



Estyn

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Arolygiaeth Ei Mawrhydi dros Addysg
a Hyfforddiant yng Nghymru

Her Majesty's Inspectorate
for Education and Training in Wales

Local authorities and schools causing concern

An evaluation of the impact of
local authority intervention and support
for schools causing concern



BUDDSODDWR MEWN POBL
INVESTOR IN PEOPLE



MAY 2009

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- ▲ secondary schools;
- ▲ special schools;
- ▲ pupil referral units;
- ▲ independent schools;
- ▲ further education;
- ▲ adult community-based learning;
- ▲ youth support services;
- ▲ youth and community work training;
- ▲ LAs;
- ▲ teacher education and training;
- ▲ work-based learning;
- ▲ careers companies;
- ▲ offender learning; and
- ▲ the education, guidance and training elements of the Department for Work and Pensions funded training programmes.

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- ▲ provides advice on quality and standards in education and training in Wales to the National Assembly for Wales and others; and
- ▲ makes public good practice based on inspection evidence.

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Introduction

- 1 This report is published in response to a request in the annual remit to Estyn from the Welsh Assembly Government for 2008-2009.
- 2 The purpose of this report is to evaluate the impact of local authority intervention and support for schools identified as causing concern during an Estyn inspection and also for those schools that authorities themselves identify as needing to improve. The report seeks to highlight examples of good practice (case studies are set out in Appendix 1) and to identify aspects of interventions that need to be improved.
- 3 In particular, the report considers the policies local authorities have for monitoring, supporting, challenging and intervening in their schools, how effective these policies are in improving schools and the reasons why local authorities do not always use the full range of their powers to secure further improvement.
- 4 In this report, schools causing concern refers to those schools identified as requiring special measures or significant improvement during an Estyn inspection. Other schools identified for support and intervention by the local authority are referred to as underperforming schools.
- 5 The report is based on evidence gathered from:
 - inspections of primary, secondary and special schools and pupil referral units (PRUs) identified as requiring special measures, serious weaknesses or significant improvement between September 2004 and July 2008;
 - inspections of nine school improvement services in local authorities between September 2006 and July 2008;
 - monitoring visits to primary, secondary and special schools identified as requiring special measures or significant improvement between September 2006 and July 2008;
 - scrutiny of actions plans from schools and PRUs identified as requiring special measures or significant improvement between September 2007 and July 2008 and of statements of action from the local authorities responsible for these establishments;
 - documentation from all local authorities in Wales including policies and draft partnership agreements;
 - visits to seven local authorities and telephone interviews with senior officers in a further six local authorities;
 - telephone interviews with representatives of Church in Wales and Roman Catholic dioceses in Wales; and

- interviews with headteachers and chairs of governing bodies in 12 schools, including schools currently in a category of concern, schools recently removed from one of these categories and schools identified by local authorities as underperforming.
- 6 Schools which had recently been removed from the list of schools causing concern were included in the survey in order to judge how well local authorities are supporting them to improve further.
 - 7 The report builds on the Estyn survey report published in March 2008, 'The use of performance data in local authorities and schools'. (www.estyn.gov.uk)

Background

Categories of schools causing concern

- 8 The 1993 Education Act introduced a category of 'schools requiring special measures'. The most recent definition, from the Education Act 2005, states that a school requires special measures if:
- the school is failing to give its pupils an acceptable standard of education; and
 - the persons responsible for leading, managing, or governing the school are not demonstrating the capacity to secure the necessary improvement in the school.
- 9 The Education Act 2002 widened the classification of schools causing concern to include 'schools with serious weaknesses'. The act defined a school as having serious weaknesses if, although giving its pupils an acceptable standard of education, it has serious weaknesses in one or more areas of its activity. These schools might have some of the shortcomings seen in a school requiring special measures, but not to the same degree or only in a few aspects of provision. This category existed from January 2003 until August 2006. Twenty schools were identified as having serious weaknesses during this time.
- 10 The Education Act 2005 replaced the category of 'schools with serious weaknesses' with 'schools in need of significant improvement'. The act defines a school as requiring significant improvement if, although not falling within the definition of special measures, it is performing significantly less well than it might in all the circumstances reasonably be expected to perform. This new category provided inspectors with the means to identify schools that were underperforming but did not require special measures or necessarily had serious weaknesses.
- 11 Her Majesty's Chief Inspector's Annual Report for 2006-2007 identified common characteristics of schools requiring special measures or significant improvement including low standards of pupils' achievement, attainment which compares poorly with that of similar schools and important shortcomings in leadership and management. In these schools, issues identified in previous inspections have not been addressed, leaders do not always have a clear idea of the school's strengths and weaknesses and governors and the local authority do not do enough to ensure that pupils achieve high standards.
- 12 Further information on schools causing concern, including the number in each category at the time of writing, is found in Appendix 2.

