

DERBYSHIRE COUNTY COUNCIL

CABINET MEMBER - CHILDREN AND YOUNG PEOPLE

9 SEPTEMBER 2014

Report of the Strategic Director for Children & Younger Adults

**REVISION OF LOCAL AUTHORITY SCHOOLS CAUSING CONCERN
PROCEDURES**

1. Purpose of Report

- 1.1 To seek approval of the revised local authority procedures for schools causing concern.

2. Information and Analysis

- 2.1 The statutory guidance for schools causing concern was revised and issued to local authorities in May 2014 (Appendix 1). This statutory guidance sets out the local authority's role in relation to maintained schools that are causing concern. It sets out the importance of early intervention and of swift and robust action to tackle failure, including the use of statutory Performance Standards and Safety Warning Notices (Warning Notices) and Interim Executive Boards (IEB) in maintained schools. The guidance is clear about the Government's expectation that academy status, with the support of a strong sponsor, is the best way of securing lasting improvement in these circumstances.
- 2.2 Local authorities' 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 are discharging this duty within the context of increasing autonomy and changing accountability for schools, alongside an expectation that improvement should be led by schools themselves.
- 2.3 The significant majority of Derbyshire schools are successful in enabling children and young people to do well in their education, as indicated by our levels of achievement across the county. These schools manage and sustain their own success by implementing rigorous self-evaluation and effective school improvement planning.

- 2.4 The local authority has a rigorous process for monitoring school performance and a clear graduated response to addressing concerns about performance that are identified through this process. The revised local authority procedures in Appendix 2 clarify the process and procedures that the local authority will apply in all cases of schools causing concern.
- 2.5 When a school causing concern is identified, discussions take place with the headteacher and/or the governors. The purpose of these discussions is to clarify the causes of concern and agree the next-steps. The local authority will confirm in writing the agreed causes of concern and how the school will be supported to remove these concerns.
- 2.6 The DfE expects local authorities to issue Warning Notices as an early form of intervention unless there is a particular reason not to do so. The grounds for issuing a Warning Notice is set out at Section 60(2) of the Education and Inspections Act 2006 and are as follows:-
- (a) that the standards of performance of pupils at the school are unacceptably low, and are likely to remain so unless the authority exercises their powers;
 - (b) there has been a serious breakdown in the way the school is managed or governed which is prejudicing, or likely to prejudice, such standards of performance, or
 - (c) that the safety of pupils or staff of the school is threatened (whether by a breakdown of discipline or otherwise).

A Warning Notice must be given in writing to the governing body of the school setting out the matters on which the concerns are based and the action that the governing body are required to take in order to address the concerns.

- 2.7 In circumstances where the governing body fails to comply with the notice the school is eligible for intervention and there are a number of powers the local authority may use. These include the power to suspend the delegated authority for the governing body to manage the school budget, the power to appoint an Interim executive Board, the power to appoint additional governors and the power to require the governing body to enter into formal arrangements such as a federation.
- 2.8 Maintained schools that are identified as causing concern will be provided with the appropriate challenge and support from the local

authority which will be set out in a local authority action plan. This plan can include support to improve self-evaluation and improvement planning, teaching, behaviour and attitudes to learning, leadership and management skills, including those of governors, support with the recruitment of effective practitioners and leaders, support for the appropriate application of competency and/or disciplinary procedures or financial support for essential short-term action beyond the capacity of the school budget.

- 2.9 A key role for the local authority is to work with the headteacher and governing body and, where appropriate, HMI, to monitor and evaluate progress and the impact for pupils. Monitoring focuses on the effective implementation of actions and evaluates the impact on standards and quality of the education provided. The joint monitoring and evaluation activities of the school and local authority are set out in agreed action plans and progress is judged against clearly identified success criteria.
- 2.10 Although academies are accountable to the Secretary of State for Education, local authorities are expected to raise any concerns about an academy's performance directly with the Department for Education (DfE). The local authority takes its statutory responsibility as champion for all children seriously and as such shall work with and shall hold academies equally to account for the outcomes of Derbyshire children. The local authority has therefore drafted, for separate approval procedures and protocols for working with academies which include the issuing of a Letter of Concern over the performance or conduct of an academies. The local authority does not have statutory powers for academy intervention but shall attempt to resolve concerns locally in accordance with the procedures and protocols for academies subject to approval.

3. Financial Considerations

- 3.1 Officers time and resources are committed to providing the necessary challenge and support to schools in line with the procedures from the Education Improvement Service. The resources for the Education Improvement Service are included within the current budget. Any additional costs that result from a Warning Notice will fall to the schools' budget.

4. Legal and Human Rights Considerations

- 4.1 The procedures have been produced to comply with the statutory and legal guidance for schools causing concern that refers to the following:
- Education and Inspections Act 2006 (“the 2006 Act”)
 - Apprenticeships, Skills, Children and Learning Act, 2009 (ASCL Act) (amended the 2006 Act)
 - Education Act 2011 (amended the 2006 Act, and Schedule 14)
 - Education Act 2002, including Schedule 2
 - Education Act 2005
 - School Standards and Framework Act 1998
 - The School Governance (Transition from an Interim Executive Board)(England) Regulations 2010 (Transition Regulations)
 - Academies Act 2010

5. Human Resources Considerations

- 5.1 Decisions that are taken by schools as a result of being a school causing concern that affect the employment of staff within the school will be subject to consultation with affected employees and trade unions. It will be for the Local Authority and/or the Governors to follow the approved Human Resources policies and procedures as appropriate.

6. Equality and Diversity Considerations

- 6.1 The Council will have regard to its equality and human rights obligations in applying the schools causing concern procedures.

7 Other Considerations

- 7.1 In preparing this report the relevance of the following factors has been considered: prevention of crime & disorder; and environmental, health, property and transport considerations.

8. Key Decision

- 8.1 No

9. Is it necessary to waive the call-in period?

- 9.1 Yes

10. Background Papers

- 10.1 Schools Causing Concern Statutory Guidance for Local Authorities (May 2014)
- 10.2 Local Authority procedures for schools causing concern (August 2014)

11. Strategic Director's Recommendation

- 11.1 It is recommended that Cabinet:

Approve the revised local authority procedures for schools causing concern

IAN THOMAS

Strategic Director for Children & Younger Adults



Department
for Education

Schools causing concern

Statutory guidance for local authorities

May 2014

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Summary

About this guidance

This is statutory guidance given by the Department for Education, on behalf of the Secretary of State, relating to maintained schools causing concern.

Section 72 of the Education and Inspections Act 2006 places a statutory duty on all local authorities in England, in exercising their functions in respect of schools causing concern as set out in Part 4 of the 2006 Act, to have regard to any guidance given from time to time by the Secretary of State. Local authorities must have regard to this guidance.

Expiry or review date

This guidance will be kept under review and updated as necessary.

What legislation does this guidance refer to?

- Education and Inspections Act 2006 (“the 2006 Act”)
- Apprenticeships, Skills, Children and Learning Act, 2009 (ASCL Act) (amended the 2006 Act)
- Education Act 2011 (amended the 2006 Act, and Schedule 14)
- Education Act 2002, including Schedule 2
- Education Act 2005
- School Standards and Framework Act 1998
- The School Governance (Transition from an Interim Executive Board)(England) Regulations 2010 (Transition Regulations)
- Academies Act 2010

Who is this guidance for?

- Local authorities, who must have regard to it.
- Dioceses, School Foundations and Governing Bodies of maintained schools.
- Other persons or bodies, such as maintained schools, who may find it useful.

Key points

- This guidance provides information on the legislative requirements for intervening in maintained¹ “schools causing concern”. Those using this guidance, particularly local authorities, who must have regard to it should also be familiar with the actual wording of the legislation to which this guidance relates, as listed above, in particular Part 4 of, and Schedule 6 to, the 2006 Act, but also the Academies Act 2010.
- This guidance covers “schools causing concern” (within the meaning of section 44 of the Education Act 2005) that are “eligible for intervention” (within the meaning of Part 4 of the 2006 Act), but also other maintained schools about which the local authority and/or the Secretary of State have serious concerns which need tackling.
- For the purpose of this guidance, a “warning notice” is one that is issued to the governing body of a maintained school by the local authority where one or more of the grounds in section 60(2)(a-c) are satisfied: unacceptably low standards of performance of pupils, serious breakdown in the way the school is managed or governed that is prejudicing (or likely to prejudice) standards of performance (this could include where there is evidence of very poor financial management), and/or safety of pupils or staff of the school is threatened.
- For the purpose of this guidance, “unacceptably low standards of performance” includes: standards below the floor, on either attainment or progress of pupils; low standards achieved by disadvantage pupils; a sudden drop in performance; sustained historical underperformance; performance of pupils (including disadvantaged pupils) unacceptably low in relation to expected achievement or prior attainment; or performance of a school not meeting the expected standards of comparable schools.;
- In these situations, the local authority should issue a warning notice unless there is a particular reason not to do so. In cases of sustained underperformance, the warning notice should make clear that an academy solution is expected.
- The local authority should also consider issuing a warning notice in cases where schools have not responded robustly or rapidly enough to a recommendation by Ofsted to commission an external review of the use and impact of the Pupil Premium and/or an external review of their governance arrangements.
- A maintained school will be “eligible for intervention” under the 2006 Act if it has not complied with a warning notice and the local authority have also given the school written notice of their intention to exercise their intervention powers under Part 4 of the 2006 Act, or where the school has been judged by Ofsted to require

¹ Note that a maintained school means (a) a community, foundation or voluntary school, (b) a community or foundation special school, or (c) a maintained nursery school.

“significant improvement” (a “serious weaknesses” judgment under the September 2012 Ofsted framework) or “special measures”².

- Where maintained schools are eligible for intervention local authorities have powers under the 2006 Act to: suspend the delegated budget of the school; appoint an Interim Executive Board (IEB); appoint additional governors; or require the governing body to enter into specified arrangements with a view to improving the performance of the school. Local authorities should also consider contacting the Department for Education to discuss academy sponsorship as soon as they are being made aware that a maintained school is likely to be rated as inadequate by Ofsted.
- Where maintained schools are eligible for intervention, the Secretary of State has the power to appoint additional governors, appoint an IEB, or direct the local authority to close a school. The Secretary of State also has the power under the Academies Act 2010 to make an academy order, subject in certain cases to consultation³.
- Academies are accountable to the Secretary of State for Education. Therefore, local authorities should focus their school improvement activity on the schools they maintain. Local authorities should raise any concerns they have about an academy’s performance directly with the Department for Education.
- Local authority responsibilities for Special Educational Needs and Safeguarding of pupils continue to apply in respect of academies.

