

Ward Hadaway – Lawyers for Education

Insight: Education

Your monthly education sector news roundup

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Welcome

Welcome to the November 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](#).

North East recognised as an Opportunity Area

In October, Damian Hinds, Secretary of State for Education, announced that the North East of England is to be recognised as an Opportunity Area. This multi-million pound Government investment seeks to improve opportunities and job prospects for young people in the region and also boost social mobility as well as raise aspirations of children in the North East. He has pledged £24m to meet these objectives and prevent the area feeling "left behind".

Hinds warned that too many young people in the region are "missing out", the North East has one of the highest proportions of young people not in education, employment or training after Year 11 and secondary school performance in the area is significantly below other regions.

Opportunity North East will target these issues by implementing the following investments:

- » £12m investment in targeted approaches to improve primary to secondary school transition, particularly at secondary level and improve outcomes for pupils post-16;
- » Working in partnership with secondary schools and colleges to encourage young people to consider university, degree apprenticeships and other high quality technical education options;
- » Partnering with local businesses to improve job prospects for young people across the region;
- » Investing a further £12m to boost early career training for new teachers and help improve the quality of teaching and raise school standards in the region; and
- » Working with Teach First to increase the number of teachers recruited in the region from 60 last year to 80. The organisation will work with 10 schools to help develop specialist career leaders.

Opinion

The Education Secretary along with his fellow ministers have faced increasing pressure to extend the social mobility programme to the North East since it was first announced in 2016 so the inclusion has been met with much enthusiasm. Nadhim Zahawi, children's minister explained what a great initiative this is to help "foster ambition in the area", and that it can "help raise the aspirations and opportunities for children and young people".

Independent analysis conducted by the National Foundation for Educational Research revealed that the programme "is starting to develop a lasting legacy" of positive collaboration in the areas where funding has been invested. Mr Zahawi said that during his visits to the other Opportunity Areas he saw "passion and commitment of those involved". This passion and enthusiasm it is hoped will extend to the North East and will result in real changes and improvements for children in the region.

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Ofsted announces its inspection focus will shift away from the classroom

Amanda Spielman, Chief Inspector of Ofsted, recently announced that the emphasis of school inspections will begin to move "up the management structure", shifting the focus away from the classroom teacher at the end of the "management line", and instead puts more on to those in senior and middle leadership roles who are responsible for curriculum decisions.

Whilst Spielman said she was not pledging this shift in absolute terms, going forward, she will be influencing inspectors to spend less time in the classroom and, that "the overall weight should feel like it shifts up the management chain a bit". Lesson observations will still continue but inspections should become more of a two strand process. Spielman as well as education professionals hope that this shift will encourage the inspection process to be more of a conversation about what is actually happening in a school, providing inspectors with a clearer picture about the everyday practices within schools.

The chief inspector also explained that the focus of Ofsted inspections and evaluations will be moved away from pupil outcomes, which is currently a large focus for inspectors. The current procedure, critics have argued, puts too much emphasis on exam results to reach an evaluation on a school's performance. Instead a broader "quality of education" judgment will be put in place with the aim to focus more on the curriculum in place at a school.

Many school leaders and teachers have previously explained that the focus on exam results and pure performance data places an extra burden on school staff before and during an inspection. Spielman said she hoped that this shift in focus would go towards helping to tackle excessive workloads for teachers, particularly in the run up to an inspection.

Spielman went further and explained the new inspection regime would reward schools that offer a broad range of subjects and would challenge those where too much time is spent on preparation for tests rather than actual teaching and where choices for children are narrowed and pupils are pushed into less rigorous qualifications to boost league-table positions.

General Secretary of the NASUWT Union, Chris Keates, welcomed the change in emphasis and greater freedom to innovate. She explained that the current focus on pure "data collection" was one of the "biggest contributors" to excessive workload. In discussing the planned shift in focus she said:

"If implemented effectively, [we] would expect these reforms to help address the problem of excessive bureaucracy which is diverting teachers from focusing on teaching and learning".

Children's authors including Frank Cottrell Boyce and Piers Torday have also hailed the plan to move the focus to a broader range of education. Torday explained he was "so glad to hear" about this shift in focus, he went further, "teachers should be given the time and space to let their students play, explore and fail with words".

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Private companies being hired by schools to teach speedy GCSE equivalents

Private companies are offering schools competitive deals to teach GCSE equivalents, taught at speedy rates. One of the companies, iAchieve, currently has 330 schools paying for online courses which cover NCFE Level 2 in business and enterprise, food and cookery, health and fitness, engineering studies and child development, according to its chief executive Jonathan Ovenden.

The Chief Executive of the company explained that vocational qualifications have been denigrated since Michael Gove's tenure as Education Secretary and many schools now lack the confidence to offer them. As a result companies like iAchieve offering vocational equivalent courses have seen a rise in popularity.

Another company, PET-Xi, is offering schools an £800-per-pupil deal where external staff are brought in to teach pupils in Year 11 a GCSE-equivalent qualification in just two weeks. The company has written to school heads advertising its business and enterprise qualification, claiming it counts in the "third bucket" of progress measures, assuring teachers it is "approved for 2019 performance tables". iAchieve boasts similar claims stating the firm can "maximise group 3 progress". However, other testimonials which claimed that pass rates shot up for all schools involved have been removed from their website after questions were raised.

