

14 September 2021

Walsall Schools Overview Report

Ward(s): All

Portfolios: Councillor Towe

1. Aim

This report will give an overview of the schools in Walsall and the quality of provision. It will identify current capital plans to improve and extend the school estate.

This report will give an overview of roles and responsibilities of the Access and Inclusion teams, and the services available to schools from these teams.

This report is also a covering report for a presentation which will be delivered to members during the Committee meeting. The presentation is attached as Appendix 1. The presentation will highlight the demographics of Walsall's child population and some of its key challenges and the Ofsted performance of schools within Walsall.

2. Recommendations

The committee note the Ofsted outcomes of Walsall's School and scrutiny considers the contents of this report and decides whether there should be further information or action.

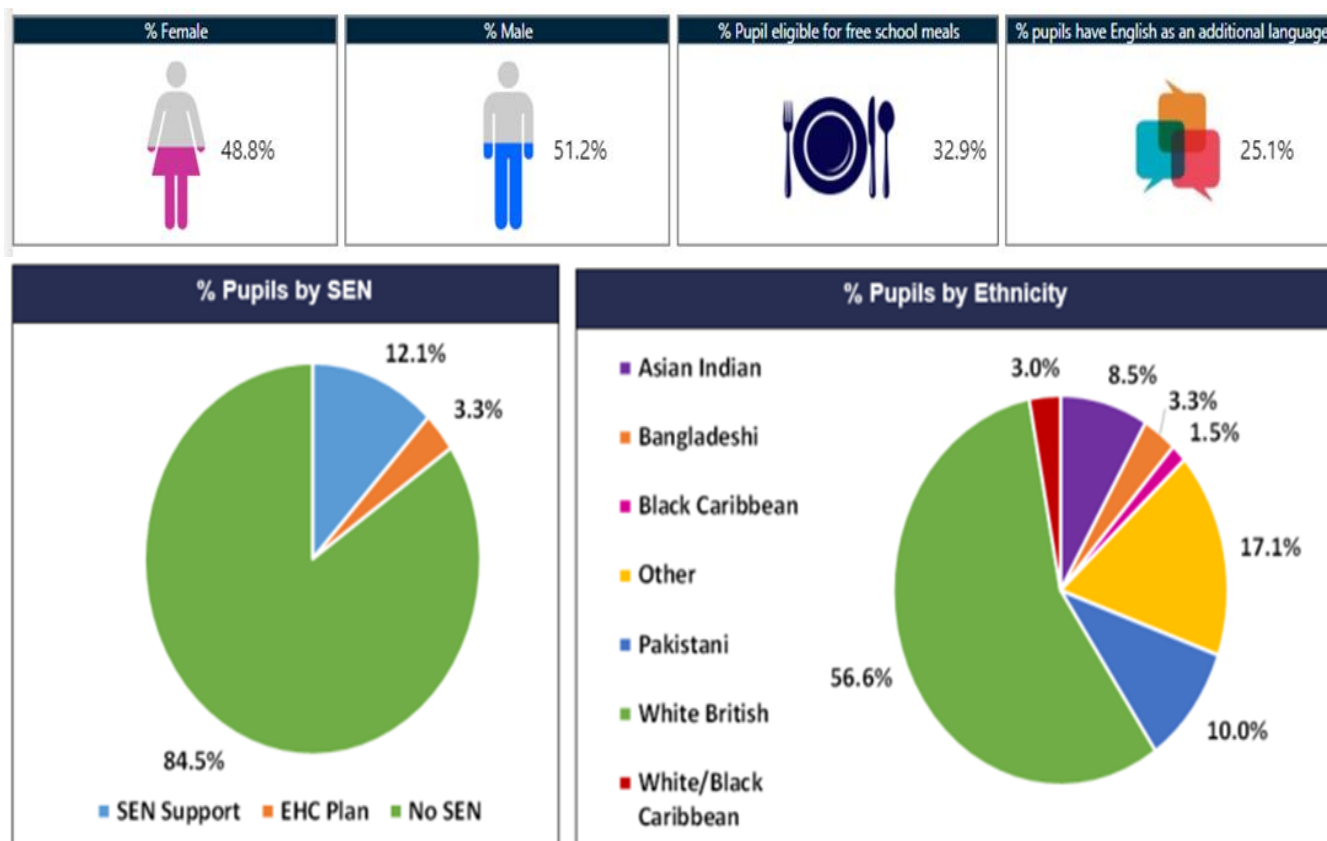
3. Report detail – know

Pupil Population:

Walsall has a very diverse population with a rich mix of communities. However, some of our pupils have very low starting points and are deemed vulnerable and disadvantaged due to living poverty and or being in receipt of free school meals.

