

Improving education and children's services

Purpose of report

For discussion/direction

Summary

This report covers the LGA response to recent events in Birmingham schools; the early results from the new Ofsted children's services inspection framework; and the Le Grand Review of capacity for delivering children's services. It summarises the current LGA support offer for education and children's services and members are asked to consider how that offer needs to be developed in response to recent developments.

Recommendations

Members are asked to consider:

- The LGA response to the events in Birmingham schools and whether a specific LGA improvement offer relating to the changing council role in education should be developed and what it should cover.
- The Julian Le Grand review which aims to develop "capacity for the delivery of children's services, including outside of local authorities" and how the LGA can further support councils to improve children's services.

Action

Officers to take action arising out any discussion, as directed by members.

Contact officers:

Ian Dean/ Ian Keating/ Clive Harris

Position:

Senior Advisers

Phone no:

020 7664 3878/3032/3207

E-mail:

ian.dean@local.gov.uk; ian.keating@local.gov.uk;
clive.harris@local.gov.uk

Improving education and children's services

Education

1. There has been substantial coverage in the media of allegations of extremism in Birmingham schools and reviews have been established in connection with the allegations by Birmingham City Council, the Department for Education and Ofsted. The results of Ofsted inspections in 21 schools saw four academies and one maintained school put into special measures. Eleven schools – nine maintained schools and two academies - were judged to require improvement.
2. In a summary report to Education Secretary Michael Gove, HMCI Sir Michael Wilshaw said that “a culture of fear and intimidation has developed in some of the schools since their previous inspection” and “some head teachers reported that there has been an organised campaign to target certain schools in Birmingham in order to alter their character and ethos”. His recommendations included the suggestions that the government should:
 - 2.1 Consider urgently how it can provide greater public assurance that all schools in a locality, regardless of their status, discharge the full range of their statutory and other responsibilities.
 - 2.2 Ensure that local authorities and those responsible for academies and free schools carry out their statutory responsibility for safeguarding all children, including protecting children from radicalisation.
3. The LGA has responded by calling for stability to be restored to the education system by returning to councils the power to intervene in all underperforming schools, including academies. This reflects our concern about the unclear and overlapping accountability for schools demonstrated by events in Birmingham. Parents, governors and staff need to know who to turn to if they have concerns about a school. Councils are best placed to perform this local oversight role and they already have accountability for the 82% of schools that are still maintained.
4. Councils need powers they can use swiftly, without opportunities for underperforming schools to delay the process and without asking permission from the Secretary of State or Ofsted. This should include the power to broker new sponsors for failing academies. However, the powers local authorities currently have to intervene in maintained schools have become increasingly limited by bureaucratic ‘protections’ for schools. They usually have to wait until Ofsted puts a school into special measures to act. They have to get written permission from the Secretary of State to replace a governing body with an Interim Executive Board. The only power they can use on their own initiative is to issue warning notices and schools have a right of appeal to Ofsted, which can delay any action by a minimum of 12 weeks.
5. The LGA has provided support to councils to adapt to the challenges of their changing role in education as schools become more autonomous and increasing numbers become academies. This has included leadership academies and support for the regional networks of Lead Members for children's services; reports, research and case study publications to spread best practice and help define the changing council role;

and seminars and conferences for officers covering school place planning, school improvement and supporting the most vulnerable pupils.

6. A number of councils have suggested that the LGA should develop a specific improvement offer to support councils in their education role. **Members are asked to consider whether the development of such an offer would be helpful and which kinds of support should be included.**

Children's services

7. Ofsted introduced a new single inspection framework for local authority child protection and looked after children services in November 2013. The single inspection framework brings child protection, services for looked after children and care leavers and local authority fostering and adoption services into a single inspection framework. All 152 local authorities in England and the associated LSCBs will be inspected within three years.
8. To date 22 inspections have been completed and the results of 16 have been made public. Of these, 5 have been rated "good", 8 as "requires improvement" and 3 as "inadequate". No councils have yet been rated outstanding. Under the previous inspection regime, which rated all councils between 2009 and 2012, almost one in five councils (17 per cent) were found "inadequate" for child protection. A further 44 per cent were judged "adequate" (rebranded as "requires improvement" under the new framework) and just 36 per cent were rated "good". With only 3 per cent (5 councils) achieving an "outstanding" rating. It is clear that those inspections set a high bar and from the early SIF results suggests that the bar has been raised further.
9. A review of the first 11 inspections was published this month and was led by Professor Eileen Munro. The review found that the framework is looking at the right aspects of work and could therefore be driving improvement. However widespread concerns were expressed about the demands the framework puts on both inspectors and local authorities and about the reliability and validity of the judgments reached.
10. Edward Timpson MP, Parliamentary Under Secretary of State for Children and Families, wrote to Sir Merrick Cockell on 27 March 2014 to outline the government's future plans for children's services improvement and intervention. This included a commitment to a wider review, to be commissioned by Professor Julian Le Grand, aimed at "developing capacity for the delivery of children's services, including outside of local authorities". The contract to undertake the review will be issued on 30 June, with a final report expected by 31 October.
11. The scope of the review, which will have a significant impact on the work of councils, is as follows:
 - 11.1 "Describe and illustrate the present extent of diversity of provision at all levels of the delivery of children's social care in England;

- 11.2 Identify existing organisations in any sector which could, solely or in partnership with one another and with local authorities, provide children's social care services or expand their current provision of children's social care services;
- 11.3 Identify barriers which exist to the entry of new providers or new partnerships to this market;
- 11.4 Identify the potential for establishing new organisations and partnerships for the provision of children's social care services, between local authorities or with local authorities or outside local authorities, in order to increase capacity and choice in the delivery of children's social care; and
- 11.5 Outline a small set of options for delivering increased capacity and diversity in the system, with recommendations for action".

The LGA children's services improvement offer

12. Following the withdrawal of the DfE grant and cessation of all Children's Improvement Board activity at the end of July 2013, the LGA has continued to provide sector-led support for children's services. At the last CIB meeting elected members agreed that there was value in a regular meeting to discuss children's services improvement at the national level and the LGA has been working to get these going again with partners from SOLACE and ADCS.
13. Children's Improvement Associates have been appointed by the LGA to work with our Principle Advisers in each of the regions along with a prime associate with strategic overview to pull together learning from each of the regions and advise on the best support to councils.
14. The improvement offer direct to councils includes:
 - 14.1 Providing nationally accredited and quality assured courses for practitioners and associates engaging in peer review, challenge or diagnostic activity and maintaining an availability register of the same;
 - 14.2 Running a series of Leadership Essentials (formerly Leadership Academies) residential course for lead members; and
 - 14.3 Developing and/or brokering, where need is evidenced, a flexible and responsive offer of bespoke diagnostic or peer review tools either to individual authorities or as part of a regional offer or as may be commissioned by DfE for authorities in intervention. These may be offered on a whole cost, subsidised or free basis.
15. Members are asked to consider how the LGA can further support councils to improve children's services in the context of the new Ofsted inspection framework and the possible impact of the Julian Le Grand review.

Financial implications

16. Any additional support offer in relation to education or children's services will need to be considered in the context of the limited resources available to support additional activity.