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# local authorities and school improvement: the use of statutory powers

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# Executive summary

## Aim of the study

Supporting school improvement has consistently been a key concern for the Government, policymakers and practitioners over the past decade. Local authorities are a central component of the school improvement process, and the Local Government Association (LGA) commissioned the National Foundation for Educational Research (NFER) to examine the strategies which local authorities (LAs) have used to support and challenge their schools.

This study focused in particular on the use of statutory strategies by LAs, an area which has been the subject of renewed attention following the announcement in September 2008 of legislative proposals to strengthen the Government's role in intervening in schools causing concern.

On behalf of the LGA, NFER therefore investigated why, when and how LAs have (or have not) used the intervention powers that have been available to them, and the reasoning behind their approach. These powers include:

- requiring underperforming schools to work with another school, college or other named partner for the purpose of school improvement
- appointing additional governors
- applying to the Secretary of State to replace the entire governing body with an Interim Executive Board (IEB) and
- taking back the school's delegated budget.

Guidance from the Department for Children, Schools and Families (DCSF) suggests that these powers should be used by LAs when voluntary cooperation with schools has not been successful, sufficient improvement is not being made, or there are serious concerns about the management or safety of the school and its pupils.

## Key findings

NFER conducted 12 qualitative case studies for this study, and interviewed LA officials, School Improvement Partners (SIPs) and headteachers within each LA. Based on these interviews, this study found that statutory powers have not been regularly used in the case-study LAs, and that they are predominantly used as a last resort. While most LA officials felt they have used (or would use) the statutory powers when necessary, NFER found that all stakeholders preferred the collaborative 'partnership' approach to school improvement, which they felt was working well and, in the vast majority of cases, achieving the improvements that were desired.

This is not to say that there were not occasions when the LAs needed to make strong interventions with individual schools. However, there was no evidence that the increased use of warning notices would greatly assist processes of school improvement. Indeed, such notices have the disadvantage that they can unnecessarily worsen relations between LAs and schools, and could be counter-productive where a school is in a gradual or fragile process of improvement. The power of 'requiring' partnerships with other schools or educational institutions was also seen as being inappropriate: voluntary, collaborative, persuasive, agreed partnerships were seen as being much more useful and appropriate than imposed partnerships.

### Non-statutory strategies used by LAs to support school improvement

Based on the collaborative model of school improvement, LAs have developed a wide range of strategies for supporting the maintained schools in their area. These non-statutory strategies include:

- producing policy statements on school improvement and schools causing concern



- regular monitoring and reviewing of the performance of their schools
- use of multiple data sources to monitor school performance and progress
- categorisation of schools in terms of performance and need
- provision of differentiated levels of support
- use of an integrated, cross-sectoral policy approach
- use of SIPs to provide challenge to schools and feedback to LAs
- peer support networks for schools
- collaborative approach to school improvement.

These systems help to identify which schools are performing well or underperforming, and the different areas in which the schools can be supported to improve.

### **LA supplementary strategies for supporting schools causing concern**

Schools causing concern receive additional attention and support, and LAs have developed further supplementary strategies to target schools that are causing concern. These include:

- contacting school to discuss the challenges faced, the assistance available and the consequences of non-improvement.
- preparing a flexible and tailored action plan to meet the school's needs
- providing additional expertise
- supporting and strengthening school leadership
- instituting close monitoring and regular review
- working in collaboration with schools.

### **What are the key features of successful non-statutory intervention?**

LA officials, headteachers and SIPs emphasised that these non-statutory strategies had a beneficial impact on school improvement. The respondents indicated that the following were key characteristics of successful, non-statutory interventions:

- collaborative relationships between the LA and their schools
- clear roles and responsibilities agreed between the LA and the school leadership team
- contact-based and context-driven understanding of the needs of each school
- continuity of staffing in LA school improvement teams
- coordination and communication between the LA and the school leadership
- creating self-sufficiency, not dependency in school leadership teams
- challenging as well as supporting schools
- creating effective leaders by coaching and capacity building.

These features were identified in most of the LAs visited. Based on their success, it could be argued that these eight Cs represent 'best practice' in LA interventions to support school improvement.

### **Recommendations from key stakeholders**

The study found little appetite for additional statutory powers among LA officials, SIPs or headteachers, except possibly in the areas of recruitment and the deployment of resources. Instead, the participants in the study pointed to the need for:

- better communications between local and central government

- improvements to the structure and status of the SIP system
- universal implementation of the collaboration model
- additional financial and human resources.

Measures such as these, it was suggested, would strengthen the successful strategies that LAs are using to further school improvement. Moreover, stakeholders emphasised that national policies in this area should take due account of the predominant collaborative models that LAs use, and that all stakeholders should be fully consulted about any proposed changes in policy.



# 1 Introduction

Supporting school improvement has consistently been a key concern for the Government, policymakers and practitioners over the past decade. Interest in the subject has been redoubled following the Government's launch of the National Challenge Scheme in June 2008 (DCSF, 2008a) and recent legislative proposals to strengthen the Government's role in intervening in schools causing concern (DCSF, 2008b). The Department for Children, Schools and Families (DCSF) has expressed concern that some local authorities (LAs) 'are not taking the opportunity to use [their statutory] powers appropriately' (DCSF, 2008b, Section 1.1) and have started consultation on new legislation that would enable Government to require LAs to consider issuing a warning notice when this would be justified by a school's performance.

Even before these initiatives were launched, however, the Local Government Association (LGA) had commissioned NFER to examine when and why LAs use statutory powers to intervene in maintained schools that are underperforming or causing concern.

LAs play a strategic role in supporting and securing on-going improvement in schools in their area. As part of this role, for example, LAs work in partnership with schools to monitor school performance in key areas; broker additional support where necessary; and identify areas for further improvement. However, in some circumstances these measures do not produce the desired improvement, and, as a result, LAs also have a range of statutory powers that allow them to actively intervene in schools causing concern and to try to secure the required improvement. These powers enable LAs to:

- require underperforming schools to work with another school, college or other named partner for the purpose of school improvement
- appoint additional governors

- apply to the Secretary of State to replace the entire governing body with an Interim Executive Board (IEB) and
- take back the school's delegated budget.

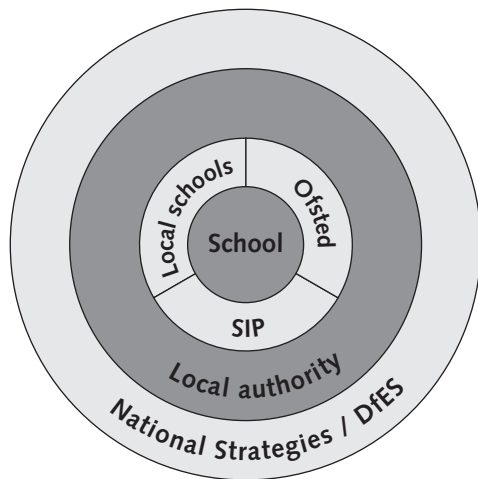
This study examines when and how LAs are using these powers, and the impact of their use on the relationship with schools. First, to contextualise the findings of the study, the next section describes the role of LAs in school improvement, and the scope and suggested use of LAs' statutory powers for intervention in schools causing concern.

## 1.1 The role of LAs in school improvement

According to the Education and Inspections Act 2006 (England and Wales. Statutes, 2006), school improvement is a process that involves a wide range of partners, including schools, School Improvement Partners (SIPs), Ofsted, LAs, national strategies and central government (that is, the DCSF) (see Figure 1.1).