53,104 pupils were on roll in Walsall at the time of collecting the Spring 2021 school census. The following contextual groups were determined using this data.

(The following data has been taken from the spring 2021 schools census. Please note, this data excludes the college and independent schools).



Schools and settings overview:

Walsall is a smaller than average local authority with 129 schools and one college. There are different types of school in Walsall.

Local Authority (LA) maintained schools, sometimes referred to as community schools, are state funded and receive their funding through the LA.

Academies receive funding directly from the Government and they are run by an academy trust. They have more control over how they do things than community Schools. Academies do not charge fees. Academies are inspected by Ofsted. They have to follow the same rules on admissions, special educational needs and exclusions as other state schools and students sit the same exams.

Academies have more control over how they do things, for example, they do not have to follow the national curriculum and can set their own term times. Some schools choose to become academies. If a school funded by the local authority is judged as 'inadequate' by Ofsted then it will receive an academy order.

Private schools (also known as 'independent schools') charge fees to attend instead of being funded by the government. Pupils do not have to follow the national curriculum

Of the 130 settings in Walsall:

7 Special Schools	8 Nursery Schools	85 Primary Schools	18 Secondary Schools
1 All through School	3 Pupil Referral Units	1 College	7 Independent Schools

- 7 are special schools that provide education for children and young people with a wide range of additional needs, one of which is an academy,
- 8 nursery schools,
- 85 primary schools made up of 66 local authority maintained and 19 academies,
- 18 secondary schools of which two LA maintained and 16 academies, two of which are selective grammar schools,
- One all through (both primary and secondary) school academy that provides education for ages 3-19,
- Three pupil referral units (PRU), one being a medical PRU,
- One college - Walsall has a large FE College that caters for around 14,000 post-16 students who study vocational technical qualifications, apprenticeships and higher education programmes each year,
- 7 independent schools.

School Improvement and Ofsted Outcomes:

The Local Authority adheres to the statutory guidance for local authorities given by the Department for Education, on behalf of the Secretary of State. Section 72 of the Education and Inspections Act 2006 places a statutory duty on all local authorities in England, in exercising their functions in respect of maintained schools causing concern, to have regard to any guidance given from time to time, by the Secretary of State.

A local authority must exercise its education functions with a view to promoting high standards.

Beyond this statutory guidance, local authorities have considerable freedom as to how they deliver their statutory responsibilities. Local authorities should act as champions of high standards of education across their schools, and in doing so should:

- Understand the performance of maintained schools in their area, using data as a starting point to identify any that are underperforming, while working with them to explore ways to support progress;
- Work closely with the relevant Regional School Commissioner (RSC), diocese and other local partners to ensure schools receive the support they need to improve;
- Where underperformance has been recognised in a maintained school, proactively work with the relevant RSC, combining local and regional expertise to ensure the right approach, including sending warning notices and using intervention powers where this will improve leadership and standards; and
- Encourage good and outstanding maintained schools to take responsibility for their own improvement; support other schools; and enable other schools to access the support they need to improve.

Local authorities should focus their activity on the schools they maintain rather than academies, which are accountable to the Secretary of State. However, should a local authority have any concerns about an academy's standards, leadership or governance, they should raise these directly with the relevant RSC.

Councils will be expected to take action if there are concerns about the performance of any school in their area, and use their intervention powers to act early and effectively to secure improvement in maintained schools. Additionally, these protocols recognise the statutory duties that Children's Services have to safeguard and promote the welfare of children.

We maintain a list of Schools Causing Concern (SCC).

