

**This report is a summary of the response to the White Paper based on the response by ALCEO and the comments made by the Education Consultative Forum which discussed it at its meeting on January 31<sup>st</sup> 2006.**

### **General comments**

It is the view of most local authorities and many schools in Harrow that many of the reforms highlighted in the White Paper are unnecessary, irrelevant to a large majority of children, young people and their families, and do not take sufficient account of existing initiatives and improvements that schools and local authorities are already leading.

It was the view of the Education Consultative Forum that what all parents want is a good local school. It was also felt that the White Paper failed to take account of different local contexts and worked on a deficit model that assumed poor relations between the schools and their local authority.

As a Local Authority Harrow is committed to a stakeholder model of a publicly accountable system which delivers high quality, appropriately-targeted services to children, young people and their families and carers, where all providers work together collaboratively for the good of every child and young person. Overall, we do not believe that this White Paper will deliver that aim; nor does it sufficiently justify how the proposed reforms will enable local authorities to create a collaborative environment

Rather, some aspects of the proposals could reinforce the negative elements of competition at the expense of collaboration without building in sufficient safeguards for vulnerable children and young people. It is our view that collaboration between schools, sixth forms and colleges is absolutely essential in order to deliver equity in inclusion, admissions, the Every Child Matters (ECM) agenda and the 14-19 personalised offer. Rather it would appear to work against current collaborative projects including the Meeting Pupil Needs Compact to reduce exclusions and the development of a 14-19 Collegiate. The Education Consultative Forum wished to emphasise the strong will in Harrow for collaboration between schools and with the local authority where it was seen as a genuine partnership.

The White Paper does not sufficiently acknowledge the inclusivity agenda; rather it frames the debate almost entirely in terms of more freedom for schools which is, in our view, unhelpful and does not accurately reflect either the current system or indeed a commissioned system as proposed in the White Paper. The Children Act 2004 establishes Local Safeguarding Children's Boards (LSCBs), which will specifically champion the cause of vulnerable children and young people, including those that may be 'hard to place', but the White Paper makes scant mention of them.

## **Chapter 1 – The challenge to reform**

We refute the view in this chapter implying that local authorities interfere in the day to day running of schools, as this is not the case and has not been so for some time. We do however welcome the attempt to define a clear commissioning role for local authorities and recognition of the local authority's role as champions of children and parents strengthened by the Children Act 2004. We would however need to be reassured that local authorities have sufficient powers to discharge that role effectively, including the effective powers to "decommission" and re-allocate resources according to need and strategic direction.

The proposal in 1.19, to diversify the range of providers of schools thus allowing more parents to choose the school that suits their child, may be undermined by the government initiative which wishes to see all schools as Specialist schools

1.20 proposes a role for parents to put pressure on a school to improve. It is already good practice in local authorities to establish meetings for parents to express their concerns when a school is put in either Special Measures or Serious Weaknesses categories.

## **Chapter 2 – A school system shaped by parents**

It is important that parents engage in all aspects of schooling, however, we believe that sufficient mechanisms already exist within the system for parents to engage with and influence the future direction of improvements in school.

The current regulations on the governance of Community schools which provide for a third of governing body representatives to be parent governors, are the best and most democratic means by which parents can influence a school. This is supported by the new inspection framework for schools which recommends that a school's self-evaluation should include reference to how a school engages with its parent constituency.

### **14-19**

We welcome the continued commitment of the White Paper to 14-19 reform. Genuine choice at 14-19 can only be delivered through partnership arrangements and collaboration developed among providers in a locality and Harrow is on track to achieve a unique collaboration involving all our High Schools. The continuation of this collaborative approach among providers is essential in further developing the personalised learning offer to pupils. However this partnership could be jeopardised by increased competition between providers, particular with regard to the expansion of popular and over-subscribed schools, which has an impact on nearby schools, which may be forced to close, thus reducing parental and pupil choice. This will lead to a fragmentation of the system, which depends for its success on collaboration not competition.

We recommend that the government use this opportunity to unequivocally clarify responsibilities for strategic planning across the whole of the 14-19 age range and accept that this is fundamental to the successful development of collaborative approaches. Currently the arrangements leave too much room for uncertainty for both schools and the local authority.

