

SOLACE Call *to* Action

Filling the Gap: The Championing Role of English Councils in Education

SOLACE Gold Partners



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FOREWORD

"I like a teacher who gives you something to take home to think about besides homework"

(Lily Tomlin)

"Education is a method whereby one acquires a higher grade of prejudices"

(Laurence J Peter)

Dear Colleague,

I used to be a teacher. Some would say that I still think I am (just don't start me on the many and varied crimes arising from the misuse of the apostrophe). What I am certain about, however, is that the process of education is hugely significant. It can – and frequently does – change lives.

But the impact is not universally for the better; nor, when it is beneficial, is the effect always enduring. And for these reasons alone, education finds itself amongst the most important and contested areas of public policy – a fact that is evident in the vigorous, sometimes acrimonious, occasionally uplifting debate surrounding the Coalition Government's approach to learning and teaching, and school autonomy and governance.

This document enters SOLACE formally into the debate, and it is a call to action (as opposed to arms) issued to Chief Executives and Senior Managers to ensure that, collectively, we: i) continue to demonstrate our commitment to keeping Councils central to the pursuit of educational excellence to secure the best outcomes for our communities; and ii) visibly lead and actively shape the policy and implementation landscapes of the coming months and years.

This call to action is guided by a set of key principles.

Councils commit to:

- Fulfil their distinctive responsibility to lead locally, using their democratic mandate proactively and responsibly to secure the wellbeing of local communities;
- Ensure that the needs of children, young people and their parents and carers come before institutional interests;
- Promote, support and respect the autonomy of schools (of all types) just as they expect Government to respect the autonomy of Councils;
- De-bunk the myth of control; Councils haven't controlled schools for twenty-five years or more – and don't seek to now;
- Be leaders, convenors, facilitators and enablers of local relationships, local partnerships and local solutions;

- Be fair, strong and credible supporters and challengers of improvement and effectiveness in schools; and
- Uphold the United Nations Convention on the Rights of the Child, using their championing responsibilities to create the conditions required for all children and young people to succeed in realising their potential and fulfilling their dreams¹.

It is also important to state what this document is not. It is not a blow-by-blow guide to operationalising education's legislative, regulatory and guidance framework. The reader won't discover (at least not intentionally!) the answers, for example, to pupil growth and school place planning, managing in-year admissions or tackling unofficial (or even illegal) exclusions. I have tried to avoid writing a Manager's Handbook and seek, instead, to stimulate, inspire, support and challenge local government's leadership so that Councils are positioned strongly and credibly as education champions – now and for the future.

So, I ask you to read on; whether it turns out to be with enjoyment, incredulity or any other emotion (singular or plural), please join in the debate. And then do something.

As Bill Shankly once said of football:

"Some people believe football is a matter of life and death. I am very disappointed with that attitude. I can assure you it is much, much more important than that".

I am of the same view when it comes to education.

Mark Rogers,

A handwritten signature in black ink that reads "SA Mark Rogers". The signature is written in a cursive style and is underlined with a single horizontal line.

Chief Executive of Solihull Council

Chair of the SOLACE Children's and Education Policy Network



*Mark Rogers
Chief Executive*

¹ The United Nations Convention on the Rights of the Child (UNCRC) is an international human rights treaty that grants all children (aged 17 and under) a comprehensive set of rights. The UK signed the Convention on 19 April 1990, ratified it on 19 December 1991 and it came into force on 15 January 1992.

EXECUTIVE SUMMARY

The Coalition Government, like many before it, is determined to make its mark on the education system and has embarked on an ambitious reform agenda to create an increasingly autonomous schools system. Some have interpreted this policy direction as having the underlying intention of diminishing Councils' interest and involvement in education. Such a view, however, contradicts the position set out in the Education White Paper, *The Importance of Teaching* (2010), which states unequivocally that Councils have an indispensable role to play as champions of vulnerable children and young people, parents and families, and educational excellence.

SOLACE concurs that Councils have an invaluable and direct contribution to make to the success of our children, young people, schools and education more broadly. Local government should be leading the debate around Councils' future role in education and be at the forefront of defining and shaping what "championing" means in practice.

In the first instance we recognise that championing is fundamentally about local leadership. It is about Councils exercising their unique, democratically mandated, leadership role to create, in partnership with schools and the communities they serve, a compelling narrative that describes a shared commitment to high aspiration and achievement, equality of opportunity and access to education, and an expectation of lifelong learning.

With this authority to lead affirmed, Councils should be focused on understanding their championing roles and putting them into practice.

With respect to the vulnerable, championing means enabling the voice of the child and young person to be heard, and complementing this with Councils' own local brand of vigorous and proactive advocacy, speaking up for those who would otherwise not be heard.

With respect to parents and families, championing means empowering them to support and challenge their school to improve continuously.

With respect to educational excellence, championing means creating the environment for others to succeed.

SOLACE believes that an essential prerequisite to these three championing roles is a fourth role for Councils as the champion of relationships. This means nurturing strong, positive, trusting engagement between the Council, its communities and representatives of all schools, to secure success for all children and young people in the local area.

SOLACE calls on local government's leadership to demonstrate audibly and visibly its commitment to these four championing roles. We recognise that it will be largely up to individual Councils, with their schools, families and communities, to determine how to work out this call to action and the steps to take to deliver the best outcomes within their particular context.

Nevertheless, we have identified and propose some ideas and opportunities for Councils to fulfil these overarching championing roles. These are summarised below. We expect Councils to appraise critically, discount, modify, and add to the propositions put forward, promoting and pursuing the key elements that make most sense in their local area.

There are, however, some key areas where we recommend that joint local and national action will strengthen Councils’ championing roles. We therefore call on Her Majesty’s Government to:

- Support the introduction of voluntary aligned or integrated local cooperation and intervention protocols, giving encouragement to all schools (including Academies and Free Schools) to participate in developing and cooperating with local arrangements;
- Work with SOLACE, Academy Sponsors and relevant others to progress an overarching national protocol for monitoring and intervening in underperforming or failing schools, including Free Schools and Academies;
- Work with SOLACE to explore the feasibility of establishing a system for organising and developing Governing Body Clerks as competent and recognised professional advisors.

SUMMARY OF PROPOSITIONS

CHAMPIONING THE VULNERABLE

By enabling the voice of the child and young person to be heard, and complementing this with Councils’ own local brand of vigorous and proactive advocacy, speaking up for those who would otherwise not be heard.

ACHIEVING THIS THROUGH...

Developing a Memorandum of Understanding between Councils, Local Safeguarding Children Boards and all schools on expectations in relation to safeguarding arrangements.

Agreeing an annual audit plan for testing key aspects of the effectiveness of local safeguarding systems as it pertains to schools.

Gaining clarity about local engagement and accountability arrangements between the Health and Wellbeing Board, Children’s Trust, the Local Safeguarding Children Board and schools.

