

The Council Role in Education

Purpose of report

To provide background information for the discussion with Lord Hill about the launch of the Education Funding Agency on 2 April and for the Board's discussion about the interim report of the LGA/Department for Education (DfE) action research into the evolving council role in education.

Summary

Lord Hill, Parliamentary Under-Secretary of State for Schools, will attend to discuss the role of the Education Funding Agency, which will be launched on 2 April. The interim report of the action research on the council role in education that LGA is co-funding with DfE has recently been published and this report provides background information to inform the discussion at the meeting.

Recommendation

This report is to inform the discussion on the council role in education.

Action

To be taken forward by officers as directed by members of the Board.

Contact officer:

Ian Keating

Position:

Senior Advisor, Children and Young People

Phone no:

020 7664 3032

E-mail:

Ian.Keating@local.gov.uk

The Council Role in Education

The Education Funding Agency (EFA)

1. The Young People's Learning Agency (YPLA) and Partnerships for Schools (PfS) will cease current activities at the end of March 2012. Their responsibilities and staff, along with a number of DfE staff, will move to the new Education Funding Agency (EFA) from 1 April 2012. The EFA will have between 750 – 800 staff, with 580 staff transferring from YPLA.
2. The YPLA is responsible for education funding for 16-19 year olds and for directly funding and overseeing the performance of academies. The Department for Education (DfE) deals directly with councils on schools funding for 0 – 16 year olds. The EFA will have a wider remit than the YPLA and will fund the education system for 3-19 year olds (or up to 25 for learners with a disability), including Academies, free schools, maintained schools and sixth form colleges. It will be responsible for the allocation and payment of approximately £50 billion revenue and capital funding each year and for the delivery of capital programmes.
3. A list of the functions of the EFA, taken from the DfE website, is attached as **Appendix A**.
4. In the run-up to the publication of the School's White Paper in 2010 the LGA lobbied intensively for the abolition of the YPLA, with its functions devolved to councils or taken on by DfE without the need for an additional bureaucratic tier between central and local government. The Chairman and his predecessor, Baroness Ritchie, have met with Lord Hill on two occasions to discuss the LGA's ideas for streamlining and localising the YPLA's (and subsequently the EFA's) remit. Our suggestions included:
 - 4.1. allowing councils to take over the calculation which replicates local schools funding formulae for academies on the basis that councils already do this for maintained schools and YPLA involvement is unnecessary duplication of a function that can be more cost-effectively delivered by councils for all school locally;
 - 4.2. allowing councils to take on the current roles discharged by the YPLA in relation to financial assurance for academies on a similar basis to that outlined above;
 - 4.3. allowing councils to take over the YPLA's functions in relation to school improvement and intervention for academies, to allow councils to fulfil their statutory duties to "promote high standards and the fulfilment of potential" of local pupils and fulfil the role proposed for them in the Schools White Paper

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“as champions of educational excellence”, for all local schools, without having to raise issues about the performance of local academies in different way with the YPLA, EFA and the Secretary of State; and

- 4.4. disbanding the YPLA and EFA’s regional structure, which means that it has to maintain 10 separate offices, which is only necessary if it is duplicating the detailed local functions of councils in replicating local funding formulae, financial assurance; and driving school improvement locally.
5. We have also proposed that in council areas where more than half of secondary schools are academies, the functions of the YPLA and EFA in relation to funding, financial assurance, monitoring performance and intervention in the case of underperformance should revert to the local council. We have argued that in those areas councils will have already demonstrated their willingness to take on the more strategic council role in the local education system envisioned by the Schools White Paper and that those councils should be trusted to take on this role for all local schools, including academies.

Interim report of the DfE/LGA action research on the evolving council role in education

6. The interim report of the action research that LGA is jointly funding with DfE has been published and a copy has been sent to the members of the Board. It is based on evidence from initial fieldwork visits to each of the nine councils taking part in the research; interviews with key national stakeholders, including LGA members on the Ministerial Advisory Group; and a brief review of relevant published literature and research outcomes.
7. The interim report presents a positive picture and demonstrates that councils and schools are working together effectively at a local level to tackle the challenges and take advantage of the opportunities presented by a more autonomous schools system. It is a particularly welcome finding that:

“Without exception, all the local authorities taking part in this research have recognised and sought to respond to the vision for a more autonomous and self-improving school system.”
8. Other findings of interest include:
 - 8.1. There were distinctive differences in approach between the primary and secondary sectors. Councils have been more light-touch and arms-length with secondary schools which they feel have the capacity, know-how and experience to thrive in an autonomous system alone or in partnership with other schools and academies. Primary schools, especially small schools, on the other hand, feel less confident about ‘going it alone’ and councils perceive a greater risk of fragmentation across the primary sector if there is no overarching local vision and closer support as the system evolves.

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- 8.2. Academies were keen to see the council taking an effective local leadership role on issues of strategic importance which went beyond the ability of schools to manage individually or collectively. They wanted the council to offer good quality services and were happy to buy into these where they offered good value for money.
- 8.3. On a day to day basis, local authorities have continued to discharge their responsibilities for ensuring the sufficiency of school places in the same way as they did prior to the Academies Act and the growth in the number of autonomous schools.
- 8.4. Of the three areas which form the focus of the Research, school improvement is the one which has undergone the most radical transformation over the last 18 months. In response to the direction set in the schools White Paper, and the ending of the national strategies and other ring-fenced grants, all the nine local authorities have fundamentally reshaped their school improvement service.
- 8.5. Six of the nine councils saw ensuring that vulnerable children were supported to achieve their potential as the most important aspect of their future role. They were explicit that their core focus had shifted from the universal to the targeted.
9. Key issues highlighted in the report, which will be the focus of the second stage of the research when the participating councils will be asked to test out new approaches to tackling their local challenges, include:
 - 9.1. The challenge of how to close poorly performing schools as good schools expand and the risk that well performing schools are forced to close in circumstances where it is not in the best interest of pupils and flies in the face of the wishes of local parents.
 - 9.2. How, within the context of more autonomous school system, councils can most effectively discharge their responsibility to champion the achievement of all children when they no longer have the direct means to hold schools to account for their progress.
 - 9.3. How the “reconfigured system” can “spot and then act on evidence of declining school performance”. The research found that “Academies were not convinced that local partnerships of schools had a workable role in identifying or taking action to address underperformance. They identified the risk that poor performance often goes hand in hand with a lack of self-awareness. To that extent they were relying on national mechanisms to swiftly identify and broker in support for underperforming schools.”
 - 9.4. Concerns were expressed that increased competition and diversification of traded services for vulnerable children and their families will adversely affect

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the quality, cost and viability of services; and will make it difficult for councils to get the information about individual children they need to make sure “that collectively the education system was meeting the needs of vulnerable children”.