#### EDUCATION AND CHILDREN'S SOCIAL CARE OVERVIEW AND SCRUTINY COMMITTEE WEDNESDAY 11 SEPTEMBER 2019 REPORT OF CABINET MEMBER FOR EDUCATION, SKILLS AND CULTURE COUNCILLOR JAYNE FRANCIS

### 1. PURPOSE OF REPORT

This report sets out my portfolio priorities that relate to the Education and Children's Social Care Overview and Scrutiny Committee. It also includes key issues requested to be included in this report by the Committee.

## 2. ACCOUNTABILITY

Education of Children and	Political leadership on strategic and statutory duties,				
Young People	including school improvement, school places and travel to				
	and from school. Oversight of Direct Schools Grant.				

# 3. PRIORITIES FOR THE YEAR AHEAD

Over the past year I have been pleased to have the opportunity to go out and meet staff, children and young people in schools, youth centres and other education settings across the city. I have also hosted visits from schools to the Council House and attended many events recognising the fantastic achievements of young people in this city. It remains extremely important to me to meet as many of our children and young people as possible and hear first hand from them about what is important to them.

A particular highlight was July's celebration of Birmingham schools' achievements within the UNICEF Rights Respecting Schools programme. I am fully committed to Birmingham's aspiration to become a Child Friendly City and look forward to work progressing this year as we move towards the 2022 Commonwealth Games. UNICEF's Rights Respecting Schools programme is now well embedded in over 250 schools across the city and will be used as a platform for the Child Friendly City application. I will also be part of the continued drive to get even more Birmingham schools participating in the programme.

I am looking forward to working with the permanent senior leadership team within Education and Skills (Director Dr Tim O'Neill and Assistant Directors Anne Ainsworth, Lisa Fraser and Nichola Jones) on priorities for the academic year ahead including:

- Improving achievement and attainment for all children and young people in Birmingham.
- Helping young people into adulthood, to develop life skills, be ready for work and lead fulfilling lives.
- Increasing the number of children and young people participating and engaging in learning.
- Ensuring there is appropriate, high quality provision across the city in all communities from Early Years through to Post 16.

The Birmingham Education Equalities toolkit that is currently being co-produced with senior leaders from Birmingham schools will be relaunched during the autumn term 2019 and will provide schools with a framework for sex and relationships education in advance of the DfE requirements from September 2020. Equalities education is extremely important to prepare children and young people for life and all protected characteristics must be respected in all Birmingham schools.

With colleagues, I will be campaigning in Birmingham, regionally and nationally, lobbying the government to address school funding inequalities in our schools. I will also continue to support officers in their efforts to work alongside schools to improve the management of budgets.

# 4. OVERVIEW OF EDUCATION IN BIRMINGHAM

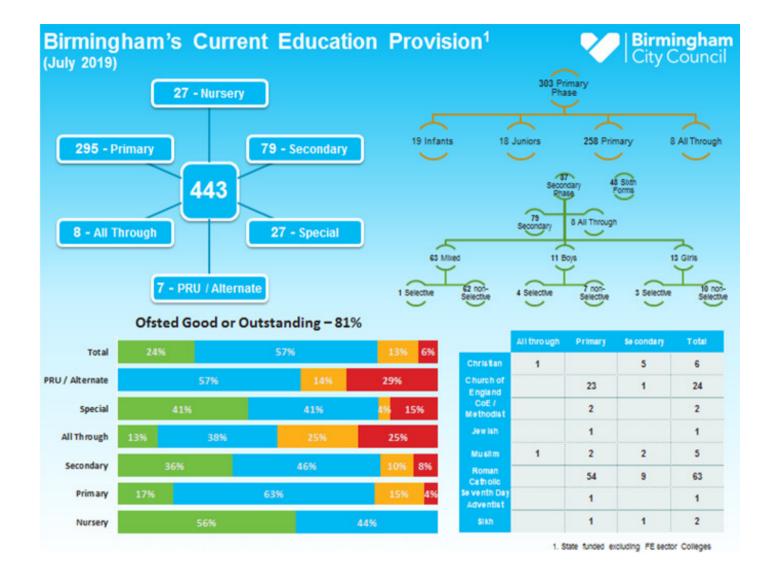
The two infographics included below give an overview of the current education landscape of Birmingham (as at July 2019).

