

School Improvement Strategy

INTRODUCTION

The council's vision is to create an education system in Wolverhampton that promotes higher standards for all children and young people and closes the attainment gap. This needs to reflect a system where the council celebrates school autonomy and supports school leaders and teachers in leading school improvement and having the highest expectations of every child and young person.

We believe that all families in Wolverhampton want their children and young people to succeed in an education system that values and celebrates high standards of education where no child is left behind as they master basic learning skills within a broad and balanced curriculum that prepares all children to become confident and responsible adult citizens.

We are also aware of the need to ensure that our education system equips our children with the skills for the future economic prosperity of the city which will be key to attracting and retaining a high quality workforce.

Our ambition is to build a school system where high quality education is delivered in all schools. We believe that a successful school system is not a collection of individual schools interested only in their own pupils but one where schools, working with others, accept responsibility for all Wolverhampton pupils as well as delivering high standards for their own children and young people.

This will lead to a position in Wolverhampton where schools prosper in a self-sustaining interdependent school system and where high achieving schools work with other schools to ensure excellence and improvement. By working together schools can develop local improvement partnerships which together with the council would act as the champion of pupils and families particularly our most vulnerable pupils.

This Strategy seeks to demonstrate that Wolverhampton City Council:

- has systems in place to ensure it is well informed about the quality of schools' provision and can assess the risk of schools underperforming or facing a serious decline in performance;
- maintains an excellent working relationship with all schools, including academies, so that early support and advice can be offered when required;
- identifies potential weakness in maintained schools and ensures that arrangements are in place for differentiated support, timely intervention, or direction where needed;
- works with schools and other providers to develop effective strategies for ensuring high standards and a narrowing of the attainment gap between disadvantaged children and young people and their peers;
- ensures that school performance data is analysed to show strengths and areas for development, which are transparently shared with schools.

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1. Statutory context

A local authority's statutory responsibilities for educational excellence are set out in section 13a of the Education Act 1996. That duty states that a local authority must exercise its education functions with a view to promoting high standards. Local authorities are discharging this duty within the context of increasing autonomy and changing accountability for schools, alongside an expectation that improvement should be led by schools themselves. Where a local authority has concerns about academy performance it must raise them directly with the Department for Education.

In the context of this new relationship between the local authority and schools, the Education and Inspections Act 2006 defined the strategic role of the local authority in the school improvement process. The Act sets out the role of every local authority:

- as 'champion' of the needs of children and young people and their families;
- in the planning, commissioning and quality assurance of educational services; and,
- in challenging schools and, where appropriate, to commission support and, if necessary, to intervene in the management and governance of the school.

The 2006 Act requires local authorities to respond to parental concerns about the quality of local schools and grants new powers to intervene earlier where performance is poor. Part 4 of the Act sets out measures for tackling school underperformance by:

- enabling early action to tackle school underperformance so that it does not become entrenched and lead to formal school failure;
- ensuring that effective support and challenge is provided immediately when unacceptable standards are identified, so that improvements can be made quickly; and
- securing decisive action if a school in Special Measures fails to make sufficient progress, so that the education and life chances of pupils are safeguarded.

The Act differentiates between absolute low attainment (below floor targets) and relative under-performance where there may be declining or static performance by children and young people, under-performance by specific groups, or in specific subject areas. In all cases, early intervention is seen as the key in preventing school failure.

The Act gives revised powers to the local authority to intervene in schools causing concern:

- 'Schools Causing Concern – statutory guidance for local authorities' (2014) is available on: <https://www.gov.uk/government/publications/schools-causing-concern>. It builds on existing statutory powers to ensure that every child is provided with the education and opportunities they deserve.

DfE statutory guidance (Schools Causing Concern, May 2014) points out that 'local authorities should focus their school improvement activity on the schools they maintain', raising any concerns they have about an academy's performance directly with the Department for Education. However, Wolverhampton will always seek to work pro-actively with all Wolverhampton's schools, irrespective of governance arrangements.

Refer to Appendix E for an overview of how the guidance on schools causing concern will be applied in Wolverhampton.

Wolverhampton City Council believes that effective schools integrate their duties to achieve high attainment and progress, with their statutory safeguarding, admissions, and inclusion duties. This strategy therefore integrates the monitoring of these duties with that of attainment and progress. Statutory guidance related to these and related duties on head teachers and governing bodies is at <https://www.gov.uk/government/collections/statutory-guidance-schools>

2. Shared principles

2.1 The outcomes of every child or young person in Wolverhampton is a collective responsibility

Though responsibility for improvement rests with individual schools as self-managing institutions, Wolverhampton City Council has a statutory duty (see Section 1, above) to challenge and, where it deems it necessary, to undertake timely intervention in schools to raise standards. This strategy clarifies the responsibilities of the school and of the council. It also outlines how the council will fulfil its duties as it seeks to:

- ensure that every child in Wolverhampton has an excellent education;
- raise standards in schools and academies so that attainment and progress measures at all key stages match or exceed national averages;
- improve the quality of provision in schools and academies so that all schools, settings and academies achieve an Ofsted inspection judgement of good or outstanding;
- contribute to the over-arching aims of the council's strategic objectives.