These different sectors are expected to work in partnership to 'ensure that every pupil is provided with the education and opportunities they deserve' (DCSF, 2007, p.3). Schools are viewed as the core of this process, and are responsible for their own improvement and for undertaking regular and accurate self-evaluation of policies and practices in their school. However, schools are supported in this self-evaluation by a SIP, who acts as a 'critical professional friend' and helps school leaders to 'evaluate the school's performance, identify priorities for improvement, plan effective change and discuss with the school any additional support it may need' (DCSF, 2007, p.12). Ofsted's role is to provide an external and independent evaluation of the schools' capacity to improve, a task that is undertaken as part of the inspection visits that take place on average every three years.

**Figure 1.1 Relationships between the partners in the school improvement process**



Taken from DCSF, 2007, p. 4

LAs, meanwhile, are responsible for taking a strategic role in supporting schools to improve and for monitoring schools' progress in responding to the challenges that are raised by SIPs and Ofsted in their evaluation of schools. Where a school requires additional assistance to improve, the LA is responsible for designing, commissioning and brokering an appropriate support package for the school. The LA should also monitor the progress and success of this intervention. Support arranged by the LA should be tailored to the school's particular requirements and be designed to assist it in the areas specifically identified as requiring improvement. Examples of support that a LA might need to commission from an external source (such as National Strategies) include arranging training or mentoring to improve the quality of teaching. LA interventions should be based on the principle that 'the level and depth of intervention is in inverse proportion to a school's success and capacity to improve' (DCSF, 2007, p.12).

### Improving schools through statutory intervention

All parties hope that early intervention by the SIP and LA will broker effective support and change and that the statutory intervention powers available to local authorities will therefore not be required. However, LAs may send a **warning notice** to schools if there is 'evidence to justify both the LA's concerns and the school's reluctance to address these concerns through a professional dialogue with the LA via the SIP within

a reasonable timeframe' (DCSF, 2007, pp.14–15). Under Section 60(2) of the Education and Inspections Act 2006, a warning notice can be issued by the LA where:

- the standards of performance at the school are unacceptably low, and are likely to remain so unless the local authority exercises its statutory intervention powers
- there has been a serious breakdown in management or governance which is prejudicing, or likely to prejudice, standards of performance
- the safety of pupils or staff at the school is threatened. (DCSF, 2007, p.14)

Schools that do not comply with the warning notice within 15 days then become eligible for further intervention by the LA. These interventions are also available to LAs in situations where schools have been inspected by Ofsted and have been placed in Special Measures or have been judged to require 'Significant Improvement'<sup>1</sup>. The type, role and circumstances of intervention are set out in the DCSF *Statutory Guidance for Schools Causing Concern* and summarised in Table 1.1 (DCSF, 2007, pp.38–46).

However, it is important to note that the DCSF guidance suggests that statutory powers should only be used as a last resort, and that LAs should first 'attempt to secure schools' voluntary cooperation before resorting to statutory interventions' (DCSF, 2007, p.35). As a result, LAs' overarching policies for school improvement are critical to understanding the use (or lack thereof) of statutory powers, and this evaluation examines the early intervention strategies that have been developed by LAs.

## 1.2 Research aims and methodology

In light of these concerns, the study was designed around three core questions:

1. What strategies have LAs developed in order to support improvement in maintained schools in their authorities, and in particular, schools causing concern?

**Table 1.1 Type and purpose of statutory intervention powers available to LAs**

	<b>Purpose of intervention</b>	<b>When to be used</b>	<b>Prerequisites of use</b>
<b>Require a school to work with another school, college or other named partner</b>	To require a school to enter into collaborative arrangements to secure improvement.	Where a school, or key figures within it, refuses to collaborate with an appropriate partner.	LA must consult the governing body of the school, plus the diocesan or other appointing authority. The LA must also find a willing school, college, other organisation or individual to act as a partner.
<b>Appoint additional governors</b>	To strengthen the LA's voice on the governing body and/or to provide additional expertise to the governors in key areas to support a school's improvement.	Where the governing body needs additional expertise, or the headteacher and senior management team need further challenge and support.	None, although it is good practice for the LA to inform the diocesan or other appointing authority for foundation governors, who are also entitled to appoint additional governors.
<b>Replace the entire governing body with an Interim Executive Board (IEB)</b>	To secure a step-change in the leadership and management of a school through the use of a specially appointed governing body for a temporary period.	Where the governing body is providing insufficient challenge to the headteacher or senior management team of the school, is providing an obstacle to progress, or there has been a breakdown in working relationships that is having an impact on standards.	LA must apply to the Secretary of State for consent to use this power.
<b>Take back the school's delegated budget</b>	To secure control over staffing and spending decisions in order to secure improvements.	Where the governing body is providing insufficient challenge 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.	None.

*Adapted from Statutory Guidance (DCSF, 2007, pp.38–46)*

2. Under what circumstances do LAs use their statutory powers to intervene in schools causing concern?
3. What are the implications of LA intervention strategies for the relationships between schools and LAs?

- the nine government office regions of England
- the proportion of schools categorised by Ofsted as 4a or 4b during inspections in 2006–07.

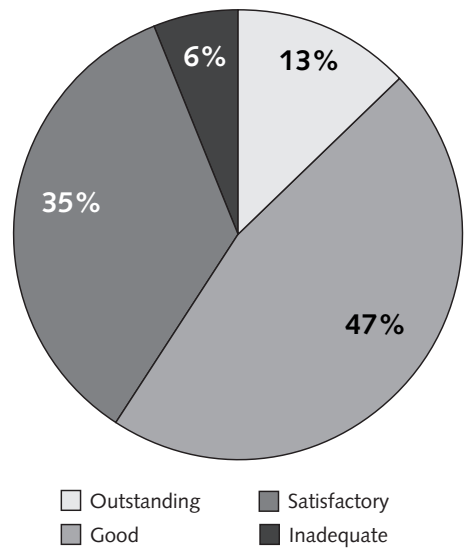
This latter variable was particularly important, as Ofsted data from 2006–07 suggested that, on average, approximately 6 per cent of schools in that year were placed in category 4a or 4b (see Figure 1.2).<sup>2</sup> We therefore selected four LAs with a *less* than average proportion of schools in category 4; four with a roughly *average* proportion of schools in this category; and four with a *higher* than average proportion of schools in this category. This variable was included to enable us to consider (to a limited extent) whether there was any relationship between the proportion of schools being placed in a category, and the LAs' policies and strategies for schools causing concern.

### 1.2.1 Methodology

To address these questions, NFER conducted a series of 12 qualitative case studies in LAs from across England. The selection of these case studies was based on the need to take account of a number of possible variables, and the differential experiences these variables might engender. These variables included:

- the different types and sizes of LA (namely unitary; county (shires); metropolitan and London boroughs)

**Figure 1.2 Overall effectiveness of primary and secondary schools in England as judged by Ofsted during 2006–07**



Source: Ofsted Section 5 inspections database 2006–07  
 Due to rounding, percentages may not add to 100  
 There were 7612 primary and secondary schools inspected by Ofsted in 2006–07

The types and regional areas of these case studies are listed in Figure 1.3. The names of the LAs are not provided, as anonymity was granted to the participants in order to encourage participation and open discussion of the strengths and limitations of LA policies in this area.

The case studies of each LA were primarily based on in-depth, semi-structured interviews, but supplemented where necessary and/or possible with documentary data (namely official policy documents from each LA).

A total of 36 interviews were ultimately conducted, and within each LA, at least two interviews were undertaken with key stakeholders in the school improvement process, including:

- senior LA officials with responsibility for school improvement
- SIPs, and
- headteachers with experience of LA intervention, either voluntary or statutory (from either primary or secondary, but excluding special schools).

Separate interview schedules were developed for each type of respondent, to reflect their different role and perspective on these relationships. The schedules did, however, include a common core of questions, to allow the research team to triangulate the views of different respondents within the same LA, and across all LAs. As noted above, the names of the individuals that were interviewed, and the local authorities they worked within, were kept confidential.

