

**REPORT OF THE IMPROVEMENT QUARTET: COUNCILLOR JOHN CLANCY, COUNCILLOR BRIGID JONES, MARK ROGERS AND PETER HAY**

**EDUCATION SERVICES DELIVERY & IMPROVEMENT PLAN 2016/17**

**The motion: The Council welcomes and notes the progress in education and proposed next steps.**

**1. Introduction**

- 1.1 Following Trojan Horse, BCC was required to produce an improvement plan.
- 1.2 The Education Quartet (including the Education Commissioner) approved the Education and Schools Strategy & Improvement Plan on 1 December 2014 and it was subsequently approved by Cabinet in March 2015.
- 1.3 A key workstream of the 2015/16 plan was to strengthen BCC's duties to vulnerable schools as set out in the statutory Schools Causing Concern guidance. The Education Commissioner supported the proposal that the delivery of these duties should be commissioned from the Birmingham Education Partnership (BEP). Twenty years of international evidence supports the view that the best, most sustainable form of school improvement is where strong schools support weaker schools. BCC officers, the Deputy Education Commissioner and BEP representatives worked from late 2014 to get the contract in place to commence on 1 September 2015. The early signs are that BEP has started its work strongly for BCC, having visited 87% of maintained schools as at May 2016. The formal contract monitoring is now in place and by the end of the school year in July 2016 BCC will have a full picture of BEP's first year in operation.
- 1.4 The November 2015 LGA Peer Review confirmed strong progress across all areas of the 2015/16 plan, with particular endorsements for the major achievements regarding progress for Safeguarding and Resilience, Strengthening Governance, the Education Data Dashboard (EDD) and School Improvement (SI). Overall the direction of travel and political and officer leadership were validated, whilst recognising the long journey ahead to consolidate the improvements.

- 1.5 The OfSTED monitoring visit in June 2016 revealed some weaknesses in relation to the safeguarding of children in education. It was found that significant numbers of pupils with Statements of SEND/Education, Health and Care Plans and those permanently excluded from schools were not provided with their educational entitlement and had not been “safe and well” checked. Plus, some children where there is Elective Home Education had not been seen by a City Council officer for too long. Our education planning has now been re-visited to take account of these matters and remedy them urgently – see Appendix A.

## **2. Improvement Planning**

- 2.1 The Education Services Delivery & Improvement Plan 2016/17 is attached at Appendix B.
- 2.2 This plan will ensure that the outcomes expected are carried forward and work is undertaken to ensure they are achieved.
- 2.3 The Plan drives improvement across all education services and is designed to ensure that all of the progress and change to date is sustained, while continuing to meet new challenges.

This will be achieved via the delivery of improvements across 22 service plans covering all education services. The service plans are explained in more detail in Appendix 4 of the 2016/17 plan – The 22 Service Plans are available at: [www.birmingham.gov.uk/educationimprovement](http://www.birmingham.gov.uk/educationimprovement)

- 2.4 Appendix 1 of the plan provides a summary of key progress to date and Appendix 2 provides an update against each of the LGA Peer Review recommendations.

## **3. Progress**

In terms of a mini self-assessment of progress to date, the following table provides a current state of play for the 2015/16 plan as we move into the new 2016/17 plan. The self-assessment test covers:

1. Are more or fewer schools going into category this year?
2. How is BCC getting on with ensuring it knows all its schools?
3. How do we know Safeguarding and Resilience has improved and children in education are safer?
4. How are we ensuring children are safer in any educational context?
5. Could something like Trojan Horse happen again?
6. How do we know the outcomes from the Year 1 plan are being achieved?

