

White Paper – *Your Child, Your Schools, Our Future: building a 21st century schools system*

30 June 2009

LGA Key messages

That every school should be a good school has been an ongoing tenet of LGA's view regarding access and quality in the school system, as has been the need to ensure clear coherence between schools and all aspects of children's services to ensure the best outcomes for young people in every area. The reiteration and clarity provided by the white paper in the principles outlined in the Pupil and Parent Guarantees are helpful and the emphasis given to early intervention to address difficulties faced by children and families very welcome. Many of the intended outcomes of the document's proposals as a whole are relatively uncontroversial at the strategic level and most of the proposals attempt to extend current Government positions and existing directions on implementation.

From the local government perspective, however, around the strategic role of local authorities and ability of councils to deliver improvements to ensure the best outcomes for children, young people and families, there are a number of contradictions and inconsistencies which appear to circumscribe and prescribe the local authority role, e.g. freedoms to commission; school improvement services. We need to tackle these tensions head-on, honestly, robustly and constructively for the benefit of local people using these services. LGA believes it is time to review the role of local authorities in education and children's services in relation to central government and other bodies in a systematic manner and so, to that extent, we welcome further consultation with DCSF as it proposes in the white paper.

Chapter One: Our ambition for every child: an education that prepares them for the challenges of the 21st century

This chapter contextualizes the proposals in the white paper in terms of the challenges that the future workforce will face and the need for further reforms to ensure that young people succeed and achieve while in education and training and are fit for the 21st century workforce, with an emphasis on breaking the link between deprivation and low educational attainment.

Chapter 2 – In every school: excellent teaching and the extra help each child needs

Key proposals:

The white paper sets out a 21st Century school *Pupil Guarantee*, to be outlined in legislation in a similar way to the existing Statutory Admissions Code. It comprises five elements which state that:

- Every pupil will go to a school where there is good behaviour, strong discipline, order and safety with new Home School Agreements to ensure parents and pupils understand their roles in supporting behaviour policies;
- Every pupil will go to a school where they are taught a broad, balanced and flexible curriculum;

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- Every pupil will go to a school where they are taught in a way that meets their needs and where they receive the support they need:
- Every pupil will go to a school where they take part in sport and cultural activities:
- Every pupil will go to a school that promotes their health and wellbeing:

There will similarly be a *Parent Guarantee* comprising four elements, that a parent should:

- Have opportunities, information and support to exercise choice with and on behalf of their child;
- Have a Home School Agreement outlining their rights and responsibilities for their child's schooling;
- Have the opportunity, information and support they need to be involved and engaged in their child's learning and development;
- Have access to extended services including support and advice on parenting.

(See Annex 1 for the full Guarantees)

Proposals also include:

- Where parents do not sign up to or support their school's behaviour policy the law will be changed so that parents' unwillingness to sign up and support can be used by schools to support applications to the courts for Parenting Contracts and Parenting Orders. Parents will also have the right to complain if they believe the school is not holding other parents to their responsibilities.
- Schools in their Behaviour and Attendance Partnerships will need to work closely with the local Children's Trust Board to ensure high quality provision for pupils as necessary.
- Every child who may have fallen behind during Key Stage 2 or by the start of secondary school should be entitled to additional support. There will be a 'progress check', undertaken by teachers, in Year 7 for every child receiving additional support.
- Parents will be able to access up-to-date online reporting of their child's learning, behaviour and progress with more opportunity to influence the running of the school.
- PSHE education, subject to consultation, will be made a statutory part of the curriculum in all schools.
- Government will legislate to ensure processes for early intervention in identifying and addressing children's problems. Early intervention strategies or frameworks will need to be set out within the local area's Children and Young People Plan. Government will devise a national framework for early intervention activities, to set out clear roles and responsibilities to support children and families in difficult circumstances.

LGA View

The LGA fully endorses the emphasis placed on frameworks for early intervention where problems may arise for young people and the need for schools and other agencies to work still more closely together. Partners should be required to follow the early intervention framework set out and agreed in their local Children and Young People Plan. We are much less convinced about the efficacy of a national framework setting out clear systems, roles and responsibilities if this hampers locally designed and effective methods for early intervention. Principles and good practice in early intervention may well be helpful, but local circumstances and needs must dictate priorities and methods.

