



Shropshire Council
Legal and Democratic Services
Shirehall
Abbey Foregate
Shrewsbury
SY2 6ND

Date: Tuesday, 3 April 2018

**Committee:
Performance Management Scrutiny Committee**

Date: Wednesday, 11 April 2018
Time: 2.00 pm or on the rising of Cabinet, whichever is later
Venue: Shrewsbury/Oswestry Room, Shirehall, Abbey Foregate, Shrewsbury,
Shropshire, SY2 6ND

You are requested to attend the above meeting.
The Agenda is attached

Claire Porter
Head of Legal and Democratic Services (Monitoring Officer)

Members of Performance Management Scrutiny Committee

Claire Wild (Chair)	Alan Mosley
Gwilym Butler (Vice-Chair)	Cecilia Motley
Karen Calder	Peggy Mullock
Roger Evans	Dave Tremellen
Hannah Fraser	Leslie Winwood

Your Committee Officer is:

Julie Fildes Committee Officer
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AGENDA

1 Apologies for Absence and Substitutions

2 Disclosable Pecuniary Interests

Members are reminded that they must not participate in the discussion or voting on any matter in which they have a Disclosable Pecuniary Interest and should leave the room prior to the commencement of the debate.

3 Public Question Time

To receive any questions or statements from the public of which members of the public have given notice. Deadline for notification for this meeting is 2pm, Tuesday 10th April 2018.

4 Member Question Time

To receive any questions of which members of the Council have given notice. Deadline for notification for this meeting is 2pm, Tuesday 10th April 2018.

5 Call In: Proposals for the Future of Education Improvement for Schools (Pages 1 - 12)

The decision of Cabinet made on 21 March 2018 with regard to the Proposals for the Future of Education Improvement Support for Schools (Agenda Item 10).

The Scrutiny Committee is asked to consider the decision taken by Cabinet on 21st March 2018.

6 Report from the Section 106, Community Infrastructure Levy and New Homes Bonus Task and Finish Group [To follow]

To receive the final report of the S106, CIL and NHB Task and Finish Group.

7 Date/Time of next meeting of the Committee

The Committee is scheduled to next meet at 2.00pm on Wednesday 16th May 2018.

PERFORMANCE MANAGEMENT SCRUTINY COMMITTEE

11th April 2018

ITEM 5 - CALL IN

The Liberal Democrat Group wish to call in the cabinet's decision of 21 March 2018 on the Proposals for the Future of Education Improvement Support for schools (Agenda Item 10).

The paper brought to Cabinet makes it clear that there are substantial risks that the decision will result in declining outcomes for pupils in primary and secondary schools, a reduced proportion of schools that are good or outstanding, and a loss of traded business.

Not only is this unacceptable for parents and children, who want and rightly expect to have a good or better education, it is contrary the Council's own Corporate Plan, which states that 'We are committed to providing education services that will monitor, challenge, support and, where necessary, intervene to ensure children and young people have access to good or better education'. The cabinet decision fatally undermines the commitment of the Corporate Plan to implement the School Improvement Policy (p19 of the CP), and also undermines the Council's ability to attract young people and families to live and work in Shropshire (p3 of the CP), which necessitates ensuring access to good or better schools.

The Big Conversation highlighted the importance of education services to our residents, and it is clear that the public expect education to be protected from spending cuts.

Shropshire Council should re-examine it's priorities, and find the £276,000 needed to maintain the schools improvement service, which has already suffered severe budget cuts. Schools Forum was not consulted on the cabinet decision, and may be willing to de-delegate schools budgets in order to maintain the current service provision.