² School Causing Concerns are defined in section 44 of the Education Act 2005

³ see further detail in Section 5 of this guidance

Section 1: Introduction

This statutory guidance sets out the local authority's role in relation to maintained schools that are causing concern. It sets out the importance of early intervention and of swift and robust action to tackle failure, including the use of Warning Notices and Interim Executive Boards (IEB) in maintained schools. The guidance is clear about the Government's expectation that academy status, with the support of a strong sponsor, is the best way of securing lasting improvement in these circumstances.

Local authorities' 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 are discharging this duty within the context of increasing autonomy and changing accountability for schools, alongside an expectation that improvement should be led by schools themselves.

Local authorities should raise any concerns they have about academy performance directly with the Department for Education.

Beyond this statutory guidance, local authorities have considerable freedom as to how they deliver their statutory responsibilities. The 2010 White Paper, *The Importance of Teaching*, set out the role of local authorities as champions of educational excellence.

Local authorities that champion educational excellence:

1. Understand the performance of maintained schools in their area, using data to identify those schools that require improvement and intervention.
2. Take swift and effective action when failure occurs in a maintained school, using Warning Notices and IEBs whenever necessary to get leadership and standards back up to at least "good".
3. Intervene early where the performance of a maintained school is declining, ensuring that schools secure the support needed to improve to at least "good".
4. Encourage good and outstanding maintained schools to take responsibility for their own improvement and to support other schools.
5. Build strong working relationships with education leaders in their area and encourage high calibre school leaders to support and challenge others.
6. Delegate funding to the frontline, so that as much as possible reaches pupils.
7. Enable maintained schools to purchase from a diverse market of excellent providers.
8. Signpost where schools can access appropriate support.

9. Secure strong leadership and governance for maintained schools that are not providing a good enough education, by identifying and supporting successful sponsors.
10. Seek to work constructively with academies and alert the Department for Education when they have concerns about standards or leadership in an academy.

Section 2: Schools causing concern

Part 4 of, and Schedule 6 to, the 2006 Act set out that a (maintained) school is “eligible for intervention” where:

1. a warning notice has been given (section 60) with which the school has failed to comply or has failed to comply to the satisfaction of the local authority and the local authority have also given the governing body a written notice that they propose to exercise one or more of their powers under Part 4 of the 2006 Act;
2. teachers' pay and conditions warning notice has been given (section 60A)⁴ with which the school has failed to comply and the local authority have also given written notice to the governing body that they propose to exercise one or more of their powers under Part 4 of the 2006 Act;
3. a school requires significant improvement (section 61); and,
4. a school requires special measures (section 62).

Schools eligible for intervention as a result of a warning notice

Warning notices should be used as an early form of intervention, particularly where standards are unacceptably low and other tools and strategies have not secured improvement.

A warning notice may be given by a local authority in one of three circumstances:

1. the standards of performance of pupils at the school are unacceptably low and are likely to remain so unless the authority exercise their powers under Part 4 of the 2006 Act; or,
2. there has been a serious breakdown in the way the school is managed or governed which is prejudicing, or likely to prejudice, such standards of performance; or,
3. the safety of pupils or staff at the school is threatened (whether by a breakdown of discipline or otherwise).

The definition of what constitutes “low standards of performance” is set out in section 60(3) of the 2006 Act. This is where they are low by reference to any one or more of the following:

⁴ This guidance is not concerned with warning notices given under section 60A of the Education and Inspections Act 2006 but only those given under section 60 of the 2006 Act

- I. the standards that the pupils might in all the circumstances reasonably be expected to attain; or,
- II. where relevant, the standards previously attained by them; or,
- III. the standards attained by pupils at comparable schools.

For the purpose of this guidance, “unacceptably low standards of performance” includes: standards below the floor, on either attainment or progress of pupils; low standards achieved by disadvantaged pupils; a sudden drop in performance; sustained historical underperformance, performance of pupils (including disadvantaged pupils) unacceptably low in relation to expected achievement or prior attainment, or performance of a school not meeting the expected standards of comparable schools.

In these situations the local authority should issue a warning notice unless there is a particular reason not to do so. Local authorities are not limited to giving a warning notice only to those schools which are persistently below the floor.

There is a clear expectation that where the school has a history of sustained underperformance, conversion to an academy with a strong sponsor will be the normal route to secure improvement. The warning notice for such schools should make that expectation clear.

Local authorities should consider issuing a warning notice to schools that have not responded robustly or rapidly enough to a recommendation by Ofsted to commission an external review of the use and impact of the Pupil Premium. Such recommendations are normally made as part of Section 5 inspections in schools ‘requiring improvement’ where the standard of performance of disadvantaged pupils is judged to be unacceptably low.

Local authorities should also consider issuing a warning notice to schools that have not responded robustly or rapidly enough to a recommendation by Ofsted to commission an external review of their governance arrangements. Such recommendations are normally made as part of Section 5 inspections in schools ‘requiring improvement’ where governance is judged to be weak. In some cases, Ofsted will recommend an external review of both the Pupil Premium and their governance arrangements.

Since it is a core function of governing bodies to create robust accountability for the educational performance of the school, failure to address such recommendations by Ofsted should be seen as an indication that the school is causing sufficient concern for the local authority to consider issuing a warning notice. Following the inspection, where no significant improvement is realised by the school within reasonable timeframes, local authorities should consider using their powers of intervention to stimulate and drive change.

Schools do not need to wait for an Ofsted inspection recommendation to seek an external review of the Pupil Premium or their governance arrangements. Local authorities

may themselves consider issuing such recommendations where they have concerns about the quality of a school's performance and governance, before considering more formal intervention. Guidance is available from the National College for Teaching and Leadership on commissioning and conducting such external reviews.

A school is "eligible for intervention" and intervention powers may be exercised in the case where a warning notice has been given and the school has failed to comply or has not complied with the notice to the satisfaction of the local authority and where the local authority have also given the school written notice that they propose to exercise one or more of their powers under Part 4 of the 2006 Act.

Schools eligible for intervention as a result of having been judged as "requiring significant improvement" or "special measures"

If, following an inspection under section 5 of the Education Act 2005, Ofsted judges a school to be inadequate for overall effectiveness (Grade 4), it will give a judgement that the school requires either "significant improvement" (described as a school with "serious weaknesses") or "special measures". Where a school is eligible for intervention by virtue of this judgement, it is not necessary for the local authority to give a warning notice to the school. If the school has already been given a warning notice by a local authority, a Grade 4 Ofsted judgement means the school is eligible for intervention whether or not the period of compliance in the warning notice has expired or the governing body has made representations or intend to make representations to Ofsted.

There is a clear expectation that in these cases, where the school has been judged by Ofsted to have "serious weaknesses" or require "special measures", conversion to an academy with a strong sponsor will be the normal route to secure improvement and that this is set out clearly in the local authority statement of action⁵.

Inspectors make a judgement on the fitness for purpose of local authorities' statements of action. From September 2012, this judgement is made at the first monitoring inspection of all schools judged to require "special measures" and those that have been judged to have "serious weaknesses". If, the statement of action is judged to be not fit for purpose at the first monitoring inspection, a revised version must be made available to Her Majesty's Inspector (HMI) at the second monitoring inspection. HMI will judge whether the revised statement is fit for purpose and report accordingly.

⁵ See section 15 of the Education Act 2005 and Schedule 7 of the Education and Inspections Act 2006

Section 3: Warning notices

Section 60 of the 2006 Act sets out the provisions relating to warning notices. A warning notice should be used where there is evidence to justify both the local authority's concerns and the school's reluctance or inability to address those concerns successfully within a reasonable time frame. Before deciding to give such a warning notice, local authorities must draw on a suitable range of quantitative and qualitative information to form a complete picture of a school's performance.

1. Giving a warning notice

When used effectively many local authorities have found that giving warning notices has had a positive impact on schools causing concern, often providing a catalyst for more focused and appropriate action from both the leadership team and the governing body. It is expected that local authorities will use these powers more frequently as part of their wider plans to accelerate improvements in standards.

A warning notice must be given in writing to the governing body of the school and must set out:

1. the matters on which the local authority's concerns are based. These should be set out in some detail and explain the facts that exist in that particular school and the circumstances which are giving the local authority cause for concern;
2. the action which the governing body is required to take in order to address the concerns raised;
3. the initial compliance period beginning with the day when the warning notice is given and ending 15 working days following that day, during which time the governing body is to address the concerns set out in the warning notice, or make representations to Ofsted against the warning notice; and,
4. the action which the local authority is minded to take (under one or more of sections 63 to 66 of the 2006 Act or otherwise) if the governing body does not take the required action.

In addition to giving the governing body a warning notice, the local authority must also give a copy to the head teacher; and in the case of a Church of England Church school or a Roman Catholic Church school, the appropriate diocesan authority; and in the case of a foundation or voluntary school, the person who appoints the foundation governors.

All warning notices must be copied to Ofsted at the same time using the email address: warningnotices@ofsted.gov.uk

Where a warning notice has been given which has not been complied with to the satisfaction of the local authority within the compliance period, the local authority must also give the school reasonable notice in writing. Whilst what is reasonable will vary depending upon the circumstances, the expectation is that the local authority will notify the school that they propose to exercise one or more of their powers under Part 4 of the 2006 Act within two months from the end of the compliance period. When a school has failed to comply with a warning notice and the local authority have also given a further written notice, a school is eligible for intervention.⁶

2. Making representations against the warning notice

The warning notice must state that the governing body of a school can make representations in writing to Ofsted. The 2006 Act does not specify the grounds for making representations, but it could be that the school believes that the local authority have:

1. Given the warning notice without sufficient objective evidence
2. Proposed action that is disproportionate to the scale of the issues facing the school

The representations must be made in writing within 15 working days⁷ of receipt of the warning notice. For the representations to be valid, they must be sent to warningnotices@ofsted.gov.uk and *must* also be copied to the local authority.

Ofsted must consider any representations and may confirm the warning notice or not. This will usually be within a period of 10 working days after receipt of the representations, although this is not set out in legislation. Ofsted may ask either party to submit further evidence where this is felt to be insubstantial, prior to deciding on the representations.

If Ofsted confirms the warning notice, the school is eligible for intervention after 15 working days beginning with the day on which Ofsted confirms the warning notice.