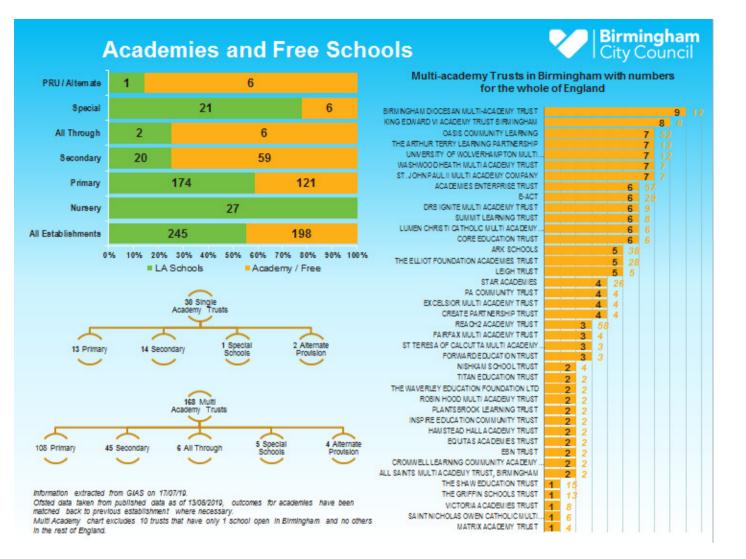
In Birmingham there are 416 education settings providing statutory education for 184,980 children aged 4 to 16 years old. The designation of the schools breaks down into 218 maintained schools and 198 academies and free schools. The academies break down into six free schools, six special schools, six all through schools, 59 secondaries and 121 primaries.

Within Birmingham there are 50 sponsors of academies. Of these, 19 are national trusts and 31 are Birmingham-based trusts, who only work with schools in the city. The Regional Schools Commissioners' office (RSC) is responsible for academies and also the allocation of sponsors to schools which are subject to a Directive Academy Order (DAO).

At the end of July 2019, the overall performance of schools in Birmingham was 81.0% schools rated good or outstanding (including local authority maintained nursery settings). Across the maintained sector, performance was 86.1% and academies were 74.3%.

During the last 18 months the number of primary schools rated good or better fell by 1% on the 2017 figures, however Ofsted are clear that this is a slower rate of decline than national figures. The number of secondary schools found to be good or better increased by 1% on 2017 and is showing a better rate of improvement than other secondary schools nationally.





# 5. SCHOOL IMPROVEMENT

The DfE's Schools Causing Concern Guidance (November 2018) outlines the role of local authorities and the RSC with schools, to support improvements to educational performance and use of intervention powers. It is this guidance informs BCC's School Improvement arrangements for maintained schools that have been delivered through an external contract held by Birmingham Education Partnership (BEP) since September 2015.

The original three year contract was retendered in 2018 and BEP was awarded a further two year contract. The core requirements of the contract relate to maintained schools causing concern where BEP is required to:

- Have a detailed understanding on school vulnerability
- Prioritise schools for support
- Improve Ofsted outcomes

The contract additionally requires a contribution to the improvement of attainment across the city and of practices related to inclusion. Information regarding BEP's achievements in school improvement can be found in Appendix A.

The level of support and intervention provided to schools is determined by published data and local intelligence. Any school which has been judged by Ofsted to be in special measures or requires improvement will automatically receive monitoring and challenge from BEP. Identified schools will work with BEP to develop an improvement plan with identified support which is monitored to ensure progress is made. Any maintained school not progressing will be considered for intervention through the powers of the Director Education and Skills as statutory Director of Children's Services (DCS) as outlined in the Schools Causing Concern Guidance.