There are two potential Ofsted judgements that are less than good (requires improvement and inadequate). Schools that are less than good will automatically be placed on the SCC register at the appropriate level.

However, there will be other occasions where schools may be placed on the SCC register; for example, when the Local Authority has strong grounds to believe a school is no longer providing a good education for pupils or there are specific issues e.g. safeguarding, concerns about the attainment or progress of vulnerable groups. If schools are placed on the SCC register for reasons other than an Ofsted inspection judgement of less than good or failure to meet floor standards, inclusion on the Local Authority's SCC register remains confidential to the schools involved, unless that school is issued with a Formal Warning Notice.

In maintained schools where a school has failed to make satisfactory progress, or the Local Authority has serious concerns in line with the statutory guidance it can issue a Formal Warning Notice. A Formal Warning Notice can be issued where the Local Authority deems, from its evidence that one or more of the following apply:

- the standards of performance of pupils at the school are unacceptably low and are likely to remain so unless the Authority exercises their powers under Part 4 of the 2006 Act;
- there has been a serious breakdown in the way a school is managed or governed that is prejudicing, or likely to prejudice, such standards of performance;
- the safety of pupils or staff at the school is threatened (whether by a breakdown of discipline or otherwise).

A Warning Notice would normally only be issued after the concerns had been fully discussed with the Governing Body, Head Teacher and, if appropriate the diocesan or foundation authorities and the concerns had not been addressed.

As the accountable body for all maintained schools, we monitor, support and challenge each individual school according to our Schools Causing Concern protocol. We have an open and transparent system of operation with all schools and academies and communicate with them on an annual basis regarding our criteria for our support and intervention.

All of our schools and academies are categorised using a Red, Amber and Green (RAG) rated system according to the hard and soft data we hold. Our Schools Causing Concern matrix, which we use for our categorisation process is extensive and ensures pupil outcomes, safeguarding and support for our most disadvantaged and vulnerable learners is at the heart of our process. Our matrix takes into account governance arrangements, finance, attendance and a whole host of other key factors, which contribute to the effective leadership of a school.

Our monitoring, support and challenge of schools is proportional to the categorisation of each individual setting. A school categorised as RED would receive intensive support and challenge compared to that of AMBER and GREEN schools. Our school improvement consultants have continued to support all maintained settings throughout the pandemic. This has mainly been via remote working however, they have now returned to face to face visits.

The table below shows the current SCC rag ratings for our schools. These are currently being reviewed and updated for 2021/22 and a letter will be sent to all schools in September informing them of the categorisation.

SCC categorisation by Phase						
			Amber		Red	
	18/19	19/20	18/19	19/20	18/19	19/20
Nursery	8	8	0	0	0	0
Primary	39	5 5	28	20	18	10
Secondary	5	8	8	7	5	3
All Through School	0	1	0	0	1	0
Special	2	2	1	1	4	4
PRU	1	1	0	0	1	1

Our school improvement processes and methods of operation were extensively reviewed and overhauled and a copy of our 'Team around the School Rapid Recovery Plan' (attached as Appendix 2) explains our support and challenge process for schools causing concern. We have a proven track record of making a significant impact in all our maintained settings and this has been substantiated by Ofsted during school inspections.

As a Local Authority (LA) we have a good working relationship with our Senior HMI (Her Majesty's Inspectorate). We have regular meetings with them and the LA are invited to give comment during a maintained school inspection and to attend the inspection feedback session of all maintained schools. We are not invited to or are required to have any input into academy inspections.

The Ofsted ratings are as follows

- Ofsted Grade 1: Outstanding.
- Ofsted Grade 2: Good.
- Ofsted Grade 3: Requires Improvement.
- Ofsted Grade 4: Inadequate.

80.2% (97) of Walsall schools have an Ofsted published grade of good or better. At the time of writing this report, we were awaiting the published reports of two of our maintained schools. The Ofsted feedback sessions from these two schools were both positive and we anticipate our numbers of schools with a grade of good or better, to improve.

