

CHILDREN & YOUNG PEOPLE SCRUTINY PANEL

31st January 2019

LEARNING AND SKILLS SERVICE ANNUAL REPORT TO SCRUTINY 2017-18

Report of the Strategic Director for People

Strategic Aim:	Creating a brighter future for all		
Exempt Information	No		
Cabinet Member(s) Responsible:	Cllr D Wilby, Portfolio Holder for Lifelong Learning, Early Years, Special Educational Needs & Disabilities, and Inclusion		
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Ward Councillors	N/A		

DECISION RECOMMENDATIONS

It is recommended that the Panel:

1. Comments on the Learning and Skills Service annual self-review process and key findings for the academic year September 2017 to August 2018
2. Endorses the intentions and actions to address priority areas as set out in the Learning and Skills Service Education Development Plan for the academic year 2018-19

THIS REPORT WILL BE SUPPORTED BY A PRESENTATION TO THE PANEL

1 PURPOSE OF THE REPORT

- 1.1 This report aims to provide the Children and Young People Scrutiny Panel with an overview of the key findings from the Learning and Skills Service annual self-review process and to provide assurance that, where performance is not leading to sufficiently high standards, appropriate actions to address priorities for development across the education sector are planned and delivered.
- 1.2 All English local authorities have a series of statutory responsibilities for education which are set out in the Education Act 1996 and the Childcare Act 2006 however, as an outcome of the Academies Act 2010, the education function of the local

authority has changed over more recent years.

- 1.3 The education development function of the Learning and Skills Service has been adjusted to reflect the need to deliver strategy and success across the whole education sector, rather than typical, historic school improvement activity, and this is reflected in this report.
- 1.4 The role of the Learning and Skills Service remains focused on challenging and supporting the education sector to deliver provision that enables children and young people educated in all early education settings and state-funded schools (maintained schools and academies) to achieve their very best educational outcomes and to fulfil the expectations of external scrutiny.
- 1.5 The Learning and Skills Service has continued to refer to the Ofsted Local Authority School Improvement Inspection criteria as an external benchmarking tool although the current process ceased in late autumn 2018. Replacement inspection information has not yet been published; this reflects the changing role of the local authority in school improvement and the overriding principle that schools, being largely autonomous, are responsible for the standards that children and young people achieve and that schools should work together to address areas of weakness and share good practice.

2 BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 The Learning and Skills Service undertakes an annual evaluation of how well it carries out its statutory duties in relation to promoting high standards in schools and among other providers so that children and young people achieve well and fulfil their potential as defined by section 13A of the Education Act 1996. However, local authority powers of intervention, as set out under part 4 of the Education and Inspections Act 2006, do not apply to academy schools, which are state-funded independent schools. In terms of holding Trusts to account for standards in academies, the lead responsibility lies with the Department for Education and the Regional Schools Commissioner.
- 2.2 The Department for Education sets out the role of the local authority in *Schools Causing Concern - Guidance for local authorities and Regional Schools Commissioners on how to work with schools to support improvements to educational performance, and on using their intervention powers* (November 2018) https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/754974/Schools_causing_concern_guidance-November_2018.pdf This states that where the local authority has concerns about standards, management or governance in any academy within its area, the expectation is that these concerns should be brought to the attention of the Department for Education through the Regional Schools Commissioner.
- 2.3 The Learning and Skills Service criteria for identifying concerns and the subsequent action taken have been agreed with the education sector so that there is a transparent approach which is outlined in the annual Prioritisation and Entitlement document. It is agreed that where any concerns are identified these shall be first raised with the Head Teacher/ Principal of a maintained school or Single Academy Trust and/ or Chief Executive Officer of a Multi Academy Trust. If these concerns are not addressed and actions agreed with academy leaders, then the Regional

Schools Commissioner will be informed. Maintained schools with high prioritisation identified through School Quality Assurance process are carefully monitored and challenged through termly LA strategy meetings, where support is also brokered to support school improvement.