The principles outlined in Pupil and Parent Guarantees are laudable and in many instances reiterate accepted existing good practice. It is unclear as yet precisely how school applications for Parenting Contracts and Parenting Orders would work in

practice and the extent to which litigation and bureaucracy might result, rather than than true engagement of parents. It is also unclear whether or not the local authority would need to support a school's application or act with neutrality bearing in mind future needs and relationships both with the parents and children involved. LGA welcomes measures to assist all children who may fall behind with the extra support that is relevant to them. Clearly, this needs to be funded sufficiently.

It is unclear at present precisely what information teachers will need to ensure parents have access to on an ongoing 'up-to-date' basis and the burdens both in staff time and IT requirements this will make on schools. The emphasis is on online reporting, but ease of access is a key issue here, e.g. for parents whose first language may not be English or do not have internet connection, and should not get in the way of direct relationships between teachers and parents where parents may feel the need to discuss their child's needs with a teacher or other member of staff.

Chapter Three: Every school working in partnerships: because no school can do it alone

The white paper proposes that delivery of the Pupil and Parent Guarantees will require schools to work in partnership with other schools and with wider children's services. Schools and wider children's services, the Government states, can offer more by working together than any one partner could alone and provide better value for money.

Key proposals include:

- legislation to make clear that schools have responsibilities for children across the area as well as those on their own roll;
- accelerate the creation of Academies – to 200 by September 2009, with a further 100 the next year – and Trusts;
- establish a system for accrediting high-quality education providers who wish to run Accredited Schools Groups and require local authorities to consider the use of these providers to tackle underperforming schools;
- extend the powers of strong governing bodies to allow them to directly sponsor Academies;
- reduce the barriers to schools and other partners pooling funds and resources to achieve better value for money;
- support the creation of multi-agency teams in schools and bring schools and wider services together in Children's Trusts; and
- fund a leadership and partnership national support programme to support schools to manage change as partnerships develop.

LGA view:

The LGA has been clear previously that a strengthened duty to cooperate on schools is welcome, and it is pleasing that steps have been taken through the Apprenticeships, Skills, Children and Learners Bill to do this. However, this chapter provides mixed messages with regard to the role of schools as being at the heart of a Children's Trust Board, and in particular the nature of the relationship between schools and the council. While making plain the expectation that schools will play a full part in the Children's Trusts and as part of multi-agency teams to support better outcomes for children and young people, other proposals put in train action that moves schools further away from the activity of councils and children's services, specifically through the emphasis on academies and the use of Accredited School Groups led by other education providers. Insofar as the chapter outlines steps to support schools and councils working together on the wider ECM outcomes, the LGA is pleased with the document, but it is disappointing that these steps are compromised by proposals that weaken the role of councils as strategic leaders and commissioners in a locality by not emphasizing the crucial role that councils must have in delivering in school improvement services. This, to say the least, is

disappointing and the LGA will be working to make this case forcefully to DCSF.

Chapter 4: Every school improving: strong accountability and rapid intervention where it is needed

Key proposals:

- Government will reform the role of the School Improvement Partner (SIP) and increase their time with weaker performing schools. SIPs would not only be responsible for monitoring and challenge, but also take on a wider role brokering improvement support in discussion with school leaders. DCSF will, in general, cease to fund or provide school improvement support but will focus on a sufficient quality-assured supply. Schools will choose and pay for provision guided by their SIPs. Visits between schools and peer-to-peer support will be encouraged, along with the provision of benchmarking information.
- SIPs will take decisions in future about schools' specialist status, taking account of their performance and work with partner schools. Weaker performing schools will have part of their funding made contingent upon the SIP signing off their school improvement plans. If the SIP and school are unable to agree a way forward, this would trigger consideration by the local authority of more directive intervention.
- SIPs' training and accreditation will be reviewed by NCSL. NCSL will quality assure and operate a national register of SIPs. School governing bodies will have the right to choose from a list of SIPs proposed by the local authority and may reject one simply proposed by the authority. SIPs will also have their link with a school reduced from five to three years.
- When the central contract for National Strategies ends in 2011, funding for Primary and Secondary National Strategies will be delegated to schools for them to purchase training in discussion with the SIP. In general, centrally-funded improvement support programmes will only continue where there is a national need unlikely to be met in a devolved system.
- Government will help schools and local authorities to establish local clusters and share expertise and key staff and centres of excellence. Building on national improvement support frameworks and school-to-school support in the area, local authorities need to commission clear costed local menus of support across all five Every Child Matters outcomes and for different groups of pupils, from which schools and SIPs can draw.
- DCSF will work with local authorities and schools to devise a programme to address issues of high in-school variance and volatility in performance. Local authorities will need to work to develop plans for primary schools according to their different needs. A local authority in each region will be funded to become a 'priority learning' authority, developing and sharing practice for schools facing particular circumstances, with each authority tackling a different issue.
- Government states that school accountability will focus more on the progression and development of each child, take more account of the views of parents and pupils and reward schools which are effective at breaking links between deprivation and low achievement.
- Early years achievement is to remain a priority and there must be appropriate links between schools and other early years settings
- The Government will introduce a School Report Card (SRC) for the performance of children from 5-16. A 'Prospectus' for the SRC is published alongside the white paper. SRC will be introduced from 2011 and will report on: pupil attainment, progress, and wellbeing; a school's success in reducing the impact of disadvantage; and parents' and pupils' views of the school and the support they are receiving. A pilot will be conducted over the next two years. Government will remove the legal requirement to produce a school profile and the SRC will supersede Achievement and Attainment

Tables. The detailed performance data used to prepare the SRC will continue to be published. Government believes that an overall rating on the SRC would give clarity throughout the system and to parents regarding overall performance. DCSF will consult further on the categories and indicators that will be used.

- Local authorities will use the SRC assessment of performance and Ofsted's judgement of a school's overall effectiveness to produce an overall school improvement assessment, which could be a trigger for intervention.

LGA View

LGA very much welcomes the principle that improvement for schools must be tailored, just as improvement for individuals and other organisations should be tailored according to needs and circumstances. While we welcome the proposed delegation of funds to schools for these purposes, there may also be the need for area or local authority wide improvement programmes to be commissioned.

It is distinctly unfortunate that as the appointees of School Improvement Partners, Government has not thought fit to discuss a reform to the role of SIPs with local government more fully first, though we welcome the pledge to consult now. There is a danger that so many requirements will be placed on SIPs in the time available to them, that they will find it increasingly difficult to undertake the job well within current resource constraints and that consequently local authorities will receive diluted feedback at a time when authorities are being asked to keep a closer eye out for the need to intervene early. The white paper makes no mention whatsoever of the role of local authority-based school improvement services in helping SIPs undertake the brokerage role or in maintaining an ongoing detailed review of schools' progress. Indeed, the diagram at Figure 8, describing accountability mechanisms, makes no reference at all to local authorities.

It is unclear whether local authorities will be obliged to use a combination of the SRC and Ofsted judgements as the sole means of measuring school progress and triggering intervention, notwithstanding local knowledge and data.

It is unclear how the SRC coheres with the Framework for Excellence reporting for post 16 learning institutions for schools with sixth forms. This is potentially bureaucratic for those schools and different processes pre- and post-16 are unhelpful in ensuring understanding and transparency in choices being made by parents and young people, particularly in the context of 14-19 curriculum and courses. We believe there should be one coherent reporting system.

Chapter 5: Every school and school leader supported: the right roles for local and central government

Key proposals:

- The white paper notes that local authorities have a 'role real of strategic significance' operating between the national level and frontline. The document reiterates key local authority roles include commissioning powers to ensure high quality school places; fostering effective partnerships between schools and other providers to ensure a mix of provision; intervention where provision is inadequate; ensuring parents have a voice in their children's education and that their views and concerns are acted upon. The Government notes it is committed to look further at central-local relations and will consult on this shortly.