Irrespective of whether the governing body have made representations to Ofsted, the Secretary of State may make a direction under section 496 and/or 497 of the Education Act 1996 pursuant to a complaint or otherwise. This enables the Secretary of State to make a direction, if expedient to do so, where he is satisfied that a local authority have acted, or are proposing to act, unreasonably with respect to the exercising of a power or performance of a duty under the 1996 Act, or certain other Acts which are read together with the 1996 Act (including the 2006 Act), or where the local authority have failed to discharge a duty.

⁶ See section 60(1)(e) of the Education and Inspections Act 2006

⁷ Working day does include the school holidays. See the definition in section 60(10) of the Education and Inspections Act 2006.

3. Power of the Secretary of State to direct the local authority to consider giving and to give a warning notice

The Secretary of State has the power to direct a local authority to first consider giving a warning notice in specified terms and then, to direct the local authority to give a warning notice in those terms where a local authority have decided not to do so.

A direction to give a warning notice in specified terms may be given if the Secretary of State thinks there are reasonable grounds for the local authority to do so and:

1. the local authority have not given a warning notice to the governing body; or
2. the local authority have given a warning notice, but in inadequate terms; or
3. the local authority have given a warning notice to the governing body but Ofsted have failed or declined to confirm it; or
4. the school has become eligible for intervention, but the period of two months following the end of the compliance period has ended⁸.

The local authority may then decide to give the warning notice to the governing body in the specified terms and must give the Secretary of State a written response to the direction confirming this within 10 working days beginning with the day on which the direction was given. They must then give a warning notice to the governing body within 5 working days from the day on which a response is given to the Secretary of State and, on the same day, give the Secretary of State a copy of the warning notice and send it to warningnotices@ofsted.gov.uk.

If the local authority decides not to comply with the direction, then they must respond to the Secretary of State within 10 working days⁹ beginning with the day on which the direction was given setting out the reasons for that decision. If, having considered these reasons, the Secretary of State believes that a warning notice is still necessary then the local authority will be directed to give a warning notice in those specified terms. The local authority must then give this warning notice to the governing body within 5 working days beginning with the date when the direction is given.

Once this warning notice has been given, the school has 15 working days to comply with the terms of the warning notice or make representations to Ofsted as with any other warning notice given.

The local authority must judge whether the school has complied with the terms of the warning notice. If the local authority concludes that the school has failed to comply with

⁸ Note that the time period does not apply where the school is eligible for intervention by virtue of being judged to require special measures or significant improvement.

⁹ The 2006 Act states that “working day” means a day other than a Saturday, a Sunday, Christmas Day, Good Friday or a day which is a bank holiday under the Banking and Financial Dealings Act 1971 (c.80) in England

the warning notice and has also given written notice to the governing body that they propose to exercise one or more of their intervention powers, then it is “eligible for intervention” as set out in Part 4 of, and Schedule 6 to, the 2006 Act, and the intervention powers of the Secretary of State and the local authority may be exercised.

The Secretary of State may also request Ofsted to inspect and report on a school where there are serious concerns under provisions in the Education Act 2005.

Section 4: Local authorities' powers of intervention

Where a school is eligible for intervention there are a number of powers the local authority or the Secretary of State may use to drive school improvement. These interventions are set out in sections 63-66 of the 2006 Act in respect of local authorities.

1. Power to suspend the delegated authority for the governing body to manage a school's budget

Section 66 of the 2006 Act enables a local authority to suspend the governing body's right to a delegated budget by giving the governing body of the school notice in writing. This applies where a maintained school is eligible for intervention and the school has a delegated budget within the meaning of Part 2 of the School Standards and Framework Act 1998.

Local authorities are strongly recommended to withdraw delegation from all schools eligible for intervention at the time the intervention position is confirmed since doing so can secure local authority control over staffing and spending decisions in order to secure improvements. It may be best used, for example, where the governing body is providing insufficient challenge and support to the headteacher or senior management team of the school, or where management of the budget is providing a distraction from improvement priorities for governors.

A copy of the notice to suspend the right to a delegated budget must be given to the head teacher of the school and the governing body. If the local authority has appointed an IEB, during the period when the governing body is constituted as an IEB (the interim period) the local authority cannot suspend the school's right to a delegated budget.

Timeframe

Where a school is eligible for intervention as a result of being given a warning notice, this power must be exercised within a period of two months following the end of the compliance period. If the local authority fails to exercise this power within this time, it can no longer be exercised and a new warning notice must be given in order to do so. There is no requirement for the local authority to consult before exercising this power.

2. Power to appoint an Interim Executive Board (IEB)

Section 65 of the 2006 Act enables the local authority to apply to the Secretary of State for consent to constitute the governing body as an IEB in accordance with Schedule 6 to the 2006 Act. An IEB can be used to accelerate improvement in standards and attainment and provide challenge to the leadership of the school to secure rapid

improvement or where there has been a serious breakdown of working relationships within the governing body of the school.

Timeframe

This power may be exercised at any time a school is eligible for intervention and is not subject to the time limitation set out above in respect of other intervention powers.

Consultation

Before the local authority can exercise this intervention power they must consult:

1. the governing body of the school;
2. in the case of a Church of England school or a Roman Catholic Church school, the appropriate diocesan authority; and,
3. in the case of any other foundation or voluntary school, the person or body by whom the foundation governors are appointed.

A fair consultation must be undertaken when proposals are at a formative stage and include sufficient detail to allow those consulted to give a considered response. The local authority may offer a meeting with the governing body as part of this consultation. A final decision should only be taken after consideration of any representations received. There is no statutory time scale in which the consultation process is to be completed and it is likely that this will vary depending on the circumstances in which the IEB is required. We would expect a normal consultation process to take about 10 (ten) days.

IEB applications should be made using the form on the DfE website¹⁰ and should follow the guidance for the completion of an IEB application form.

After obtaining consent in writing from the Secretary of State, the local authority must write to the governing body to give them notice that the IEB will be established. This notice should specify a date when the IEB will commence and will usually also give a date when the IEB will cease but may not always.

Delegated budget

An IEB has a right to a delegated budget. If the school's budget has previously been withdrawn from the governing body, then the local authority must restore the budget from the date when the IEB commences its work. If a notice has been given to the normally constituted governing body specifying a date when it is proposed to withdraw the right to a delegated budget, the notice will cease to be valid from the date of commencement of the IEB.

¹⁰ See the 'Further sources of information' section

The role and duties of the IEB

The IEB's main function is to secure a sound basis for future improvement in the school and this should include the promotion of high standards of educational achievement.

The IEB is the governing body of the school and any reference in the Education Acts to a governor or foundation governor has effect as a reference to an interim executive member. During the interim period, when the governing body is constituted as an IEB, the requirements concerning the governing bodies constitution set out in the School Governance (Constitution) (England) Regulations 2012 do not apply.

The IEB will take on the responsibilities of a normally constituted governing body, including the management of the budget, the curriculum, staffing, pay and performance management and the appointment of the headteacher and deputy headteacher. An IEB may recommend to a local authority, or recommend that the Secretary of State give a direction to a local authority, that a school should be closed. However, the IEB cannot itself publish proposals for closure. If, following the statutory consultation and other procedures, it is agreed that the school will be closed, the IEB should continue to hold office until the implementation date of the proposal. The IEB may also seek an academy order from the Secretary of State which enables the school to convert to an academy.

Membership of the IEB

As set out in Schedule 6 to the 2006 Act the number of interim executive members must not be less than two. Once the IEB has been established, further interim executive members can be appointed at any time. An IEB should be a small, focused group appointed for the full period which it is expected to take to turn the school around. Members of an IEB should be chosen on a case by case basis, depending on the needs of the school and existing governors may be appointed to the IEB. We expect members of an IEB to bring a fresh outlook to the governance arrangements of the school, marking a clear break from the previous management of the school. In most cases, therefore, we would not expect existing governors who are vacating office to be nominated as IEB members (although this is not prohibited by the law). Local authorities who are considering doing this should contact the DfE to discuss the particular circumstances of the school.

The IEB may arrange for the discharge of their functions to other people as they see fit (under paragraph 11(2) of Schedule 6 to the 2006 Act). In this way the IEB could continue to benefit from the experience of existing governors and help engage future governors.

The local authority is able to nominate one of the members of the IEB to act as Chair.

Interim executive members may be removed in limited circumstances. This can be for incapacity or misbehaviour or where their written notice of appointment provides for

termination by the appropriate authority on notice. The appropriate authority may be the local authority or the Secretary of State depending on who made the original appointment.

The local authority should produce a written notice of appointment for each member of the IEB. Copies of this notice should be sent to all other members of the IEB; the school's existing governing body; the Secretary of State; and, in the case of foundation or voluntary schools, the diocesan or other appropriate appointing authority. A local authority or the Secretary of State may choose to pay interim executive members such remuneration and allowances as is considered appropriate.

3. Power to appoint additional governors

Section 64 enables a local authority to appoint additional governors where a school is eligible for intervention. The local authority is likely to appoint additional governors when they would like a school to be provided with additional expertise and may appoint as many additional governors as they think fit. In the case of a voluntary aided school where the local authority have exercised the power to appoint additional governors, the appropriate appointing authority in relation to that school may appoint an equal number of foundation governors to those appointed by the local authority, in order to preserve their majority.

Timeframe

Where the school is eligible for intervention as a result of being given a warning notice, this power must be exercised within a period of two months following the end of the compliance period. If the local authority fails to exercise this power within this time, it can no longer be exercised and a new warning notice must be given in order to do so. Where the local authority appoints additional governors there is no requirement to consult.

4. Power to require the governing body to enter into arrangements

Section 63 enables a local authority to require a school which is eligible for intervention to enter into arrangements with a view to improving the performance of the school. The local authority may give the governing body a notice requiring them:

1. to enter into a contract or other arrangement for specified services of an advisory nature with a specified person (who may be the governing body of another school);
2. to make arrangements to collaborate with the governing body of another school;
3. to make arrangements to collaborate with a further education body; or,

4. to take specified steps for the purpose of creating or joining a federation.

Timeframe

Where the school is eligible for intervention as a result of being given a warning notice, this power must be exercised within a period of two months following the end of the compliance period. If the local authority fails to exercise this power within this time, it can no longer be exercised and a new warning notice must be given in order to do so.

