

16 June 2022		ITEM: 8
Children's Services Overview and Scrutiny Committee		
Education National Drivers: Schools White Paper, SEND & AP Green Paper, Levelling Up, Skills Act, Schools Admission and Attendance Guidance		
Wards and communities affected: All	Key Decision: Non-Key	
Report of: Andrea Winstone, Strategic Lead School Effectiveness & SEND		
Accountable Assistant Director: Michele Lucas, Assistant Director Education & Skills		
Accountable Director: Sheila Murphy, Corporate Director for Children's Services		
This report is Public		

Executive Summary

This report provides an overview to Children's Overview and Scrutiny of the key significant papers that are part of the Government's Levelling Up Agenda. The report will outline the key policy documents and give an overview of what that means for Thurrock children and young people.

The key national drivers are in the form of an Educational White Paper, Special Education Needs and Alternative Provision Green Paper, recent Acts of Parliament, Policy Paper or guidance. These are outlined below:

- Schools White Paper: Opportunity for all: Strong schools with great teachers for your child (28/03/2022)
- Special Educational Needs and Disabilities (SEND) and Alternative Provision (AP) Green Paper: Right support, right place, right time. (29/03/2022)
- The Skills and Post 16 Education Act (28/04/2022)
- Working together to improve school attendance guidance (06/05/2022)

1. Recommendations

1.1 That the Overview & Scrutiny Committee recognises the amount of change and amendments to education over the next few years.

1.2 Overview & Scrutiny to provide challenge around how the proposed and new changes to the educational landscape support Thurrock children and young people.

2. Introduction and Background

2.1 As part of the Government's Levelling Up Agenda there have been a significant number of announcements made in recent months. This paper is for information on the different aspects of these announcements.

Schools White Paper: Opportunity for all: Strong schools with great teachers for your child (issued 28/03/2022)

2.2 Schools will identify children who need help, provide targeted support via a range of proven methods such as small group tuition, and keep parents informed about their child's progress.

2.3 The Parent Pledge will support the government's Levelling Up mission for education, previously set out in the Levelling Up White Paper, for 90% of primary school children to achieve the expected standard in Key Stage 2 reading, writing and maths by 2030.

2.4 A second ambition for secondary schools aims to see the national average GCSE grade in both English language and maths increase from 4.5 in 2019 to 5 by 2030.

2.5 The Schools White Paper sets out a series of new measures to support the delivery of these ambitions, including:

- Schools will offer a minimum school week of 32.5 hours by September 2023
- Ofsted will inspect every school by 2025, including the backlog of 'outstanding' schools that haven't been inspected for many years
- By 2030 all children will benefit from being taught in a school in, or in the process of joining, a strong multi-academy trust, which will help transform underperforming schools and deliver the best possible outcomes for children.
- At least £100m to put the Education Endowment Foundation on a long-term footing so they can continue to evaluate and spread best practice in education across the country

2.6 Other plans in the White Paper to deliver on the children's attainment at the end of primary and secondary include:

- 500,000 teacher training and development opportunities by 2024
- £30,000 starting salaries to attract and retain the best teachers
- Payments to recruit and keep talented physics, chemistry, computing and maths teachers working in disadvantaged schools
- A register for children not in school to make sure no child is lost from the system
- Every school to have access to funded training for a senior mental health lead to deliver a whole school approach to health and wellbeing

- Oak National Academy becoming a government body with sole focus on supporting teachers to deliver the very best lesson content
- Up to 6 million tutoring courses by 2024 and action to cement tuition as a permanent feature of the school system
- The school system working as a whole to raise standards with trusts responsible for running schools while local authorities are empowered to champion the interests of children and to be given legal powers to establish trusts and to request their non-academy schools join a trust, where that is the right approach for local schools.

3. SEND and Alternative Provision Green Paper: Right support, right place, right time. (Issued 29/03/2022)

3.1 On March 29th 2022 the government launched their much anticipated SEND and Alternative Provision Review Green paper.

3.2 This outlines the changes they are proposing to improve the lives of children and young people with special educational needs and disabilities.

3.3 The review focuses on SEND alongside alternative provision and outlines some suggested key changes. These include:

- A desire to increase early intervention for children with SEND and introduce a single system combining SEND and alternative education provision.
- The creation of new national standards across education, health and care to build for a higher performing SEND system.
- A national framework for councils for banding and tariffs of high needs support to offer clarity on the level of support expected and try to put the system on a financially sustainable footing in the future.
- A legal duty on councils to introduce “local inclusion plans” across early years, schools and post-16 education with health and care services in a bid to provide greater clarity over which agency has responsibility for services.
- The creation of a “local inclusion dashboard” which will set out the role and responsibilities of partners offering provision for children and young people with SEND aged 0 to 25.
- An updated Local Area SEND Inspection Framework from Ofsted and the Care Quality Commission will be used to hold local authorities to account over failures to create inclusion plans.
- Education, Health and Care plans (EHCP) to be moved online, to make them more flexible, reducing bureaucracy and supporting parents to make informed choices via a list of appropriate placements tailored to their child’s needs, meaning less time spent researching the right school.
- Plans to “streamline” the redress process which will mean tribunals will only be used for the most challenging cases.
- The green paper also puts forward a raft of proposals to improve mainstream provision for pupils with SEND based on plans highlighted

in the recent schools white paper including a duty on all schools to part of a multi-academy trust by 2030 and plans to increase total investment in core schools budgets by £7bn by 2024/25. (CYP Now, 2022)

