

Rt Hon Justine Greening MP
Secretary of State for Education
Sanctuary Buildings
20 Great Smith Street
Westminster
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CC. Jonathan Slater, DfE Permanent Secretary
Alan Wood

5 January 2017

Dear Secretary of State

The council role in education and children's services

The LGA welcomed the DfE review of the local authority role in education and children's services and supports its aim of establishing a clear and sustainable future role for councils. In our Autumn Statement submission we asked that councils be given a clear and strategic role in overseeing local schools systems, accompanied by appropriate resources, powers and flexibilities.

Councils have responded positively to increasing school autonomy and increasing expectations that schools should become responsible for their own improvement. Using a variety of models, they have worked with schools to establish authority-wide school improvement partnerships and have encouraged and supported schools to work in local clusters, federations, Multi-Academy Trusts and Teaching School Alliances.

As representatives of the four political groups on the LGA Children and Young People Board, we thought it would be helpful to set out our views as you consider the work of the External Advisory Board chaired by Alan Wood. We would welcome the opportunity to meet you to discuss our proposals in four key areas.

A 'reset' in relations between central and local government on schools

There is a cross-party view within the LGA that the current debates about school structures are increasingly a distraction from addressing the very real challenges in our education system. While the evidence can be presented to support almost any argument one wishes to make, councillors believe that structural reforms are only a limited part of the answer to raising educational standards in England.

We believe that your appointment and the move away from forced academisation of schools present an opportunity for a 'reset' in relations between central and local government. Local councils support the desire for an autonomous school-led system. We haven't considered ourselves 'providers' of education since the introduction of Local Management of Schools in 1990. However, we do believe that local government plays an essential role in the strategic oversight of the local schools system but currently lacks the powers to be truly effective at this job.

We would like to see a 'reset' that acknowledges that local councils aren't providers of education but, in return, allows us to have the powers to effectively shape and commission provision, place plan and champion the interests of the most vulnerable pupils. Councils should be freed up to convene links between schools and other key partners in an area such as employers. We want to move an increasingly stale debate about school structures into a place where central and local government can better work in partnership to tackle the big questions our education system faces in delivering the best outcomes for children and young people.

The continuing council role in education

The Government has been clear that councils will have a continuing role in school place planning, school admissions and championing the interests of all local children and families. This includes a significant continuing role in protecting the interests of the most vulnerable children, including Looked After Children and those with Special Educational Needs and Disabilities. Councils need sufficient funding and powers to discharge these vital responsibilities. This includes reserve powers in support of their place planning and vulnerable pupil responsibilities to direct schools of all types, if voluntary local agreement cannot be reached.

Councils have a good record in school improvement. 89% of council-maintained schools are good or outstanding. Maintained schools outperform academies in every Regional Schools Commissioner region. The improvement system should be 'status blind' as between council maintained schools and academies. Councils should be seen as partners in school improvement.

We do not believe there is capacity within the system to withdraw funding and powers for councils to support school improvement and hold schools to account in August 2017 as currently planned by the Government. Support available through Teaching School Alliances, Multi-Academy Trusts and Regional Schools Commissioners is not yet geographically comprehensive and does not have the track record of success that council school improvement and oversight has. We believe that councils should maintain a strategic role to help commission the improvement support necessary for schools, particularly spotting those in the early stages of failure. Councils, if they wish, should continue to be able to compete in an open market to offer traded school improvement services.

In the longer term, we believe that councils will need to retain a role in oversight of school standards, school quality assurance and school finances. They are the only local body that possesses the necessary detailed local knowledge and connection with schools.

The council role in supporting and convening schools and other partners

Councils already convene a variety of partnerships in their areas to protect and promote the life chances of local children and young people, including Local Children's Safeguarding Boards; local employment partnerships and Health and Wellbeing Boards.

In order to support their future education role we propose that they should be asked to convene a local forum which should take responsibility for:

- sharing data on the needs and achievements of children in a local place, and the needs of future cohorts;

- sharing that data and information with parents, and engaging with them on key issues;
- convening links between schools and employers to help shape the career paths for young people;
- agreeing local approaches to ensuring sufficient school places;
- developing capacity for school improvement support where it is needed
- Ensuring the needs of vulnerable children can be met within the local authority area

We would welcome a discussion about the membership and the possible statutory underpinning of such a forum. We do not believe that there should be a prescriptive membership list – the forum would need to be small enough to promote a strategic discussion. But key partners should include local businesses, schools and other education providers, NHS, Regional Schools Commissioners, MAT and faith representatives.

The council role in maintaining schools

Councils do not control schools but they do employ staff in community schools and this has led to accusations that councils should not have a role in school oversight because they have a conflict of interest as both a provider and regulator. We think this conflict of interest is more imagined than real because maintained school governing bodies have almost complete autonomy in employing staff and setting budgets. However, we would be prepared to explore with Government the options for ending any council role that they perceive to amount to a conflict of interest.

The Government's preferred model to end the council role in maintaining schools is for all schools to become academies. We believe that this is a costly and disruptive focus on structures, costing councils up to £320 million in legal and other expenses. We would like to discuss a more rapid process for granting wider freedoms to all schools. Any model adopted needs to be low cost and not disruptive because schools need to concentrate their energies and resources in school improvement and responding to the budgetary pressures they face.

There are very real challenges facing our school system: improving standards, particularly in 'Opportunity Areas', up to those of the best systems in the world; matching the best in the world on skills and vocational education; and providing young people with the life skills to allow them to succeed in the workplace. We believe that grasping the opportunity for a 'reset' in relations between central and local government provides a way to move the education policy debate onto how best we can address these critical questions.

Yours sincerely

Cllr Richard Watts, Chair of the LGA Children and Young People Board
 Cllr Roy Perry, Vice Chair
 Cllr Liz Green, Deputy Chair
 Cllr Gillian Ford, Deputy Chair