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**LGA/DfE action research into the evolving role of the local authority
in education**

Purpose of report

To provide background information for a discussion about the final report of the LGA/Department for Education (DfE) action research into the evolving council role in education.

Summary

The Ministerial Advisory Group on the council role in education (MAG), chaired by Education Secretary Michael Gove MP, commissioned action research last November to show how councils in eight areas are responding to the challenges of fulfilling their key statutory education roles in a schools system with greater number of academies. The report of the research, which was co-funded by the LGA, was launched at a session at LGA Annual Conference on 26 June and the executive summary is attached to this report. The MAG will discuss the findings of the research in November and the Board is invited to give its views on the research, to feed into that discussion. The Board is also invited to consider what the formal LGA response to the research should be.

Recommendation

The Board is asked for its views:

1. on the outcome of the action research and the key messages in the report, to inform discussion at the Ministerial Advisory Group in November; and
2. on how the LGA should respond to the research – some suggested responses are set out in **paragraphs 8 to 12** of this report.

Action

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

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Background

1. The final report of the action research that LGA jointly funded with DfE was published at a session at LGA Annual Conference on 26 June 2012 and the executive summary is **attached**. It was commissioned by the Ministerial Advisory Group on the Council Role in Education (MAG) that has been meeting under the Chairmanship of Michael Gove MP, Secretary of State for Education, since the General Election. Cllrs David Simmonds, John Merry CBE, Gerald Vernon-Jackson and Stephen Castle are the LGA representatives on the Group and Cllr David Pugh is also a member in a personal capacity. The Association of Directors of Children's Services (ADCS) and academies are also represented. Cllr Castle represented the LGA on the Steering Group overseeing the research.
2. The MAG will meet on 8 November to discuss the report and the Board is invited to give its views on the results of the research and the key messages it sets out, to feed into that discussion.

Key messages

3. The purpose of commissioning action research was to move away from a theoretical debate about the council role in education and focus on how councils are actually adapting to the rapid increase in the number of academies maintained by central Government rather than local councils. It seeks to answer the calls for greater 'clarity' about the future council role in education by showing examples of what is working in practice, rather than by seeking changes in primary legislation or Government guidance.
4. The final report shows the 8 councils involved as very positively engaged in partnership working with local schools to respond to the challenges of greater school autonomy. It contains case studies of excellent practice from across the country, not just the participating authorities, following suggestions from the Children and Young People Board. The aim is to help support other areas in finding local solutions to the challenges of school place planning, driving school improvement and protecting vulnerable children in a schools system with increasing numbers of academies. It provides a firm foundation for our lobbying for a strong continuing role for councils in education.
5. It contains 'key messages' for local partners in education – councils and schools. The messages to councils include (these are summarised from the 'key messages' in the research):

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- 5.1. Councils should work with schools to develop a local education culture which supports schools to take decisions which are in the collective interest of pupils in the wider community as well as in the interests of pupils and parents at their school.
 - 5.2. They need to further develop the scrutiny role of councillors so this becomes a powerful route for championing and advocating on behalf of children and young people.
 - 5.3. They need to keep a close eye on the sufficiency of support available for vulnerable children, which was a particular area of concern for the councils involved in the research.
6. The research also has some key messages for the national partners in education, including the LGA. The big challenge is to share good practice more effectively and to support any councils that might be struggling to adapt to their new role. The report suggests that this might be an area which would benefit from the kind of sector-led improvement approach represented by the Children's Improvement Board (CIB) and a number of the improvement plans coming from the regional CIB groups feature the evolving council role as a priority.
7. The report also flags up a number of challenges for DfE, which focus on situations where local partnership working between councils and academies is not working effectively. These include:
- 7.1. Providing greater clarity about how performance in academies will be monitored and underperformance tackled, particularly in 'stand alone' converter academies.
 - 7.2. More clarity about who will be responsible for closing, merging and reorganising academies that are failing or are no longer needed because of competition from more successful schools.
 - 7.3. Greater clarity about how the DfE assesses the suitability of potential academy and free school sponsors and how it monitors the performance of sponsors.
 - 7.4. Evidence that delays by the Education Funding Agency (EFA) in using their powers to direct academies to take 'hard to place' pupils are causing difficulties locally.
 - 7.5. Concerns about how the changes to the Special Educational Needs (SEN) system, including changes to funding, will impact on a system where schools have greater autonomy and responsibility.

The LGA response to the research

8. Although the LGA co-funded the research, it was carried out by an independent research organisation, so it would be appropriate for the LGA to make a formal response to its conclusions and 'key messages'. The obvious forum for this response is the MAG meeting on 8 November and the Board is asked for views that can be fed into the discussion.
9. The research report is quite lengthy and it is proposed that 'a guide to the council role in education' for Lead Members for Children's Services should be produced to summarise its key messages and set out the LGA view of the role of councils in education, with a particular focus on the role of Lead Members.
10. The potential role of sector-led improvement in sharing best practice and supporting all councils to adapt to a new role in a more autonomous schools system is highlighted in the report. Regional CIB groups are already beginning to identify this as an area for regional support and there may be scope for discussing how the CIB can continue to provide support to councils on the council role in education.
11. The potential role of scrutiny is also highlighted in championing the interests of children and parents in relation to schools and it is proposed that the LGA should work with the Centre for Public Scrutiny to see how councils can be supported in this area.
12. The LGA business plan priority in this area is: "councils are supported in their role in school place provision, fair admissions, driving school improvement and supporting vulnerable pupils". This priority has been supported by a series of reports, seminars, events and research projects (including this action research) for officers and elected members. It is proposed that this focus on the specific elements of the key council roles in education should also continue.

Financial implications

13. No additional financial implications – this is a priority in the LGA Business Plan.