

SCHOOL IMPROVEMENT POLICY

School Improvement Policy

Bath and North East Somerset Council

1. Rationale

This policy establishes the Local Authority's (LA's) strategic direction and framework for school improvement and its role in championing education excellence for children, young people and their families. It recognises that schools' are responsible for their own self-improvement and performance and for securing the best possible outcomes including the safeguarding and well being of their pupils. The policy aims to capture the spirit of partnership, recognises the autonomy and diversity of schools in a rapidly changing educational climate and acknowledges schools responsibility for their own improvement.

1.2 Principles

- every child is unique and has the right to grow and develop, personally, emotionally and intellectually
- all schools become great and work in partnership with other schools and settings to enable each child and young person to achieve their full potential and experience success
- the accountability for school improvement rests with autonomous and self-improving schools
- identified schools will be challenged and supported through access to best practice within and beyond the Local Authority (LA). This includes Partner Teaching Schools, National Leaders of Education (NLEs), Local Leaders for Education (LLEs), Specialist Leaders for Education (SLEs) and School-to-School Support
- improvement is secured through high quality leadership, learning and teaching in schools
- successful schools are inclusive schools, which personalise learning experiences through enriched and engaging learning opportunities
- improving outcomes for all children can best be achieved by schools working collaboratively and inclusively, in partnerships with a range of providers
- schools are encouraged to celebrate success and innovation, which enables all children and young people to become successful learners, confident individuals and responsible citizens.

1.3 Outcomes

- improved outcomes for all groups of learners particularly those at risk of underachieving as measured by national benchmarks
- narrow the achievement gap for disadvantaged learners from low-income families and eligible for pupil premium funding
- all schools to be judged at least good or outstanding by the Office for Standards in Education, Children's Services and Skills (Ofsted)
- all schools to achieve above National Floor Standards
- where schools are underperforming clear action plans are in place to secure rapid improvements.

1.4 The Local Authority Statutory duties for School Improvement

- The role of the Local Authority in relation to education has changed significantly and its statutory duty are to promote high standards and fulfilment of potential in schools and other education and training providers so that all children and young people benefit from at least good education. The Education Act 2012 sets out the strategic role of Local Authorities: champion for parents and families; champion for educational excellence and supporting vulnerable children.
- The Local Authority retains the powers to intervene in maintained schools, which are underperforming, under the terms of Section 60 of the Education and Inspection Act 2006 and the Education Act 2011. Accordingly the LA will take decisive action where schools have a record of failing to achieve the floor standard of attainment or progress or where there are serious concerns, which puts the achievement, safety and the general wellbeing of children and young people at risk.
- The Local Authorities does not have any powers of intervention in relation to the educational performance of academies and free schools. However, working with all schools is a fundamental part of the LA's commitment to secure excellence for all children and young people. Also the LA does retain a legal responsibility for performance across Bath & North East Somerset. The LA is expected to act as a strategic commissioner for all schools and it is expected to act within the confines of its responsibilities should it have any concerns about the performance of an academy or free school. The protocols for working with academies and free schools are set out in **Appendix A**.

2. A Partnership Framework for School Improvement and Achievement in Bath and North East Somerset (B&NES)

2.1 The Local Authority wishes to work closely in partnership with all schools and provide appropriate levels of support, intervention and challenge, which contribute to school improvement. It also wishes to ensure that its statutory duties are understood and undertaken effectively. Central to this strategy is a focus on evaluation and monitoring of schools performance through a risk assessment model involving key partners in B&NES, which is seen as a main function in the school improvement process in setting priorities and making best use of limited resources. The policy outlines how the LA will work with schools and academies to flourish: achieve excellence; how they will be monitored, challenged and supported where improvement is not secure.

2.2 The Local Authority has developed a risk assessment approach to the monitoring a range of key indicators in relation to its statutory duties and responsibilities in relation to the learning, achievement and performance of schools. The Performance Data and Commissioning Board will include regular consideration of risk assessment and performance monitoring reports. In addition the Early Years and Youth Scrutiny Committee will receive termly reports of schools performance and risk assessments. The Performance Data and Commissioning Board will involve representatives from maintain schools, Diocese, Local Authority School

Improvement and Achievement Service, Partnership Teaching School and other education stakeholders as appropriate.

2.3 The Local Authority recognises that there is no single solution to the way schools should be developed or undertake improvement. As school-to-school support systems emerge, it is clear that a flexible framework, with agreed principles and shared aspirations, provide a useful and important basis for schools to create their own local visions and make their own locally relevant plans within a shared and coherent framework. This strategy sets a framework for supporting these approaches and for our continued development of partnership working. It also recognises that different schools need different kinds of support at various times to support their improvement work. Therefore, the School Improvement Strategy is designed to provide tailor-made packages of support for schools, which include the Senior School Improvement Advisers (SSIA) and Consultants, brokered Early Years, NLEs, LLEs, SLEs, external consultants through the Partnership Teaching School.

2.4 A key part of the strategy is the brokering of effective partnership and collaborations, which include stronger schools supporting the improvement of under performing schools. The Education Excellence Board (EEB) and the Performance Data and Commissioning Board contribute to a more systematic school-to-school support model, which complements the Local Authority's school improvement function. All primary schools, including academies, are members of the Education Excellence Board. Local cluster headteacher groups are taking the agenda forward in their local areas and are using the strengths of schools to help others to improve. In addition to these collaborations, the Partnership Teaching School, the Dioceses of Clifton and Bath & Wells form a secure partnership network for school improvement across the Local Authority

2.5 In implementing a clear strategy for school improvement we will build on and augment what schools are expected to do for themselves to manage their own improvement; how schools can benefit from working collaboratively together to support each other's improvement and how schools, irrespective of type, adopt a collective responsibility for improving the outcomes for all children and young people in B&NES. Where schools are judged by Ofsted as Requiring Improvement or placed in an Ofsted category detailed action plans, more intensive support and robust cycle of progress reviews to monitor the rate of improvement. This process will be aligned to the regular monitoring visits by Her Majesty's Inspectors (HMI).

2.6 We will intervene formally when schools are not providing good enough quality of education, where there is cause for concern or when Ofsted judges a school to be inadequate. The way we address concerns with the school will be discussed with senior leaders and governors before any formal action is taken. The strategy will primarily focus on building the climate and capacity for a culture of continuous improvement through effective leadership, development and dissemination of best practice between schools. By supporting and enabling strong school leadership and management and through early intervention when necessary, we aim to work with schools to bring about the best possible education for children and young people.

2.7 The Local Authority seeks to embrace the creativity and professionalism of both internal partnership working with schools and other providers alongside the rigour and assessment of Ofsted and other external regulatory frameworks to ensure the continuous focus on strengthening the performance and improvement in standards of learning and achievement in all schools.

2.8 We aim to achieve this through working creatively in partnership with schools to promote and develop fully inclusive practice, with equality of outcome; supporting and challenging schools to be at least good; ensuring that educational achievement is amongst the best nationally and internationally.

2.9 In order to carry out these duties, the Local Authority retains the powers to identify and intervene in schools causing concern. These powers are set out in statutory guidance as set out in **Appendix B**.

3. Monitoring and Evaluation Schedule

3.1 The Senior School Improvement Advisers (SSIA) are at the heart of the Local Authority's strategy for school improvement. The key functions of the School Improvement Advisers are to:

- analyse, interpret and use data outcomes from B&NES categorisation risk process
- review and validate the school's own Self Evaluation
- agree improvement priorities
- examine and discuss targets
- plan for improvement
- discuss and broker support where required
- write reports for the school, governors and the Local Authority
- advise and support governors in the recruitment of headteachers

3.2 Each school has an attached Senior School Improvement Adviser (SSIA) who works with the school to provide challenge and support, and who carries out a regular cycle of monitoring and evaluation through focused supported self-evaluation activities. Each school has a universal offer of three half day visits. In the autumn term the SSIA will carry out a desk top review of pupils' achievement with a specific focus on the progress and attainment of pupils eligible for pupil premium funding, additional needs and the most able. The focus of the two remaining visits is determined by the school and may include joint lesson observations, effectiveness of leadership, management and governance; accuracy of the school's own self evaluation and their risk assessment against the agreed school categorisation characteristics. The outcomes from these visits are regularly reported to the governors through notes of visits

3.3 Through an annual cycle of meetings, the SSIA assists schools in validating their own self-assessment and the evidence to support this in relation to the achievement, quality of teaching, leadership, management and governance. In addition, they are able to support schools in identifying priorities, determine any changes to the level of support and analyse the impact of their action plans; monitor closely strategies to support the most able and progress in narrowing the achievement gap for disadvantaged pupils. Through these visits, the Local

Authority will gain an accurate overview of the overall effectiveness of each maintained school, its potential challenges, any barriers to further improvements and its capacity to support other schools. It will equip the SSIA to share, disseminate and promote good practice particularly on narrowing the achievement gap for disadvantaged pupils; raising the achievement of the most able and actively promote partnerships between schools. The LA also maintains an overview of the outcome of school inspections and any associated monitoring visits by HMI. This information is used to inform the School Improvement and Achievement Service Plan and the Children & Young People Service Plan

3.4 Each year the Local Authority will reviews each school's performance and communicates this to schools through an annual letter from the Divisional Director and Head of Education Improvement to the headteacher and chair of governors following the publication of the end of the Key Stage assessments. In the spring term a more detailed analysis of the outcomes for disadvantaged groups is completed following the publication of nationally validated data. When reviewing the performance of each school, we will consider each school's capacity to sustain and secure further self-improvements or has any particular strength to support to other schools

3.5 Where the Local Authority has communicated concerns about a school's end of Key Stage results, the SSIA will attend a follow up meeting to discuss the concerns and the level of support needed to address this. The meeting is attended by the headteacher, chair of governors, the SSIA and the Head of Education Improvement to review the effectiveness of the support and actions the school is taking to address the concerns. If the Local Authority believes the actions are unlikely to address the concerns it may issue a Notice to Improve to governors stating the improvement required. This will specify the actions that the school must take within a clear time frame to remedy the identified concerns. Termly monitoring visits by the SSIA and Progress Review meetings with the headteacher and chair of governors will ensure progress in addressing the priorities as set out in the action plan.