### 1.3 Structure of this report

Drawing on this data, Chapter 2 focuses on the use of the statutory powers by local authorities, and examines how the LA officials, SIPs and headteachers who were interviewed for this study view these statutory interventions. Chapter 3 then considers the strategies that LAs have developed to support improvement in schools (particularly those causing concern), followed by a discussion in Chapter 4 of the underlying factors that key stakeholders believe have facilitated successful and significant improvement in schools.

To conclude, Chapter 5 summarises the key findings of the study, and outlines the recommendations proffered by the participants in this study and arising from the findings.

**Figure 1.3 Overview of types of LAs selected for case study**

LAs with <i>less than average</i> proportion of schools in category 4			
London	South West	East of England	North West
LAs with <i>an average</i> proportion of schools in category 4			
London	South West	East of England	North West
LAs with a <i>higher than average</i> proportion of schools in category 4			
London	South West	Midlands	Yorkshire and theHumber

## Notes

1. A school is deemed to require Significant Improvement or be placed in Special Measures if it is found to be inadequate (grade 4) as the result of a section 5 inspection by Ofsted. The Significant Improvement category includes schools that are not providing an acceptable standard of education but show a capacity to improve, as well as those schools which are providing an acceptable standard of education but are performing significantly less well than they are expected to in their circumstances. Schools in Special Measures are both failing to provide an acceptable level of education and are not demonstrating the capacity to improve (DCSF, 2007, pp.22–3).
2. Now available online at:  
<http://www.ofsted.gov.uk/publications/20070016>



## 2 Using statutory powers in schools

### 2.1 Introduction

As noted in Chapter 1, Local authorities are a central component of the school improvement process. The primary role of LAs is to monitor and support school improvement, and to broker additional support for schools in difficulty. However, when a school is not performing to acceptable levels, and not engaging with the support offered by the LA, there are a range of statutory interventions that a LA can utilise to prevent further failure and to encourage improvement.

The DCSF has provided statutory guidance on when and how these powers can or should be used (DCSF, 2007). However, this chapter considers how LAs have used warning notices and statutory powers *in practice*. That is, using data gathered from the case-study visits, this chapter examines the circumstances under which warning notices and statutory powers have been used, and respondents' views on the role, efficacy and implications of these measures.

Most of the views discussed in this chapter are those of the LA officials. However, where possible, the views of SIPs and headteachers have also been included. It should also be noted that while interviewees were asked about the use of warning notices and statutory powers during the case-study visits, respondents were not obliged to provide this information, and it has not been possible to verify independently if local authorities had actually used any of these interventions or not.

### 2.2 Use of warning notices

As noted in Chapter 1, LAs can issue warning notices to schools when the school demonstrates persistently poor performance, has suffered a management breakdown, or presents a safety risk to students (see Chapter 1, Section 1.1).

In the 12 case studies conducted for this project, only two LAs reported that they had issued a warning notice, although others did indicate that they had seriously considered threatening or taking this step. The two LAs that did ultimately take this step cited different reasons for doing so. One LA had issued the warning notice in advance of a looming Ofsted inspection as a way of demonstrating to Ofsted that they were aware of the issues in the school. The other LA said they had issued two warning notices because they had been pressured by DCSF (then DfES) to do so. It is interesting to note that neither LA stated that the main reason for issuing a warning notice was that it would be for the good of the school, or because they felt that it was the best step forward in securing improvement.

At the time of the case-study visit, neither LA was able to say if the warning notices they had issued had been effective in bringing about improvement in the affected schools, although one LA official did note that it 'was effective, in that it kept us out of trouble. At least Ofsted knew we were on the case before they were.'

However, other LAs reported that even issuing the *threat* of a warning notice has at times been a 'helpful', 'useful' and 'effective' method of securing change in underperforming schools. As one LA official said: 'While we haven't used it, it's been a useful thing to have.' This LA made it clear to one failing school that if the decline continued and improvement was not apparent within a short and clearly defined period, then a warning notice would be issued. The official reported that following this discussion 'there has been good progress since'.

Nonetheless, while it is a useful measure to have in reserve, the general consensus that emerged from the case studies was that it should not be necessary to issue warning notices; earlier, and non-statutory, improvement strategies should be sufficient. Indeed, some viewed the use of a warning notice as an expression of failure, as this LA official outlined:

*For most schools, you don't get to the warning notice stage. If you're clear and you have good evidence and you have a good relationship, then you won't need them. Our policy has clear steps. If you reach that stage [warning notice], then you have to say: 'we've all failed'.*

Despite this view, it was also clear that warning notices and statutory interventions were required in some instances. The following section examines when and why statutory intervention powers have been used by LAs.

## 2.3 Use of statutory powers in schools

Chapter 1 describes the range of statutory powers that are available to LAs, and the government guidelines on when and how these powers should be used (outlined in Table 1.1). In short, these powers allow LAs to:

- require a school to work in partnership with another school, college or other named partner for the purpose of school improvement
- appoint additional governors
- replace the entire governing body with an Interim Executive Board (IEB)
- take back the school's delegated budget.

The use of each of these powers is discussed below. Overall, however, the LAs that were visited reported broadly positive views towards the statutory powers, and felt that these powers were a potentially useful tool in the school improvement process. One LA official commented that the statutory intervention powers:

*do strengthen the powers of the LA and make it a lot clearer to us and to schools what powers we do have. Too many times we've known that a school was struggling, but we've not had enough power to be able to do anything without being able to do it through a consultative approach. We now have that [power], and I think that's very helpful.*

Indeed, in the 12 case studies carried out for this project, almost all of the LAs said that they had used

at least one of the statutory powers at some point. One of the LAs had used all of the statutory powers available to it. However, it is important to note that although most LAs reported having used at least one of the statutory powers, they had usually only used them in one or two schools. Statutory interventions were viewed as a last resort, and reserved for extreme cases where, as one LA official described it: 'all else had failed and the headteacher and governors were not willing to engage and act on our advice'. LA officials reported that they had given careful consideration when to use a statutory power, and highlighted the importance of only using them to mend the issues at the root of the problem in the school. For example, one LA official cautioned that they 'can be a useful tool, but used at the wrong time, [they] can send school improvement backwards'.

Below, the LAs' rationale for, and attitudes towards, each of the four statutory powers is considered in turn.

### 2.3.1 Working in partnership

Only three of the LAs said that they had used the statutory powers to require a poor-performing school to work in partnership with another school or organisation. Most of the LAs visited said they preferred to encourage schools to work in voluntary partnerships, without using statutory powers to force a school to collaborate with an external partner. The reasoning behind this was outlined by one LA official:

*We could have done [used the statutory powers], but quite honestly, anyone with an ounce of common sense knows that you can't force people to work in partnership and that what you have to do is use influence and persuasion.*

Several LAs also commented on the importance of a good relationship between the partners, and the importance of finding a suitable partner that would work well with the school in question: 'If you can't get the relationships right, it will never work.'

However, another LA highlighted that it is important that these partnerships, whether implemented through statutory or informal arrangements, are not dependent on specific individuals. Partnerships resting on the responsibility of individuals are 'vulnerable to

turbulence’ and in order to last, need to be robust and have the commitment of the whole school.

### 2.3.2 Appointing additional governors

In the case studies that were conducted for this report, the power to appoint additional governors appears to have been used more frequently by LAs than the other statutory powers.

Seven LAs stated that they had appointed additional governors using the statutory powers, and two further LAs reported that they had seriously considered using this intervention in schools. In some LAs, the appointment of additional governors is sometimes achieved through an informal arrangement rather than being enforced by the LA, in a similar fashion to the non-statutory agreements for working partnerships that were discussed above. For example, one LA official said: ‘We usually do it by persuading, but actually we make it quite clear that we have those statutory powers.’

Overall, LA officials have found this to be a helpful intervention, although some LAs said that finding suitable replacements to take on the role of governor can sometimes be a problem. In response to this challenge, one LA (that reported using this power relatively frequently) said that they have a pool of additional governors who could be called upon in the event of a governing body requiring assistance.