In terms of academies, the RSC deploys educational advisers to monitor their performance and advise on future intervention in the same way as Birmingham City Council would if a school is not performing well. The RSC will re-broker the sponsorship of an academy which is not making good progress. Re-brokerage is the term the DfE use where one academy trust is asked by the RSC to transfer one, some, or all of its academies to another academy trust. Typically, the underlying reason for the re-brokerage will be as a result of concerns about performance at one or more of the trust's academies. These concerns may be as a result of geographical difficulties, a breakdown in the relationship between the academy's local governing body and the main trust board, or as a method of school intervention.

Birmingham's Education Improvement Group (consisting of the Assistant Director for Education and Early Years, BEP's Director of Education, Ofsted and senior officers from the RSC) meets twice per term to discuss the profile of schools within Birmingham. These are important meetings that enable Ofsted to hold BCC and the RSC to account for the quality of education within Birmingham and also allow BCC to challenge the RSC around the performance of academies and outcomes for Birmingham children. These meetings determine a range of strategic actions to be taken in securing better educational outcomes.

## 6. ACADEMISATION

Schools can become an academy through a self-selected route or through a Directive Academy Order (DAO).

In accordance with the Education and Adoption Act (2016), Regional Schools Commissioners (RSCs) will mandate academy conversion and issue a DAO for a school in relation to educational standards if Ofsted has judged it as inadequate. This applies regardless of whether the school has fallen into serious weaknesses or special measures, as these are both inadequate judgements.

Some schools subject to a DAO have enquired about revoking the order if the school or its governors wish to remain a maintained school. A recent letter from Lord Agnew, Parliamentary Under Secretary of State for the School System and responsible for this policy area, in response to a local Birmingham MP who had made enquiries about a Birmingham primary school possibly revoking a DAO, stated that the Secretary of State would *"only consider not issuing a Directive Academy Order in exceptional circumstances such as the school being judged as good by Ofsted or a resolution of a safeguarding issue".* 

During the last academic year (September 2018 – July 2019), 13 Birmingham schools converted to academies. Eight of these were subject to a DAO and five schools chose to convert. Currently in Birmingham there are three schools issued with a DAO who are awaiting a conversion date.

Each community school that receives a DAO is visited by officers from BCC's Education Infrastructure team who advise them of the process, and the expectations/requirements from the school and from the Local Authority. Education Infrastructure officers support the school with any queries they have during the process.

Support is also offered by BEP to maintained schools with the academisation process. BEP provides interim leadership and support as required to ensure the school is stabilised as quickly as possible. BEP also writes the Statement of Action for Ofsted within 10 days of the final inspection report being published. As Priority Partner, BEP continues to support and monitor the school until it becomes sponsor. The number of days support is bespoke and depends on the stability of the school. This supports includes monitoring school improvement and making judgements on the quality of any brokered support. When a sponsor is identified, BEP works with the sponsor to ensure a smooth handover.

## 7. SCHOOL BUDGET DEFICITS

The total funding for Birmingham is £1,188.833m, of which £542.858m is currently recouped by the Education Funding Authority (EFA) to directly passport funds to academies and free schools, leaving £645.975m. Schools and academies receive additional funding via other grant allocations, significantly: Pupil Premium, Universal Infant Free School Meals, Teachers Pay Grant, Teachers Pension Grant and PE Sports Grant.

The national Fair Funding Scheme sets out the financial relationship between the Council and its schools and is the statutory basis for this area of activity.

The school outturn position for 2018/19 shows 53 schools with deficits, totalling an overall deficit of  $\pounds$ 12.573m. This compares to 37 schools in deficit at the end of 2017/18 and a total overall deficit of  $\pounds$ 10.952m on a like for like basis.

This increase (£1.621m or 14.8%) in the level of school deficits on 2017/18 is clearly concerning and has occurred despite the measures already being taken (increased and more regular financial monitoring and challenge to schools that have deficit budgets or are

predicting deficits in the future and monthly financial monitoring arrangements for the schools that have been issued with DAOs). It has, however, reduced from the level that was forecast in December 2018 (£13m), though further action is required to maintain and accelerate this improvement.