2.2 Transparency, mutual trust and partnership are important

This strategy is intended to provide a clear and transparent, common and robust process for identification good practice and causes for concern. It aims to enable a differentiated response to the diverse needs for improvement that a school may experience. It identifies a range of quantitative and qualitative evidence which will influence the council's judgement on the effectiveness of each school and sets out the system of risk-assessment used to identify which schools are 'on track', which are 'vulnerable', and which are 'at serious risk'.

The starting point for improvement is each school's responsibility to undertake effective self-evaluation. Schools will be asked to share their self-evaluation with council officers who will integrate it into their judgements. Those judgements will be promptly and transparently shared with head teachers and governors. If the council deems it necessary to intervene it will always aim to do so in partnership with head teachers and governors.

2.3 Strong leadership, management and governance are essential

Head teachers and governors are ultimately responsible for the performance of the schools they lead. The quality of school governance and the governing body's capacity to hold the school head teacher and senior team appropriately to account is critical in ensuring a school improves and continues to provide great learning for the children it serves. Governance will, therefore, be subject to judgements of effectiveness alongside more traditional areas for school improvement as part of the schools essential leadership and management.

2.4 School-to-school support is vital

This strategy promotes the autonomy and accountability of head teachers within a school improvement partnership that is built on strong professional relationships. It aims to create a climate of council and school interdependence and trust. School-to-school support, and the development of effective system leadership in Wolverhampton, is the key to achieving sustained improvement among the city's community of schools. The council will therefore support and challenge partnerships of schools (including multi-academy trusts, cooperative trusts, and their sponsors or proprietors) as it does individual schools.

3. Mutual expectations and responsibilities

School improvement in Wolverhampton, as elsewhere, is primarily the responsibility of schools and the authority places the following at the forefront of its approach:

- coordinating partnership arrangements and expertise residing within schools
- promoting sector led improvement and engaging system leaders to support and challenge schools in need of extra support
- brokering or commissioning effective school to school support for leadership and management where it is needed.

All of these require successful partnership working which is, in turn, built on mutually understood expectations and responsibilities:

3.1 Wolverhampton City Council

The council directly, and in partnership with the Wolverhampton Safeguarding Children Board, will act decisively to ensure that all children and young people are:

- making progress in learning; and,
- appropriately cared for, and safeguarded to secure their well-being.

The council anticipates that all academies in Wolverhampton will continue to collaborate, alongside maintained schools, to secure the wellbeing of all children and young people. In doing so all schools are asked to ensure that their systems recognise vulnerable children and those in need of care and protection, as well as those whose wellbeing is potentially compromised, or those at risk of not reaching their educational potential.

Appendix H summarises the line management and responsibilities of the services working with and for children, families and schools in Wolverhampton. All the officers working across these services will ...

- offer head teachers, governors and school staff challenge and support relevant to those officers' work with schools, children or families;
- contribute to developing a rounded view of a school and its practice and the risk assessment of a school's vulnerability, through feedback to SMART (see Appendix A).

3.2 The School Standards Team will ...

- seek to build a strong working relationship with every school serving Wolverhampton's children whether a maintained school or an academy;
 - identify a named School Standards officer for each school, including academies;
 - provide a core entitlement of challenge and feedback to every school;
 - make a judgement on each school's current effectiveness based on annual outcomes, trends, in year measures, and other available evidence (see Section 4);
 - ensure regular review of this judgement, sharing it with the school at regular intervals;
 - report to governors and the Standards and Vulnerable Pupil Monitoring Group (SVPMG – see Appendix C), or the Secretary of State through the proxy designated by guidance, in the case of the an academy;
 - maintain a directory of good practice found in Wolverhampton schools;
 - trade a range of additional support to schools (see Appendix G)
- Additionally, if the school is maintained, the School Standards Team will:
- broker appropriate support or undertake intervention, as necessary;
 - be involved with the OfSTED inspection process as required by the current inspection framework;
 - be involved in head teacher recruitment as required by current guidance.

3.3 Head teachers, governors, and academy sponsors or proprietors

All schools educating Wolverhampton children and young people will be challenged to provide the best learning opportunities possible, and close the achievement gap for the most vulnerable children and young people. Given its responsibilities to all children and young people in Wolverhampton, the council will actively seek to work with academies, as it works with maintained schools.

