available for Headteachers to commission for children and young people excluded from school or otherwise unable to attend a mainstream school
- Leading on safeguarding responsibilities for all children included those in unregulated settings, educated at home and children missing as well as those at risk of radicalisation
- Working with schools to ensure they discharge their safeguarding duties
- Supporting vulnerable pupils e.g. through the expanded role of the Virtual Head
- Acting as champions for all parents and families – listening to and promoting the needs of parents, children and the local community

- Supporting parents in navigating the system through a continuing role in admissions,
- Supporting parents in navigating local SEND arrangements – providing advice and support
- In relation to SEND providing information advice and support and championing high standards for all pupils
- Encouraging high performing providers to establish new school places – where necessary calling for action from the RSC to tackle underperformance
- The role of the DCS and the Lead Member will be reviewed and revised accordingly.

3.13.5 The changing role and the revised funding arrangements for Local Authorities along with the proposed High Needs Reform may impact upon the authorities ability to challenge schools and academies to ensure that appropriate help and support is provided to all pupils in all schools particularly those that are the most vulnerable. It may also have an impact on the LAs safeguarding role.

3.14 Preventing Underperformance

3.14.1 Extra support will be provided to support a school-led system and build capacity. This will include:

- A strong focus on supported autonomy
- Transfer of responsibility from school improvement from local authorities to schools and system leaders teaching schools, National Leaders in Education (NLE) and other designated system leaders
- More sophisticated approach to the designation of system leader roles based on timely and accurate data rather than reliance on Ofsted Judgements.
- Designate up to 300 more teaching schools and 800 more NLE where they are most needed

3.15 Key Implications

See paragraph 3.7.13

3.16 A world-leading curriculum

3.16.1 To provide all children with a 21st century education it is proposed that:

- There are no new curriculum or assessments proposals – allowing for a period of consolidation and stability
- 25% of secondary schools will receive funding to extend their school day
- **Alternative provision will be reformed so that mainstream schools are accountable for the education of pupils in Alternative Provision (AP) and responsible for commissioning high quality provision**

- A strategy will be published for improved careers provision for young people and further support for The Career and Enterprise Company

3.17 Key Implications

3.17.1 The role of the Virtual head will be expanded to take responsibility for children who have left care under an adoption order. Pupil premium will be extended and there will be priority school admission. The capacity of Halton's Virtual Head was increased in January 2016 so that the role is full time and works exclusively for Halton. A further review will need to be undertaken of the impact of the proposed changes.

3.17.2 For vulnerable children who have challenging home circumstances or are on the edge of care a ministerial working group is exploring the opportunities and benefits of promoting boarding as an option. The financial implications of the proposal will need to be further explored when more details are available.

3.17.3 Accountability arrangements for AP will be changed so that a pupil's mainstream school will retain accountability for their educational outcomes and take a lead in commissioning their provision. Schools will be responsible for the budgets from which AP is funded. The future role of the PRU and funding of the PRU will need to be explored when more details are available.

3.18 Accountability

3.18.1 The proposed accountability arrangements include:

- A focus on embedding the existing reforms to primary, secondary and 16-19 accountability
- New accountability measures for MATs – including performance tables
- Ofsted to ensure inspection is increasingly focuses on underperformance. Ofsted will consult on removing the separate graded judgements on the quality of teaching, learning and assessment

3.19 The right resources in the right hands

3.19.1 On 7th March 2016 the two of consultation documents about changes to the school funding arrangements were launched. Each consultation had two stages. Stage one set out the fundamental principles and stage 2 aims to set out the detailed methodology. The response for both consultations was 17th April. It was a challenge to ensure all partners were briefed on the changes and had the opportunity to feedback as both consultations were reduced to 6 weeks and cut across both the Easter and Spring Break school holidays.

3.19.2 The schools national funding formula proposed the move to a national

funding formula in 2019/2020 in order to tackle the wide variations in funding per pupil between LAs and individual schools with similar needs. Local Authorities role in determining school funding will be removed. It is proposed that the schools block is ring-fenced and a new local authority services block created from 2017/2018. The proposed pace of change and the ring fencing of the schools block is a particular issue in Halton as we have used the DSG funding flexibly for many years with the schools block supporting both the high need and early years budget.

3.19.3 Under the high needs funding formula and other reforms consultation the Local Authority will continue to receive an allocation at LA level of high need pupils and will have the responsibility of determining local levels of provision and special needs support for individual children and young people. Significant changes have been proposed for the allocation of funding to local authorities and the concern is that for a small unitary authority with a high level of children and young people the revised allocation would not meet our needs. In addition, we are concerned separating the school funding from the high needs funding provides reduces the incentive for schools to be inclusive.

4.0 FINANCIAL IMPLICATIONS

4.1 Under the current arrangements every time a schools converts to academy status the local authority’s Education Services Grant is reduced by the number of pupils in the converting school multiplied by the ESG rate.

ESG General Funding Rate for mainstream schools	£77.00
ESG General Funding Rate for special schools	£327.25
ESG General Funding Rate for PRUs	£288.75
ESG Retained Duties Funding Rate	£15.00

This funding has previously funded a range of education services which include Education Welfare, School Improvement, Asset Management, Premature retirements and a range of statutory responsibilities. The School Improvement element of the ESG will then be re-routed to teaching schools to support their new role.

4.2 Where a school converting to academy status is in a budget deficit position the local authority is left with this debt. In Halton all school budgets have been reduced this year, a number of schools have requested and received financial support from School Forum however funds are limited and it is becoming increasingly challenging for schools to set a balanced budget. Halton could inherit a significant amount of debt if school budgets are not closely monitored and would need to take decisive action if a school appeared to be in financial difficulty.

5.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

5.1 Children and Young People in Halton

A strong collaborative system to support schools is essential in Halton to ensure improved educational outcomes for all pupils.

5.2 Employment, Learning and Skills in Halton N/A

5.3 A Healthy Halton

N/A

5.4 A Safer Halton

N/A

5.5 Halton's Urban Renewal N/A

6.0 RISK ANALYSIS

6.1 All schools working together in partnership will strengthen the local provision and avoid a fragmented approach to education in Halton.

7.0 EQUALITY AND DIVERSITY ISSUES

7.1 In considering the options Halton will look to provide a coherent, consistent offer for children and young people in the Borough.

8.0 REASON(S) FOR DECISION

8.1 To explore the options and opportunities available to the local authority and its maintained schools.

9.0 ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

9.1.1 N/A

10.0 IMPLEMENTATION DATE

10.1 June 2016

11.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Document	Place of Inspection	Contact Officer
White Paper Education Excellence Everywhere	DFE Website	Ann McIntyre
DFE Strategy 2015- 2017	As above	Ann McIntyre
World Class Education & Care		
Schools National Funding Formula	As above	
High Needs Funding Formula and other reforms	As Above	