

REPORT FOR: **CABINET**

Date of Meeting:	19 May 2011
Subject:	Local Authority's Strategic Role for Education in Harrow
Key Decision:	Yes Affecting all Wards
Responsible Officer:	Catherine Doran, Corporate Director Children's Services
Portfolio Holder:	Councillor Brian Gate, Portfolio Holder for Schools and Colleges
Exempt:	No
Decision subject to Call-in:	Yes
Enclosures:	Annexe A Summary of the DfE Schools White Paper and Education Bill Implications

Section 1 – Summary and Recommendations

This report outlines some of the changes to the Council and schools arising from the Schools White Paper and the Education Bill, and provides an up-date from the Education Consultative Forum.

Recommendations:

Cabinet is requested to:

1. Agree in principle to the consultation mechanisms being reviewed and revised and recommendations to be brought back to Cabinet
2. Receive a further report in the Autumn to confirm the progress in the following areas:
 - i. Decision Making and Consultation Forums
 - ii. Strategic Role for schools

iii. Support services for schools

Reason: (For recommendation)

The Education Bill proposes significant changes to the role of the Local Authority and its relationship with schools. This paper initiates a discussion about the future role of the Council in this context. Any changes to the role of the Education Consultative Forum and Admissions Forum would entail changes to the Council's Constitution, which would require decision by full Council.

Section 2 – Report

Introductory paragraph

1. The role of the Local Authority and its relationship with schools will change considerably. There are several drivers for this change:
2. In November 2010, the Government published “The Importance of Teaching: The Schools White Paper”. The overarching themes of the paper include greater autonomy for schools, a focus on improving standards particularly in teaching, and a reduction of bureaucracy. On 26 January 2011 the Education Bill was introduced into the House of Commons and is now in Committee. The Bill is an important step in implementing the Government's education reform programme.
3. Additional drivers contributing to this change include the ending of the National Strategy funding to support school improvement and the new Academies programme.
4. Harrow has been proactive in responding to these changes. A new operating model for Children's Services has been developed and Cabinet has agreed the framework. The consultation about the organisational structure for the new operating model will end in May, and will inform the detailed final model that will be implemented in the Autumn. The structure proposes that an Education Strategy and School Organisation service is established that would be responsible for leading the Council's education work and ensuring statutory duties are fulfilled and link to Children's Services.
5. Cabinet has agreed to the development of the Harrow Schools' Improvement Partnership (HSIP). Officers are working with primary and special schools to develop this model to secure future school improvement support. High schools are also considering associate membership.

6. In response to 7 Harrow High schools announcing their consideration of conversion to academy status, the Local Authority has established a project team to investigate the implications and resolve relevant matters.
7. It is important that the Council develops an organisational framework that both effectively and efficiently enables the Local Authority to fulfil its strategic and statutory duties. This paper proposes some changes to the current framework.

Options considered

8. At its meeting on 6 April 2011, the Education Consultative Forum was invited to comment on the future role of the Local Authority if the Education Bill becomes law and to consider efficient and effective ways for the Forum to engage on future education matters. Members of the Forum felt that given the substantial changes occurring within education nationally, it was difficult to identify the exact role of the Forum at this stage. Further consideration is needed and options should be kept open for now. The report to Cabinet should outline the changes to the Council and schools arising from the Schools White Paper and the Education Bill and the implications if the legislation is enacted.

Current situation

9. Last year, the Schools White Paper stated that Local Authorities would have a strong strategic role as champions for parents and families, for vulnerable pupils and of educational excellence.
10. Their key roles will be:
 - To support parents and families through promoting a good supply of strong school places
 - Ensure fair access to all schools
 - Use their democratic mandate to stand up for the interests of parents and children
 - Support vulnerable pupils including children looked after and those with special educational needs and those outside mainstream education
 - Support maintained schools performing below the performance floor standard
 - Develop their own school improvement strategies.
11. In January 2011, the Education Bill proposed the following changes to the provision of education:
 - Introduction of targeted free early years care for children of compulsory school age;
 - Changes to school discipline;
 - Abolition of five national quangos and new powers for the Secretary of State;
 - Removal of specific duties on school governing bodies, local authorities and further education institutions, including removal of the duty to appoint School Improvement Partners (SIPs);

