

# SCRUTINY REPORT



**MEETING:** Children and Young People Scrutiny Committee

**DATE:** Thursday 2<sup>nd</sup> February 2023

**SUBJECT:** The School-Led System and Levelling Up

**REPORT FROM:** Councillor Lucy Smith, Cabinet member for Children and Education Services

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## 1.0 Introduction

- 1.1 This report provides an update on the Bury school system and our commitment and aim for all Bury's children to be safe, happy, healthy and lead successful lives through improving education outcomes.
- 1.2 Bury's school led system continues to evolve in response to changing local landscape, our children and changes in government policy.
- 1.3 The Local Authority has an agreed approach to the risk assessment of Bury schools with a remit to intervene in maintained schools that do not offer a good quality of education and a responsibility to work closely with schools that are at risk or require additional support. A preventative model of early intervention, rooted in local intelligence and evidence of impact, is at the heart of Bury's approach.
- 1.4 The responsibilities and decision making in relation to schools causing concern that exist between Local Authorities and the Regional Director are set out in the Schools Causing Concern guidance document which was revised in September 2022. The Regional Director has increasing powers of intervention for example in schools that have been judged to require improvement at more than one successive inspection.
- 1.5 Securing sustainable school improvement requires robust, accurate school self-evaluation underpinned by effective school leadership and governance. System-wide this is supported by collaborative working across schools to build capacity leading to a self-improving system.
- 1.6 In February 2022, the Government published its Levelling Up White Paper, setting out its ambitions for social and economic reform across the regions, and how these will be met by 2030. This was followed on the 28<sup>th</sup> March by a Schools White Paper, and subsequently, the Schools Bill was introduced to Parliament on 12<sup>th</sup> May 2022. The Bill set out the proposed changes to the statutory framework impacting on the role of local authorities, on schools, and on Trusts.

1.7 Just prior to Christmas 2022, the Government announced that the Schools Bill had been withdrawn from the parliamentary schedule and would not proceed at this time. Whilst some elements cannot be fully implemented without legislation, for example aspects relating to attendance and a register of those children and young people not in school, the Government's intent remains to deliver on the White Paper's wider ambitions.

## **2.0 Background**

2.1 Nationally, almost 80% of secondary schools and almost 40% of primary schools are academies. Whilst Bury mirrors this national picture with greater academisation in the secondary sector, Bury's percentages are 56% secondary academies and 30% primary academies.

Nationally there has been a growth of schools in multi academy trusts and the Government's ambition is for all school to be in strong trusts.

2.2 The teaching school hub programme has been designed to create a network of 87 centres of excellence for teacher training and development, focused on some of the best schools and multi-academy trusts in the country. Teaching school hubs now provide high-quality professional development to teachers at all stages of their careers. Bury's local hub is the Bolton, Bury and Rochdale Teaching School Hub which is led by Star Institute, the training and development arm of Star Academies. Bury leaders have been invited to apply to be Lead Associates and Associates for the local hub.

2.3 Regional Directors (RDs), on behalf of the Secretary State for Education, exercise oversight and accountability for the academy sector. RDs also have responsibility for the conversion of underperforming maintained schools to academies and deciding on sponsors. RDs make decisions about the support any school that meets the coasting definition may need. They also make recommendations in regard to free school applications and in regard to changes to existing multi academy trusts.

2.4 In relation to school improvement and outcomes, Local Authorities have powers of intervention in maintained schools where standards are unacceptably low, where there has been a breakdown in leadership or governance or where there are serious safeguarding concerns. Local Authorities have a duty to promote high standards of education.

2.5 The Schools Causing Concern Guidance October 2022 clarifies this duty and states:

*'A local authority must exercise its education functions with a view to promoting high standards. Beyond the above statutory duty, local authorities have considerable freedom as to how they deliver their statutory responsibilities. Local authorities should act as champions of high standards of education across maintained schools in their area, and in doing so should:*

- *Understand the performance of maintained schools in their area, using data as a starting point to identify any maintained school that is underperforming, while working with them to explore ways to support progress;*
- *Work closely with the relevant RD, diocese and other local partners to ensure maintained schools receive the support they need to improve;*

- *Where underperformance has been recognised in a maintained school, proactively work with the relevant RD, combining local and regional expertise to ensure the right approach, including sending warning notices, and using intervention powers where this will improve leadership and standards; and*
- *Encourage Good and Outstanding maintained schools to take responsibility for their own improvement; support other maintained schools; and enable other maintained schools to access the support they need to improve.*

Should a local authority have any concerns about an academy's standards, leadership or governance, they should raise these directly with the relevant RD

- 2.6 The Department for Education used to provide Local Authorities with a School Improvement Monitoring and Brokering Grant. In the financial year 2022/23 the grant was reduced to 50% and will cease from April 2023. However, from the 2022/23 financial year, local authorities have been permitted to de-delegate from maintained schools' budget shares to fund this core school improvement activity.
- 2.7 In setting out an agenda for strong leadership and governance of schools, the Government places significant emphasis on the role of Multi Academy Trusts to deliver this. The emerging view is that the Government would wish to see the consolidation of existing MATs, growing in size to provide sustainability, rather than supporting the establishment of new MATs. And, further, its focus would be on the growth of cross-phase Trusts. The DfE has also been developing its approach to 'Area Based Commissioning' which sets out how the DfE imagine the Trust landscape across a local area may look.

