

Ward Hadaway – Lawyers for Education

Insight: Education

Your monthly education sector news roundup

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Welcome

Welcome to the January edition of our monthly newsletter for those working in the education sector. We hope you will find this a useful summary of latest developments in schools, further and higher education and the training and apprenticeships arena. If you have any comments on the format or want more detail about a particular subject, [please do not hesitate to contact any of us](#).

Damian Hinds appointed as new Education Secretary

Justine Greening has resigned from the Government after being transferred from her position as Secretary of State for the Department for Education after Theresa May's cabinet reshuffle. She was reportedly offered the position of Secretary of State for the Department for Work and Pensions but instead made the decision to resign. Subsequently, she has been replaced by Damian Hinds, a former Department for Work and Pensions minister.

This means it is doubtful that Greening's proposed education plan, "unlocking talent, and fulfilling potential", which focused on the goal of ensuring opportunity is equal and available to all young people, will come to fruition although we will have to wait and see what Mr Hinds has in mind for ongoing education policy.

Furthermore, the world of higher education has also been shaken up with Jo Johnson being replaced by Sam Gyimah as Universities Minister.

Geoff Barton leader of the Head Teachers' Union has expressed his disappointment at the news and commended Ms Greening's efforts for making a solid effort to tackle the school funding crisis. It will be up to Damian Hinds to attempt to reconcile funding problems and pick up where Greening has left off.

Melissa Benn one of the founders of the Local Schools Network has said this is bad news for education. Justine Greening had brought a breath of fresh air to the Department for Education after a string of failed education initiatives.

What is potentially promising for sceptics like Benn is that Greening has stated her intention to continue to work outside the Government to create equality of opportunity for young people, as she stated in her resignation statement: "Social mobility matters to me and our country more than a ministerial career".

Who is Damian Hinds?

Prior to accepting his new job as Secretary of State for Education, Damian Hinds was previously Exchequer Secretary to the Treasury (2015 – 2016) and then Minister of State for Employment (2016 – 2018).

As of yet, there have only been whispers and predictions about Mr Hinds' likely focuses as he begins pushing his policy. However, he has strong links to the Catholic Church and was very critical of the 50 percent cap on faith-based admissions to free schools, calling for it to be scrapped.

Furthermore, it is no secret that Mr Hinds is a supporter of more selective education – himself having successfully come through the grammar school system. It is thought that he may attempt to push grammar school expansion through Parliament, although it is unlikely that any attempts will make it through because of the opposition due to its general unpopularity with other members of Parliament.

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First Ofsted annual report from new Chief Inspector

Amanda Spielman has launched her first Ofsted Annual Report, within which she emphasised the high quality of education that young people in England receive - something that is often forgotten amongst all the bad news we hear. Likewise, she went on to say that 94% of early years providers, 90% of primary schools and 79% of secondary schools are now rated good or outstanding.

Despite this, she highlighted that there are now areas where under-performance has been persistent in education, including a small group of 130 schools where under-performance has been present for up to a decade. The majority of these schools have high proportions of students from deprived areas and have received considerable intervention and investment from external agencies; however none of this has appeared to help. She made note that the further education (FE) sector continues to lag behind other areas of education and there has been a further 2 percentage point decline in the number of good and outstanding FE colleges and a drop of 8 percentage points for sixth forms.

Ms Spielman also revealed that around 1,200 schools closed this year, the majority of which reopened as academies. Further, nine in ten academies now join multi-academy trusts from the outset. However, she went on to explain that there are problems in capacity – the best school leaders and academy trusts are spread too thinly and they cannot reach those who are really in need to provide the necessary support.

There is some more positive feedback with regard to apprenticeships; the levy imposed on employers who pay over £3 million in annual pay bills is raising a substantial amount to fund training. Spielman did issue a word of warning over this stating that there needs to be a widespread effort to ensure there are no 'cowboy operators', to guarantee high quality learning across the apprenticeship sector.

She finished by concluding that Ofsted continues to act as a force for improvement and there will be a greater focus on catching areas before they fall. The collective mission of all of those bodies and people involved in education and care should be to create a society in which every young person can achieve their full potential.

Access to the best secondary schools in the North of England at its worst

A recent report by the Education Policy Institute has found that access to the best secondary schools in England has not improved since 2010 and has in fact become more geographically unequal.