TEST	RESPONSE
<b>1. Are more or fewer schools going into category this year?</b>	<p>The general trend this year has been an improvement:</p> <ul style="list-style-type: none"> <li>• Over the past 12 months there has been an improvement in the overall inspection outcomes of many schools in Birmingham</li> <li>• At the beginning of April 2015, there were 32 schools in special measures. As of February 2016 this has reduced to 30</li> <li>• There has been a rise in schools rated as Good or Outstanding (from 335 as of March 2015, to 344 as of March 2016)</li> <li>• As of March 2016, 83% of LA maintained schools are rated as Good or Outstanding (up from 81% a year ago) – with 69% of academies and Free Schools rated as Good/Outstanding (although these may refer to ratings before academisation)</li> <li>• In terms of national comparisons, the latest available position is from the start of the 2015/16 academic year. At this point, Birmingham had a lower proportion of schools classed as good or outstanding - at both primary and secondary level – when compared to core city and national averages</li> <li>• Birmingham also has the second largest proportion of schools classed as inadequate out of all core cities.</li> </ul>
<b>2. How is BCC getting on with ensuring it knows all its schools?</b>	<p>BCC has improved communication and engagement with schools through the Communications Theme of our improvement plan. The weekly School Noticeboard communications are published and communication channels are available to gather feedback from schools, which includes:</p> <ul style="list-style-type: none"> <li>• A generic email address</li> <li>• Routes for raising complaints and also for whistleblowing</li> <li>• An education Twitter account is available and used: @BCCEducation</li> <li>• Feedback of progress, including an invite for comment has been implemented via a Schools Survey channel. Later in the year we will be publishing a “You Said, We Did” document.</li> </ul> <p>BCC also engages schools through publications such as the Core Offer and Traded Offer documents. In terms of engagement, The Core Offer includes a section on engagement which shows the channels used, this includes:</p> <ul style="list-style-type: none"> <li>• Schools Forum</li> <li>• The BCC HTs Consultative Group</li> <li>• Primary Forum</li> <li>• Special Forum</li> </ul>

TEST	RESPONSE
	<ul style="list-style-type: none"> <li>• Secondary Forum</li> <li>• Nursery Forum.</li> </ul> <p>So, schools know that they have a voice via these fora.</p> <p>In addition to this, there is engagement work via our Strategic Partners, for example, S4E and BEP.</p> <p>In particular, with effect from September 2015, BEP has been contracted to take over the SI work, previously undertaken by BCC. BEP has therefore undertaken many engagement events (e.g. the District Strategy Groups) and also visits from the District Leads working on SI to ensure BEP knows all schools and none are isolated. BEP has reported that<sup>1</sup>:</p> <ul style="list-style-type: none"> <li>• For maintained schools, 87% have been visited by BEP and 66% of academy schools</li> <li>• District Strategy Groups are in place providing 82% coverage for maintained schools</li> <li>• The BEP staffing and Organisational structure are in place, enabling delivery of the contract</li> <li>• BEP has developed a framework for packages of support and work with schools</li> <li>• BEP now chairs the cross cutting group, which enables a focus (drive) on SI and also fosters close working between BCC and BEP for SI</li> <li>• BEP is engaged in the design authority meetings for the Education Dashboard (EDD) and there are discussions about collecting progress data. There will need to be detailed discussions about what BEP data will be shared with BCC for inclusion in EDD.</li> </ul> <p>As part of the contract, information about schools is shared between BCC and BEP via the EDD. BEP chairs the cross cutting group where BEP and service leads from within BCC discuss schools that are potentially vulnerable and may require support. This captures potential issues from all service areas, such as safeguarding, governance, finance and HR, not just from the BEP/SI perspective.</p> <p>Finally, the other vehicle used to ensure BCC knows all its schools is via the Education Improvement Group (EIG), a meeting attended by BCC, Ofsted, BEP and the RSC which discusses and also identifies schools potentially requiring school improvement support.</p>

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<sup>1</sup> All data as at 11 April 2016