- 2.4 Strong working partnerships have been established with the Department for Education and the Regional Schools Commissioner's office with regular opportunities for sharing intelligence about Rutland academies. The Learning and Skills Service offers challenge to these officers where concerns over the performance of an academy or multi academy trust has been identified which has resulted in action by the DfE. This partnership approach reflects the role of the local authority in influencing and challenging practice where the majority of children and young people are being educated within the academy system. Additionally, clear lines of communication have been established between the Learning and Skills Service and Ofsted's Regional HMI which enable wider concerns regarding maintained schools and academies to be shared.
- 2.5 This process reflects the Learning and Skills Education Framework 2017-20 which establishes the context for securing continued education development by developing greater accountability for pupil outcomes from within the sector itself. The national expectation is for the education sector to undertake any school improvement activity, where underperformance has been identified, through a programme of school to school support. This may be brokered or commissioned by the local authority where this involves schools that are still maintained by the authority.
- 2.6 Teaching Schools are essential in building leadership capacity within Rutland and the close working partnership between Rutland Teaching School Alliance and the local authority is key to further developing robust and confident leadership at all levels in Rutland. This approach also recognises that a partnership approach with wider teaching schools can contribute to, and augment, the offer available within the county; cross boundary partnerships with other teaching schools in the region are supported through commissioned programmes and utilisation of national funding opportunities.
- 2.7 The local authority's accurate knowledge and understanding of the context of the county has been achieved through rigorous monitoring and evaluation of education performance and wider outcomes. Through scrutiny of evidence gathered to support evaluation of the four key Ofsted Local Authority School Improvement evaluation areas, the Learning and Skills Service evaluates what is going well and where further development is required in each area:
- 2.7.1 Corporate leadership and strategic planning – this reflects the impact of the education strategic direction and the strategy for supporting schools and other providers' improvement.
- 2.7.1.1 Key successes:
- The Education Framework 2017-2020, supported through the associated Entitlement and Prioritisation documentation, is established and shared with the education sector. This has enabled the education sector and wider stakeholder groups to understand the strategic direction towards mature autonomy within the sector, and the expectation for leaders within the system to hold greater

accountability for the performance of all children and young people across Rutland education settings.

- A systematic benchmarking exercise, undertaken to establish the strengths and weaknesses in performance at school level and to identify trends, enables the Learning and Skills Service to accurately evaluate the education capacity within Rutland and to take swift action where concerns are identified. This positive intervention has been recognised in Ofsted inspections and through discussion with the Regional Schools' Commissioner's office and Regional Ofsted inspectors.
- Where local authority monitoring strategies have identified concerns regarding performance in individual settings or schools, planned actions have supported rapid improvement and contributed to improved education effectiveness. Where a school has been identified as a high or medium priority, the Head Teacher or Chief Executive Officer of the Multi Academy Trust has been informed. In all cases, follow-up meetings have taken place and actions for improved outcomes have been agreed and formal reporting to the Regional Schools Commissioners Office has been avoided. A similar quality assurance process has taken place for early years settings which, again, has led to agreed plans for rapid action where concerns were raised.
- The quality of decision making, including effectiveness of its consultation with schools and other parties through Education Performance Board, Schools Forum, Children's Trust Board and other education network opportunities has enabled stake holders to have a clear and transparent understanding of how the local authority compares to both national averages, regional and statistical neighbours and to set higher expectations, particularly for progress and attainment of groups of pupils. This has enabled a shared approach to improvement to be developed and informed the training programme offered through Rutland Teaching School Alliance.

2.7.1.2 What we need to improve:

- The sector-driven school improvement agenda is not yet consistently robust. Further work with school leaders, including governors, is required to ensure that school to school challenge is robust and leading to sustained improvements. School leaders are required to take greater accountability for the performance of pupils in all Rutland schools and not just their own. This will be supported through the Sector Led Improvement Programme which has been commissioned from Education Development Trust and funded through the DfE School Improvement Monitoring and Brokering Grant.

2.7.2 Monitoring, challenge, intervention and support – this considers the extent to which the LA can demonstrate it knows its schools and other providers and how effectively support is focused on areas of greatest need.

