

Appendix C

Proposals for Revisions To Legislation For Schools Causing Concern

Consultation Response Form

The closing date for this consultation is: 25
September 2008

Your comments must reach us by that date.

department for
children, schools and families

THIS FORM IS NOT INTERACTIVE. If you wish to respond electronically please use the online or offline response facility available on the Department for Children, Schools and Families e-consultation website (<http://www.dcsf.gov.uk/consultations>).

The information you provide in your response will be subject to the Freedom of Information Act 2000 and Environmental Information Regulations, which allow public access to information held by the Department. This does not necessarily mean that your response can be made available to the public as there are exemptions relating to information provided in confidence and information to which the Data Protection Act 1998 applies. You may request confidentiality by ticking the box provided, but you should note that neither this, nor an automatically-generated e-mail confidentiality statement, will necessarily exclude the public right of access.

Please tick if you want us to keep your response confidential.

Name

Organisation (if applicable)

Address:

If your enquiry is related to the policy content of the consultation you can contact Peter Clough on:

Telephone: 020 925 6454

e-mail: peter.clough@dcsf.gsi.gov.uk

If you have a query relating to the consultation process you can contact the Consultation Unit on:

Telephone: 0870 000 2288

Fax: 01928 794 113

e-mail: consultation.unit@dcsf.gsi.gov.uk

Please tick the box that best describes you as a respondent.

<input checked="" type="checkbox"/> Local Authorities and their Associations	<input type="checkbox"/> Dioceses or other bodies appointing governors	<input type="checkbox"/> Governor Associations
<input type="checkbox"/> Teacher unions	<input type="checkbox"/> Other (please specify in box below)	

Please Specify:

We should appreciate views, especially from local authorities, on the reasons why formal warning notices are infrequently issued.

1 Do local authorities and other partners have examples of negotiations with schools where the prospect of a warning notice has stemmed a school's decline (without the warning being issued)?

Yes

No

Comments:

- ~ Since the 2006 Act was implemented, Notts LA has evidence that the prospect of a warning notice has resulted in (1) the resignation of the headteacher and appointment of a new headteacher with immediate increase in the school's capacity to improve and subsequent rise in standards of attainment and achievement (2) the resignation of the headteacher and appointment of an executive headteacher and a soft federation with a more successful school – leading to improved capacity to improve and a subsequent rise in standards of attainment and achievement.

2 Are there other methods of last resort for preventing a school from inexorable decline into special measures?

Yes

No

Comments:

- ~ Facilitation and brokerage of a 'school to school' partnership with a more successful school which has been funded by the LA and has resulted in increased capacity to improve, improvements in leadership and management and increases in attainment and achievement.
- ~ Additional challenge and support from a team of LA School Improvement Adviser, National Strategy Consultants and Associate Headteacher and/or Deputy Headteacher to improve leadership and management at senior and/or middle leader level (see attached flowcharts) – Appendix C.
- ~ The LA also has evidence that facilitation of 'School Improvement Partnerships' between approx 5 or 6 schools at whole-school level or in a core subject focussed on improving teaching and learning, leadership & management and raising attainment and achievement have made a significant impact on raising standards over the last 2 years in Nottinghamshire.

3 Is the definition of when schools can be warned:

a) sufficiently comprehensive?

b) sufficiently flexible?

Comments:

- 1 There is a need to clarify further the precise floor targets to be used at **primary level**. Is it the previous floor target of 65% level 4 and above in English **or** maths? Or the new floor target of 55% level 4 and above in English **and** maths.
- 2 The new legislation needs to clarify the definition of 'coasting' schools at primary and secondary.
- 3 The new legislation needs to make clear which floor targets are to be used at secondary level.

4 Do partners agree that it will be valuable to include progression rates in the definition? Should any other performance criteria be used?

Agree

Disagree

Not sure

Comments:

The use of progression rates in the definition will be useful, provided that clear guidance is provided on expected rates of progress for different levels of prior attainment.

5 Is there sufficient clarity and detail in the description of when the Secretary of State might consider using this new power – that is, when he believes that there is clear evidence of consistently “low” standards as set out in paragraph 1.25 above? How may this be amplified in statutory guidance?

Yes

No

Comments:

- The definition needs to include:-
 - ~ The number of years of 'low' attainment which will define 'consistent'
 - ~ The use of floor targets within the definition at primary and secondary levels
 - ~ Whether value added in line with expectations for similar pupils in schools in similar circumstances removes the need to issue a warning notice due to low attainment.

6 Do partners agree with the proposed timescales?

Yes

No

Comments:

7 Are there any other issues in relation to warning notices, special measures and intervention powers that we have not considered? Have you any further specific or general points that you wish to make about powers and practice in relation to schools causing concern?

Yes

No

Comments:

- ~ There are many cases where schools – Headteachers and Governing Bodies engage willingly with challenge and support from the LA without the need for the LA to propose the need for a formal warning. Where this is the case and appropriate progress is made by the school, a formal warning notice is unnecessary.

Thank you for taking the time to let us have your views. We do not intend to acknowledge individual responses unless you place an 'X' in the box below.

Please acknowledge this reply

Here at the Department for Children, Schools and Families we carry out our research on many different topics and consultations. As your views are valuable to us, would it be alright if we were to contact you again from time to time either for research or to send through consultation documents?