3.4 This is a 16 week consultation and anyone can make comments on these proposed changes up until the 22nd July 2022, 11:45pm. Thurrock has utilised its engagement and participation group to gain feedback and prepare a response to the Green Paper – this will be approved by the SEND Development Board which is chaired by the Director of Children’s Services.

4. The Skills and Post 16 Education Act (28/04/2022)

4.1 The government’s key strategic priorities around Post 16 Education

- To legislate for reforms that the government say will transform post-16 education and training, boost skills and get more people into work as set out in the government’s Skills for Jobs white paper.
- To deliver on the ambition to bring closer together the further and higher education systems.
- To support the Prime Minister’s Lifetime Skills Guarantee, as part of the blueprint for a post-16 education system that will ensure everyone, no matter where they live or their background, can gain the skills they need to progress in work at any stage of their lives.
- To increase productivity, support growth industries and give individuals opportunities to progress in their careers.
- To put beyond doubt the Office for Students’ ability to regulate in relation to minimum requirements for quality.

4.2 What does the Government say the main benefits of the Bill are?

- Offering adults across the country the opportunity to retrain throughout their lives through the Lifetime Skills Guarantee, helping them to gain in-demand skills and open up further job opportunities.
- Realigning the system around the needs of employers so that people are trained for the skills gaps that exist now and, in the future, in sectors the economy needs, including construction, digital, clean energy and manufacturing.
- Improving the quality of training available by making sure that providers are better run, qualifications are better regulated, and that providers’ performance can be effectively assessed.

4.3 What does the Government say the main elements of the Bill are?

- To put employers at the heart of the post-16 skills system through local skills
- improvement plans, by enabling employers and providers to collaborate to develop skills plans aimed at ensuring local skills provision meets local needs.

- To introduce the powers needed for the Lifelong Loan Entitlement, which will give individuals access to the equivalent of up to four years' worth of student loans for level 4–6 qualifications that they can use flexibly across their lifetime, at colleges as well as universities.
- To strengthen the system of accountability by extending existing powers for the Secretary of State to intervene where colleges have failed to meet local needs, to direct structural change where required to secure improvement, and by amending the regulation of post-16 education and training providers to ensure quality.
- To put beyond doubt the ability of the Office for Students to determine minimum requirements for quality by reference to absolute performance levels for student outcomes, and to use these when it makes decisions on registration and compliance.

5. Working together to improve school attendance guidance (06/05/2022)

5.1 This is guidance from the Department for Education (DfE). This guidance is non-statutory, and has been produced to help schools, trusts, governing bodies, and local authorities maintain high levels of school attendance. Following public consultation earlier this year, and subject to Parliament, the Secretary of State has committed to this guidance becoming statutory when parliamentary time allows (this will be no sooner than September 2023).

5.2 All local authorities are expected to:

- Rigorously track local attendance data to devise a strategic approach to attendance that prioritises the pupils, pupil cohorts and schools on which to provide support and focus its efforts on to unblock area wide barriers to attendance.
- Have a School Attendance Support Team which provides the following core functions free of charge to all schools (regardless of type):
- Communication and advice: regularly bring schools together to communicate messages, provide advice and share best practice between schools and trusts within the area.
- Targeting Support Meetings: hold termly conversations with schools, using their attendance data to identify pupils and cohorts at risk of poor attendance and agree targeted actions and access to services for those pupils.
- Multi-disciplinary support for families: provide access to early help support workers to work intensively with families to provide practical whole-family support where needed to tackle the causes of absenteeism and unblock the barriers to attendance.
- Legal intervention: take forward attendance legal intervention (using the full range of parental responsibility measures) where voluntary support has not been successful or engaged with.
- Monitor and improve the attendance of children with a social worker through their Virtual School.

- 5.3 Many local authorities will need time to transition to meet these expectations, including those that need to revise or bring to an end to models of trading or service level agreements. Therefore, whilst local authorities should meet these expectations as far as possible for academic year 2022-2023, the School Attendance Support Team should be available to all schools free of charge (and free from any service level agreement) by no later than September 2023.