- Local authorities will need to make sure that Children's Trust Boards have the correct representation, are well chaired and keep focused. Authorities are key brokers in developing and maintaining local clusters and partnerships of schools and other agencies. Local authorities should keep partners informed with the latest data available.
- As the SRC is developed, DCSF and Ofsted will consider how the SRC contributes to the local authority's annual children's services rating. Local authorities should ensure SIPs access continuing professional development through NCSL's programmes.
- Local authorities should act as commissioners not providers of support to their schools with a costed menu of support improvements programmes across the range of Every Child Matters outcomes (including parenting support or activities for young people). Local authorities should end the duplicatory practice of maintaining link advisers for schools alongside SIPs.
- Local authorities will be under a new legal requirement to gather parents' views on the school choices available in their area, and to publish a local plan for improvement if a high proportion of parents are dissatisfied. Local authorities will survey parents as they apply to secondary schools and will ask whether parents are satisfied with the range and provision available. Authorities should follow up specific concerns and publish plans to improve the position accordingly. Parents will have a right to appeal against the plan to the Adjudicator, along similar lines as for admissions. DCSF will work with ten local authorities in the autumn to determine how this process may work.
- Subject to the outcomes of the current review of the DSG, the Government will bring forward in early 2010 consideration of principles that money allocated at national level for deprivation should all be allocated locally to schools with the pupils who need it. The Government will also propose measures to remove current prohibitions on schools spending delegated budgets on extended services and remove barriers to the pooling of budgets within partnerships so that local authorities can provide revenue funding to clusters of schools. School surpluses are strongly criticised where these are not helping children attain outcomes now or where they might be used for early intervention measures. Local authorities should use small school subsidies to promote smaller schools to work in partnerships.
- The Government reiterates its ambition to move towards a national funding formula for all 14-19 provision over the longer term.
- DCSF will develop a new system of improvement support for local authorities and children's trusts reviewing the balance between centrally commissioned support for national programmes and differentiated support at local level. High performing local authorities will be encouraged to build capacity in others and lead cross-authority learning. Government will consider continuation and extension of City Challenge approaches from 2011.

LGA View

LGA very much welcomes the proposal to review central-local government relations in the context of relationships with schools, the education system more broadly and the provision of effective services to children, young people and families. LGA believes the white paper highlights ongoing examples of where central government states it sees local authorities as key partners and strategically important in the system, but then constrains or overly prescribes from the centre what authorities can do and where they can exert leverage and development in the system. We need to tackle these tensions head-on, honestly, robustly and constructively for the benefit of local people using these services. LGA would also expect to be in discussion with DCSF and Ofsted regarding how the SRC will contribute to the local authority children's services rating.

The white paper perpetuates contradictory and unrealistic 'black and white'

messages to local authorities. In para. 5.34, the document summarily instructs local authorities to work through SIPs and to end 'duplicatory' practices of maintaining link advisers. Two paragraphs later at 5.36, the document exhorts that local authorities 'need to stay close to the schools in their area' to spot signs of under performance and 'intervene quickly' to get them back on track and move 'urgently' to interventions where appropriate. Frankly, central government cannot have matters both ways at once. Either the SIP (currently operating at five days total work with a school per annum) is the single point of contact for the local authority and the local authority has 360 days of the year where discussions cannot take place with a school regarding improvements or service developments, or much more acknowledgement needs to be given to the high significance of ongoing direct relationships between school improvement services and senior officers within the authority and the school leadership team in support of the SIP. This ought not to be an 'either or' approach, rather an intelligently handled, locally informed relationship of SIP plus authority officers; 'both and'. We would expect this to be one of the issues for discussion in the consultation process noted above.

LGA will also expect involvement in discussions regarding the surveys of parents' views and any resulting development plan process. Currently the white paper is unclear about the methodology of parents' surveys, how representative they will be and at what point (e.g. simple majority of respondents) action is prompted to develop a plan. It is also interesting that the survey will only occur at secondary phase. If we are taking this route, ought not parents entering the system for the first time at primary phase to be asked their opinions too, along with all young people entering 14-19 provision? What should happen with regard to three tier areas? Are middle school parents to be surveyed as well?