2.7.2.1 Key successes:

- Outcomes and overall performance of education settings is routinely and systematically scrutinised by the Learning and Skills Service through established processes which include the termly Schools and Settings Quality Assurance reviews held by the Learning and Skills Service. These utilise the assurance

criteria agreed with schools and settings that are set out in the Prioritisation documentation. School and settings' leaders are informed of the outcome of these reviews and, if a concern has been identified, are invited to meet with a relevant member of the Service to discuss planned actions to bring about swift improvement.

- As can be seen in Appendix A - *School Accountability Measures - December 2018*, there is much to celebrate in Rutland schools' pupil academic outcomes, with many external accountability measures at or above national standards including outcomes at the end of Early Years' Foundation Stage, in the Year One Phonics Screening Check, expected standards at the end of Key Stage One and Key Stage Two and in GCSEs at Key Stage 4 and A-levels at Key Stage 5. However, where areas of underperformance have been identified, the Learning and Skills Service holds a challenge meeting with school leaders, and works with external providers, such as Teaching School Alliances, to develop programmes of support focused on the area(s) of need. School autonomy should be respected; whilst engagement with these programmes is optional for academies, the Learning and Skills Service will work with leaders to promote engagement or to be assured that the academy is addressing the underperformance in other ways. Improved outcomes in mathematics at KS1 at both the expected level and significantly so at greater depth in 2018 reflect the impact of Local Authority commissioned support for mathematics in the 2017-18 academic year.
- The Children and Families Act 2014 requires every local authority in England to appoint an officer employed by the authority to make sure that its duty to safeguard and promote the welfare of its children looked after (CLA) by the authority is properly discharged. The Head of the Virtual School role sits within the Learning and Skills Service to ensure that the educational aspirations for all of our CLA are sufficiently high and achievable. More robust systems have been established, with greater challenge now evident to schools in and out of Rutland and the revised Pupil Premium Plus Policy will contribute to more effective Personal Education Plans.
- Strategic overview and challenge through the establishment of the Education Performance Board has provided a further level of monitoring and challenge to education performance and support with identifying key areas for improvement. As a consequence, the local authority now knows schools' strengths and development areas well.
- 100% of Early Years providers in the Private, Voluntary and Independent (PVI) sector are judged by Ofsted to be Good or Outstanding. All but one state funded school is judged as good or better in their last inspection, with no schools in an Ofsted category. The one school judged as Requiring Improvement, an academy which until April 2018 had been within an out-of-county Multi-Academy Trust, had previously been identified as a priority by the Learning and Skills Service. Actions to challenge and support that school, through liaison with the Regional Schools Commissioner and Ofsted, had been instigated prior to inspection. The Learning and Skills Service supported the Regional Schools Commissioner's office in the re-brokering of the academy with a Rutland Multi Academy Trust in April 2018 and the impact of that re-brokering had been noted in the school's inspection report following its Ofsted inspection in September 2018: *The recently appointed headteacher has brought ambition and drive to the school. She is effectively addressing a legacy of low expectations and pupils'*

underachievement. Leaders are clear in their view that there is still work to be done. Nonetheless, the quality of teaching and pupils' outcomes are improving. It is worth noting that in DfE calculation of multi-academy trust performance, only schools that have been within a Multi Academy Trust for at least three years are included thus recognising the time needed to achieve sustained improvement.

