

REPORT TO: Executive Board

DATE: 1st November 2007

REPORTING OFFICER: Strategic Director
Children and Young People

SUBJECT: Schools Causing Concern

WARDS: All

1.0 PURPOSE OF THE REPORT

- 1.1 Pending a full report to Executive Board, this is seeking agreement to a revised policy for Schools Causing Concern.
- 1.2 To approve delegated powers to the Strategic Director, Children and Young People's Directorate, to exercise the statutory functions of the Council in identifying and intervening in schools causing concern where this is appropriate.

2.0 RECOMMENDATION: That

- (1) The Strategic Director for Children and Young People be authorised to take all such actions as shall be necessary to give effect to the Council's powers and duties in relation to the education of children at Simms Cross Primary School;**
- (2) Steps are taken to consult on the replacement of the Governing Body of Simms Cross School with an Interim Executive Board, for a time period yet to be specified; and**
- (3) The Strategic Director for Children and Young People be authorised generally to exercise the powers and duties provided to the Council under Part 4 of the *Education and Inspections Act 2006*, and that the Constitution be amended accordingly.**

3.0 SUPPORTING INFORMATION

- 3.1 The Education and Inspections Act 2006 outlines in Part 4 new powers for a Local Authority to intervene, take action and provide support to schools causing concern. This builds on existing statutory powers and good practice to ensure that every pupil is provided with the education and opportunities that they need.
- 3.2 On 4th January 2007, the DFES launched formal consultation on the revised statutory guidance on schools causing concern. This guidance supports local authorities, schools, governors and others with an interest

in school improvement to use the powers and duties provided by Part 4 of the *Education and Inspections Act 2006*.

- 3.3 To support this Act, new statutory guidance has been issued.
- 3.4 The Act gives local authorities new powers to enable earlier intervention in schools with more decisive action and more support to bear to address school underperformance and outright failure. The powers include:
 - Authorities will have a new power to force a weak school to federate or take another partner for school improvement;
 - The ability of authorities to warn under performing schools and to intervene in them when necessary is strengthened; and
 - Authorities will have a duty to consider taking action immediately whenever a maintained school fails an inspection, and must reconsider action if progress is deemed unnecessary.
- 3.5 The Local Authority is currently consulting with schools on revisions to the Local Authority procedures for identifying and intervening in schools causing concern, this with a view to a revised policy being submitted to Executive Board later this calendar year.
- 3.6 During the intervening period it is important that the Strategic Director has delegated powers to act where schools may already be presenting concerns.
- 3.7 Executive Board is asked to approve the delegation of these powers with immediate effect.
- 3.8 A small number of primary schools present concerns to the Local Authority. One school, Simms Cross, is currently in Special Measures. Due to concerns regarding the progress the school is making against milestones contained in its "Raising Achievement Plan", and having considered the guidance, and specific facts of the situation, the Strategic Director of Children and Young People is satisfied that steps need to be taken to consult the Governing Body with a view to replacing it with an Interim Executive Board (IEB). Permission is sought from the Executive Board to enable the Strategic Director to take the appropriate steps, which in this case, if approved will result in a submission being made to the Secretary of State for permission to form an IEB.
- 3.9 The school appointed a new Headteacher this year. The IEB will allow this new Head to focus on improving teaching and learning in the school.
- 3.10 An IEB is considered to be the Governing Body of the school for the period of time it is in office. It will take on all the responsibilities of the school, including the management of the budget, the curriculum,

staffing, pay and performance management, and the appointment (where appropriate) of the Headteacher and Deputy Headteacher.

- 3.11 The IEB's main functions are to secure a sound basis for future improvement in the school and promote high standards of educational achievement.

4.0 POLICY IMPLICATIONS

- 4.1 There are no financial implications arising from this report.

5.0 OTHER IMPLICATIONS

- 5.1 None

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 Children and Young People in Halton

This report has clear implications for improving the life chances of young people in the Borough. Challenging underperformance of schools is key to ensuring that all children and young people in the Borough have access to high quality teaching and learning experiences regardless of where they live.

6.2 Employment, Learning and Skills in Halton

6.3 A Healthy Halton

6.4 A Safer Halton

6.5 Halton's Urban Renewal

7.0 RISK ANALYSIS

- 7.1 Failure to take this decision will mean that the Local Authority, in the short term, will be unable to exercise its statutory powers in relation to schools causing concern. The Local Authority's ability to secure improvement in specific schools will therefore be limited.

8.0 EQUALITY AND DIVERSITY ISSUES

- 8.1 All pupils are entitled to have access to high quality teaching and learning experiences. School failure and underperformance impacts negatively on pupils life chances.

9.0 REASON(S) FOR DECISION

- 9.1 Strengthened powers of intervention to prevent school failure and underperformance is a key component of the *Education and Inspections*

Act 2006. Local Authorities are expected to demonstrate deployment of these powers where appropriate.

10.0 ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

10.1 None

11.0 IMPLEMENTATION DATE

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

There are no background documents under the meaning of this Act.