Responsibilities of local authorities

- 13 Local authorities have specific responsibilities in relation to schools requiring special measures or significant improvement as set out in the Education Act 2005. Once identified, these schools should have a prominent place in the authority's school improvement programme on the principle that intervention should be proportionate to need.

- 14 For these schools, local authorities are expected to:
- prepare a statement of the action they propose to take, and the period in which they expect to take it, in respect of any school requiring special measures or significant improvement (see Appendix 5);
 - work in partnership with schools requiring special measures or significant improvement and, if appropriate, a diocese in devising an effective action plan for the school;
 - provide regular and well-targeted support to the school in implementing the action plan; and
 - monitor the progress of these schools and adjust plans if necessary.
- 15 Local authorities do not have to wait until Estyn identifies schools as causing concern before intervening. Effective monitoring of schools should alert officers to those schools where problems are emerging and enable them to intervene before there are serious effects on pupils' achievements.
- 16 The Code of Practice on LEA-School Relations (1999) makes it clear that, while the achievement of higher standards is ultimately the responsibility of schools themselves, local authorities have an important part to play in helping schools to improve through well-targeted support and intervention. It is essential that they support schools in the drive for higher standards and make sure that steps are taken when a school is not performing as well as it should. This code of practice sets out the duties and powers of local authorities to support schools and to intervene when necessary. In addition, the Maintained Schools (Partnership Agreements) (Wales) Regulations 2008 imposes a duty upon all local education authorities in Wales to put in place partnership agreements with each of their schools.
- 17 The Education and Inspections Act 2006 (section 1) places a duty on local authorities to promote high standards and the fulfilment by every child concerned of his educational potential. This Act defines schools with low performance (section 17) by comparing performance with:
- a the standards that the pupils might in all circumstances reasonably be expected to attain;
 - b where relevant, the standards previously attained by them; and
 - c the standards attained by pupils at comparable schools.
- 18 Further details of this legislation are found in Appendix 3.

Main findings

- 19 Local authorities have policies for monitoring, supporting, challenging and intervening in their schools, but do not always support, challenge or intervene well enough to prevent schools from being identified by Estyn as causing concern. There is improving good practice across the sector but still too much variation.
- 20 Local authorities are getting better at intervening in schools when inspectors do identify them as causing concern. Generally, authorities support these schools well and most no longer require special measures after two years or significant improvement after a shorter period.
- 21 In most local authorities, officers understand how well their schools perform. They analyse performance data, visit all schools and carry out detailed reviews in specific schools.
- 22 However, data is not used consistently by officers to challenge or support schools, in part because of the lack of an agreed performance data set across Wales. In addition, data analyses that compare school performance at key stage 4 with that of other schools with similar levels of deprivation arrive too late in the academic year to influence planning.
- 23 Most local authority monitoring reviews of schools now routinely include first-hand evidence from classrooms. However, authorities do not evaluate rigorously enough the quality of leadership and management in a school or the progress made in addressing recommendations from the most recent Estyn inspections. A minority of local authorities rely too much on Estyn inspections to identify weaknesses in leadership and management.
- 24 Most local authorities use their detailed knowledge of schools to classify them according to risk. However, the criteria they use for doing this are not always shared fully with all schools. In such cases, school staff are not clear about which category they are in or the support they are entitled to receive as a consequence.
- 25 Not all local authorities use the quality of leadership and management in a school or the effectiveness of the governing body as criteria for risk assessment. Neither do they review the level of risk when the school leadership changes.
- 26 Most authorities provide a range of support and training to an underperforming school. This support is usually targeted at low-performing curriculum areas and aspects such as teaching and assessment. However, a few authorities do not provide enough training to help senior leadership teams to address shortcomings and improve quality.
- 27 Attendance and behaviour are often poor in schools identified as causing concern. Staff from school improvement and inclusion services do not work together well enough to address the underlying causes of this poor attendance and behaviour.

