

	<h2>Children, Education, Libraries and Safeguarding Committee</h2> <h3>17 November 2016</h3>
<p style="text-align: right;">Title</p>	<p>National education policy proposals and developments in Barnet</p>
<p style="text-align: right;">Report of</p>	<p>Commissioning Director, Children and Young People</p>
<p style="text-align: right;">Wards</p>	<p>All</p>
<p style="text-align: right;">Status</p>	<p>Public</p>
<p style="text-align: right;">Urgent</p>	<p>No</p>
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<p style="text-align: right;">Officer Contact Details</p>	<p>Chris Munday, Commissioning Director, Children and Young People and the Director of Children’s Services Chris.munday@Barnet.gov.uk</p> <p>Ian Harrison, Education and Skills Director Ian.j.harrison@Barnet.gov.uk 0208 359 7692</p>

Summary

This report provides a short overview of the government’s education proposals contained in the consultation paper ‘Schools that work for everyone’. It also updates the Children, Education, Libraries and Safeguarding Committee on the outcome of the service reviews undertaken by Cambridge Education as part of the new partnership to provide Barnet’s education support services from 1st April 2016.

Recommendations

1. That the Children, Education, Libraries and Safeguarding Committee note the Government's consultation on proposals for education reform.
2. That the Children, Education, Libraries and Safeguarding Committee note the outcome of the education service reviews undertaken by Cambridge Education.

1. WHY THIS REPORT IS NEEDED

- 1.1 This report advises the CELS Committee of national policy developments and proposals in relation to the provision of education. The report updates the committee on the progress made by the council's strategic partner, Cambridge Education, in reviewing and re-shaping education services in response to the national policy landscape, the needs of Barnet schools and the requirements to deliver savings for the council.

A. Government proposals for 'Schools that work for everyone'

- 1.2 On 12th September, the Government launched its consultation on 'Schools that work for everyone' and on the 21st September, the Commissioning Director for Children and Young People gave a short briefing on the main elements of the proposal to the CELS committee. In summary, the consultation has four main strands and within each strand there are a number of proposals.

- 1.3 **Selective schools:** one strand relates to a proposal for selective (grammar) schools to provide more school places whilst ensuring that they are open to children from all backgrounds. The government proposals to achieve this ambition are to:

- Support existing grammar schools to expand in certain conditions, supported through a dedicated capital fund of up to £50m a year
- Permit the establishment of new selective schools
- Permit existing non-selective schools to become selective
- Apply conditions on new or expanding schools to ensure that new or expanding selective schools contribute in a meaningful way to improving outcomes for all pupils
- Introduce sanctions to hold selective schools to account for these conditions
- Apply conditions to ensure selective schools contribute in a meaningful way to improving outcomes for all pupils:
 - Take a proportion of pupils from lower income households
 - Establish a new non-selective secondary school
 - Establish a primary feeder in an area of low income
 - Partner with existing non-selective schools or sponsor an underperforming school