Ensuring that Health and Wellbeing Boards give equal attention to children and young people as to adults through including a dedicated section on children and young people in their Health and Wellbeing Strategies.

Managing the market to protect the most vulnerable and disadvantaged.

CHAMPIONING PARENTS AND FAMILIES
By empowering them to support and challenge their school to improve continuously.

ACHIEVING THIS THROUGH ::

Advocating and convening a local EducationWatch network and working with schools and parents to co-create an approach to a local parental engagement plan.

Removing barriers and proactively supporting parents to pursue the education provision that they choose for their child.

Continuing to oversee, coordinate and influence fair local admissions arrangements and policies by becoming genuine, helpful and trusted partners.

Providing advice and guidance to parents and carers on childcare and local early-years services.

Showcasing and signposting life-long learning opportunities.

Brokering relationships between employers and education and training providers to ensure that workforce supply meets the local labour market demand, stimulating provision where this is not the case.

Implementing strategies for tackling worklessness and ensuring that young people are participating in, and remain participating in, education, employment or training.

CHAMPIONING EDUCATIONAL EXCELLENCE
By creating the environment for others to succeed.

ACHIEVING THIS THROUGH ::

Co-creating a high-level dashboard of core benchmarking performance information about and for all schools.

Supporting schools to “know themselves” through acting as a critical friend.

Considering how best to secure a single point of reference, or hub, for all improvement information and support.

Seizing opportunities to broker school improvement and influence excellence through quality assurance and control.

Scrutinising schools through informal relationships and a formal education scrutiny programme and creating a broad base, mixed economy of scrutinisers within the intermediate tier.

Developing and agreeing, in partnership with schools, a local intervention protocol.

Promoting the role of the Governing Body Clerk as a significant contribution to good governance.

INTRODUCTION

DEBUNKING THE MYTH OF CONTROL

Since their creation following the 1902 Education Act, Local Education Authorities (LEAs), incorporated into Children's Services Authorities by the 2004 Children Act, have played a central role in the provision of universal education. This role has not remained static, instead evolving continuously in response to the reforms of successive governments which, particularly since the late 1980s, have diminished Councils' direct involvement in education in favour of self-determination by autonomous successful schools.

For the forty years following World War Two, central government's role in education remained limited and most aspects of education were locally determined. The Thatcher Government's Education Act (1988) changed this significantly, introducing the National Curriculum and laying the foundation for delegated budgets and other significant reforms. In light of these changes the Audit Commission, in its report '*Losing an empire, finding a role*' (1989), argued that 'the LEA still had significant influence if it exercised this in partnership with government, schools, parents and communities'².

History tells us that LEAs did continue to have an important role in education. New Labour's White Paper '*Excellence in Education*' (1997) placed the LEA at the heart of school improvement stating, 'The LEAs' task is to challenge schools to raise standards continuously and to apply pressure when they do not'³.

A year later, in 1998, the Audit Commission published a second report, '*Changing Partners*', which highlighted LEAs' strategic role through: articulating a vision for high quality education, acting as a vehicle for improvement, ensuring equity and balancing trade-offs between stakeholders⁴.

Even with the introduction of Academies in Labour's second term, depicted as 'a bespoke solution for failing inner city schools'⁵, local authorities continued to exert a significant role as partners and enablers of educational success.

This brief historical overview serves to illustrate that Councils have not directly controlled schools for some time and yet, for over 100 years, despite significant reforms and shifts in policy direction, Councils have continued to exert a strategic leadership role in championing education.

The premise of this paper is that, despite the current Government's ambitious programme of reform, it remains true that Councils continue to have an invaluable, essential and direct contribution to make to the success of our schools and education more broadly.

² Woods, D. & Cribb, M. (2001) p.1

³ Ibid., p.2

⁴ Ibid., p.3

⁵ Deloitte (2011) p.1

THE CURRENT CONTEXT

"Education reform is the great progressive cause of our times"

(The Importance of Teaching, 2010)

This Government, like those before it, is determined to make its mark on the education system and has embarked on an ambitious programme of reform.

In contrast to New Labour, which placed Councils at the heart of school improvement, the Coalition Government has significantly reduced the school improvement resources available to Councils and has emphasised the responsibility of schools for their own improvement.

Within the Education White Paper, *The Importance of Teaching* (2010), the Prime Minister and Deputy Prime Minister highlighted three conditions that need to be present if the English School System is to be competitive:

- The need for the best teachers who are held in the highest esteem;
- The need for maximum devolution of power to the frontline and reduced bureaucracy, accompanied by high levels of accountability;
- The need for high expectations for all children whatever their background.

Of these characteristics, the Secretary of State highlights the importance of teaching as paramount:

'At the heart of our plan is a vision of the teacher as our society's most valuable asset. We know that nothing matters more in improving education than giving every child access to the best possible teaching'⁶.

The Government's emphasis on what goes on within schools is part of a broader reform agenda to create self-determining, autonomous systems which, in the case of schools, leads to self-organisation into 'independent' chains or networks that are no longer accountable to local authorities but directly to their local communities and, of course, to Whitehall.

Some have interpreted this changing policy direction as having the underlying intention of diminishing Councils' interests and involvement in education. This interpretation, however, contradicts the position adopted in the White Paper which states:

'In a more autonomous school system, local authorities have an indispensable role to play as champions of children and parents, ensuring that the school system works for every family and using their democratic mandate to challenge every school to do the best for their population'⁷.

⁶ Department for Education (2010) p.7

⁷ Ibid., p.63

To this end, the White Paper states that local authorities will have a strong strategic role as:

- Champions of vulnerable pupils;
- Champions of parents and families; and
- Champions of educational excellence.

We believe that an essential prerequisite to these three championing roles is a fourth role for Councils as champions of relationships.

This paper looks at each of these roles in turn and explores what 'championing' means in practice. In this way, we seek to contribute to the process of clarification of how policy intention might translate into meaningful implementation. We proceed on the premise that local government will not retreat from redundant responsibilities but re-focus and re-group around new opportunities - leading, influencing and shaping the next phase in pursuit of excellence.

This is not an attempt to set out a one-size-fits-all model for universal adoption; there can be no single, uniform model for how all Councils should exercise their championing roles in the future. Rather, Councils, as leaders of the local system, must work closely with schools and other key partners to wrestle with the details and develop solutions tailored to the requirements of their particular contexts.

CHAPTER ONE

CHAMPION OF RELATIONSHIPS

“There will always be (the need for) a long-term strategic relationship between schools and Councils that transcends autonomy – take the interdependence of community cohesion, skills, employment and economic growth. So, while the nature, balance and focus of the Council-school relationship are shifting, all parties should still be resisting the temptation to throw the baby of the relationship out with the bath water of increased autonomy”.

