

Ward Hadaway – Lawyers for Education

Insight: Education

Your monthly education sector news roundup

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Welcome

Welcome to the August edition of our 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](#).

The public accounts committee begin to look at Ofsted

So what's happening?

Currently approximately 21,500 state funded schools in England are subject to inspection by Ofsted and, in the year 2017-18, its inspections cost the tax payer £44 million. In light of the ever increasing role that it plays in determining the status of a school, the National Audit Office (NAO) has undertaken a review into the effectiveness of the body and whether it offers adequate value for money to the taxpayer. In May the NAO published its report and subsequently the Parliamentary Public Accounts Committee, whose role it is to oversee public spending, called their own hearing to discuss the outcomes of the report.

What the NAO had to say

The NAO found that, although Ofsted provides a valuable independent mechanism to provide assurance about schools' effectiveness, it does face significant challenges which have increased in recent years given that its budget has been reduced and it struggles to employ sufficiently trained staff to be inspectors.

However, the report also stated that there is a lack of information regarding the impact and the efficiency of Ofsted and, because of these two fundamental factors, the NAO could not effectively assess whether Ofsted provided value for money to the taxpayer. The NAO went further and found that the body did not have sufficient evidence to say that its inspections were raising the standards of education in schools. In its concluding remarks the NAO explained that until Ofsted is better able to assess its impact, it is incapable of being satisfied that Ofsted provides value for money to the taxpayer.

The report did provide some guidance in recommending that the Department for Education should more clearly articulate Ofsted's role and explain how it fits in with the other bodies which monitor education and schools.

The Public Accounts Committee

The Chair of the Committee Meg Hillier MP commented that "Ofsted plays a crucial role in ensuring pupils receive high quality education", in light of this it was important to follow the report's recommendations and determine how Ofsted's role can be more clearly articulated and how it can better evaluate its own impact.

The Committee's inquiry is still ongoing; they are currently taking evidence from members from the Department for Education, Ofsted and also from various unions including the National Education Union.

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Maths on the Mersey: New school to open in 2020

A new school dedicated to maths is set to open in Liverpool in 2020. The University of Liverpool Mathematics College will become the third of its kind and the first in the North when it opens its doors following in the footsteps of King's College London Mathematics School and Exeter Mathematics School.

The College will work in partnership with local schools to raise aspirations and attainment levels in mathematics across the North West, providing a professional development programme for maths teachers throughout the region.

In the Chancellor's November 2017 budget, he promised new and existing maths schools an extra £350,000 annually as part of a move aimed at encouraging such institutions to be established. Members of the Government and the Department for Education are hopeful that this fund will attract top universities in England to open these specialist 16-19 maths schools to enable more young people to learn from the best mathematicians in the country.

These specialist schools will also help to provide a mechanism to help recruit students from disadvantaged backgrounds who had not previously had the opportunity to fulfil their potential in mathematics. Schools will receive additional funding to support significant outreach work to support disadvantaged students.

Commentary

Commenting on the news, Lord Agnew, Minister for the School System, who has been very supportive of the initiative since its inception, has hailed this announcement as a great success stating:

"I am pleased that the University of Liverpool has risen to the challenge to give the mathematicians of tomorrow an opportunity to take their talents to the next level".

While Liz Truss, the Chief Secretary supported this explaining how important maths is in our economy as studying maths to A level and beyond could add 10 per cent on to future earnings of students, giving them more money and increased opportunities.

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New report finds Inequality in schools will be the highest ever, despite Government reforms

A report published at the beginning of July entitled "[Hierarchy, Markets and Networks](#)" has found that reforms being made by the Department for Education are having a negative effect on equality in schools.

The report

The report looked at 47 schools from 2014 to 2017 to analyse the impact that the 'self-improving school-led system' has had on schools. This was the policy agenda introduced by the coalition Government in 2010 which sought to make schools more autonomous and accountable for their own improvement with a 'roll back' from the state. The report also analysed how well Multi-Academy Trusts are functioning, it looked at 10 years of Ofsted results and surveyed almost 700 school leaders.