- Ensure opportunities to join at different ages
 - Introduce sanctions to hold selective schools to account:
 - Remove access to additional funding streams
 - Remove right to select
 - Restrict access to future growth.
- 1.4 In Barnet, there are three schools that select their pupils based on academic ability – Henrietta Barnet, St Michael’s and Queen Elizabeth Boys’ school. Although all different in nature in relation to the pupils they serve, they share some similar characteristics: all three schools perform well above the Barnet average, have a smaller proportion of Barnet residents and have a lower level of children on free school meals compared to Barnet schools overall.
- 1.5 Ahead of the consultation, Henrietta Barnet had already expressed an ambition to consider an expansion of places. As an Academy, the approval route of any expansion is through the Department for Education’s Regional Schools Commissioner. Until the government’s consultation is complete and the outcome known, it is not likely that there will be any further information to report on this ambition or on any ambition of any other Barnet Academy or community school to introduce selection by academic ability.
- 1.6 Faith schools:** one strand relates to an ambition for faith schools to deliver more good school places, while meeting strengthened safeguards on inclusivity. The government proposals to achieve this ambition are to:
- Remove the 50% cap on faith-based admissions to over-subscribed new faith schools (new academies and free schools)
 - Replace with a series of strengthened safeguards to promote inclusivity:
 - Prove there is demand for places from parents of other faiths
 - Establish twinning arrangements with schools of other faiths
 - Consider mixed-faith multi-academy trusts, including becoming a sponsor for underperforming non-faith schools
 - Consider placing an independent member or director of a different faith or no faith on the governing body
- 1.7 In Barnet, there are a range of faith schools offering a diverse offer. Those that were established as voluntary aided tend to have 100% faith based admissions although not all. Academies and free schools more recently established as faith schools are subject to the 50% cap. However, as outlined in the government consultation, in practice, many of these schools comprise almost entirely pupils of faith.
- 1.8 Independent schools:** one strand relates to an ambition that independent schools directly assist the state-funded sector and do more to increase the number of good and outstanding school places in the state system, giving more ordinary students access to the education they deliver. The government proposals to achieve this ambition are for:
- Schools with capacity and capability to meet one of two expectations in recognition of their charitable status:
 - To sponsor an academy or new free school in the state sector

- To offer a certain proportion of places as fully funded bursaries to those insufficiently wealthy to pay fees
- Smaller schools will be asked to:
 - Provide direct school to school support with state schools
 - Support teaching in minority subjects
 - Ensure senior leaders become directors of multi academy trusts
 - Provide greater expertise and access to facilities
 - Provide sixth form scholarships to pupils in local school

There are a number of independent schools in Barnet and to date, the council is not aware of any formal sponsorship of new state schools by independent schools located in Barnet. Informal partnerships between schools are an increasingly common feature and this includes between state and independent schools.

- 1.9 **Universities:** Universities playing a direct role in improving school quality and pupil attainment as a condition for charging higher fees; higher education institutions will be required to:
- Establish a school in the state system
 - Sponsor an academy in the state system

Middlesex University is located within the borough and has a long established reputation within the education sector, mainly in relation to the provision of teacher training. Through this, the University already works with schools and early years settings in Barnet, other London boroughs and some surrounding counties.

- 1.10 Overall, it is the proposal to expand selective education that has received the most public and media debate since the publication of the consultation document. The council is not proposing to submit a response. It is possible that the proposals will be further shaped as legislation progresses through the parliamentary system and once the policy direction is confirmed, it will be possible to provide a more detailed paper on potential implications for Barnet.

1.11 **B. White Paper, Education Excellence Everywhere, March 2016**

Earlier in the year, the Government produced a White Paper that contained a number of measures for all schools to become academies and for a reduced role for local authorities in relation to school improvement. The government has now announced that new legislation will not be taken forward. On the 27th October 2016, Justine Greening, the Secretary of State for Education made a ministerial statement that included the following:

‘Our ambition remains that all schools should benefit from the freedom and autonomy that academy status brings. Our focus, however, is on building capacity in the system and encouraging schools to convert voluntarily. No changes to legislation are required for these purposes and therefore we do not require wider education legislation in this session to make progress on our ambitious education agenda’.

C. Government proposals to reform school funding

- 1.12 At its meetings on the 14th June 2016 and 21st September 2016, the CELS committee has been advised of government proposals to reform the school funding system through the introduction of a national funding scheme for school funding and for early years funding. No further information has been published.
- 1.13 The Government is also planning to remove the Education Services Grant paid to local authorities to carry out its statutory education functions.