(Mark Rogers, the Local Government Chronicle, 13 October 2011)

Although silent on the matter, it is SOLACE’s firm and clear position that in addition, and an essential prerequisite, to the three championing roles set out in the Education White Paper, there is a fourth role for Councils as the champion of relationships.

Councils, with their authorising democratic mandate, own the community leadership role locally with a well-established responsibility for securing effective working relationships and partnerships for the wellbeing of the electorate and citizens of all ages.

However, if Councils are to be credible relationship champions they will need to strengthen their reputation locally as a genuine, helpful and trusted partner. They will need to extend and nurture on-going, strong, positive relationships with all schools in order that partners work harmoniously to ensure that children and young people are incentivised, enabled and supported to achieve their potential.

Councils will need to form both principled and pragmatic working relationships to ensure that schools are receiving support that meets their needs and the challenge that breeds excellence. They may seek to broker relationships across the school community to aid the formation of networks and clusters to strengthen peer-to-peer improvement activity, as well boost purchasing power and achieve economies of scale in a marketised support service economy.

Councils are also best placed to champion the most vulnerable within their communities precisely because they are *already* the champion of relationships. Councils sit at the centre of a complex web of partnerships and services, and have a system-wide oversight and understanding which enables them to execute effectively their responsibilities for the wellbeing of residents, particularly the vulnerable; for example, those children and young people with the highest and most complex levels of need.

Strong, well-functioning relationships are also central to Councils’ role as a champion of parents and families. In proactively helping all parents to access a high performing school of their preference, exercise their right to set up a new school, or to aid an existing school to convert (and find an appropriate sponsor, where required), Councils have a role to broker relationships between businesses, the voluntary and community sector, and schools to assess the optimal course of action.

Similarly, success in overseeing and coordinating admissions, or ensuring fairness in exclusions, will also rely heavily on Councils' reputation as trusted partners and experienced negotiators to help with sometimes very difficult, even confrontational, situations.

And finally, Councils – individually and within the context of Local Enterprise Partnerships - will be working with businesses to ensure that education and training matches the demand for skills and 'work readiness' in the local economy.

SOLACE therefore calls on local government to champion relationships by nurturing strong, positive, trusting engagement between the Council, its communities and representatives of all schools, to secure success for all children and young people in the local area.

CHAPTER TWO

CHAMPION OF THE VULNERABLE

"The local authority role as a convenor of local services also means that they are best placed to act as the champion for vulnerable pupils in their area".

(The Importance of Teaching, 2010)

ENABLING AND ADVOCATING WELLBEING

The Children Act 2004, which formally launched the Every Child Matters (ECM) programme, was a seminal piece of legislation because of its impact in uniting the children's workforce across a wide range of partnerships and agencies in a shared quest to tackle inequality and ensure the safety and wellbeing of all children and young people.

Despite being stood down nationally by the new Government in 2010, the principles and drivers that underpinned ECM have remained alive and embedded in local government's psyche and still inform responses to newer initiatives, such as "Troubled Families". Indeed, SOLACE suggests that local government's concern for the most vulnerable in society remains as strong as ever and it recognises the imperative of advancing the opportunities and achievements of the most vulnerable as core to its mission.

Section 11 of the 2004 Act still persists, encapsulating the very special, indeed unique, role entrusted to Councils – that of ensuring that local partners (including schools who are covered either by S175 or S157 of the Education Act 2002) secure the safety and wellbeing of their communities and, most especially, the children and young people living within them.

A key facet of this important general duty is the leadership responsibility to advocate and act on behalf of the most vulnerable within our communities. And who better than those elected by local communities, and the senior officers they appoint, to champion the needs and interests of the vulnerable and provide the leadership necessary to ensure that the excluded (potentially or actually) remain heard, supported and enabled to fulfil their potential, with their rights respected and promoted.

Historically, this leadership role has often been subverted by the imposition of a multiplicity of management functions and, consequently, the Council as 'champion' has inevitably needed to focus on its role as 'delivery agent' – especially of weighty and challenging statutory duties (and attendant performance monitoring requirements) in relation to those with additional needs and/or from marginalised communities.

However, this is beginning to change as an increasing number of schools gain the autonomy (and, therefore, delegated responsibility) that requires them to decide, singly or in partnership, how they are going to discharge a number of the management functions and responsibilities previously held directly and exclusively by Councils. Consequently, Councils have new capacity to reset their leadership agenda and focus more on their championing role.

SOLACE is clear that Councils should position themselves, first and foremost, as enablers of the voice of the child and young person - supporting this with their own local brand of advocacy, speaking up for those who would otherwise not be heard. This shift in emphasis is supported by an automating schools system within which Councils are increasingly liberated (albeit not completely, perhaps) from the need to defend their own actions/inactions and are thus enabled to speak up for those who are often silent, and sometimes silenced, in their communities without fear of being conflicted.

How Councils choose to act as advocates of the vulnerable and enable the silent to speak out is for local determination. What is crucial, however, is that Councils rise to this leadership challenge, putting their communities before institutional interests, working with children and young people, parents and carers, and schools to ensure that the most vulnerable are not marginalised nor their aspirations, opportunities and achievements capped.

SAFEGUARDING

In the world of safeguarding, good performance by Councils and their partners rarely attracts public attention; however, there is plentiful evidence to indicate that the death or serious injury of a child will rightly be a matter of public interest, often on a national stage.

As education provision continues to diversify in respect of its governance, with the number of converter Academies (singly and in chains) and Free Schools increasing, Councils and their local schools must remain mindful that their safeguarding responsibilities are becoming accentuated.

Diversification potentially heightens the risk of separation, or even disconnection, from pre-existing systems of information, advice, guidance, support and collaborative working. In such a system, it remains imperative that every school (publicly funded and independent) retains and develops its understanding of safeguarding and the vital role that it has to play in protecting vulnerable children and young people from abuse as well as promoting their broader wellbeing.

The Children Act 2004 placed new duties on Councils in relation to political and professional leadership for safeguarding through the designation and appointment respectively of a Lead Member and Director for Children's Services (DCS). Through the DCS, Councils also have the responsibility to secure the cooperation of named partners in ensuring the effective deployment of multi-agency policies, procedures, training and practices through the establishment of a Local Safeguarding Children Board (LSCB).

Similarly, sections 157 and 175 of the Education Act 2002 require that the Governing Bodies of independent (including Free Schools and Academies) and maintained schools respectively shall 'make arrangements for ensuring that their functions relating to the conduct of the school are exercised with a view to safeguarding and promoting the welfare of children who are pupils at the school'⁸.

Put simply, all local schools are expected to play an active part in adhering to and applying the local policies, procedures and practices agreed by the LSCB.

