

<b>3 July 2012</b>		<b>ITEM 6</b>
<b>Children's Services Overview &amp; Scrutiny Committee</b>		
<b>The Future Role of the Local Authority in Education in Thurrock</b>		
<b>Report of:</b> Carmel Littleton – Head of Learning & Universal Outcomes		
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Non-key	
<b>Accountable Head of Service:</b> Carmel Littleton - Head of Learning and Universal Outcomes		
<b>Accountable Director:</b> Jo Olsson. Director of Children, Education and Families		
<b>This report is:</b> Public		
<p><b>Purpose of Report:</b></p> <p>This paper is a thinkpiece on the future role of the LA in education in Thurrock in the light of a changed national policy context. The paper sets out for consideration approaches which are emerging across the sector and proposes a way forward in Thurrock which aims to maximise local opportunities and mitigate risks. It sets out a role for the council, highly responsive to local need, ambitious for its residents and innovative in its outlook.</p>		

## **EXECUTIVE SUMMARY**

There are significant opportunities to grasp to make the most of the new legislative and policy landscape in education. Local authorities may retrench and minimise their role or determine a strong, strategic role which gets the most of the new opportunities. This paper sets out the national policy context and local priorities. Recommendations are made about the best way forward for Thurrock to maximise progress for our learners, within the most cost effective solutions.

### **1. RECOMMENDATIONS:**

- 1.1** Members are asked to note the contents of the report and endorse the direction of travel proposed regarding the future role of the LA in Thurrock

## **2. INTRODUCTION AND BACKGROUND:**

### **2.1 National legislative and policy context**

2.1.1 Since the General Election there has been considerable debate about schools and education policy. Within weeks the government had fast tracked the Academies Act onto the statute books making it easier for schools to become Academies. The Schools White Paper quickly followed in December 2010 redefining national education policy. The subsequent Education Act 2011 included new powers on school discipline, tackling underperformance and parental involvement, with most provision coming into force in September 2012.

2.1.2 Thurrock is one of 29 LAs nationally which by January 2012 no longer maintained the majority of secondary schools in their area. Indeed nationally now 40% of secondary schools are now already academies or in the process of converting to become one. This means that local authorities now have to rethink their approach and adopt a more strategic role as they move from being largely a provider of education to a significant commissioner of education. In Thurrock, one in nine primary schools are currently in the process of converting to academy status or have just done so.

2.1.3 The Local Government Association summarised the changing role of local authorities in education in its report “Local Freedom or Central Control II”, published in June 2011. It suggested the following broad features of the local authority role:

- Supporting school improvement
- Bringing forward new provision
- Championing educational excellence
- Championing the needs of vulnerable pupils
- Ensuring every child has access to a place at a good school

The LGA suggested it was for local authorities themselves to determine, in discussion with local schools and other partners, the role that the local authority would take with regard to education. This would depend on the local context, the local opportunities and the local needs.

2.1.4 Thurrock Council is currently participating in a national research project involving eight local authorities, jointly funded by the Department for Education and the LGA, to examine how local authorities are responding to the new context and gathering practice from which others may learn.

2.1.5 Alongside the changing role, the Council’s statutory educational duties remain unchanged. There continues to be a duty to secure sufficient school places in their area, and to “promote high standards and the fulfilment of potential” of local pupils.

Local authorities have a duty to:

- Support parents and families through promoting a good supply of strong schools – encouraging the development of Academies and Free schools which reflect the local community
- Ensure fair access to all schools for every child
- Use their democratic mandate to stand up for the interests of parents and children
- Support vulnerable pupils – including Looked After Children, those with SEN and those outside mainstream education
- Support maintained schools performing below the floor standards to improve quickly or convert to Academy status with a strong sponsor, and support all other schools which wish to collaborate with them to improve educational performance
- Develop their own school improvement strategies – they will be encouraged to market their school improvement services to all schools, not just those in their immediate geographical area

## 2.2 Local priorities

2.2.1 The role of the LA in relation to education is an evolving one. Ambitious councils are surging ahead with local plans to deliver their reshaped responsibilities. Just a year ago the role of the local authority in relation to education could be read as declining. Now with the changing structure of the local school systems quickening pace, it is clear that the local authority has a more important, more focussed role than ever before. Thurrock council needs to be clear about how it wants to exercise its role.

2.2.2. In Thurrock, the education and skills challenges are well known. Primary school attainment, though improving, is still below the national average. On average, pupils reach the age of eleven still not reaching the expected levels in maths and English. This sets up a hurdle to be overcome even before pupils have started secondary school. Yet there is no reason why this should continue. The same population at secondary school go on to reach attainment levels undreamt of just five years ago.