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<u>Committee and Date</u>	<u>Item</u>
Performance Management Scrutiny Committee 11 April 2018	5

Call-in of Proposals for the Future of Education Improvement Support for Schools

Responsible Officer Karen Bradshaw
e-mail: karen.bradshaw@shropshire.gov.uk Tel: 01743 254201

1. Summary

- 1.1 The funding that is provided to local authorities by central government for school improvement services has reduced and is insufficient to fund the current structure of the Education Improvement Service (EIS). There is therefore the need to reduce the capacity within the EIS.
- 1.2 Shropshire Council retains a statutory responsibility to ensure sufficient and accessible school places for all children across a predominantly rural and sparsely populated county. The EIS ensures that the Council meets its statutory duty to promote high standards and ensure the welfare of all pupils is promoted, regardless of whether they attend a local authority (LA) maintained school or an academy.
- 1.3 Shropshire has a high proportion of small schools and this limits the capacity of headteachers to support other schools without compromising the effectiveness of their own school.
- 1.4 The EIS was restructured in September 2015 when the service was reduced by 50%. The service continues to ensure effective approaches to school improvement that has resulted in an increase in the proportion of good and outstanding schools that is above the national average. The service also provides a comprehensive programme of traded support – including training and development - to which almost all Shropshire schools and academies subscribe.
- 1.5 The proposals for the EIS will reduce the number of current posts by a further 47%. The service will retain the capacity to monitor school performance in line with the responsibilities placed upon the Council, through increased commissioning of associate headteachers.

- 1.6 The revised structure also presents substantial risks which are detailed in paragraph 5.19 of this report. The most significant risks are the decline in outcomes for pupils and the proportion of good and outstanding schools from above to below national averages. These risks result from the reduction in the number of Education Improvement Advisers from September 2018 and the removal of the traded professional development programme from April 2019. The new structure will also result in reductions to the Learning & Skills Business Support service team which, in particular, will see the removal of staff who are currently fulfilling a key co-ordinating role across a wide range of Council service teams delivering traded services to schools under the Council's Inspire to Learn (I2L) banner.
- 1.7 Should the Council wish to maintain the current structures for the of the Education Improvement Service and Business Support Team, in the financial years 2018-19 and 2019-20 it would be necessary for the Council to allocate £276,000 per annum from its core budget.
- 1.8 The People Overview Committee considered these proposals at its meeting on 14 March 2018. At this meeting the members scrutinised the possible implications of reducing the size of the service. The Committee noted the limited capacity of small rural schools to contribute to a self-improving system and the reliance of these schools on a centrally-provided school improvement service. Members also noted the high levels of educational attainment in Shropshire, and stated their concern that reduced funding would result in lower levels of attainment for pupils in Shropshire.
- 1.9 Members of the People Overview Committee also explored other ways to fund the service, asking whether the School Forum could allocate the necessary funding from its de-delegated fund. Members also challenged the Portfolio Holder about whether there were other areas of lower priority from which the necessary budget savings could be made.
- 1.10 Following a vote, the committee agreed the proposals contained in 2.1 below.
- 1.11 Cabinet considered and agreed the proposals contained in 2.1 below at its meeting on 21 March 2018.
- 1.12 Cabinet's decision was called in on 29 March 2018. The request noted that: "The paper brought to Cabinet makes it clear that there are substantial risks that the decision will result in declining outcomes for pupils in primary and secondary schools, a reduced proportion of schools that are good or outstanding, and a loss of traded business.

“Not only is this unacceptable for parents and children, who want and rightly expect to have a good or better education, it is contrary the Council’s own Corporate Plan, which states that ‘We are committed to providing education services that will monitor, challenge, support and, where necessary, intervene to ensure children and young people have access to good or better education’. The cabinet decision fatally undermines the commitment of the Corporate Plan to implement the School Improvement Policy (p19 of the CP), and also undermines the Council’s ability to attract young people and families to live and work in Shropshire (p3 of the CP), which necessitates ensuring access to good or better schools.

- 1.13 Accordingly it was agreed that the Performance Management Scrutiny Committee would reconsider the proposals contained in 2.1 below.

2. Recommendations

- 2.1 That the scrutiny committee reconsiders the proposal to:
- a. Approve sustaining the Education Improvement Service solely through grant funding from central government and de-delegated funds from Shropshire Council maintained schools.
 - b. As a result of above, to maintain a traded Education Improvement Service professional training development programme through to April 2019, at which point the Council will cease to deliver this traded service to Shropshire schools.

