

21 May 2018**Agenda Item: 5****REPORT OF THE SERVICE DIRECTOR FOR EDUCATION, LEARNING AND
SKILLS****INTERIM STRUCTURE FOR THE SUPPORT TO SCHOOLS SERVICE (UNTIL
SUMMER 2019)****Purpose of the Report**

1. This report seeks approval of a temporary structure for the Support to Schools Service at group and team manager levels, attached as **Appendix 1**, pending a restructure by summer 2019. As senior officers have left and retired over the last six months, and as other expected vacancies are anticipated in the coming six months, it is necessary to ensure sufficient senior oversight of statutory responsibilities within a complex and changing educational landscape. This proposed interim structure does not seek to secure financial savings, as the service is primarily funded through the Dedicated Schools Grant and income from traded services.
2. The proposals for Members to consider are specifically informed by the recommendation arising from the Peer Review of the Virtual School (June 2017) in relation to the appointment of a Head of the Virtual School. In addition, the proposals provide an interim leadership position which acknowledges national education policy with respect to academisation and prepares for any recommendations arising from the high needs review. Specifically, the report seeks approval to:
 - disestablish 1 fte Team Manager post (Soulbury 21-24) within the Education Improvement Service
 - re-designate the remaining 1 fte Team Manager post (Soulbury 21-24) within Education Improvement to cover remaining statutory education responsibilities for maintained schools, including closing gaps for vulnerable groups
 - advertise and appoint to this reshaped 1 fte Education Team Manager post (Soulbury 21-24) internally on a permanent basis
 - establish a new statutory 0.5 fte post of Head of the Virtual School (Senior Educational Psychologist scale 9-12), appointed as an interim measure, pending confirmation of the final structure for this service
 - establish an interim 1 fte Group Manager post (pending Job Evaluation) to oversee school admissions, strategic school place planning and Fair Access (whilst the existing Group Manager takes responsibility for all remaining Education Improvement Services and statutory services for special educational needs and disabilities (SEND)).

Information

3. Nottinghamshire County Council continues to have a statutory duty to provide services related to school admissions, strategic school place planning and Fair Access, delivered through the Support to Schools Service. In addition, the Service also provides a number of SEND services, which include the Education Psychology Service, Schools and Families Specialist Services and support and advice for Looked after Children and Care Leavers.
4. Currently there are 212 maintained schools (31 March 2018) and as a result, the County Council continues to have statutory responsibilities related to any of these schools that are judged by Ofsted as Causing Concern. In addition, it is the Members' stated aim to enable all pupils to attend schools judged to be at least Good. As of February 2018, 7% of maintained schools (17) are judged as Requiring Improvement (RI) in Nottinghamshire and internal risk processes identify a further 40 schools at risk of being judged as RI or Causing Concern at their next Ofsted inspection. These schools access support from the Council's education improvement and governing body services as well as wider support and advice from other teams to ensure that they improve rapidly to good by the time of their next inspection. Over the coming five years, under current education legislation, it is likely that the number of maintained schools will continue to reduce as they join multi academy trusts. Most recently, however, the rate of academy conversions has slowed in Nottinghamshire.
5. It has also become apparent that since the dissolution of the SEND Policy and Provision Service and the creation of the Integrated Children's Disability Team, additional areas of leadership responsibility have been transferred to the Support to Schools Service without increasing leadership at group manager level. These areas of responsibility play a significant part in meeting the County Council's statutory duties for children and young people with SEND. In addition, the duties of the Virtual School will also be extended in September 2018 to include support and advice for care leavers as well as for looked after children. It is of note that the Children and Social Work Act 2017 Act requires the Virtual School to extend its remit to cover early years and Post 16.
6. Due to retirements and resignations at team manager level in admissions and education improvement, an opportunity has arisen to review the Support to Schools Service structure to improve staff deployment to areas of greatest demand. This will require increased capacity at group manager level to oversee strategic direction and leadership of education services, the closing the gap teams and SEND education services, primarily those that transferred from SEND Policy and Provision to the Support to Schools Service in 2016.
7. There is also an opportunity to increase leadership support and challenge for the Virtual School through the creation of a 0.5 full time equivalent post of Head of the Virtual School within the Education Psychology Service, supported by a full time Coordinator. These posts will fulfil the Council's statutory duty in terms of the educational provision for Looked After Children and Care Leavers. The post of Head of the Virtual School is a legal requirement which was previously fulfilled at team manager level within the Education Improvement Team. A dedicated post will strengthen the work of the Virtual School.