To seek to address this position, an action plan has been developed which identifies the additional measures which are to be taken, to give additional focus on school deficits and increased ownership at School Forum, headteacher and governor level.

- The main areas of action are:
  - Strengthening the Schools Finance Governance Board that is chaired by the Director Education and Skills and attended by senior officers from Schools Financial Services, Finance, Audit, Schools HR and others
  - Increased engagement of the Schools Forum
  - Stronger management of school deficits focussing on risk and formal warning notices
  - Enhanced escalation and communication plan
  - Maximising value for money through use of surplus capacity
  - Improved monitoring of effectiveness of financial advice from external partners
  - Closer working with the Schools Audit team

All schools' financial positions will be monitored as a minimum on a quarterly basis and a report produced so that the overall position is monitored, and targeted remedial action can be taken as necessary. Schools which are red-rated are monitored on a monthly basis. In June 2019, Schools Forum agreed to allocate Dedicated Schools Grant (DSG) funding to BCC's Schools Financial Services and Schools HR in order to provide engagement with those schools who are projecting a deficit at the end of this financial year.

The Dedicated Schools Grant (DSG) is a highly prescribed and ring-fenced grant which is currently budgeted for Birmingham schools at £645.975m for 2019/20. It is the primary source of funding that is delegated /allocated to schools and other educational providers for their revenue costs as well as funding certain prescribed centrally managed provision.

Since 1 April 2015, four school deficit balances amounting to £5.8m have reverted to BCC when the school converted to academy status. The deficit has been covered from the DSG closing schools contingency and the balance has been met from revenue funding released through application of capital receipts/grants.

## 8. SCHOOL ADMISSIONS AND FAIR ACCESS

The service has undergone significant changes since the last School Admissions and Fair Access report was made to Overview & Scrutiny in December 2018. Headline information about the service is included in this report following a request by the Chair.

### Service restructure

A new service structure has been established with all internal selection processes completed and permanent senior leadership arrangements confirmed.

### Admission process and IT

Capital investment has supported an upgrade and development of the IT system used to support school admissions with the development of a new schools' portal.

The schools' portal will be in use from the start of the 2019/20 academic year and will enable schools to enter and receive information (e.g waiting lists, in-year applications) in real time, removing the manual process for exchanging information.

# 2018/19 Admission round (applications for places to start in September 2019)

- Secondary
  - 14,907 Birmingham pupils applied to transfer to secondary school and were offered places on national offer day (1 March 2019).
  - 858 families' preferences have not been met and were placed by BCC at one of the nearest schools to their home with places available.
- Reception
  - 14,184 Birmingham pupils applied to transfer to primary school.
  - 233 families' preferences have not been met and were placed by BCC at one of the nearest schools to their home with places available.

Following focussed work by the Admissions team and BCC's contact centre the number of applicants applying online increased to over 99%. Support is offered to families who cannot access the internet at home at schools and libraries.

## Appeals

The Council administers the appeals for all council, community and voluntary-controlled schools and also provides a commercial service for academy and other schools.

- 145 secondary transfer appeals were submitted on time for all council, community and voluntary-controlled schools and three were upheld by the independent appeal panel.
- 762 secondary transfer appeals were submitted on time for the academies and other schools whose appeals are administered by BCC and 39 of these were upheld by the independent appeal panel.
- 122 reception appeals were submitted on time for all council, community and voluntary-controlled schools and four were upheld by the independent appeal panel.
- 98 Reception appeals were submitted on time for the academies and other schools whose appeals are administered by BCC and one of these was upheld by the independent appeal panel.

### Fair Access

The Fair Access protocol is designed to ensure school places are allocated in-year to the more vulnerable and challenging children who are experiencing difficulties in accessing a school place. 564 children have been placed since January 2018 via the new Fair Access protocol; this includes all placements via the primary and secondary central panel and the secondary local sharing panel.