Consultation

Before the local authority can exercise this intervention power they must consult:

1. the governing body of the school;
2. in the case of a Church of England school or a Roman Catholic Church school, the appropriate diocesan authority; and,
3. in the case of any other foundation or voluntary school, the person or body by whom the foundation governors are appointed.

A consultation must be undertaken when proposals are at a formative stage and include sufficient detail to allow those consulted to give a considered response. A final decision can only be taken after consideration has been given to any representations received. There is no statutory time scale in which the consultation process is to be completed. We would expect a normal consultation process to take about 10 (ten) days but this may vary depending on the circumstances of the case.

Section 5: Secretary of State's powers of intervention

Where a school is eligible for intervention there are a number of powers the local authority or the Secretary of State may use to drive school improvement. These interventions are set out in sections 67 to 69 in respect of the Secretary of State.

1. Power to appoint additional governors

Section 67 of the 2006 Act allows the Secretary of State to appoint additional governors at any time a maintained school is eligible for intervention; the Secretary of State may appoint any such number of additional governors as he sees fit.

Before making any appointment, the Secretary of State must consult:

1. the local authority;
2. the governing body of the school;
3. in the case of a Church of England school or a Roman Catholic Church school, the appropriate diocesan authority; and,
4. in the case of any other foundation or voluntary school, the person or body by whom the foundation governors are appointed.

The Secretary of State may pay any governor appointed such remuneration and allowances as is considered appropriate. Where the Secretary of State has exercised this power, the local authority may not exercise their power to suspend the governing body's right to a delegated budget. The legislation provides that a voluntary aided school is not authorised to appoint foundation governors for the purpose of outnumbering the other governors appointed by the Secretary of State.

2. Power to direct the closure of a school

The Secretary of State may direct a local authority to cease to maintain a school where that school is eligible for intervention other than by virtue of section 60A of the 2006 Act. (non-compliance with teachers pay and conditions).

This will usually be done where there is no prospect of the school making sufficient improvements. Before this power can be exercised the Secretary of State must consult¹¹

1. the local authority and the governing body of the school;
2. in the case of a Church of England school or a Roman Catholic Church school the appropriate diocesan authority;

¹¹ See Section 68 of the Education and Inspections Act 2006

3. in the case of any other foundation or voluntary school the person or body by whom the foundation governors are appointed; and
4. such other persons as the Secretary of State considers appropriate.

If the direction to close a school has been given, the local authority will be expected to meet any costs of terminating staff contracts and make appropriate arrangements for the pupils' continuing education, whether in a replacement school, or through transition to an alternative school.

3. Power to provide for the governing body to consist of interim executive members

Under Section 69 of the 2006 Act the Secretary of State may require the governing body of a school to be constituted as an IEB in accordance with Schedule 6 to the 2006 Act where the school is eligible for intervention.

Before this power can be exercised the Secretary of State must consult¹²:

1. the local authority;
2. the governing body of the school;
3. in the case of a Church of England school or a Roman Catholic Church school, the appropriate diocesan authority; and,
4. in the case of any other foundation or voluntary school the person or body by whom the foundation governors are appointed.

This requirement to consult the bodies in 2, 3 and 4 above does not apply if the local authority has already done so in respect of their own proposal to appoint an IEB or if an academy order has effect in respect of the school.

4. Power to make an academy order

Section 4 of the Academies Act 2010 permits the Secretary of State to make an academy order in two circumstances: firstly, on the application of a school's governing body; or secondly, if the school is eligible for intervention within the meaning of Part 4 of the 2006 Act.

Before making an academy order in respect of a foundation or voluntary school with a foundation that is eligible for intervention, the Secretary of State must consult:

¹² See Section 69(2) of the Education and Inspections Act 2006

1. the trustees of the school;
2. the person and persons by whom the foundation governors are appointed; and,
3. in the case of a school which has a religious character, the appropriate religious body.

If an academy order is made in respect of a school, the Secretary of State must give a copy of the order to:

1. the governing body of the school;
2. the headteacher;
3. the local authority; and,
4. in the case of a foundation or voluntary school that has a foundation:
 - (I) the trustees of the school;
 - (II) the person and persons by whom the foundation governors are appointed; and,
 - (III) in the case of a school which has a religious character, the appropriate religious body.

If an academy order is made in respect of a school which has a Foundation holding the freehold or leasehold of publically funded land, the Secretary of State may direct the Foundation to transfer the relevant land and buildings to the academy provider¹³.

Under section 5 of the Academies Act 2010 before a maintained school can convert into an academy, the governing body must consult on the question of whether conversion should take place.

In the case of a school eligible for intervention under Part 4 of the 2006 Act, the consultation may be carried out by the governing body of the school (or an IEB where appointed) or the person with whom the Secretary of State proposes to enter into academy arrangements in respect of the school or an educational institution that replaces it.

The expectation is that a persistently underperforming school or a school that is in Ofsted category will become an academy. Any such academy would be a “sponsored” academy, meaning that the school would adopt governance arrangements, involving a strong external body (such as an organisation or a sponsoring school)., that will ensure that the school is supported in turning its performance around.

The expectation would be that any strong school which was proposing to act as a sponsor would themselves also be an academy or willing to become an academy in order to take on the sponsorship role. Being an academy will allow the sponsoring school to use its academy freedoms to secure rapid improvement in both the school it is sponsoring, as well as its own school.

¹³ Education Act 2011 Schedule 14

Further sources of information

Associated resources (external links)

- [The Academies Act 2010](#)
- [The Apprenticeships, Skills, Children and Learning Act 2009](#) (amended the 2006 Act) - makes provision for apprenticeships, education, training and children's services.
- [The Education and Inspections Act 2006](#)
- [The Education Act 2011](#) (amended the 2006 Act and also the 2010 Academies Act in respect of land transfers to academies. Schedule 14 applies)
- Education Act 2002 Schedule 2 Effect on Staffing on suspension of delegated budget
- [School Governance \(Transition from an Interim Executive Board\) \(England\) Regulations 2010](#) – you can download the School Governance Regulations 2010 from the Opsi website
- [The School Standards and Framework Act 1998](#) - contains provisions for schools and nursery education. This covers further education for young people at school, and in FE institutions across the UK.
- [Ofsted: monitoring inspections for maintained schools and academies - information about the types of monitoring inspections carried out under section 8 of the Education Act 2005.](#)
- [The framework for the inspection of local authority arrangements for supporting school improvement](#)

Other departmental resources

- [Interim Executive Board application form](#) and guidance
- [Performance tables – user guide and resources \(includes progress measures\)](#)



Department
for Education

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Reference: DFE-00391-2014

Journey to Excellence

Local Authority Procedures for Schools Causing Concern

**September
2014**

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2014

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Introduction: The duties of local authorities

'Our aim is to ensure that everyone working with children and young people and their families will do their best to keep children and young people safe from abuse or neglect, ensure all children are healthy and ready to learn and ensure all our young people and their families are ready for work. We will also encourage children and young people to get the most out of learning and leisure, appreciate their environment and make a positive contribution to their communities.'
Derbyshire Children and Young People's Plan, 2010-14

The significant majority of Derbyshire schools are successful in enabling children and young people to do well in their education, as indicated by our high levels of achievement across the county. These schools manage and sustain their own success by implementing rigorous self-evaluation and effective school improvement planning.

The Education White Paper *Higher Standards, Better Schools for All*, published in autumn 2005, set out a series of measures to turn around under-performing schools more quickly. The Education Act 1996 and the Education and Inspections Act 2006 clearly identifies **the duties of local authorities** to promote high standards, to ensure fair access to educational opportunities for all children, and to promote the fulfilment of each child's educational potential. This Act provides the basis for these procedures as well as giving local authorities some new powers and responsibilities. The Education Act 2011 and the statutory guidance of 2014 include the application of these measures to schools such as those below floor standards.

These powers include:

- the issue of a warning notice requiring governors to take appropriate steps to improve; (such notices include the performance standards and safety warning notice and the teachers' pay and conditions warning notice)
- speedy intervention in schools in Ofsted categories with the development of a local authority statement of action (action plan) within 10 days of receipt of the final report, and the appointment of a 'parents' champion', if appropriate;
- insistence that a school work with a specified person, school staff and governing body of other schools or further education body in support of improvement;
- insistence that a school becomes part of a federation in support of improvement;
- the appointment of additional governors;
- the removal of delegated powers; and
- the replacement of the governing body by an interim executive board and restoring the delegated powers.

The Secretary of State may direct the local authority 'to consider' giving a performance and safety warning notice if there are reasonable grounds to do so.

The Academies Act 2010 permits the Secretary of State to make an academy order following application from a governing body or if the school is eligible for intervention.

Although academies are accountable to the Secretary of State for Education, local authorities are expected to raise any concerns about an academy's performance or conduct directly with the Department for Education (DfE). The local authority has established procedures and protocols for working with academies which include the issuing of a Letter of Concern where there are significant concerns.

The purpose of this document is to clarify the procedures the local authority will apply in all cases of **schools causing concern**. It sets out the roles and responsibilities for improvement and promotes a partnership between local authority and schools which is open, honest and accountable in order to improve education for all children and young people in Derbyshire. These procedures support and complement, The Derbyshire Quality Development Dialogue Processes for Education Improvement.

Section 1: What are schools causing concern?

Within the Quality Development Dialogue (QDD), the local authority supports schools through differentiated programmes according to their state of development and capacity to improve. The improvement partnership enables the authority to identify and address problems swiftly and in most cases pre-empts a more entrenched level of difficulty. While all schools take part in an annual, shared evaluation of effectiveness and progress with the link adviser, the ensuing QDD programmes range from very low intervention to high intervention:

QDD programme	Development state of school
Core entitlement	A school which: <ul style="list-style-type: none"> • has a consistent trend of outstanding or good achievement or • has established a strong upward trajectory, and • the School Leadership Team and Link Adviser agree it is likely to be judged as at least good, based on the evidence from comprehensive self-evaluation activities such as those in the offer for Priority schools
Priority schools	A school which: <ul style="list-style-type: none"> • has been judged by Ofsted as outstanding or good but achievement suggests a declining trajectory or • has been judged by Ofsted as requiring improvement or • is close to or below the floor standards for the first time and is unable to demonstrate that achievement will be well above floor standards in the coming year, and • the School Leadership Team and Link Adviser agree is unlikely to be judged as good at the next inspection
Schools Causing Concern	A school where higher intervention is required to secure capacity to remove concerns, including a school which is close to or below floor standards for more than one year and/or has been or could be judged by Ofsted as: <ul style="list-style-type: none"> • having serious weaknesses* • requiring special measures**

Ofsted categories	Definition
*School has serious weaknesses:	The school has serious weaknesses because one or more of the key areas is 'inadequate' (grade 4) and/or there are important weaknesses in the provision for pupils' spiritual, moral, social and cultural development. However, leaders, managers and governors have been assessed as having the capacity to secure improvement.
**School requires special measures:	The school is failing to give its pupils an acceptable standard of education, and the persons responsible for leading, managing or governing the school are not demonstrating the capacity to secure the necessary improvement in the school.