OFSTED grade	% Good or Better
LA Maintained	88
Academy converters	73.7
Academy sponsor led	55.6

One of the key successes for our school improvement team over the pandemic has been the on-going support for our Inadequate Ofsted graded schools. At the start of March 2020 there were four schools with an Inadequate Ofsted grading. Of those four, three were maintained schools and one was an academy. Since the start of the return to full Section 5 inspections at the start of May 2021 all four of Walsall's Inadequate Ofsted graded schools were inspected.

- New Leaf Short Stay PRU was graded to be RI with elements of Good.
- Jane Lane report is yet to be published.
- St Bernadette's Primary were graded as Good in all areas
- All Saints National Academy were found not to be taking effective action and remain Inadequate.

One of the current core pieces of focussed school improvement work is RADY (Raising Attainment of Disadvantaged Youngsters). The local and national concerns about the attainment gaps increasing for disadvantaged and vulnerable learners is a key focus of our working moving forward. We have also supported all schools and setting, in partnership with the Education Endowment Foundation, with a number of free online module training sessions. These have focussed on Metacognition (awareness and recognition of one's own thought process), Learning Behaviours and SEND (special educational needs and disabilities) in the mainstream setting. The first tranche of our work was launched in the Summer Term whilst the second phase will be launched in the Autumn Term.

Throughout the pandemic, we have continued to work closely with all schools and settings. Although academies are not generally part of our school improvement dedicated work, we have offered opportunities to be part of our projects and support through this time.

We have produced biweekly bulletins with key updates, links and information. We have also had weekly remote meetings to which all Head Teachers and Principals are invited where we work in close partnership with our Walsall Public health colleagues to provide essential information about Covid 19 and about Children's Services working. All of these sessions are recorded for future reference.

We also have weekly meetings with colleagues from the DfE remotely to support, monitor and measure our schools and settings throughout Covid and in particular where there have been national lockdowns. These meetings are known as DfE REACT meetings and there are standing national agenda items as well as regional and local items and themes. Access and Inclusion SLT leaders meeting with the DfE colleagues via these meetings.

One of the emerging concerns, which has arisen from the pandemic, is the higher rate and prevalence of recognised anxiety and social, emotional health (SEMH) concerns amongst our children and young people (CYP). We have been allocated funding centrally from the DfE to support the initial Wellbeing for Educational Return in September 2020 and this funding has been extended further to include the coming Autumn and Spring terms. Our Educational Psychologist team as well as our safeguarding lead and school nursing team are working in partnership with our school SENDCos and Dedicated Safeguarding Leads (DSLs) in providing a package of support and training directly to schools and to CYP. SEMH and autism are two of the increasing needs, which are emerging for our CYP.

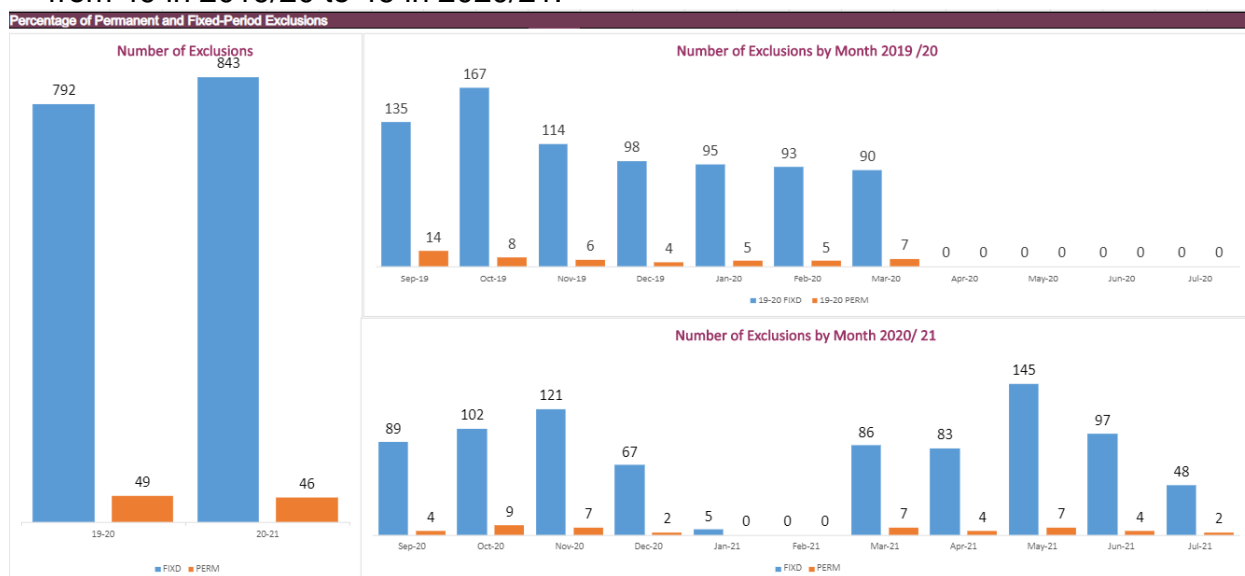
Educational attainment:

For the last two years the assessment of children's attainment and outcomes for the end of each phase or key stage of education, has been based on teacher assessment rather than on formal examination due to the pandemic. As a result the usual examinations published results will not be published publicly.

Fixed period and Permanent Exclusions

The number of fixed period exclusions has increased in the last academic year compared to the year before due to schools remaining open during 2020/21.

In the same period, the number of permanent exclusions has reduced slightly from 49 in 2019/20 to 46 in 2020/21.



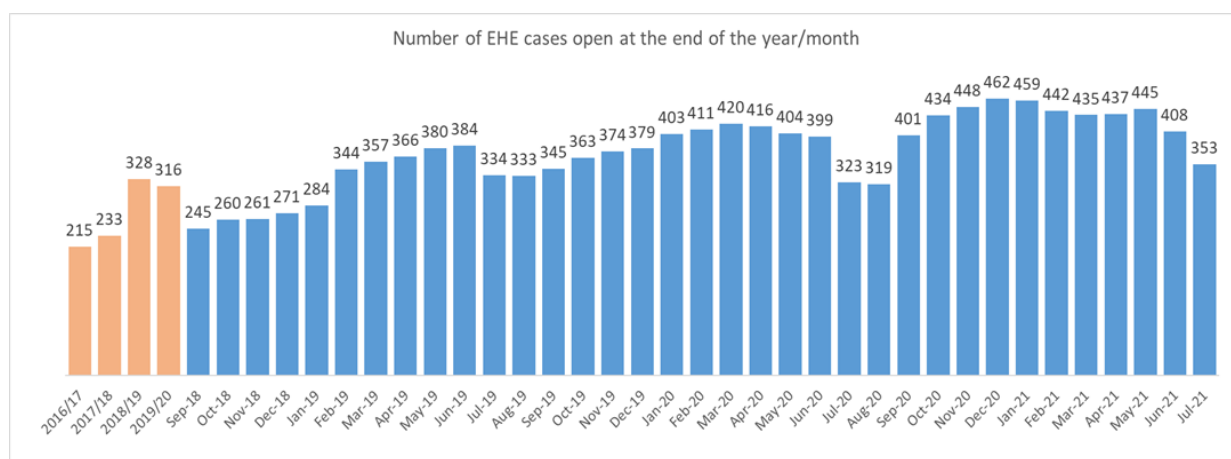
Elective Home Education:

Parents have a right to educate their children at home.

Educating children at home works well when it is a positive, informed and dedicated choice. However, the past few years have seen a very significant increase in the number of children being educated at home, and there is considerable evidence that many of these children are not receiving a suitable education. There is a less well evidenced but increasing concern that some children educated at home may not be in safe environments.

The DfE believes that although the primary responsibility for ensuring that children are properly educated belongs to parents, a local authority has a moral and social obligation to ensure that a child is safe and being suitably educated. If it is not clear that that is the case, the authority should act to remedy the position. As an LA we support the parental right to EHE, we also enact our statutory duties in regards to monitoring the quality of that education as well as ensuring the well-being and safety of all children and young people.

At the end of July 2021, there were 353 open Elective Home Education (EHE) cases. This is slightly higher than the same period in 2019 (334) and 2020 (323).