8. **Appendix 2** presents the current leadership and management structure of the Service which comprises 2 Team Managers and 6 Advisers. Whilst the number of maintained schools may be gradually reducing, it is the case that when any school is underperforming, this requires additional capacity from a large team of educational associates and in cases that are significantly complex, the Group Manager is required to work at operational level as well as maintaining the leadership responsibility across the services. Since 2015, the current Group Manager has been required to be a member of three interim executive boards (IEBs) where warning notices had been issued or the school placed in special measures until an academy solution could be found. This has resulted in a reduction of leadership at Group Manager level. During the initial months of any IEB, the Group Manager has had to commit up to 2½ days a week to address the immediate challenges in such schools causing concern. Therefore, the proposed appointment of an interim Group Manager is to secure sufficient senior leadership capacity to manage challenging circumstances that cannot always be predicted over the next 2-5 years as the sector led system builds its capacity to provide this level of expert leadership and support for school improvement.
9. The Support to Schools Service is responsible for a significant number of SEND services funded through the High Needs Block funding. This budget is facing unprecedented pressure due to increasing demand by both parents and schools to meet the needs of children and young people with SEND from a budget which is not increasing rapidly enough to meet known and projected demand. As a result, a High Needs Block funding review has been commissioned by the Council in partnership with the Schools Forum and this is due to report its findings and recommendations by the summer 2018. These findings will play a key role in shaping the proposed new structure of this service from September 2019 at the latest.
10. Also of note is that the duration of the IEBs appears to be a minimum of two terms and in some cases has extended to two years.
11. In summary therefore, these proposals, pending a full review of the structure for September 2019, are to:
- disestablish 1 fte Team Manager post (Soulbury 21-24) within the Education Improvement Service.
 - re-designate the remaining 1 fte Team Manager post (Soulbury 21-24) within Education Improvement to cover remaining statutory education responsibilities for maintained schools, including Closing the Gap
 - advertise and appoint to the reshaped 1 fte Education Team Manager post (Soulbury 21-24) internally on a permanent basis
 - establish a new statutory 0.5 fte post of Head of the Virtual School (Senior Educational Psychologist scale 9-12) appointed as an interim measure pending confirmation of the final structure for this service.
 - establish an interim additional 1 fte Group Manager post (pending Job Evaluation) to oversee school admissions, strategic school place planning and Fair Access (whilst the existing Group Manager takes responsibility for all remaining Education Improvement Services and statutory services for SEND).

Other Options Considered

12. No other options have been considered at this time pending the outcome of the high needs review and any internal review of statutory teams.

Reason/s for Recommendation/s

13. These recommendations are made in the context of a fast changing national educational policy, which focusses on sector led improvement and a continued reduction of Council support for school improvement. However, despite this policy, the Council retains statutory responsibility for approximately 212 schools and is statutorily required to provide external challenge and leadership in its schools causing concern. In addition, this Service leads on statutory services such as school admissions and strategic school place planning which are increasingly complex given the increasing number of 'own admission authorities' (academies).

Statutory and Policy Implications

14. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

15. This is an interim structure to address vacancies at Team Manager level and below. If all posts in the structure were filled there would be a net additional cost of £29,194, for the remainder of the year, when calculated at the top of the grade. This will be met by a projected in year underspend as a result of existing vacant posts pending the restructure in September 2019 when the structure will have been revised.

Human Resources Implications

16. The suggested resourcing solution of an interim structure is proportionate in relation to the current and ongoing challenges faced in the service and in accordance with the agreed employment policies and procedures of the Council.

RECOMMENDATION/S

- 1) That the following interim arrangements be approved, pending a fuller structure review by September 2019:

- disestablish 1 fte Team Manager post (Soulbury 21-24) within the Education Improvement Service
- re-designate the remaining 1 fte Team Manager post (Soulbury 21-24) within Education Improvement to cover remaining statutory education responsibilities for maintained schools, including Closing the Gap
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- establish an interim additional 1 fte Group Manager post (pending Job Evaluation) to oversee school admissions, strategic school place planning and Fair Access (whilst the existing Group Manager takes responsibility for all remaining Education Improvement Services and statutory services for special educational needs and disabilities).

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Constitutional Comments (LM 18/04/18)

17. The Children and Young People's Committee is the appropriate body to consider the contents of this report.

Financial Comments (SAS 09/05/18)

18. The financial implications of the report are contained within paragraph 15 above.

HR Comments (GME 13/04/18)

19. Detailed discussions between the report author and the HR Group Manager have taken place to determine the most cost effective way to deal with a number of capacity issues and to identify opportunities for future succession planning as part of a revised interim structure.
20. Appointment to the newly created roles will be in accordance with the agreed employment policies and procedures of the Council.

Background Papers and Published Documents

None.

Electoral Division(s) and Member(s) Affected

All.

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