2.2.3 Amongst primary schools there are far too many schools previously deemed “satisfactory” by OFSTED. In fact, Thurrock has the highest proportion of primary schools that are judged just “satisfactory” in the country.<sup>1</sup> Satisfactory is no longer good enough, for Thurrock or for OFSTED. The new OFSTED framework (to be implemented from September 2012) has quite rightly, shifted the category of satisfactory to “requires improvement”. Schools in this category will be expected to make rapid improvement within 3 years or face “special measures”, where a school can be closed or instructed to become an academy. Satisfactory schools will be subject to reinspection within 12-18 months rather than the current 3 years.

2.2.4 There have been significant steps forward in raising aspirations for what will be achieved with Thurrock children. A priority has been to secure a leader for every school and currently all except one school in Thurrock now has a

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<sup>1</sup> Private communication with LGIU/CSN Table of LA OFSTED performance ranked by outcome, March 2012

permanent head, a very different picture from two years ago when a quarter of schools had an interim head. The focus of school improvement work has moved from a permanently employed cadre of council officers who support all schools regardless of need, to a flexibly deployed team of high quality *seconded* specialist teachers, targeted at the schools where it is most needed. This team leaves behind embedded practice to effect longer-term change as well as having an immediate impact. Results from 6 pilot schools below the floor target over the last year proved the positive impact.

2.2.5 In secondary schools, there has been a significant improvement in attainment and pupils in most schools achieve better results than the national average. This rapid improvement has led to all but two secondary schools being judged good or outstanding by OFSTED. The focus for the LA has been to drive up improvement in the one maintained school that remains “satisfactory”. Robust action, including moving to use available statutory powers, is being taken to secure future improvement in this school. Where some local authorities have been reluctant to make use of statutory powers, Thurrock will now not hesitate to issue warning notices, remove a governing body or delegated powers to drive up rapid improvement.

2.2.6 The LA is working with those schools that have subsequently become academies to develop a strong community partnership and to set out its strategic leadership role. It is clear that much can be gained from harnessing the strong strategic leadership that the local authority has to nurture and broker effective collaboration between higher and lower performing schools for example. The local authority provides the much discussed “mediating layer” between central government and local schools through its strategic leadership role in the community.

2.2.7 From April 2010 Thurrock became responsible for securing education and training provision for young people in their area who are over compulsory school age, but under 19. This included the planning, commissioning, quality assurance and funding of provision for learners. Where Thurrock is commissioning 16-19 provision from providers for which it is not the sponsoring body it

- Retains a role in quality assurance to ensure its commissioning decisions take account of quality issues
- Maintains an interest in the quality of the provision it has contracted
- Works with the sponsoring body to identify and address any concerns.

Thurrock works closely with the Young People’s Learning Agency (YPLA) which

- Provides financial support to young learners
- Funds academies for all their provision
- Supports local authorities to commission suitable training and education opportunities for all 16-19 year olds.

The YPLA’s responsibilities will be taken up by the Education Funding Agency on 1 April 2012.

- 2.2.8 One of the key partnerships which drives this work in Thurrock is the 11-19 partnership (formerly the Learning and Skills board) where partners including the LA work closely together to plan and oversee provision and drive improvement.
- 2.2.9 The Community Skills board, also administered by the LA complements this by overseeing the support for post 19 skills and training needs for local employers.
- 2.2.10 These boards are currently strengthening their remits to address issues such as the pattern of post 16 and post 18 provision and questions such as: why are more young people not going to Russell Group universities, how can opportunities from the regeneration projects around the borough be harnessed for local young people, are the skills of the future being reflected in the current and developing education and skills offer?

### 2.3 Emerging strategic responses from local authorities

- 2.3.1. As detailed in 2.1.4 Thurrock is part of a national research project on the role of the LA in relation to schools. As part of this research it is clear that different models are emerging according to local circumstances. Approaches can be characterised by the dominant driver. In all authorities taking part there is a clear commitment to respond to the vision for a more autonomous and self-improving school system. In Thurrock we should be clear and unequivocal about this, whilst being focussed on the unique role the LA can play in driving and brokering improvement across the system through intelligent, strategic system leadership.
- 2.3.2 At one end of the spectrum of responses, some local authorities' approaches can be characterised by **tighter focus and retrenchment**. The main driver here is an **emphasis on delivering statutory responsibilities**, and having a narrower focus on **ensuring good outcomes for vulnerable pupils** rather than all pupils.
- 2.3.3 Other local authorities, particularly those with a strong history of trading or providing highly regarded services with schools, are quickly moving to a broader traded service, particularly around school improvement services. These market-based approaches are also characterised by the local authority as **expert commissioner**. There are clear benefits here in terms of income generation and improved clarity around desired outcomes.
- 2.3.4 The third broad approach is characterised by the local authority taking a lead in being a **convenor of partnerships**. This has particular applicability in the 14-19 arena and adult skills as well as using the considerable opportunities of the new Health and Well Being board to influence and set the agenda with health partners.
- 2.3.5 A **principle based approach**, where the council sets out a clear vision for improvement and acts more strongly as a strategic leader is in contrast to councils which prefer a retrenched position concentrating on its statutory responsibilities and letting the market only determine the quality of educational provision. This retrenched position is perhaps most attractive to