### 2.3.3 Replacing the entire governing body with an IEB

While many of the LAs had appointed additional governors, or were considering doing so, the LAs have less frequently had recourse to replace the entire governing body with an IEB. This step had only been taken by four of the LAs visited. Nonetheless, once again, this power was to be perceived a helpful and effective intervention. One LA that was visited was in the process of requesting their second IEB, and was pursuing this measure because the appointment of additional governors would ‘not be enough’ for the school in question. The LA intended that this temporary IEB would eventually be replaced with a permanent board which members of the IEB would

train. Another LA that has used an IEB in the past felt that the move was effective in helping the school to improve because the original governing body was ‘part of the problem, not part of the solution’.

One LA official raised the issue that under the current legislation, the statutory powers over governing bodies can only be used if the governors do not cooperate with the LA. If the governors cooperate then the LA’s ‘ability to disband them and so on is not there’.

### 2.3.4 Taking back the delegated budget

The final statutory power – taking back the delegated budget – arguably requires the most time and input from the LA. This point was underlined by one LA official, which said the LA would not be able to use this intervention because they do not have the human or financial resources to administer it.

Despite this, five of the case-study LAs had at some point taken back the delegated budget from a school in their area. These efforts met with mixed success. Two of the LAs reported that this was a particularly useful statutory power to have in cases of poor management and because it allows the LA to deal with personnel issues. The benefits and challenges of using this power were summarised by one LA official as follows:

*Removing delegation, that is very helpful, particularly because it withdraws personnel powers from the school and the LA then has the power to manage personnel issues. In two of our schools that were in Special Measures, that was crucial. But it’s a huge workload on the LA because you’re then micro-managing a school from outside, which is huge. But it can be done.*

This step had also been seriously considered in several other LAs that were visited. However, the schools in question had ultimately improved their management and performance in sufficient time to avoid the need for this power to be used. Similarly, one LA that had used this statutory power twice said that while it is a useful step if the school needs assistance in this area, they prefer to work with the governors to try to find an alternative solution before using this formal intervention.

## 2.4 Conclusions

In short, the case studies conducted for this report indicated that, to date, LAs have made limited use of warning notices and statutory intervention powers in schools causing concern. While LAs are broadly in favour of having the option of using these measures, the LA officials view these formal interventions as a last resort, for use when other avenues have been exhausted and the school is not engaging with the support offered by the LA. Even where these measures are implemented, LAs often prefer to make informal arrangements rather than explicitly invoke their statutory powers; schools are therefore strongly encouraged to work in partnership with other schools or key stakeholders, rather than being obliged to do so.

The reticence to formally invoke statutory powers stems largely from the concern among LA officials to maintain their good relationships with schools, which is seen to be one of the key success factors in school improvement (see Chapter 4). While some LAs reported that using the statutory powers had not affected their relationship with the school, several emphasised that the situation can be fragile, and that tensions had arisen when statutory powers had been used. These tensions were described by one LA official as follows:

*Sometimes it feels like a punishment rather than support and improvement ... On the whole, in the long run, people do think that it has been really helpful but sometimes there is a tricky, uncomfortable stage where the school and the governors feel that the local authority*

*is intruding on their patch, especially if they are in denial, which can be the case.*

There was also a keen sense among the LA officials that this a sensitive issue, and that any intervention should engage rather than coerce schools. As one LA put it: 'These things have to be worked through very sensitively. The message must be given, but whether it will work depends on the way the message is delivered.'

Finally, and crucially, there was a strong feeling among the interviewees that statutory powers can and should be avoided, and that early intervention in, and good relationships with, schools were the preferred means of securing school improvement. From the LA officials' perspective, it was ongoing, collaborative relationships with schools that was providing a more effective means of fostering 'sustainable, lasting, real change' in schools. However, as one LA official pointed out, 'the lack of warning notices does not mean that schools are not being challenged'. This sentiment was echoed by a SIP:

*It's never got to the point where what was necessary wasn't achieved by discussion and this is hugely to do with the personality and working skills of our School Improvement Director ... who is a very, very skilled negotiator, but with an iron fist. He's very, very clear about what's needed to be done, and how it can be done, without having to resort to statutory powers ... I think that's a better way of doing it because you keep people onboard including staff.*

The types of early and voluntary intervention employed by LAs are outlined in the next chapter.

## 3 Local authority strategies for supporting school improvement

### 3.1 Introduction

In Chapter 2 it was concluded that local authorities prefer to use early and voluntary intervention to support schools causing concern, rather than using their statutory powers to intervene. Support for school improvement comes from national initiatives (such as National Strategies and National Challenge), but school improvement also has a local dimension in that LAs devise their own strategies, structures and systems for monitoring and supporting improvement in their area. To illustrate the types of support and intervention that LAs provide, this chapter describes some of these early intervention strategies that have been implemented by the 12 LAs that were visited.

The first section examines the overarching policies that have been developed by LAs in order to meet the challenges of school improvement. LAs have a responsibility to support improvement and monitor standards across all maintained schools in their area. LAs are therefore concerned with all maintained schools in the first instance, even those judged to be outstanding or good by Ofsted or by the local monitoring systems that LAs have devised.

Schools that are causing concern, however, require additional support and more specific strategies. The second section, therefore, concentrates on the initiatives that have been developed specifically to support schools in these circumstances.

### 3.2 Common denominators in LA approaches to school improvement

Among the 12 case studies conducted for this project, a number of common strategies were apparent. The nine cross-cutting strategies that were identified through the case studies are described in brief in this section, and summarised in Box 3.1.

#### Box 3.1 Overview of common denominators in LA approaches to school improvement

- Producing policy statements on school improvement and schools causing concern
- Regular monitoring and reviewing of the performance of their schools
- Use of multiple data sources
- Categorisation of schools
- Provision of differentiated levels of support
- Use of an integrated, cross-sectoral policy approach
- Use of SIPs to provide challenge to schools and feedback to LAs
- Peer support networks for schools
- Collaborative approach to school improvement.

#### 3.2.1 Common strategies across the case studies

##### Producing policy statements on school improvement and schools causing concern

In line with the DCSF *Statutory Guidance* (2007, p.12), LAs produce policy documents which set out their policies towards improvement in all schools, and, more specifically, intervention in schools causing concern. The scope, level of detail and even the names of these documents vary considerably across the LAs, but these statements usually outline the LA's internal systems for evaluating school performance, the characteristics it expects of schools, and the types of support and intervention the LA can implement (including the statutory powers).

## **Regular monitoring and reviewing of the performance of their schools**

LA officials conduct regular visits to schools to monitor performance and progress. In some areas, these visits are systematic and scheduled, for example, termly. In other cases, the visits are no less frequent, but are more informal: that is, LA officials may 'pop in' without an appointment. Many LA officials also stay in regular contact with the school leaders by telephone and/or email.

In addition, LAs usually conduct a formal and systematic 'annual review' of their schools, typically at the beginning of the school year, when LAs can analyse how each of the schools has performed since the last review. This review serves to identify which schools are causing concern and why, as well as those that have made sufficient progress to no longer cause concern. Once identified, schools causing concern tend to be monitored more regularly (see below).

## **Use of multiple data sources**

*Quantitative data only tells one side of the story, really. It needs unpicking.*

(LA official)

The review and monitoring processes rely heavily on quantitative data (such as examination results and attendance records). However, this data is supplemented with qualitative, contextual data: namely, feedback from SIPs, national consultants and LA officials who work with schools. In addition, LAs also consider informal, local knowledge about developments that may have an impact on school performance in the past or future.

LAs usually share the data and their analysis with schools and SIPs. This helps schools to see for themselves how effective their strategies are, and to judge the effectiveness of their school across a range of indicators. In schools causing concern, this record also helps the LA to reinforce to the school leadership how and why the school is causing concern, and that the LA needs to act.