2.7.2.2 What we need to improve:

- The Early Years' Service continues to work in close strategic partnership with all other local authorities across the East Midlands to develop effective strategies to support improvement in the Early Learning Goals for reading, writing and number. In line with national policy, the group is striving to close the 'word gap' with a particular focus on promoting the influence of parents in the home learning environment to contribute to improving outcomes.
- Whilst academic standards in Rutland remain mostly in line with or above national these do not always reflect national improvements and positive difference seen in previous years is reducing in some subject areas in Early Years Foundation Stage, Key Stage One and Key Stage 2. As can be seen in Appendix A - *School Accountability Measures - December 2018*, overall performance at the end of:
 - o Early Years Foundation Stage is above national averages for all measures however there are fluctuations in performance with a decline from 2017 in two of the three measures even though, in both cases, outcomes are still above the Rutland average for 2016.
 - o Key Stage One outcomes, whilst broadly in line or above national averages for expected standards in all subjects, show a decline for reading and writing from 2017 when there had been an improvement for writing compared with 2016. At higher standards/ greater depth, whilst there has been a noticeable improvement in mathematics, standards in reading and writing have failed to improve following a decline in 2017.
 - o Key Stage Two is broadly in line or above national averages at expected standards, but writing and mathematics at a higher standard is well below that seen nationally.
- A key area for focus is Key Stage Two where, in half of Rutland primary schools, the 'better than expected' (Greater Depth / High Score) outcomes in combined reading, writing and mathematics were lower in 2018 than they had been in 2017. This has impacted on Key Stage 1 to 2 progress in all subjects, with local authority progress scores being only broadly average in each subject. Of the seventeen primary schools in Rutland, four had one subject which scored well below, and one school had one subject which scored below national averages; only one school had two subjects that scored below. In response to this, the Learning and Skills Service has already held challenge meeting with school leaders, and a programme of support has been developed through partnership with Rutland Teaching School Alliance and augmented through moderation workshops provided by an out-of-county Teaching School to provide external validation of Rutland approaches to teacher assessment.
- The Learning and Skills Service will continue to monitor and challenge schools

in relation to the performance of groups of pupils so that all groups perform to an equally high standard compared with their peers nationally. There is evidence of inconsistencies in the performance of some groups of pupils over time. Current analysis indicates a downward trend in boys' performance in KS1 reading, with a significantly wider gap between boys and girls in 2018 than seen nationally. Paradoxically boys' performance in phonics shows an improving trend. Whilst the gap between KS2 girls' and boys' performance at greater depth in mathematics is narrowing there remains a wider than national gap in 2018 of 9%, almost twice the margin seen nationally, as a result of poor conversion rates of Higher Ability and Middle Ability pupils to a High Score.

2.7.3 Support and Challenge for leadership and management – this reviews the effectiveness of strategies to promote highly effective leadership and management in schools and other providers, including support and challenge for governance.

2.7.3.1 Key successes:

- Over recent years local authority arrangements have increasingly promoted self-reliance across the education sector. As a result of these actions, the number of schools requiring high levels of local authority support has reduced significantly.
- The Learning and Skills Service has implemented processes to promote school to school support and peer reviews which will now be formalised through a commissioned programme of external support for peer challenge and evaluation to ensure that this process remains robust.

2.7.3.2 What we need to improve:

- Effective systems leadership is essential for the sustained success of a sector-led school improvement model, and the promotion for further development of systems leaders will be supported through commissioned or brokered school improvement activity.
- The role of governors is key in driving school improvement and programmes of training will be offered in partnership with Rutland Teaching School and other external providers to support all Governors in undertaking their roles and responsibilities effectively, to hold their school leaders to account and to be well-prepared for external scrutiny, including by Ofsted

2.7.4 Use of resources – this considers the way the LA uses any available funding to effect improvement, including how it is focused on areas of greatest need.

2.7.4.1 Key successes

- The Learning and Skills Service has oversight of all schools and works strategically with key partners, such as Teaching Schools, to address key priorities for Rutland. Schools and Early Years' settings receive a range of support, from light touch through to intensive, dependent upon need identified through detailed analysis and evaluation combined with local intelligence which is regularly reviewed to ensure resources are accurately utilised.
- Additional support is brokered for schools through signposting of services and resources to address identified concerns. Regular monitoring and reviewing of

progress and priorities enables resources to be targeted to need ensuring best value is achieved.