Section 2: How are schools causing concern identified?

Sources of concern and communication routes

Schools causing concern may be identified from a combination of sources over time. These may include:

- governors;
- headteachers and school staff;
- local authority staff;
- parents and members of the public;
- elected members;
- analysis of school performance data, including the SIRR;
- identification following an Ofsted inspection;
- DfE

Local authority advisers and officers maintain a regular dialogue in relation to schools undergoing difficulties. The link adviser undertakes a vital role in co-ordinating the relevant information.

To undertake this role effectively requires:

- schools to evaluate their own performance rigorously and effectively;
- systematic record keeping by local authority advisers and officers; and
- clear communication with senior local authority staff where a concern is identified.

Much of this information will remain confidential to the school and the local authority, but must be used by both partners to plan action.

The extent to which these characteristics indicate concern requiring intervention is dependent upon:

- the severity and impact of each criterion on the overall performance of the school;
- the degree to which the criteria are characteristic of the school's performance in terms of frequency, scale and severity;
- the degree to which the criteria combine to indicate overall concern; and
- the overall progress the school is making in relation to the indicators, together with its capacity to deliver sustained improvement for the benefit of pupils.

Section 3: What are the procedures for schools causing concern?

In the main, the local authority expects to achieve improved outcomes and provision for pupils through the identified local authority procedures and an open, honest partnership with schools, governing bodies and local communities.

When a school causing concern is identified, discussions take place with the headteacher and/or the governors. The purpose of these discussions is to clarify the causes of concern and agree the next-steps. The local authority will confirm in writing the agreed causes of concern and how the school will be supported to remove these concerns. The letter does not constitute a warning notice. However, as a form of early intervention the local authority will reserve its right to issue a Performance Standards and Safety Warning Notice (warning notice) in exceptional circumstances and in accordance with Section 60 of the Education and Inspections Act 2006

The issue of a warning notice by the local authority

A **warning notice**, known as a Performance standards and safety warning notice, may be issued to a **governing body** where the local authority is satisfied that:

- standards of pupils' performance are unacceptably low and are likely to remain so unless the authority exercises its powers;
- there has been a serious breakdown in the way the school is managed or governed which is prejudicing, or is likely to prejudice, standards;
- the safety of pupils or staff is threatened, whether by breakdown of discipline or otherwise.

The warning notice will set out:

- the matters on which the local authority's concerns are based. These should be set out in some detail and explain the facts that exist in that particular school and the circumstances which are giving the local authority cause for concern;
- the action which the governing body is required to take in order to address the concerns raised;
- the initial compliance period beginning with the day when the warning notice is given and ending 15 working days following that day, during which time the governing body is to address the concerns set out in the warning notice, or make representations to Ofsted against the warning notice; and,

the action which the local authority is minded to take (under one or more of sections 63 to 66 of the 2006 Act or otherwise) if the governing body does not take the required action.

Local authorities can also consider issuing a warning notice to schools to which have not responded robustly or rapidly enough to a recommendation by Ofsted to commission an external review of the use and impact of the Pupil Premium and/or an external review of their governance arrangements.

Where the local authority issues a warning notice to a governing body, the notice is also copied to the headteacher, the Chief Inspector (HMCI), the appropriate diocesan authority in the case of church schools, and to the person who appoints foundation governors in the case of foundation schools. The warning notice must state that the governing body of a school can make representations in writing to Ofsted. Ofsted must consider any representations and may or may not confirm the warning notice.

Irrespective of whether the governing body has made representations to Ofsted, the governing body may make a complaint to the Secretary of State under section 496 and/or 497 of the Education Act 1996.

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Powers of intervention for local authorities

The local authority has the legal right to intervene in a maintained school if:

- A** following an Ofsted inspection, the Chief Inspector gives notice that the school has serious weaknesses or requires special measures
- B** a warning notice has been given and the school has failed to comply or has not complied with the notice to the satisfaction of the local authority and where the local authority has also given a written notice that they propose to exercise one or more of their powers under Part 4 of the 2006 Act.

The Education and Inspections Act (2006) introduced wider powers of intervention for local authorities to ensure that schools with significant weaknesses and areas of under-performance are turned around as quickly as possible. These include the power to:

- suspend the delegated authority for the governing body to manage the school's budget
- appoint an Interim Executive Board (IEB)
- appoint additional governors
- require the governing body:
 1. to enter into a contract or other arrangement for specified services of an advisory nature with a specified person (who may be the governing body of another school);
 2. to make arrangements to collaborate with the governing body of another school;
 3. to make arrangements to collaborate with a further education body; or,
 4. to take specified steps for the purpose of creating or joining a federation.

Details regarding the timeframes for the exercising of specific powers and the consultation required prior to this are set out in the statutory guidance from DfE issued in May 2014

Power of the Secretary of State

The Secretary of State has the power to direct a local authority to first consider giving a warning notice in specified terms and then, to direct the local authority to give a warning notice in those terms where a local authority have decided not to do so.

A direction to give a performance standards and safety warning notice in the terms specified may be given if the Secretary of State thinks there are reasonable grounds for the local authority to do so and:

1. the local authority have not given a warning notice to the governing body; or
2. the local authority have done so, but in inadequate terms; or
3. the local authority have given a warning notice to the governing body but Ofsted have failed or declined to confirm it; or
4. the school has become eligible for intervention, but the period of two months following the end of the compliance period has ended.

The Secretary of State has the following powers in relation to schools which are eligible for intervention including all schools which have been judged by Ofsted to have Serious Weaknesses or requiring Special Measures:

- to appoint additional governors;
- direct the closure of the school;
- to constitute the governing body as an IEB;
- to make an academy order under section 4 of the Academies Act 2010.

Schools causing concern to the local authority but are not in Ofsted categories

The local authority has a set of procedures and protocols which are consistently applied to all schools identified as causing the local authority concern.

Where a school has a range of persistent difficulties that are beyond its capacity to resolve without additional support, challenge or intervention from the local authority, the following procedures will apply:

- The headteacher, chair of governors and link adviser discuss concerns or difficulties. Agreement is reached that the school needs local authority intervention to resolve its difficulties.
- The link adviser supports the headteacher and governors in the development of an appropriate action plan to remove the concerns in an appropriate timescale. Roles and responsibilities of governors and school leaders for monitoring the impact of the school action plan are made clear.

while, in parallel:

- The link adviser reports the concerns to the senior adviser for the locality to broker local authority support for the action plan. The senior adviser provides the deputy assistant director with a summary report of the concerns and monitors the implementation of the action.
- The deputy assistant director notifies the headteacher and the chair of governors of the local authority's concerns in writing. In the case of church schools, the local authority will inform the Diocese, as appropriate.
- The link adviser supports the school to draw up a joint raising achievement action plan, which includes the school's own actions. This is shared with the senior adviser leading to the appropriate allocation of resource, including advisory time.
- The senior adviser convenes a School Progress Review meeting at least three times per year, to determine the impact of support and intervention and identify next-steps. The composition of the meeting may vary according to the nature of the concerns, but will include, as a minimum, the headteacher, the chair of governors, the link adviser and the senior adviser. Initially, the senior adviser will be responsible for notes taken during the meetings. However, as the school's capacity improves, the school will take over responsibility for notes of meetings.
- The deputy assistant directors take regular reports from senior advisers in all localities and compile a summary report for the assistant director (Schools and Learning), so that the Director of Children's Services relevant elected members can be kept appropriately informed. The Director of Children's Services may recommend the issuing of a warning notice by the Cabinet Member for Children and Young People. In such circumstances, there will be a discussion with the Chair of Governors and/or the headteacher in advance of the warning notice being issued.

On conclusion of the programme the outcomes are evaluated. If support and intervention have removed the concerns, the assistant director (Schools and Learning), will inform in writing the headteacher and governing body that the school is no longer causing the authority concern.

Local authority procedures for schools causing concern to the local authority and which are in Ofsted categories*

- When a lead inspector has indicated that the school's overall effectiveness is likely to be judged as 'inadequate' and that the school will be judged to have serious weaknesses or to require special measures, the headteacher should alert the local authority as soon as the concern is raised.
- The link adviser will meet with Ofsted inspectors to share the local authority view of the school and to discuss the support being provided. The school's link adviser and/or a senior adviser attend inspectors' feedback to the governing body and reports outcomes to a deputy assistant director or assistant director.
- The senior adviser establishes a timetable of School Progress Reviews with the headteacher, governors, link adviser and appropriate local authority officers to support and monitor school and local authority action planning.
- The school's link adviser supports the headteacher and governing body in meeting the statutory requirement to amend the school's improvement plan in such a way that concerns will be removed within the designated timescale. Action planning and implementation of the initial actions are expected to begin before the publication of the final report.
- Local authority officers advise the governing body and the headteacher on their statutory duties and responsibilities in relation to the inspection outcomes. Advice is also provided to manage effective communication with parents, the local community and media. This is likely to include open meetings with parents to explain the inspection outcomes, to clarify the planned actions for improvement and the support to be provided, and to establish a programme of progress reports for parents and carers.
- The senior adviser and link adviser draw up a Local Authority Plan of Action to support and monitor implementation of the school's action plan. The local authority plan will set out the support available to the school and the action the local authority will take to ensure the removal of concerns within the designated timescale. For schools that have serious weaknesses or require special measures, the senior adviser provides a local authority statement which sets out the local authority's current and planned support for the school, assesses its viability and confirms the timescale for removal from the category concerned. HMI will review the statement of action with the senior adviser, the headteacher and Chair of the governing body as part of the first monitoring visit. All local authority plans will be shared with the headteacher and governing body via the School Progress Reviews. Timescales for completion of the local authority statement and action plans are identified on the previous pages.
- The school may choose to engage support for its action plan from a range of sources, including the local authority, higher education bodies, support agencies and other schools, both locally and outside the county. The authority will advise the school of the range of support available and, where appropriate, broker support and partnership arrangements with other schools and providers.
- The local authority will provide a negotiated programme of support including advice, training, monitoring and evaluation, and additional resources, as appropriate, to support the implementation of the school and local authority action plans.
- Regular School Progress Review meetings enable the headteacher and governing body to monitor the implementation of action plans and to evaluate their impact on the areas of concern.