### **Trust Schools**

The opportunity already exists for schools to acquire a Trust, as does the opportunity for parents to start their own school. The prominence therefore given in the White Paper to Trust status reflects either a lack of understanding of the current system or its prominence is a statement on the need to promote an existing opportunity which has thus far generated little interest in Harrow schools.

The diminished role of parents in the governance of Trust schools is unacceptable. We are concerned about the nature of the relationship between a Parents' Council and that of the Trust school's governing body and the accountability of the Trust school's model of governance

Curriculum innovation is already possible in many schools; much of the guidance on the national curriculum is not statutory. If the Government takes the view that curriculum flexibility is educationally beneficial, the opportunity should be extended to all schools, not used as inducement to persuade schools to go for Trust status.

Education Consultative Forum is opposed to the proposal that every new local authority school must be a Foundation School and further believes that Foundation and Trust Schools should be allowed to become Community Schools if they so wish. The decision to allow no new community schools to be built seems to contradict the extended school and children's centre initiative and effectively limits choice for parents rather than increases it.

### **Expansion of popular schools**

To date, very few popular and successful schools have applied for an expansion of their capacity; indeed few schools seem to believe that their popularity and success would continue if they were to expand.

The practicalities of expanding an existing school are fraught with process difficulties, the magnitude of the process difficulties is significantly increased when one considers the establishment of a brand new school particularly the issue of planning consent. The expansion of an existing popular school can easily take up to 4 years to complete (a timescale by which a child would be almost out of phase anyway) from the initial bidding phase because of procurement procedures, acquisition of expanded site; regulations restricted the length of time that temporary classrooms can be used, etc. These issues are particularly true in Harrow schools, many of which have very restricted sites.

### **Tackling school failure**

We welcome clarification of the local authority's role with regard to failing schools. We would however recommend that the duty be made statutory, not simply declaratory with the associated appropriate sanctions and powers. We are concerned however that the time scale of one year within which a failing school must show signs of significant improvement does not allow for sustainable improvement over a realistic timescale. Our experiences with a school in special measures show us that developing new structures and getting the right staff in place may be possible within the timescale but seeing outcomes in exam results or being judged as 'satisfactory' by OFSTED may not be.

We remain concerned about the impact such a time scale for improvement may also have on the ability of a governing body to recruit a Head teacher to a challenging school. Furthermore, we believe that the option for parents' concerns to potentially lead to an immediate OFSTED inspection, which could trigger a series of events if the school is found to be seriously failing including a change in the school's senior management team, would be very difficult and likely to have implications not only with regard to Employment Law, but also on the morale and aspirations of other school leaders and teachers. We are uncertain how this can be achieved when the local authority is not the employer as in the Trust schools model.

The White Paper is silent on the continuing role of local authorities in the appointment of Headteachers and in succession planning. As the effectiveness of schools is directly related to the quality of Headteachers, We would recommend that local authorities retain a statutory advisory role in this area.

### **Chapter 3 – Choice and access for all**

The White Paper explicitly says that the argument that there is no demand for choice ignores reality. It is more accurate to say that the demand for choice exists in some parts of our local communities – those that are, on the whole more affluent, articulate and able to engage in the nuances of negotiating the English state education system because their first language is English. The White Paper presumes that the aspiration of choice is shared by all communities - it is not. There are many communities whose aspirations are more culturally centred – who aspire to ensure that their children are able to speak their mother tongue as well as English for example.

The White Paper further presumes that parents are the 'consumers' of education provision and therefore it is the parental skills of advocacy that are formulating education provision and not the needs of children and young people, resulting therefore in a provision that meets the needs of a pre-dominantly white middle class parental perception of the importance of choice.

The Education Consultative Forum felt strongly that the notion of choice was reducing education to a commodity and further that there was a conflict between parental choice and the need to reduce surplus places. Choice requires excess capacity within the system which is costly and not in the interests of children.

### **Better information for parents**

Paragraphs 3.8 to 3.12 set out how information to parents will be improved. Much of the content is simply best practice, although unfortunately the idea of parents being encouraged to visit schools is not mentioned.

The concept of large group public sessions is probably not helpful, as those parents who most need the support and advice will be those least willing to attend or speak out in public. Many schools already provide a thorough induction programme for parents. However, targeted one-to-one sessions for parents who need more support, both on a self-referred and professionally-referred basis are worth exploring further, although we note that this is already part of good practice in many schools. We are concerned that this proposal may place unrealistic pressures on schools.

