



Havering
L O N D O N B O R O U G H

CHILDREN AND LEARNING OVERVIEW & SCRUTINY SUB-COMMITTEE
30 SEPTEMBER 2021

Subject Heading:	School Quality Assurance Update
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Policy context:	Education
Financial summary:	None immediately arising from this report

The subject matter of this report deals with the following Council Objectives

Communities making Havering	[X]
Places making Havering	[]
Opportunities making Havering	[X]
Connections making Havering	[]

SUMMARY

The purpose of this report is to provide members of the OSSC with an overview of the statutory responsibilities of the Local Authority (LA) with regard to ensuring education excellence.

The London Borough of Havering recognises and respects the diverse educational landscape and models of governance that now exist within the borough, which currently include:

- a range of early years settings;
- infant, junior, primary, secondary, tertiary and special provisions;
- LA-maintained, academies, free-schools, stand-alone/local/national MATs, federations and faith schools.

The LA also appreciates that additional quality assurance processes are likely to be taking place right across the sector (eg Ofsted, the Regional Schools' Commissioner, MATs) and therefore we are keen to ensure that our own quality assurance processes are proportionate, work in synergy with other regulators, and minimise any burden of duplication.

Whilst acknowledging the above, however, The Education Act 2011 reiterates the role of LAs in relation to all children and young people under the following 3 headings:

- champions of vulnerable children and young people;
- ensuring fair access to services; and
- ensuring educational excellence.

There is an expectation in the 2010 white paper that LAs retain a 'strong strategic role as champions for parents and families, for vulnerable pupils and of educational excellence' regardless of the school's organisation or governance arrangements. Moreover, the 2011 Act did not repeal any LA legal duties and powers set out in the Education Act 1996, the School Standards & Framework Act 1998, the Education & Inspections Act 2006 and the Apprenticeships, Skills, Children & Learning Act 2009.

In keeping with these principles, the Childcare Act 2006 outlines the LA's statutory requirements with specific regard to early childhood. The Act states that an English LA must 'improve the well-being of young children in their area' and 'reduce inequalities between young children in their area'. This includes young children's 'physical and mental health and emotional well-being; protection from harm and neglect; education, training and recreation.'

The duties and related powers of the LA with regard to settings, schools and colleges in the area are set out in the London Borough of Havering Quality Assurance Framework: Education Providers (attached as an Appendix).

Havering LA therefore provides challenge and support through direct provision or brokerage where needed to all providers in order to improve educational performance. We do this by having specific objectives and principles which are clear, risk-based and proportionate. We are committed to working, wherever possible, in partnership with providers.

All our quality assurance processes are compatible with our statutory responsibilities and are aligned with the latest DfE Schools Causing Concern guidance.

RECOMMENDATIONS

Members of the OSSC are asked to note the content of the report.

REPORT DETAIL

The Local Authority has a statutory responsibility to quality assure all educational provision, irrespective of governance arrangements. The LA operates a flexible programme of quality assurance, proportionate to the quality of provision within any given institution. The LA reserves the right to exercise its powers flexibly and with discretion, depending on changing circumstances and the picture emerging from a wide range of evidence.

Desktop Risk Assessment

A desktop risk assessment is applied to all provisions to determine the extent of quality assurance scrutiny, based on a range of factors including:

- Outcomes (standards and progress) in statutory tests or examinations, including trajectory / direction of travel
- Other data (eg attendance; persistent absence; exclusions; financial management, etc)
- Previous Ofsted and likely proximity to next inspection
- Trajectory / direction of travel in relation to outcomes
- Local Intelligence (eg quality of leadership and governance; complaints; safeguarding concerns, admissions and popularity; financial management, record with vulnerable children, etc)

Quality Assurance Visit(s)

All schools, irrespective of governance, are entitled to receive an on-site QA visit with an experienced and qualified Quality Assurance Inspector from the LA, once each year (academic cycle). The LA is, however, mindful of the extent of scrutiny

and accountability currently within the system (eg Ofsted, HMI, RSC, MAT quality assurance, etc). With this in mind, the following alternatives may be adopted via consultation between the LA and school(s):

- The LA will not undertake a full QA visit within 6 months of an Ofsted inspection, to any school receiving a Good or Outstanding judgement.
- The LA is willing to consider a request from a MAT or a Federation to 'quality assure' the MAT/Federation's own quality assurance processes (this is likely to include joint on-site visits and discussions about each school in the MAT/Federation).
- If the desktop risk assessment identifies minimal risk, the LA will be happy to accept any credible and comprehensive QA report undertaken by another source (eg DfE; independent audit, etc).

Following the above process, the LA will assign its own categorisation to the school or academy. From this, the LA may determine that a maintained school should receive additional quality assurance visits over the course of the year if the desktop risk assessment and QA visit do not in themselves provide reliable evidence that the school will be Good or Outstanding if inspected immediately.

Where there are concerns around an academy, free school or MAT, the LA has a duty to relay its concerns to the RSC who are the regulator responsible for provision outside of the maintained sector. It is the RSC who then holds the responsibility to exercise its own powers of intervention as appropriate. The LA has no intervention powers over academies except for safeguarding or equalities reasons, or if statutory processes are being breached.

A summary of the QA process is shown in the diagram below;

Risk Assessment & Categorisation

SMG
Achievement
Trajectory
Last Ofsted

Behaviour and Attendance
Local Intelligence
Staffing / Curriculum / L&M
Safeguarding & Well-Being

Annual QA Visit

Is the Provider 'Causing Concern'?

Yes

No

For Maintained Schools...

Standard Response:

Review and/or 'Deep Dive' interventions
Monitoring Board/Progress Review Meetings
QA Visits as necessary

Discretionary Response:

Consider Statutory Powers of intervention:

- Letter of Concern
- Formal Warning Notice
- Financial Notice of Concern
- IEB / SMB / additional governors
- Academisation
- Executive Leadership
- Referral to Ofsted / DfE
- Closure

For Academies / Free Schools...

Standard Response:

Report concerns to RSC
Offer or Commission LA support

Commission Support

External Brokerage Enter School Partnership HES Traded

Commission Support

External Brokerage Lead School Partnership HES Traded

IMPLICATIONS AND RISKS

Financial implications and risks:

There are no direct financial implications from this report, as it is for information only. However, the teams responsible for undertaking the quality assurance functions identified above are funded from DfE grants and core Council funding.

Legal implications

There are no direct legal implications in noting the content of this report.

Human Resources implications and risks:

There are no direct human resources implications from this report.

Equalities implications and risks:

There are no direct equalities implications from this report, and an Equalities Assessment has not been completed as this report is for information only.