This is emphasised by the acute shortage of high-quality secondary places in the North where certain areas have consistently low densities of high-performing schools such as Blackpool, Barnsley, Redcar and Cleveland, Knowsley and Middlesbrough. There has been no improvement in these areas since 2010, with the figure for pupils with access to places falling from 6 to 5 per cent in the past five years. The statistics are even worse for the North East, with some parents in Newcastle upon Tyne localities having no access at all to high performing secondary schools to send their children to.

It would appear that there have not been any attempts to remedy this ongoing problem either. Former Schools minister David Laws said it was shocking that access to high-quality secondary school places in England had become more unequal. It is absolutely necessary that the Government begins to make some attempt to remedy this problem and spread opportunity across the country.

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Council considers establishing its own Multi-Academy Trust to help struggling schools

Northumberland County Council is considering establishing its own Academy trust to help address the problems in some of its schools. The council is considering a 'spin off' trust to establish a MAT. This would begin with a pilot involving a small group of 'good' and 'outstanding' schools before taking on those schools which are struggling.

Northumberland is not the first to consider this option. Camden Council has previously taken the first steps towards becoming an academy sponsor although this did not come to fruition. Meanwhile, Essex County Council applied to set up its own MAT in September; if approved, it will be the first spin-off academy trust.

The Council has begun to consider this as a legitimate and credible option due to the failure of Bright Tribe, a MAT who failed to successfully take over Haydon Bridge High School, despite being given £1 million by the Government to take over failing schools in the North East. The school has been in special measures since 2015, however, Bright Tribe have claimed that when they looked at the school's existing financial deficit and falling pupil numbers, the school was held by them to no longer be viable long-term and it posed "too much of a risk" to the trust's other schools.

New iGCSE has been criticised for side-stepping the Government's "two religions" rule

The new iGCSE, being offered by Pearson, which allows students to learn just one religion has received criticism due to it contravening government requirements introduced in 2016 which require any religious studies GCSE to include the teaching of two religions. Pearson stated that while they bore the Department for Education's requirements in mind in the formulation of the iGCSE, they had to ensure that the content was appropriate for schools worldwide.

The mono-faith iGCSE has increased in popularity by 40% in the last year with pupil entries expanding from 436 to 608 pupils from 2015 to 2016.

Spencer Lewis the head teacher of Yavneh College, a Jewish faith academy which has adopted the iGCSE over the ordinary GCSE across the academy, said he felt the iGCSE was "an appropriate course that will interest and challenge pupils".

Geoff Barton, the general secretary of Schools and College Leaders said he felt this iGCSE is "at odds with us as a society" in multicultural, 21st century England.

Need to know – your policy and guidance quick read

[Government guidance on the English Baccalaureate \(EBacc\)](#)

The Government has issued guidance on changes to the EBacc attainment measure. The attainment measure will change to a school's EBacc average score point score for the results of exams taken in 2018 onwards.

[New universities regulator comes into force](#)

The Office for Students has legally come into force to champion the interests of students, promote choice and help to ensure that students are receiving the best deal for their investment in higher education. The Board has 15 members which reflect the diverse need of the Higher Education sector while also representing the interests of both employers and students.

[Analysis of Ofsted outcomes for sponsored academies since 2010](#)

The DfE has provided a comparative analysis of Ofsted ratings for local authority schools and sponsored academies since 2010.

[DfE provides guidance on recruiting a head teacher](#)

In December, the DfE has produced a guide to help governors and trustees make effective decisions when recruiting and selecting head teachers as well as other school leaders. The DfE recognises what a difficult and complex task choosing leadership roles can be, the guide focuses on recognising good practice and also the need for fairness and transparency.

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Meet the team

Meet the Education Team

As the evolving educational landscape continues to open up new opportunities and present challenges, you need to be confident that you are getting the right legal advice, at the right time and, of course, at the right price. Ward Hadaway's Education Team is recognised as a leading national player. Our friendly, commercial and pragmatic approach allows you to be reassured that you are in safe hands.

Whether you are a maintained school, academy, multi academy trust, free school, studio school or UTC, our team have an in-depth, up-to-date knowledge of the sector, making us ideally placed to offer the best possible advice to all those involved in the delivery of educational excellence for pupils, students and their communities. [Click here](#) to read about how we can work with you.

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