### **Choice Advisers**

The idea of 'Choice Advisers' is interesting but probably misplaced for those parents for whom it would provide most benefit. These parents will often already have multi-agency support, and a further professional input will not be effective. The 'single lead professional' concept is important here. It would be of much greater benefit in a joined-up children and families support structure to ensure that all the professionals concerned, including social workers, teachers, and health professionals, have access to the objective information, are trained to use it, and are enabled and empowered to give this advice.

### **School transport**

The free school transport legislation has not changed significantly since 1944 and needs urgent updating. The White Paper proposes that legislation be introduced to entitle those eligible for free school meals or in receipt of the maximum level of Working Tax Credit to free transport to any of the three suitable secondary schools closest to their home within a 2-6 miles radius. Whilst this proposal espouses the politics of greater equality it may not in practice deliver greater equality for pupils in the banding target group. It is true to say, that although eligible, a number of communities do not take up free school meals or Working Tax Credit for socio-cultural reasons.

We are uncertain of how sending a child to a school further away from home will help parents to engage with their child's school and in their education, which as international research tells us, are a key determinant of educational success.

The White Paper is silent on the way admission criteria maybe modified to reflect the proposed greater access to transport and it fails to explain what incentives there might be for example for a school serving a predominantly middle class area to alter its admission arrangements to give higher priority to children from say a council estate further away – even if this was permitted by the Admission Code.

Furthermore, meeting the requirements of extended and wrap around provision in schools within a system where increased numbers of pupils may not attend their most local school, will significantly increase transport costs, provide fewer opportunities for pupils to walk to school and may also impact on the local authority's ability to meet the efficiencies required of them by the Gershon review.

The local authority duty to support choice, diversity and fair access must include consideration of all home-to-school and other transport arrangements, including safe walking routes. If pupils are transported to a school up to 6 miles away from their home, clearly walking to school is not an option. This is a simple example of how the White Paper and the *Every Child Matters* agenda are not complementary, particularly with regard to two of the five ECM outcomes - 'staying safe' and 'being healthy'.

### **Fair admissions**

We are concerned at the prospect of an ever increasing number of schools acting as their own admission authority. We acknowledge that all schools must have regard to the non-statutory Code of Practice on Admissions, however, an increased number of admissions authorities will increase the number of admissions criteria, which in effect means that it is the school which will choose its intake and not the pupil or parent choosing the school. The aspirations are however commendable – fair admissions for all.

There is no possible mechanism to stop parents living where they choose, subject only to their personal economic realities, or to choose their location according to the local schooling provided.

An admissions system that attempts to band pupils and to share out pupils of differing abilities and aptitudes has genuine philosophical attractions. But the banding system used by Mossbourne Academy, the example used in the White Paper, is so complex and convoluted as to be incomprehensible in its operation to local authority officers, let alone parents.

The problem, of course, is how the most disadvantaged pupils (those with uninterested parents, those living in poverty, those at risk or vulnerable to abuse, those who have special needs or demotivated, those with poor command of spoken and written English) find a school place.

If every school has its own admissions system then there will be yet more game playing by the literate middle classes. The admissions system in urban areas will be a minefield of multiple inconsistent systems. Taken together the systems will be incomprehensible, opaque and obscure to parents – and will seem unfair, whatever the reality.

The *only* solution to fair admissions is a national, binding, independently monitored, universally-applicable and fair Admissions Code of Practice; not a Code of which schools 'must take account' but can then ignore with impunity (by, for example, interviewing parents). This Code could set a national framework, or it could allow a local binding framework to be developed and policed by the local Admissions Forum.

Any other solution will lead to either or both of the following: schools selecting pupils leading to less-popular schools entering the downward spiral of becoming a sink school and/or some pupils failing to be admitted to the school of their parents' preference without a huge effort.

#### **Chapter 4 – Personalised learning**

Some of the principals in this chapter of the White Paper are welcome and we see them as augmenting the progress towards personalised learning that is already in existence. However the blanket solutions to providing both challenge and support fail to take account of wider research into the impact of setting and are too prescriptive – failing to take account of the very nature of personalised learning.