councils where the quality of educational provision is less secure, whereas where there are strong improvements to make the council would want to be at the heart of driving pace and improvement.

- 2.3.6 Finally, an approach based on **strategic system leadership** is possible. This combines the best elements of all the above approaches and would give the best result in Thurrock. This is outlined below.
- 2.3.7 In this approach, there would be a renewed drive to **deliver excellence in our statutory responsibilities**. The administration of school admissions would be a focus for transformation, for example, where local residents and schools would see a significant difference in responsiveness and customer service based on improved communication systems.
- 2.3.8 There would be significant improvements by using an **expert commissioner** approach which would lend itself to improved pupil place planning based on validated housing and birth data, published in a report annually and subject to consultation. This would also lead to a consideration of the future of the PRU, a service which has now been taken out of special measures and can now be considered for external commissioning from an alternative provider.
- 2.3.9 **Convening effective partnerships** is a cost effective way of raising aspiration and reaching clarity across a wide range of partners to create a shared vision. The considerable changes required to implement the “Raising of the Participation Age” legislated in the Education and Skills Act can be effectively debated and planned for through such partnerships. They help to identify obstacles which get in the way of full participation, help to encourage planned collaboration in an increasingly market based post 16 arena and to troubleshoot emerging issues.
- 2.3.10 **Principle based leadership** involves a clearly expressed vision and moral purpose around education and attainment driven by the local authority. It has strengthened over the last few years in Thurrock and will help to set out an aspirational no-excuses culture where our learners are expected to be able to achieve well and are entitled to high quality provision. But it is not sufficient without the other approaches outlined above to make it happen.
- 2.3.11 It is important in a **systems based leadership approach** for the focus on education and attainment to be clearly visible, for there to be a clear leadership and management mandate, and for it to be high profile. The cross cutting elements in the current organisation are key. There continues to be a need for exceptionally strong links and interconnectedness with the regeneration agenda and its place shaping focus in Thurrock. The strong relationship with adults and children’s social care services is also key to ensuring educational attainment is a golden thread which underpins all our services.

No	Key approach	Characteristics	Benefits	Risks
1.	<b>Tighter focus and retrenchment</b>	Emphasis on delivering statutory responsibilities  Tighter focus on ensuring good outcomes for vulnerable pupils rather than all pupils	Could lead to improved performance on statutory responsibilities owing to singularity of focus	Unambitious and misses out opportunities for regeneration and driving up attainment
2.	<b>Market based approaches</b>	Becoming an expert commissioner  Entering the market as a competitive provider of services	Increased clarity about needs analysis, resources available and value for money in letting contracts  Potential for improved income generation	Limited in terms of system leadership to build strong partnerships for whole system improvement  Limited scope for maximising opportunities arising from regeneration
3.	<b>Convenor of partnerships</b>	Creating the forums and conditions for collaborative decision making  Facilitating and brokering partnerships	Brings together key players to drive up outcomes with shared accountability and strong peer support  Strengthens relationships to create sustainable change  Maximises the use of each party's resources	May be conceived of as overly meeting based or bureaucratic  Possibility of a "plethora of partnerships"
4.	<b>Principle based leadership</b>	Creating a unifying local vision  Becoming local advocates and champions for pupils and parents	Clarity of vision gives a picture of the future around which partners can coalesce	Credibility depends on what the council can do to add value – creating a vision and being a champion is not enough
5.	<b>Strategic System leadership</b>	Place shaping  Orchestrating the maximum benefit from local opportunities and using the best of the above approaches	As above 1-4 and makes the best use of tools and levers available and maximises the cross cutting opportunities for regeneration, raised aspiration and place shaping	Politicians may prefer a narrower focus