The council expects that all head teachers, all governors, and all academy sponsors or proprietors serving Wolverhampton's children ...

- recognise their direct accountability for the outcomes those children achieve;
- understand, and carry out, their statutory duties;
- recognise their obligation to the education of all Wolverhampton children, as well as those on their school roll, sharing good practice and expertise to support all schools to improve;
- accept their responsibility to be self-evaluative;
- take responsibility for shaping their own professional development, and that of the staff of the school they lead, to meet the needs of the communities they serve;
- accept responsibility to make best use of the challenge and feedback provided by the council, and to act on it to create a sustainable trend of improvement.

Appendix F provides a brief overview of governor roles and responsibilities, and offers advice on governor skill mix, recruitment and self-evaluation.

3.4 Teaching Schools and Teaching School Alliances can ...

- play a role in the recruitment and training of new entrants to the profession;
- lead peer-to-peer professional and leadership development;
- identify and develop leadership potential;
- provide support for other schools in partnership with the council;
- propose, designate, and broker Specialist Leaders of Education (SLEs);
- engage in locality action-research and development of practice.

4. Local authority judgement of school effectiveness

4.1 Local Authority identification of good school practice

Officers of Wolverhampton Council, whether from the School Standards Team or not, will always seek to identify and share good practice they encounter in their work with schools. They will always seek to celebrate and disseminate such practice locally, regionally and nationally.

4.2 Local Authority identification of schools causing concern

The council will make, and keep under close review, a judgement of each Wolverhampton school. In making a judgement of whether the school is vulnerable or a cause for concern it will take account of a variety of evidence available to it, including:

4.2.1 Ofsted/HMI judgement that the school:

- requires 'Special Measures' (or the school has a Notice to Improve), or 'Requires Improvement'
- is 'Satisfactory', but inspection highlighted aspects of the school as requiring improvement;
- is making 'inadequate progress' following an Ofsted monitoring visit.

4.2.2 The leadership, management and governance in the school:

- the governing body, or head teacher, are not fulfilling their statutory duties;
- the governing body:
 - lacks sufficient capacity &/or capability to hold the school leadership to account; or
 - is subject to a formal warning notice; or
 - has had delegated powers removed; or

- fails to take appropriate and timely action in response to an external review or audit;
- the school's senior leadership team lacks sufficient capacity or experience, or is subject to significant change;
- the number of parental/carer complaints is high and/or the school's response to them is inappropriate or inadequate.

4.2.3 Analysis of outcomes shows:

- the school is failing to meet national floor standards for attainment and/or progress;
- the school's attainment levels are lower than might be expected of similar schools;
- the value-added/pupil progress scores for the school are below average;
- the attendance/persistent absence of children is of concern;
- the exclusion rate is a cause for concern;
- attainment and/or progress gaps are larger than might be expected;
- one or more groups of vulnerable pupils, or pupils in receipt of pupil premium, are over-represented in terms of poor attainment, progress, attendance/persistent absence, or among those at risk of, or being, excluded.
- trend in the indicators above are a cause for concern;
- outreach, or resourced, provision, is not meeting its objectives.

(Trends in outcomes are, by their nature, historic and so will not cloud views based on current evidence.)

4.2.4 Safeguarding and inclusion practice is of concern to council officers:

In particular, but not exclusively, related to schools' statutory duties:

- safeguarding protocols and operational practice (including timely completion of Section 11 Audits);
- the school response to challenging behaviour among pupils;
- admissions arrangements, and contribution to and/or compliance with, the in-year fair access protocol;
- the keeping of the school register;
- the use, and monitoring, of alternative provision.

4.2.5 Financial and personnel management is of concern to council officers:

In particular, but not exclusively, related to schools' statutory duties:

- financial management, including where a significant fall in numbers/predicted numbers may lead to budget deficit;
- financial challenges that reduce the school's ability to maintain appropriate quality or range of teaching and learning;
- personnel issues, including a high staff sickness absence rate, high occurrence of grievance procedures, or significant recruitment and retention issues.

5. The Core Offer to Schools

In allocating resources to support any school, consideration will be given to the likelihood of an imminent Ofsted/HMI inspection or monitoring visit, the school's vulnerability based on previous judgements and current performance.

5.1 Autumn term

The School Standards team will supplement existing evidence with a desk-top analysis of end-of-key stage outcomes, and present an initial judgement of effectiveness to the November meeting of the School Monitoring and Review Team (SMART – see Appendix A). That judgement will categorise each school as either 'on track', 'vulnerable'; or 'at serious risk'. Following SMART approval of the judgement, the Assistant Director (Learning and Achievement) will write to each head teacher and chair of governors describing the local authority judgement on their school's effectiveness.