For Councils' and schools' most senior leaders – the Leader of the Council or Mayor, the Lead Member for Children's Services, the (statutory) Director of Children's Services, Heads/Principals, Chairs of Governors and Sponsors - the increase in school autonomy, derived from Academy or Free School status or simply being a highly effective community school, does not diminish, let alone remove, the requirement that together they willingly collaborate in delivering a single, effective local safeguarding system.

As successful education institutions rightly exploit the benefits of their earned autonomy, and irrespective of whether or not they are preparing to take the academy route, it will be helpful for the DCS and the Chair of the LSCB to set out with and for school leaders, the Council's and LSCB's expectations about participation in safeguarding arrangements.

It is for each area individually to determine the precise nature of this agreement with its local schools; nevertheless, SOLACE suggests that it may be helpful for the Council, or the LSCB itself, to develop a Memorandum of Understanding with schools which defines expectations. This approach is already used by some LSCBs with their local Children's Trust, Health and Wellbeing Board and Community Safety Partnership to set out a shared vision and respective roles and responsibilities.

Additionally, the relevant Council Scrutiny Board(s), as well as the LSCB, will want to agree an annual audit plan for testing key aspects of the effectiveness of the local safeguarding systems as it pertains to schools; for example, the extent to which safe recruitment processes are in place, the effectiveness of whole school training or any other particular local need or issue.

A WHOLE SYSTEM APPROACH

The experiences of children outside of schools in their home context has a significant impact on their learning and behaviour within the classroom, and thus the learning, attainment and progress of their classmates.

⁸ Although the Education Act 2002 does not cover Academies (or Free Schools which are, legally, also Academies) Academies are bound by the Independent School Standards (<http://www.legislation.gov.uk/ukxi/2010/1997/contents/made>), which include requirements for Academies to safeguard and promote the welfare of children. This position is also reflected in Statutory Guidance on the roles and responsibilities of the Director of Children's Services and Lead Member for Children's Services (April 2012).

It matters if a child arrives at schools hungry or from an overcrowded home without decent heating; it matters if a child is exposed to violence or has a parent or carer in prison or otherwise absent from home (for example, serving with the armed forces overseas); it matters if a child arrives at school having carried out detailed, mature and sometimes personal care for other children, or adults, as part of their morning routines.

Councils, with their strategic overview as Children's Services Authorities of the whole system, and their role as conveners of partnerships, are well placed to address these broader issues and to maintain and coordinate a strategic alliance of key services focused on children's overall wellbeing and safety. Schools will be an integral part of this on-going partnership-based response.

Health and Wellbeing Boards (HWBs) will play a critical role in bringing various stakeholders together to tackle children's health issues. It is important that HWBs give equal attention to achieving positive health outcomes for children and young people as for adults. To achieve this, Health and Wellbeing Strategies should include a dedicated section on children's health and Councils should be clear about local arrangements between their HWB, Children's Trust and LSCB.

THE COUNCIL AS A CORPORATE PARENT

Councils will continue to have a critical role as "corporate parents" for Looked After Children in accordance with the duties placed upon them in Section 22 of The Children Act 1989, which includes key responsibilities for the educational achievement of children in care.

Councils should therefore provide continuous support and challenge to schools to ensure that children in care are getting the best possible education, applying the golden rule "would this be good enough for my child"?

This may be achieved through working with local schools to establish a 'virtual school' for Looked After Children, possibly with a Virtual Governing Body and/or Head Teacher. The link between the DCS and the Head Teacher/Principal and Chair of Governors becomes even more important when a Looked After Child is excluded or facing some other kind of difficulty.

In addition to their responsibilities for the educational achievement of children in care, there is a national expectation that Councils will prioritise Looked After Children in their new public health role. This is reflected in the inclusion of an indicator on the emotional wellbeing of Looked After Children in the Public Health Outcomes Framework⁹.

⁹ Department of Health (2012)

SPECIAL EDUCATIONAL NEEDS

The Special Educational Needs (SEN) Green Paper (2011) recognised the strategic role of local authorities in working together with health services and other local partners to secure the right provision for children and young people with SEN, whilst ensuring services are cost effective¹⁰.

As an increasing number of schools with specialist provision convert to Academy status, Councils will need to consider how they commission special and 'resourced' school places to ensure sufficient diversity and spread of provision across their local areas, thus affording all parents and carers the opportunity to express a preference for a school placement. SOLACE is supportive of the Green Paper's emphasis on Councils and local health services working collaboratively to develop strong local strategic planning and commissioning arrangements to secure a range of high quality support services.

Councils also have a role in enabling the uptake of choice, for example through the provision of suitable home-to-school transport and of clear accessible information about the options available and the support that parents can expect of schools for their child. SOLACE supports the Green Paper's proposal for Councils to set out a local offer of all services available to support disabled children with SEN and their families.

Councils are also strategically placed to ensure that SEN provision within schools is joined up with that provided in FE Colleges and that education providers work with local employers to make it as easy as possible for those with SEN or disabilities to access appropriate forms of employment or training.

CHILDREN OUTSIDE MAINSTREAM EDUCATION

Whilst Councils continue to have a duty to ensure the provision of suitable full time education for all children of compulsory school age who cannot attend school¹¹, increasingly schools are taking on a greater responsibility for finding and funding alternative provision. Councils will, therefore, need to work closely with local schools, bringing them together with providers, to ensure there is sufficient quantity and quality of provision.

As Ofsted, Charlie Taylor¹² and others have reported recently, a significant proportion of alternative provision is inadequate. Consequently, even as we move towards a new system, we cannot become complacent about our complicity.

¹⁰ The Education Act 1996 Part IV, Chapter 1 (sections 312-332B) and Schedules 26 and 27 sets out Councils' duties with regard to children with SEN. Article 23 of the United Nations Convention on the Rights of the Child (UNCRC) also states that those with any form or degree of disability or special needs have a right to access the best the system can offer, that will develop them and play to their abilities rather than only cater for their disabilities.

¹¹ Section 19 of the Education Act 1996

¹² Charlie Taylor, the Government's Expert Advisor on Behaviour, was commissioned by the Government to conduct a Review on Improving Alternative Provision.

Historic and present arrangements have all too often broken the legal requirement for full-time provision, with too much “baby minding” and consequent reduction of motivation and skill that goes with such a lack of challenge and stimulation.

It is hardly surprising that many marginalised pupils are neither ready to pass exams, nor address their behaviours - or re-join either school or society. Councils must find effective ways to work with, support and challenge the education sector to commission provision effectively and to high standards universally.

As the market for alternative provision is opened up to new private and voluntary sector providers, Councils will need to perform an important monitoring role, managing the market to ensure the provision of high quality education for disruptive and excluded pupils and others outside of mainstream education.

Indeed, Councils have this responsibility not only towards these pupils but all children. We cannot afford to let outcomes be solely determined by market forces which tend not to favour the most vulnerable; rather, Councils should be alert to, and ready to intervene in, the market where delivery of the education offer fails to meet the needs of families and children, particularly the most disadvantaged.

