

Government consultation on reforming how local authorities' school improvement functions are funded

Response of the Association of School and College Leaders

A. Introduction

1. The Association of School and College Leaders (ASCL) represents over 21,500 education system leaders, heads, principals, deputies, vice-principals, assistant heads, business managers and other senior staff of state-funded and independent schools and colleges throughout the UK. ASCL members are responsible for the education of more than four million young people in more than 90 per cent of the secondary and tertiary phases, and in an increasing proportion of the primary phase. This places the association in a strong position to consider this issue from the viewpoint of the leaders of schools and colleges of all types.
2. ASCL welcomes the opportunity to contribute to this consultation.

B. Key points

3. The Department for Education's 2021 strategy document includes a priority outcome that it will '*Level up education standards so that children and young people in every part of the country are prepared with the knowledge, skills, and qualifications they need*'.¹
4. It appears that the result of the proposals in this consultation would be to take money away from school improvement. It's hard to see how this could possibly support the government's desire to level up standards. We believe that prevention is always better than cure. Local authority (LA) maintained schools should have access to core improvement activity as and when required, and LAs should be sufficiently funded outside the dedicated schools grant to be able to do this.
5. The consultation does not give any indication of how and where this funding stream, worth £50 million in academic year September 2020 to August 2021, will be redirected. The government needs to provide an evidence-based explanation of how and why this funding would be better used elsewhere, including how it could be tracked and monitored for efficacy. Without such an explanation, it's difficult not to suspect that these proposals are driven by ideology, rather than evidence.

¹ <https://www.gov.uk/government/publications/department-for-education-outcome-delivery-plan/dfe-outcome-delivery-plan-2021-to-2022>

D. Answers to specific questions

Question 1: We believe that instances of councils exercising formal intervention powers remain relatively low, and that since its introduction, this grant has primarily supported improvement functions such as early support and challenge to improve individual school performance, which overlaps with wider (non-core) improvement provision.

Do you agree that this is the case? If not, please explain.

6. We are not able to agree or disagree with this assertion. The consultation refers to the government's 'belief' that instances of LAs exercising formal intervention powers is low. Without a greater level of transparency and sight of evidence to support this statement, ASCL is not able to offer support to the proposal to remove the School Improvement and Monitoring and Brokering Grant (SIMB).
7. If evidence does exist that the use of formal intervention powers at LA level is relatively low, the next question should surely be to consider why this is the case, and what the impact is. If, as the consultation suggests, the Grant has been used for early support and challenge, this is likely to have resulted in less need for formal intervention. This is surely a good outcome, and one in the best interests of children and young people. We would propose that, rather than taking this Grant away, its function should be changed to actively promote its use in early support and challenge.

Question 2: We are proposing to (i) remove the Grant (Proposal 1), and (ii) enable councils to de-delegate funds via their schools forum to ensure they are sufficiently funded to exercise all of their improvement activities, including all core improvement activities (Proposal 2).

Do you agree that, taken together, these proposals will allow councils to continue to ensure they are adequately funded for core improvement activities; and therefore do not impose a new burden? If not, please explain

8. We do not agree. These proposals would simply shift the burden to the core schools budget. Maintained schools are already subject to de-delegation for core services, including school improvement. Currently, de-delegation decisions are made by school forums (at which maintained primary and secondary schools decide on proposals relating to their phase). These proposals place responsibility on school forums to make the decision regarding de-delegation for core improvement services, with an option for the Secretary of State to overturn it. This is a new burden.
9. We believe that policy decisions should not disadvantage particular types of school. Ministers have been clear on the direction of travel towards families of schools. It is clearly ministers' right to set that direction of travel, and to propose policies which move the system in the direction they wish to see. It is imperative, however, that such policies are transparent and openly consulted on. The proposals in this consultation could be perceived as a deliberate attempt to disincentive schools to stay in the LA maintained system. Approaches which may appear to be ideological, rather than evidence-based, do not help the government's cause.
10. Small and rural schools may struggle to pay for central services in this way due to a range of financial constraints including, but not limited to, volatility in pupil numbers,

typically a high proportion of experienced and expensive staff, and disproportionately high cover costs (due to the limited availability of in-house cover)².

11. Moreover, evidence suggests that academies do not pay equally for their improvement services. Academies which are struggling are often subsidised by other academies in the trust, or supported through reserves or economies of scale. In this proposal, all maintained schools would be required to bear the burden equally, regardless of their ability to pay or their requirement for school improvement services to avoid formal intervention.

Question 3: Bearing in mind Proposals 1 and 2, are there any aspects of our guidance to councils on their role in school improvement which could usefully be clarified to aid towards understanding of what councils are accountable for with respect to improvement and how it should be funded? (For example, our Schools Causing Concern guidance.)

12. There is confusion about who issues warning notices when there are issues with leadership and governance in schools. Both LAs and Regional Schools Commissioners (RSCs) currently hold this power. This needs clarification.
13. There is also confusion in the academy system about the role of RSCs and the ESFA in governance

E. Conclusion

14. ASCL is not able to support these proposals in their current form. Our view is that, while LAs retain their current role in maintaining a large proportion of schools, they must be properly funded to fulfil their core improvement responsibilities. This funding must not be available only as an agreed de-delegation of the core schools budget.
15. It is also our view that the current proposals lack evidence and transparency.
16. I hope that this response is of value to your consultation. ASCL is willing to be further consulted and to assist in any way that it can.

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