

The Future of Support Services for Schools

A Discussion Paper by Dr. Bob Garnett

1.0 Introduction

- 1.1 A number of factors have combined to lead many local authorities to give fresh consideration to the ways in which they set about the tasks of supporting and challenging schools. The policies of successive national governments have changed the relationship between local authorities and schools: the increase in the number of academies, the establishment of teaching schools, the role of the National College in brokering support to schools, the transfer of considerable grant funding from LAs to schools and the reduction in resources available to LAs have brought about a transformation in the relative status of the various players. The reforms of the Thatcher administration with a degree of autonomy for schools introduced by LMS and the Grant Maintained experiment were in reality accompanied by a dramatic centralisation of powers in the hands of the Secretary of State for Education and a commensurate dilution of the role of the LA - and the direction of travel has continued through the Major, Blair and now Coalition administrations, albeit with varying emphases and nuances.
- 1.2 Moreover, the current Government appears to be taking the centralisation agenda considerably further than its predecessors, in that the Department of Education (DfE) is pursuing a very active academy programme in which primary schools rated as “satisfactory” for two consecutive inspections are being pressed to become academies under the leadership of an outstanding school that already has academy status. In practice, the existing academy chains are being primed to take over increasing numbers of primary schools. At a recent internal DfE staff briefing the slow growth in numbers of primary academies was criticised and the term “forced conversions” was used to describe the intensified efforts required of staff members. Given the administrative and support structures being developed by the DfE, academy chains and the National College, it should be noted that one effect of this approach is to create a new “middle tier” of administration and governance that excludes local authorities.
- 1.3 Whilst the Government clearly believes this development is necessary in order to raise standards in schools, there are consequences – intended or otherwise - that merit consideration. For example, whilst a school may well become an academy and wish to retain its links to neighbouring schools and to the local authority (and many do), the inclusion of many more primary schools within academy chains that eschew such links may place further strain on the concept of a local “family of schools” serving a community.
- 1.4 The accountability of a school to its local community historically has rested upon a number of factors. These have included the parents and families of pupils attending the school, the use by the community of the premises and the links of democratic accountability through local councillors. The latter have had a much diminished role in recent years, as a result of some of the policy developments outlined above. Nevertheless, the idea of “Bromley schools” still has a meaning that goes beyond mere geographical location. If this concept is considered important, then urgent attention should be given to

questions about the organisation and networks of schools locally, as well as to the ways in which they might be supported through local services.

2.0 School Organisation

2.1 At the time of writing there are 20 primary schools in Bromley rated “satisfactory” by Ofsted. A further 1 has a Notice to Improve. This means that there is a significant number of primary schools that are vulnerable to take-over by an academy chain. Given that 13 primary schools have already opted for academy status and a local solution has been negotiated for a primary school in special measures, there is the potential for over 20 out of a total of 74 primary schools to be academies within the next year or so. In such circumstances many of the remaining community schools rated good or outstanding would come under pressure to convert to academy status as a “domino effect” begins to take over.

2.2 Preliminary discussions with head teachers have already taken place to attempt to reach early agreement between schools to enable vulnerable primary schools to become academies under the sponsorship of other local academies, rather than waiting for takeovers by cross boundary chains. If all goes well, potential sponsorships will be identified and partners will be consulted over the deployment of National and Local Leaders of Education (the Government’s designated school improvement workforce consisting of accredited head teachers of outstanding schools).