6. Issues, Options and Analysis of Options

- 6.1 The landscape in which education is delivered is being reviewed and as a result we will be working closely with all our schools to ensure they are ready for the proposed changes. The Green paper includes many things as a local authority we have been working on as we reform our SEND service which resulted in our most recent Ofsted inspection removing all our previous serious weaknesses.

7. Reasons for Recommendation

- 7.1 To ensure that Children's O&S is keep informed of the changes to the educational landscape both within Thurrock and across the country.

8. Consultation (including Overview and Scrutiny, if applicable)

- 8.1 There is a [public consultation](#) on the SEND & AP Green Paper which has been extended to 11:45 on 22 July.

9. Impact on Corporate Policies, Priorities, Performance and Community Impact

- 9.1 There is likely to be an impact on Council SEND Policies and performance as and when the SEND Green paper is developed into legislation and guidance.
- 9.2 The Working together to improve school attendance will also have an impact on Council policy and processes. The Education Welfare Service will be looking closely at how they can meet the additional responsibilities placed upon the service once this becomes legislation. It is likely further resources will be required to meet statutory responsibilities.

10. Implications

10.1 Financial

Implications verified by: **David May**
Strategic Lead Finance - Schools & DSG

The Local Authority receives no school improvement funding due to the Academisation programme. However, we do still have a number of statutory

duties and funding for this work is provided within the Dedicated Schools Grant which is overseen and agreed by Thurrock's Schools' Forum. The extended responsibilities of the Virtual School Headteacher has been funded by section 31 grant. It is likely that the Council will require further grant funding to be able to fulfil the extended responsibilities around improving school attendance.

10.2 Legal

Implications verified by: **Allison Thiele-Callan and Daniel Longe for and on behalf of Legal Department (LLBD)**

Schools White Paper: Opportunity for all: Strong schools with great teachers for your child

The White Paper reflects proposed governmental changes and there are no confirmed legislative changes at present. Should legislation be implemented as per proposals, then the potential legal implications could include:

- Local authorities being able to establish new multi academy trusts.
- Powers to direct all schools, including academies, to admit pupils that are out of school.
- Establish appropriate arrangements so that parents can fulfil duty to register home-educated children with the LA.

Special Educational Needs and Disabilities (SEND) and Alternative Provision (AP) Green Paper: Right support, right place, right time

The Green Paper reflects proposed governmental changes and there are no statutory amendments or new legislation at this time. Should legislation be implemented as per proposals, then key potential legal implications could include:

- A duty to meet any new national standards across education, health and care.
- A duty to implement nationally agreed banding and tariffs of high needs funding.
- A legal duty to introduce "local inclusion plans" across early years, schools and post-16 education with health and care services in a bid to provide greater clarity over which agency has responsibility for services.

The Skills and Post 16 Education Act

- The Act focuses on requirements on relevant institutions and whilst the Act impacts on the local community, there are limited direct legal requirements on the Local Authority.
- There may be limits placed on funding authority to pay certain providers, if applicable conditions apply, to which the LA should be aware.

Working together to improve school attendance guidance

Whilst this guidance is non-statutory, it would be deemed that a Local Authority should have appropriate consideration of the recommendations. Should the guidance become statutory, as has been indicated as a possibility, then the specific legal implications of any implemented legislation would need to be considered.

The guidance provides that as a minimum all local authorities are expected to:

- Rigorously track local attendance data to devise a strategic approach to attendance that prioritises the pupils, pupil cohorts and schools on which to provide support and focus its efforts on to unblock area wide barriers to attendance.
- Have a School Attendance Support Team which provides the following core functions free of charge to all schools (regardless of type):
- Communication and advice: regularly bring schools together to communicate messages, provide advice and share best practice between schools and trusts within the area.
- Targeting Support Meetings: hold termly conversations with schools, using their attendance data to identify pupils and cohorts at risk of poor attendance and agree targeted actions and access to services for those pupils.
- Multi-disciplinary support for families: provide access to early help support workers to work intensively with families to provide practical whole-family support where needed to tackle the causes of absenteeism and unblock the barriers to attendance.
- Legal intervention: take forward attendance legal intervention (using the full range of parental responsibility measures) where voluntary support has not been successful or engaged with.
- Monitor and improve the attendance of children with a social worker through their Virtual School.

10.3 Diversity and Equality

Implications verified by:

Roxanne Scanlon

**Community Engagement and Project
Monitoring Officer**

Ensuring children and young people have a good place to learn is at the heart of the Local Authority's commitment to our children and young people. We work hard to ensure that we are providing the best life chances relating to education and the strong partnership arrangements have further imbedded this strong ethos across our local communities.

10.4 Other implications (where significant) – i.e. Staff, Health Inequalities, Sustainability, Crime and Disorder, or Impact on Looked After Children

None

11. Appendices to this report:

None

Report Author:

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