If that judgment is:

On track: The local authority will arrange a visit to the school by a school standards officer later in the school year. The objective of the visit is to:

- measure the judgement made against the school's self-evaluation;
- clarify its basis to head teacher and chair of governors;
- identify good or outstanding practice; and,
- seek the head teacher's permission to share that practice with other schools and name the school as a partner willing to offer school-led support to other schools.

Vulnerable: In the case of a maintained school, the local authority will arrange a 1-day school review by a school standards officer in the Autumn/early Spring term. The review will test the validity of the local authority's judgement. The review will:

- clarify the evidence leading to the judgement to head teacher and Chair as necessary;
- measure the judgement against the school's self-evaluation;
- identify the specific areas of concern and ascertain the school's plan to address them;
- confirm which other schools/partners might be able to offer school-to-school support, perhaps through the creation of an informal partnership;
- explain that the school's actions to address the concerns will be subject to regular review by the School Monitoring and Review Team (SMART).

In the case of an academy the local authority will inform the Regional Schools Commissioner of any concerns.

At serious risk: The School Standards Team will form a School Monitoring and Improvement Group (SMIG – see Appendix B), chaired by the Head of Standards and Vulnerable Children (or their representative), to which the head teacher and chair of governors will be invited. The local authority will target resources to support the governors, head teacher and senior staff through a process of school review that leads to an appropriate action plan targeting the areas of greatest concern. Appendix D illustrates some of the available models of support.

In the case of an academy the local authority will inform the Regional Schools Commissioner of its serious concerns.

5.2 Spring term

The February SMART meeting will consider in-year evidence on attendance, exclusion, and the school's compliance with its duties under the admission and safeguarding regulations. The Assistant Director (Learning and Achievement) will write to each head teacher and chair of governors, summarising the local authority's view on practice. If concerns are sufficient then the letter will inform the head teacher and chair (and Regional Schools Commissioner if an academy) of any change to the local authority's judgement and any response to the change.

5.3 Summer term

SMART will continue to meet half termly and the Assistant Director (Learning and Achievement) will write a third, updating, letter to head teachers and chairs of maintained schools describing the local authority's judgement on financial health, supplemented by any concerns or good practice relating to personnel matters and evidence of governor effectiveness.

6. Operational Summary

WOLVERHAMPTON CITY COUNCIL

Lead Member and Elected Member Scrutiny Board

Strategic Director (Education & Enterprise) & Strategic Director (Community)

Standards & Vulnerable Pupils Monitoring Group

Assistant Director Learning and Achievement (Chair); Assistant Director/HoS Community Directorate; Head of School Standards & Vulnerable Children; Head of Looked After Children (Community); Head of Finance (Delivery); Chief Human Resources Officer; Research and Assessment Manager (Learning and Achievement) - **Appendix C**

Reporting on actions/
interventions etc.

Statutory intervention &
cross-council support
- **Appendix E**

School Monitoring And Review Team

Head of Standards & Vulnerable Children (Chair); School Standards Team; Principal Schools Finance Officer; Head of Early Help; Head of Admissions; Governance Team Manager; BSF Team Manager; SEN Team Manager; Learning & Achievement Project Officer - **Appendix A**

Evidence of School Effectiveness:
- outcomes
- senior leadership effectiveness
- governor effectiveness
- safeguarding
- finance & personnel

Local Authority Judgment

Agreed future actions or
interventions
- **Appendix D & Appendix F**

Schools identified for a School
Monitoring & Improvement
Group

School Monitoring & Improvement Group

Head of Standards & Vulnerable Children (Chair); Headteacher; Chair of Governors (and other officers/staff as necessary) - **Appendix B**

Headteachers and Governors

leading increasingly autonomous, self-managing institutions

Impact of School Action Plan

SCHOOLS

APPENDIX A: School Monitoring and Review Team (SMART)

Membership

Head of Standards and Vulnerable Children (Chair); members of the School Standards Service; Principal Schools Finance Officer; Head of Early Help; Head of Admissions; School Workforce and Governance Manager; BSF/Asset Team Manager; SEN Team Manager; Commissioning and Compliance Officer; Head of Schools' HR; Head of Schools' Audit.

Terms of reference

SMART meetings take responsibility for monitoring and reviewing evidence of school performance; risk-assessing each school vulnerability as 'on track', 'vulnerable', or 'at serious risk'; agreeing any intervention and monitoring its impact.