REPORT

3. Risk Assessment and Opportunities Appraisal

- 3.1 The proposed redesign of the EIS ensures a structure to enable the Council to continue to fulfil its statutory responsibilities for education and retain capacity for monitoring the performance of local authority (LA) maintained schools without meeting the costs of the service from the core Council budget.
- 3.2 The revised structure ensures:
- a) Capacity to monitor higher risk LA maintained schools by Education Improvement Advisers (EIAs)
 - b) Provision to commission and deploy sufficient associate headteachers to act as Professional Partners to support the retained EIAs in sustaining an effective approach to school performance monitoring of LA maintained schools, including support, challenge and intervention

- c) Flexibility to reduce the commissioning and deployment of associate headteachers in proportion to the anticipated reduction in the number of LA maintained schools over the medium term
 - d) Provision to sustain the effective approach to monitoring the performance of academies in line with a revised Shropshire protocol
 - e) Capacity to develop and embed school-to-school (peer-to-peer) support and challenge for headteachers and governors.
- 3.3 There is substantial risk that the reduced and restructured service will result in:
- a) Declining outcomes for pupils in primary and secondary schools
 - b) A reduced proportion of schools that are judged by Ofsted to be good or outstanding
 - c) Reduced capacity to centrally support other Council service teams within and beyond Learning & Skills to trade with Shropshire schools and academies.
- 3.4 The level of resources outlined in this report are reliant on a range of external funding streams, which are likely to change over time. It will be necessary for Schools Forum to review the allocation that they currently make on annual basis.

4. Financial Implications

- 4.1 Funding for LA school improvement services has reduced substantially as a result of the removal of grants from central government over recent years. There is therefore a need to reduce the overall costs of the EIS and the administration and continuing professional development (CPD) teams in Learning & Skills Business Support.
- 4.2 From April 2018 statutory school improvement services will be funded from the following external sources, which mean that the Council is not required to provide any funding from base budget from 1 September 2018:
- a) School Improvement and Monitoring Grant
 - b) Part of the Education Services Grant for Retained Duties
 - c) Retained elements of the Dedicated Schools Grant, in particular from the Central School Services and Early Years blocks
 - d) De-delegated funding from LA maintained schools, as approved by Shropshire Schools Forum in December 2017 (subject to annual approval by Shropshire Schools Forum).
- 4.3 Should the Council wish to maintain the current structures for the of the Education Improvement Service and Business Support Team, in the financial years 2018-19 and 2019-20 it would be necessary for the Council to allocate £276,000 per annum from its core budget.

- 4.4 The Government decision to remove the general duties element of Education Services Grant from September 2017 has resulted in an overall reduction in education funding for Shropshire of £2.5m in 2018-19. Part of this reduction is being offset by the de-delegation and top-slicing of funding from LA maintained schools in order to secure the ongoing provision of statutory services to these schools. As the number of LA maintained schools reduce, the levels of funding that can be secured through this route in future years will reduce, as will the responsibility to provide support.
- 4.5 The Council is allocated a School Improvement and Monitoring Grant of approximately £1,900 per LA maintained school. As schools convert to academy status, this £1,900 grant funding allocation is removed.
- 4.6 From April 2019, the external funding sources for LA school improvement are likely be significantly reduced:
- The LA School Improvement and Monitoring Grant is only guaranteed until the end of the 2018-19 financial year - the current expectation is that this funding will be removed in April 2019
 - The de-delegated funds from LA maintained schools will reduce or cease from the end of the 2018-19 financial year, subject to the decision of Shropshire Schools Forum.
- 4.7 In respect of the removal of the CPD team in Business Support, who currently co-ordinate all aspects of the traded offer to schools and academies through the Council's Inspire to Learn brand, there will be an increased responsibility on individual service teams across the Council, as they take on the responsibilities currently met by the CPD team in Learning & Skills.
- 4.8 The proposed restructure of the EIS and Business Support from 1 September 2018 will secure 7/12ths of the necessary reductions in the financial year 2018-19.