4. Levels of Support

4.1 The Local Authority believes that schools should control their own destiny in the interest of children and young people. However, it is recognised that not all schools have capacity to determine their improvement and may need additional support, challenge and intervention to secure excellence for all. The purpose of assigning support levels to all maintained schools is to ensure that the limited resources available can be targeted to schools with the greatest needs so that they can achieve the best possible outcomes for all children and young people

4.2 The level of support provided to each school is agreed in partnership with the school on an annual basis. Changes can be made to the support level throughout the year if the school's circumstances change. This will be agreed in partnership with the SSIA, the headteacher and the chair of governors and will be formally recorded through a note of visit

4.3 The relationship between the School Improvement and Achievement Service and each schools is based on the level of concern related to Ofsted inspection

outcomes, performance in national tests and examinations, the Local Authority and Diocesan knowledge and intelligence about the school using all available data and information. Schools causing concern receive the highest level of support, which is reduced significantly once the school is judged good or outstanding

4.4 The Senior School Improvement Adviser (SSIA) will agree the priorities and level of support with the headteacher and the chair of governors. The NLE or LLE will work with the headteacher to plan the focus of the support, develop the Action Plan and coordinate the support. The Action Plan will encompass pupils' achievement with clear targets for each group of pupils, teaching and learning and the leadership and management. Where a school is judged as requiring improvement or placed in an Ofsted category a more detailed the Action Plan will be required to be focused on the areas for development identified in the inspection.

School Categorisation and Risk Assessment

Key Characteristics			
<i>It is not expected that a school has to demonstrate all the characteristics within the support level – key characteristics are highlighted in bold</i>			
1. Great	2. Secure	3. Vulnerable	4. Causing Concern
<ul style="list-style-type: none"> • Outstanding in all areas in the most recent inspection • Secure capacity for sustained improvement • Capacity to provide support to other schools in challenging circumstances • Systems leaders including NLEs, LLEs, SLEs and accredited Ofsted Inspectors • **The Christian character contributes fully to pupil's high academic achievement, behaviour and attendance. 	<ul style="list-style-type: none"> • Overall judgement of good or better in the most recent inspection • Leadership and management judged to be good or better in the most recent inspection • Capacity to improve is strong • Self-evaluation processes rigorous and accurate; used to inform improvement • Progress and attainment is above national averages and above the floor standard criteria on all measures • Future estimates/targets show sustained high standards • The quality of teaching is good or better and is improving • There are no significant gaps between the progress of different groups particularly those eligible for pupil premium funding • Governance is strong, challenging and effective • Attendance is in-line or national averages • Parents are engaged and are positive about the school • Committed to collaboration with other schools • Inclusion for children with additional needs is strong. • **The Christian character contributes fully to pupil's high 	<ul style="list-style-type: none"> • Safeguarding procedures are not fully in place • Attainment is below the threshold measures for the floor standard • Progress is below national average in reading, writing and/or mathematics • Overall judgement of requiring improvement in recent inspection • Quality of teaching is not consistent across the school or within key stages • Future estimates/targets show declining trend • Some groups of pupils, particularly those eligible for pupil premium funding, make slow progress and/or significant and widening gaps between groups • Attendance is low or declining and/or persistent absence is rising • Levels of permanent and fixed term exclusions are higher than national average and/or rising • Leadership and management require additional support or capacity is limited • Self evaluation clearly identifies priorities which will require external support • Performance management is not effectively established • Weaknesses in provision for Special Educational Needs & Disabilities (SEND) pupils 	<ul style="list-style-type: none"> • Safeguarding procedures are not in place and children/young people are not safe • The school has been judged to have serious weaknesses or to require special measures at its most recent OFSTED inspection • Attainment and progress is below the floor standard in reading, writing and mathematics • The LA has served the governing body with a warning notice • Governors do not fulfil their statutory duties.

	<p>academic achievement, behaviour and attendance.</p>	<ul style="list-style-type: none"> • Persistent vacancies on governing body • Ofsted recommends a review of governance • Headteacher vacancy or temporary absence • Staff capacity limited due to high turnover, absence, staff vacancies, recruitment or retention issues • Parents' perceptions are negative or deteriorating • Budget deficit or significant underspend • Falling rolls • High level of pupil mobility/casual admissions • High levels of complaints • Inclusive practices are weak • **The Christian character contributes fully to pupil's high academic achievement, behaviour and attendance. 	
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***These aspects have been agreed by the Diocese of Bath and Wells and apply to church schools ONLY*

Allocation of Support for each Category of School

Great Schools & Secure Schools	Vulnerable Schools	Schools Causing Concern
1.5 days	12 days	20 days
Outstanding and Good	Requires Improvement	Serious Weakness or Special Measures
<p>At risk of not retaining this judgment</p> <ul style="list-style-type: none"> ▪ increased support from usual if inspection due and there are additional concerns ▪ underperforming disadvantaged groups. 	<p>At risk of RI judgment due to for e.g.</p> <ul style="list-style-type: none"> ▪ downward trend ▪ below or close to the floor standard ▪ underperforming disadvantaged groups. 	<p>At Risk of an Ofsted Category</p> <ul style="list-style-type: none"> ▪ inadequate progress.

The Diocese of Bath and Wells and the Diocese of Clifton will work in partnership with the Local Authority and the Partnership Teaching School to ensure a coherent and consistent approach to supporting schools to achieve excellence for pupils.

Protocol for Schools Requiring Improvement

- The Senior School Improvement Adviser (SSIA) attends the feedback at the end of the inspection and meet with HMI during their monitoring visits
- SSIA or Head of Education Improvement meets with Headteacher and Chair of Governors within two weeks of the inspection to discuss the inspection outcomes and the next steps including the Ofsted guidance on Monitoring schools judged as Requiring Improvement
- Once the report is published, the SSIA attends a full governing body meeting (extraordinary if necessary) to discuss the outcomes from the inspection, share the Ofsted guidance on monitoring arrangements for schools judged a Requiring Improvement and the Local Authority's monitoring arrangements
- An NLE or LLE will be commissioned through the Partner Teaching School to support the Headteacher with revising the School's Improvement/Development Plan or in producing a new Action Plan within four weeks of the inspection (if the school's current development plan is fit for purpose, the school does not need to produce a separate action plan). The school's action plan will need to be approved by the Head of Education Improvement before the first HMI monitoring visit
- The Action Plan will provide a comprehensive summary of the support commissioned by the School Improvement and Achievement Service or by the school including any requirement to carry out a pupil premium or governing body review
- The SSIA will carry out termly whole day monitoring visits to evaluate the impact of support and progress in addressing the areas for development identified in the inspection. The SSIA will provide a written report, which clearly outlines the school's progress in addressing the areas for improvement. This report provides an external objective evaluation of actions taken by senior leaders to bring about improvements
- Termly Progress Review Meetings with the Headteacher and Chair of Governors ensure a shared understanding of the impact of actions taken to bring about improvements and the school's capacity to sustain and make further improvements. it is also an opportunity to review support levels
- Governors are advised to establish their own strategic monitoring group to monitor the implementation of the action plan if there is not a strategic group already in place to monitor and hold senior leaders to account for progress in addressing the priorities in the Action Plan
- The Headteacher is invited to attend the Getting to Good Network, which provides opportunities to share good practice
- Where the rate of improvement in addressing the areas for development identified by Ofsted is too slow the Headteacher and Chair of Governors are invited to a meeting with the Director of People and Communities and a Warning Notice may be issued.

School to School Support

One of the most valuable resources to support schools is that which can be sourced from other schools. The Local Authority, in partnership with schools, has been facilitating a self-improving school system for a number of years. A number of partnerships and networks are already in place and the Local Authority is keen to promote and secure effective ways of developing and extending the model of school-to-school support through the establishment of the Education Excellence Board.