SMART meetings take place each half-term. They:

- ensure that there is a regular, rigorous and transparent process of monitoring and review;
- identify good school practice that can be shared across Wolverhampton, and beyond;
- ensure timely identification of schools that are 'vulnerable', or 'at serious risk' so that plans can be agreed to address concerns;
- monitor evidence of inclusion practice and the outcomes of vulnerable groups;
- ensure that effective strategies are in place to address issues of under performance by schools, pupils or groups of pupils;

Outputs

- A letter, every Autumn, to each head teacher and chair of governors, notifying them of the local authority's judgment, based on the last set of attainment and progress outcomes and trends;
- A letter, every Spring, to each head teacher and chair of governors, notifying them of the local authority's judgment, based on evidence of in-year inclusion/safeguarding practice, and trends;
- A letter, every Summer, to each head teacher and chair of governors of a maintained school, notifying them of the local authority's judgment, based on evidence of financial and HR health;
- A directory of good and outstanding practice to support school-led improvement partnership working;
- Regular review of progress against school improvement plans and decision making on escalation to, or de-escalation from, a SMIG (see Appendix B).

APPENDIX B: School Monitoring and Improvement Group (SMIG)

Membership

Head of Standards and Vulnerable Children (Chair); Headteacher; Chair of Governors; and other officers/staff as necessary.

Terms of reference

A SMIG is formed when a school is risk assessed as 'at serious risk'. The SMIG provides a focussed opportunity for the Head of the Standards & Vulnerable Children to meet with the head teacher and Chair of Governors, and will only go ahead when both are available.

The SMIG meeting will both share the concerns leading to the local authority judgement and seek to agree a collaborative strategy and action plan to address them (which would be the OfSTED Action Plan if the SMIG was triggered by OfSTED inspection).

The SMIG meeting will subsequently monitor and evaluate the impact of the agreed strategy, and action plan, feeding back to the governing body as a whole, and to SMART.

While a SMIG will normally be called together as a result of a decision by SMART, the Head of Standards & Vulnerable Children, and Assistant Director (Learning and Achievement) reserve the right to call one if evidence suggests it is needed.

Outputs

- School Improvement Plan/OfSTED Action Plan including brokered support/interventions;
- Evaluation of the impact of support/interventions on agreed indicators, every 2 months (or more often if required);
- Regular reporting of the impact of support/interventions on agreed indicators to governors and the Assistant Director (Learning and Achievement), as required;
- Opportunity for governors to develop the skills needed to be a critical friend, in partnership with staff and officers, jointly reviewing the effectiveness of the plan;
- Where the SMIG is having a positive impact, and concerns are being addressed, the SMART meeting may recommend de-escalation from a SMIG to less formal intervention/review.
- Where a SMIG does not have an impact and improvement is insufficiently swift, then the Head of Standards and Vulnerable Children will make recommendations to the Assistant Director (Learning and Achievement) regarding the use of the local authority's statutory powers. See 'Schools causing concern - Statutory guidance for local authorities' (2014).

APPENDIX C: Standards and Vulnerable Pupils Monitoring Group (SVPMG)

Membership

Assistant Director Learning and Achievement (Chair); Assistant Director/HoS Community Directorate; Head of School Standards and Vulnerable Children; Head of Looked After Children (Community); Head of Finance (Delivery); Chief Human Resources Officer; Research and Assessment Manager (Learning and Achievement) -

Terms of reference

SVPMG meetings bring together relevant senior officers from the Community and Education and Enterprise Directorates. In this way they enable a corporate/cross-directorate level of monitoring and review of all schools and settings.

The Standards and Vulnerable Children Group will meet half termly, shortly after each SMART meeting, and receive reports from SMART that:

- provide timely and accurate analyses of data that identify pupils, groups of pupils, schools or settings, which are vulnerable or at serious risk;
- authorise effective interventions to achieve improvement of those schools or settings at risk of decline or failure;

Outputs

SVPMG will:

- provide robust strategic scrutiny of statutory and non-statutory, national and local authority, data and intelligence. This will include school, setting and relevant local authority service, reports and external reports such as Ofsted/HMI inspection and monitoring reports;
- ensure appropriate cross-directorate challenge, support and resources are made available to those schools and settings identified as being at risk, so as to achieve the maximum impact on the outcomes of children & young people;
- agree appropriate cross-directorate actions and strategies are put in place to support the continued improvement of the educational outcomes of vulnerable pupils and groups of vulnerable pupils;
- report to the council's Strategic Executive Board, appropriate member forums, and schools' forum on the progress of vulnerable pupil groups, schools and settings.

APPENDIX D: Models of support

The council's intention is to provide swift and easy access to the support required by a school to pursue its improvement journey. In proposing and supporting actions or interventions the local authority will be guided by the shared principles underlying this strategy (see Section 2). Though DfE statutory guidance (Schools Causing Concern, May 2014) is clear that local authorities should 'focus their school improvement activity on the schools they maintain', raising any concerns they have about an academy's performance directly with the Department for Education, Wolverhampton will encourage academies to collaborate with the local authority and maintained schools in the city's improvement journey.

