



CABINET – 23 NOVEMBER 2016

**RESPONSE TO DEPARTMENT FOR EDUCATION CONSULTATION
DOCUMENT – SCHOOLS THAT WORK FOR EVERYONE**

**REPORT OF THE DIRECTOR OF CHILDREN AND FAMILY
SERVICES**

PART A

Purpose of the Report

1. The purpose of this report is to seek the Cabinet's approval of the proposed response to the Department for Education (DfE) consultation entitled "Schools that work for everyone".

Recommendations

2. It is recommended that the Cabinet:
 - a) Notes the content of the DfE consultation, in particular the proposals relating to the greater involvement of Universities and Independent Schools in the state education sector, the potential for development of selective (grammar) schools, and relaxation of admissions for faith schools;
 - b) Approves the County Council's response to the consultation as set out in the Appendix to this report.

Reasons for Recommendations

3. To respond to a key consultation on proposals that will have an impact on the running of schools and in particular the potential establishment of selective schools throughout England which could significantly change the educational landscape of Leicestershire.

Timetable for Decision (including Scrutiny)

4. The DfE consultation started on 12 September 2016 and is due to end on 12 December 2016.
5. The proposed response to the consultation has been circulated to the Chairman and Spokesmen of the Children and Family Services Overview and

Scrutiny Committee, and any comments received will be reported to the Cabinet.

Policy Framework and Previous Decisions

6. The consultation builds on the previous DfE white paper called 'Educational Excellence Everywhere' which was published in March 2016 and sets out the future role of the local authority in education and the further development of a school led system. The Government have recently announced that the white paper now known as the 'Education For All Bill' will no longer be taken forward in this session of Parliament.
7. The potential for new grammar schools (selective education) was discussed at the meeting of the County Council on 28th September 2016. A link to the minutes of this meeting are attached at the end of this report

Resource Implications

8. None at present but if implemented some of the recommendations may have significant resource implications for the Authority i.e. transport costs.

Legal implications

9. None.

Circulation under the Local Issues Alert Procedure

10. None

Officers to Contact

Paul Meredith
 Director of Children and Family Services
 Tel: 0116 305 6300
 Email: Paul.Meredith@leics.gov.uk

David Atterbury
 Head of Strategy – Education Sufficiency
 Children and Family Services Dept.
 Tel: 0116 305 7729
 Email: David.Atterbury@leics.gov.uk

Francis Lawlor
 Service Manager - 16-19/25 Learning
 Children and Family Services Dept.
 Tel: 0116 305 5460
 Email: Francis.Lawlor@leics.gov.uk

PART B

Background

11. The DfE consultation document 'Schools that work for everyone' builds on the Educational For All Bill (previously referred to as the Educational Excellence Everywhere white paper). The consultation proposals aim to put an end to any schools underperformance that the Government believes exists in pockets throughout the country. It further aims to expand the number of good school places available to all families, not just those who can afford to move into the catchment areas of the best state schools, pay for private education or those belonging to certain faiths. The consultation sets out proposals to give all schools with a strong track record, experience and valuable expertise, the incentive to expand their offer to more pupils with the intention of driving up standards and giving parents greater choice and control.

12. The consultation asks searching, open questions about the future of education in this country and its impact on local authority schools. It focusses on how to unlock four existing parts of the educational community so that they can have a bigger impact on all children.
 - a. Independent schools – many of these schools make a contribution to the state sector but the Government wants them to do more. The Government wants stronger more demanding public benefit tests for independent schools to retain the benefits associated with charitable status. The intention is for independent schools to offer more places to the less able who cannot afford them, and to sponsor or set up schools in the state sector.

 - b. Universities – the Government wants them to do more to widen participation, help more children to reach their full potential, and to open or sponsor schools in exchange for the right to raise their fees.

 - c. Selective schools – many selective schools exist throughout the country and are in high demand. The Government wants to analyse how they can open up excellent places to more children particularly in the most disadvantaged areas. The consultation proposes to relax the rules on expanding existing selective schools; allow new ones to open, and non-selective schools to become selective where there is demand. The Government wants selective schools to raise standards in every part of the school system, for example by opening feeder primary schools or by sponsoring local non-selective schools.

 - d. Faith schools – the current rules to promote inclusion mean that when faith free schools are oversubscribed they have to limit the number of pupils admitted on the basis of faith to 50%. The Government wants to remove this barrier so new places can be created, and to consult on more effective ways to ensure all new faith schools are truly inclusive. The consultation looks at new requirements for proposers of free schools to demonstrate that they are attracting applications from other faiths; establish twinning arrangements with schools not of their faith;

consider sponsoring underperforming non-faith schools and bring other members of faiths and no faith onto their governing body.

13. A further key proposal is to select children on the basis of ability at the age of 14 and 16 years, as well as at 11 years of age, and for each school to determine their own admissions selection process.

Response to the Consultation- general conclusion

14. The DfE ambition is fundamentally concerned with driving up standards and ensuring there is good access to, and choice of, schools. This is largely in keeping with the County Councils ambition for Leicestershire schools, 86% of which are now rated good or outstanding by Ofsted. There is further capacity to improve the approach so far taken in Leicestershire by ensuring that every child has access to a good quality school place. The current approach serves to demonstrate a system that is working well in terms of meeting the needs of learners.
15. The proposed response to the consultation set out in the Appendix to this report makes the point that good education should be available to all, and whilst welcoming some aspects of the proposals, questions the necessity of others, and how they might be made to work effectively by the Government.

Relevant Impact Assessments

16. Any new selective schools will inevitably have an impact on existing school participation, the admissions process and the inclusive environment of the existing school infrastructure.

Equality and Human Rights Implications

17. There are no direct Equality and Human Rights implications arising from the County Council's response to the consultation. However, any subsequent change to Leicestershire schools arising as a consequence of the implementation of the consultation proposals would be subject to an Equality and Human Rights Impact Assessment at the appropriate time.

Background Papers

DfE Consultation paper 'Schools that work for everyone' - <http://ow.ly/Hvgp3064QUf>

Educational Excellence Everywhere White Paper - <http://ow.ly/vQPu3064QY0>

Minutes of the County Council meeting held on 28 September 2016
<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=134&MId=4778&Ver=4>

Appendix

Schools That Work For Everyone - Response of the Leicestershire County Council