- Changes to the arrangements for setting up new schools and amendments to the Academies Act to make provision for 16-19 academies and alternative provision academies;
 - New measures relevant to:
 - school admissions, including removal of the requirement for an admissions forum
 - school meals
 - composition of school governing bodies
 - school inspection
 - school finance
 - permitted charges.
12. In addition, reform of Special Educational Needs is planned and is now set out in the Green Paper “Support and Aspiration: A new approach to special educational needs and disability”. This contains plans for parents to have more control over funding, a single assessment process replacing the statement of special educational needs with health, education and care plans, use of voluntary groups to coordinate packages of support and an open market to deliver educational support programmes. Changes to the SEN and disabilities landscape are expected as a result of this.

Why a change is needed

13. It is clear that in the future there will be a reduced role for Local Authorities, which is reflected in the financial settlement and that Local Authorities are seen in an enabling role, rather than as provider of education services.
14. To help illustrate the implications of the Government’s new policies, the table at Annexe A summarises the Government’s policy, the local position and some of the areas that officers need to consider in developing the role of the Local Authority with regard to schools.
15. Whilst more detail will be forthcoming as the Bill passes through Parliament and secondary legislation and guidance is published, it is timely to consider how these wider changes will impact on both the operation of the Local Authority functions and the current consultative mechanisms.

Operation of Local Authority

16. The new operating model for Children’s Services has a division that will incorporate Quality Assurance, Commissioning and Schools. The Education Strategy and School Organisation service (ESSO) will provide the Local Authority’s statutory functions. These teams will focus primarily on the following functions:
- School Provision including:
 - Place Planning
 - Admissions and Access
 - Championing vulnerable groups of pupils

- Early Years Foundation Stage advice, guidance and quality assurance across all providers
 - School Improvement including:
 - Commissioning improvement in schools causing concern
 - Quality Assurance of all maintained schools
 - Other statutory responsibilities in relation to education, e.g. Governors, SACRE, NQT induction.
17. Whilst it is possible to undertake preliminary work on how these functions will be delivered within the new operating model it is not possible to complete this work until the Bill becomes legislation.
 18. In addition, the full impact of the Academy developments in Harrow is being assessed. Currently seven high schools are formally investigating academy status and will make their final decisions during May. Two primary schools have also indicated that they are investigating academy status. Any change from a community school to an academy transfers responsibility and resources from the Local Authority to the school. This has major implications for the Local Authority's relationship with the school and the services that the Local Authority provides.
 19. The impact on the Local Authority statutory functions, some of which will transfer to the academies, will need to be built into the planning for the development of ESSO.
 20. The ability of the Local Authority to provide services on a buy-back basis will also be affected if the number of Local Authority maintained schools buying services reduces. This relates to both school specific services provided by Children's Services, for example, governor support, but also those services provided by other parts of the Council, for example, shared services. The Harrow School Improvement Partnership (HSIP) development has potential to be a provider for the Council to commission school related services; this includes the potential for staff secondments. This is an area of development work that would need to be undertaken across the Council.

Consultation Mechanisms

21. With the new proposed role of the Local Authority, it is timely to consider the role and purpose of existing consultation mechanisms. Currently there are a number of education related consultative committees including the Education Consultative Forum (EdCF), Admissions Forum, 14-19 Strategic Group, Early Years Forums and Schools Forum. Given the Local Authority's role as a champion of parents and young people, a formal vehicle for consultation and dialogue would be an essential part of this function, which possibly a revised EdCF could provide.
22. The function of EdCF is to act as a medium for communication between the Executive, teaching employees, governing bodies, other councillors, denominational representatives and other interested parties on general

education matters. EdCF provides a forum for questions on the provision and administration of education to be considered and to advise on questions referred to them by the Executive. Members of EdCF are from the constituent groups.