The average length of time from referral to entering in school (in school days) has reduced from 36 days in 2017/18 to 28 days in 2018/19.

### Council's school admission arrangements and co-ordinated scheme

The admission arrangements were consulted upon as required and both the arrangements and co-ordinated scheme were formally agreed and published at <a href="https://www.birmingham.gov.uk/info/20119/school\_admissions/1063/determined\_admission\_rangements\_2020">https://www.birmingham.gov.uk/info/20119/school\_admissions/1063/determined\_admission\_rangements\_2020</a>.

### Pupil Tracking

The School Admissions team undertakes robust tracking of pupils and during the 2018/19 academic year they received notifications from schools of 3253 children who had left a Birmingham school to either move out of the local authority or attend a registered independent school. The team also work closely with registered independent schools who notified the team of 2188 starters and leavers.

### Applications for places for September 2020

On 2 September 2019, the application window for secondary school places for September 2020 opened. Information is available for families on the BCC website, via schools, social media and by telephone and email. The application window for reception places will open later in the autumn term.

## 9. CLOSING REMARKS

I hope that members of the Scrutiny Committee, colleagues in all political parties and external stakeholders will work with me in continuing to ensure that education remains a priority in Birmingham. Education is high on the political agenda and we know that it is one of the significant issues for our citizens – our children, their families and teachers. It is our absolute duty to continue to drive through improvements and to make sure that all children and young people, in particular those in disadvantaged communities, get as much support as they need in order to flourish.

I am committed to working with schools to deliver education which celebrates diversity and difference and ensuring that children and young people make positive choices about relationships. Further, I am committed to working with partners to eradicate hate crime experienced by children and young people in this city, and to make sure that Birmingham is a safe, healthy place to learn and grow up in.

Councillor Jayne Francis Cabinet Member for Education, Skills and Culture

September 2019

# A SYNOPSIS OF BEP ACHIEVEMENTS June 2019

**BACKGROUND**: In September 2015 Birmingham Education Partnership (BEP) was awarded the school improvement contract by Birmingham City Council (BCC) carrying the contract for three years. This contract was retendered in 2018 and BEP was awarded a further two-year contract. The core requirements of the contract relate to maintained schools causing concern where BEP is required to

- Have a detailed understanding on school vulnerability
- Prioritise schools for support
- Improve Ofsted outcomes

The contract additionally requires a contribution to the improvement of attainment across the city and of practices as it relates to inclusion.

In September 2015 BCC was unable to provide BEP with a list of Inadequate and Requires Improvement schools that was known to be accurate and BCC had no infrastructure to enable it to identify and support schools vulnerable to a decline in performance and at risk of an adverse Ofsted outcome.

#### June 2019

#### **Maintained Schools**

BEP has a really detailed understanding of the vulnerability of maintained schools and is **100% accurate when predicting the outcome of any Ofsted inspection** of a maintained school which is receiving OR has received BEP priority support.

Priority support includes highly effective recently serving Headteachers who provide and broker bespoke support from other schools and monitor the impact up until the school has a successful Ofsted outcome. The contract requires that we attend all priority schools' inspections and for the last three years **100% of priority** *schools have received this service when they have been inspected.* This is to ensure that the schools are supported and that BEP fully understands Ofsted's feedback. Ofsted are increasingly complimentary about the support of BEP and a selection of comments from recent inspections can be found in the appendices.

In the year that BEP was awarded the contract 17% of schools inspected maintained good or better, this figure had risen to 57% by 2017 and currently between Sept 2018 and 31<sup>st</sup> May 2019, **the figure sits at 84%** (good or 'taking effective action').

In **2015-2016** the percentage of maintained schools inspected that were found to have **declined was 25%**, falling to 20% by 2016-2017 and for the current academic year to date **is 8%**.

