

Bath & North East Somerset Council

MEETING/ DECISION MAKER:	Children & Young People Policy Development & Scrutiny Panel	
MEETING/ DECISION DATE:	17 May 2016	
TITLE:	Education White Paper: Educational Excellence Everywhere	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report: Appendix 1 – ADCS Briefing on the Education White Paper		

1 THE ISSUE

- 1.1 To consider the implications of the recently published Department for Education White Paper: Educational Excellence Everywhere.

2 RECOMMENDATION

- 2.1 To discuss the potential implications of the White Paper and make recommendations to the Cabinet Member on how the Council should prepare for the likely legislative changes.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 Although the White Paper has a long way to go before being enshrined in legislation, the implications include a reduction in Education Support Grant for the Council (in the order of £1m), potentially at a faster pace than previously expected; and a potential loss of posts in some education functions which will no longer be the statutory duty of the Council.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

- 4.1 The White Paper has a long way to go before being enshrined in legislation, but early consideration of the potential implications will enable any resulting service changes to be fully planned and prepared for.

5 THE REPORT

- 5.1 The full White Paper can be found at
<https://www.gov.uk/government/publications/educational-excellence-everywhere>

5.2 A useful brief summary compiled by the ADCS is attached for information.

5.3 Some of the key issues that the Panel may wish to discuss include:-

a) *Multi-Academy Trusts (MATs)*

The prevailing steer from DfE in the last year has been that, in order to be sustainable, a MAT should cover at least 3000 pupils. This is a shift from the original policy which was promoting either stand-alone Academies or sponsorship through national 'chains', some of which have not performed as well as originally predicted. We are already seeing the emergence of a number of local MATs which are attracting smaller schools to join with them as they convert. This can be a positive development, in building on local cluster working and sustaining the B&NES 'family' of schools; but conversely there is a risk of 'cherry-picking' and of schools feeling under pressure to 'jump' to join an existing MAT before the doors are shut, rather than making a considered judgment about what is in the long term interests of that school/community. There is also a clear indication from the Regional Schools Commissioner that he wants to see groups of schools operating across LA boundaries and a number of our local MATs are already doing so. Our local dialogue with schools has been focused on encouraging them to look ahead and plan for how they strengthen their governance for cluster working, whether through academisation or otherwise. This has been based on the premise that an orderly and planned development of the future educational infrastructure for the area would best serve the needs of the population, and be inclusive of more vulnerable schools.

b) *LA capacity to support and challenge school performance*

This local authority area is high performing on most measures of education – ranging from percentage of pupils in good or outstanding schools, GCSE results, to narrowing the gap in Early Years. There is a certain irony that the government is suggesting removing Education Support Grant from local authorities in 2017, and at the same time introducing powers to force academisation where the LA doesn't have capacity to support schools.

c) *Conversion costs*

Conversion can be a costly process and we have indicated that we will levy a charge on all future conversions to help cover our own costs. Some groups of schools locally have struggled with creating capacity to develop alternative MAT models and the DfE proposal to offer new MAT support funding could facilitate that. Recent practice suggests that funding is sometimes announced as a 'time-limited offer' which has again caused some schools to feel pressured into identifying a quick solution rather than the best solution.

d) *Transfer of school sites to DfE to speed conversion*

It is not yet clear how this will work. Local experience suggests that the delays in agreeing leases for schools becoming academies often relate to putting in place appropriate arrangements for other occupants of the school site (eg independently run nurseries) or dealing with complex issues regarding outstanding building repairs – these issues will still need to be properly addressed during the establishment of any new leases.

e) *University Technical Colleges (UTCs)*

We already have 3 Studio Schools which have opened in the last couple of years as free schools; there is no identified need for a UTC (University Technical College - a state-funded school offering 14–19 year old students practical and academic learning in technical and scientific subjects working closely with employers and a local university) and this would further add to the surplus supply of places in the local secondary school

system. There are already UTCs in Salisbury, Swindon and Bristol and it could be argued that this ensures the option is available within reach of Bath for those who want it.