23. During the last 18 months EdCF has considered a series of reports on school terms dates, school performance, school reorganisation and place planning. In addition there have been reports on specific matters including Children's Centres, Harrow Schools' Improvement Partnership and changes to post 16 and clothing grants.
24. At their meeting in April, EdCF considered a report on the White Paper and the role of the Forum. EdCF agreed that they would be supportive of a forum, with an appropriate membership to reflect the stakeholder constituent groups, to continue. At this stage, options have yet to be developed. When the Bill becomes legislation, more detailed proposals will be developed. For example, if, as proposed, there is no requirement to maintain an Admissions Forum, it may well be efficient to bring the bodies together. Details of proposals will need to include membership, terms of reference and an outline cycle of meetings.
25. This is a changing context for local government and the Local Authority needs to be shaped to ensure that it meets the needs of local communities and is sustainable. There is further developmental work to complete within Children's Services and corporately during the next 6 months.

Legal Implications

26. Until the Education Bill becomes legislation the existing statutory duties of the Local Authority are retained.
27. Any changes to the role of the Education Consultative Forum would entail changes to the Council's Constitution, which would require a decision by full Council.

Financial Implications

28. There are no immediate financial implications arising from this report as the review will be undertaken from within existing resources. If the review proposes changes to services these would be subject to further consideration and approval, with any financial implications highlighted and incorporated into the Council's Medium Term Financial Strategy.

Performance Issues

29. Harrow is a high performing Local Authority and the large majority of local services are judged to be good or better by Ofsted. Schools in Harrow perform well in comparison to national and statistically similar local authorities. Most primary schools and all secondary schools are judged good or outstanding.
30. The White Paper and Bill maintain a focus on driving up standards in schools, and place more of the responsibility with the schools directly for their improvement. The role of the Local Authority in measuring

performance and driving improvement is changing significantly and will reduce from its current level. However, the Local Authority will maintain a strategic oversight and enabling role in local education, and is likely to retain some role in monitoring educational achievement and key measures such as exclusions and absence. The exact nature of the respective roles and responsibilities is still emerging and is being discussed with the schools.

31. Although the national indicator set has been abolished by the Department for Communities and Local Government, all of the key education indicators remain in place and continue to be reported to the Department for Education (DfE). This situation remains under review and the DfE is yet to provide clear guidance on if and how educational performance will be judged at a borough level.
32. There are implications for the provision of performance and management information to other services within Children's Services where schools' data is not transferred to and held by the Council. This includes data from potential academies and other schools not taking up some interdependent SLAs.

Environmental Impact

33. These proposals appear to have minimal environmental impact. However schools account for 50% of the council's total carbon emissions (62% of emissions under the Carbon Reduction Commitment scheme – [CRC]) and will need to play a full part in reducing these emissions by 4% per annum (as set out in the council's climate change strategy).
34. The government's position on whether the council or academies are responsible for emissions under the CRC is yet to be clarified.
35. It is not clear how the changes, set out in the report, will affect schools' and the council's ability to meet the carbon reduction targets.

Risk Management Implications

36. Risk included on Directorate risk register? Being actioned
37. Separate risk register in place? No
The directorate and corporate risk management implications for the council arising from the Schools White Paper and the Education Bill are being considered for inclusion on the risk register.

Equalities implications

38. An Equalities Impact Assessment has not been undertaken at this stage, and will be undertaken if Cabinet agrees to a review of the consultation mechanisms and in relation to any future recommendations that are made.

Corporate Priorities

39. These considerations will support the Council's Corporate Priorities for 2011-2012
 - United and involved communities: a Council that listens and leads

- Supporting and protecting people who are most in need

Section 3 - Statutory Officer Clearance

Name: Emma Stabler	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 10 May 2011		
Name: Sarah Wilson	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 10 May 2011		

Section 4 – Performance Officer Clearance

Name: David Harrington	<input checked="" type="checkbox"/>	on behalf of the Divisional Director Partnership, Development and Performance
Date: 15 April 2011		

Section 5 – Environmental Impact Officer Clearance

Name: Andrew Baker	<input checked="" type="checkbox"/>	on behalf of the Divisional Director (Environmental Services)
Date: 21 April 2011		

Section 6 - Contact Details and Background Papers

Contact: Adrian Parker, Head of Achievement and Inclusion, 0208 736 6506

Background Papers:

Strategic Role of Harrow Council in supporting schools in the future, Report to Education Consultative Forum April 6th 2011.

The Importance of Teaching - The Schools White Paper 2010, Department for Education, November 2010

**Call-In Waived by the
Chairman of Overview
and Scrutiny
Committee**

NOT APPLICABLE

[Call-in applies]