- The 16 - 18 offer within Rutland continues to mostly focus on academic A-levels. Rutland Adult Learning and Skills Service (RALSS), which sits within the Learning and Skills Service, offers GCSE English and mathematics for those students either on apprenticeships or employment who are required to achieve the qualification. Apprenticeships are offered through a contracted partnership between RALSS and Peterborough Regional. Positive relationships with out-of-county Further Education providers are established, but being refined to provide more accurate understanding of how well Rutland pupils perform.
- Schools Forum is pro-active and has a defined role in reviewing and consulting on key financial changes and resourcing decisions. The Terms of Reference and Constitution are reviewed annually to ensure the Forum is representative of the education sector it represents.
- It is a statutory requirement that admissions into primary school at reception year and secondary school at year 7 in September each year are co-ordinated by the local authority; applications for other year groups throughout the academic year, known as in-year admissions, are administered by the admission authority for the preferred school. For September 2018:
 - o 97% of Rutland resident children have received an offer at their first preference primary school
 - o 96% of Rutland resident children have received an offer at their first preference secondary school
 - o 100% of Rutland resident children have received an offer at one of their preferred primary schools
 - o 100% of Rutland resident children have received an offer at one of their preferred secondary schools
- The Admissions Service works in partnership with the Business Intelligence Team and Property Services to ensure there are sufficient school places available in Rutland and to monitor the available capacity within schools over the year; this is reported in the annual School Capacity Assessment (SCAP). Although there are some pressures geographically, predicted estimates identify where capacity is reducing so that the local authority can work with maintained schools and academies to develop provision to meet parental choice.

2.7.4.2 What we need to improve:

- The implementation of the 30 Hours Extended Entitlement and the reduction of the Early Years base rate has had an impact on the viability of some Early Years providers and contributed to the closure of a few settings. The Learning and Skills Service, through the Schools Forum Early Years' Working Party, will continue to consider options to assure sufficiency and quality of childcare places at a time where funding reductions are being made within the Early Years' block which limits the amount that the local authority can pay providers.
- The Childcare Sufficiency Assessment 2017-18 identified increased locality

pressures on early education and childcare places from 25% availability across Rutland in 2017 to 20% in 2018. This was partially a result of the closure of two of Rutland's biggest providers following unsatisfactory Ofsted inspections. It is expected that this pressure will once again be reduced following the opening of two new provisions from spring 2019.

- Government policy in 2011 has also increased the focus on the early years, with a renewed emphasis on the importance of child development and the social and economic benefits of good early years practice. The focus for local authorities is to ensure that all two, three and four-year olds, particularly the most disadvantaged, take up their entitlement to funded, high-quality, early education. The Learning and Skills Service has identified a potential discrepancy between Department for Work and Pensions (DWP) figures for Rutland two-year funding entitlement for childcare and the actual take up of a place in an early years setting. Also, the take up of Tax Free Childcare accounts are low when compared with national take-up figures. We will continue to work in partnership with Visions Children's Centre to ensure all families identified on the DWP list are contacted and informed of their entitlements and supported to access a childcare place if this is required. It is recognised that engagement in high quality learning environment in the early years is a key contributor to on-going academic success in later school years, and so this must remain a priority.

2.8 Development priorities are summarised in the Education Development Plan 2018-19 (Appendix B) which will inform the Learning and Skills Service key education development activity this academic year. Planned actions may be adjusted as more detailed performance data becomes available or when national or regional priorities are identified that relate to the Rutland context.

2.9 This review document does not stand alone; the wider duties and activity of the Learning and Skills Service are reflected in the Education Framework 2017-20. The Learning and Skills Service Annual Review (LaSSAR) is aligned to strategic review and planning of the SEND and Inclusion Service and with Children's Social Care to ensure that the full needs of children and young people in Rutland early years' settings and schools are being met. The LaSSAR does not include detail of action plans for those services but takes account of, and supports, the actions being taken to secure continued improvement of Rutland's Children's Services.

3 CONSULTATION

3.1 The Learning and Skills Annual Review is shared with relevant stakeholders.

4 ALTERNATIVE OPTIONS

4.1 The Learning and Skills Service undertakes annual self-review to identify future actions. If review was not undertaken, the authority would be at risk of failing to meet statutory responsibilities.