2.3 Faced with this situation, the LA leadership could, understandably, opt to take a minimalist view of its role in schools support. Nevertheless, as legislation stands, some 200 responsibilities and statutory duties remain for the LA either to perform or to commission – in addition to the more general role of providing political and professional leadership for the public services in the LA area. These residual duties include, but are not confined to:

- Safeguarding
- Secure sufficient school places for all children in the LA’s area who require a place
- Ensure excluded pupils are placed as soon as possible
- Facilitate managed transfers between schools
- Take action on attendance through panels, penalty notices, prosecutions and referrals to other agencies
- SEN assessments and statements, including monitoring and provision of support (ages 0-25)
- SEN placements and residential provision as required
- SEN transport
- Provide home to school transport for all eligible pupils
- Support for school self evaluation and monitoring of performance
- Provide challenge and support in inverse proportion to success
- Intervention in schools causing concern
- To appoint LA governors and to ensure governing bodies of LA maintained schools are correctly constituted and provided with the information necessary to carry out their duties
- Co-ordinated admissions service
- Process free school meals applications for all eligible pupils
- Attend relevant multi-agency meetings

- Early Years outcomes duty
- Moderation of EYFS, KS1, KS2
- Ensuring EYFS in all settings
- Affordable, flexible childcare, sufficiency assessment
- Provide family information service
- 16-19 Commissioning
- Raising Participation Age
- SACRE

2.4 Not all of these functions will be reflected in specific posts or structural titles, but any LA will need to ensure sufficient capacity to enable the responsibilities to be fulfilled, together with any additional policy objectives and activities that its Members might wish to support by way of local initiatives.

2.5 The following sections of this paper consider alternative ways of addressing these responsibilities and policy objectives.

3.0 Alternative A: The Current Approach for Support Services

3.1 The restructuring undertaken this spring and summer in the Education Division of ECS is intended to provide sufficient capacity to fulfil both the statutory duties described in paragraph above and to enable the LA to carry out its desired discretionary activities – and it will do so for as long as resources and the statutory framework permit.

3.2 There are, however, some built-in disadvantages to the continuation of a traditional style of organisational architecture and its associated activity.

In the first place, the annual budget round presents a threat and distraction to the work programme agreed with schools on an annual (school year) basis.

Secondly, annual debates about whether or not the LA wishes to be involved in running sold services undermine market confidence and threaten the maintenance of market share in a context where schools are beset by myriad siren voices offering alternative sources of support.

3.3 Thirdly, the continuation of a hegemonic model in which the LA is the source of both challenge and support to the local family of schools does not reflect the changing balance of the relative roles of the LA and schools.

3.4 A fourth consideration lies in the question as to whether the resources available to the LA will continue year on year to be sufficient to enable the fulfilment of its leadership and strategic function as well as provide a financial underpinning to a role as supplier of services.

3.5 Fifthly and finally, the reliance on DSG as a continuing source of finance for the LA's activities is a very vulnerable hostage to fortune. There is a growing expectation that the current DfE consultation on schools' funding will presage an end to the LA's ability to "top slice" a significant tranche of DSG and use it to fund LA functions. This will mean the allocation of money becomes even more explicitly dependent upon the consent of the schools for whom it has been supplied in the first place, with schools themselves becoming

commissioners of services – either singly or by acting together in groups or federations.

4.0 Alternative B: A Minimalist Approach

- 4.1 As noted earlier, some LAs have addressed the changing situation by opting for a minimalist approach in which they have simply outsourced their support functions or else left it to the market place to provide as schools choose their own suppliers. Whilst this approach might be attractive in terms of the free market, it does involve a *de facto* scaling back of political and professional leadership.
- 4.2 A danger with this model is that it reduces very seriously the linkages between the LA and schools which are the lines of communication through which influence flows. The strategic leadership of children's services can be made more difficult when the number of personal contacts and transactions are minimalised and the fund of goodwill on which influence depends is replaced by a statutory functionalism. Whatever the challenges of maintaining sold services, the contact with schools that forms part of the service provision is an invaluable source of intelligence enabling early dialogue and intervention when things go wrong, both in terms of performance and safeguarding. The absence of such contact and the relationships that accompany it can prove costly in terms of delays and mutual suspicion when timely action could prevent escalation of difficulties into crises.
- 4.3 A further concern might arise within a "minimalist" approach for elected Members. The loosening of links to the point of minimum statutory requirements would put the relationship with schools on the same level as that which exists with any private provider of services commissioned by the Council in fulfilment of its obligations. Members could no longer regard the schools as "our schools" in any meaningful sense and whilst the significance of this factor is for Members to consider, it seems undeniable that there is a possibility of a creeping "democratic deficit" inherent within this model.
- 4.4 For the schools, reliance on the commercial market place for all their support services carries the very obvious risk that highly specialised expert support may not easily be available. It is clearly the case that the large commercial suppliers of support services tend to concentrate on services for which demand is constant. The recent consultation on the restructuring of the School Improvement Service drew a number of comments from schools highlighting their interest in maintaining certain specialist support that they could then buy from the LA and which was not readily available in the market place.