5. Education Improvement Service

- 5.1 There are 150 state funded schools in Shropshire. As at 1 February 2018, 107 (71.3%) of the schools are maintained by the LA. The remaining 43 (29.7%) consist of academies and 1 free school. Approximately half of the academies buy-back school improvement services through Service Level Agreements with the EIS.
- 5.2 Shropshire is the largest inland county in England and it is sparsely populated. Shropshire Council retains a statutory responsibility to ensure sufficient and accessible school places for all children and young people including those who live in remote and sparsely populated areas of the county.

- 5.3 The EIS ensures that Shropshire Council fulfils its statutory duty to promote high standards and ensure the welfare of pupils regardless of whether they attend an LA maintained school, an academy or a free school. The conversion of LA maintained schools to academies will not reduce these responsibilities.
- 5.4 National education policy continues to promote the increase in the number of academies and a self-improving schools' system through school-to-school support. In September 2017, the Regional Schools Commissioner (RSC) for the West Midlands confirmed that there is likely be a dual system of LA maintained schools and academies for the foreseeable future.
- 5.5 Approximately 36% of schools in Shropshire are small and very small: 11% of schools have 50 or less pupils and a further 25% have between 51 and 100 pupils. Smaller schools are more vulnerable with regard to their financial viability and their educational outcomes are more volatile.
- 5.6 The high proportion of small and very small schools in Shropshire substantially reduces the capacity of school leaders to provide support to improve other schools without compromising the quality of provision and outcomes in their own school.
- 5.7 The core purpose of the EIS is to ensure that every pupil in Shropshire has access to a good education so that they can become successful, confident and responsible learners who can make a positive contribution to their community and wider society.
- 5.8 The EIS was last restructured for September 2015 when the number of posts was reduced from 36.4 full time equivalent (fte) posts to 17.0 fte posts. The current structure consists of a core division of EIAs (7.5 fte) and a commissioned/traded division of EIAs and officers (8.5 fte). The service is led and managed by the Commissioner for Education Improvement and Efficiency.
- 5.9 The core division is responsible for monitoring, challenge, support and - where necessary - intervention to secure school improvement of LA maintained schools. This includes issuing pre-warning or formal warning notices to secure rapid and sustained school improvement where schools do not have the capacity to become good or where they are vulnerable being judged inadequate by Ofsted. The core division also monitors the performance of academies in line with the agreed Shropshire Protocol. Additionally, the core division brokers interim leadership arrangements to secure school improvement and sustain good/better provision and outcomes for pupils in LA maintained schools. It also works closely with academies to secure rapid improvement following poor inspection outcomes and to recruit school leaders.

5.10 The commissioned/traded division provides targeted support and challenge to schools to secure improvement. Work commissioned by the LA includes:

- Investigation and resolution of safeguarding concerns
- Ensuring compliance with statutory assessment and moderation procedures
- Subject support and challenge in targeted schools where school performance monitoring has identified weaknesses in teaching and learning.

Traded work includes:

- Provision of a comprehensive programme of continuing professional development (CPD). In 2017-18, 92% of Shropshire schools and academies have bought into the EIS service level agreement and/or CPD offer.
- Bespoke consultancies commissioned by schools and academies to address priorities for improvement.