Headteachers, senior and middle leaders are offered support through the National and Local Leaders of Education programme operated by the National College through Partnership Teaching Schools. In addition, headteachers of schools categorised as Great* are able to provide formal support to other colleagues or school for a time limited period to undertake a variety of roles including the provision of interim leadership for a school in difficulty, mentoring, coaching or adding capacity at a crucial time.

Support can be commissioned directly by the headteacher or governors from another school. The Local Authority is able to commission support on behalf of a school as part of the identified package of support for a school designated as vulnerable or causing concern.

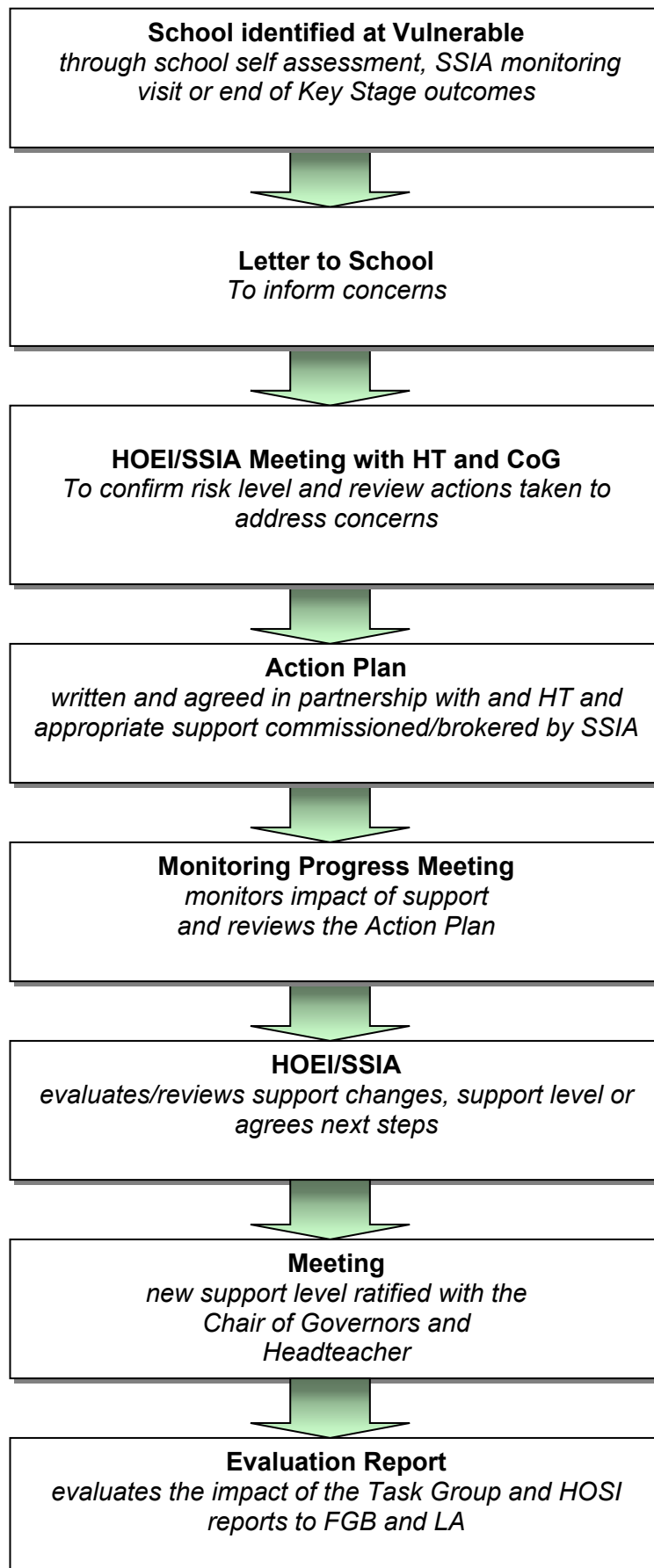
The criteria used for identifying a headteacher to support to a vulnerable school:

1. the school must have been judged to be at least good in its last Ofsted inspection and meet the Local Authority characteristics of a Great School
2. the school's own inspection is not imminent or likely in the next twelve months
3. the school's senior leadership team is highly experienced and effective with the capacity to support another school
4. the governing body is strong and very robust
5. the headteacher has the full support of the governing body in supporting another school
6. the headteacher is an accredited NLE, LLE or Ofsted Inspector
7. the headteacher has recent experience of successfully moving a school from Requiring Improvement to Good or out of an Ofsted category
8. the headteacher is recommended or endorsed by the Diocese in the case of Voluntary Aided schools.

National and Local Leaders of Education

The primary objective of the National and Local Leaders of Education initiative in the Local Authority is to build the capacity for sustainable improvement across all schools. NLEs and LLEs will normally be deployed through the Performance Data and Collaboration Board or commissioned directly by schools or the School Improvement and Achievement Service.

Strategy for Schools at Risk, Vulnerable or Causing Concern



The Annual Programme for School Improvement and Achievement Adviser visits

There is a universal offer of 1.5 days of centrally commissioned visits for all maintained schools – 0.5 day each term. The LA is able to commission termly visits on behalf of academies and free schools if requested.

Schools, which have the support level for *vulnerable* or *causing concern* can have additional time commissioned from the Partnership Teaching School, directly from other schools or from other systems leaders.

Autumn Term 2015

The note of visit following the SSIA visit to the school should refer to:

- achievement - standards and progress – all key stages
- confirmation of current year targets and the year ahead
- analysis of performance of groups of pupils - including disadvantaged groups eligible for pupil premium funding
- use and impact of pupil premium funding
- effectiveness of performance management arrangements
- Governance - check status of vacancies, training uptake.

Spring Term 2016

The note of visit following the SSIA visit to the school should refer to:

- achievement using validated data - RaiseOnline and benchmarked/comparative data
- progress towards targets 2016 and 2017
- analysis of performance of groups of pupils – including disadvantaged groups eligible for pupil premium funding
- narrowing the achievement gap against national benchmarks
- quality of teaching and learning **or** effectiveness of leadership and management including governance - what the school's internal monitoring shows.

Summer Term 2016

The note of visit following the SSIA visit to the school should refer to:

- review of school support level
- progress towards targets 2016 and 2017 analysis of performance of groups of pupils – including disadvantaged groups eligible for pupil premium funding
- narrowing the achievement gap against national benchmarks
- quality of teaching and learning **or** effectiveness of leadership and management including governance - what the school's internal monitoring shows.

A Protocol for working with Academy Schools

Rationale for a Protocol

The education landscape is changing significantly as a result national policy to increase autonomy and develop greater context freedoms and responsibilities to schools. The Department for Education (DfE) sets out its aims for the school system to become more effectively self-improving in the White Paper 'The importance of Teaching' 2010.

However, they also made it clear that local authorities will continue to have strong strategic role: *"in a more autonomous school system, local authorities have the indispensable role to play as champion of children and parents, ensuring the school system works for every family and using their democratic mandate to challenge every school to do the best for their population."*

The Academies Act 2010 confirms that the LA **has no statutory powers of intervention in academy schools but is expected to refer any concerns it may have to the Secretary of State.**

Sir Michael Wiltshire, HMCI, stated in February 2013, that LAs have a vital role in driving school improvement and have statutory responsibilities to ensure good provision for all children in their area, through identifying and reporting under-performance in Academies and Free Schools. This was reinforced in July 2013, when he indicated that councils still have an important role to play in improving educational standards urging them to: "... take direct action about any school where there are concerns about performance ..."

Given the LA statutory duty to support and challenge the performance of all schools; closing the achievement gap for disadvantaged pupils; securing excellence for all children and young people and driving high standards across the whole school system, Bath and North East Somerset Council needs to ensure engagement with all schools in order to secure whole system improvement that includes academies and free schools.

Introduction

This protocol sets out the responsibilities for both Academy Schools and Bath and North East Somerset Council so that both parties share the same understanding of their respective roles in enabling the children and young people attending Bath and North East Somerset Council schools to achieve their potential. It is a protocol that explains how both parties will work together positively and how any problems can be resolved. It is important that there is a continuous 'open door dialogue' so that concerns about performance or inclusion issues are raised at the earliest opportunity and within the context of a positive and open relationship.

In a diverse educational landscape Bath and North East Somerset Council will exercise a range of roles and responsibilities in line with its statutory responsibilities. Bath and North East Somerset Council is committed to continuing to work positively with Academies, sponsors and new providers, most particularly to ensure that the vulnerable students can access their local school and receive the support they need to make good progress. Bath and North East Somerset Council retains its statutory responsibilities and a requirement to promote excellence and address underperformance across all settings and providers.

New national policy clearly indicates the LA is expected to raise concerns about the conduct or performance of Academies directly with the EFA and/or Secretary of State.

It is our shared intention that concerns and issues should always be dealt with at a local level, but the LA will exercise its right to direct formal concerns to the EFA or Secretary of State where the concern is either persistent or so serious it cannot be resolved locally.