The report found that those schools with a 'Good' or 'Outstanding' Ofsted rating had a reduction in the number of pupils there that were eligible for free school meals between 2010 and 2015. In the same period, those schools rated 'Satisfactory', 'Requires improvement' and 'Inadequate' saw a relative increase. Ultimately higher achieving schools were found to be accepting fewer pupils from disadvantaged backgrounds.

"We see a system of winners and losers".

The report found that existing inequalities are being widened further as each academic year passes. Better performing schools with higher statuses are benefiting from Government policies and initiatives, whilst poorer performing schools still face challenges including undersubscription and the fact that they have a disproportionate number of disadvantaged pupils. A consistent theme in both the surveys and one of the final conclusions from one of the report's authors was that at present "we see a system of winners and losers".

Furthermore, the report put forwards the view that the coalition's school led improvement system is encouraging selfish behaviour because of the risk of a drop in exam score or Ofsted ratings and the consequences that either of these bring. Among those surveyed, there was a prevailing view that the school system has become increasingly incoherent since 2010. The report did explain that this can probably be best explained by the myriad of different education systems in place across England, rather than having one centralised and regulated system, everything is different which can make it difficult to follow.

School exclusions rise for a third year in a row

The Department for Education has released its figures for the levels of permanent and fixed-period exclusions for schools in England which show that the proportion of pupils permanently excluded from schools has risen for the third year in a row.

In particular, the figures show that in the year 2016-17, 0.1 per cent of all pupils were excluded compared to 0.08 per cent in 2015-16 and that overall 7,720 pupils were permanently excluded last year while 381,865 pupils were temporarily suspended.

The figures detail the number of pupils both permanently excluded and suspended from public authority run primary and secondary schools as well as from academies and special schools.

As regards the reasoning behind the exclusions, the most common justification in standard schools was "persistent disruptive behaviour" while "physical assault against an adult" was most prevalent in special schools. However, commenting on this noticeable increase, as well as the supposed justifications for the exclusions, one head teacher explained that:

"the persistent disruption category has become a 'get-out-of-jail free card' for some heads. You can use that persistent disruptive behaviour reason for a multitude of things. It often hides special educational needs...

This in turn means those pupils are more likely to be permanently excluded further down the line. It's a vicious cycle."

Consequently, the Department for Education published a consultation seeking views on school exclusion practices in England exploring how head teachers use exclusion in practice, and why some groups of pupils are more likely to be excluded. It is expected that the consultations findings will be published by the end of 2018.

Need to know – your policy and guidance quick read

New school proposals

The Department for Education has published a list of all local authorities seeking academy and free school proposers including the name of the local authority, the location of the new school, the phase of education, the capacity of the school and the closing date. The Guidance also includes a list of approved new academies and also those under consideration.

School capital funding allocations

This provides information on school condition allocations and devolved formula capital allocations up to 2019, including the health pupils capital funding for 2018 to 2019. Furthermore, it details the amount of funding for local authority maintained schools, local voluntary aided schools, academies, sixth-form colleges and special schools.

Adoption Support Fund

The Department for Education has released this guidance which provides direction to local authorities and regional adoption agencies in relation to applications for specific adoption funding. The funding allows both authorities and agencies to pay for essential therapeutic services for eligible adoptive and special guardianship order families.

Data protection: privacy notice model documents

The Department for Education has produced model documents for privacy notices for schools and local authorities to issue to staff, parents and pupils about the collection of data.

Government to fund teacher pay rise

The Department for Education has confirmed an investment of £508m to fully fund a deal under which classroom teachers' pay will increase by 3.5%. Schools will continue to determine how their staff are paid; however the new teachers' pay grant could mean that teachers receive a boost of between £1,184 and £1,366 to their salary.

Green Paper focusses on "Transforming children and young people's mental health provision"

A Green Paper has been published following the Government's consultation on "Transforming children and young people's mental health provision". The paper clarifies the Government's three core proposals:

- » To incentivise and support all schools and colleges to identify and train a Designated Senior Lead for mental health;
- » To fund new Mental Health Support Teams, which will be supervised by NHS children and young people's mental health staff; and
- » To pilot a four week waiting time for access to specialist NHS children and young people's mental health services.

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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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