## **Categorisation of schools**

The review processes enable LAs to categorise their schools according to effectiveness and need for external support. For example, schools which are performing very well may be placed in a Green or Outstanding category; schools that are 'coasting' or causing minor concern may be labelled Amber or Satisfactory, while schools that are causing serious or persistent concern might be placed in a Red or Unsatisfactory category.

While LAs may have distinct ways of labelling the various categories, this categorisation system seeks to differentiate between the different standards among the schools and the varying levels of need. This system therefore also helps LA to determine the level and nature of intervention required.

## **Provision of differentiated levels of support**

LA intervention is provided in inverse proportion to success. This approach is used to ensure that funding is allocated on the basis of need, and that schools that are causing concern receive greater support and challenge than schools that are outstanding or good.

However, schools do not have to have been placed in a 'causing concern' category to receive additional support; national consultants and other types of support are available in all schools, where need has been identified by a SIP, Ofsted inspection or the LA.

## **Use of an integrated, cross-sectoral policy approach**

Many LAs have created an integrated management structure, and common school improvement policies and personnel across primary-level and secondary-level schools. These structures are often linked with the Children's Services structures that LAs have in place.

Some of the LA officials we interviewed indicated that this approach was helpful, as it facilitated a comprehensive, cohesive and cross-sectoral approach

to school improvement. Some, however, have developed a differentiated model, with distinct policies, and priorities and personnel for secondary and primary schools. In these cases, the latter system has been selected to reflect the different needs of the two sectors, and, perhaps even more importantly, the expertise and experience of the LA staff who are managing this policy area.

### **Use of SIPs to provide challenge to schools and feedback to LAs**

All of the LAs have implemented the SIP programme, although one LA was a late adopter, and was still in the process of rolling out the SIP system when the case-study visit was conducted.

SIPs are seen to provide an important link between the LA and schools, and to play an important role in supporting headteachers to plan and evaluate improvement. For example, headteachers typically sit down with their SIP and discuss their school improvement priorities, and what sort of support they might need from the LA. Those requests are then reported by the SIP to the LA, who then measures these requests against the level of need across all schools in the LA. According to the LA official who highlighted this practice, this system ensures that even schools that have smaller areas of concern have an opportunity to get the additional support they need.

To strengthen further the potential of the SIP role, many of the case-study LAs had appointed full-time LA officials to act as SIPs in schools, particularly where the school was causing concern. LA officials believed that LA staff were best placed to provide the time, knowledge, experience and, most importantly, challenge, that is expected of the SIP role. SIPs from another authority did not have the requisite knowledge of the local area, while LA officials had found that SIPs who are also full-time headteachers often did not have the time or resources to be able to challenge schools as often or as effectively as required. This finding echoes Cowan's recent evaluation of the *New Relationship with Schools* (Cowan, 2008, para. 25).

### **Peer support networks for schools**

Many LAs have created networks so that schools, and school leaders, can support one another, and share information, advice and best practice. These arrangements are informal and voluntary, but echo the statutory power that obliges schools causing concern to work in partnership with others.

### **Collaborative approach to school improvement**

Crucially, all of the LAs mentioned the need to have a good (but challenging) relationship with schools and to work in collaboration with schools, rather than imposing changes. This appears to be a notable development on previous approaches, and is discussed in greater detail in Chapter 4 (Section 4.2).

#### **3.2.2 Local initiatives**

In addition to the widely used strategies listed above, the case-study LAs had developed context-specific strategies that reflect the particular needs and preferences of the local schools. The following are examples.

- Two of the LAs had developed a 'Partnership Protocol' between the LA and schools, which set out the role and responsibilities of both in this partnership.
- One LA had established a School Improvement Partnership Board to increase communication between the LA and its schools, and to develop a coordinated response to common challenges and priorities. The Board includes representatives from the LA and other stakeholder bodies, but is mostly made up of headteachers. In addition to sharing information and best practice, the Board provides supplementary funding towards school improvement programmes and activities which, the LA official argued, makes for a more efficient use of funds, as it ensures that responses are coordinated and activities are not replicated.
- Another LA highlighted that it acts as a central information point for its schools and disseminates information on policy developments. The LA



officials believed that this process helps school leaders in their area to keep abreast of the latest policy developments and the implications for teaching and learning.

- Three of the LAs highlighted that they had provided supplementary training opportunities and/or leadership programmes for headteachers and staff in their area.
- Three of the LAs used an external agency to employ and appoint SIPs.

### 3.3 Strategies for supporting schools causing concern

The strategies described above helped LAs to identify which of their schools were facing considerable challenges or giving cause for concern and, as a result, were likely to need intensive intervention from the LA. Once this need has been identified (either through the LAs' own monitoring processes or an Ofsted inspection), LAs typically adopted all or most of the strategies described below and summarised in Box 3.2.

#### **Box 3.2 Overview of LA supplementary strategies for supporting schools causing concern**

- Contact school
- Prepare flexible and tailored action plan to meet the school's needs
- Provide additional expertise
- Support and strengthen school leadership
- Institute close monitoring and regular review
- Work in collaboration with schools.

#### **3.3.1 Common supplementary strategies across the case studies**

##### **Contact school**

The first step that is often taken is that LAs contact the school that is causing concern. During this initial contact, the LA notify the senior management that the school has been placed in a 'causing concern' category and that the LA will be working more closely and intensively with the school to secure the required improvement. If this concern has been raised by an Ofsted inspection, the school will already be aware of the areas of difficulty, and that the LA will be contacting them to offer additional, intensive support and intervention.

##### **Prepare flexible and tailored action plan to meet the school's needs**

Schools causing concern are required to have a detailed action plan that will help the school leadership team to identify and address the challenges that the school is facing. This plan is usually drawn up by the LA in collaboration with the school leadership team and the chair of governors.

The plan includes immediate, medium-term and long-term goals, which typically include tasks and objectives in the areas of: school management, leadership, standards, teaching and learning. The plan also includes a clear timetable for these actions, to highlight and ensure that change takes place rapidly.

However, the LA action plans also tend to be tailored to meet the specific needs of the school, and flexible enough to allow for amendments at a later date, as new data and/or priorities come to light, or initial problems are resolved. As one LA official noted: 'There's always so many different reasons and circumstances why a school gets itself into Special Measures. You can't have a one-size-fits-all policy.'

In addition, some schools may need separate action plans for different areas of their school. For example, for one school, the LA in question had to develop an additional action plan for their early years programme, as this was an area that had been identified as having additional and unique problems from the rest of the school.



## Provide additional expertise

LAs play a key role in brokering additional support for schools that are causing concern. This additional support can take any form, and in the case-study LAs, has in the past included:

- literacy and numeracy consultants from the National Strategies programme
- help from LA staff in drawing up budget or developing Human Resources (HR) policy
- assistance from early years or behaviour experts
- support and guidance from other schools in the area
- additional SIP and/or LA advisor time.

For example, almost half of the case-study LAs indicated that they have increased the amount of time that SIPs have available to spend in schools causing concern. SIPs are normally expected to spend five days in schools per annum, but several LAs have funded additional SIP days for schools causing concern. For example, in the past, one LA has paid for SIPs to spend up to two additional days per term in schools in Special Measures. (By contrast, another LA has allowed good and outstanding schools to request that SIPs adopt a lighter touch and spend less than the allocated 5 days.)

Some LAs highlighted that even if the LA does not have the required resources, it will endeavour to provide the additional support, often from outside of their LA. One headteacher described her experience of LA support as follows:

*If I needed something but the LA could not supply it, they brokered that support from somewhere else. [For example] they brokered the support of literacy consultants from [another LA] as there weren't enough available in [this LA].*

## Support and strengthen school leadership

Supporting and strengthening school leadership is seen by many to be one of the most important elements of

the school improvement process. As one LA official put it: 'If you get the leader right, the rest will fall into place eventually.'