This protocol will apply to convertor and sponsor Academies and Free Schools, unless they formally communicate that they do not want to work within this Protocol when their concerns will be dealt with through the DfE or EFA.

Key principles:

Both parties recognise their joint responsibilities to ensure the best provision possible for all children and young people living and/or attending schools in Bath and North East Somerset. This particularly applies to vulnerable groups of children such as those that suffer deprivation, have special educational needs, and children in need or in care.

To support this joint endeavour the parties agree to:

- recognise their shared responsibilities to ensure the best possible educational provision for all children and young people
- work in partnership on all matters relating to the education and welfare of all children and young people
- raise issues and concerns about any aspect of the Academy's performance are raised in an open and transparent manner
- there is fairness and with impartiality at all times and show mutual respect
- show an awareness of the impact of any action on other providers
- actively participate in local partnerships and other forums, which involves developing local provision
- agree to share data in line with the agreed protocol and not use information or data publicly that criticises other providers

secure safeguarding so that all concerned are safe.

DfE Statutory Guidance for Schools Causing Concern

Introduction

This statutory guidance sets out the local authority's role in relation to maintained schools that are causing concern. It sets out the importance of early intervention and of swift and robust action to tackle failure, including the use of Warning Notices and Interim Executive Boards (IEB) in maintained schools. The guidance is clear about the Government's expectation that academy status, with the support of a strong sponsor, is the best way of securing lasting improvement in these circumstances.

Local authorities' statutory responsibilities for educational excellence are set out in section 13a of the Education Act 1996. That duty states that a local authority must exercise its education functions with a view to promoting high standards. Local authorities are discharging this duty within the context of increasing autonomy and changing accountability for schools, alongside an expectation that improvement should be led by schools themselves.

Local authorities should raise any concerns they have about academy performance directly with the Department for Education.

Beyond this statutory guidance, local authorities have considerable freedom as to how they deliver their statutory responsibilities. The 2010 White Paper, *The Importance of Teaching*, set out the role of local authorities as champions of educational excellence.

Local authorities that champion educational excellence:

1. Understand the performance of maintained schools in their area, using data to identify those schools that require improvement and intervention.
2. Take swift and effective action when failure occurs in a maintained school, using Warning Notices and IEBs whenever necessary to get leadership and standards back up to at least "good".
3. Intervene early where the performance of a maintained school is declining, ensuring that schools secure the support needed to improve to at least "good".
4. Encourage good and outstanding maintained schools to take responsibility for their own improvement and to support other schools.
5. Build strong working relationships with education leaders in their area and encourage high calibre school leaders to support and challenge others.
6. Delegate funding to the frontline, so that as much as possible reaches pupils.
7. Enable maintained schools to purchase from a diverse market of excellent providers.
8. Sign post where schools can access appropriate support.
9. Secure strong leadership and governance for maintained schools that are not providing a good enough education, by identifying and supporting successful sponsors.
10. Seek to work constructively with academies and alert the Department for Education when they have concerns about standards or leadership in an academy.

Schools causing concern

Part 4 of, and Schedule 6 to, the 2006 Act set out that a (maintained) school is “eligible for intervention” where:

1. a warning notice has been given (section 60) with which the school has failed to comply or has failed to comply to the satisfaction of the local authority and the local authority have also given the governing body a written notice that they propose to exercise one or more of their powers under Part 4 of the 2006 Act;
2. teachers' pay and conditions warning notice has been given (section 60A) with which the school has failed to comply and the local authority have also given written notice to the governing body that they propose to exercise one or more of their powers under Part 4 of the 2006 Act;
3. a school requires significant improvement (section 61); and,
4. a school requires special measures (section 62).

1. Schools eligible for intervention as a result of a warning notice

Warning notices should be used as an early form of intervention, particularly where standards are unacceptably low and other tools and strategies have not secured improvement.

A warning notice may be given by a local authority in one of three circumstances:

1. the standards of performance of pupils at the school are unacceptably low and are likely to remain so unless the authority exercise their powers under Part 4 of the 2006 Act; or,
2. there has been a serious breakdown in the way the school is managed or governed which is prejudicing, or likely to prejudice, such standards of performance; or,
3. the safety of pupils or staff at the school is threatened (whether by a breakdown of discipline or otherwise).

Low standards of performance

The definition of what constitutes “low standards of performance” is set out in section 60(3) of the 2006 Act. This is where they are low by reference to any one or more of the following:

- I. the standards that the pupils might in all the circumstances reasonably be expected to attain; or,
- II. where relevant, the standards previously attained by them; or,
- III. the standards attained by pupils at comparable schools.

For the purpose of this guidance, “unacceptably low standards of performance” includes: standards below the floor, on either attainment or progress of pupils⁵; low standards achieved by disadvantaged pupils; a sudden drop in performance; sustained historical underperformance, performance of pupils (including disadvantaged pupils) unacceptably low in relation to expected achievement or prior attainment, or performance of a school not meeting the expected standards of comparable schools⁶.

In these situations the local authority should issue a warning notice unless there is a particular reason not to do so. Local authorities are not limited to giving a warning notice only to those schools which are persistently below the floor.

There is a clear expectation that where the school has a history of sustained underperformance, conversion to an academy with a strong sponsor will be the normal route to secure improvement. The warning notice for such schools should make that expectation clear.

Pupil Premium

Local authorities should also consider issuing a warning notice to schools that have not responded robustly or rapidly enough to a recommendation by Ofsted to commission an external review of the use and impact of the Pupil Premium. Such recommendations are normally made as part of Section 5 inspections in schools 'requiring improvement' where the standard of performance of disadvantaged pupils is judged to be unacceptably low.

Since it is a core function of governing bodies to create robust accountability for the educational performance of the school, failure to address such recommendations by Ofsted should be seen as an indication that the school is causing sufficient concern for the local authority to consider issuing a warning notice. Following the inspection, where no significant improvement is realised by the school within reasonable timeframes, local authorities should consider using their powers of intervention to stimulate and drive change.

Schools do not need to wait for an Ofsted inspection recommendation to seek an external review of the Pupil Premium. Local authorities may themselves consider issuing such a recommendation where they have concerns about the quality of a school's performance, before considering more formal intervention. Guidance is available from the National College for Teaching and Leadership on commissioning and conducting such external reviews.

Breakdown in the way the school is managed or governed

Local authorities should provide tailored support or consider issuing a warning notice, depending on the severity of the case, to maintained schools where the governing body is failing to deliver one or more of its 3 core strategic roles resulting in a serious breakdown in the way the school is managed or governed.

The strategic role of a governing body is to:

1. Ensure clarity of vision, ethos and strategic direction;
2. Hold the headteacher to account for the educational performance of the school and its pupils, and the performance management of staff; and
3. Oversee the financial performance of the school and make sure its money is well spent.

Evidence that governors may be failing to deliver on one or more of these strategic roles could include: high governor turnover; a significant, unexplained change to the constitution; and/or the governing body having an excessive involvement in the day to day running of the school. These situations could all indicate a failure of governance that may prejudice standards and the local authority may want to investigate and intervene early by issuing a warning notice.

In the examples described above, a warning notice can be issued even if the school passes the "low standards of performance" test. Other options available to the local authority could include the use of a financial audit or seeking an external review of governance. If the governing body fails to act following the issue of a warning notice, the LA may then consider; co-opting of additional governors, withdrawal of financial delegation or the replacement of the governing body with an Interim Executive Board. Local authorities should raise any concerns about governance arrangements in academies with the Department for Education.

Local authorities should also consider issuing a warning notice to maintained schools that have not responded robustly or rapidly enough to a recommendation by Ofsted to commission a robust and objective external review of their governance arrangements.

Such recommendations are normally made as part of Section 5 inspections in schools 'requiring improvement' where governance is judged to be weak.

Schools do not need to wait for an Ofsted inspection recommendation to seek an external review of their governance arrangements. Local authorities may themselves consider issuing such a recommendation where they have concerns about the quality of a maintained school's governance, before considering more formal intervention. Guidance is available from the National College for Teaching and Leadership on commissioning and conducting such external reviews.

Eligibility for Intervention

A school is "eligible for intervention" and intervention powers may be exercised in the case where a warning notice has been given and the school has failed to comply or has not complied with the notice to the satisfaction of the local authority and where the local authority have also given the school written notice that they propose to exercise one or more of their powers under Part 4 of the 2006 Act.

2. Schools eligible for intervention as a result of having been judged as "requiring significant improvement" or "special measures"

If, following an inspection under section 5 of the Education Act 2005, Ofsted judges a school to be inadequate for overall effectiveness (Grade 4), it will give a judgement that the school requires either "significant improvement" (described as a school with "serious weaknesses") or "special measures". Where a school is eligible for intervention by virtue of this judgement, it is not necessary for the local authority to give a warning notice to the school. If the school has already been given a warning notice by a local authority, a Grade 4 Ofsted judgement means the school is eligible for intervention whether or not the period of compliance in the warning notice has expired or the governing body has made representations or intend to make representations to Ofsted.