May 2018 Ofsted presentation "Key findings and headline facts for the West Midlands' indicate that of the 7 schools in Birmingham consistently less than good, **only 1 was maintained** the other 6 were academies. 24<sup>th</sup> June 2019 at the BCC conference Lorna Fitzjohn (Regional Director West Midlands) said "From Birmingham primary inspections we are seeing it clearly come through that BEP have done a good job in improving reading and phonics screening"

In **100%** of cases where BEP has been required by Ofsted to write a Statements of Action for individual schools, all have been found by Ofsted to be **'fit for purpose'**, demonstrating that BEP actions and support plans are robust and appropriate for each individual school.

In 2016-2017 BEP supported 33 maintained schools that were Requires Improvement of which 19 were inspected during that year. **42% achieved an outcome of Good** or better **and an additional 32% avoided** 

**further decline**. The remaining 5 schools that went into Special Measures were recognised by BEP to have substantial long-term needs and internal school capacity was insufficient to rapidly transform the schools.

By identifying and providing proactive support for vulnerable good and outstanding schools, 19 schools have remained good or better amounting to 7,363 children remaining in a good or better school. During this academic year (2018-2019) the number of children in a less than good maintained school has fallen by 2422.

During this academic year we have been focussing increasing efforts on the schools that continue to Require Improvement and the schools that move between Good and Requires Improvement or even Inadequate. These schools are notoriously difficult to improve and require substantial long-term support. To this end, we successfully **secured an additional £550,000** from the Strategic School Improvement Fund 1 to support 20 schools (17 maintained schools) that meet this criteria They have had £11,000 of support from local Teaching Schools and of the 11 inspected, **10 (91%) were found to be 'taking effective action' by Ofsted.** This work is monitored by the DFE termly and is permanently RAG rated green by the DFE. Recent evaluation from the DFE can be found in the appendices.

During this academic year to date (1.9.18 to 31.5.19) **83.6% of maintained school Ofsted inspections have got "Good+" or "Taking Effective Action."** 

#### Whole City Standards.

Although most of the contract funding is required by BCC to be spent on 'Schools Causing concern', BEP has also made a significant contribution to the improvement of attainment across the city.

During 2015-2016 a new, harder testing regime was introduced in primary schools and the 2016 results in primary schools in the city indicated that Birmingham primary performance had fallen in all key stages in all key measures against national and in comparison, to Statistical Neighbours and Core Cities. While secondary performance in KS4 indicated in line with average national attainment, this masked underperformance in some vulnerable schools.

BEP carried out in depth analysis of the 2016 data and set about addressing the key issue of reading in primary schools by using successful primary schools to support less successful ones. The project ran for the 2016-2017 academic year. Schools involved in this pilot work showed a significant increase in performance in reading as well as in reading, writing and maths combined which was greater than other schools in Birmingham and nationally.

2017	National	Birmingham	Project Schools
Reading ARE Increase	5%	6%	16%
RWM Increase	8%	9%	16%

In April 2017, BCC notified BEP that the original contract funding of £1.8m was being cut to £1.08m with immediate effect. Despite this cut and as a result of the successful reading pilot BEP, working collaboratively with the Teaching School alliances of the City, successfully secured a 2<sup>nd</sup> Strategic School Improvement fund bid for £750,000 from the DfE to <u>raise standards in reading in KS2</u>. This project has now been running for four terms and concludes in July 2019. The extra funding enabled us to scale up the reading pilot to support 40 named primary schools providing nationally recognised reading CPD focussed on exactly what had been identified in the analysis of need carried out by the 40 schools, namely: Inference, vocabulary and fluency. The project has also had support from best practice schools in the city, a cadre of Specialist Reading Leaders

and our National Leaders in Education. While 2019 results are not currently available the impact of the work is clear as *within 4 months* of the project starting.

2018	National	Birmingham	Project Schools	Supporting Schools
Reading ARE Increase	4%	5%	9%	8% Higher Standard (HS)
RWM Increase	3%	4%	8%	4%(HS) (1% national)

The effectiveness of this work is also supported by Ofsted. Currently 14 schools in the project have had an inspection and **100%** of the reports where reading was commented on observed the quality of the teaching of reading and attribute it to the project. See appendices for Ofsted commentary.