This will depend on Councils actively seeking out the views of service users and empowering parents, carers and children to get their voice heard. Chapter Three sets out how Councils might fulfil this advocacy role, including through the creation of a local EducationWatch network.

Councils also have an overarching responsibility to monitor and intervene in exclusions patterns where the market is perversely encouraging an exclusions culture. In order to tackle this possibility, we propose the development of a local protocol (or aligned/integrated protocols) which details what intervention is warranted and under what circumstances. This proposal is explored in more detail in Chapter Four.

SOLACE therefore calls on local government to champion the vulnerable by enabling the voice of the child and young person to be heard, and complementing this with Councils’ own local brand of vigorous and provocative advocacy, speaking up for those who would otherwise not be heard.

CHAPTER THREE CHAMPION OF PARENTS AND FAMILIES

EMPOWERING PARENTS

Improving standards in education is too important a matter to be left solely to educationalists to arbitrate; evidence suggests that where this has been the case, it is more likely that the customer – child, young person and parent – gets sidelined or even forgotten.

SOLACE believes that Councils have a vital role to play in actively seeking out the opinions of parents, carers and children about the quality of their school experience. The Society supports the Government's view that Councils have a key role to play where schools are coasting, slipping, or failing and that where schools are flourishing, Councils should not fetter school autonomy by being too closely involved.

To determine when to become engaged, Councils should, first and foremost, have access to and rely on robust, benchmarked hard data to assess performance. However, judgements about when to intervene cannot just rely on data alone; Councils need to be on the side of children, young people and parents, understanding what levels of confidence they have in their schools. Where that confidence is lacking, Councils should empower parents, carers and children to support and challenge their local school to improve or address an issue. Where the issues are not addressed, the Council should undertake a direct advocate role under its duties of local leadership, and of championing the parent and the child.

In the area of health, Local Involvement Networks (LINKs), now being replaced by HealthWatch, exist to bring together various customer perspectives and provide information, advice and guidance and – when necessary – harder edged challenge to health organisations to ensure that there is a strong user voice in the development and improvement of services. In a similar way, Councils should be advocates, enablers and conveners of local solutions to “customer feedback” in relation to schools.

This could be achieved, for example, through the development of a local EducationWatch network, bringing together parents, carers, children and young people to ask the questions that sometimes schools themselves do not always think – or wish – to ask: for example, do parents/carers feel welcome when visiting the school; do they hear from their school beyond the ritual of parents' evenings; and critically, does their school inculcate into their child a lifelong love of learning?

Additionally, Councils could work with schools, parents and children and young people in school councils to co-produce an approach to local parental and community communication and engagement plans. Such an approach would bring the customer (children and young people) and supplier (the school) together creating a direct feedback loop for the school's leadership. The willingness (or otherwise) to engage in such a process would be one of the “metrics” that Councils might consider when assessing the health of their local institutions.

CHAMPION OF CHOICE

We live in an age that values freedom of choice, individual control and independence – a ‘personalised’ society. With regard to education this means that parents and children, in accordance with their age and stage of maturity, should have a choice about where the child is educated. This necessitates the availability of a wide range of education options complemented by a sufficiency of high quality school places. It also means that if a parent wants to set up a new school, they should be at liberty and supported to do so.

Councils, as champions of choice and excellence, have an important role in ensuring that this aspiration becomes a reality. This may involve encouraging existing schools to convert to Academy status or new Free Schools to open. Indeed, where parents express a desire to create a new school, Councils have a responsibility not just to remove obstacles but to support parents proactively to exercise their legal right.

There are a number of ways that Councils might seek to do this:

- As a minimum, Councils should ensure that children and young people, parents and carers, and schools have access to information and guidance about the steps they need to take to convert or set up a new school;
- Councils might supplement the provision of general information with specific legal, procedural or other such advice;
- As well as removing barriers, Councils might proactively broker relationships between local businesses, community and voluntary sector organisations and local schools to encourage the identification of responsible sponsorship for new Academies; and
- Councils might also offer to support schools on their consultation processes – to ensure that, for example, the voice of pupils is heard, and that there is a defensible degree of objectivity to the activity undertaken.

ADMISSIONS AND APPEALS

Councils retain responsibility for overseeing and coordinating local admissions arrangements and ensuring that admissions policies are fair and operate fairly. Exercising this function is central to Councils’ responsibilities towards the most vulnerable.

In the case of local state schools, Councils will continue to refer admissions arrangements to the Schools Adjudicator; however, Councils will not be able to make a referral where it has concerns about Academy or Free School admissions, as such referrals must come from the Secretary of State. SOLACE believes that this unfortunate, centralist arrangement contradicts localism. Councils and their partners are far better informed about what is happening in their local schools than the Secretary of State and well placed to both resolve issues informally and make referrals to the Adjudicator as required.

In view of this arrangement, Councils’ role as a broker of relationships between parents and schools attracts even greater importance.

Councils will need to work to position themselves as genuine, helpful and trusted partners, based on their overall knowledge of the system, in order to influence admissions policies and be effective in dissolving tensions.

Given their democratic mandate, Councils also have an advocacy role, empowering children and young people, parents and carers to get their voice heard by the Secretary of State where their grievance is against an Academy or Free School.

THE EARLY YEARS

"What happens inside the family when a child is very young indeed determines how they will react to people outside the home, how ready they will be to learn, and ultimately what citizen they will become".

(Ian Duncan Smith, Early Intervention: *Good Parents, great kids, better citizens*)

The body of evidence supporting the importance of a child's early years is compelling. Councils have a responsibility to support parents and carers to meet their child's earliest emotional and social needs so that they are able to get the best from services provided for them as babies and toddlers, and from their education. Part of this support is the provision of advice and guidance to parents and carers on childcare and local early years services as well as helping families to find a suitable early years setting and then a place in a suitable school. Such support services are particularly important in areas where:

- Employment in skilled jobs, parental literacy and other conventional skills are all at low levels. Research shows that in these areas services of all types go either under-challenged or completely unchallenged and are therefore often poor because nobody is asking them to be otherwise;
- The number of families, and therefore children, living in either comparative or absolute poverty is higher than average;
- There are multiple cultural, ethnic, faith or linguistic challenges for the child, presenting the service commissioner or provider with significant challenges to overcome;
- There is a concentration of the most discriminated against black and minority ethnic groups (for example, Travellers of whatever description);
- Families are asylum seekers or refugees who have experienced trauma in their past and potentially face uncertainty about their long term futures;
- A child is disabled, or has a lifestyle or lifespan limiting illness which inevitably increases the family's vulnerabilities and needs;
- A child is deemed in need under the 1989 Children Act, has a child protection plan, is otherwise on the radar of the social care teams in the locality, or is known to the youth offending/justice services;
- A child is the child of a teenage parent who is also still a child;

- A parent has mental health difficulties, addictions (being treated or untreated), or other hardships; and
- The family is what the government describes as “problematic” or “chaotic.”