There is a clear expectation that in these cases, where the school has been judged by Ofsted to have "serious weaknesses" or require "special measures", conversion to an academy with a strong sponsor will be the normal route to secure improvement and that this is set out clearly in the local authority statement of action.

Inspectors make a judgement on the fitness for purpose of local authorities' statements of action. From September 2012, this judgement is made at the first monitoring inspection of all schools judged to require "special measures" and those that have been judged to have "serious weaknesses". If, the statement of action is judged to be not fit for purpose at the first monitoring inspection, a revised version must be made available to Her Majesty's Inspector (HMI) at the second monitoring inspection. HMI will judge whether the revised statement is fit for purpose and report accordingly.

Warning notices

Section 60 of the 2006 Act sets out the provisions relating to warning notices. A warning notice should be used where there is evidence to justify both the local authority's concerns and the school's reluctance or inability to address those concerns successfully within a reasonable time frame. Before deciding to give such a warning notice, local authorities must draw on a suitable range of quantitative and qualitative information to form a complete picture of a school's performance.

1. Giving a warning notice

When used effectively many local authorities have found that giving warning notices has had a positive impact on schools causing concern, often providing a catalyst for more focused and appropriate action from both the leadership team and the governing body. It is expected that local authorities will use these powers more frequently as part of their wider plans to accelerate improvements in standards.

A warning notice must be given in writing to the governing body of the school and must set out:

1. the matters on which the local authority's concerns are based. These should be set out in some detail and explain the facts that exist in that particular school and the circumstances which are giving the local authority cause for concern;
2. the action which the governing body is required to take in order to address the concerns raised;
3. the initial compliance period beginning with the day when the warning notice is given and ending 15 working days following that day, during which time the governing body is to address the concerns set out in the warning notice, or make representations to Ofsted against the warning notice; and,
4. the action which the local authority is minded to take (under one or more of sections 63 to 66 of the 2006 Act or otherwise) if the governing body does not take the required action.

In addition to giving the governing body a warning notice, the local authority must also give a copy to the head teacher; and in the case of a Church of England Church school or a Roman Catholic Church school, the appropriate diocesan authority; and in the case of a foundation or voluntary school, the person who appoints the foundation governors.

All warning notices must be copied to Ofsted at the same time using the email address: warningnotices@ofsted.gov.uk

Where a warning notice has been given which has not been complied with to the satisfaction of the local authority within the compliance period, the local authority must also give the school reasonable notice in writing. Whilst what is reasonable will vary depending upon the circumstances, the expectation is that the local authority will notify the school that they propose to exercise one or more of their powers under Part 4 of the 2006 Act within two months from the end of the compliance period. When a school has failed to comply with a warning notice and the local authority have also given a further written notice, a school is eligible for intervention.

2. Making representations against the warning notice

The warning notice must state that the governing body of a school can make representations in writing to Ofsted. The 2006 Act does not specify the grounds for making representations, but it could be that the school believes that the local authority have:

1. Given the warning notice without sufficient objective evidence
2. Proposed action that is disproportionate to the scale of the issues facing the school

The representations must be made in writing within 15 working days⁹ of receipt of the warning notice. For the representations to be valid, they must be sent to warningnotices@ofsted.gov.uk and *must* also be copied to the local authority.

Ofsted must consider any representations and may confirm the warning notice or not. This will usually be within a period of 10 working days after receipt of the representations, although this is not set out in legislation. Ofsted may ask either party to submit further evidence where this is felt to be insubstantial, prior to deciding on the representations.

If Ofsted confirms the warning notice, the school is eligible for intervention after 15 working days beginning with the day on which Ofsted confirms the warning notice. Irrespective of whether the governing body have made representations to Ofsted, the Secretary of State may make a direction under section 496 and/or 497 of the Education Act 1996 pursuant to a complaint or otherwise. This enables the Secretary of State to make a direction, if expedient to do so, where he is satisfied that a local authority have acted, or are proposing to act, unreasonably with respect to the exercising of a power or performance of a duty under the 1996 Act, or certain other Acts which are read together with the 1996 Act (including the 2006 Act), or where the local authority have failed to discharge a duty.

Power of the Secretary of State to direct the local authority to consider giving and to give a warning notice

The Secretary of State has the power to direct a local authority to first consider giving a warning notice in specified terms and then, to direct the local authority to give a warning notice in those terms where a local authority have decided not to do so.

A direction to give a warning notice in specified terms may be given if the Secretary of State thinks there are reasonable grounds for the local authority to do so and:

1. The local authority have not given a warning notice to the governing body; or
2. The local authority have given a warning notice, but in inadequate terms; or
3. The local authority have given a warning notice to the governing body but Ofsted have failed or declined to confirm it; or
4. The school has become eligible for intervention, but the period of two months following the end of the compliance period has ended.

The local authority may then decide to give the warning notice to the governing body in the specified terms and must give the Secretary of State a written response to the direction confirming this within 10 working days beginning with the day on which the direction was given. They must then give a warning notice to the governing body within 5 working days from the day on which a response is given to the Secretary of State and,

on the same day, give the Secretary of State a copy of the warning notice and send it to warningnotices@ofsted.gov.uk.

If the local authority decides not to comply with the direction, then they must respond to the Secretary of State within 10 working days¹¹ beginning with the day on which the direction was given setting out the reasons for that decision. If, having considered these reasons, the Secretary of State believes that a warning notice is still necessary then the local authority will be directed to give a warning notice in those specified terms. The local authority must then give this warning notice to the governing body within 5 working days beginning with the date when the direction is given.

Once this warning notice has been given, the school has 15 working days to comply with the terms of the warning notice or make representations to Ofsted as with any other warning notice given.

The local authority must judge whether the school has complied with the terms of the warning notice. If the local authority concludes that the school has failed to comply with the warning notice and has also given written notice to the governing body that they propose to exercise one or more of their intervention powers, then it is “eligible for intervention” as set out in Part 4 of, and Schedule 6 to, the 2006 Act, and the intervention powers of the Secretary of State and the local authority may be exercised. The Secretary of State may also request Ofsted to inspect and report on a school where there are serious concerns under provisions in the Education Act 2005.

Local authorities’ powers of intervention

Where a school is eligible for intervention there are a number of powers the local authority or the Secretary of State may use to drive school improvement. These interventions are set out in sections 63-66 of the 2006 Act in respect of local authorities.

1. Power to suspend the delegated authority for the governing body to manage a school’s budget

Section 66 of the 2006 Act enables a local authority to suspend the governing body’s right to a delegated budget by giving the governing body of the school notice in writing. This applies where a maintained school is eligible for intervention and the school has a delegated budget within the meaning of Part 2 of the School Standards and Framework Act 1998.

Local authorities are strongly recommended to withdraw delegation from all schools eligible for intervention at the time the intervention position is confirmed since doing so can secure local authority control over staffing and spending decisions in order to secure improvements. It may be best used, for example, where the governing body is providing insufficient challenge and support to the headteacher or senior management team of the school, or where management of the budget is providing a distraction from improvement priorities for governors.

A copy of the notice to suspend the right to a delegated budget must be given to the head teacher of the school and the governing body. If the local authority has appointed an IEB, during the period when the governing body is constituted as an IEB (the interim period) the local authority cannot suspend the school’s right to a delegated budget.

Timeframe

Where a school is eligible for intervention as a result of being given a warning notice, this power must be exercised within a period of two months following the end of the compliance period. If the local authority fails to exercise this power within this time, it can no longer be exercised and a new warning notice must be given in order to do so. There is no requirement for the local authority to consult before exercising this power.

2. Power to appoint an Interim Executive Board (IEB)

Section 65 of the 2006 Act enables the local authority to apply to the Secretary of State for consent to constitute the governing body as an IEB in accordance with Schedule 6 to the 2006 Act. An IEB can be used to accelerate improvement in standards and attainment and provide challenge to the leadership of the school to secure rapid improvement or where there has been a serious breakdown of working relationships within the governing body of the school.

Timeframe

This power may be exercised at any time a school is eligible for intervention and is not subject to the time limitation set out above in respect of other intervention powers.

Consultation

Before the local authority can exercise this intervention power they must consult:

1. the governing body of the school;
2. in the case of a Church of England school or a Roman Catholic Church school, the appropriate diocesan authority; and,
3. in the case of any other foundation or voluntary school, the person or body by whom the foundation governors are appointed.

A fair consultation must be undertaken when proposals are at a formative stage and include sufficient detail to allow those consulted to give a considered response. The local authority may offer a meeting with the governing body as part of this consultation. A final decision should only be taken after consideration of any representations received. There is no statutory time scale in which the consultation process is to be completed and it is likely that this will vary depending on the circumstances in which the IEB is required. We would expect a normal consultation process to take about 10 (ten) days.

IEB applications should be made using the form on the DfE website¹² and should follow the guidance for the completion of an IEB application form.