- The link adviser supports the school's preparation for HMI visits, and provides HMI with a progress report in relation to the impact of the local authority action plan.
- On removal of concerns by HMI or Ofsted, the local authority supports the school for at least a further 12 months of monitoring and support through the Priority schools QDD programme.
- If schools requiring significant improvement or special measures fail to make appropriate progress within the designated timescale, or in other exceptional circumstances, the local authority will deploy its additional powers of intervention.

* The DfE has a clear expectation that where a school is judged to have serious weaknesses or requires special measures, conversion to an Academy with a strong sponsor will be the normal route to secure improvement.

Process for raising concerns around conduct and performance of academies

In the main, the local authority expects to achieve improved outcomes and provision for pupils through the identified local authority procedures and an open, honest partnership with schools, governing bodies and local communities.

When the performance or conduct of an Academy is causing concern, discussions take place with the headteacher and/or the governors in accordance with the procedures and protocol as set out at Appendix A. The purpose of these discussions is to clarify the causes of concern and agree the next steps. The local authority will confirm in writing the agreed causes of concern and will seek a response from the Academy allowing the action it intends to take to address them.

The County Council may choose to make representation to the Board of the Academy Trust. The Local Authority may decide to make representation to the Education Funding Agency, Ofsted, or in the final resort, the Secretary of State where the concern is either persistent or so serious that it cannot be resolved locally. The LA may decide to issue a Letter of Concern to the Academy.

The issue of a warning letter by the local authority

A Letter of Concern may be issued by the Strategic Director of Children Services to the governing body of an academy where the local authority is satisfied that:

- standards of pupils' performance are unacceptably low and are likely to remain so unless immediate action is taken to raise standards;
- there has been a serious breakdown in the way the school is managed or governed which is prejudicing, or is likely to prejudice, standards;
- the safety of pupils or staff is threatened, whether by breakdown of discipline or otherwise.

The Letter of Concern will set out the matters on which the local authority's concerns are based. These will be set out in some detail and explain the facts that exist in that particular academy and the circumstances which are giving the local authority cause for concern.

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Section 4: What support and challenge can a school causing concern expect?

The role of the link adviser

The link adviser, working with the senior adviser for the school, will lead the operational support for the school. Such support will be set out in the local authority action plan and is likely to include:

- support to improve self-evaluation and improvement planning;
- support to improve teaching;
- support to improve behaviour and attitudes to learning;
- support to develop leadership and management skills, including those of governors;
- support to recruit effective practitioners and leaders;
- support for the appropriate application of competency and/or disciplinary procedures; and
- financial support for essential short-term action beyond the capacity of the school budget.

The amount of advisory and consultant time to be allocated to a school causing concern will depend on the nature and severity of the weaknesses, and will be set out in the local authority action plan.

The link adviser brokers support through the Senior Adviser who convenes the School Progress Reviews.

This can include support from:

- local authority advisers, consultants and officers;
- local authority consultants;
- teaching school alliances;
- effective headteachers, trained within the local authority as Derbyshire Leaders of Education
- other leading practitioners such as National Leaders of Education, Local Leaders of Education, Specialist Leaders of Education as well as National leaders of Governance
- effective schools in the local school improvement cluster, or in similar contexts;
- leading edge and/or specialist schools; and
- other support agencies such as the multi-agency teams and
- other educational institutions and organisations such as National Support Schools, as appropriate.

Through the range of support that is provided and/or brokered, the local authority is keen to ensure that each school's capacity to improve and to sustain improvement is being developed. To this end, support will be tailored and co-ordinated in such a way as to enable the school's leadership team to take ownership of, and responsibility for, the necessary improvement actions.

The local authority will continue to develop its register of teachers, headteachers and governors who may be prepared to support a school in difficulty by acting as locum or associate support staff. The local authority also has a number of consultant mentor headteachers who can be deployed effectively in schools. Their role is to mentor the substantive headteacher and support the implementation of the school action plan. The advisory service has developed an accredited training package for school staff prepared to act in this capacity.

Annex 1 states the protocol for advisers and consultants working in schools causing concern.

Partnerships

The Senior Adviser will support schools in brokering partnership arrangements with other schools and support agencies with proven success in the areas of weakness identified, as required. Protocols for involving staff from different schools are included in Annexes 2 and 3.

What schools can do

Our experience of working successfully with schools causing concern tells us that the following actions help schools to develop the capacity to improve quickly:

- accept the judgements and the areas for improvement quickly;
- action plan for improvement immediately with local authority support;
- ensure that action plans have clear objectives, which are focused on pupil outcomes;
- define the criteria by which success can be recognised by all stakeholders;
- implement actions at the same time as action planning;
- ensure all stakeholders have a clear view of their individual role in improvement;
- gather a pace and momentum for school improvement;
- implement a range of regular and comprehensive monitoring arrangements which include:
 - discussion;
 - observation;
 - document scrutiny; and above all
 - pupil performance data analysis.
- evaluate the impact on standards of attainment, progress, behaviour and attendance against the success criteria specified in the action plan;
- be ready to revise action plans appropriately in the light of evaluations and/or changed circumstances to ensure that success criteria are achieved in the necessary timescales.

The role of governors

Governors play an essential role in the improvement of schools causing concern. They should:

- gain a clear understanding of the issues for improvement;
- have early involvement in the action planning;
- work in partnership with the school and the local authority to improve;
- develop effective procedures for monitoring and evaluation;
- effectively monitor the progress being made with the action plan;
- demonstrate a willingness to share the workload;
- support the school frequently and regularly;
- ensure good communication with parents and the local community;
- implement the agreed disciplinary and competence procedures where appropriate; and
- ensure that statutory requirements are met.

It is particularly helpful for a designated governor/pair of governors to meet regularly with the headteacher/leadership team to discuss the progress the school is making and to identify any barriers to improvement.

The local authority will provide support for governing bodies in self-evaluation, monitoring of progress and establishing the conditions for improvement, as required.

Section 5: How is progress in removing the concerns monitored?

Monitoring and evaluation

A key role for the local authority is to work with the headteacher and governing body and, where appropriate, HMI, to monitor and evaluate progress and the impact for pupils. Monitoring will focus on the effective implementation of actions and evaluation will assess their impact on the standards and quality of the education provided. The joint monitoring and evaluation activities of the school and local authority will be set out in agreed action plans and progress will be judged against clearly identified success criteria.

In schools identified as **causing concern to the local authority**:

- The link adviser will support the headteacher and governing body in developing effective monitoring and evaluation procedures to track the progress and impact of the school's action plan on outcomes for pupils;
- the link adviser, headteacher and chair of governors will monitor the school's actions to achieve the expected improvement, matched with identified success criteria;
- the senior adviser will monitor progress with both the school and the local authority action plans at the School Progress Reviews meetings;
- the senior adviser will report progress to the appropriate deputy assistant director.

In schools identified as **causing concern to the local authority and are in Ofsted categories**:

- the link adviser will support the headteacher and governing body in developing effective monitoring and evaluation procedures to track the progress and impact of the school's action plan on outcomes for pupils;
- the link adviser and headteacher will monitor the school's actions to achieve the expected improvement, matched with identified success criteria;
- the senior adviser will monitor progress with both the school and the local authority action plans at the School Progress Reviews meetings;
- evaluations of progress, using the local authority format, will be shared with HMI prior to each monitoring visit, wherever possible.

In all cases:

- the headteacher should ensure that regular reports of progress are made to the governing body;
- the governing body should ensure that progress reports are discussed at each meeting and subsequent actions agreed, including any adjustments to the action plans.

Annex 4 specifies the key reasons which distinguish the different Ofsted categories and the time-lines for action for schools in these categories.

Annex 5 includes the formats for the local authority statement of action, the local authority action plan and the progress report for schools in Ofsted categories.

Section 6: How is school improvement sustained?

When the causes of concern are judged to have been removed, the school will need to sustain its improvement through an agreed exit strategy. The purpose of the exit strategy is to ensure that improvements are sustained and that any issues arising from the final evaluation, or HMI report, are addressed prior to the next inspection.

The local authority will provide lighter-touch monitoring in order to support the school's own quality assurance process. It is anticipated that the school will apply principles of best value and purchase support to maintain momentum from the most appropriate provider, including the local authority.

The school will continue to receive an entitlement to support through:

- the annual school improvement review, based on the school's self-evaluation summary (SES), resulting in the School Improvement Review Record; and
- the appropriate QDD programme.

It is essential that the school implements the lessons learned throughout the period of action planning, monitoring and review and embeds these processes in order to enhance its capacity for self-evaluation and continuous improvement.

How to sustain improvement

Schools sustain their continuous improvement by:

- maintaining the processes which have supported the removal of concerns;
- rigorous self-evaluation and robust monitoring and evaluation;
- maintaining a clear focus on pupil outcomes;
- sustaining improvement in pupils' work, behaviour, attitudes and attendance;
- maintaining the pace and momentum of developments;
- acknowledging and celebrating good practice in school;
- securing and maintaining commitment from the whole school community to improvement;
- building the capacity of the school through staff development, training and succession planning to ensure that momentum can be sustained even if key members of staff leave;
- sustaining partnerships and collaboration with other schools to promote improvement.

Sources of further information

The following are sources of further information and have been used to inform the production of this document.

Education Act, 2005

Education and Inspections Act, 2006

Education Act, 2011

Monitoring visits and support for schools that require improvement in order to become good or outstanding. October 2012 (ref no: 120319)

School inspection handbook, September 2014

Schools Causing Concern, DfES / 1549 / 2005

School Standards and Framework Act, 1998

Schools causing concern- guidance for local authorities- 2014

The Importance of Teaching: Schools White Paper, 2010

The Academies Act 2010

www.gov.uk

www.ofsted.gov.uk

Protocol for advisers and consultants working in schools causing concern

General Principles

Advisers, link advisers and consultants will always:

- Operate within the local authority's Schools Causing Concern framework, in line with the authority's statutory duties.
- Put the interests of children first in carrying out their work, having due regard for the impact of agreed actions on staff.
- Uphold the highest professional standards in their work, and ensure that school staff are treated fairly in order to benefit from the intervention and support.