#### **Chapter 5 – Parents driving improvements**

We welcome the provision of high quality information for parents about what their child is learning, how well they are progressing and areas for development. However, the proposals that such information should be made available three times per year seems to conflict with the reduction on the bureaucratic burden on Teachers.

A single point of contact for parents in school is a useful proposal and some schools have already adopted this; it will be important that parents are aware of the level of influence that such a person has within the school in order to manage parental expectations.

Home-school agreements have had minimum impact to date. It may be necessary for schools to use parent contracts to enforce parental responsibilities.

The proposal in 5.16, to give OFSTED new statutory powers to investigate parental concerns about a school and, where justified require a school to call a meeting with parents is probably a stretch too far in the OFSTED brief particularly given the new inspection framework for schools based on the 5 ECM outcomes. We are concerned that the proposed roles of OFSTED, the Schools Commissioner and the Schools Adjudicator will impede local authorities from finding local solutions to concerns raised by parents.

We also welcome the proposals to enhance school Councils and the extension of the role of the Children's Information Service. We expect these developments to be properly resourced and not lead to unnecessary bureaucratic burdens.

### **Chapter 6 – Supporting children and parents**

We welcome the commitment to extended school developments and believe this is one route to support a richer variety of parental engagement in schools along with many other benefits.

We believe that proper resources must be made available for "Children Missing from Education".

We believe that the proposal to increase the provision of school nurses based around clusters of schools is excellent.

### **Chapter 7 - School discipline**

The inclusion in the White Paper of many of the recommendations of the Practitioners' Group on School Behaviour and Discipline, chaired by Sir Alan Steer, are welcome. In particular we welcome the expectation that by September 2007 every secondary school will make arrangements for hard to place pupils which ensure that no school takes an unreasonable share of children with challenging behaviour, including those excluded from other schools. This is an important signal to schools and the communities that they serve, that every child does matter; however the White Paper does not address the issue of how schools can be required to fund provision for pupils out of school. It is therefore important, and we think implied in the White Paper, that local authorities retain funding for Pupil Referral Units (PRUs).

### **Chapter 8 – the School workforce and school leadership**

We welcome the role of National College of School Leadership (NCSL) in identifying a new group of national leaders of education, (Headteachers), drawn from those succeeding in the most challenging leadership roles to influence the direction and targeting of leadership provision across the school system. We trust however that despite their Ministerial access, it will not be this group of education leaders alone who will advise Government on the future direction of education policy. Such advice given to Ministers must be done so in the context and framework of the Children Act 2004 and the ECM agenda in order to deliver integrated services for children and young people (schools are not of course statutory partners in children's trust arrangements under the Children Act) across a locality.

We would like to highlight potential issues around the capacity within the school system, particularly at Head Teacher level, to contribute to the NCSL process of developing the leaders of the most complex and challenging schools. This is of particular concern as it will be an initiative that takes place at the same time as



the School Improvement Partners (SIPs) programme, which also draws from the current or recently retired Head Teacher pool.

### **School governors**

Comparisons are made between the move to foundation school status and voluntary aided schools. The majority of voluntary aided schools are church schools whose greater autonomy is tempered by membership of a diocesan/ church school fellowship with strong, shared values, ethos and direction. This support is very powerful and far reaching. Separate single foundation schools or small trusts would not provide the same networks or support mechanisms; they could be potentially more divisive and provide a more confusing picture to parents.

### **Governing Body Composition**

Governing bodies will be relieved to hear that the provisions of the Education Act 2002 on their composition will remain in place. However this message has largely been lost with more emphasis being given to the White Paper's reference to governing bodies opting for the smallest effective model.

The White Paper equates the smallest effective governing body with the stated belief that it is the way "to create energetic and focused governing bodies". We would be interested to see the supporting evidence for that statement, particularly at a time when governing bodies are being encouraged through the ECM agenda to place the school at the heart of the community and to engage in partnership working that brings the partners into the governance of the school.

Most governing bodies have demonstrated clear strategic thinking and common sense in the current reconstitution process. They have generally welcomed the greater involvement of parents on the governing body, but will be very anxious about adopting any model of governance that reduces the potential for elected and governing body nominated parent, community and staff involvement in the leadership of the school.