After obtaining consent in writing from the Secretary of State, the local authority must write to the governing body to give them notice that the IEB will be established. This notice should specify a date when the IEB will commence and will usually also give a date when the IEB will cease but may not always.

Delegated budget

An IEB has a right to a delegated budget. If the school's budget has previously been withdrawn from the governing body, then the local authority must restore the budget from the date when the IEB commences its work. If a notice has been given to the normally constituted governing body specifying a date when it is proposed to withdraw

the right to improvement or where there has been a serious breakdown of working relationships within the governing body of the school.

Timeframe

This power may be exercised at any time a school is eligible for intervention and is not subject to the time limitation set out above in respect of other intervention powers.

Consultation

Before the local authority can exercise this intervention power they must consult:

1. the governing body of the school;
2. in the case of a Church of England school or a Roman Catholic Church school, the appropriate diocesan authority; and,
3. in the case of any other foundation or voluntary school, the person or body by whom the foundation governors are appointed.

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The role and duties of the IEB

The IEB's main function is to secure a sound basis for future improvement in the school and this should include the promotion of high standards of educational achievement. The IEB is the governing body of the school and any reference in the Education Acts to a governor or foundation governor has effect as a reference to an interim executive member. During the interim period, when the governing body is constituted as an IEB, the requirements concerning the governing bodies constitution set out in the School Governance (Constitution) (England) Regulations 2012 do not apply.

The IEB will take on the responsibilities of a normally constituted governing body, including the management of the budget, the curriculum, staffing, pay and performance management and the appointment of the headteacher and deputy headteacher. An IEB may recommend to a local authority, or recommend that the Secretary of State give a direction to a local authority, that a school should be closed. However, the IEB cannot itself publish proposals for closure. If, following the statutory consultation and other procedures, it is agreed that the school will be closed, the IEB should continue to hold office until the implementation date of the proposal. The IEB may also seek an academy order from the Secretary of State which enables the school to convert to an academy. Where a school has been found by Ofsted to be inadequate, the department is clear

that academy status with a strong sponsor is the best way to bring about its rapid improvement. In these cases, we would expect the IEB to undertake its duties with a view to achieving this outcome.

Membership of the IEB

As set out in Schedule 6 to the 2006 Act the number of interim executive members must not be less than two. Once the IEB has been established, further interim executive members can be appointed at any time. An IEB should be a small, focused group appointed for the full period which it is expected to take to turn the school around. Members of an IEB should be chosen on a case by case basis, depending on the needs of the school but should normally include individuals with financial skills and experience of transformational educational improvement. Where the school is underperforming and there is already an agreed sponsor, we would expect that the sponsor should be on the IEB. If a sponsor is agreed during the operation of the IEB we would expect that a sponsor representative would join the IEB at that point. Members of an IEB bring a fresh outlook to the governance arrangements of the school, marking a clear break from the previous management of the school. In most cases, therefore, we would not expect existing governors who are vacating office to be nominated as IEB members (although this is not prohibited by the law). Local authorities who are considering doing this should contact the DfE to discuss the particular circumstances of the school.

The IEB may arrange for the discharge of their functions to other people as they see fit (under paragraph 11(2) of Schedule 6 to the of the 2006 Act). In this way the IEB could continue to benefit from the experience of existing governors and help engage future governors.

The local authority is able to nominate one of the members of the IEB to act as Chair. Interim executive members may be removed in limited circumstances. This can be for incapacity or misbehaviour or where their written notice of appointment provides for termination by the appropriate authority on notice. The appropriate authority may be the local authority or the Secretary of State depending on who made the original appointment.

The local authority should produce a written notice of appointment for each member of the IEB. Copies of this notice should be sent to all other members of the IEB; the school's existing governing body; the Secretary of State; and, in the case of foundation or voluntary schools, the diocesan or other appropriate appointing authority. A local authority or the Secretary of State may choose to pay interim executive members such remuneration and allowances as is considered appropriate.

Power to appoint additional governors

Section 64 enables a local authority to appoint additional governors where a school is eligible for intervention. The local authority is likely to appoint additional governors when they would like a school to be provided with additional expertise and may appoint as many additional governors as they think fit. In the case of a voluntary aided school where the local authority have exercised the power to appoint additional governors, the appropriate appointing authority in relation to that school may appoint an equal number of foundation governors to those appointed by the local authority, in order to preserve their majority.

Timeframe

Where the school is eligible for intervention as a result of being given a warning notice, this power must be exercised within a period of two months following the end of the compliance period. If the local authority fails to exercise this power within this time, it can no longer be exercised and a new warning notice must be given in order to do so. Where the local authority appoints additional governors there is no requirement to consult.

Power to require the governing body to enter into arrangements

Section 63 enables a local authority to require a school which is eligible for intervention to enter into arrangements with a view to improving the performance of the school. The local authority may give the governing body a notice requiring them:

1. to enter into a contract or other arrangement for specified services of an advisory nature with a specified person (who may be the governing body of another school);
2. to make arrangements to collaborate with the governing body of another school;
3. to make arrangements to collaborate with a further education body; or,
4. to take specified steps for the purpose of creating or joining a federation.

Timeframe

Where the school is eligible for intervention as a result of being given a warning notice, this power must be exercised within a period of two months following the end of the compliance period. If the local authority fails to exercise this power within this time, it can no longer be exercised and a new warning notice must be given in order to do so.

Consultation

Before the local authority can exercise this intervention power they must consult:

1. the governing body of the school;
2. in the case of a Church of England school or a Roman Catholic Church school, the appropriate diocesan authority; and,
3. in the case of any other foundation or voluntary school, the person or body by whom the foundation governors are appointed.

A consultation must be undertaken when proposals are at a formative stage and include sufficient detail to allow those consulted to give a considered response. A final decision can only be taken after consideration has been given to any representations received. There is no statutory time scale in which the consultation process is to be completed. We would expect a normal consultation process to take about 10 (ten) days but this may vary depending on the circumstances of the case.

Secretary of State's powers of intervention

Where a school is eligible for intervention there are a number of powers the local authority or the Secretary of State may use to drive school improvement. These interventions are set out in sections 67 to 69 in respect of the Secretary of State.

1. Power to appoint additional governors

Section 67 of the 2006 Act allows the Secretary of State to appoint additional governors at any time a maintained school is eligible for intervention; the Secretary of State may appoint any such number of additional governors as he sees fit.

Before making any appointment, the Secretary of State must consult:

1. the local authority;
2. the governing body of the school;
3. in the case of a Church of England school or a Roman Catholic Church school, the appropriate diocesan authority; and,
4. in the case of any other foundation or voluntary school, the person or body by whom the foundation governors are appointed.

The Secretary of State may pay any governor appointed such remuneration and allowances as is considered appropriate. Where the Secretary of State has exercised this power, the local authority may not exercise their power to suspend the governing body's right to a delegated budget. The legislation provides that a voluntary aided school is not authorised to appoint foundation governors for the purpose of outnumbering the other governors appointed by the Secretary of State.

2. Power to direct the closure of a school

The Secretary of State may direct a local authority to cease to maintain a school where that school is eligible for intervention other than by virtue of section 60A of the 2006 Act. (non-compliance with teachers pay and conditions).

This will usually be done where there is no prospect of the school making sufficient improvements. Before this power can be exercised the Secretary of State must consult¹⁴

1. the local authority and the governing body of the school;
2. in the case of a Church of England school or a Roman Catholic Church school the appropriate diocesan authority;
3. in the case of any other foundation or voluntary school the person or body by whom the foundation governors are appointed; and
4. such other persons as the Secretary of State considers appropriate.

If the direction to close a school has been given, the local authority will be expected to meet any costs of terminating staff contracts and make appropriate arrangements for the pupils' continuing education, whether in a replacement school, or through transition to an alternative school.

3. Power to provide for the governing body to consist of interim executive members

Under Section 69 of the 2006 Act the Secretary of State may require the governing body of a school to be constituted as an IEB in accordance with Schedule 6 to the 2006 Act where the school is eligible for intervention.

Before this power can be exercised the Secretary of State must consult¹⁵:

1. the local authority;
2. the governing body of the school;
3. in the case of a Church of England school or a Roman Catholic Church school, the appropriate diocesan authority; and,
4. in the case of any other foundation or voluntary school the person or body by whom the foundation governors are appointed.

This requirement to consult the bodies in 2, 3 and 4 above does not apply if the local authority has already done so in respect of their own proposal to appoint an IEB or if an academy order has effect in respect of the school.

4. Power to make an academy order

Section 4 of the Academies Act 2010 permits the Secretary of State to make an academy order in two circumstances: firstly, on the application of a school's governing body; or secondly, if the school is eligible for intervention within the meaning of Part 4 of the 2006 Act. Before making an academy order in respect of a foundation or voluntary school with a foundation that is eligible for intervention, the Secretary of State must consult:

1. the trustees of the school;
2. the person and persons by whom the foundation governors are appointed; and,
3. in the case of a school which has a religious character, the appropriate religious body.

