

London Borough of Barking and Dagenham Response to the Consultation on Reforming How Local Authorities' School Improvement Functions are Funded

Questions

Question 1: We believe that instances of councils exercising formal intervention powers remain relatively low, and that since its introduction, this grant has primarily supported improvement functions such as early support and challenge to improve individual school performance, which overlaps with wider (non-core) improvement provision. Do you agree that this is the case? If not, please explain.

We disagree: We believe that the most effective school improvement functions are those which are pre-emptive, providing good local intelligence to local authorities, headteachers and governing boards to support their own self-evaluation and improvement. Whilst there remain instances of councils exercising formal intervention powers, the fact that these are relatively rare is an indication of the success of the current system. Regular, pre-emptive work undertaken by local authority school improvement systems means that in the vast majority of cases evidence of a decline in quality of education is picked up earlier, so that the right support for school leaders can be put in place without the need for formal intervention.

We are concerned that following so many reductions in funding, the proposed removal of this grant will make it more difficult for the Director of Children's Services and councils to carry out their statutory responsibilities for all children in their local area. It introduces another strand of risk and uncertainty into the system with the expectation that schools will fund direct and annual approval will be required of the Schools' Forum. This is in a context of severe pressures on schools' funding. Whilst the immediate risk and pressure is on the LA maintained schools, there could be implications for academy schools who work as part of the local family and draw upon the local system for school improvement activity. The proposal with its dependence on schools under financial pressure for funding and Schools' Forum approval will make the system less secure. It risks further weakening the system of local intelligence which has been so beneficial, especially in the last 20 months, to partners across the local and regional area including the Regional Schools' Commissioner and DfE colleagues.

Question 2: We are proposing to (i) remove the Grant (Proposal 1), and (ii) enable councils to de-delegate funds via their schools' forum to ensure they are sufficiently funded to exercise all of their improvement activities, including all core improvement activities (Proposal 2). Do you agree that, taken together, these proposals will allow councils to continue to ensure they are adequately funded for core improvement activities; and therefore do not impose a new burden? If not, please explain.

No, we disagree:

This proposal represents a cut to school funding at a time of unprecedented pressure on budgets. This is partly owing to the impact of the pandemic on children's learning and on the increasing number of children with complex special needs which our schools are educating. To ask schools at this point to directly fund a service, however well regarded, which up to now has been funded directly by government grant seems unfair. Many schools are already paying an element of their budget for school improvement activity.

These proposals assume that School Forum will automatically support and approve de-delegation of funds for school improvement functions; this may not necessarily be the case, given other calls on their budgets. There is a possibility that schools forum may not approve de-delegation. Schools are likely to see this arrangement as a reduction or a cut to their budgets. It undermines the claim that budgets will be restored to 2010 levels. There is little detail in the proposal about the mechanism so for example - the proposal does not mention if the removal of the grant will be added to the schools' block via the National Funding Formula. If school improvement services are to be funded entirely by de-delegation, this relies on strong consensus from schools but there is no detail nor recognition of how an LA can fulfil some of its statutory duties if schools' forums do not reach consensus.

The removal of the grant poses a real risk to local authorities' school improvement functions due to the uncertainty of securing approval from schools' forum. It builds in uncertainty, risk and potential delay into the system. None of this is helpful to embedding a secure cycle of school improvement activity.

There is also the question of timing with a decision in early January 2022 and new regulations to come into effect from April 2022. Given the significance of the proposed change, a longer period of consideration would seem fair and necessary.

Question 3: Bearing in mind Proposals 1 and 2, are there any aspects of our guidance to councils on their role in school improvement which could usefully be clarified to aid understanding of what councils are accountable for with respect to improvement and how it should be funded? (For example, our Schools Causing Concern guidance.)

Government guidance to schools needs to be reviewed in some important areas. The Ofsted Inspection Framework has changed significantly over the lifetime of the Schools' Causing Concern guidance. There is a much greater emphasis on schools' and councils' responsibility for vulnerable children and those with SEND and a more explicit view that being a good school has providing well and inclusively for these groups at its heart. The government guidance to schools including Schools Causing Concern needs a far greater emphasis on duties in relation to these groups. Council and school duties in respect of vulnerable groups need to be seen as a central strand of school improvement.

It would be helpful for the guidance also to be more explicit of its expectations of local authorities in the following areas of school improvement:

- Good and Outstanding Schools
- Schools Causing Concern
- School Requiring Additional Support (These are LA maintained schools which have an Ofsted inspection coming up)
- Improving Primary Reading
- Improving GCSE and A Level Performance
- Primary Assessment Co-ordination & duties
- Headteacher Recruitment
- Safeguarding and complaints (including for SEND)
- Oversight of SACRE
- Acting as an Appropriate Body for NQTs

Question 4: The Public Sector Equality Duty (PSED) requires that public bodies consider the potential effects of key decisions on groups with protected characteristics. The relevant protected characteristics for the purposes of the PSED are: sex; race; disability; religion or belief; sexual orientation; pregnancy or maternity; gender reassignment; and age. Please let us know, providing evidence where possible, if you believe any of the proposals set out in this consultation will have the potential to have an impact on specific groups, in particular those with relevant protected characteristics.

As indicated earlier there is a great risk from these proposals to vulnerable children, including those with special needs and disability. Ensuring that children in these groups are well educated, included and supported in their local school as far as possible is central to school improvement. Councils need to have the resource to keep oversight of how well schools are educating inclusively. If de-delegation is not approved by schools' forum or is insufficient, then there is a real risk that school improvement resources will not exist to monitor, challenge and support education opportunity for these groups of children.

Provision for pupils who are at risk of exclusion or have been excluded and are therefore in alternative provision are also relevant here and should be looked at in any risk assessment.

School improvement activity includes important work to highlight the disproportionality of performance and achievement within key groups in an area. It ensures a focus on looked after children, those on free school meals, those who are CiN, those vulnerable to exclusion alongside disparity of performance by ethnicity and gender. Any equality impact assessment must consider how this work is protected if school improvement activity becomes less secure as a result of the proposal.