Advisers, link advisers, consultants and school staff will have a reasonable expectation of each other, to be co-operative, courteous and helpful in implementing the agreed programmes.

Action will be carried out professionally, to secure the full co-operation of the school and its staff, inspire confidence in advisers', link advisers' and consultants' work and their judgements and make a valuable contribution to the school's improvement.

Protocol

In working with schools causing concern, advisers and consultants will:

- Specify clearly the causes of concern and identify the actions required to remove them.
- Support the school in developing its action planning, as part of the school improvement plan, by identifying needs, setting realistic and attainable targets, advising on the allocation of resources and monitoring and reviewing outcomes to appropriate deadlines.
- Identify the programme of additional support available to the school to remove the causes of concern, where appropriate, as a Local Authority Plan of Action.
- Recognise and respond appropriately to the needs of the school and individuals and do all they can to support those involved in the school by respecting the confidentiality of information, particularly about individuals and their work.
- Ensure that their judgements are clear, valid, reliable and based on evidence and communicated well.
- Monitor and evaluate aspects of provision confidently, provide high quality constructive feedback in a positive and developmental manner and report honestly and fairly.
- Provide advice, guidance and training within the agreed programmes to support the professional development of staff in the school.
- Ensure that intervention and support develop the internal capacity of the school to manage improvement upon the withdrawal of additional support.
- Deal sensitively with people, recognising the different needs of professionals and taking account of them when working to raise standards further in the school.
- Treat all those they meet with courtesy and respect. Listen actively, ask searching questions, clarify points and check understanding.

The use of National Leaders of Education, National Support Schools, Local Leaders of Education and Derbyshire Leaders of Education

Derbyshire Leaders of Education (DLE) are locally identified leading practitioners who are deployed to support schools causing concern. They include National Leaders of Education (NLE) and Local Leaders of Education (LLE) other headteacher mentors and leading teachers who will work alongside local authority advisers and consultants to remove the causes of concern and strengthen school-to-school partnerships.

NLE and LLE are serving headteachers who have been identified by the National College for School Leadership (NCSL). NLE together with their staff, identified collectively as National Support Schools (NSS), are intended to support schools in special measures, or facing other significant difficulties, through their knowledge and understanding of effective teaching and of what schools need to be successful learning organisations. Though NLE and LLE are identified by NCSL, they are deployed and contracted by the local authority and are subject to local authority quality assurance procedures.

The information below sets out the protocols and expectations for the deployment of DLE support to schools causing concern in Derbyshire:

- Once a school is deemed to have serious weaknesses or require special measures or is identified as causing formal concern to the local authority, the School Progress Reviews will consider the option of deploying a DLE in support of improvement. Consideration will be given to the appropriate match of skills, experience and expertise.
- The senior adviser for the school causing concern, and convener of the School Progress Reviews, will discuss the support that a DLE might be able to offer with the school causing concern or client school and will set up an introduction.
NB Under new powers, the authority may direct the client school to work with a NLE or NSS, though a negotiated outcome will always be preferred.
- The DLE will receive training from the local authority in relation to supporting schools causing concern, covering the skills, protocols and sensitivities required for working in such circumstances.
- The DLE will meet with the link adviser for the client school and with the school's leaders to discuss how best the school might be supported. For example, the NLE will develop an initial support plan using NCSL documentation, and the planned support activities will be clearly identified in the school and the local authority action plans. The NLE will take responsibility for writing the initial plan of support and the regular reviews of progress (3 or 6 times per year, by agreement with the senior adviser).
- The local authority will contract the DLE to provide the support, as set out in the relevant action plans. Such support will be funded from a range of sources, including the client school's own funds, the schools causing concern budget and national grant, where possible. Agreed costs will be paid into the supporting school's budget.

Protocol for seconding staff to schools causing concern

In some cases where schools are unable to address the causes of concern because of staffing difficulties, the local authority, in consultation with governing bodies, will seek to second a locum headteacher/teacher.

The decision to recommend the placement of a locum headteacher/teacher in the school will be taken by the senior adviser, in consultation with the appropriate school support officer and governing body. Reference will be made at this stage to headteachers and teachers who:

- have indicated their willingness to act as a locum;
- have successfully completed an appropriate course of training or previous locum placement;
- have the support of their governing body for their release in this capacity.

Procedures

Most locum teachers and headteachers are recruited from existing posts in Derbyshire schools and the following procedures will apply:

- *Donor School:*
 - The school support officer will outline the locum proposal to the donor school and propose the terms and conditions of the placement.
 - The school support officer will consult with the chair of governors and attend any governors meetings to agree arrangements.
- *Receiving School:*
 - The school support officer will consult with the chair of governors and identify the recommended locum placement. The school support officer will agree the basis of the secondment with the chair of governors and make all necessary arrangements.
 - Once the initial arrangements have been made, the link adviser of the receiving school in consultation with the school support officer, will be responsible for briefing the locum headteacher/teacher, establishing expectations, and for setting performance indicators and/or targets.

Following agreement of the arrangements, the school support officer will write to the chair of both donor and receiving schools and the locum headteacher/teacher outlining the following:

- the length of the secondment;
- any financial arrangements, following the agreement of the senior adviser;
- staffing arrangements;
- expectations of the local authority expressed as targets and/or performance indicators for locum headteachers;
- practical arrangements for induction of the locum into the receiving school and procedure for debriefing at the end of the secondment;
- any additional support arrangements for either/both schools.

At the conclusion of the period of secondment, the link adviser of the receiving school will, in consultation with the school support officer, be responsible for conducting a debriefing session with the locum. The outcomes of the meeting should be recorded in writing.

Where, in exceptional circumstances, it becomes necessary to extend the period of secondment beyond that initially agreed, negotiations will be carried out with both the donor and receiving school by the school support officer.

Ofsted judgements and time-lines for action

Monitoring of schools that require improvement

Schools judged as 'requires improvement' (previously satisfactory) will be subject to a monitoring visit by HMI usually within four to six weeks of the publication of the section 5 inspection report. HMI may also support the school using a range of strategies and the school will normally be inspected within two years from the date of the most recent section 5 inspection.

All schools whose overall effectiveness is judged to be inadequate will be placed in one of the Ofsted categories of concern.

School that has serious weaknesses:

- the school has serious weaknesses because one or more of the key areas is 'inadequate' (grade 4) and/or there are important weaknesses in the provision for pupils' spiritual, moral, social and cultural development. However, leaders, managers and governors have been assessed as having the capacity to secure improvement.

School requires special measures:

- the school is failing to give its pupils an acceptable standard of education, and
- the persons responsible for leading, managing or governing the school are not demonstrating the capacity to secure the necessary improvement in the school

The sequence of judgments is as follows:

1. Is the school's overall effectiveness inadequate?

This is a judgement on the impact of the significant weaknesses identified on the overall effectiveness for the majority of learners.

NO: a formal category unnecessary.

YES: may require significant improvement - serious weaknesses or special measures.

2. Are the leaders, managers and governors demonstrating the capacity to make the necessary improvements?

Leaders, managers and governors have to show:

- convincing evidence of accurate self-evaluation;
- rigorous analysis of performance data;
- effective strategic planning;
- rigorous and robust monitoring of standards and the quality of education;
- action that has had a demonstrably beneficial impact.

NO: requires special measures and will therefore be subject to regular monitoring and support.

YES: requires significant improvement - serious weaknesses and will be subject to monitoring and support and will normally be inspected within 18 months of the most recent section 5 inspection.

Timeline for schools judged to have serious weaknesses

Within 4 weeks from the end of the Section 5 inspection	<ul style="list-style-type: none"> • Oral feedback to the school indicates 'significant improvement' is required. • School revises its improvement plan and begins to take appropriate action immediately. • Ofsted sends the draft report to governing body/proprietor, who has 5 working days to comment. • Ofsted moderates judgement and sends final report to school and other parties (local authority, diocese or as appropriate). • DfE informs local authority (and appropriate appointing authority) where intervention powers come into force. • Ofsted publishes judgement and report on web-site. • Within 5 working days of receiving the final report, the school must secure that parents/carers of each pupil receives a copy of the report.
Within 10 days of receipt of final report	<ul style="list-style-type: none"> • Local authority or proprietor produces and submits a statement of action to HMCI
Within 4 – 6 weeks of the publication of the inspection report	<ul style="list-style-type: none"> • HMI conducts first monitoring inspection to: <ul style="list-style-type: none"> ○ gauge the school's initial response to being judged as having serious weaknesses and how well placed it is to secure rapid improvement ○ evaluate the extent to which the school's actions are rigorously focused on tackling the key areas for improvement identified in the section 5 inspection ○ evaluate how effectively the school is adapting its existing school development or improvement plans to meet the challenges of moving out of the serious weaknesses category ○ evaluate the local authority's statement of action ○ evaluate the impact that governors at the school are having on bringing about the necessary improvements ○ offer guidance to the school and the local authority, to sharpen, if necessary, the effectiveness of their planning ○ check the single central register if staffing has changed since the previous inspection • HMI outlines the likely pattern of future of monitoring inspections and finding of the inspection are published in a letter
Over the 18 months following the inspection	<ul style="list-style-type: none"> • The school may receive up to 2 further monitoring inspections • Ofsted re-inspects school.

Timeline for schools judged to require Special measures

Within 4 weeks from the end of the Section 5 inspection	<ul style="list-style-type: none"> • Oral feedback to the school indicates special measures are required. • School revises its improvement plan and takes appropriate action immediately. • Ofsted first moderation of judgement. • Ofsted sends the draft report to governing body/proprietor, who has 5 working days to comment. • Ofsted second moderation of judgement. • Ofsted notifies the school and other parties of the final judgement. • DfE informs local authority (and appropriate appointing authority) where intervention powers come into force. • Ofsted publishes judgement and report on web-site. • Within 5 working days of receiving the final report, the school must secure that parents/carers of each pupil receives a copy of the report.
Within 10 days of receipt of final report	<ul style="list-style-type: none"> • Local authority or proprietor produces and submits a statement of action to HMCI
Within 4 – 6 weeks of the publication of the inspection report	<ul style="list-style-type: none"> • HMI conducts first monitoring inspection to: <ul style="list-style-type: none"> ◦ gauge the school's initial response to being judged as requiring special measures and how well it is placed to achieve rapid improvement ◦ test that the school's actions are rigorously focused on tackling the key areas for improvement identified in the section 5 inspection ◦ evaluate how effectively the school is adapting its existing school development or improvement plans to meet the challenges of moving rapidly out of special measures ◦ evaluate the impact that governors at the school are having on bringing about necessary improvements ◦ review the local authority statement of action ◦ determine whether the school may appoint newly qualified teachers ◦ offer guidance to the school and the local authority to sharpen, if necessary, the effectiveness of improvement planning. ◦ check the single central register if staffing has changed since the previous inspection • HMI outlines the likely pattern of future of monitoring inspections and finding of the inspection are published in a letter
Within 18 months	<ul style="list-style-type: none"> • HMI conducts up to 4 further monitoring inspections • After 12 months, Ofsted need to report substantively on the school's overall progress since being made subject to special measures. If progress is insufficient, the Secretary of State may require the local authority to examine the options available. • Ofsted re-inspects the school.