D. Barnet Partnership with Cambridge Education (BCE)

- 1.14 The new partnership service, Barnet with Cambridge Education, commenced on the 1st April 2016. It undertook to carry out reviews of all services over the first 100 working days of the contract in order to ensure services were well placed to deliver Barnet's ambition for education, to deliver the savings required and to meet the needs of Barnet schools.
- 1.15 All the reviews have now been completed, with each review being led by an external adviser with specialist knowledge and experience in the area. The reviews were undertaken to provide a clear understanding of current delivery and performance of the service area, and to identify opportunities for service improvement, business development and efficiency savings within the context of national and local requirements over the period of the contract.
- 1.16 The reviews involved:
- Scrutiny of a range of documentation across the service areas
 - Meetings/interviews with Heads of Service and team leaders
 - Discussions with staff
 - Stakeholder meetings
 - Desk top analysis of current performance data.
- 1.17 Overall the key findings were very positive with most services reported to be effective and well-regarded by schools. Relationships between services and schools were found to be good and a sound basis for an ongoing tri-partite partnership between Cambridge Education, the council and schools.
- 1.18 However, some aspects of statutory SEN service provision were performing less well. In some cases, assessments were taking longer than required and some schools reported difficulties in liaising and communicating with the service. The review also identified that more could be done to communicate effectively with parents and families. Changes have already been introduced as a result. SEN performance is being closely monitored and improvements are now being reported.
- 1.19 Some schools were also concerned about the cost of the traded Governors clerking service.
- 1.20 Cambridge Education is proposing a number of service changes as a result of the reviews that fall under the following headings:
- Organisational structure – the service will be re-organised to strengthen the service and to provide a stronger infrastructure for supporting the growth of traded services.

- Investment in IT systems – investment in systems and data storage that will release efficiency savings, particularly in respect of printing costs and document storage.
- Efficiency – areas identified include bringing together business support functions, reducing the cost of transport for children with special educational needs and reducing the cost of printing
- Business development and growth – a Barnet Partnership brand will be developed to provide a one stop shop for Barnet with Cambridge Education traded services to schools, enforcing common systems and processes across traded services and a centralised approach to business planning, service pricing and marketing. Opportunities to sell to other local authorities, independent schools, Multi Academy Trusts, out of borough schools, Academy chains etc. will be pursued.
- Special educational needs – service improvements are planned and now underway. These include reviewing business processes to remove bottlenecks, identifying particular caseworkers to focus on different tasks to build up expertise, prioritising new Education, Health and Care plans to ensure they are completed on time and developing ways to increase parental and family participation in the assessment process.
- Governor services – the current traded service offer is being revised in the light of feedback from schools and a new model is in development. A small team of Governor Advice Officers, supported by a number of associate clerks will be established (similar to the model operated for school improvement). Moving to this new model will require fewer permanently employed staff and every effort will be made to avoid redundancies. These proposals are currently the subject of consultation with staff and trade unions, as part of the wider consultation on restructuring the Education and Skills service.

2. REASONS FOR RECOMMENDATIONS

- 2.1 This report provides a short overview of the government's education proposals contained in the consultation paper 'Schools that work for everyone'. It also updates the Children, Education, Libraries and Safeguarding Committee on the outcome of the service reviews undertaken by Cambridge Education as part of the new partnership to provide Barnet's education support services from 1st April 2016.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

3.1 None.

4. POST DECISION IMPLEMENTATION

4.1 None.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

5.1.1 The quality of the education offer is at the heart of Barnet's continuing success as a place where people want to live, work and study. It plays a crucial part in making Barnet family friendly, with many families attracted to the area by the good reputation of Barnet's schools. Excellent educational outcomes and ensuring children and young people are equipped to meet the needs of employers are key to deliver the Council's vision set out in its Corporate Plan 2015-20 for:

- Barnet's schools to be amongst the best in the country, with enough places for all, and with all children achieving the best they can
- Barnet's children and young people to receive a great start in life and
- For there to be a broad offer of skills and employment programmes for all ages

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

5.2.1 Any staffing implications arising out of the review of education support services relate to staff employed by Cambridge Education and the small number of staff on joint employment contracts.

5.2.2 In relation to school funding, the Committee have received reports on the 14th June 2016 and the 21st September 2016 and there is nothing further to report at this stage.

