

**Education and Children's Services
Scrutiny Committee
15 December 2014**

**Covering Report:
Governance and the relationship between the Local
Authority and Academies / Free Schools**

Summary and Objectives

1. The objective of this scrutiny is to provide the committee with an opportunity to understand and comment on the local authority's role in influencing and improving performance of governance in schools, including academies / free schools.

Scrutiny Focus

2. Key focus areas for this scrutiny include the following:
 - i) Overview of the 'whole system' and various bodies associated with school governance in Suffolk (school governors, headteachers, parents, local authority senior management, national government, regional commissioner, Diocese, multi-academy trusts, etc.) What are their roles, powers and inter-relationships? What changes are likely in the near future?
 - ii) What data is available and accessible (to local authority, parents, public) about how well school governing bodies are performing? How does Ofsted, the local authority or the regional commissioner measure the effectiveness of governing bodies in inspiring improved performance in schools? How comparable are the assessment criteria?
 - iii) What review has been undertaken of the process and procedures of recruiting governors and are we satisfied it is rigorous enough?
 - iv) What actions have been taken in the past, for what reasons and with what impact, to address weaknesses in governing bodies in Suffolk, by:
 - a) Maintained schools / the local authority (SCC)
 - b) Academies / the regional commissioner
 - v) What are some relevant case studies regarding schools governance improvement in Suffolk? What are some of the national experiences / learning points? (eg. see *Supporting Information and References*)
 - vi) What is the SCC strategy for improving governance of schools in the future, including federation or full integration of small schools?

- vii) How effective are the school governance mechanisms in identifying and addressing, or preventing issues of religious extremism, segregation or bullying in Suffolk schools, especially regarding pupils with Special Education Needs and Disability provision?

How this relates to County Council priorities

3. This scrutiny is linked to the County Council's corporate priorities as indicated below:

The County Council's Corporate Priorities	Link to this scrutiny
Raising educational attainment and skill levels	✓
Supporting the LEPs to increase economic growth	
Maintaining roads and developing Suffolk's infrastructure	
Supporting those most vulnerable in our communities	
Empowering local communities	✓

4. Having considered the evidence, the Committee may wish to:
- i) make recommendations to the Cabinet Member for Education and Skills and/or the Corporate Director for Children and Young People's Services;
 - ii) agree topics which could benefit from more detailed scrutiny at a future meeting, seek to influence partner organisations, or request further information.

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Background

5. At its meeting on 26 March 2014 the committee requested inclusion on the Forward Work Programme of an item to consider the relationship between the Local Authority and academies. At a workshop on 24 July the scope was broadened to cover governance, including religious / other segregation issues, and performance / inspiration, and to also clarify definitions (eg. do all Academies have sponsorship?). This topic is related also to the agenda item on 'EOTAS'.
6. In addition to the written material there will be verbal input from internal and external witnesses, to whom the committee will have an opportunity to put questions. Witness input to be sought from:
- CYP Director and officers
 - Dr Tim Coulson, Regional schools commissioner: east of England and north-east London
 - Pat Wilkinson, Vice Chairman of School Governors Forum.
 - Kit Wells (Chair of governors of the Palgrave and Gislingham Federation)
 - Some of the school governor Leaders who were trained earlier in the year.
 - A school governor witness from an Academy chain.
 - Ofsted
 - Suffolk Primary Heads Association

- The Governance Senior Advisor for Suffolk County Council and School's Choice
7. Ofsted have fed back in response to the scrutiny invitation that, *“Inspection evidence suggests that Suffolk local authority has been less successful in engaging with academies and free schools than have other LAs. I am assured that this situation is improving, but some Suffolk academies, notably academies in larger Academy Trusts, have not readily engaged with the local authority, for example in providing performance information. It is not clear that the local authority has appointed local authority governors where it is entitled to do so. This needs to be scrutinised”*

Main Body of Evidence

Evidence Set 1 (attached) - a report from Children and Young People’s Services department).

Evidence Set 2 (attached) - an illustrative sample of recent Ofsted inspection reports including some selected quotes relating to governance and the local authority relationship (note that this is a sample; not a comprehensive review of all the Ofsted reports).