LGA believes that it would be more sensible and timely to consider delegation of deprivation money to schools within the current DSG review.

LGA strongly supports provisions for clusters of schools to be funded in partnerships and the message that more challenge should be made to school surpluses so that resources go to help children attain outcomes, e.g. through early intervention measures

Chapter Six: In every school: a well-led and highly-skilled workforce

Key proposals include:

- invest in the selection and training of the best graduates as teachers: continuing to market the benefits of the profession, trialling a new tool for selecting teachers for their inter-personal as well as their academic skills, improving routes into employment-based training, and trialling accelerated training;
- transform the culture of professional development in teaching through the development of the Masters in Teaching and Learning, with the expectation that in time, all teachers will achieve a practice-based Masters qualification;
- introduce a renewable licence to teach, so that all teachers need to keep their practice up to date in order to renew their licence, and continue to develop professionally, alongside a new entitlement to continuous professional development;
- bring an ever wider range of skilled professionals into the workforce, in order to ensure that all barriers to learning can be addressed and there can be early intervention in problems; and
- strengthen the system of school governance, improving governor training and enshrine in law the fundamental powers and duties of governing bodies.

LGA view:

The LGA is concerned that proposals appear to take no account of established

consultation arrangements and processes, for example in relation to the establishment of executive heads and their relationship with the council. In particular, there is strong concern over the lack of accountability for an Executive head over a number of schools, each of which has their own head, which is not conducive to encouraging stronger accountability for outcomes. It also appears, on the basis of what we know, to be premature that the paper talks about the roles of Executive heads being reflected in the School Teachers Pay and Conditions Document. In conclusion, and of principal importance, the paper fails to acknowledge and articulate the crucial role that councils have as the local strategic lead and commissioner as well as employer in these important matters, which must be clarified as a matter of urgency.

Further information: Daniel Mason, LGA Policy Daniel.Mason@lga.gov.uk

Annex 1

Pupil Guarantee

- Every pupil will go to a school where there is good behaviour, strong discipline, order and safety: new Home School Agreements to ensure parents and pupils understand their roles in supporting behaviour policies –
 - pupils know what behaviour is expected of them and the consequences of misbehaving from September 2009;
 - pupils have the opportunity to have their say about standards of behaviour in their school from spring 2010;
 - pupils who need support for behaviour outside the classroom have access to high-quality learning opportunities.
- Every pupil will go to a school where they are taught a broad, balanced and flexible curriculum:
 - where the curriculum is tailored to every child's needs so that, from September 2011, every primary pupil receives the support they need to secure good literacy, numeracy and ICT skills, learn another language and about the humanities, science, technology and the arts, such as learning to play a musical instrument;
 - every 11-14 year-old enjoys relevant and challenging learning in all subjects and develops their personal, learning and thinking skills so that they have strong foundations to make their 14-19 choices. This will be phased in by September 2010;
 - every learner from 14-19 has the choice of learning route and qualifications from Apprenticeships, Diplomas, the Foundation Learning Tier and GCSEs/A-Levels; this will ensure that they have the opportunity to gain functional skills and increase opportunities to progress to higher education. This will be phased in by 2013;
 - every pupil understands they have, and are encouraged to take up, the opportunity to study at least two science GCSEs and, by September 2014, those who would benefit from a more stretching science curriculum have the opportunity to study triple science GCSE (physics, chemistry and biology);
 - every pupil aged 14-19 has the opportunity to undertake community service and high-quality work-related learning, by September 2009; and
 - every young person is participating in education or training up to the age of 17 from 2013 and up to the age of 18 from 2015.
- Every pupil will go to a school where they are taught in a way that meets their needs and where they receive the support they need:
 - where every secondary school pupil, from September 2010, receives personalised support from a Personal Tutor who knows them well, has an overview of their progress, and ensures any learning needs or issues are quickly addressed;
 - all secondary school pupils have access to high-quality careers education and information, advice and guidance so they can make informed choices about learning, work and lifestyles and are well supported during transitions;