TEST	RESPONSE
<p><b>3. How do we know Safeguarding and Resilience has improved and children in education are safer?</b></p>	<p>The Safeguarding and Resilience Theme is 99% complete (as at February 2016, with any delays simply around ensuring all schools receive the necessary guidance and training).</p> <p>The LGA Peer Review confirmed strong progress in this area (a few highlights are below):</p> <ul style="list-style-type: none"> <li><i>Safeguarding training and development for staff across the system is strong, embedded and of high quality. The Council differentiates between a universal, targeted and specialist offer drawing on Home Office training products and more local resources. Targeted responses follow identification either by schools, Ofsted or through s175 (Safeguarding) audits, and the Council has created a bespoke support where serious weaknesses have been identified, including case management, CSE, FGM and forced marriage. There are robust plans to develop the function with a proactive focus on engaging schools with the UNICEF Rights Respecting Schools Award, supporting schools to pro-actively weave the UN Convention of the Rights of the Child through the life of the school, and to adopt a train the trainer approach to ensure business continuity with 60 schools and multi-agency partners trained to deliver Prevent training</i></li> <li><i>Key officers are making a huge difference. The Resilience Advisor and the Safeguarding Advisor work together very effectively to bridge and broker support for schools and blend skill sets to ensure that bespoke support is available across universal, targeted and specialist responses. They are held in very high regard by everyone we spoke with.</i></li> </ul> <p>The LGA Peer Review also highlighted some areas for improvement, which included:</p> <ul style="list-style-type: none"> <li><i>There are significant concerns across the system about children missing from home or care, from education, or because they are unknown to the authorities. This was expressed by all of the stakeholder groups to the peer team. Linked to this is a concern about growth in the unregistered, unregulated and supplementary school providers exacerbating on-going risks, for example around Prevent, CSE and FGM. There is an expectation amongst partners that the Council will provide strong leadership in establishing a city wide risk assessment of all settings, but acknowledge that this must be a shared responsibility</i></li> <li><i>The ‘fuzzy space’ between Children’s Social Care and Education was highlighted by internal and external stakeholders. This concerns the inevitable lack of clear demarcation between Education and Children’s Services. Filling this space will require practitioners from both services to develop better knowledge of each other’s policies and practice, and to develop a shared understanding. Managers have an important role to facilitate this process</i></li> <li><i>There is a gap in a systematic roll out of Council Safeguarding training and risk assessment across the Private, Voluntary and Independent (PVI) sector. This is an area of concern that needs to be addressed.</i></li> </ul>

TEST	RESPONSE
	This work has been carried forward into the 2016/17 education plan.
<p><b>4. How are we ensuring children are safer in any educational context?</b></p>	<p>BCC has worked closely with Ofsted resulting in the closure of four unregistered independent schools. The ongoing collaboration between Ofsted and BCC has fostered a joint approach in addressing emerging issues in alternative and independent provision.</p> <p>On 7 December 2015 a meeting was held with a group of independent schools and included a representative of the Muslim Liaison Committee. Sir Mike Tomlinson spoke at the meeting and there were presentations on the requirements for registration as an independent school, safeguarding, governance and community cohesion. An Independent schools forum is being established alongside the regular nursery, primary, secondary and special forums.</p> <p>A suite of new policies have been written, including a Quality Assurance framework for Alternative Provision, which is being adopted and implemented. Key officers have been trained to level two safeguarding with further training in the pipeline. A significant number of quality assurance visits to providers have been scheduled. BCC has also drawn up a new framework to monitor Elective Home Education. BCC has been working with Faith Associates to launch a new safeguarding toolkit for supplementary schools and wider faith based establishments.</p> <p>Recruitment is underway for a new Head of Service post for alternative provision/children missing education. This will be line managed by an Education Services Assistant Director. It is expected that this post will be filled by Autumn 2016.</p> <p>A development programme has been delivered to the current team, who have all participated in training on visits to premises, health &amp; safety, safeguarding, behaviour and attendance.</p>
<p><b>5. Could something like Trojan Horse happen again?</b></p>	<p>There is always a residual risk, but this is now considered by the Improvement Quartet to be extremely unlikely. There continues to be effort to manage issues as they arise concerned with extremism and issues of governance.</p> <p>In summary, the key steps put in place over 2015 to reduce this risk have been:</p> <ol style="list-style-type: none"> <li>1. BCC knows more about all schools through improved data, information and intelligence, via: <ul style="list-style-type: none"> <li>○ The EIG, where BCC, Ofsted, BEP and RSC meet to discuss risks and issues monthly</li> <li>○ BEP working as a strategic partner with BCC for school improvement and fundamentally as part of the contract to ensure we know all schools and ensure that none are isolated</li> <li>○ Positive and two-way engagement between BCC and schools has improved (covered in the <b>How is BCC getting on with ensuring it knows all its schools?</b> row 2 above)</li> </ul> </li> </ol>