5 FINANCIAL IMPLICATIONS

5.1 All actions identified within this report are accounted for through the Learning and Skills Service budget

6 LEGAL AND GOVERNANCE CONSIDERATIONS

- 6.1 The Council's responsibilities to provide sufficient high quality education and champion high standards and intervene where there are concerns are outlined in the Education Acts 1996, 2010 and 2014. Whilst there are no specific comments arising from this report, legal advice will be provided as requested.

7 DATA PROTECTION IMPLICATIONS

- 7.1 A Data Protection Impact Assessments (DPIA) has not been completed because there are no risks/issues to the rights and freedoms of natural persons associated with this report.

8 EQUALITY IMPACT ASSESSMENT

- 8.1 Not completed.

9 COMMUNITY SAFETY IMPLICATIONS

- 9.1 There are no community safety implications associated with this report.

10 HEALTH AND WELLBEING IMPLICATIONS

- 10.1 Success in education and engagement in lifelong learning is the key to social mobility, good employment prospects, good health and well-being and to building thriving communities.

11 ORGANISATIONAL IMPLICATIONS

- 11.1 The local authority's current statutory responsibilities for educational excellence are set out in section 13a of the Education Act 1996. That duty states that a local authority must exercise its education functions with a view to promoting high standards. Local authorities must discharge this duty within the context of increasing autonomy and changing accountability for schools, alongside an expectation that improvement should be led by schools themselves.

- 11.2 The Education and Inspections Act 2006 defined the strategic role of the local authority in the school improvement process:

- As 'champion' of the needs of children and young people and their families;
- In the planning, commissioning and quality assurance of educational services;
- In challenging schools and, where appropriate, to commission support and, if necessary, to intervene in the management and governance of the school; and
- Where a local authority has concerns about academy performance it must raise them directly with the Department for Education.

- 11.3 Across Rutland there is one early years' special school, seventeen state-funded

primary schools and three state-funded secondary schools. In-county post-16 academic education is available at Harington Sixth Form and further opportunities for post 16-education exist in neighbouring authorities, with Rutland students attending a range of establishments, including those in Melton Mowbray, Corby and Stamford. There are also three independent mainstream schools within Rutland, located in Oakham and Uppingham.

11.4 Rutland County Council has been pro-active in reflecting the government drive for greater autonomy within the education sector and has supported the conversion of maintained schools to academy status. Originally, Single Academy Trusts (SATs) were set up but, over time, more schools are joining Multi-Academy Trusts (MATs) which is bringing greater stability and consistency to the sector.

11.4.1 There are three Rutland-based MATs:

- Brooke Hill Academy Trust which includes two Rutland Primary schools

- Rutland and District Schools' Federation which includes one primary school, one secondary school and the sixth form college

- Rutland Learning Trust which includes six Rutland primary schools, with three further primary schools due to join later in spring 2019

11.4.2 There are three primary schools which are with or out of county MATs.

11.4.3 There are two secondary schools which are Single Academy Trusts.

12 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

12.1 The outcomes of the Learning and Skills Service annual review enables the Local Authority to maintain the successes, address areas of underperformance and continue to ensure effective working relationships with schools and early education and childcare providers lead to sustained education development.

12.2 In partnership with our schools, we will build a school system where the highest quality education is delivered in all Rutland schools and all schools work together in a self-improving, self-sustaining school to school support system. Together we will act as the champion of pupils and families, particularly our most vulnerable.

12.3 Where areas have been evaluated as requiring further strategic development, these are identified in the Learning and Skills Service Education Development Plan 2018-19 (Appendix B).

12.4 Within all of our activity, the Learning and Skills Service will champion the safety and wellbeing of all children and young people, with safeguarding seen as the highest priority in all Rutland schools and early education and childcare settings.

13 BACKGROUND PAPERS

13.1 Children and Young People Scrutiny Panel 7th September 2017 Report No: 164/2017 and appendices:

13.2 The Education Framework 2017-20

13.3 RCC Education Provider Prioritisation and Entitlement 2017-18

14 APPENDICES

14.1 Appendix A - School Accountability Measures - December 2018

14.2 Appendix B - The Learning and Skills Service Education Development Plan 2018-19

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.