In some cases, this may require LAs to replace the existing headteacher, school leaders or staff members. One LA official said: 'Often it is a change of head that actually changes a school that is in difficulties. And that's probably our key "sharp" intervention.'

However, in many cases, improvement has been secured through capacity building of existing headteachers and staff, and the LA may therefore ask the headteacher or members of the school leadership team to undergo additional training to ensure that they have the required skills.

Providing additional training and coaching has been central to the school improvement process. The reasons for this were explained by one LA official:

*A lot of our school improvement work focuses on coaching for teachers and coaching for middle and senior leaders because, actually, they've got to be able to do it for themselves.*

This training may be formal or informal. For example, in one LA, the schools' SIPs and LA officials provided informal, but hands-on, training in developing better data recording and monitoring systems. In some cases, however, more formal training was required and this was arranged by the LA. Training is not restricted to senior leaders; many LAs offered opportunities for the whole staff.

It is important to note that LAs also acknowledged the need for supporting and strengthening LA staff. This is discussed in further detail in Chapter 4.

## Institute close monitoring and regular review

The LA stays in regular and close contact with schools causing concern. In addition, LAs also conduct formal progress reviews of schools. These reviews take place at least termly, but may be conducted more often where necessary.

These reviews also take different forms, but schools causing most concern are often monitored by a small, dedicated committee or group with the specific responsibility for evaluating progress and challenging the school leaders. These groups have been given different names across the country (project groups, task force, monitoring group), but follow a similar model.

The formal progress review meetings are attended by the lead officer from the LA, the headteacher, the chair of governors and, in some cases, the SIP and/or a senior representative from the LA. At these meetings, the headteacher has to provide comprehensive documentation about the school's monitoring and progress. This may include data analysis, outcomes of lesson observations, lesson plans and examples of pupils' work – in the words of one headteacher, 'the kind of evidence needed for the next inspection'.

In addition, over half of the LAs have conducted an audit or mini-inspection of the school causing concern, to help the school to identify the areas in which it needs to improve and why, and/or to evaluate the rate and type of progress being made by the teaching staff.

The LA inspection can involve as many as three LA officials spending three days in the school causing concern, and is much like the Ofsted inspection process. Many of the headteachers that had experienced an LA inspection had found them very helpful; one headteacher even said that she would like an inspection every six weeks, to keep staff on their toes and to drive through change.

## **Work in collaboration with schools**

Finally, although the LA intervenes more intensively in schools causing concern, the relationship is still viewed as a collaboration and a partnership between the LA and the school. Or as one LA official put it: 'We still try to do it in partnership, but it will be a much firmer partnership.'

Others also stressed the need for the LA to communicate effectively with the school, and establish a good relationship with the whole staff, and not just the school leadership team, in order to ensure they understand and sign up to the planned changes. As one LA official pointed out, school improvement needs a whole-school approach, and it is therefore important to 'talk to everyone from premises manager to headteacher' and to build a relationship with the whole school.

## **3.4 Conclusion**

This chapter highlights the range of strategies that LAs have developed to identify, evaluate and monitor school improvement. These initiatives were intended to ensure that there is continuous improvement in all maintained schools in a LA's area, but special attention, and interventions, are devoted to schools causing concern.

There was widespread support for these initiatives among the LA officials, SIPs and headteachers that were interviewed for this case study. The next chapter considers why these stakeholders have found these strategies to be useful measures to secure successful intervention in schools.

## 4 Securing successful intervention in schools

### 4.1 Introduction

*Generally speaking, we believe that prevention is better than cure.*

(LA official)

Local authorities have developed a wide range of strategies to intervene in schools causing concern at an early stage, as Chapter 3 of this report illustrates. According to the LA officials, headteachers and SIPs that were interviewed for this report, these early intervention strategies are highly effective and significantly reduce the need for intensive intervention using statutory powers. This chapter takes a closer look at why these key stakeholders have found early intervention strategies to be effective. That is, drawing on the case-study interviews, this chapter identifies the underlying factors that have facilitated successful and significant improvement in schools that were causing concern.

#### Box 4.1 Key features of early intervention

- Collaborative relationship with schools
- Clear roles and responsibilities
- Contact and context
- Continuity
- Coordination and communication
- Creating self-sufficiency, not dependency
- Challenging as well as supporting
- Creating effective leaders by coaching and capacity building.

### 4.2 Success factors in early intervention strategies

In the course of the case-study visits, LA officials, SIPs and headteachers provided a range of explanations as to why early intervention strategies were effective, and preferable to using statutory intervention. These factors are listed in Box 4.1, but should be seen as interrelated 'ingredients' in a complex process; no single factor holds the key to school improvement.

#### 4.2.1 Key features of early intervention

##### Collaborative relationship with schools

According to the stakeholders involved in school improvement, the relationship with schools is the most important factor in the process. There was widespread consensus that this relationship must be collaborative and that improvement could not be imposed on schools. As one LA official pointed out, intervention is 'no use unless there is a degree of buy-in and

understanding as to what the picture is, if it's forcing something that doesn't necessarily fit or work.'

The potential of the collaborative model to improve significantly the school improvement process was further underlined by another LA official:

*[It] has transformed things. We never have any arguments [with headteachers] about what the findings of the review are. We have complete sign-up from the leadership team ... If you engage the leadership team [in this collaborative way], you are allowing them ... to see what you see, and understand the judgements you are making.*

The benefits of this approach were also underlined by headteachers, who have welcomed the new approach towards intervention. One headteacher explained:

*[In the past, LA reviews highlighted that there] were huge issues, but I was never very clear what the issues were. I didn't see them from the LA's perspective. It felt very much like it was done to you. It didn't help us move*

*forward. But [following the latest LA review], the LA link officer really didn't need to say what needed to be done; it was so evident.*

Some of the respondents also suggested that the positive partnership also helps build trust, which in turn means that LAs are more informed about the challenges schools are facing, and what they can do to help. In the words of one LA official:

*Trust, respect and partnership are the three things [that have put the LA] in a better position to improve standards across the board. [In the past] people wouldn't be as straightforward with authority visitors as they are now. Whereas now, with trust, respect, and partnership, you do work very closely with colleagues who are quite open about their successes and the needs they've got and everything else. Therefore you're in a much stronger position to help them overcome those difficulties. So that is what we've embedded this year and that's been achieved and we can use that relationship to make sure things are better.*

Others acknowledged that the collaborative model was not always perfect, but argued that:

*On the whole, we [the LA] generally get the right sort of support into our schools. Now a different question is negotiating that support with the school themselves. Obviously sometimes you get a bit of resistance, but I think we are pretty good at persuasion, negotiation and compromise. We may not get exactly what we want in there, but we get something to move the school on.*

## **Clear roles and responsibilities**

Policy statements and action plans give schools (and the LA officers who are working with them) a clear sense of their roles and responsibilities in the school improvement process. This means that schools are aware of the expectations on them, and the implications of failing to meet these expectations. It also strengthens the LA's position in the intervention process, by underlining what steps it can and should take. Finally, it helps schools with understanding and planning the school improvement process. As one headteacher put it:

*It's [important that schools know] what exactly are the strategies that a local authority put into place, who are the people who are leading that, what are they doing, and are they being effective. It is a good model because the schools have the opportunity to reflect and to offer opinions on that.*

## **Contact and context**

LA officials believe that the school improvement process is heavily dependent on regular contact with, and in-depth knowledge of, the local context: that is, the schools, staff and LA officials that are working with the school. As one LA official put it: 'The reason LAs work, and where they work, it's about local knowledge.'