### **3.0 Area based commissioning**

- 3.1** As the draft Schools Bill began its journey through the parliamentary process, further supplementary guidance was issued, and the DfE has also engaged with local authorities, Diocesan Bodies and Trusts, on some aspects of the proposals, most notably in relation to the approach to area-based commissioning.
- 3.2** The purpose of the area-based commissioning approach is to provide a sense of how the current trust landscape in a local area will evolve, through consolidation and growth of existing trusts, and identifying where new trusts may need to be established. This is in support of chapter 4 of the white paper that sets out the ambition that all schools will be working in a strong Trust by 2030 or will be working towards joining a strong Trust. This approach is designed to guide the process by which all schools will move into a strong Trust.
- 3.3** Despite the difficult passage through parliament that the Schools Bill has experienced, and the many and various changes at Governmental level in recent months, the DfE is still intending to progress its area-based commissioning approach, and it is expected that the publication of a 'Trust Development Statement' will confirm this.
- 3.4** In order to inform such an area-based approach, Bury LA has set out a number of principles in order to influence how the Trust landscape should develop. These are:
- Bringing our schools together to establish our schools as leaders of community;

- The importance of parental voice/community engagement;
- Working with existing Trusts with a presence in Bury;
- Developing local solutions where-ever possible, as opposed to seeking new national Trusts;
- Focusing on supporting strong Trusts to grow, supporting existing weaker or smaller Trusts – focus on sustainability and performance;
- Primary, secondary & special – achieving a balance;
- Ensuring no school is left behind;
- Providing a coherent blueprint for migration to Trusts;
- Supporting schools and Governing Bodies to take time to consider options.

#### **4.0 Bury Council position on area based commissioning**

- 4.1 Given the implications, and impact on the local authority and its role going forward, the Council would wish to set out its position, so as to inform its development, and its relationship with schools:
- To firmly establish itself as a champion to all children
  - To work with school leaders, Governors, MAT CEOs and the Regional Directors office to shape the Bury school landscape focusing on consolidating and strengthening the MAT landscape whilst strengthening the identity of Bury schools, channelling the pride and commitment of the wider school system within Bury and having a shared vision for improving outcomes for all.
  - To focus and strengthen its approach to core, statutory role aligning education statutory duties within the education directorate.
  - To develop clear strategy and operational processes to strengthen approach to attendance as a whole; persistent absence; severe absence; Children Missing Education and Elective Home Education; reducing exclusions; developing a register for children not in school; and strengthening the safeguarding in education offer.
  - To work with school leaders, Governors, and MAT CEOs to establish itself firmly as the leader of place, starting by working with schools leaders in Radcliffe to develop the Radcliffe People & Communities Plan as a pilot. The plan is progressing with Radcliffe headteachers leading, in groups, on specific activities utilising primary schools as the centres of their communities. In the secondary section, the three high schools serving the most Radcliffe residents, along with Spring Lane Pupil Referral Unit, are involved in a social prescribing pilot as part of the Greater Manchester wide #BeeWell project.
  - To review its approach to all non-statutory education services and traded services with schools starting with services which are funded from the High Needs Block within the Dedicated Schools Grant
  - To develop an all-age skills strategy with clear curriculum pathways linked to the changing economic landscape in Bury.
  - To reserve its position with regard to an establishment of a Bury LA sponsored MAT and whether this option is desirable, appropriate or necessary with the strong MATs operating within its family of schools.

#### **5.0 School provision in Bury 2022/23**

- 5.1 Currently Bury has 82 schools. The primary phase includes 65 schools, of which 46 are maintained schools; this comprises 19 community schools; 18 voluntary aided schools; 7 voluntary controlled schools along with 1 nursery school. In addition, there are 20 primary academies. The

secondary phase includes 13 schools, of which 8 are academies. Bury also has 4 special schools; 1 of these is an academy.

## **6.0 Ofsted outcomes**

- 6.1 In December 2022, based on published reports, 73.6% of Bury pupils currently attend a school judged to be good or better by Ofsted; this is 13.9% below the national average. This is based on data that does not include special schools but does include historic grades for convertor academies. Our aspirations are that 100% of Bury's young people should have access to a good or better school. Ofsted judge that 89.8% of Bury's primary aged pupils attend a good or better school. This is 1.1% below the national average of 89.8%. This contrasts with 49.4% of young people attending a secondary school that is good or better. Nationally 83.1% of young people attend a secondary school that is good or better. This is a significant challenge to close this gap. It should be noted that a number of sponsored academies have yet to be inspected.
- 6.2 Since September 2022, one primary school and one secondary school had been inspected and reports published to be included in the figures in 6.1 above. It should be highlighted that the primary school, a sponsored academy is now judged to be a good school. Since December 2022, a further six primary schools and one secondary school have been inspected and five reports published; all of these reports rate the schools as good.