In addition to the direct support from the local authority described in Section 5, additional support will be sought from the following as appropriate:

Commissioned Providers

There are a variety of independent providers of educational support with which the local authority has close working relationships. It will use these relationships to commission appropriate, differentiated, support to meet the needs of the individual school.

School partnerships

School partnerships are an effective mechanism for system-led, sustainable, school improvement.

Partnerships can be formal, with defined governance and budgets, such as the Local Education Partnership (LEP), the Wolverhampton School Improvement Partnership (WSIP), or a Teaching School Alliance, or more informal.

Informal partnerships may come together because of a shared locality responsibility, shared areas of interest or development, or shared needs for improvement (see above). They can have a sustained existence, such as a Learning Community, or come together for a defined period of time until the need that brought them together is satisfied.

National/Local Leaders of Education (NLE/LLE) & Specialist Leaders of Education (SLEs)

These outstanding head teachers, senior, and middle leaders have the skills to support individuals or teams in similar positions in other schools. They understand what outstanding leadership practice in their area of expertise looks like and are skilled in helping other leaders to achieve it in their own context. They will ...

- provide support and challenge for head teachers to assist in securing improvement or in developing a fresh perspective on issues presenting considerable challenge;
- contribute to the support and challenge for the head teachers of vulnerable and underperforming schools in relation to school improvement plans with a particular focus on raising achievement;
- act as professional partners (mentors) for new head teachers to assist during the transition period.

National Leaders of Governance (NLGs)

National Leaders of Governance are highly effective chairs of governors, who use their skills and experience to support chairs of governors in other schools and academies. Examples of circumstances where National Leaders of Governance might be deployed are where:

- a school is in an Ofsted or Local Authority category, or is at vulnerable to that outcome;
- schools are in a newly formed federation or trust;
- attainment is below floor standards;
- a school is in transition to academy status;
- two schools face amalgamation;
- the Chair of Governors is new in a school in challenging circumstances;
- the working practices for a chair, head teacher or leadership group need developing

APPENDIX E: Statutory powers of intervention in maintained schools

Local authorities' statutory responsibilities for educational excellence are set out in section 13a of the Education Act 1996. That duty states that a local authority must exercise its education functions with a view to promoting high standards. Local authorities are discharging this duty within the context of increasing autonomy and changing accountability for schools, alongside an expectation that improvement should be led by schools themselves.

'Schools Causing Concern – statutory guidance for local authorities' (2014) sets out the local authority's role in relation to maintained schools that are causing concern, and this document should be read alongside that guidance. It sets out the importance of early intervention and of swift and robust action to tackle failure, including the use of Warning Notices and Interim Executive Boards (IEB) in maintained schools.

The local authority has no statutory powers of intervention in academies. Wolverhampton will, therefore, raise any concerns relating to academy performance with the Regional Schools Commissioner.

Schools that are 'eligible for intervention'

Part 4 of, and Schedule 6 to, the 2006 Act set out that a (maintained) school is 'eligible for intervention' where:

- a warning notice has been given (under section 60) with which the school has failed to comply or has failed to comply to the satisfaction of the local authority and the local authority have also given the governing body a written notice that they propose to exercise one or more of their powers under Part 4 of the 2006 Act;
- a teachers' pay and conditions warning notice has been given (section 60A)⁴ with which the school has failed to comply and the local authority have also given written notice to the governing body that they propose to exercise one or more of their powers under Part 4 of the 2006 Act;
- a school requires significant improvement (section 61); and,
- a school requires special measures (section 62).

Schools that are 'eligible for intervention' as a result of a warning notice

Warning notices will be used as an early form of intervention, particularly where standards are unacceptably low and other action or intervention have not led to improvement.

A warning notice is likely to be issued where:

- the standards of performance of pupils at the school are unacceptably low and are likely to remain so unless the authority exercise their powers under Part 4 of the 2006 Act; or,

- there has been a serious breakdown in the way the school is managed or governed which is prejudicing, or likely to prejudice, such standards of performance; or,
- the safety of pupils or staff at the school is threatened (whether by a breakdown of discipline or otherwise).

The definition of what constitutes 'low standards of performance' is set out in section 60(3) of the 2006 Act. When making a decision to issue a warning notice, Wolverhampton City Council will adopt the definition of 'low standards of performance' that is found in the 2014 statutory guidance. That definition encompasses schools where:

- standards are below the floor, on either attainment or progress of pupils;
- low standards are achieved by disadvantaged pupils;
- there has been a sudden drop in performance;
- there is sustained historical underperformance of pupils (including disadvantaged pupils) in relation to expected achievement or prior attainment; or
- the school's performance is not meeting the expected standards of comparable schools.