School and education experts have highlighted their concerns with the delivery of these courses. They were clear in explaining that it is not unusual or wrong for companies to help schools deliver vocational qualifications, particularly in times of recruitment issues. However, the enlisting of external staff and the speed of delivery of the courses was found to be unusual. Core teaching was in some instances delivered over a two week period which was found by the experts to be "almost impossible".

Concerns about these courses have been raised after Ofsted inspectors were alarmed at those pupils achieving higher results in bucket 3 qualifications rather than in 'core' subjects. The Government has already removed a vocational qualification, the European Computer Driving Licence, from bucket 3 after it was revealed that the course could be taught by schools in just three days.

Despite the concerns, PET-Xi states that these courses complement the work done in schools and it can help ease the burden on pupils who are not necessarily suited to completely traditional GCSE qualifications. An Academy in Essex was quoted for moving from the PE GCSE to the iAchieve health and fitness certificate, reportedly achieving a 97 per cent pass rate. A spokesperson from the Trust said he felt the qualifications are challenging and help to engage pupils and the head of PE said they made the switch because they felt it was "less practically demanding" and was more suited to their pupils.

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New initiative to ensure all children will leave primary school able to swim

The Department for Education has launched a new drive to increase the number of children that are able to swim when they leave primary school. Damian Hinds revealed that fewer than half of all British children are able to swim 25 meters by the time they leave primary school at age 11, even though swimming lessons are a compulsory part of the national curriculum. He went further and explained that he is personally determined to tackle this issue, to make sure children grow up safe and water confident.

The Department for Education, working in partnership with Swim England and the Department for Digital, Culture, Media and Sport, have announced extra help for schools to make sure every child knows how to swim and be safe in and around the water, supported by a £320m PE and Sport Premium. The extra support will go towards supporting the government's sport strategy 'Sporting Future', as well as the Government's commitment to tackle childhood obesity.

The funding will go towards:

- » More swimming lessons, including extra lessons for those children who have not yet met the national curriculum expectations;
- » Extra training for teachers on water safety and swimming techniques through Swim England courses;
- » Extra guidance, provided by Swim England to help schools deliver safe, fun and effective swimming lessons; and
- » A drive to boost partnerships with independent schools to offer the use of facilities, coaching and other forms of support to schools in their area.

This announcement follows a Government-backed review of swimming and water safety in primary schools which found a lack of consistency in the standard of swimming in children across England. The announcement has been met with widespread support, highlighting the vital importance of this issue. Children and Families Minister Nadhim Zahawi as well as Sports Minister Tracey Crouch have both spoken about how important it is and also about the physical and mental benefits of swimming for children.

Steve Parry, Olympic bronze medallist who was the Chair of the Swimming and Water Safety Review Group was pleased about the Government's initiative to tackle the issue, he expressed how important it is and explained:

"It's great to hear that the Government is raising awareness of the issue and pledging its support. We want everyone – schools, parents, lesson providers, decision-makers – to do likewise and pledge support to schools to achieve our joint vision of every child having full knowledge about water safety and learning how to swim by the time they leave primary school".

Need to know – your policy and guidance quick read

What academies, free schools and colleges should publish online

The Department for Education has published its guidance in relation to what academies, free schools and colleges must publish online. The guidance gives an overview of the information the Department recommends these schools publish on their websites, which includes school details, admissions details, performance tables and curriculum.

What maintained schools must publish online

The Department for Education has also published the same guidance as above but for maintained schools. Every local-authority-maintained school must publish the specific information detailed on its website to comply with The School Information (England) (Amendment) Regulations 2012 and 2016 as well as other relevant legislation.

Making significant changes to an existing academy

The Department for Education has produced both guidance and application forms for academies wishing to make major changes to their school. This includes expanding, merging with other academies, changing the age range of the school or the school's faith. The guidance document sets out the process academies will need to follow and explains which application form you should complete.

Secondary school performance tables in England: 2018

Provisional performance tables have been published by the Department for Education relating to the achievements of pupils at Key Stage 4 and how they compare with other schools in their local authority area and in England. As well as attainment results, the tables also detail the progress made by pupils between the end of primary school and the end of secondary school and data on the performance of disadvantaged pupils.

Secondary accountability measures

This guidance provides information to schools relating to secondary school accountability measures, including Progress 8 and Attainment 8. The guidance explains how secondary accountability measures have been calculated in 2017.

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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.

Your key contacts



Tim Care
Partner | Public Sector & Academies
E: tim.care@wardhadaway.com
T: 0191 204 4224



Graham Vials
Partner | Employment
E: graham.vials@wardhadaway.com
T: 0191 204 4383



Frank Suttie
Partner | Commercial
E: frank.suttie@wardhadaway.com
T: 0113 205 6783



Fiona Wharton
Partner | Head of Charities
E: fiona.wharton@wardhadaway.com
T: 0191 204 4219



Paul Scope
Partner | Employment
E: paul.scope@wardhadaway.com
T: 0191 204 4352



Christopher Bowen
Solicitor | Public Sector
E: christopher.bowen@wardhadaway.com
T: 0191 204 4282