TEST	RESPONSE
	<ol style="list-style-type: none"> <li>2. The channels for complaints and for whistleblowing have been improved and put in place to ensure anyone working with schools can report issues for investigation</li> <li>3. Improvements have been made in the area of Strengthening School Governance – in particular, roles for oversight and intervention are now active in order for BCC to monitor and assess the quality, impact, strengths and weaknesses of governance. BCC is now more active in issuing warning notices and making interventions (i.e. IEBs) when issues are identified</li> <li>4. The positive work BCC has undertaken on Safeguarding and Resilience and also Equality and Community Cohesion (see row 3 above on <b>How do we know Safeguarding and Resilience has improved and children in education are safer?</b>).</li> </ol>
<p><b>6. How do we know the outcomes from the Year 1 plan are being achieved?</b></p>	<p>BCC has been testing outcomes on an ongoing basis via audits and the schools survey to ensure changes are embedded, sustainable and viewed in a positive way by schools. The ultimate test over time will be improved Ofsted judgements overall and no repeat of a Trojan Horse or similar event. An appropriate time to judge this and (for example) the performance of BEP for School Improvement will be at the end of school year 2015/16.</p> <p>In addition, BCC commissioned an LGA Peer Review (in Oct/Nov 2015) of the Education and Schools Strategy &amp; Improvement Plan 2015/16 (programme) to test independently progress and outcomes. This involved the LGA Peer Review team talking to schools, our partners and to BCC members and officers. The report was generally positive, with some recommended areas for improvement.</p> <p><b>Scope and focus of the peer challenge</b></p> <p>BCC asked the peer team to challenge progress with implementing five of the workstreams:</p> <ol style="list-style-type: none"> <li>1. Build confidence in BCC's ability to lead the overall system of education through a relentless focus on core duties</li> <li>2. Ensure that there are robust and effective governance arrangements in place and working effectively in schools</li> <li>3. Work with schools to ensure that all children and young people in Birmingham learn in an environment that is safe and promotes their overall wellbeing</li> <li>4. Work with partners to deliver improvements in schools</li> <li>5. Drive innovation and improvement through new district structures that promote collaborative leadership and enhance accountability.</li> </ol> <p>In challenging these, the LGA Peer Review team was asked to focus on progress, outcomes and, where possible, impact of actions.</p>

TEST	RESPONSE
	<p><b>Key Messages from the LGA Peer Review</b></p> <p><i>The Council has made good progress in progressing work across all of the five work streams and there is confidence amongst members, officers and partners that the basics are being put in place for a strong and effective city-wide system of school improvement. Stronger professional leadership of the service is making a significant impact and is seen by many as crucial. Governance is now high on the agenda and has a higher profile with schools and other stakeholders. The Council provides good training and support on safeguarding and practice in data management and audits have improved.</i></p> <p><i>The Birmingham Education Partnership (BEP) is widely regarded as the right vehicle for school improvement with good buy-in from schools. These are robust foundations for an education system that will transform the lives of children and young people. In addition to our feedback on each of the five work streams, there are some corporate reflections for you to consider:</i></p> <ul style="list-style-type: none"> <li><i>• Following the leadership election, Birmingham needs to demonstrate the political will and corporate capacity to ensure its resources are focused in shaping and delivering a shared vision which reflects its ambitions for 'the youngest city in Europe'</i></li> <li><i>• The political and managerial leadership of the City need to rigorously pursue the delivery of a shared ambition and vision for Education</i></li> <li><i>• Organisational transparency needs to be developed so that members, managers and partners can see the implementation of decisions and support growing self-awareness</i></li> <li><i>• Birmingham needs to develop a relationship with its schools that reflects its ambitions for the City and which ensures the delivery of its core responsibilities.</i></li> </ul>



## **1. BACKGROUND**

The monitoring visit from HMI, on the 1<sup>st</sup> and 2<sup>nd</sup> June, was the third visit since BCC's Children's Social Care was judged inadequate in May 2014. The June 2016 HMI visit was different, as it included a focus on safeguarding arrangements in schools and the Council's response to children missing education and those who are educated at home as well as the Council's response to Prevent in schools. HMI's decision to include safeguarding in education within the monitoring visit programme was unusual, as the inspection framework is designed for local authorities in intervention for children's social care.

Even though significant improvements have been made and the Education Services Delivery and Improvement Plan 2016/17 addresses points raised in the feedback, it was clear that some current practice did not stand up to scrutiny.

HMI's feedback can be summarised into three areas of improvement:

- leadership of safeguarding within education services
- children with Education and Health Care Plans (EHCPs)
- children out of school and not receiving education.