The council will also consider issuing a warning notice to schools that have not responded robustly or rapidly enough to a recommendation by Ofsted to commission an external review of the use and impact of the Pupil Premium &/or a review of governance arrangements.

Schools eligible for intervention as a result of an OfSTED inspection outcome

The local authority does not have to issue a warning notice prior to intervention if a school has been judged by OfSTED as 'requiring significant improvement', or suitable for 'special measures'.

If either of these judgements is applied to a school which has already been given a warning notice, the school is eligible for intervention whether or not the 15 day period of compliance in the warning notice (see below) has expired, or the governing body has made representations, or intend to make representations to Ofsted.

The power of the Secretary of State to direct a local authority

The Secretary of State has the power to direct a local authority to consider issuing a warning notice in specified terms and then to direct the local authority to give a warning notice in those terms, where a local authority have decided not to do so. Wolverhampton City Council will carefully consider its response to such direction.

Issuing a warning notice

Section 60 of the 2006 Act sets out the provisions relating to warning notices.

If Wolverhampton City Council issues a warning notice, it will be sent to the Chair of Governors of the school, and copied to the Headteacher. It will set out:

- the local authority's concerns in some detail, explaining the facts as it understands them, and the circumstances which are giving it cause for concern;
- the action(s) which the local authority requires the governing body to take in order to address the concerns raised;
- the date, 15 working days after the date of the warning notice, by which time the local authority expects the governing body to either have complied, and addressed the concerns set out in the warning notice, or have made representations to Ofsted against the warning notice (details of how to do this are in the statutory guidance which can be found at: <https://www.gov.uk/government/publications/schools-causing-concern>; and,
- the action which the local authority is likely to take (under one or more of sections 63 to 66 of the 2006 Act or otherwise) if the governing body does not take the required action(s). A list of the local authority's powers of intervention can be found below.

In the case of a Church of England Church school or a Roman Catholic Church school, a copy of the warning notice will also be sent the appropriate diocesan authority.

In the case of a foundation or voluntary school, a copy of the warning notice will also be sent the person who appoints the foundation governors.

In all cases the warning notice will also be copied to Ofsted using the email address: warningnotices@ofsted.gov.uk.

Compliance with a warning notice

The council will write to the Chair of Governors and Headteacher if it is not satisfied that the governing body has complied with the requirements required in the warning notice, by the date defined in the warning notice. In that letter it will notify the school if it intends to exercise any of its powers under Part 4 of the 2006 Act. The council will always write to the Chair and Headteacher within 2 months of the date of the warning notice.

The local authority's powers of intervention

Where a school is eligible for intervention there are a number of powers the local authority can use to drive school improvement. These interventions are set out in sections 63-66 of the 2006 Act.

The local authority can:

- suspend the delegated authority for the governing body to manage a school's budget;
- appoint an Interim Executive Board (IEB);
- appoint additional governors;
- require the governing body to:
 - enter into a contract or other arrangement for specified services of an advisory nature with a specified person (who may be the governing body of another school);
 - make arrangements to collaborate with the governing body of another school;
 - make arrangements to collaborate with a further education body; or,
 - take specified steps for the purpose of creating or joining a federation.

APPENDIX F: Governance

The chief inspector of schools, Sir Michael Wilshaw, has said: 'We want governors to work with the leaders of their schools to be both strategic and pragmatic in delivering good outcomes for all children and young people. We want them to strengthen schools' professional leadership by appointing the right people to the right jobs. And we want them to hold school leaders to account for the progress and outcomes they achieve in their schools.'

Lord Hill, **the under-secretary of state for schools**, has commented: 'It is absolutely clear to me that the most important decision-making group in any school is the governing body.'

Steve Acklam, formerly **chief executive of the School Governors One-Stop Shop** has said that: 'Governors are responsible for appointing and performance-managing the Headteacher; allocating and managing the budget; ratifying the school's future direction; and ensuring that the school's results continue to improve, giving every child the best possible start in life.'

The role of Governors

The autonomy of every school, whatever its designation, is increasing. Schools have large budgets and, academies have additional responsibilities for property, staff, and ensuring compliance with the Memorandum and Articles of Association.

Working in partnership with the Headteacher and the school's senior management team, the governing body must ensure that these accountabilities are effectively and professionally managed and ensure the school continues to improve. In order to do so, the governing body must be an appropriate blend of expertise, experience, aspirations, ages and cultures.

The importance of the Chair of Governors in leading the governing body is of increasing importance.