**Families of Schools:** BEP has instigated an approach to school to school support where schools are put in 'families' based on prior attainment, deprivation, EAL and mobility. An annual meeting enables Headteachers to compare their outcomes and progress with schools very like their own. Schools and governors then use this data to contact other schools to arrange 'best practice visits' and to share and learn from each other.

**Peer Review** BEP has a model of peer review which enables 100+ schools to work in groups of 3 or 4 to thoroughly review an aspect of their work which requires focus. The model provides both challenge and support and many schools are now in their 4<sup>th</sup> year of using this vehicle for school improvement.

**DfE 2018-2019 School Improvement Offer:** BEP is responsible, on behalf of the Teaching Schools Council, for ensuring the delivery of school improvement to 30+ selected schools. This work involves utilising the National Leaders in Education in the city to provide bespoke support for schools. The ease with which BEP managed to achieve this has been noted by the DfE, as most regions used an 'unknown' NLE who had considerable difficulties making contact with schools, w2hile BEP has strong relationships and partnerships with the schools in the City and so was able to make contact quickly and arrange support.

**<u>Birmingham Leaders of Education</u>**: BEP has also identified and trained a number of Headteachers in the city to carry out school to school support which has added significant capacity across the system.

As a result of all the activity listed above and through a variety of other services and good work done by schools, **2016-2018 data indicates Birmingham Primary outcomes are improving faster than national, therefore narrowing the attainment gap.** This is crucial, as Birmingham Primary outcomes remain below national averages in all key measures and the city is at the bottom of the Core Cities ranking for pupils reaching at least the expected standard in Reading, Writing and Maths combined (RWM) by the age of 11. Furthermore the percentage of schools (maintained and academy) getting Good or better by Ofsted has risen by 7% in Secondary and 5% in primary schools.

**Early Years** has narrowed the gap to national and improved by 4%pts (national increased 2.2%) and at 67.7% is in line with Core Cities average (-3.8% below national) with Birmingham performing above Nottingham, Manchester, Liverpool and Leeds and up 3 places since 2017.

<u>Year 1 Phonics</u> has narrowed the gap by 1% against national and at 81% is now 1% behind national. Birmingham is above the Core Cities average of 80% and is ranked 3<sup>rd</sup>, with Manchester, Sheffield, Liverpool, Leeds and Nottingham below. **Key Stage 1:** Birmingham has narrowed the gap with national by 2% in all key measures at age related expectations. Birmingham is now above Core Cities averages in reading and writing and in line with Core Cities in Maths. Of further significance is the rise in the number of children achieving greater depth which has risen by 6%pts, narrowing the gap with national by 4%+.

<u>Key Stage 2.</u> Reading outcomes have increased by 12.5%pts, which has narrowed the gap with national by 3%. In Writing and Maths, the gap with national has narrowed by 2%pts. While the gap for RWM combined has narrowed with national, this area remains a focus. It is the reading scores which are keeping this low the reading project has been designed to address this.

**Key Stage 4 & 5**. Have routinely had some strong outcomes, in particular progress of disadvantaged pupils in KS4 which is well above national averages. Despite this figure, locally there are significant gaps for outcomes for key groups which is why BEP has championed a project for Raising Attainment of Disadvantaged Youngsters (RADY) which has included 3 secondary reading pilots to support children in Y7. In particular an intensive support for children who start Year 7 with reading ages well below 9 years old.

#### **Overall City Ofsted Outcomes For Both Maintained And Academies**

Overall during the last 5 years the proportion of Birmingham Schools (Maintained AND Academy)

- good or better Secondary Schools has risen from 71% to 78% (national average is 75%)
- good or better Primary Schools has risen from 74% to 79% (national average 87%)

#### 80% of all schools in Birmingham are good or better (85% nationally)

During the last 18 months the number of Primary Schools good or better fell by 1% on the 2017 figures, however Ofsted are clear that this is a slower rate of decline than national figures. The number of secondary schools found to be good or better increased by 1% on 2017 and is showing a better rate of improvement than other Secondary schools nationally.