Councils should seek to adopt an advocacy role for the most disadvantaged groups and families, taking advantage of any opportunities that flow from the Troubled Families programme or the new Early Intervention Foundation.

LIFELONG LEARNING

Education is a lifelong commitment and Councils have a role in supporting families not only through their child’s early years and journey through school, but also through their transition to further education, employment or training and lifelong learning. In this way, Councils are champions of educational opportunities beyond statutory education and beyond school age.

In fulfilling this role, Councils should champion, showcase and signpost people to a range of options, both locally and further afield, to study and improve their skills. This should include information about how to pursue certain professions as well as which services are directly provided by the authority.

Local authorities are also strategically placed to ensure that provision of education and training takes account of the demands of the local labour market in order that local communities reap the economic benefits of educational investment. Councils can secure intelligence through Local Enterprise Partnerships and local employer engagement arrangements to establish what skills are required, influencing schools and colleges to meet those employment needs.

Where there is incongruence, Councils have a role in stimulating provision, which may include facilitating the sponsorship of Academies geared towards a particular specialism. Councils should also seek to broker relationships between local businesses and education providers to aid the development and expansion of apprenticeships and internships.

Unfortunately, not all young people go on to secure some form of education, employment or training, an issue which is exacerbated in times of economic austerity. Councils have a role in identifying strategies for the employment of such young people and to tackle worklessness. This might involve tracking participation, identifying those at risk of disengaging, working with providers to ensure that resources and support are targeted effectively and even using the public sector as a key employment agent itself.

SOLACE therefore calls on local government to champion parents and families by empowering them to support and challenge their child’s school to improve continuously.

CHAPTER FOUR

CHAMPION OF EDUCATIONAL EXCELLENCE

"Local authorities will move over time to a strategic commissioning role, championing educational excellence".

(The Importance of Teaching, 2010)

Councils have a responsibility for the overall wellbeing of their residents and, therefore, have an over-riding interest in educational excellence regardless of the wider policy landscape or the specifics of school governance arrangements. Although embedded in legislation, this interest stems fundamentally from a democratically-mandated and moral imperative to ensure that young people are prepared for an adulthood in which they can achieve and sustain their wellbeing – an adulthood that, in terms of skills and employment, is all the more challenging because it will bear little resemblance to that of the previous generation.

In common with schools, and in partnership with them, Councils have a responsibility to discharge a commitment to ensure that children receive excellent physical, social, emotional and spiritual development in order that they grow up to become healthy, responsible citizens, able to make a meaningful contribution back to their communities.

So, whether or not we are held accountable, whether or not we take the credit for success, and whether or not we shoulder the blame for failure, we in local government should never digress from our deep-rooted sense of responsibility for educational excellence. We are committed to it unreservedly.

In recognition of this, Councils are most likely to live out their commitment to educational excellence through a demonstration of leadership that emphasises the contribution that they can make principally as *convenors*, *facilitators* and *enablers*, creating the environment for others to succeed. We are no longer in the business of directly pulling levers; instead, we relish the opportunity of working alongside children, young people, parents, carers, schools (including Academy Sponsors and other relevant parties) and local communities as genuine, helpful and trusted partners, using our influence and experience wisely and adding value in an unobtrusive way.

DRIVING IMPROVEMENT

"Councils are the local public body perfectly placed to challenge schools and drive up standards ... we see Councils as being at the heart of the streamlined and effective accountability system".

(Baroness Margaret Eaton, Central Freedom or Central Control II)

Supporting and, where necessary, challenging schools to achieve and secure excellence will surely rely, in the first instance, on the availability of relevant, up-to-date, rounded (i.e. "hard" and "soft"), proportionate and easily intelligible performance information.

As an essential minimum, Councils should seek to maintain, through co-creation with all their local schools (working also, as appropriate, with or through Sponsors, Sponsor chains and the Department for Education), a simple, high level, publicly available dashboard of core benchmarked performance information that illustrates the recent, present and projected effectiveness of each school. Without this, neither local citizens nor the Council itself will be in a position to evaluate effectiveness, identify, champion and celebrate success - nor support, challenge and even promote intervention when necessary.

Additionally, such an overview will enable Councils to target their attention and scarce resources proportionately and productively to support and augment schools' own improvement efforts - largely reserving any residual capacity for those in need whilst leaving the successful to their autonomy and peer-to-peer arrangements.

In focusing any "improvement offer" on the weaker and weakest schools, due to diminishing resources, Councils should be careful not to overlook the striving and successful majority. Recognising and heralding the achievements and successes of children and young people is an equally important part of championing excellence.

Occasionally schools will need to seek support in developing their capacity for self-improvement and, when they do, Councils can play a positive role in acting as a critical friend to the peer-to-peer challenge envisaged as being at the heart of effective self-evaluation. In the same way that Councils, through the LGA's "Taking the Lead" programme, are using peer review to quality assure their own local self-evaluations, so schools should be persuaded of using their Council to inject a degree of arms-length challenge to their in-house and school-to-school assurance and improvement processes.

Building and maintaining strong relationships upon which to develop a co-created approach should also facilitate sharing of "soft" information, so often the key to heading off both the "ailing" and "failing" syndrome and ensuring that the system can focus on the ultimate prize of universal and sustained high performance.

INFORMATION, ADVICE AND GUIDANCE

In a sector-led system, the principal onus is on schools themselves to secure the necessary understanding and means of their own improvement, aided by better peer and third party challenge. Nevertheless, both experience and more recent discussions show that many schools, whilst wanting to work collaboratively with each other, also look to their local Council to inform, signpost, advise, guide, broker (or arrange for brokerage) and develop “self-help pathways” to reduce the latent inefficiency of a set of individualised approaches.

There is a strong productivity argument for Councils’ providing an overarching “co-ordinating function” and taking responsibility for both establishing an appetite for a hub for information, advice and guidance and bringing that information together. This “single front door” approach could be particularly beneficial for families with children or young people with additional needs as in these fields specialist skills, knowledge and understanding are often provided at a premium.

As a minimum, Councils and their schools should consider how best to secure a single point of reference, or hub, for finding out about the range of improvement (and other) support services available.

This may take the form of information-giving and signposting; alternatively, it could, by mutual consent, develop into a more sophisticated “advisory” function that also proffers or secures advice and guidance.

Councils should also not assume that the expansion of Academies and Free Schools and the autonomy of leadership, management and governance of schools negates their need for and, in many cases, desire to work in partnership to ensure that all pupils, especially the most vulnerable, have equality of opportunity to succeed and equality of access to effective learning.