- every pupil goes to a school that identifies their additional needs quickly and is linked up to health and other specialist services, so they can access the help they need swiftly and easily;
- every pupil, aged seven to eleven who has fallen behind national expectations and is not making good progress, receives one-to-one tuition in English or mathematics to get them back on track, from September 2010;
- every pupil beginning secondary school behind national expectations in English and mathematics receives one-to-one or small group tuition and their learning is assessed through a progress check, which is reported to parents, from September 2010;
- every pupil identified as gifted and talented receives written confirmation by their school of the extra challenge and support they will receive, by September 2010; and
- every pupil has an opportunity to have a say on how well their school is doing and how it can be improved.
- Every pupil will go to a school where they take part in sport and cultural activities:
 - so that every 5-16 year-old has access to five hours, and every 16-19 year-old has access to three hours, of high-quality PE and sport per week, in and out-of-school, by September 2009;
 - every pupil should have access to regular competitive sport, coaching to improve their skills and enjoyment, a choice of different sports, pathways to club and elite sport, and opportunities to lead and volunteer in sport;
 - through partnerships between schools and other external providers (such as libraries, museums, and performing arts organisations), every pupil should have access to high-quality cultural activities in and out-of-school, with an aspiration that, over time, this will reach five hours a week for all;
 - every primary school pupil should have access to childcare in response to the local pattern of demand, by September 2010; and
 - every pupil should have access to activities out-of-school hours, which may include study support, play/recreation, sport, music clubs, arts and crafts and other special interest clubs, and business and enterprise activities, by September 2010. And every young person should have access to a range of positive activities in their local area.
- Every pupil will go to a school that promotes their health and wellbeing:
 - so that every pupil receives personal, social, health and economic education (PSHE) from September 2011 (subject to consultation); and
 - every pupil should go to a Healthy School that promotes healthy eating, an active lifestyle and emotional health and wellbeing.

Parent Guarantee

The parent should:

- Have opportunities, information and support to exercise choice with and on behalf of their child:

- so that parents get a package of information on every school in which they are interested that includes the School Report Card, giving information on school performance, and its prospectus, giving information on its policies, including expectations of behaviour;
- parents get high-quality information and advice on the career and subject choices open to their child as outlined in the forthcoming Information, Advice and Guidance Strategy;
- parents will be asked for their views on how the school is doing and their views will be included on the School Report Card; and
- local authorities will seek and listen to parents' views on the quality of the schools in their local area.
- Have a Home School Agreement outlining their rights and responsibilities for their child's schooling:
 - so that the new Home School Agreement will make clear to every parent their particular responsibilities, especially around the behaviour of their child;
 - schools will understand that they have new and stronger powers to enforce the new Home School Agreement where parents are not fulfilling their responsibilities around behaviour; and
 - all parents understand the expectations of them and their child and the consequences of not acting to support the school in addressing their child's behaviour issues.
- Have the opportunity, information and support they need to be involved and engaged in their child's learning and development:
 - so that parents can contact and meet a member of staff who knows their child well – a named Personal Tutor in secondary schools or their child's teacher in primary schools;
 - all parents understand their child's individual learning and development priorities and their child's particular needs;
 - all parents understand their responsibilities to help their child progress and develop and understand how to support them;
 - parents have information on their child's behaviour, attendance, SEN, progress and attainment online in secondary schools by 2010 and in primary schools by 2012;
 - parents receive information about catch-up support for pupils starting secondary school behind national expectations plus information on their child's progress, including the results of a new progress check during year 7; and
 - parents receive written confirmation of the extra challenge and support their child will receive if they are identified as gifted and talented and a clear understanding of what they should do to help them.
- Have access to extended services including support and advice on parenting:
 - so that parents have access to a range of extended services by 2010 including: information and support on parenting skills and advice on parenting issues; childcare; activities; and opportunities to enhance their own learning and to learn with their child; and
 - that parents' views of the additional needs of their child are taken into account when the child joins the school and if problems occur.