

London Councils

The voice of London local government

Education and adoption Bill - second reading debate

House of Commons, Monday 22 June 2015

Overview

The Education and Adoption Bill is intended to improve education and adoption services in England. It will enable the Secretary of State for Education to intervene more swiftly in failing and 'coasting schools'. The Secretary of State for Education will also be able to require local authority adoption services and functions to be carried out by another adoption agency.

Since 2008, London schools have consistently outperformed those in the rest of the country. While London Councils is supportive of the Government's broad ambitions, a number of the measures in the Bill appear not in line with the experience of education improvement in London and may not have the desired effects.

London Councils has concerns with the following Clauses

Clause 1: Coasting schools

London Councils has concerns that creating a new category of schools for intervention and directing them to become academies will not automatically result in performance improvement. Also, with no legal definition for 'coasting schools' in the Bill, it is not clear what criteria will be used to identify those schools or how coasting academies will be tackled. Using secondary powers is not satisfactory.

Clause 2: Performance standards and safety warning notices

London Councils is worried that without any provisions for discussions with local authorities in advance of issuing a warning notice, the Government could intervene in schools where local performance improvement plans are already in place. This could be a particular issue if new data shows school improvement.

Clause 4: Power to require a governing body to enter into arrangements

London Councils views this clause as duplicating the local authorities role as they are responsible for and work with governing bodies of maintained schools to improve performance.

Clause 5: Appointment of Interim Executive Members

London Councils believes that where an Interim Executive Board (IEB) is required, its make-up and structure should be determined at a local level to take into account all aspects of the school and community views. Additionally, as the Government is ultimately responsible for deciding if a coasting school should be an academy and its sponsor, any influence it exerts over an IEB could represent a conflict of interest.

Clauses 7 and 12: Duty to make Academy and to revoke Academy orders

Re powers in Clause 7, London Councils is concerned that there could be a growth in converting schools to academy status without the underlying school performance issues being addressed. The experience in London does not support the hypothesis that structural or accountability changes themselves deliver improvements. Re powers in Clause 12, London Councils welcomes this new flexibility for the

Secretary of State to revoke an academy order. It offers an opportunity for a school or community to demonstrate to the Secretary of State why conversion to academy status of a school may not be needed.

Clause 13: Local authority adoption functions: joint arrangements

London Councils believes any decision to transfer adoption services/functions should be determined by local authorities based on their knowledge of the localised adoption challenges.

Just how well are London schools doing?

Since 2008, London schools have consistently outperformed schools in other regions in England. In London currently 61.5% of children achieve 5 GCSE grade A* to C (including English and Maths), compared to a national average of 53.4%. The progress of transforming London's schools, which started over a decade ago, was achieved in an era with minimal academisation. While the first academies were opened under the powers established by the previous Labour government, academisation was an exception rather than the rule in school improvement.

According to the Education Department, there are 3187 schools in London and 482 academies (primary, secondary and post 16) - academies accounting for 15 per cent of London's provision. Whilst academies are part of the education system and have contributed to the capital's improvement, they have not been the sole driver. The co-ordinated and effective support and the challenge provided by system leaders in education (local authorities, head teachers & Government) have all underpinned London's success.

Description of the Bill provisions in clauses where we have concerns

Clause 1: Coasting schools

The Bill proposes creating a new category of local authority schools that are eligible for intervention known as coasting schools. A school will be eligible for intervention if the Secretary of State has notified the school that it is coasting. A definition for 'coasting' will be set out in regulations.

Clause 2: Performance standards & safety warning notices

The Secretary of State will have the power to issue a warning notice to the governing body of a maintained school as local authorities are currently able to do.

Clause 4: Power to require a governing body to enter into arrangements

The Secretary of State will have the power to give the governing body of a maintained school notice requiring it to take specified action to secure improvement of the school's performance.

Clause 5: Appointment of interim executive members

Where an Interim Executive Board (IEB) is to be appointed by the local authority, the Secretary of State will be able to give directions about who is to be appointed to the IEB, its size, members, terms of the appointment, and the termination of the appointment of any members by the local authority.

Clauses 7 and 12: Duty to make Academy and to revoke Academy orders

In Clause 7, the Secretary of State will retain discretion to issue an Academy order in circumstances where a school is eligible either because it fails to comply with a warning notice or where it is identified as coasting. In Clause 12 there is a new power allowing an academy order to be revoked.

Clause 13: Local authority adoption functions: joint arrangements

This Clause would give the Secretary of State a new power to direct one or more local authorities to make arrangements for any or all of their specified adoption functions to be carried out on their behalf by one of the local authorities named or by another adoption agency. The Secretary of State can either name which adoption agency should carry out these functions, or instruct the local authorities to determine who should carry out the functions.

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London Councils represents all 32 London boroughs and the City of London. The Mayor's Office for Policing and Crime and the London Fire and Emergency Planning Authority are also in membership