## **2. LEADERSHIP of SAFEGUARDING within EDUCATION SERVICES**

When considering HMI's concerns, about strategic leadership of safeguarding children in schools as being 'weak and lacking rigour' and the local authority's safeguarding responsibilities, as outlined in the White Paper, it is acknowledged that there is a need to build capacity both at operational and senior level.

The gap at operational level has already been addressed, with a new Head of Service post for alternative provision/children missing education being established and interim arrangements in place from the 1<sup>st</sup> August 2016. These arrangements will provide robust management oversight and improve the quality of practice, for children currently out of mainstream education.

Swift action has also been taken to remedy the strategic leadership of the SEND agenda, with the responsibility being transferred immediately, on a temporary basis, to an experienced senior officer leading Access to Education. This officer is currently reviewing the SEND service plans, to ensure all areas needing to improve are being address.

This still leaves a gap around the strategic leadership of safeguarding within education services. In line with the requirements of the White paper, the recommendation would be to create a fourth Assistant Director post, taking responsibility for Education Safeguarding. This newly created post would also ensure stronger join up with children's social care as many of the children at the heart of these policies are shared between education and children's social care. Pending that, the interim Assistant Director – Education will drive forward the required improvements, in order to secure good service delivery to our most vulnerable children.

### **3. CHILDREN WITH EDUCATION AND HEALTH CARE PLANS (EHCPs)**

HMI highlighted that too many children with a statement of education need or EHCP are not receiving appropriate education which meets their needs and that vulnerable children who have been excluded from education do not have their needs catered for well enough, including checks to ensure the child is safe.

The initial action taken was to ensure that the out of school list for children with EHCPs was up-to-date and secure home visits for those that had not been seen for some time. We have identified 81 children out of school. In order to address the capacity to undertake the required home visits we intend to involve Educational Psychologists, so they can be completed before the Summer break.

Additionally, we have secured immediate school placements through directing schools to take children and being firmer with parents, following up with non-attendance procedures if necessary. Of the 81 children 29 placements have been resolved for September start and 52 remain outstanding. The acting Assistant Director and Head of Service are fully engaged and monitoring progress via weekly meetings.

The children who have been excluded from school and do not have an educational placement are currently being supported by home visits to check on their welfare. The Exclusion Team has been temporarily enhanced by two part-time posts to introduce and develop a pupil tuition programme. This programme is being delivered in educational settings close to each pupils home. These arrangements are in place until an educational placement is identified.

The dialogue around 'sustaining inclusion' has supported colleagues in Secondary Head Teachers Forum to reach agreement in developing a delegated responsibility and processes for managing exclusions across educational collaborations for April 2017. In the primary phase there are currently discussions being held with five consortiums around the introduction and development of a 'sharing panels' approach to managing exclusions.

The process for supporting looked after children with no school place has been enhanced by the introduction of a weekly meeting between management lead from the Virtual School and SENAR.

#### **4. CHILDREN OUT OF SCHOOL AND NOT RECEIVING EDUCATION**

HMI stated that the individual teams holding responsibility for safeguarding children in schools are not working together effectively. This will be addressed through the three new policies (Elective Home Education, Alternative Provision and Children Missing Education), which have been written since January 2016, and endorsed by the Education Safeguarding Board. They will be implemented by schools, including academies and free schools, from September 2016. These policies provide greater clarity and establish a new set of procedures, minimum standards and timeframes for the delivery of quality service.

The next phase is the implementation of the new policies. A skills audit has already been completed and a training plan put in place to ensure the workforce implementing the new policies are highly skilled and understand their role in delivering a good service. Performance monitoring has been strengthened, both at service and Assistant Director level, to ensure there is compliance in the delivery of the policies leading to a greater quality in service delivery.

The other strand is the communication plan. The plan will include information for Headteachers and senior leaders, governors, parents and children. Training events will be organised, including a Headteacher seminar, to further raise schools' awareness and understanding of the importance of their duties in delivering these policies.

The final issue relating to this area was the lack of oversight of vulnerable children. There are many teams working with vulnerable children, who generate lists containing concerns, actions and outcomes for these children. There is a need for a single database, which is currently being developed, which will provide an accurate overview of the numbers of children being educated out of school or missing education, the ability to determine how we best meet their needs and the impact of this work.