5.11 The EIS is a very effective statutory service. The impact of the service includes, but is not limited to:

- a) The increased the proportion of good and outstanding LA maintained schools to above the national averages – national figures (Data View) confirms that 93% of Shropshire schools are currently good or outstanding. Shropshire is identified in HMCI's annual report 2017 as an equal 10th ranked LA for the improvement in the percentage of good or better primary schools
- b) The improved outcomes over time and in 2017 across early years, key stage 1, key stage 2 and key stage 4
- c) Thorough and timely responses to safeguarding complaints that have been made directly to Ofsted and then referred to the LA
- d) Successful brokering of (interim and permanent) leadership and management arrangements, including governance for schools following long-term illness or resignation of the headteacher
- e) The closure of unsustainable schools with the support of governors and understanding of local communities
- f) Effective moderation of key stage 1 and key stage 2 outcomes through rigorous and accurate practice
- g) The co-ordination and support for newly qualified teachers including professional development, monitoring and quality assurance
- h) Effective induction of newly appointed headteachers
- i) The provision of a comprehensive offer of professional development for leadership and management and teaching and learning across all curriculum areas.

5.12 The funding provided for school improvement from April 2018 is insufficient to meet the costs of the current structure. It is therefore necessary to redesign the EIS to ensure that the service retains the

capacity to secure effective education improvement at reduced cost or to commit sufficient funding to maintain the current structure.

- 5.13 The proposed new structure will reduce the EIS from 17.0 fte posts to 9.1 fte posts from September 2018. It will comprise of a single team of EIAs and officers (including 1 senior adviser), responsible for undertaking the LA's statutory duties to monitor the performance of schools and academies, early years provision, safeguarding compliance and, assessment and moderation.
- 5.14 This team will not have the capacity to undertake these statutory responsibilities and deliver the non-statutory CPD programme. The reduction in capacity will result in diseconomies of scale that will increase the financial risks of continuing to provide a traded CPD programme beyond April 2019.
- 5.15 In order to deliver the 2018-19 EIS service level agreement, the proposal is to sustain the CPD programme through to the end of March 2019. This is possible through maintaining a 0.5 fte fixed term co-ordinating role for this period and to use associate consultants to deliver the programme in the autumn 2018 and spring 2019 terms, rather than salaried staff. Discussions will take place with a range of potential Shropshire-based providers during the year with a view to establishing a co-ordinated CPD offer to schools from April 2019, at which point the LA will cease to trade an EIS CPD programme.
- 5.16 The proposed structure also ensures funding to commission and deploy associate headteachers to support the retained EIAs to continue to monitor school performance. This approach will also develop and school-to-school support for headteachers.
- 5.17 The proposed structure also presents substantial risks with regard to the quality of provision and outcomes for Shropshire pupils. The risks include but are not limited to:
- a) Reduced capacity to support schools before, during and after Ofsted inspections resulting in a decline in proportion of good and outstanding schools to a level below the national average resulting from less effective challenge and reduced capacity for intervention.
 - b) An increase in the number of schools entering an Ofsted category of concern (serious weaknesses or special measures) or judged to require improvement
 - c) Poorer outcomes over time across early years, key stage 1, key stage 2 and key stage 4, resulting from reduced opportunities for high quality subject specific course-based and school-based professional development for staff, especially for phonics, reading, writing and mathematics in key stages 1 and 2 resulting from reduced capacity to ensure compliance with statutory duties regarding moderation of key stage 1 and key stage 2 outcomes

- d) Less effective leadership and management (including governance) of schools resulting from reduced accountability of headteachers and governors to local councillors
- e) No capacity to broker interim or permanent leadership and management arrangements, including governance for schools following long-term illness, dismissal or resignation of headteachers - this increases the risk of school closures
- f) Reduced capacity to monitor the performance of academies
- g) Reduced capacity to support schools following critical incidents that compromise the effective operation of the school(s)
- h) Reduced capacity to support the Standing Advisory Committee for Religious Education (SACRE) which is a statutory committee.

5.18 Consultation is underway with the Shropshire’s school community on their future requirements for CPD, in order to continue to support them with a programme linked to a service level agreement with the EIS for the financial year 2018-19. This information will inform discussions with local partners, who have the potential to sustain CPD services to schools and academies from April 2019. The local partners include University Centre Shrewsbury (UCS) and the Shropshire based Teaching School Alliances.

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)
Cabinet Member (Portfolio Holder) Nick Bardsley
Local Member All Members
Appendices None

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