The mix of skills in the governing body

The skills that are essential for an effective governing body are: finance; personnel; strategic planning; project management, and communications.

In addition, skills or experience in marketing, data analysis, team working, change management, and IT, can be very helpful.

Governor recruitment

A governing body needs governors who are committed to helping give children the best possible start in life and have skills that will add value to the governing body.

Statutory guidance ('The constitution of governing bodies of maintained schools - Statutory guidance for governing bodies of maintained schools and local authorities in England' - May 2014) makes it clear that **all governing bodies must be constituted under the 2012 Constitution Regulations or the 2012 Federation Regulations, as appropriate, by 1 September 2015.**

In reviewing their current constitution and re-constituting the governing body before September 2015, the statutory guidance highlights the following regarding governor appointment and identification of an appropriate skills mix:

- Governing bodies should be no bigger than necessary to secure the range of skills they need. Smaller governing bodies are likely to be more cohesive and dynamic.
- A key consideration in the appointment and election of all new governors should be the skills and experience the governing body needs to be effective.
- Governing bodies should use a skills audit to identify any specific gaps that need to be filled in the skills, knowledge and experience of existing governors.
- Before being nominated for election or appointment, all prospective governors should be helped to understand the role of a governor and the governing bodies' code of conduct.
- Anyone appointing governors to the governing body must appoint someone they believe has the skills to contribute to effective governance and the success of the school.
- Governing bodies and local authorities should take steps to inform governor elections so that the electorate understands the extent to which nominated candidates possess the skills the governing body ideally requires.
- Foundation governors have a particular purpose to safeguard the character of the school and ensure it is conducted in accordance with any founding documents, but otherwise every governors' role is to govern the school in the best interest of pupils, not to represent the interests of the constituency from which they were elected or appointed.
- Meaningful and effective engagement with parents, staff and the wider community is vital. It is not the role of governing bodies to provide this through their membership. They need to assure themselves that specific arrangements are in place for this purpose.
- Governing bodies should review their effectiveness regularly, including the extent to which their size and structure is fit for purpose and their members have the necessary skills.

- Governing more than one school can generate a more strategic perspective and more robust accountability through the ability to compare and contrast across schools.
- All governing bodies must be constituted under the 2012 Constitution Regulations or the 2012 Federation Regulations, as appropriate, by 1 September 2015.

Previously, governing bodies often looked to the local authority or the parent-teacher association when they needed to recruit governors. That is no longer realistic or appropriate. One option is for governing bodies to work through the charity School Governors' One-Stop Shop (SGOSS) that exists to find volunteers with transferable skills to become governors.

School Governing Body Self-Evaluation

Outstanding governing bodies know themselves as well as they know their school. The following outline for a governing body self-evaluation offers a structured approach to establishing that self-evaluation:

Does the governing body have the right mix of skills?

- Has the governing body completed the annual skills audit?
- Is there evidence of appointing governors on the basis of their skills and the needs of the school?

Is the governing body as effective as it could be?

- Do governors understand their roles and responsibilities?
- Does the governing body have a professional clerk?
- Is there evidence that the governing body runs meetings efficiently?
- How large is the governors' training and development budget?
- Is there evidence of every governor taking advantage of the training and development they need to carry out their role effectively?
- Does the governing body know about good practice from across the country?
- Is the size, composition and committee structure of the governing body appropriate to support effective working?
- Does every member of the governing body make a regular contribution?
- Does the governing body undertake an annual review of its performance?

Does the school have a clear vision?

- Has the governing body developed long-term aims for the school with clear priorities in an ambitious school development plan which they regularly monitor and review?
- Does the governing body's strategic planning cycle drive its activities and agenda setting?

Does the governing body hold the school's leaders to account?

- Do governors understand the school's performance data well enough to properly hold school leaders to account?
- How effective is governors' performance management of the Headteacher?
- Are governors' financial management systems robust and do they ensure best value for money?

Are governors properly engaged with the school community, the wider school sector, and the world beyond schools?

- How do governors listen to, and understand, their pupils, parents and staff?
- How do governors regularly report to their parents and local community?
- What benefits do the governing body draw from collaboration with other schools and other sectors, locally and nationally?

Does the chair show strong and effective leadership?

- Does the governing body undertake a regular 360 review of the chair's performance?
- Is there evidence of effective succession planning in the governing body?
- Are the chair and committee chairs subject to annual election?

Are governors having an impact on the outcomes for pupils?

- How much has the school improved over the last three years, and what has the governing body's contribution been to this?

APPENDIX G: School Standards team traded offer

Schools should contact their named School Standards officer to discuss the support offer available to schools or academies, beyond the Core Offer described in Section 5.

APPENDIX H: Current local authority responsibilities for children, families & schools:

