

Scrutiny Review Board

Schools Coping with Change - the Way Forward

Report by the Review Board

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Final report of the Scrutiny Review Board: 'Schools Coping with Change - the Way Forward'

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11	The Local Authority to further develop its toolkits and guidance for schools who are considering creating a federation or converting to academy status, or who are already in a formal partnership. Such guidance should include specific advice on the role of the Executive Head and Heads of School and their training and development. Consideration should also be given to developing such guidance in partnership with other regional strategic bodies.	16
12	Alongside the guidance set out in the Education Commissioning Plan for small and rural schools, that the Local Authority to take steps to explore innovative solutions to the specific problems small, (and in particular), small rural schools are facing. Such solutions could include, for example, technological responses and adapting training provided to primary school teachers. It could also include exploring the solutions which other authorities in similar situations have developed.	18

Objectives and scope of the review

1. The education system is undergoing a period of sustained change. As a result, schools are having to respond to an unprecedented range of new challenges. Some of the key drivers of this change include:

- the impact of the National Funding Formula;
- increasing school autonomy (including how schools are now increasingly making decisions regarding which services they purchase);
- the changing role of the Local Authority and other strategic partners;
- pressures on the Local Authority's budget;
- changes to the national curriculum and assessment methods;
- the sustainability of schools and in particular, small schools; and
- the impact of the Academy programme.

2. The above factors have helped create new opportunities and new ways of thinking. But the scale and pace of change has also helped create a complex and fragmented educational landscape, with diffuse lines of accountability. Some stakeholders point to what they regard as a lack of a 'direction of travel' within the system. Furthermore, the full impact of some of these changes has not yet been felt. As a result, it is not clear at this stage what the settled picture will look like and it is likely that there will be further change in the policy environment.

3. Given the above context, Members agreed to explore developments within the local education system and to seek to understand the challenges and opportunities the evolving situation is presenting to schools and academies in East Sussex. Fundamentally, and in this period of great change, Members wanted to see if they could contribute to the process of responding to the following questions:

- What can we do to ensure the quality of education we provide to our young people is not put at risk by these changes?; and
- How can we ensure the new opportunities these changes present are fully exploited?

4. As a result, it was agreed by the then Children's Services Scrutiny Committee on 27 November 2017 to appoint a 'Schools Coping with Change – the Way Forward' Scrutiny Review Board (the Children's Services Scrutiny Committee has now been superseded by the 'People Scrutiny Committee' which reaffirmed its commitment to this scrutiny review at its meeting on 25 June 2018). Members were particularly clear that the review should have a forward-looking nature. The goal therefore was to develop recommendations that would ultimately help schools and academies be better placed to cope with change.

5. The Board was also clear that the review is timely as it is now an urgent matter for all schools to take a strategic approach to planning for their future. Two of the most important drivers of this urgency are financial. The first relates to the financial pressures on East Sussex County Council. In this respect, the most up to date indication of the reduced level of support the Local Authority will be able to provide in relation to partnerships is set out in the Council's Reconciling Policy, Performance and Resources report to Cabinet (13/11/18). This states that with regard to partnerships, it is proposed to reduce the Local Authority's:

“..support to develop school partnerships, federations or move to academy status.”

6. The other financial factor creating urgency relates to the National Funding Formula. The Government committed in 2015 to introducing a National Funding Formula (NFF) for mainstream schools. The Government's main aim in introducing the NFF was to deliver a fairer and more transparent system on the basis that schools would attract funding based on the needs of their pupils. The Board heard that that schools in East Sussex would receive an overall funding increase of 2.5%. However, and whilst the NFF will not be fully implemented until 2020, it seems inevitable some schools will do better than others. In particular, shifting the balance of funding away from a lump sum to a pupil place basis is likely to have a negative impact on the budgets of small schools.

7. Given the above factors, the Board concluded there is good reason to have an urgent focus on the changes occurring within the school system. The Board acknowledges that a great deal of excellent work has already done with this sense of urgency in mind - there are already many success stories within East Sussex. However, the evidence presented to the Board indicates that there is still some inertia and confusion in the system. Some schools appear to be failing to apprehend the scale of the challenge before them, whilst others may not be reviewing and fully exploiting the benefits of the changes they have already made.

8. As part of its early deliberations, the Board agreed to accept some fundamental points of reference that would inform its deliberations. This included the understanding that:

- de facto, we now have a mixed economy of schools;
- that proposed responses to the challenges schools are facing must begin with putting the quality of education first; and
- that the school system is now a school-led one.

9. As the factors driving change and the challenges and opportunities they present are diverse, the Board also made an early decision to focus on organisational matters and partnerships (rather than matters relating to educational attainment). In particular, the issues listed below were viewed by the Board as the most pressing:

- **Issues relating to the future role of the Local Authority and other strategic matters.** This includes the changing role of the Local Authority and its relationship with other key stake holders; the future shape and role of the Standards and Learning Effectiveness Service and the fragmented nature of the governance/management systems that may evolve in the future.
- **School partnerships.** This includes consideration of the strengths and weaknesses of the different types of partnerships schools are creating; what the barriers are to their effective operation and whether schools are fully exploiting the benefits of the partnerships already in place.
- **The sustainability of small schools.** This includes consideration of the particular challenges facing small schools and exploring the potential to develop innovative responses to the evolving situation.

10. In the following sections, the report discusses the evidence gathered in relation to each of the above three areas of focus, the Board's conclusions on possible ways forward, together with its final recommendations.

The future role of the Local Authority and other strategic matters.

Background

11. As part of its evidence gathering process, the Board wanted to develop its knowledge of the framework within which schools in East Sussex operate. The Board received significant quantities of evidence in this respect – much more than can be described in any detail in this report. One key area for the Board, however, was a clear understanding of the roles of the main educational strategic bodies that operate in the county and their relationships with schools and each other. The main bodies are described below:

12. **The Local Authority (the LA).** The LA, which is the Children's Services Department of East Sussex County Council, has a duty to:

- act as a champion of children, young people and their parents, in particular the most vulnerable and disadvantaged;
- promote high standards of education and have high expectations for the outcomes of all groups of pupils and safeguard and promote the welfare of children.
- Ensure fair access to school places for all learners.

13. **The Regional Schools Commissioner (RSC).** Each RSC acts on behalf of the Secretary of State for Education and is responsible for:

- taking action where academies and free schools are underperforming
- intervening in academies where governance is inadequate
- deciding on applications from local-authority-maintained schools to convert to academy status
- improving underperforming maintained schools by providing them with support from a strong sponsor
- encouraging and deciding on applications from sponsors to operate in a region
- taking action to improve poorly performing sponsors
- advising on proposals for new free schools
- advising on whether to cancel, defer or enter into funding agreements with free school projects
- deciding on applications to make significant changes to academies and free schools

14. **The Diocese of Chichester Board of Education (DBE).** The DBE oversees the work of all Church of England state funded schools in the Diocese. In educational terms, this relates to three local authorities: West Sussex, East Sussex and Brighton and Hove. Currently there are 158 Church of England schools in the diocese. 60 have voluntary aided status and 98 have voluntary controlled status. The Diocese's Education Department has the following specific responsibilities:

- support and training in RE and Collective Worship;
- strategic and focused training for head teachers, senior staff and clergy;
- assistance in developing the Christian distinctiveness and character of the school;
- advising on the appointment of head teachers and deputy heads;
- manage inspections and provide support under Section 48 of The Education Act 2005;
- pre and post Ofsted training and support;
- advice in maintaining, developing and funding school buildings;
- governor appointment, training and support;
- advice in formulating and administering pupil admissions policies;
- Advice on structural changes including sharing headship and academies.

15. **Diocese of Arundel and Brighton Education Service.** The Diocese of Arundel and Brighton geographically consists of the counties of West and East Sussex, Surrey (outside the Greater London boundary, south of the Thames) and the City of Brighton and Hove. The Diocese currently has 53 primary schools and 11 secondary phase schools. The Diocesan Education Service aims to support the schools of the Diocese of Arundel and Brighton through:

- the provision of quality information, training, advice and guidance to head teachers and governors;
- working closely with heads and governors to develop policies and services that reflect schools' real needs;
- maintaining effective partnerships with other dioceses, the CES and the LAs;
- helping schools to recruit and retain senior managers, teachers and governors;
- helping schools to monitor and develop their religious education provision;
- supporting schools in difficulty;
- supporting newly appointed heads by induction and mentoring;
- providing a 'Section 48' school inspection service;
- encouraging productive collaboration between schools, parishes and diocesan agencies;

Issues relating to the role of the Local Authority and other strategic matters.

16. Having established an understanding of the main strategic bodies, the Board then moved on to consider the key challenges in this area.

National guidance

The Board accepts that key aspects of the Government's intentions with regard to the future of the school system are clear. The Government retains its drive to develop a self-improving, school-led system. It is also widely accepted that a mixed economy of different types of educational institution is now firmly embedded within the system. However, the Board received a consistent message from witnesses that greater clarity from the Government regarding its academy programme would be desirable. There is a widely shared view that no clear direction on this matter has been issued by the Government since its decision in 2016 to step back from its commitment to require all schools to become an academy. Witnesses informed the Board that this 'lack of a direction of travel' was impacting on the ability of both schools and regional bodies to plan effectively. So for example, and when discussing plans for creating an expanded MAT, one witness from a strategic body commented that:

"..so far not many schools have confirmed that they want to convert. There is some reluctance as schools and the diocese want to see what is happening at the national level with regard to the government's policy on academisation."

17. Given the above, the Board agreed that there is merit in seeking further clarity from the Secretary of State for Education regarding his intentions for the academy programme.

Recommendation 1

The Chair of the People Scrutiny Committee to write on behalf of the committee to the Secretary of State for Education seeking further detail regarding his vision for schools and academies. In particular, the letter should seek clarity regarding the Department's stance on the academy programme and the promotion of formal partnership arrangements.

School Leaders

18. Evidence presented to the Board indicates that some schools may not be sufficiently focused on the potential risks of not forming effective, sustainable partnerships and that this is now an urgent matter. Evidence considered also indicated that change is most effective when it emanates from schools themselves (rather than being dictated by regional authorities). As a result, the Board concluded that more should be done to re-emphasise to school leaders that the educational system is now a school-led one and that the responsibilities this entails will increase as the LA's capacity is further reduced. So as to lend confidence to these arrangements it is also important that, amongst other benefits, the capacity for formal partnership arrangements to deliver sustained improvement is also highlighted to school leaders.

Recommendation 2

Work is undertaken by the Local Authority to promote the leadership role of Governing Bodies and Head teachers. Such activity should seek to empower schools to actively consider their current organisational arrangements and the potential benefits of partnership arrangements. If already in some form of partnership, then relevant school leaders should review whether the benefits of their current arrangements are being fully exploited and actively consider how they strengthen these arrangements over the coming years.

Standards and Learning Effectiveness Service

19. The Standards and Learning Effectiveness Service (SLES) aims to provide the staff and governors of East Sussex schools with a range of high quality services, designed to help them raise standards by improving the quality of learning, teaching, leadership and management. The Board heard evidence regarding the perceptions of schools and academies in relation to the support and guidance SLES provides to them. Given the development of a school-led system and the commensurate changing role of the LA, the Board also considered the Department's position with regard to advising schools and academies about their partnership arrangements and its plans for the future shape of the service.

20. The key point made to the Board regarding SLES is that its capacity to provide support to schools will in future be severely restricted. Most recently, this point has been reinforced by proposals set out in East Sussex County Council's 'Core Offer'. With regard to school improvement services, it is proposed that the Council will not 'offer our current programme of support to schools to help them improve'. Whilst the precise proposed level of support is yet to be defined, it seems likely that the service will be greatly reduced.

21. The Board was therefore mindful of these pressures and limitations and accepted the need to develop recommendations that take this difficult funding picture into account. However, the Board suggest the current developments in the educational system mean a further thorough review of SLES should be considered. Such a review would seek to ensure the remaining service is effectively aligned to the meet the needs of the evolving situation. This review would include an exploration of whether SLES has capacity to help ensure partnerships are appropriately focused on key issues, such as partnership school improvement, collaborative professional development, the development of strategic leaders and the development of partnership governance.

Recommendation 3

The Local Authority to undertake a thorough review of how the ongoing budget for SLES is best utilised. This will help ensure the purpose of the service and its staffing arrangements are appropriately aligned to meet the needs of the evolving educational landscape in East Sussex.

Traded Services

22. As part of the range of possible responses to the challenges the LA is facing, the Board considered whether an expanded traded service offer could help deliver enhanced SLES support to schools and academies. However, the evidence considered by the Board led it to conclude that there was no realistic prospect of developing effective recommendations in this area. The Department's view is that school budgets are under great pressure and this diminishes the likelihood that sufficient numbers of institutions would purchase the service to make it viable. The Board also heard that the LA no longer has the capacity within SLES to create such an offer. There are also a range of practical factors that would make running a sustainable service difficult. For example, there is a tendency for schools to limit the time when they would be likely to want to pay for support. This means schools are less likely to want support at:

- The beginning or end of term
- The beginning or end of a day
- Other times when schools are under particular pressure

23. This creates a problem for staffing as requests for support are likely to create peaks and troughs which means it is very difficult to ensure sufficient resource is in place when schools require it. Given these restrictions, the Board concluded it would not be appropriate to develop an expanded traded services offer.

Advice to Schools regarding partnerships

24. In terms of its performance within the current strategy, the Board was satisfied that the LA fulfils its duties with regard to supporting schools which come forward and **ask** for assistance to either convert to academy status or to federate. Furthermore, the evidence provided to the Board was also clear that those schools which had sought help to change their status were also generally satisfied with the support and advice they had been given. Indeed many were clear that they viewed the LA as a highly valued source of advice and guidance.

25. In terms of the advice it offers to schools regarding partnerships, the LA currently provides guidance on the processes schools should follow to change their status and the potential benefits and challenges of the different available options. The LA's current strategy asks schools to identify their own potential structured relationship which the school believes will help it deliver good outcomes into the future. This strategy is informed by the LA's view that for change to be effective and sustainable it must be led from the bottom up and not dictated by strategic bodies. The Board also heard evidence that the LA is perceived by some witnesses to have a neutral stance with regard to whether schools should enter into a formal partnership.

26. The evidence presented to the Board was broadly supportive of the LA's policy on these matters - particularly of the need for change to be led by the schools themselves. However, the evidence indicated to the Board that there is still some scope to develop the guidance in this area. Schools are now entering into a crucial phase and the evidence points to a need for a stronger message about the kind of actions schools should be taking now. With this in mind, the Board recommend that the LA strengthen its message to school leaders about the benefits of a being in a partnership and reinforce its message to single schools about the future risks of not being in a partnership. The revised guidance could include wording that emphasises the leadership role of schools in a school-led system. Whilst responsibility for bringing partnership proposals forward is the responsibility of individual schools, the Board heard evidence that the LA play a 'critical friend' role for schools considering entering into a formal partnership. This friendly challenge role can help ensure proposed groupings have a realistic chance of delivering a sustainable/beneficial partnership. The Board welcomed this approach and recommend that this role is strengthened as it appropriately utilizes the experience and knowledge of the LA at a critical point in the development process of a formal partnership. Consideration should also be given to offering advice which is tailored to the particular needs of small and rural schools. Such a message could be also be set out in the next iteration of the Council's 'Excellence for All' strategy document.

Recommendation 4

a) The Local Authority to consider promoting to Head teachers and Governing Boards the benefits of a formal partnership arrangement, as well as developing its critical friend role with regard to partnership proposals.

b) The Local Authority to consider also clarifying to individual schools at risk what it sees as the potential dangers to them of not actively pursuing a formal partnership arrangement.

Recommendation 5

The Local Authority to consider developing the next iteration of its 'Excellence for All Strategy' document and other related documents so that it:

- promotes the development of formal partnerships;
- emphasises the leadership role of schools; and
- offers bespoke advice that is tailored to meet the needs of rural primary and small schools.

Relationships between strategic authorities

27. The Board heard evidence which suggests that it is not only schools which cannot afford to stand alone. No one (regional) strategic educational body can provide all the oversight and support which our schools and academies need. Authorities such as the RSC, the local dioceses and the LA therefore all need to collaborate. As one strategic leader said 'we are all in it together'. Indeed the Board received consistent evidence from these bodies about how they appreciate the excellent working relationships they have with each other and the benefits this can deliver. For example, the authorities the Board heard from all agreed that when they work together, the messages they deliver to schools and academies have greater credibility.

28. The Board accepts that all the relevant strategic bodies have their own clearly defined roles and that there are often clear limitations on the actions they are legally allowed to take. Nonetheless, evidence presented to the Board led it to conclude that the challenges facing our schools suggest these bodies should review their current working relationships and goals. Such a review should seek to strengthen these relationships in the light of the evolving school-led system. Where possible, it should also seek to develop common guidance on the promotion of formal partnership arrangements and advice and guidance on related training matters.

Recommendation 6

So as to present a consistent and clear message to schools, and to draw on the combined strengths and experiences of each party, the Local Authority should seek to strengthen its relationships with the main strategic educational bodies in East Sussex. For example, this might include exploring the development of a common approach to formal partnerships.

LA brokerage role

29. The Board heard clear evidence that it is in the best interests of all schools to develop their own policy with regard to the nature of a proposed formal partnership arrangement. The Board recognises though that there may be occasions when schools need help to identify suitable partners. The Board understands that the LA and RSC already offer such assistance when requested to do so. However, some schools may have a greater challenge finding a partner. For example, one witness informed the Board that ‘small schools are not attractive to federations and MATs’. The Board therefore considers that there may be scope for this brokerage role to be developed further - as without additional help, some schools may be left isolated.

30. The Board considers that the LA and the RSC have the necessary experience to explore innovative solutions that might not otherwise be obvious or accessible to these schools. Such help might be especially appropriate if the LA were to adopt an approach that promotes formal partnerships.

Recommendation 7

That the Local Authority develop further its brokerage role and develop innovative ways of facilitating school partnership that might not otherwise come into being.

School partnerships

Background

31. In a research report produced for the Department for Education (DfE) by Dr Paul Armstrong, the situation regarding inter-school collaboration is described as ‘complex, encompassing a wide range of different types of collaborative activity both informal and formal and involving schools of different phases and types’. Within this complex spectrum of collaboration types, it is possible to designate partnerships as being either ‘informal’ or ‘formal’ as described below:

- **Informal Partnerships.** This model is a non-statutory arrangement, with the school retaining its own Governing Body (this model is sometimes referred to as a soft partnership). In East Sussex the most common form of informal partnership is an Education Improvement Partnership (EIP). East Sussex County Council’s ‘Partnership Pathways’ guidance describes EIPs as:

“..groups of schools working together across an area to improve outcomes for pupils at all schools; they build on the earlier smaller school alliances. EIPs include primary and secondary schools. These informal networks and informal partnerships do not require any change to leadership or governance, although schools might want to consider whether they need to put their own accountability framework in place.”
- **Formal Partnership Arrangements.** A formal partnership is an inter-school collaboration that involves shared governance. The two main types of formal partnership are Multi Academy Trusts and federations (these partnerships are sometimes referred to as a hard partnership):
 - Multi Academy Trusts (MATs). Academies are state-funded schools which receive their funding directly from central government and are independent of the LA. As set out in East Sussex Council’s ‘Collaborations’ guidance document, a MAT is ‘established to take responsibility for more than one academy.’ In East Sussex an example of a MAT is the South Downs Learning Trust (which is comprised of Ratton School and Ocklynge Junior School in Eastbourne).
 - Federation Partnership. A federation is where a number of maintained schools come together under one Governing Body. The schools’ individual Governing Bodies are disbanded and a new single over-arching Governing Body is formed. This becomes the accountable body for all the schools in the group and sets the strategic direction. Schools share common goals and will usually have an Executive Head teacher working across all schools (with

individual Heads of School at each separate school). There are a significant number of federations in East Sussex, with one example being the Skylark Federation which is comprised of Barcombe, Hamsey and Plumpton Primary Schools.

32. Having established an understanding of the main strategic bodies, the Board then moved on to consider the key challenges in this area.

Issues relating to partnerships

33. The Board examined partnerships as they are widely seen as the most sustainable way for schools to operate in future. The Board considered a wide body of evidence relating to different types of partnership, their relative strengths and weaknesses and whether they were the most effective option open to schools.

Effectiveness of Partnerships

34. The Board sought evidence to establish whether partnerships are effective. The Board was informed by the LA that both national and local evidence supports the view that schools should enter into partnership arrangements. For example, one strategic authority explained that it is:

“..in favour of partnerships as this is the best way to make a difference to outcomes.”

35. Furthermore, when asked about the ability of schools to stand alone, one witness informed the Board that:

“A key issue is that single academies can be isolated and whilst they can succeed, it’s just more difficult for them.”

36. Given the above and other related evidence, the Board was satisfied that in the context of a school-led system, partnerships are the most realistic option for the majority of schools going forward. As a result, the Board then moved on to consider the strengths and weaknesses of informal and formal partnerships.

Informal partnerships

37. The majority of the evidence considered by the Board indicated that informal partnerships will not provide an effective response to the challenges discussed in this report. In general there was concern that such partnerships do not provide clear leadership. For example, at the national level, and in its ‘Enabling School Improvement’ guidance, the LGA comment that:

“One risk for the sustainability of current partnership arrangements is that they are founded on effective working between individuals. When those individuals move on, the basis of the partnership possibly weakens.”

38. At the local level, the Board heard similar evidence from a Chair of a Federated Governing Body who noted that whilst Education Improvement Partnerships (EIPs) can help share good practice, they are:

“..not strong enough...and that a formal Federation is better than a soft partnership as one Governing Board means you have less conflicts to deal with” and “with a Federation you get all the governors in one room to discuss key issues”.

39. While informal partnerships are not the response the Board would advocate in relation to the challenges being considered here, the Board accept that there may be circumstances where such arrangements can be beneficial. One example relates to the dip in academic performance which can occur in Key Stage 3, when pupils transfer from the primary phase to the secondary phase. One response to this problem can be to set up a cross-phase informal partnership as this helps enable a smooth transition of pupils from Year 6 into Year 7.

Formal Partnerships

40. The Board considered the strengths and weaknesses of the two main types of formal partnership – MATs and federations.

Multi Academy Trusts – Benefits

41. At the national level, and in its 'Governance in Multi Academy Trusts' guidance, the National College for Teaching & Leadership summarises its views on the benefits of MATs as enabling school leaders to:

- share best practice
- deliver economic benefits, such as centralised services
- focus funds where they are most needed
- have increased and flexible staffing resources
- establish more effective succession planning programmes and, in doing so, retain good staff who might otherwise move on – including head teachers

42. These views on the benefits of MATs were echoed at the local level when the Board met with representatives of two separate types of MAT. One is a local Trust comprised of two schools. When asked for some practical examples of the benefits that the MAT model can help deliver, the Executive Head commented:

“The Executive Business Manager manages across both schools in the MAT and this helps us identify real efficiencies. We can draw both schools into pre-existing contracts (and achieve better deals) and do parallel staff/resource planning. Other benefits include shared caretaker capacity across both schools. Quality of teaching and learning: we now have a larger network and are able to commission more support. We are creating a wider network to develop quality teaching. Areas like safeguarding and recruitment are easier to manage. Professional development and training - suddenly we have one set of training charges for certain areas.”

43. The Board also received evidence from a larger MAT which operates a number of academies in East Sussex and South London. This evidence echoed the above comments, with the Chief Executive Officer saying the benefits of a MAT include:

- effective strategic planning both for the Trust's schools both individually and as a group
- more scope for effective succession planning for staff
- greater scope for sharing resources and skills across a number of schools
- the leadership to react quickly to problems without the need to refer to a central bureaucracy
- MATs to be able to determine the numbers and roles of governors and to go for a smaller number of high quality governors.

Multi Academy Trusts - Challenges

44. Inevitably, whilst the shift within the school system for schools to work together has helped deliver benefits, it has also created new challenges and risks. Some of these challenges apply across the partnership as a whole, whilst others impact directly on the Executive Head - who takes on a greater range of responsibilities across more than one school site. When asked to comment on these challenges, the Executive Head of the local MAT quoted above said:

Strategic leadership capacity is stretched. We look to develop this within the school, but may also need to bring in external leadership. There are financial risks – such as unfunded salary increases. There is lots of change in the system – much more than five years ago. For example, new curriculum and GCSEs. We have to make sure the support is there to deal with these challenges.

Federation Benefits

45. The Board also considered evidence relating to the benefits of federations. For example, the Chair of a Governing Body of a federation informed Members that:

“With a federation you get all the governors in one room to discuss key issues. You can’t have too many governors though – so you then need to look at the skills of the governors you already have to ensure the single Governing Body has the best possible fit for purpose. You can then rotate the Governing Body meetings between the schools in the federation. Formal federations show a level of commitment - you have to ‘put your neck on the line’. It’s not a loose promise. Also, there is much more collaboration at a formal Federation. We all have the same INSET dates. Our bursars work together and benchmark together what we are buying in – joint procurement. We didn’t enter into this partnership for money – we went into it as there was not enough capacity without it to deliver quality teaching – so we have subject leaders.”

46. Furthermore the Board was presented with examples of successful local federations. This included an Ofsted inspection from June 2017 which commented that with regard to one federation:

“The school has certainly benefited from being part of the federation...Federation governors are competent and hardworking....The federation has enabled expertise in different subjects to be shared effectively throughout its schools. This has led to stronger professional development and better training for teachers.”

Federation - Challenges

47. The Board also heard evidence related to some of the challenges and risks associated with Federations. This included the view that:

“In small schools the difference between Executive Head and School Leader is not great and therefore in this model, a bigger grouping is desirable.”

48. Whilst the Board heard evidence that many of the benefits and challenges of a formal partnership apply to both MATs and federations, evidence was received regarding the perceived additional advantages of a MAT. For example, one local regional body commented that:

“Academies are more robust than federations, they have more control and stronger governance. In MATs the relationships are also more actively managed. We’ve seen some federations starting to fail, as schools can’t manage – you need external pressure.”

49. The Board did not, however, conclude that the above viewpoint means MATs should be promoted over Federations. Instead, the Board believe that the different options open to schools should be seen as a positive. This is because the circumstances relating to each school and its local community are different. This allows schools to make informed decisions about which type of formal partnership best suits their local situation.

Exploiting the benefits of a formal partnership.

50. The Board also investigated whether schools are fully exploiting the benefits of their partnership arrangements. The Board was informed by the LA that:

“.. it takes a long time for partnerships to produce benefits. However, and for a range of factors, some federations may not be exploiting the full range of benefits that the grouping can deliver. These factors include pre-existing contracts, the size of the Federation and the nature of the relationships between the schools within the group.”

51. Based on the evidence presented to them, the Board concluded that there would be value in assessing the performance of a formal partnership as a whole. A benchmarking process of this kind would not only help an individual partnership understand its performance, it could also create useful ‘good practice’ guidance for other schools. For example, when asked about their assessment process, the Chair of one federation commented that he thought assessing the performance is important because:

“We have had a massive learning curve. Staff surveys are one source of information. Parent surveys too. We have financial data and this helps us measure the impact of the federation, similarly there is data too on teaching and learning.”

52. With the above in mind, the Board proposes that the experiences of successful, mature federations are recorded. The learning from these successful partnerships should then be shared with both existing federations and other schools considering entering into such an arrangement. A similar process could occur with regard to the academy conversion process.

Recommendation 8

The experiences of successful formal partnerships should be recorded and shared by the Local Authority. The aim being to:

- help other existing partnerships more fully realise the benefits of their arrangements; and
- develop advice for 'single' schools which are considering entering into a formal partnership.

Resistance to Partnerships

53. The Board heard evidence regarding schools' impressions about the complex nature of both the process of creating a formal partnership and its subsequent management. The Board also heard that some schools may be concerned about their individuality and whether this would be diluted in a partnership. Such concerns indicated to the Board that this perception of complexity and potential loss of identity may be dissuading schools from taking the necessary steps to form sustainable partnerships. For example, when asked about the process of converting to academy status, one chair of a federated governing body said that for the time being at least, they were dissuaded from conversion as:

"..ahead of converting, it's quite a process, looking at land ownership, diligence matters, finance etc. It's a huge amount of work – you need enough capacity to do this properly."

54. When asked about whether the possibility of converting to an academy was ever considered by the schools in their group, another chair of Federation Governing Body responded by saying :

"No. There was a fear academisation would give us less flexibility over things like our branding (i.e. the school's identity). There is also a general concern about academisation, it seems more radical."

55. The Board also heard that some schools may be concerned about entering partnerships as they are:

"..reluctant to share key teaching staff and that parents can be strongly opposed to academy conversion."

56. In response to this reluctance, the Board heard that a possible solution to this concern is to promote the creation of a federation first as:

"Federation is sometimes adopted as a stepping stone approach, as this is seen as less permanent and controversial and helps to create new ways of working."

57. On the basis of the evidence presented, the Board concluded that the further promotion of this approach would be beneficial as it could help schools see the formation of a partnership as part of a journey which, depending on local context, may or may not result in conversion to academy status.

Recommendation 9

To help encourage the development of formal partnerships, the Local Authority should consider promoting to schools the creation of a federation as an initial step. This approach would:

- help address some of the perceptions which are discouraging change; and
- better enable schools to consider, in the context of their local circumstances, whether or not they then wish to convert to academy status.

The roles of governors and Executive Heads

58. The new structures and partnerships schools are entering into and the development of a school-led system may mean there is increased scope for gaps in oversight and governance to develop. One key area where this issue could manifest itself relates to the role of ‘partnership’ governors. The Board heard compelling evidence that the role of such governors is significantly different and more demanding than that of a governor at a single school. As one witness commented:

“Federations have one Governing Board overseeing both schools. This represents a change in mind-set for the governors as they have to take on responsibility for all the children in all the schools within the grouping.”

Another governor of an existing federation commented that:

“Becoming a federation governor is a real education. It is difficult.”

59. Given this and other supporting evidence provided to them, the Board identified a need that appropriate bespoke guidance is developed on the oversight role of the partnership governor. In particular, this guidance should help to ensure specific groups of children, such as vulnerable children, are given an appropriate level of focus and attention across all the schools within the partnership. The guidance should also set out the particular training and development needs of a partnership governor.

Recommendation 10

The Local Authority to develop further guidance which has a focus on the specific role and responsibilities of the formal partnership governor and their training and development needs.

60. The Board also heard evidence regarding the role of the Executive Head and how this is very different from that of a Head teacher of a single school. Evidence presented to the Board indicated that some schools entering into a federation arrangement were not clear on what the role would precisely entail and how it might work on a day-to-day basis. One witness commented that:

“More effective training is required for Executive Heads. They need to have vision.”

61. As this role is crucial to the effective operation of a formal partnership, the Board recommend that consideration should be given to developing specific advice and training for schools regarding the role of the Executive Head. This could extend to providing practical advice as to how other formal partnership arrangements operate. For example, the Board heard how one Executive Head spends a day and a half at each of the schools in their Federation. It could also provide specific help with regard to the transition process, such as job descriptions for the relevant roles.

Recommendation 11

The Local Authority to further develop its toolkits and guidance for schools who are considering creating a federation or converting to academy status, or who are already in a formal partnership. Such guidance should include specific advice on the role of the Executive Head and Heads of School and their training and development. Consideration should also be given to developing this type of guidance in partnership with other regional strategic bodies.

Sustainability of small schools

Background

62. The DfE defines a small school as one with a single form of entry (which is made up of 30 pupils). For primary schools therefore, a small school would usually not have a school roll of more than 210 pupils (across the seven year groups). The DfE also has a policy which sets out that proposals for new schools must have at least two forms of entry. That is to say, such a school would have a Published Admission Number of 60, with a potential total number on roll of 420.

63. The local context is that out of 153 primary schools in East Sussex:

- 39 have a single form of entry (30 pupils admitted per year in Reception).
- A further 49 are even smaller and have an intake below 30.

64. This means approximately one half of all primary schools in East Sussex would not meet the DfE's current standard for being built.

Pressures on small schools

65. Most of the issues discussed in this section affect, to varying degrees, all schools. However, the evidence presented to the Board indicates that the pressures on small schools are more pronounced. As a result, the Board focused on the particular challenges facing these schools with regard to their sustainability.

National Funding Formula

66. As mentioned elsewhere in this report, the Government committed in 2015 to introducing a National Funding Formula (NFF) for mainstream schools. At the time of evidence gathering, the Board heard that schools in East Sussex would receive an overall funding increase of 2.5%. However, despite the potential funding increase, the Board heard that it was likely that the NFF would disadvantage small schools. This is because the NFF increases the balance of funding toward a pupil based system. Ultimately this means, to a greater degree than before, fewer pupils equals less funding. Given small schools have small intakes, any variation in admissions will have a proportionally higher impact. The LA confirmed its view on this matter by indicating that:

“In 2020 the National Funding Formula will be introduced. There is no question that this will really impact on small schools. Fluctuating admission numbers for these schools will be a massive issue in terms of their funding.”

67. The Board also heard that the LA has a very limited ability to assist schools who get into financial difficulty because ‘all the available funding is allocated to the schools straight away’. This potentially unstable financial picture means partners may be more cautious of entering into a formal partnership with a small school.

Equality of opportunity and quality teaching

68. The National Curriculum (NC) is a set of subjects and standards used by schools in England. It sets out what subjects are taught and the standards children should attain. The national curriculum is divided into blocks of years called Key Stages. In recent years there have been a number of major developments relating both to the delivery of education and its assessment (for children of compulsory school age). Developments of particular relevance include:

- the revised National Curriculum introduced for 2014 onwards; and
- the introduction of a new assessment framework that replaced national curriculum levels (which occurred within key stages) with a new process called ‘Assessment Without Levels’ (introduced in September 2015);

69. The Board heard evidence about the demanding nature of the new curriculum and the challenges that some schools will face trying to deliver quality outcomes for their pupils. One chair of a Governing Body commented that:

“It is difficult for small schools to deliver quality teaching across eight subjects – this impacts on performance.”

70. Another witness commented that:

“Small schools - are they really offering a fit for purpose education? Particularly taking into account the impact of the new tough curriculum. It is very difficult for one teacher with an entire class which is comprised of children made up of all the year groups in Key Stage 1.”

71. Evidence provided to the Board also indicated that very small schools will struggle to meet the requirements of the National Curriculum because, amongst other factors, the teacher recruitment and retention challenge is particularly acute for this type of school. Recruitment is more of a challenge because many teachers do not view small schools as offering the same career development opportunities as larger schools. For example, one Chair of a Federation Governing Body commented that prior to the creation of the federation, his original single school had had two failed attempts to recruit a new Head. This failure led them to think about the federation model.

72. Elsewhere in this report, and as happened in the above example, the Board was presented with evidence which suggests that the appropriate response to these challenges would be to enter into a formal partnership. However, the Board also heard evidence from the LA that such a response might not be sufficient for very small schools:

“..the trouble is that some schools are so small, federation will not be able to deliver the necessary savings. Unless we grasp this issue though, it will impact on educational attainment. So rather than thinking just about saving schools in a given area, we should also think about equality of opportunity.”

73. The Board understands both the severe challenges facing small schools and the importance they have for their local communities. One Chair of a Governing Body stated that:

“We must be careful about stripping facilities out of villages. We must act for educational needs. What are these schools doing and can they provide for their kids an equality of provision?”

74. Given the above points, the Board agreed it is important that the LA is able to demonstrate that it has explored all reasonable opportunities for addressing these challenges. This would include the consideration of radical solutions. Such an approach might, therefore, involve exploring the viability of exploiting technological solutions. The Board are aware, for example, that in other circumstances virtual teaching is provided to pupils. Another solution could involve examining how primary school teachers are being trained and whether there is a model that could help prepare more teachers to deal with more than one year group at a time. The Board also recognise that many other LAs will be facing a similar challenge in this area. As a result, the Board recommend the LA explore whether other authorities have developed innovative solutions which could potentially be suitable for transferring to East Sussex.

Recommendation 12

Alongside the guidance set out in the Education Commissioning Plan for small and rural schools, the Local Authority should take steps to explore innovative solutions to the specific problems small and in particular, small rural schools are facing. Such solutions could include, for example, technological responses and adapting training provided to primary school teachers. It could also include exploring the solutions which other authorities in similar situations have developed.

Concluding comments

75. Evidence presented to the Board indicated that it is now an urgent matter for all schools to take a strategic approach to planning for their future. However, the Board was also aware that the scale and pace of change within the system has helped create uncertainty amongst schools about the best way forward. With this mind, the Board agreed a number of practical, attainable recommendations which Members hope will be of real assistance to schools and academies in East Sussex. In particular, the recommendations contained in this report aim to help clarify the advice schools receive regarding the benefits of formal partnership arrangements. The recommendations also aim to help schools develop their confidence to take on the challenges and opportunities the evolving education system is presenting to them.

Appendix: Terms of reference, membership and evidence

Scope and terms of reference

This scrutiny review was originally established by the Children's Services Scrutiny Committee on 27 November 2017 (the Children's Services Scrutiny Committee was subsequently superseded by the People Scrutiny Committee which reaffirmed its commitment to the review at its meeting on 25 June 2018). The key aims of the review were to explore developments within the local education system and to seek to understand the challenges and opportunities the evolving situation is presenting to schools and academies in East Sussex. Fundamentally, and in this period of great change, Members wanted to see if they could contribute to process of responding to the following questions:

- What can we do to ensure the quality of education we provide to our young people is not put at risk by these changes?; and
- How can we ensure the new opportunities these changes present are fully exploited?

Members were particularly clear that the review should have a forward-looking nature. The goal therefore was to develop recommendations that would ultimately help schools and academies be better placed to cope with change.

Board Membership and project support

Review Board Members:

Councillor Roy Galley (Chairman)

Councillor Kathryn Field

Councillor Francis Whetstone

Councillor Laurie Loe

Matthew Jones, Parent Governor Representative

Former Members:

Nicola Boulter, Parent Governor Representative

Councillor Alan Shuttleworth

Councillor Stephen Shing

Support to the Board

The Review Board would like to thank for their co-operation and assistance:

- those Federations and Multi Academy Trusts listed below who were either visited or sent representatives to board meetings.
- Representatives of the Regional Schools Commissioner.
- Councillor Bob Standley, Leader Member for Education and Inclusion and Special Educational Needs and Disability for attending a Board meeting.

The Board are also grateful for the support provided by officers listed below from within the Children's Services Department.

School/Academy visits were undertaken by members of the Review Board:

Councillor Roy Galley undertook an evidence gathering session when he visited Hawkes Farm Primary Academy on 23 April 2018.

Witnesses providing evidence:

- Amy Baron, Team Leader for Sussex, Brighton and Hove, Regional Schools Commissioner
- Peter Clark, Co-Chair of the Skylark Federation
- Maria Dawes, Deputy Regional Schools Commissioner
- Mark Ducker, CEO, STEP Academy Trust
- Dr Ann Holt, Director of Education, Diocese of Chichester
- Huxley Know-Macaulay, Executive Head teacher, South Downs Learning Trust
- Ben March, Chief Finance and Operations Manager, STEP Academy Trust
- Jeremy Meek, Head teacher, Hawkes Farm Academy
- Sarah Rice, Schools Accountant, Children's Services Department
- Melanie Saunders, Interim Head of Service, Children's Services Department
- Councillor Bob Standley, Leader Member for Education and Inclusion and Special Educational Needs and Disability
- Jessica Stubbings Senior Manager: Places and Participation, Children's Services Department
- Mandy Watson, Chair of the Pioneer Federation
- Mark Whiffin, Head of Finance, Children's Services Department
- Fiona Wright, Assistant Director Education and ISEND, Children's Services Department

Support was provided by the following officers:

- Elizabeth Funge, Head of Education Improvement
- The Project Manager was Stuart McKeown.

Review Board meeting dates

Session	Date
Meeting 1	05/01/18
Meeting 2	15/03/18
Meeting 3	24/04/18
Meeting 4	05/06/18
Meeting 5	25/07/18
Meeting 6	05/09/18
Meeting 7	01/10/18
Meeting 8	24/10/18

Evidence papers

No.	Title of Evidence	Date
1	Regional Schools Commissioner's decision-making guidance	23 02 18
2	Local Government Association report 'enabling school improvement'	23 02 18
3	Excellence for All 2017-19 Strategy Document	23 02 18
4	Overview of school improvement service in the future CSD Report (07/12/17)	23 02 18
5	Data on School Reorganisation, Partnerships across schools, all-through Academy Schools, Lists of Primary and Secondary Academy Schools	23 02 18
6	East Sussex Federations and Non-maintained Schools Maps	23 02 18
7	Federations - including 'Federation Benefits -A Briefing for Governors' and Federation Case Studies	23 02 18
8	Collaborations Guidance	23 02 18
9	National College for Teaching and Leadership 'Governance in multi-academy trusts'	23 02 18
10	The Impact of the National Funding Formula (NFF): A summary of the process, guidance and support given to schools in East Sussex.	14 03 18
11	Internal - Audit Progress Report - Quarter 3 (01/10/16 - 31/12/16) - Schools Themed Review of Federations and Partnerships	14 03 18
12	Central School Services Block DSG 2018/19 - report to the Schools Forum	29 03 18
13	Summary of budget share comparison between 2017-18 and 2018/19	29 03 18
14	Schools Final over-underspend schedule 2016-17	29 03 18
15	Embracing Change: rural and Small Schools - report by the Church of England Education Office	29 03 18
16	Devon County Council 'Small Schools Task Group' report	20 04 18
17	STEP Academy data	18 05 18
18	Councillor notes from meeting with the STEP Trust (on 23 April 18)	18 05 18
19	SLES Budget 2018-19	18 05 18
20	Statutory guidance on the roles and responsibilities of the Director of Children's Services and the Lead Members for Children's Services	18 05 18
21	Schools Final Over/Underspend schedule for 17/18	25 07 18
22	Twenty questions 2nd Edition - produced by the Key for School Governors - only formal copies given to the Board members at the meeting on 5th September 18.	05 09 18
23	SLES organisation chart	19 10 18

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