Supporting Information and References (available online)

- (i) The evolving education system in England: a “temperature check”, July 2014
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/325816/DFE-RR359.pdf
[NB. Various relevant points regarding governance models; also ‘seven lessons for leading change effectively in a local education system’]
- (ii) Exploring the impact of academy chains in England
<http://robertowencentre.academicblogs.co.uk/exploring-the-impact-of-academy-chains-in-england/>
- (iii) Back to school - Ways for scrutiny to influence local education and support school leaders to improve results, LGA and CfPS, October 2013:
<http://www.local.gov.uk/documents/10180/11463/L13-718+CfPs+LGA+Education+v5.pdf/14435b0b-65cf-4699-9c84-e52083357a07>
- (iv) Case study (Cheshire) – “Mablins Lane Community Primary School - From ‘Notice to improve’ to ‘Good’ in 15 months”, CfPS, September 2013:
http://cfps.org.uk/domains/cfps.org.uk/local/media/downloads/mablins_lane_case_study_september_2013.pdf
- (v) Work to recruit more Governors underway: <http://www.suffolk.gov.uk/your-council/plans-and-policies/raising-the-bar-briefing/work-to-recruit-more-governors-underway/>
- (vi) An overview of the different types of governors, their roles and responsibilities:
<http://www.suffolk.gov.uk/education-and-careers/schools-and-support-in-education/school-governors/#www.suffolk.gov.uk/education-and-careers/schools-and-support-in-education/school-governors>
- (vii) “Review of Scrutiny Committee Recommendations – Planning of School Places in Suffolk”, Education and Children’s Services Scrutiny Committee – Information Bulletin, 26 March 2014:
<http://committeeminutes.suffolkcc.gov.uk/meeting.aspx?d=26/Mar/2014&c=Education and Childrens Services Scrutiny Committee>

[Agenda Item 6 Information Bulletin:](#)

“...the Council should support wherever possible the federation of small schools in preference to their closure. The Scrutiny Committee now heard that since that time the Council had run two major conferences on federation, aimed at small and large schools. Whilst some attempts at federation had not been successful, there were examples of good practice through federation. The Committee heard in particular that schools in Gislingham and Palgrave had won an award for their School Federation.”:

- (viii) The Road to Federation - Summary Report, National Governors Association, 2013: <http://www.nga.org.uk/getattachment/News/NGA-News/Sep-Dec13/The-Road-to-Federation-reports-now-available/The-road-to-federation-summary-report-v2.pdf.aspx>
“This research has examined the drivers, influential factors, and barriers to federation, using the experiences of fourteen governing bodies. The key drivers for federation largely fall in line with those identified by Ofsted (2011), with the majority of participants falling into the category of a ‘performance federation’ or a group of small schools at risk of closure.”
- (ix) Working Together, Church of England National Education Office, Oct 2014: <https://www.churchofengland.org/media-centre/news/2014/10/work-together-and-be-innovative,-says-rural-school-report.aspx>
“Small rural primary schools must form effective partnerships and collaborations if they are to survive into the future and continue to be a vital part of rural community life, says a new report published by the Church of England”
- (x) Academy and free school presumption - Departmental advice on establishing new schools and the qualities new school proposers must demonstrate, DfE, Oct 2014: <https://www.gov.uk/government/publications/academy-and-free-school-presumption>
- (xi) Outstanding primary school leadership in England - A research report detailing the findings of a study of outstanding primary school leadership, National College for Teaching and Leadership, 15 October 2014: <https://www.gov.uk/government/publications/outstanding-primary-school-leadership-in-england>
“The quality of governance in each of the outstanding case study schools was praised by inspectors. All the governing bodies were effective in their core functions related to strategic direction, accountability and financial oversight. While a high-calibre governing body can act as a well-informed board of directors, the evidence suggests that the relationship between the headteacher and the chair makes an important contribution to the culture of the school. There is increasing evidence of governing bodies recognising the benefits that accrue to outstanding schools of even the most unequal of school support partnerships.” ... “There is some evidence that converter academies scale up the professional calibre of their governing bodies.” ... “The two fundamental challenges for governing bodies are, firstly, ensuring that they appoint a headteacher who is going to be effective and, secondly, having the strength to do something about it if they are not”.
- (xii) Academies and maintained schools: Oversight and intervention, National Audit Office, 29 Oct 2014: <http://www.nao.org.uk/wp-content/uploads/2014/10/Academies-and-maintained-schools-Oversight-and-intervention.pdf>
- (xiii) The state of school governing in England 2014, National Governors Association, May 2014: <http://www.nga.org.uk/News/NGA-News/May-Sept-14/New-report-The-state-of-school-governing-in-Englan.aspx>