Detailed knowledge of the school is acquired through regular contact, and means that difficulties can be highlighted before they become serious problems and can be responded to quickly. Some LA officials said that they also found it easier to present challenges to schools they knew well. LA official summarised this view as follows:

*You know [the schools] so well and it's easier to challenge them. It's not cosy. In fact it's easier to say 'that's not going to work' ... than if you don't know them very well. So it is a challenge, [but] we're finding that it's the best way the way things are at the moment and it's working very well. So you easily identify where the need is because you know the school so well.*

Several LA officials argued that it was easier to stay informed and to build close relationships in small authorities, which have a smaller number of schools to deal with. Other LA officials did note, however, that their efforts can nonetheless be hampered by the fact that they have fewer resources to devote to this policy area.

## **Continuity**

Contact and knowledge is closely linked to, and greatly helped by, continuity of staff at the LA. One LA, for example, cited the low level of LA staff turnover as being critical, as this meant that the officials in her

area were very familiar with the schools and had a long-standing relationship with the schools and their staff. The importance of this was also highlighted by another LA, which had struggled to recruit and retain high-quality staff for their school improvement team, which has, in turn, had a knock-on effect on their ability to keep in contact with schools and to respond to all of the challenges in them.

### **Coordination and communication**

LA officials also highlighted the need for good coordination and communication between the LA and schools, as well as between LA officials themselves. For example, one SIP argued that:

*It's the team work that I feel is the big strength [of this LA]. We work a lot as a team and we meet a lot as a team and we talk about issues we know and we overlap with one another, so we use our expertise where it's best placed ... Here we're in contact with each other all the time.*

At the school level, SIPs and monitoring groups provide vital coordinating and communicating functions. As one headteacher put it:

*LAs cannot be in schools all of the time and watch them all of the time, so it is important that they work with schools, cooperate with them and work with other people that will go into the school ... That is the way you impact on school.*

### **Creating self-sufficiency, not dependency**

LA interventions in schools causing concern need to be targeted and tapered (see Chapter 3). This approach means that schools get the support that they need, but will also be trained to be self-sufficient at the same time, rather than dependent on LA assistance. This was summarised by one headteacher as follows:

*The idea is that you move from the model of where you get intensive support, through where that support is reduced, through to just having the support that any other school is having. My role in that is to enable the*

*school to be self-sufficient, to stand on its own, to be analytical, to review itself ... and to manage on its own and to stand on its own two feet.*

The need for self-sufficiency among schools, and the dangers of creating a dependency culture was reiterated in two of the other LAs that were visited. However, one LA officer warned that:

*One of the things you have to take great care about is starting to withdraw the support at the right stage, because if you keep it there too long, you build a dependency culture instead of building internal capacity; if you take it away too soon, it collapses because the internal capacity hasn't been built.*

### **Challenging as well as supporting**

Although the relationship between the LAs and schools is viewed as a partnership, the respondents in this study emphasised that the relationship between the LA and schools was not 'cosy', and that that LA interventions were challenging as well as supportive. 'Supportive challenge', combined with the partnership model of intervention, has helped to build trust and efficacy in the school improvement process. One headteacher explained the significance of this:

*[LA and SIPs provide] real supporting challenge. Those questions make your toes curl, but in a supportive way ... Previously, SIPs who came with those kinds of questions always made you feel that it was your fault, that you were being blamed. I felt I was being accused and didn't like it very much at all. Whereas now ... you know you're going to get those hard questions – [such as] 'why haven't you got as many children as you said you would to this level?' – but you feel you can give an open and honest answer and that some advice will come your way. So again, it's back to that partnership.*

### **Creating effective leaders by coaching and capacity building**

As noted in Chapter 3, strengthening school leadership was believed to be a critical element of the school improvement process. The chances of successful improvement are weakened when headteachers have

limited experience of, or competences for, management, evaluation, monitoring and/or tackling the challenges facing a school in difficult circumstances. Securing school improvement therefore often requires capacity building among school leaders and teachers, and LA officials have played a key role in helping school staff to acquire the skills and competencies they require for effective teaching and school management.

Indeed, it was suggested by some LA officials that coaching and capacity building was a key means to ensure long-lasting improvement: 'We find that the coaching that that [collaborative] methodology brings means that there's a sustainable improvement.' Another LA official went even further:

*It's about stepping back into shadows and enabling people to believe they did it themselves even when they didn't have an earthly hope of doing it without your help. That's why the statutory powers are so much macho posturing, they don't lead to sustainable, lasting, real change.*

## 4.3 Conclusions

This chapter sets out the success factors that LA officials, SIPs and headteachers have suggested play a vital role in securing successful improvements and interventions in schools. As noted above, these factors should be seen as interrelated. School improvement is a complex process, and no single factor holds the key. However, the case studies placed most emphasis on maintaining good and open relationships with schools, and collaborating with schools to create the conditions for sustainable success. Nonetheless, while keen to foster close, collaborative, relationships, LA officials also emphasised that this collaboration was not cosy, and did not prohibit challenge. Or as one LA official described her experience of collaboration: 'It's not cosy, but by God it works.'

There was strong support for this collaborative intervention model among the LA officials, SIPs and headteachers that were interviewed for this study. The concluding chapter sets out further recommendations and indicates areas that were highlighted by these stakeholders for further developments in LA policy and practice.

## 5 Summary and conclusions

### 5.1 Summary

Local authorities are a central component of the school improvement process, and they have a key role in supporting and monitoring school improvement and brokering additional support for schools in difficulty. In this context, the central aim of the project reported on here has been to examine the strategies which LAs have actually used to support and challenge their schools, including informal, formal and statutory strategies. The evaluators have investigated why, when and how LAs have (or have not) used the intervention powers that have been available to them, and the reasoning behind their approach.

The overarching finding has been that LAs prefer ongoing collaboration and 'early intervention' with schools than the use of the statutory powers that are available to them. The statutory powers are potentially useful, but they tend to be kept in the background as a last resort. To a large extent, the LAs featured in this evaluation were using a collaborative, partnership approach with their schools, but this is not to say that they did not offer challenge as well as support. In the great majority of cases, the authority's monitoring processes, and advice from LA officials and SIPs, enabled the successful anticipation of school improvement issues.

The additional resources offered as part of the National Challenge package were welcomed by both LAs and schools, but it was evident that, on the whole, the emphasis on a need for the greater use of warning notices was seen as being not helpful and a 'step too far'. There was no evidence to suggest that the greater use of warning notices would assist school improvement; indeed, in some cases, it was perceived that this could be damaging, for example, in instances where carefully nurtured 'fragile' school improvement was taking place.

### 5.2 Recommendations from key stakeholders

The views of the key stakeholders interviewed as part of this evaluation can be summarised as follows.

- All stakeholders preferred the collaborative 'partnership' approach, which they felt was working well and having a good impact on schools.
- In many cases, LAs expressed the view that they would use the statutory powers, but they tend to be held in reserve, and used as a last resort.
- LA officers had little appetite for additional statutory powers; there was only one possible exception to this, which was a wish, expressed by a few interviewees, to make it easier to remove headteachers. Currently, LA officials felt that there are both legal and structural barriers that make this difficult.

Overall, the LA officers, SIPs, and headteachers who were interviewed for this study expressed strong support for the early intervention strategies that LAs have implemented. Many pointed to the effective and positive relationships between the LA and the schools, and the ways in which schools that had been causing concern were often removed from categories after the LA had intervened. However, the respondents also highlighted some areas where they believed that policy and practice could be improved. These recommendations included the need for:

- **Better communications between local and central government**

Some LA officers complained (despite some perceived improvements via the New Relationship with Schools) that central government did not fully understand what LAs were doing as regards to school improvement. One commented, for example, that:



*I don't think the Government understand what role a local authority who thinks like we do can play in their agenda. I think they're stuck on some pretty old-fashioned views about what LAs do in education ... The LAs have moved a long way in their relationships with schools, and in relation to performance and attainment.*

- **Improvements to the structure and status of the SIP system**

Overall, respondents expressed a positive attitude towards the SIP programme. However, some concerns were raised about the structure and the status of the SIP programme. Indeed, some respondents appeared to feel that the programme was unnecessary, with one LA officer describing the use of SIPs in their primary schools as 'a bloody nuisance', while one headteacher argued that:

*I don't need a SIP; I can do everything myself. It sounds arrogant but I have enough colleagues and contacts who I can go to for support if I need it ... Generally, I go direct to the LA if I need something; it's the way I'm used to working.*

Other respondents were more concerned about the long-term status of the SIP programme, and whether what they believed to be an effective programme would survive the new policy changes overtaking them (discussed below).