5.2.3 Barnet currently receives an estimated £2.6m of general rate funding from the Education Services Grant (ESG). The Government announced the removal of the general funding rate from 2017/18. For 2017/18 Barnet will receive transitional ESG funding (yet to be confirmed) for the general rate funding from April to August 2017, after which it will be removed. The government has stated its intention to amend regulations to allow local authorities, with the agreement of the Schools Forum, to retain some of their schools block funding to cover the statutory duties that they carry out for maintained schools which were previously funded through the ESG. Further details of this are awaited

5.3 Legal and Constitutional References

5.3.1 As set out in the responsibility for functions (Annex A) of the Council Constitution (Section 15a), the Children, Education, Libraries and Safeguarding Committee has responsibility to lead the Council's

responsibilities under the Children Act 2004 and Education and inspection Act 2007.

5.3.2 Section 13 of the Education Act 1996 place a duty on local authorities to secure efficient primary, secondary and further education are available to meet the needs of the population of their area. Section 13A requires local authorities to ensure that their functions are exercised with a view of promoting high standards, ensuring fair access to opportunity for education and training and promoting fulfilment of learning potential for children and young people in its area. Section 14 requires local authorities to secure sufficient schools and sufficient is defined by reference to number, character and equipment to provide appropriate education based on age, ability and aptitude, as well as ensuring diversity of provision. These duties are overarching duties and apply regardless of whether schools are maintained by the local authority or independent of local authority support.

5.3.3 Part 4 of the Education and Inspections Act 2006 contains powers and duties in relation to schools causing concern. The powers of intervention apply in relation to maintained schools only. For Academy schools, local authorities should raise any concerns with the Department for Education. Section 72 of this Act requires local authorities to have regard to Government guidance when exercising its functions under Part 4. The latest guidance, Schools Causing Concern, published in March 2016, confirms that school improvement should be led by schools. The local authority role should be to champion excellent education, including monitoring performance, taking swift and effective action in maintained schools, intervening early, encouraging good and outstanding schools to support others and securing strong leadership and governance. This revised guidance also sets out the role and powers of Regional Schools Commissioners in relation to both Academies and underperforming maintained schools, in particular those that meet the DfE's definition of 'coasting' and those judged by OfSTED to be inadequate.

5.4 Risk Management

5.4.1 None.

5.5 Equalities and Diversity

5.5.1 The 2010 Equality Act outlines the provisions of the Public Sector Equalities Duty which requires Public Bodies to have due regard to the need to: eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010; advance equality of opportunity between people from different groups; foster good relations between people from different groups.

5.5.2 The broad purpose of this duty is to integrate considerations of equality into day to day business and to keep them under review in decision making, the design of policies and the delivery of services.

5.5.3 School improvement monitoring, supporting and challenging arrangements ensure that the quality of education in Barnet is maintained and improved. Outcomes for all groups of children and young people are monitored including children with special educational need, children in receipt of free school meals

and children looked after. Barnet's Children and Young People Plan and Barnet's Education Strategy, both have a strong focus on improving outcomes for disadvantaged groups of children and young people.

5.6 **Consultation and Engagement**

The government consultation on 'Schools that work for everyone' is open until 12th December 2016. Details of the consultation can be found on www.gov.uk/government/consultations.

6. **BACKGROUND PAPERS**

Children, Education, Libraries and Safeguarding Committee, *Annual Report on school funding in Barnet and the Government's consultation on a national school funding formula*, 14th June 2016

<http://barnet.moderngov.co.uk/documents/s32469/Annual%20Report%20on%20school%20funding%20in%20Barnet%20and%20the%20Governments%20consultation%20on%20a%20national%20school%20fun.pdf>

Children, Education, Libraries and Safeguarding Committee, *Early Years funding* 21st September 2016

<http://barnet.moderngov.co.uk/documents/s34669/Early%20Years%20funding.pdf>