Admissions duties:

The council has duties in relation to school admissions both as local authority and as the admission authority for all community and voluntary controlled schools.

These duties are:

- to provide advice and assistance to parents when deciding on a school place and allow parents to express a preference
- for each school year, the local authority must publish the prescribed information about the admission arrangements for each of the maintained schools in their area, and if regulations so provide, such maintained schools outside their area
- to publish each year a composite prospectus for all publicly funded schools in the area
- to formulate, publish and adopt a scheme to co-ordinate admission arrangements for all publicly-funded schools in the area, which allows parents to apply to schools in other local authority areas, and to provide information to the Secretary of State on secondary school admissions on National Offer Day
- to make arrangements for parents to appeal against admissions decisions
- to establish and manage a Fair Access protocol for in year admissions
- to annually write to parents of prospective schools in their locality with information about schools with atypical admission ages within the local authority or within reasonable travelling distance
- to include details of schools with atypical admission ages in the local authority or within reasonable travelling distance in their composite prospectus

The DfE has recently published a new School Admissions code, which comes into force on the 1 September 2021. The main purpose of these changes is to improve support for the in-year admission of vulnerable children.

This includes:

- introducing more detail on the process for managing in-year admission (including clear timescales for processing applications, making offers and admitting children to ensure compliance with code and clarity for parents and schools)

- changes to improve the effectiveness of Fair Access Protocols
- giving children adopted from state care outside of England equal admissions priority as children who were previously looked after in England
- clarification of which address to use for the admission of service or crown servant children

The Virtual School:

The Virtual School plays a strategic role in ensuring we meet our corporate parenting responsibilities with regard to the education of children looked after. The Virtual School Team supports people who work directly with children in care and leaving care young people to develop joint working and raise educational attainments. The Virtual School work with schools, colleges, universities, nurseries, children's social care, health officials and the Corporate Parenting Board.

As all children returned to school, the staff at The Virtual School were welcomed back into schools to provide face to face support to children in care. Our tutors, mentors and key workers were able to provide additional support in the classroom to help children catch-up from any lost learning.

In addition to the support provided by virtual school staff over 50 children and young people received extra 1:1 tuition provided by external tuition companies. We also continued to provide additional online tuition through our own learning platforms.

We also delivered a number of programmes to help children return to school, such as our 'Summit2Success' programme which was a 9 week programme to help children build confidence, resilience and self-esteem and our 4 week English for Speakers of other Languages (ESOL) group course which supported young people new to the UK and Walsall.

We continued to provide learning resources i.e. laptops and tablets to children who were new into care or did not have the equipment for home learning and support parents/carers with home learning.

Children with a social worker:

In June 2021, the DfE announced that from September 2021 the role of the Virtual School Head would be extended to take a strategic leadership role in promoting the educational outcomes for all children with a social worker not just children in care.

Virtual School Heads have been asked to make visible the disadvantages that children with a social worker can experience, promote practice that supports children's engagement in education and to level up children's outcomes and narrow the attainment gap so every child with a social worker can reach their potential. This includes making sure that children with a social worker benefit from support to recover from the impact of COVID-19.

Grant funding has been provided to help the Virtual School Head deliver the extended duties. The funding formula for the grant is based on the number of schools in each local authority, not children with a social worker. Walsall's grant is £100,000. The virtual school will take on two additional staff to help with the additional responsibilities.

Education Welfare:

The local authority has a duty:

- to make arrangements to establish the identities of children residing in the area who are not receiving suitable education
- to begin procedures for issuing a School Attendance Order if it appears to the local authority that a child of compulsory school age is not receiving a suitable education, either by regular attendance at school or otherwise
- to consider serving an education supervision order before prosecuting for truancy
- responsibilities regarding the employment of children

As part of encouraging regular school attendance, following the suspension of penalty notice fines during the Covid pandemic, the DfE have now confirmed that Attendance is mandatory. The usual rules on attendance continue to apply, including:

- parents' duty to ensure that their child of compulsory school age attends regularly at the school where the child is a registered pupil
- schools' responsibilities to record attendance and follow up absence
- the ability to issue sanctions, including fixed penalty notices, in line with local authorities' codes of conduct
- the duty on local authorities to put in place arrangements for identifying, and to follow up with, children missing education

School transport duties:

The local authority has a duty:

- to make provision for suitable home to school travel arrangements for eligible children of compulsory school age (5-16) to facilitate attendance at a relevant educational establishment (travel arrangements are provided free of charge)
- to promote sustainable modes of travel to assess general school travel needs
- to have regard to religion and belief in exercise of travel functions
- to specify to what extent the arrangements they include in their annual transport policy statement facilitate the attendance of disabled persons and persons with learning difficulties
- to publish annual Post-16 Transport Policy Statement which must set out the arrangements for the provision of transport, and for financial assistance towards transports costs, it considers necessary to facilitate attendance of students of 6th form age

Capital projects:

In support of changing demographics and the need for more school places, the council has undertaken a number of school expansion capital projects over the last few years.

Recent projects that have been or are about to be completed include:

- Oakwood Special School – internal remodelling of parts of the Education Development Centre to increase the number of places by a further 30
- Castle Business & Enterprise College – 3 class block modular classroom
- Mary Elliot School – internal remodelling to create 30 additional places
- Manor Primary school – 2 classrooms, toilets, relocation of MUGA
- Rosedale Primary School – 3 class block extension
- Short Heath junior School – 4 class block modular classroom for completion in December 2021.
- St Michaels Primary School – 2 classrooms, hall extension
- Christ Church Primary School – 4 classrooms extension on programme with completion due by November 2021, mobile classrooms will remain in place until all works completed.
- Relocation of the New Leaf PRU to the Spindle Tree/Stroud Avenue site

Complaints:

The Council does not have a statutory role in investigating the majority of school complaints. The two exceptions are when it is a serious safeguarding concern or if the complaint relates to collective acts of religious worship.

Legislation states that it is the school's Governing Board that has responsibility for approving and administering its complaints policy.

The Department for Education' model guidance states that "if the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education" after they have exhausted the internal stages of the school's complaints process.

The Council has no powers to intervene on behalf of a complainant or a complainant's advocate.

The two exceptions where the Council does have a role are when:

- The complaint regards safeguarding concerns for a child or young person
- There is a complaint in respect of the content of the daily act of collective worship. These will be investigated by the local authority and the Standing Advisory Council on Religious Education (SACRE) as appropriate.

Financial information

3. The expansion projects will be funded from the Basic Need Capital Fund. The projects are already approved and finances committed.

The capital grant is allocated by the Education and Skills Funding Agency to local authorities, based on pupil place number forecasts, to deliver the additional places in schools to meet expected demands.

The Dedicated Schools Grant is paid in support of the local authority's schools budget. It is the main source of income for the schools budget. Local authorities are responsible for determining the split of the grant between central expenditure and the individual schools budget (ISB) in conjunction with local schools forums.

Full finance reports are on the forward plan for Education Scrutiny Committee.

Reducing Inequalities

3. It is important for the Council's strategic aims that the children and young people of Walsall are able to access the right provision to meet their needs in order to achieve the appropriate qualifications, progressing to employment and / or training and to make a positive contribution within in the future.

The services and actions in this report ensure access to suitable, high quality school places that are attractive to parents and young people, which meet their needs and ensure quality provision that improves educational outcomes.

4. Decide

Scrutiny may decide to note the current OFSTED position.

The committee may decide to request further information as pertains to individual services or school expansions.

The Committee may decide to request further information, or assurance, in respect of the Schools Causing Concern process.

5. Respond

Any recommendations made by the Committee will be responded to by the appropriate service area.

The capital projects will be monitored through the Capital Programme Board.

School outcomes will be monitored through the Schools Causing Concern Group.

6. Review

The actions and outcomes within this report are under constant monitoring and assessment via the Capital Board and Schools Causing Concern Group. They are also externally reviewed via HMI termly meetings and Annual Conversation.

Author:

Trudy Pyatt

Head of Inclusion

☎ 01922 655616

✉ Trudy.Pyatt@walsall.gov.uk