### **Parents and the Governing Body**

Increasing democratic parental involvement in governing bodies over the last 30 years has been generally welcomed and worked well. Parents of pupils at voluntary aided schools often pass adverse comments relating to the lack of democratically elected parents on their governing bodies. Schools with trusts would be similarly disadvantaged

The introduction of a statutory duty on the governing body to have regard to the views of parents will not be seen as a suitable substitute for democratically elected parent governors.

## **Governor Training**

There is a need to strengthen the influence of the school governance team to ensure that the advice, guidance and training provided through government departments is timely, focused and understands the particular roles of governing bodies.

Whilst induction training was seen as very important the Education Consultative Forum felt it was important to remember that that Governors are volunteers and may not be able to give the time for training.

## **Chapter 9 – a new role for local authorities**

We welcome the recognition in the White Paper that "...The best local authorities are strategic leaders of their communities...They act as commissioners of services and the champions of users..." We also welcome the various new duties and powers which local authorities are set to acquire in their strengthened role as champions of children and their communities, particularly the clarification of the local authority's role with regard to failing schools, as mentioned above. These duties and powers should be statutory. As well as exercising the strategic and commissioning roles that the White Paper describes, local authorities must continue to have the tools and resources to provide effective support and challenge in the context of the New Relationship with Schools. Much innovation has come from local authorities, for example in improving teaching and learning, in establishing collaborative partnerships, in developing behaviour and attendance strategies and in making ICT available to all. This must continue for the pace of improvement to be sustained.

The comments about the role of the local authority in ensuring fair access to school places and specialist provision are welcome, as is the intention to make it a statutory requirement for schools to have regard to the Children and Young People's Plan. However, those local authorities which are judged 'Excellent' in Comprehensive Performance Assessment are exempted from producing a single Children and Young People's Plan and will therefore need to find other means by which they draw on their analysis of parental demand and consultation with local partners to draw up a strategic plan for the pattern of schools in their area.

Schools will be placed under a statutory duty to have regard to the local authority's Children And Young People's Plan, which is welcome; however, we seek clarification on this statutory duty with regard to 'Excellent' Councils.

There is a serious risk that the White Paper's proposals will stop short of giving local authorities the capacity to secure high standards in schools. If local authorities are to remain accountable for standards they will need stronger tools. Some of the areas in which the White Paper proposals need to be strengthened are:

- There will have to be greater definition of the scope and statutory basis of the Children and Young People's Plan.

- The leverage that local authorities can exert in bringing about collaboration between schools needs to be strengthened if it is to encompass all schools, particularly in areas such as developing 14-19 curriculum entitlement, making provision for excluded pupils and in procuring learning platforms.
- The provisions about commissioning school places must ensure that the time required to secure new provision is not unduly prolonged.
- Local authorities powers' to intervene in coasting or failing schools must be backed up by the ability to hold resources, to support action and be consistent with good employment practice.
- The introduction of School Improvement Partners must be in the context of local authorities retaining the capacity to gain broad and timely information about their schools that enables them to offer support or intervene at short notice.
- Local authorities must have the ability to place children with special educational needs in all local state schools in accordance with parents' wishes and the Code of Practice.
- Local authorities will need confidence in the long term funding regime if they are to sustain the extended services that they are helping schools to develop.
- Local authorities welcome the role of champion, of leading on the commissioning of services and holding to account a broadening range of providers. We do not accept that this role means that local authorities cannot make provision for school places nor accept the premise that there should be no new Community schools.

We do not believe that the on-going debate about types of schools has made any contribution to raising standards and serving children better. Quite the contrary, this has led to a diversion of energy away from these key tasks. Fundamentally, parents want a good local school. This should be every child's entitlement and all our efforts should be focused on achieving this goal.

### **Surplus places, falling roles and school place planning**

The White Paper recognises that "Local authorities will need to plan how many schools their area needs, where and how big they need to be, what kinds of schools will serve the area best, and who the school should serve." This is a welcome acknowledgement of the continued role of the local authority in the strategic planning of school places as is the local authorities duty to act strategically to keep surplus capacity down to affordable levels by 'taking out' the

weakest and least popular schools. The danger here is obvious, for those weak or less popular schools in urban areas will be amongst those serving predominantly poorer communities with potentially complex needs.

The White Paper has completely failed to take into account the issue of falling rolls in both primary and secondary phases. This demographic phenomenon may mean that successful and popular schools ultimately suffer from unaffordable surplus capacity, thus potentially resulting in reduced choice for pupils and parents.