Indeed, Councils in their leadership role should use their influence and moral authority to ensure that our diversifying education system does not become fragmented and remains sufficiently coherent and functional to deliver wellbeing to all. Councils also have an important role to ensure the sustainability and sufficient quality of areas of expertise and resource that need a local economy of scale – as these will exist despite many schools being technically large enough to operate as free standing small businesses.

TO BROKER OR TO PROVIDE?

Herein lays one of the major policy shifts: from Councils as principal delivery agents for central government policy, to schools as the (relatively) unfettered purchasers of what they need, with a market developed over time to give choice and best value.

Whilst strongly arguing for Councils to nurture their relationships with schools to secure trust in, and a shared commitment to, achieving consensus about the scope and co-production of performance information and the provision of information, advice and guidance, when it comes to delivering improvement support there is a strong case for a “provider-neutral” mind-set.

The cessation of national improvement programmes, along with the reduction of core Council resources, strongly suggests that the new opportunity is to develop joint working with schools to understand and, over time, secure effective market-making and market management roles. Whereas some Councils may be able to pursue this unilaterally, others will want to work in partnership, both with other Councils and others in the marketplace, particularly Academy Sponsors and chains.

The opportunity exists for Councils to make themselves indispensable to some, many or even all schools. This is because schools' core purpose is the day-to-day job of delivering effective learning. Moreover, the combination of the need for a relatively specialised commissioning skill set and reducing resources makes individual school-by-school market management and brokerage a high risk occupation and quite possibly unsustainable in the medium term.

Undoubtedly, some individual schools and groups of schools will want to choose non-Council partners to work with to deliver these functions but some, and in some places many, schools will want to continue with the Council as a trusted partner or member of a partnership.

Councils working with schools that make this choice will need to have a range of, or access to a range of, commercial skills that accompany market making, market management and brokerage. So, Councils will need to think carefully about the workforce they need in future to deliver such a changed role where local agreements demand it.

Councils with access to such skills will also be able to influence excellence through offering quality assurance capability, ensuring that contracted providers deliver to acceptable standards. Similarly, Councils may put together an offer to benchmark development in the local market against other offers to ensure that the market is a "learning and evidence-based model". Furthermore, they may monitor and review shifting patterns of school support requirements, helping to stimulate the market to meet those needs.

In rural, more dispersed areas, where the incentives for private providers to supply to schools may simply not be there, this kind of stimulation and market management may prove crucial.

Councils will also have opportunities to investigate the role that not-for-profit social enterprise models might have to offer. Councils looking into these vehicles as part of their wider transformation programmes are well placed to investigate at the behest of schools the possible benefits where a financially stable and sustainable private sector market offer is unlikely to be available, or schools are unwilling or unable to pay for services that carry a premium that is not directly returned to the local education system.

SCRUTINY AND THE INTERMEDIATE TIER

Traditionally, local government has been the primary agent asked to fill the space between central government and schools, providing an intermediary layer of support and challenge¹³. Whilst other agents, such as parents, community groups and Governing Bodies, have shared this intermediary function, it is clear that the new and emerging system has opened up this middle layer to a number of additional players, such as Academy chains, Sponsors and Trusts.

SOLACE welcomes the broadening out of this middle layer and sees this as an opportunity to widen the role of scrutiny, both in terms of its scope and who carries out the scrutiny function.

This will become increasingly important as Councils' relationship with schools changes and the diversity of providers increases. Moreover, SOLACE recognises that as we move away from a predominantly centralist inspection regime to one focused much more on sector-led improvement, it seems both apposite and wholly logically that the sector should ensure that the intermediary tier at a local level is both inclusive and able to provide effective scrutiny and accountability.

To this end, SOLACE is interested in the notion of creating a broad based, mixed economy of scrutinisers within the intermediate tier. We see this as having a number of important benefits.

Firstly, it will help to tackle the possibility of conflicts of interest or complacency whereby, for example, maintained schools only are perceived to be held locally accountable to Councils, and Academies are only accountable to their Sponsor, sponsoring department or chain.

Secondly, this approach maximises knowledge sharing and the application of effective practices across boundaries. It allows for available expertise to be brought to bear in partnership for the greater good of the education community as a whole, and provides an opportunity to bring together Maintained, Faith, Trust, Academy and Free Schools into a framework of mutual support and challenge. Indeed, a bolder ambition would be to draw in the entire education sector so that this "improvement collective" also includes schools from the independent and private sectors.

Making this a reality will take some time but there are some important initial steps that can be taken, such as the aforementioned development of a local EducationWatch network, which will strengthen the voice and involvement of families, and local co-creation of a high-level dashboard of core benchmarking information, from which practical opportunities to develop further a range of informal and formal scrutiny is likely to flow.

¹³ However, under New Labour, a nationally mandated, regionally organised and deployed infrastructure, the Government Office Field Forces, was put in place to ensure local effectiveness and upwards accountability.

FORMAL SCRUTINY AND THE ROLE OF MEMBERS

As we move towards creating a community (and communal) scrutiny function over time, Councils should also be thinking about how they can open up their formal scrutiny function to a wider group of stakeholders.

It is already common for Council Scrutiny Boards to augment their core membership with “lay” (non-elected) members to improve their knowledge base and gain from the depth and breadth that comes from admitting expertise from other fields. The Education Act 1996, for example, introduced statutory education co-optees¹⁴ to Scrutiny Committees, although their role diminished as the Committee system evolved. A more relevant arrangement might be for Councils to agree voluntary co-option schemes with an Academy Sponsor, or simply invite other important stakeholders, such as children and young people, to sit on Scrutiny Boards.

In addition, constructive challenge can also be achieved through a formal education scrutiny programme. Scrutiny Boards should invite, over time, the range of school leaders, including Sponsors, to account for their performance and, importantly, to be constructively supported and challenged in their continuous improvement efforts.

Unlike in the area of health scrutiny, where Councils have the power to compel the health sector to be scrutinised¹⁵, Scrutiny Committees cannot mandate the attendance of school representatives. Nevertheless, Councils should have confidence to issue such reasonable invitations and expect positive cooperation from all schools and their partners.

This confidence is underpinned by Councils’ democratic mandate and community leadership role; specific responsibilities towards vulnerable groups, such as Looked After Children; general responsibilities for community wellbeing; the duty to cooperate placed on schools and colleges under Section 10 of The Children Act 2004; and local government’s power of general competence, contained in the Localism Act.

More informally, every Elected Member should be working closely and regularly with their local schools, i.e. at Ward level, to discuss with the school’s leadership the effectiveness of the school and the challenges and opportunities it needs to embrace. Such conversations should utilise hard and soft intelligence, derived from both “professional” and community sources.

In some schools, there may be opportunity for Members to partake in membership of the Governing Body but even where this is not an option, Members should be making contact with a range of Governors as a matter of course in supporting their local school(s) to flourish.

¹⁴ Usually two Parent Governor representatives, by virtue of the Parent Governor Representatives (England) Order 2001, and two diocesan representatives.

¹⁵ The Health and Social Care Act 2001

The Lead Member with responsibility for schools has a critical role to play in supporting and developing the interest and engagement of all Members to help them fulfil their community leadership role in respect of education. A form of distributive leadership should develop that equips all Members to have an informed dialogue about the effectiveness of their local schools with the local leadership.

ADDRESSING UNDERPERFORMANCE

Regrettably, some schools fail, or come close to failure, when diagnostic systems are flawed and/or the right intervention is not made in a timely manner. Given Councils' responsibility for the wellbeing of their whole communities, including their responsibility for securing excellence in the wider school system, they have a role to intervene, or request the Department for Education (or Ofsted, as a last resort) to intervene, where a school is underperforming or threatening failure.

Our communities expect their local Council to act to avert potential decline and failure and, where this has not been avoided, tackle poor standards promptly and effectively in the same way as they would any other public service. How this support and challenge role is fulfilled in an increasingly autonomous school system is not without its difficulties but it is certainly possible to resolve and self-evidently worth pursuing if a collective will is generated.

Proactive Councils will want to work to draw up and agree, in partnership with their schools, a local protocol, or aligned/integrated protocols where the diversity of provision requires this, which transparently defines the different factors that would trigger an intervention, and what intervention would be expected in response to each trigger.

Trigger points could include:

- A significant trend of underperformance;
- Evidence of poor leadership or the inability to retain leaders;
- A high turnover of staff;
- A parental petition or a pattern of parental/pupil concerns and/or complaints;
- Substantiated and documented serious complaints about the school;
- Patterns of higher than expected pupil exclusions or pupil absences;
- A documented pattern of poor provision for, or non-acceptance onto the roll of, children with SEN;
- A sudden withdrawal from or lack of partnership working that signifies denial of difficulties;
- Where a school is in financial crisis; and/or
- Ofsted concerns, as well as outright judgement about failure.

The associated interventions could range from voluntary help through a co-created improvement package, to a full formal intervention. An ultimate intervention might even involve the Council providing strategic leadership to help a failing school to convert to Academy status; for example, by matching a school with an appropriate Sponsor or linking to a highly effective single converter Academy.

As far as possible, Councils should work with all schools, including Academies and Free Schools, to get buy-in to such a local, transparent, clearly understood protocol, or aligned/integrated protocols, so that if an intervention is triggered, there is consensus that the action taken by the Council (or the Sponsor, or even the Department for Education) is authorised, fair, proportionate and in the best interest of the school and wider community.

There will inevitably be some schools that do not see the need and/or potential value of signing up to such a protocol for intervention. When these schools fail, or show all the symptoms of impending failure, and solutions cannot be brokered through relationships, Councils, in the case of Academies and Free Schools, may seek to lobby the Secretary of State to intervene or, ultimately, invite an Ofsted inspection.

There is a real concern, however, that this intervention may come too late. Consequently, in addition to a local arrangement, we see much value in agreeing with the Department for Education a clear protocol for monitoring and intervening in underperforming autonomous schools, not least to ensure that those who do not participate in a local protocol do not fall completely outside any system for support and challenge, bar the ultimate hard intervention of an Ofsted inspection.

SOLACE is particularly concerned to progress this constructive, collaborative and voluntary approach to managing performance and would welcome dialogue with the Department for Education (specifically including the Office of the Schools Commissioner), as well as other relevant parties, to progress an overarching Protocol.

SUPPORTING GOOD GOVERNANCE

Schools have long been used to a system characterised by nationally and locally determined “checks and balances”. Most particularly at the local level these functions have been invested in some form of Governing Body.

Within the present reforms, the Department for Education is looking at ways to simplify, strengthen and further “professionalise” school governance arrangements to ensure that they add maximum value and provide optimal support and challenge to the core agenda of raising standards within an increasingly autonomous system.

SOLACE strongly supports the principle of representative Governing Bodies and is supportive of any moves designed to ensure that “good governance” prevails at a localised level. By implication, SOLACE is committed to heading off any tendencies either to put in place “supra” governing bodies (for example in Academy chains or extended federation scenarios) or ‘de minimus’ arrangements (such as where there is no notion of a representative group of, for example, educational, business and parent interests, governed by quoracy expectations).

Moves in either of these directions can, in our view, only reduce governance to a level which is self-evidently neither representative nor credible. Given the Society’s position on the importance of empowering parents and families to comment on and inform the development of their local school, SOLACE encourages Councils to devise means of directly maintaining and developing strong and effective local parental and community representation on Governing Boards.

In terms of the “good governance” challenge, it is further proposed that Councils could play a role in strengthening the quality of Governing Bodies by helping to professionalise further the role of the Clerk. Just as Magistrates cannot begin or continue to practise without the guidance of a trained Clerk, so we take the same view of Governors. This is not to imply disrespect for the commitment and varied expertise that is often found amongst Governors; rather, it is to recognise that a professionally trained and accredited cadre of Clerks would ensure that every Governing Board, in time, has a highly competent and respected professional adviser.

SOLACE therefore proposes to work with the Department for Education, or another appropriate body, to explore the feasibility of establishing a system for organising and developing Clerks as competent and recognised professional advisers. This could potentially be achieved through the creation of a staff-led social enterprise or mutual-type format.

SOLACE is also keen, at grass roots level, to encourage Councils to devise local recognition or awards schemes for Governing Bodies to celebrate effective governance and raise the profile and value of this unique form of volunteering.

SOLACE therefore calls on local government to champion educational excellence by creating the environment for others to succeed.

COUNTING THE COST

SOLACE recognises that the discourse it has engaged in is set against a backdrop of severe fiscal constraint and that delivering on a new relationship with schools will have to take into account the impact of successive spending reviews. It is, of course, the responsibility of each individual Council to establish the level of priority and attendant resourcing it affords to this agenda. The ideas proposed throughout this document are for local areas to debate, support, modify or dismiss both of themselves and in relation to the local political manifesto and available funding.

Notwithstanding the very significant resource constraints, SOLACE would argue that education should remain a high priority for Councils. The drive of this paper is both to persuade on that front and to stimulate a very practical discussion about how to exercise the leadership required in the present policy and funding environments.

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NOTES:

SOLACE is the representative body for senior strategic managers working in the public sector in the UK. We are committed to promoting public sector excellence. We provide our members with opportunities for personal and professional development, and seek to influence debate around the future of public services to ensure that policy and legislation are informed by the experience and expertise of our members. Whilst the vast majority of SOLACE members work in local government we also have members in senior positions in health authorities, police and fire authorities and central government.

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