Formats for the Local Authority Statement of Action, the Local Authority Action Plan and the Progress Report

[Name of school] The Authority's Statement of Action (as required by Ofsted)

1. Scope for closure or federation

School	Net capacity	Current year	Current year +1	Current year +2

The projections are based on the number of children living in the normal area of the school and an analysis of three year rolling trends.

The available accommodation and pupil population of other schools in the locality and bordering on the school's normal area is listed below:

School	Available accommodation	Current year	Current year +1	Current year +2

Local authority commentary on the above data

2. Target for removal from special measures

It is the intention of the local authority to secure the removal of Special Measures within a maximum of xx months. The target date for the removal of Special Measures is therefore xxxx.

3. Local authority action

Action already taken by the Local Authority prior to the inspection

- QDD programme, for example, and focus of support
- Identification of any concerns
- Interventions, etc
- Perceived impact: successes and barriers

Action taken by the Local Authority following the inspection

- School Progress Reviews meetings: constitution and purpose
- Focus of plans etc
- Monitoring, evaluation and reporting arrangements

Arrangements to consult with and involve parents

- *Communicate strategy including regular meetings linked to HMI monitoring reports*

4. Support from the local authority and partners

Availability of Local Authority resources

Involvement of partners

Support priorities, including proposed actions to build the leadership and management capacity of the school

Full details of all the support offered by the local authority, including quantified success criteria by which its success may be judged, are set out in the attached Local Authority action plan.

5. Use of local authority powers

- *Which, if any, of the additional powers are to be deployed. For example:*
 - *development of Academy status;*
 - *removal of delegated powers;*
 - *appointment of additional governors;*
 - *replacement of governors with IEB;*
 - *requirement to work with a selected person, governing body or other organisation;*
 - *requirement to enter into a federation with another school.*

OR

- *Reasons why additional powers are not being deployed.*

Name of senior adviser

Date

KEY ISSUE 1	<i>Directly from the report</i>	Local Authority Plan of Action
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Success Criteria	<i>The intended outcomes – how success will be recognised To include quantitative and qualitative outcomes</i>	Evaluation: <i>Date and strategy for each success criterion</i>
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Actions	Lead Person	School Action Plan reference	Performance milestones	Monitored by	Monitoring strategy	Resources/ Finance / CPD

ADDITIONAL ISSUES	<i>IF APPROPRIATE: From the body of the report / added by the school</i>	Local Authority Plan of Action
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Success Criteria	<i>The intended outcomes – how success will be recognised To include quantitative and qualitative outcomes</i>	Evaluation: <i>Date and strategy for each success criterion</i>
-------------------------	--	---

Actions	Lead Person	School Action Plan reference	Performance milestones	Monitored by	Monitoring strategy	Resources/ Finance / CPD

SUMMARY FINANCE PLAN

Source	KI 1	KI 2	KI 3	KI 4	K1 5	TOTALS
Local authority						
TOTALS						

SCHOOL PROGRESS REVIEW – SCHOOLS CAUSING CONCERN 2014/2015

REPORT (PRIMARY PHASE SCHOOLS)

Please select

Special Measures <input type="checkbox"/>	Serious Weaknesses <input type="checkbox"/>	SCC to local authority <input type="checkbox"/>
---	---	---

School			DfE number	
Headteacher			Tel number	
Chair GB			Tel number	
Date registered		Date removed from SCC listing		
Support team				
Date of joint support team meeting			Present	
			Apologies	
Last Ofsted: Date, overall outcome and what does the school needs to do to improve further?	Date:		Overall outcome:	
	Areas for Development:			

Key Issues for Action				
Progress with key issue 1				
Key issue 1 –				
Record of actions which should have taken place by this date and additional actions:				
<ul style="list-style-type: none"> 				
Impact of actions in meeting success criteria				
<ul style="list-style-type: none"> 				
Success criteria	Please tick against each criterion	Met	Partially met	Not met
<ul style="list-style-type: none"> 				

Progress with key issue 2			
Key issue 2 –			
Record of actions which should have taken place by this date and additional actions:			
•			
Impact of actions in meeting success criteria			
•			
Success criteria	<i>Please tick against each criterion</i>	Met	Partially met
•			

Progress with key issue 3			
Key issue 3 –			
Record of actions which should have taken place by this date and additional actions:			
•			
Impact of actions in meeting success criteria			
•			
Success criteria	<i>Please tick against each criterion</i>	Met	Partially met
•			

Progress with key issue 4			
Key issue 4 –			
Record of actions which should have taken place by this date and additional actions:			
•			
Impact of actions in meeting success criteria			
•			
Success criteria	<i>Please tick against each criterion</i>	Met	Partially met
•			

SCHOOL'S OWN TARGETS									
Targets for 2015 (%)									
Cohort size = KS1: xx				Cohort size = KS2 : xx					
	Level				Level				
KS1	2+	2b+	3	KS2	4+	5+	6	2+L	3+L
Reading				Reading				...	
Writing				Writing				...	
Maths				Maths				...	
				Re+W r+Ma	...				

Is the current Y6 cohort on track to meet or exceed floor standards?							
Reading, writing and maths (65%)	Yes/No	Two levels progress in reading (91%) *	Yes/No	Two levels progress in writing (95%) *	Yes/No	Two levels progress in maths (92%)*	Yes/No
						* National median 2012 shown in brackets	

Current evaluation of teaching – Percentages of teaching:			
Outstanding <input type="checkbox"/>	Good <input type="checkbox"/>	Requires improvement <input type="checkbox"/>	Inadequate <input type="checkbox"/>

Summary and evaluation of attainment and progress for each year group
•

A.O.B
•
Date and time of next meeting:

**SCHOOL PROGRESS REVIEW
NEXT STEPS**

Key Issue	Actions	Person responsible	Target dates	Monitored by	Method of Monitoring	Resources/ Finance / CPD
	•				•	•
	•				•	•
	•				•	•

SCHOOL PROGRESS REVIEW – SCHOOLS CAUSING CONCERN 2014/2015

REPORT (SECONDARY PHASE SCHOOLS)

Please select

Special Measures <input type="checkbox"/>	Serious Weaknesses <input type="checkbox"/>	SCC to local authority <input type="checkbox"/>
---	---	---

School			DfE number	
Headteacher			Tel number	
Chair GB			Tel number	
Date registered		Date removed from SCC listing		
Support team				
Date of joint support team meeting		Present		
		Apologies		
Last Ofsted: Date, overall outcome and what does the school needs to do to improve further?	Date:		Overall outcome:	
	Areas for Development:			

Key Issues for Action				
Progress with key issue 1				
Key issue 1 –				
Record of actions which should have taken place by this date and additional actions (Cross reference with Post Ofsted Action Plan):				
•				
Impact of actions in meeting success criteria				
•				
Success criteria	Please tick against each criterion	Met	Partially met	Not met
•				

Progress with key issue 2			
Key issue 2 –			
Record of actions which should have taken place by this date and additional actions:			
•			
Impact of actions in meeting success criteria			
•			
Success criteria	<i>Please tick against each criterion</i>	Met	Partially met
•			

Progress with key issue 3			
Key issue 3 –			
Record of actions which should have taken place by this date and additional actions:			
•			
Impact of actions in meeting success criteria			
•			
Success criteria	<i>Please tick against each criterion</i>	Met	Partially met
•			

Progress with key issue 4			
Key issue 4 –			
Record of actions which should have taken place by this date and additional actions:			
•			
Impact of actions in meeting success criteria			
•			
Success criteria	<i>Please tick against each criterion</i>	Met	Partially met
•			

SCHOOL'S OWN TARGETS							
Targets for 2015 (%)				Targets for 2016 (%)			
Cohort size = KS4: xx		Cohort size = Post 16: xx		Cohort size = KS4: xx		Cohort size = Post 16: xx	
KS4		Post 16		KS4		Post 16	
5+EM		APE		5+EM		APE	
5+A*-G		APS		P8		APS	
3 Levels Progress or better English				3 Levels Progress or better English			
3 Levels Progress or better Maths				3 Levels Progress or better Maths			

Is the current Y11 cohort on track to meet or exceed floor standards?					
5+EM (xx%)*	Yes/No	English progress (xx%)*	Yes/No	Maths progress (xx%)*	Yes/No

* National median 2014 shown in brackets.

Evaluation on the appropriateness and challenge of targets	
<ul style="list-style-type: none"> Evaluative commentary in relation to targets, their level of challenge and whether they are achieved. Evaluation, indicating plus/minus percentage, of reliability and accuracy of teacher assessment. 	

Summary and evaluation of current attainment and progress for KS4						
COHORT Y11	Exam Results 2013/14	DC1	DC2	DC3	DC4	DC5
5A*-C EM						
3LP EN						
3LP MA						
4LP EN						
4LP MA						
COHORT Y10						
5A*-C EM						
3LP EN						
3LP MA						
4LP EN						
4LP MA						

Current evaluation of the impact of teaching on learning over time – Including triangulation of lesson observation, data and work scrutiny, the percentage of teaching is:			
Outstanding tbc	Good tbc	RI tbc	Inadequate tbc
Current areas of best practice	tbc		
Current areas Requiring Improvement	tbc		

A.O.B	
•	
Date and time of next meeting:	

SCHOOL PROGRESS REVIEW 2014-15

NEXT STEPS

Key Issue	Actions	Person responsible	Target dates	Monitored by	Method of Monitoring	Resources/ Finance / CPD
	•				•	•
	•				•	•
	•				•	•
	•				•	•

SUMMARY FINANCE PLAN

Source	KI 1	KI 2	KI 3	KI 4	K1 5	TOTALS
Local authority						
TOTALS						