**Table 1. Summary table of the key approaches to a redefined role for the LA in education**

## **2.4 The way forward in Thurrock**

- 2.4.1 In ten years time if we don't practise system leadership Thurrock could be a place where statutory services such as admissions did not develop beyond a satisfactory performance. The opportunities provided by the transformation in channel shift were missed and residents still find it difficult to navigate the admissions process. School places are in crisis because there has been inadequate attention paid to strategic planning and commissioning, based on a lack of data from health and inadequate cross council working. School improvement services have been consigned to history and schools buy in services based on local hearsay and familiarity, rather than the quality assured lists that more forward thinking LAs adopted. There are a small number of schools which are slowly but painfully losing pupils as free schools and the successful academies are expanding apace. Pupils in these schools get a poor deal from the system.
- 2.4.2 This will not happen, however, as Thurrock will be a place where the rise in educational attainment is known nationally. In ten years time, it will be acknowledged that Thurrock was quick to work out its strategic remit going forward and with cross party support, moved to put in place a structure where excellent delivery of its statutory responsibilities gave it additional credibility, where its strategic and unrelenting focus on raising aspiration in education was underpinned by the best of market based approaches and expert commissioning. The LA developed a strong voice as an advocate for parents and for vulnerable children and families and convened strong partnership working to follow this through into positive outcomes.
- 2.4.3 Thurrock is increasingly well positioned to deliver this approach. The current school improvement team is lean with a flexible resource, which can flex to future requirements. Performance improvement is key in the statutory services but consultation will be strengthened to reshape the services so they are much more responsive to users. There will be a sharper commercial focus in trading services such as the Education Welfare Service, which is now well thought of and in a stronger commercial position. There is a strong configuration of services which provide added value in terms of learning, including the Adult Community College and Libraries which will continue to enhance family learning and adult skills.
- 2.4.4 The Council's position with regard to Academies is strong and as an early adopter of academies can clearly see how the council can navigate a strategic position to support rather than resist sector led improvement.

## **3. ISSUES AND/OR OPTIONS:**

- 3.1 This paper sets out an approach which it recommends is adopted to form clarity around the local approach to the authority's role in education. If agreed, an action plan based on this approach would be set out as a next step.



**4. CONSULTATION (including Overview and Scrutiny, if applicable)**

4.1 This paper has been discussed initially with the Chief Executive and Director of People Services, and taken to Director’s Board where it was well received. It has also been presented for discussion to Senior Officers, the Leader of the Council and the Portfolio Holder for Education at the strategy week event held in June.

**5. IMPACT ON CORPORATE POLICIES, PRIORITIES, PERFORMANCE AND COMMUNITY IMPACT**

5.1 This paper sets out a vision for how the council will maximise its influence to drive up educational attainment, with the potential to impact positively on almost every other priority in the community strategy.

**6. IMPLICATIONS**

**6.1 Financial**

There are no additional financial costs associated with the approach recommended. The opportunity for income generation and deriving best value from intelligent commissioning are potentially cost saving. The DfE is currently undergoing a consultation on the future of school funding which will be reflected in future iterations of the paper.

Implications verified by: **Sean Clark**  
 Telephone and email: **01375 652010**  
**sclark@thurrock.gov.uk**

**6.2 Legal**

This paper is a think piece written in response to the Education Act 2011 and the Academies Act 2010. It proposes the local authority’s educational role in response goes beyond the legal requirements and develops even further a strategic leadership role. Subject only to the appropriate consultations being enjoined there are no legal implications arising from this report.

Implications verified by: **Lee Bartlett**  
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**6.3 Diversity and Equality**

At the heart of the proposed approach is the need to drive up and champion the educational outcomes of our most vulnerable children, including those

who are underachieving and with protected characteristics under equalities legislation. This approach will ensure appropriate services are commissioned to close gaps in attainment and address inequalities.

Implications verified by: **Samson DeAlyn**  
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6.4 **Other implications (where significant) – i.e. Section 17, Risk Assessment, Health Impact Assessment, Sustainability, IT, Environmental**

**7. CONCLUSION**

7.1 This paper recommends an approach in Thurrock which uses strategic system leadership to drive up even further overall performance in Thurrock's educational outcomes.

**BACKGROUND PAPERS USED IN PREPARING THIS REPORT:**

- The Future of Local Government's Role in the School System, LGIU/CSN, pub Sep 2011 .
- Action research into the evolving role of the local authority, ISOS partnership, pub Feb 2012
- LGIU/CSN Essential Briefing on the Education Act 2011
- Local Government Association: Top Tip Five: How do you know your council is taking a strategic lead in education? March 2012

**APPENDICES TO THIS REPORT:**

None.

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