If an academy order is made in respect of a school, the Secretary of State must give a copy of the order to:

1. the governing body of the school;
2. the headteacher;
3. the local authority; and,
4. in the case of a foundation or voluntary school that has a foundation:
 1. (I) the trustees of the school;
 2. (II) the person and persons by whom the foundation governors are appointed; and,
 3. (III) in the case of a school which has a religious character, the appropriate religious body.

If an academy order is made in respect of a school which has a Foundation holding the freehold or leasehold of publically funded land, the Secretary of State may direct the Foundation to transfer the relevant land and buildings to the academy provider¹⁶. Under section 5 of the Academies Act 2010 before a maintained school can convert into an academy, the governing body must consult on the question of whether conversion should take place.

In the case of a school eligible for intervention under Part 4 of the 2006 Act, the consultation may be carried out by the governing body of the school (or an IEB where appointed) or the person with whom the Secretary of State proposes to enter into academy arrangements in respect of the school or an educational institution that replaces it.

The expectation is that a persistently underperforming school or a school that is in Ofsted category will become an academy. Any such academy would be a "sponsored" academy, meaning that the school would adopt governance arrangements, involving a strong external body (such as an organisation or a sponsoring school)., that will ensure that the school is supported in turning its performance around.

The expectation would be that any strong school which was proposing to act as a sponsor would themselves also be an academy or willing to become an academy in order to take on the sponsorship role. Being an academy will allow the sponsoring school to use its academy freedoms to secure rapid improvement in both the school it is sponsoring, as well as its own school.

Governance

Non statutory guidance relating to governance

Local authorities should take an active interest in the quality of governance in maintained schools. To prevent schools becoming “eligible for intervention” (as described in Section 2) local authorities should promote and support high standards of governance. To do so, they should be champions for high quality in school governance; help ensure that governors have the necessary skills; and have in place appropriate monitoring arrangements to identify signs of failure in relation to governors’ oversight of finance, safety or performance standards.

Local authorities should also be able to provide governors with high quality training that is necessary to prevent schools from becoming “eligible for intervention” or at least be able to signpost governors to such training. Section 22 of the Education Act 2002 and the Ofsted inspection framework of local authority school improvement arrangements places strong expectations on local authorities in relation to promoting and providing appropriate training programmes for governors. Local authorities should note that governing bodies have the power to suspend governors where they refuse to undertake necessary training.

Local authorities should have arrangements in place for maintaining records of governors in maintained schools. This can be used by the authority to aid communication with governors and provide for them to undertake any necessary due-diligence. Ideally, the records should also include schools registers of interests and enable identification of governors who sit on more than one governing body. Information held by the local authority should also be made available to the Department for Education upon request.

Where a local authority has concerns about governance within an academy in their area they should raise this with their local Regional Schools Commissioner or the EFA.

SCHOOL IMPROVEMENT and ACHIEVEMENT SERVICE
School Categorisation and Support Level
SUMMER 2015 – 2016

School	
School Category	
Support Level 2015 – 2016 <i>School Improvement Policy</i>	

<i>Specify the support needed</i>
<i>Specific strengths you would be willing to share with other schools</i>

Signature of Headteacher	
Signature of Chair of Governors	
Signature of the Senior School Improvement & Achievement Adviser	
Date Categorisation and support level validated	

Please return to: Margaret_Simmons-Bird@bathnes.gov.uk

NOTE OF VISIT

		CONFIDENTIAL
School/Setting:		Name of Visiting Adviser/Consultant/Officer:
Date of Visit:	Time of Visit : <i>from:</i> <i>to:</i>	
Preparation and Follow-up time:		Total time :
LA Commissioned support ✓	School Commissioned support ✓	
Activity Type: School Improvement Adviser		
Contact with:		
Purpose of visit, personnel involved, activities undertaken and issues discussed •		
Progress since last visit (e.g. on actions agreed/intended impact) •		
Conclusions/evaluative comments: •		
Agreed and anticipated outcome in school as a result of this visit: •		
Recommendations and agreed next actions:		
Who	What	When
Date of next visit:		
Copies to: Headteacher, Chair of Governors, SSIA, School File. Other:		

For office use only:

Target Group Please tick	Head	T	G	SLT	Middle Leaders	TAs	Pupils	Other

Copies To Please tick	HT	HEI	Adviser	Consultant	C of G	SAP	Other	Confidential by post

**Vulnerable Schools
Progress Review Meeting
A G E N D A**

Attendance: Headteacher, Chair of governors, Senior School Improvement Adviser, NLE/LLE

Chair: Head of Education Improvement

School:		Category:	
Date:			
Time:			
Venue:			

1. Welcome and introduction
2. Minutes of last meeting
3. Review of Action Plan
4. Review and impact of support
5. Personnel changes or additional needs arising
6. Progress towards previous Ofsted key issues
7. Overall evaluative comments
8. Next steps
9. Date of next meeting

Annual Summary Evaluation Report 2015

School:

Date:

Context of the school

Ofsted Inspection (Date)	Overall

Self Evaluation	
Effectiveness of Leadership and Management	
Quality of teaching, learning and assessment	
Personal development, behaviour and welfare	
Outcomes for children and learners	

Attendance & Exclusions	2014	2015
Overall absence		
Persistent Absence		
FX		
PX		

Ofsted Key Issues
LA/School identified areas of development (including FSM):

Impact of LA Commissioned Support (if appropriate):

Impact of school to school support:

LA /School Category & Comment/External Evaluation:

Key Issues for Governance:

Outcomes overtime

Combined Reading, Writing & Maths	2014	2015
Reading, Writing & Maths combined L4+		
Reading, Writing & Maths combined L5+		

KS1 Phonics	2014	2015
Y2		

Attainment Reading, Writing, SPAG	2014	2015
Reading L4+		
Writing L4+		
Reading L5+		
Writing L5+		
Reading L6		
Writing L6		
SPAG L4+		
SPAG L5+		

Progress English	2014	2015
2 levels progress in Writing		
2 levels progress in Mathematics		
3+levels progress in Writing		
3+levels progress in Mathematics		

Attainment Maths	2014	2015
Mathematics L4+		
MathematicsL5+		
Mathematics L6		

Progress Maths	2014	2015
2 levels progress in mathematics		
3+levels progress in mathematics		

	Attainment Gap Reading			
	2014		2015	
	Cohort	School	Cohort	School
All pupils				
Disadv.				
Non Disadv.				
School Gap				

	Attainment Gap Writing			
	2014		2015	
	Cohort	School	Cohort	School
All pupils				
Disadv.				
Non Disadv.				
School Gap				

	Progress Gap Reading			
	2014		2015	
	Cohort	School	Cohort	School
All pupils				
Disadv.				
Non Disadv.				
School Gap				

	Progress Gap Writing			
	2014		2015	
	Cohort	School	Cohort	School
All pupils				
Disadv.				
Non Disadv.				
School Gap				

	Attainment Gap Mathematics			
	2014		2015	
	Cohort	School	Cohort	School
All pupils				
Disav.				
Non Disadv.				
School Gap				

	Progress Gap Mathematics			
	2014		2015	
	Cohort	School	Cohort	School
All pupils				
Disav.				
Non Disadv.				
School Gap				

Headteacher:

Chair of Governors:

School Improvement Adviser:

Annual Summary Evaluation Report

School:

Date:

Context of the school

Ofsted Inspection (Date)	Overall

Self Evaluation	
Effectiveness of Leadership and Management	
Quality of teaching, learning and assessment	
Personal development, behaviour and welfare	
Outcomes for children and learners	

Ofsted Key Issues
LA/School identified areas of development (including FSM):

Impact of LA Commissioned Support (if appropriate):

Impact of school to school support:

LA /School Category & Comment/External Evaluation:

Key Issues for Governance:

Outcomes overtime

Attendance 20	%
Overall absence	
Persistent Absence	

Exclusions	
FTE	
Permanent	

GCSE Attainment			
Cohort	5A*-C EM %	EBacc %	Attainment Average Grade
National			
LA			
All Students			
Girls			
Boys			
Disadvantaged			
Non Disadvantage			
SEN			
Non SEN			

GCSE Progress - ENGLISH		
Cohort	Expected Progress 3+%	More than Expected 4+%
National		
LA		
All Students		
Girls		
Boys		
Disadvantaged		
Non Disadvantage		
SEN		
Non SEN		

GCSE Progress – MATHS		
Cohort	Expected Progress 3+%	More than Expected 4+%
National		
LA		
All Students		
Girls		
Boys		
Disadvantaged		
Non Disadvantage		
SEN		
Non SEN		

GCSE Disadvantaged 3 Year Trend Gaps - % achieving 5+ A*-C GCSEs (or equivalent) including English & Maths GCSEs			
Cohort	2013	2014	2015
National			
LA			
School			

GCSE: Attainment by ability

GCSE					
Cohort	5A*-C EM	English: Progress Expected	English: more than expected progress	Maths: expected progress	Maths: more than expected progress
National					
LA					
School					
Lower Ability					
Middle Ability					
Higher Ability					