f) *Powers to require use of LA land for new Free Schools where they are needed*

As Local Authorities have the duty (currently and ongoing under these proposals) for ensuring sufficient school places in the area, it could be argued that the LA should have the final say on that key phrase 'where they are needed', but there has been no clarity about how DfE will take into account the LA view. Whilst the development of Free Schools is enabling some local MATs to use this route to acquire capital funds to create new school places in line with local need, it also has potential to create some perverse situations where schools are not needed, or could indeed conflict with LA planning policy.

g) *Parent Portals*

We have certainly had some local examples of parents finding it hard to make their voices heard. We need to see further detail on these proposals to understand how this will make a difference in practice.

h) *LA shrinking role in relation to schools*

5.4 This is not new – only the timetable is new. However this could give us a clearer basis on which to plan for future changes to the LA role, across a range of the services that currently work with schools. There are many services outside of Children's Services which provide services to schools, often on a traded basis (catering, property, HR, finance, H&S, tree inspection, audit, etc). One of the issues that the LA will need to determine is how it wishes to carry out its statutory roles effectively. As all schools become academies and our role in school improvement disappears, combined with the development of stronger MATs often working across LA boundaries, we will lose much of the opportunity that previously existed for building positive relationships with schools. These strong relationships and the gathering of local intelligence has enabled us to intervene early in schools causing concern to avoid failure and this is reflected in there having been no schools in special measures for a number of years.

It has been these relationships which have provided the foundation for our ability to influence schools in respect of delivering (or resisting) school expansions to ensure sufficiency; tackling attendance and admissions issues; and addressing safeguarding issues at the earliest opportunity. The LA may, for example, need to consider the pros and cons of a 'minimalist' statutory role versus retaining some investment in the capacity to sustain and build relationships to improve our effectiveness in delivering the revised role in the new context. The LA will need to develop a clear plan for the future of every LA service that works with schools – ie whether to retain it, remove it, move into a more proactive trading model, or otherwise adapt to the changing role?

i) *Changing roles of DCS and Lead Member*

The removal of some responsibilities in respect of schools has some direct implications, but the retained LA roles and over-riding importance of safeguarding children in all settings, would suggest that LAs might wish to retain a role similar to the DCS and lead member roles. It will be interesting to see how the proposed review evolves.

j) *Extending the role of Virtual School Heads*

This is broadly welcomed as we believe this has been a powerful role in respect of children in care. We need to understand the detail of how it would work. The capacity to undertake this additional work should be the subject of additional 'New Burdens' funding.

- k) *More Teaching Schools and National Leaders of Education, with the Regional Schools Commissioner having budget for school improvement*

We have one Teaching School locally, with whom we work as closely as possible to co-ordinate school improvement support and partnering arrangements with National Leaders of Education (NLEs) and Local Leaders of Education (LLEs) from other schools. There were previously 2 Teaching Schools, which was not a benefit to this co-ordination and resulted in some loss of economies of scale. It is unclear how increasing the number of Teaching Schools locally would be of benefit. We have an effective 'Education Excellence Board' to ensure co-ordination with the Teaching School, NLEs, the Dioceses and local schools and it is unclear how this can work successfully at a South West regional level.

- l) *LA Staff moving into existing MATs or creating new ones*

Unclear at this stage how this would work, but needs to be fully explored as a potentially positive route to support local clusters to develop into MATs and retain the valued expertise of experienced local staff.

6 RATIONALE

- 6.1 The Panel has an opportunity to comment and make recommendations to the Cabinet Member which can be taken into account in the Council response as the requirements of the White Paper evolve.

7 OTHER OPTIONS CONSIDERED

- 7.1 None

8 CONSULTATION

- 8.1 None

9 RISK MANAGEMENT

- 9.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

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Background papers	<i>See web link above.</i>
Please contact the report author if you need to access this report in an alternative format	