5.0 Alternative “C” – A Shared Endeavour

5.1 Rather than attempt to keep things as they are, or to quit the field altogether, an alternative approach is to adopt one of several forms of partnership model, in which schools and the LA work together in a mutual commitment to a shared enterprise. This can take the form of a trust, a social enterprise or a ‘soft’ partnership where ownership and leadership rests with the schools themselves, accompanied by the LA as a partner in its strategic and statutory roles. In this way the LA can fulfil both its residual role in regard to the statutory duties outlined above, and its local democratic role in terms of community and strategic leadership whilst recognising the changing landscape and sharing responsibilities with schools.

The remainder of this paper is concerned with considering versions of “A Shared Endeavour” as representing a creative and sustainable way forward for the LA and schools.

5.2 There are already several models in existence or being developed in various parts of the country. For example, head teachers in Southend have formed themselves into a trust, employing its own staff, with a Board that latterly includes the LA. In Hertfordshire and in the London Borough of Richmond upon Thames shared partnerships are being developed with the LA playing a full role from the outset. Derby City is in the fairly early stages of a trust model. In some LA areas, the support services have been “floated off” into a social enterprise or a wholly separate company. The original “4S” company in Surrey is the prime example of this, but others have since followed.

5.3 Whilst relatively new as an approach to what previously have been LA run school support services, the arms length or separate company models are fairly common in the provision of social housing and leisure services where there is a strong track record of successful working. In the event of a decision to explore this option further, it might be useful to consider the experience of a number of LAs across a range of services, whilst taking account of the unique funding arrangements that apply to education.

5.4 A possible way forward could take the form of a DSG funded trust led by head teachers with officer and Member representation on the Board, although some level of LA contribution might need to be agreed in recognition of the somewhat reversed principle: “no representation without taxation”. Put more colloquially, those who would expect a vote in the club would need to pay their subscriptions.

5.5 A different model is being developed in Hertfordshire where schools and the LA are collaborating in setting up a separate company in which the schools will hold 80% of shares and the LA 20% and administration will be vested in a chief executive employed by the company. All relevant staff will transfer to the company although pensions will continue to be held by the LA.. Negotiations are currently taking place to determine exactly what services the company will run and consideration is being given to the question as to whether or not the LA will pass the conduct of its statutory duties to the new company. Issues of accountability and scrutiny loom large in these discussions. Whilst the very large county benefits from economies of scale, the business model may be replicable in a smaller context.

- 5.6 In Richmond, the preferred model is based on a structured but 'soft' partnership with schools, where pooled resources are match funded in cash and in kind by the local authority, thus rationalising the need for a large centrally employed team of school improvement officers.
- 5.7 If these models or others are to be explored, then it might be helpful to set up a working group consisting of senior officers and representative headteachers in order to consider the most appropriate approach for Bromley and to make some initial proposals as to what is to be included in the scope of the venture.
- 5.8 In the meantime, current discussions on school action plans, academy partnerships and deployment of NLEs and LLEs should continue – and be used as a further basis for development.

6.0 Next Steps

- 6.1 Given a positive response to the general direction of this paper, a Working Group of officers and head teachers could be established to set out a developmental path that would lead to the establishment of a partnership approach to the provision of services for the start of the financial year 2013/2014.
- 6.2 Consideration should be given also as to whether there is the in house capacity to lead this work or whether it would be advisable to engage additional, dedicated support with the experience of leading successful developments elsewhere.

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