Destination 2015....			
Number of Pupils	Total in Sustained Education %	Education Destinations not Sustained %	Not known %
National			
LA			
School			

A Levels: These measures include all A level and AS level results of all students at the end of Y13

A Levels: Attainment Measure		
	APS per entry	APS per student
National		
LA		
School		

A Levels: Threshold Measure				
	% Achieving 3 or more A-E	% Achieving 2 or more A-E	% Achieving 1 or more A-E	Exam entry expressed as a grade
National				
LA				
School				

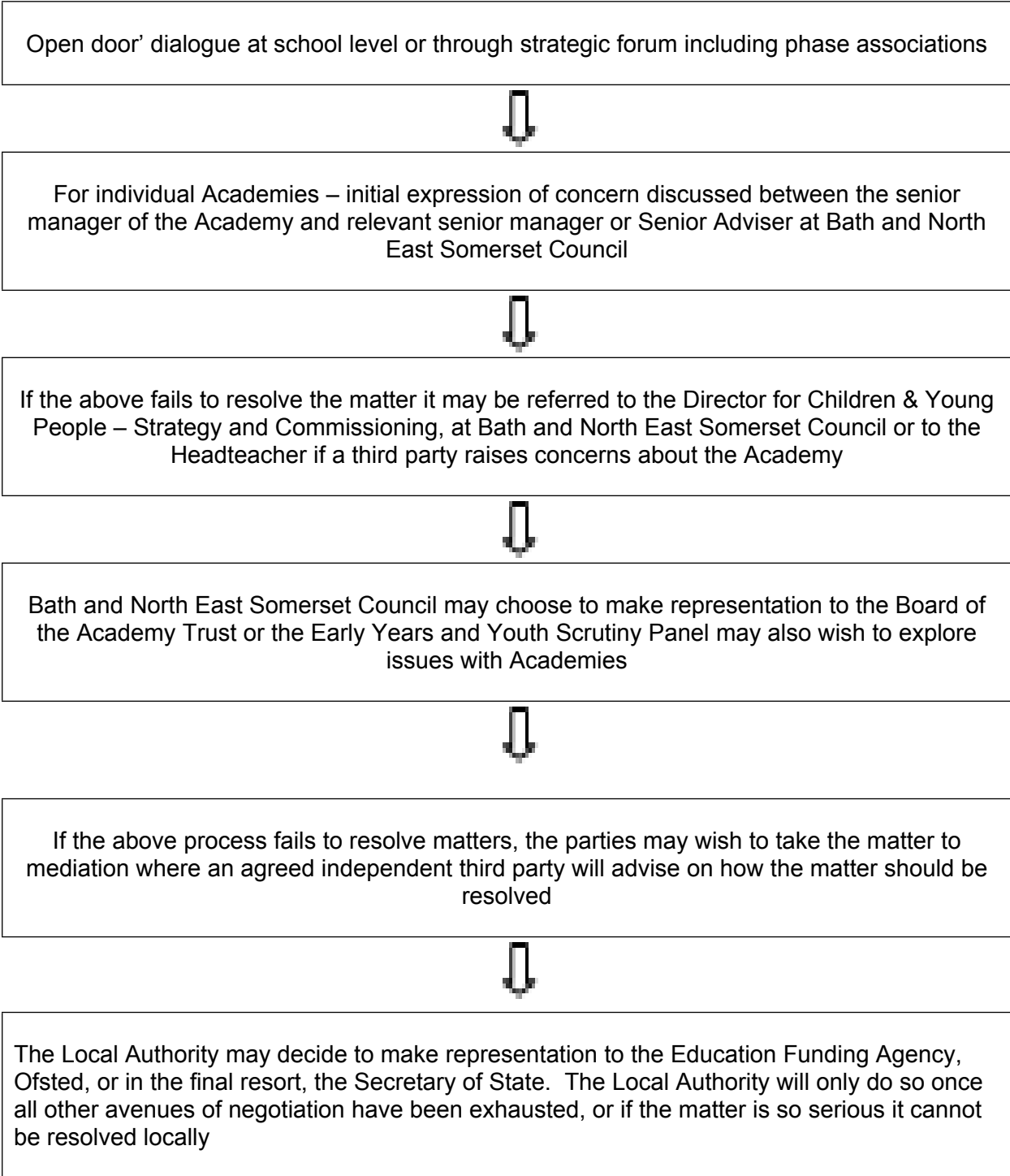
Value Added KS4 to end of Y13	
	Value Added Score
National	
LA	
School	

Headteacher:

Chair of Governors:

School Improvement Adviser:

PROCESS FOR RAISING CONCERNS AROUND CONDUCT AND PERFORMANCE



Key functions of Teaching and Learning Consultant Narrowing the Gap

- support identified schools in improving the quality teaching and learning in order to narrow the achievement gaps
- support subject leaders in developing their effectiveness in their understanding and use of assessment data to plan and inform next steps in learning
- ensure the LA statutory functions for assessment is carried out and reported to the Standards & Teaching Agency (STA)
- monitor, evaluate and report the impact of the Pupil Premium
- signpost schools to relevant Continuing Professional Development (CPD).

Key functions of the Personal, Social & Health Education (PSHE) & Drug Education Consultant

- advise and support schools on all aspects of PSHE policy, curriculum, resource bullying, playground behaviour, pupil and staff bereavement, equalities, Stonewall School Champions programme
- provide training for teachers and other school support staff on all aspects of PSHE
- deliver and broker training as required around drug & alcohol education, sex and relationships education (including child sexual exploitation), mental health awareness, and other risk taking behaviours
- chair various multi-agency groups (the Young People's Substance Misuse Group, the Anti-Bullying Strategy Group, the Challenging Homophobia and Transphobia Steering Group). Work with a range of partners including Children, Child & Adolescent Mental Health Service (CAMHS), Off the Record, Project 28, Mentoring Plus, the Black Families Service to ensure appropriate support for vulnerable children and young people.

Key functions of the Director of Public Health (DPH) Award Coordinator

- to develop, implement and co-ordinate all aspects of the DPH Award
- to ensure the Award criteria reflect local and national priorities and standards e.g. OFSTED, School Food Plan (SFP), Early Years Foundation Stage (EYFS)
- to provide support to enable greater participation of families, carers and the wider community in the planning and delivery of health improvement activity
- to link with other services e.g. health improvement services, the play team and the School Sports Partnership, School Nurses and wider community and regional partners to promote the provision of services and increase referrals
- to ensure that robust data is available and used to inform schools prioritisation and action planning and an evidence base for assessing progress (e.g. Schools & Students Health Education Unit (SHEU) survey data and other school/setting health profile data)
- ensure the DPH Award addresses health inequalities among children and young people and contributes to priorities in current Children and Young People's Plan and Health and Well Being Strategy.

The Early Years and Foundation Stage Team

The EYFS service engages with all Early Years - group based, home based and school settings working with children from birth to the transition into Year 1. The sector is diverse including private, voluntary, independent and maintained provision. The EYFS team is highly experienced in providing targeted support and working alongside settings on a wide range of areas, focussed on raising attainment for all children.

The service provides:

- Support with self evaluation and quality improvement
- Inclusion: Support through training, cluster support and consultation visits
- EYFS Profile moderation support and data analysis
- Wraparound childcare and Play

The service is quality assured and team members have access to high quality training. We work in close partnership with the EYFS Business team to support the set up and sustainability of EY provision. We work alongside the School Improvement & Achievement Team to provide commissioned support, challenge and intervention as appropriate.

For more information contact:

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Telephone: 01225 394486

THE VIRTUAL SCHOOL

There are over 110 pupils in the care of Bath and North East Somerset of compulsory school age - some two thirds are educated in Bath and North East Somerset area schools and the rest in state schools outside the LA or in the independent sector. The virtual school supposes that they all attend one school – the virtual school. By collecting data on progress, attendance and behaviour we can monitor their performance and can work with schools to target support for those who are falling behind. We also track the progress of children in the care of other authorities who are educated in Bath and North East Somerset area schools.

Our aim is that all our children in care make the same or better progress in their learning compared with their peers.

The Virtual school supports children in care by:

- Providing expert support to children, social workers and carers right from Early Years to FE on a whole range of issues, ranging from which school to attend to planning for 14-19 and HE
- Supporting the creation and monitor the quality of Personal Education Plans (PEPs) to ensure they are strongly focussed on learning outcomes
- Targeting resources such as the Learning Support Team where it is needed most
- Ensuring that school placements continue wherever possible, even when care placements change, and support transition when school placements do change
- Providing support to designated teachers, social workers and carers through training and networking
- Getting involved quickly when things go wrong
- Helping to speed up decision making where several agencies and teams are involved with a child
- Procuring extra resources, for example for boarding provision, gifted and talented pupils and Aim Higher projects
- Listening and respond to the voice of our children in care.

Michael Gorman, Head of Bath & North East Somerset Virtual Schools
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