## **7.0 Pupil outcomes**

- 7.1 An attainment report was taken to scrutiny in early autumn and an update report will follow later this term. In summary, primary outcomes at the expected standard are generally in line with national average. However, headline performance measures in the secondary phase are below national

## **8.0 The self-improving school system**

- 8.1 The Local Authority has a crucial role in a self-improving school led system. In the context of a more autonomous and diverse school system Bury LA seeks to work within this context of greater autonomy in its strategic role as champion of children. The Local Authority has a statutory duty to ensure that all children in Bury schools have access to good quality education provision. This duty is for 0-19 year olds, up to 25 year olds for young people with special educational needs and/ or disabilities and for care leavers. Section 13A of the Education Act 1996 highlights the statutory role of local authorities in promoting high standards and the fulfilment of learning potential.
- 8.2 The self-improving school system is driven by the Education Improvement Toolkit. The purpose of the Toolkit is to outline Bury's collective approach to improving the quality of education for all pupils attending academies and maintained schools in Bury. As partners we share a common aim *"To drive improvements in education through partnership and collaboration so that all children and young people in Bury schools achieve their potential."*

- 8.3 This Toolkit is currently under review by Education Transformation Lead and the Quality Standards and Performance Team. This review aims to ensure that the system evolves in line with local need and that the intervention and support offered is bespoke, timely and effective. The revised system will allow Local Authority officers and the Education Improvement Partnership to use intelligence from a range of sources to facilitate and broker support packages based on need. These packages will be delivered on three levels: LA wide packages will be built around themes common to all schools and LA-wide priorities; thematic packages will be delivered to groups of schools with the same need; and individual packages will be delivered to schools on a 1:1 basis.

It is proposed that these packages of support will be designed and delivered by a range of providers including, but not limited to: mainstream schools, academies, collaborations, alliances, Quality Education Professionals, freelance advisers and training providers such as BEST Trust. Packages will be quality assured by the Quality Standards and Performance team and monitored by the Education Improvement Partnership to ensure quality, consistency and transparency within the new system. A robust agreement will ensure clarity around roles, remits, duration, financing and impact measures.

- 8.4 The Education Improvement Partnership reports to the Strategic Education Board chaired by the Director for Education and Skills which, in turn, reports to the Children's Strategic Partnership Board. The toolkit makes clear the role of partners within the governance model.

## **9.0 The role of Bury Council in supporting the self-improving school system**

- 9.1 The Toolkit outlines the following activities in support of the self-improving school system:
- All schools within Bury will be entitled to a Quality Education Assurance visit during the autumn term, funded by the local authority and carried out by a suitably qualified external professional, Quality Education Professional, commissioned by Bury LA. The report from the visit will provide an objective view of:
    - The school's self-evaluation judgements against the Quality of Education and Leadership and Management aspects of Ofsted's Education Inspection Framework
    - The school's priorities for improvement
    - Actions that school leaders, including governing boards, should consider
  - Maintained schools in Categories of Support 3 and 4 will also receive a local authority funded quality education assurance visit in the spring and summer terms. Category of Support 1 and 2 schools will have the option to purchase a spring and summer visit as part of a traded offer.
  - Keeping in touch meetings with Multi Academy Trusts and Dioceses
  - Every school will have a named Quality Standards and Performance Officer as their link officer. In line with the principles of locality working, each of the three officers has been assigned to an early help locality.

## **10.0 The quality assurance process**

- 10.1 Each Quality Education Assurance report is evaluated by a Quality Standards and Performance Officer to identify any immediate concerns or anomalies that need to be explored further. The content of the report is used, alongside other evidence, including inspection outcomes, changes in leadership and LA intelligence to inform a bespoke approach. Signposting, brokering and/or commission of support is in line with the LA's statutory role and the school's assigned Category of Support.
- 10.2 Quality Standards and Performance Officers quality assure the work of all the Quality Education Professionals through analysing reports and gathering feedback from schools.

### **11.0 Categories of support for Bury Schools**

- 11.1 Schools fall into one of four categories, whose criteria is clearly outlined in the Toolkit. The categories are:
  - 1 – Universal
  - 2 – Early support (light touch) – the characteristics include elements of self-assessment
  - 3 – Targeted support (medium)
  - 4 – Intensive support (high)

The LA's universal offer to all schools is also outlined in the Toolkit

### **12.0 Conclusion**

- 12.1 Bury Council is working within the context of an increasingly diverse and autonomous school system. However, we are confident that we know our schools well and this improved knowledge is leading to an improving proportion of good and better primary schools.
- 12.2 The current review of the self-improving system, described in the Toolkit, is timely in working with all stakeholders to re-shape the system so that it evolves with a clear focus on improved outcomes for all, with a particular focus on secondary as the educational landscape continues to evolve.