- **Universal implementation of the collaboration model**

Not all LAs had adopted the collaborative model of working that has been described at several points in this report. While all of the case studies discussed here claimed to have implemented the model, some of the SIPs who were interviewed had experience of working in a number of different authorities, and noted that other authorities had not employed this approach. This, they suggested, was a model that should be available more widely.

- **Additional financial and human resources**

Several interviewees expressed a desire for additional resources to support school improvement, not just financial resources (although this was an area of concern for most), but also human resources, for schools and LA departments. There was also a view that more flexible funding streams and human resources policies would be helpful. This additional flexibility would allow LAs and schools to recruit throughout the year; and to apply for supplementary funding when a school gets into trouble.

### 5.3 National Challenge

During the course of the evaluation a new announcement was made in June 2008 about the National Challenge programme. Since the project was in its early stages at the time of the announcement, it was possible to collect the views of our respondents on the proposed National Challenge programme.

It became evident during the course of this project that there were tensions between central and local government in this respect. Respondents were not necessarily opposed to the programme itself: indeed, many welcomed the opportunity for additional resources and/or acknowledged that everything possible needed to be done to help learners to achieve maximum benefits from their education.

However, LA officers in particular were very unhappy with the way in which the announcement was handled. Below are just two examples of the kind of statements LA officials made when asked about the new National Challenge programme:

*The way it was done was demoralising ... That's not helpful; it's just not designed to be helpful. It was a political gesture. ... But it was damaging ... a naming and shaming exercise.*

*It's the most cynical piece of educational gubbins that I've ever experienced ... the reaction of our heads, whether or not they were involved in this, and a lot of my colleagues, was to be incandescent for about 48 hours over the way it's all been handled.*



*[I found it] hugely, hugely disappointing, and frankly very annoying, that schools are being judged in what I would call a single lens measure ... I just think it doesn't feel like it's been properly thought out. It just feels that this is about a government that is currently losing the hearts and minds of voters and they've got to take very quick action. And it's about making good on the other promises they've made, like academies.*

Respondents questioned the motivation behind the announcement. For example, some questioned whether the programme was merely a lever to justify the creation of more academies, or a ploy to try to gain some good political coverage by demonstrating that the Government was doing something about schools causing concern.

Questions were also raised about the criteria that were used to define 'failing' schools, with one LA officer noting that: 'There's one school in my area on the "failing" list and that has really good value-added scores.'

Others also had concerns about the frequency of policy change, how the programme would actually work in practice, and some of the possible unintended consequences. The following are examples of some of the concerns that were raised during the interview:

*It's interesting that we've only had the SIP programme for two years, and now they're advocating a change; they're saying, forget SIPs for those schools.*

*It's a bureaucratic burden ...*

*... schools identified on this list as 'failing' will now find it much harder to recruit teachers in the areas where they need most improvement (such as mathematics).*

However, the predominant view was best summarised by one SIP, who stated:

*I have mixed feelings about the policy proposals. I think the timing is very unfortunate ... My belief is that we have to make sure that children achieve, because that is their best passport to future success, but I'm not sure that the sort of naming and shaming bit of it, which is how this has happened, is a particularly effective way of doing it. [But] we will do it [National Challenge programme], we will do it well, like we did with school improvement partners.*

## 5.4 Conclusions

This evaluation aimed to take a hard-headed and evidence-based look at the school improvement policies currently being used by LAs. The evidence collected in the course of this evaluation suggests that most LAs have good relations with their schools and have an agreed, collaborative approach based on regular monitoring, pre-intervention strategies and packages of support to be used where necessary. The collaborative approach usually has both formal and informal elements and does not exclude challenging schools; indeed an element of challenge was built into the model in all of the LAs featured, usually at the reporting stage.

The predominant view of the current statutory powers available to LAs was that they were useful as a backup, but it was unusual for LAs to reach the stage of actually needing to use these powers. LAs also indicated that they did not need any further statutory powers, except possibly in the areas of recruitment and the deployment of resources.

There was no evidence that the increased use of warning notices would greatly assist processes of school improvement. Indeed, such notices have the disadvantages that they can unnecessarily worsen relations between LAs and schools, and could be counter-productive where a school is in a gradual or fragile process of improvement. The power of 'requiring' partnerships with other schools or educational institutions, was also seen as being inappropriate; voluntary, collaborative, persuasive, agreed partnerships were seen as being much more useful and appropriate than imposed partnerships.

This is not to say that there were not occasions when the LAs needed to make strong interventions with individual schools. However, overall, the evidence makes it clear that national policies in this area should take due account of the predominant collaborative models that LAs use, and that all stakeholders should be fully consulted about any proposed changes in policy.

## 6 References

Cowan, G. (2008). *New Relationship with Schools – Evaluation Report*. Report no. DCSF-RR050. DCSF and York Consulting [online]. Available: <http://www.dcsf.gov.uk/research/data/uploadfiles/DCSF-RR050.pdf> [19 September, 2008].

Department for Children, Schools and Families (2007). *Statutory Guidance on Schools Causing Concern* [online]. Available: <http://www.standards.dfes.gov.uk/sie/si/SCC/news/2007guide> [19 September, 2008].

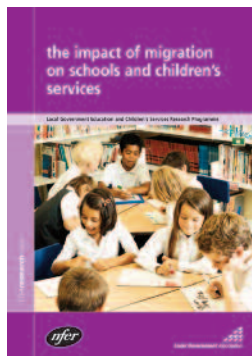
Department for Children, Schools and Families (2008a). *Promoting excellence for all: School Improvement Strategy – Raising Standards, Supporting Schools* [online]. Available: <http://www.dcsf.gov.uk/nationalchallenge/downloads/7714-DCSF-Excellence%20for%20all.pdf> [19 September, 2008].

Department for Children, Schools and Families (2008b). *Proposals for Revisions to Legislation for Schools Causing Concern* [online]. Available: <http://www.dcsf.gov.uk/consultations/conDetails.cfm?consultationId=1567> [19 September, 2008].

England and Wales. Statutes (2006). *Education and Inspections Act 2006*. London: The Stationery Office.

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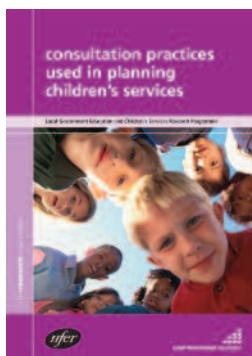
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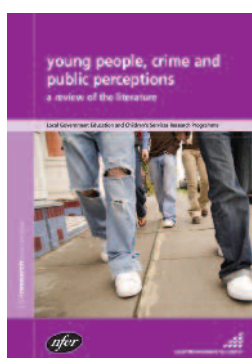
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This report examines the formal and informal strategies that LAs have developed to support and challenge their schools, and focuses in particular on whether LAs have (or have not) used the intervention powers that have been available to them, and the reasoning behind their approach.

This report draws on a series of interviews that were conducted with LA officials, school improvement partners and teachers in schools facing challenging circumstances. These interviews provide the basis of a number of key findings about how LAs have used statutory powers and other strategies to support and challenge schools, and a series of recommendations for future developments.

This research is important reading for all local authority staff, policy makers and practitioners concerned with school improvement.