Yes

No

All UK national public consultations are required to conform to the following standards:

1. Consult widely throughout the process, allowing a minimum of 12 weeks for written consultation at least once during the development of the policy.
2. Be clear about what your proposals are, who may be affected, what questions are being asked and the timescale for responses.
3. Ensure that your consultation is clear, concise and widely accessible.
4. Give feedback regarding the responses received and how the consultation process influenced the policy.
5. Monitor your department's effectiveness at consultation, including through the use of a designated consultation co-ordinator.
6. Ensure your consultation follows better regulation best practice, including carrying out a Regulatory Impact Assessment if appropriate.

Further information on the Code of Practice can be accessed through the

Department for Business, Enterprise and Regulatory Reform Website:
<http://www.berr.gov.uk/files/file44364.pdf>

Phil Turner - DCSF consultation Coordinator 01928 794304

Thank you for taking time to respond to this consultation.

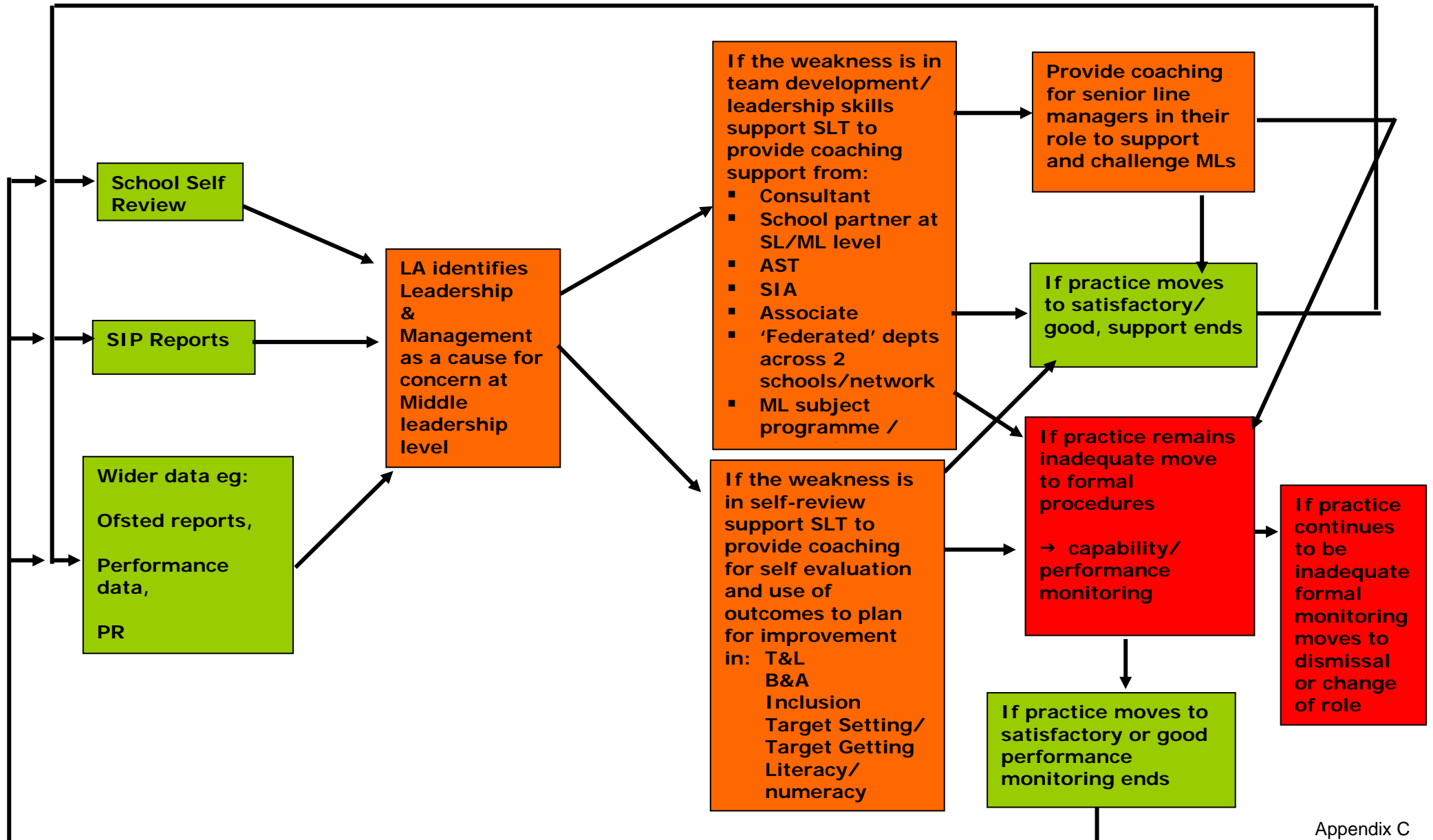
Completed questionnaires and other responses should be sent to the address shown below by 25 September 2008

Send by post to:
Claire Ivie
Schools Causing Concern/National Challenge
Department for Children Schools and Families
Sanctuary Buildings
Great Smith Street
London
SW1P 3BT

Send by e-mail to: scc.consultation@dcsf.gsi.gov.uk

Extract from Nottinghamshire LA Strategy for Support and Intervention in SCC

EARLY INTERVENTION TO SUPPORT/CHALLENGE WEAK MIDDLE LEADERSHIP IN SCHOOLS CAUSING CONCERN



EARLY INTERVENTION TO SUPPORT/CHALLENGE WEAK SENIOR LEADERSHIP IN SCHOOLS CAUSING CONCERN