- 28 Many local authorities now focus more sharply on the schools that need the greatest improvement. The local authorities that try to support all schools equally generally cannot provide sufficient support to ensure improvement in the schools that are underperforming.
- 29 In Wales, many local authorities have limited advisory capacity and have to draw on additional resources to support and challenge schools causing concern. The grouping of authorities into four consortia across Wales is enabling them to broker support for aspects of provision where they do not have in-house expertise. A few authorities employ part-time independent consultants for this purpose.
- 30 Even so, a few authorities still do not have arrangements which ensure they have the capacity to provide the full range of support for all types of school. For example, a minority of local authorities do not have the expertise to challenge, support or intervene effectively in special schools. These authorities do not know whether or not pupils in their special schools and units are achieving good standards.
- 31 Performance management is not rigorous enough in many local authorities to make sure that the work of all staff, including those brokered through joint working arrangements or outside consultancies, is effective.
- 32 In the best practice, annual reports on school performance keep elected members informed about the progress of all schools in their local authority. However, not all education services keep elected members informed about which schools are a concern and the scrutiny function in most local authorities does not identify and challenge underperformance in schools.
- 33 Governors are kept best informed when local authority officers attend governing body meetings at least once a year or a governor attends discussions between headteachers and officers. However, in a minority of schools identified as causing concern during an Estyn inspection, governors do not know enough about the reasons for the school's underperformance. Governors of schools causing concern do not usually receive training tailored to their specific needs.
- 34 Many local authorities do not support governors well enough to tackle shortcomings in the leadership and management of a school. However, even where support is provided, a few governing bodies are reluctant to take firm action, including the use of capability procedures, to address the poor performance of staff.
- 35 In a few schools causing concern, the local authority has usefully appointed additional governors to bring extra expertise. However, many local authorities are not using the full range of powers available to them to help underperforming schools to improve quickly. A few schools remain very difficult to improve and the standards pupils achieve remain too low for too long. Only a very few authorities in Wales have issued a warning notice to a school in such instances.

Recommendations

The Welsh Assembly Government should:

- R1 provide a comprehensive, common set of school performance data analyses to all schools and local authorities in Wales early enough in the autumn term to identify underperformance for the benefit of learners; and
- R2 provide clear guidance and training for local authorities and governing bodies on using their statutory powers of intervention, including the issuing of warning notices.

Local authorities should:

- R3 target their resources more closely on the schools that need the most improvement;
- R4 make sure all schools understand fully the criteria for school support and intervention that apply to them;
- R5 monitor school leadership teams more rigorously and provide support and challenge to address shortcomings;
- R6 monitor the effectiveness of governing bodies more rigorously and ensure that governors are fully aware of their powers and use them appropriately;
- R7 use their powers of intervention to support underperforming schools more promptly when necessary;
- R8 make sure they have the capacity to support and challenge all schools;
- R9 review their performance management arrangements to make sure that all staff, including those brokered through joint working arrangements and outside consultancies, bring a consistent and rigorous challenge to schools; and
- R10 keep elected members who are involved in the scrutiny function fully informed about the performance of schools, in particular those that are a cause for concern, to enable them to challenge school performance more robustly.

Governing bodies should:

- R11 make sure that they receive detailed reports about the benchmarked performance of their school and challenge this performance appropriately;
- R12 focus on holding leaders, managers and teachers to account; and
- R13 use the full range of their powers, and those of the local authority, to work in partnership with the authority to improve schools.

Quality of local authority policies for monitoring, challenge, intervention and support

- 36 Local authority officers are aware that, if they are to enable all pupils to fulfil their educational potential, they need clear procedures to help them to know their schools better and intervene according to need. There is much good practice already developing across Wales, but there is also too much variation in the quality and timeliness of interventions. Authorities need more opportunities to share their good practices to bring greater consistency. The aim of this report is to highlight examples of good practice and to identify aspects that need further development.
- 37 Local authorities have policies for monitoring, support, challenge and intervention in all their schools. Many are currently revising and improving these policies, in consultation with schools, following the requirement to set up partnership agreements by 2009. The increase in the number of schools across Wales identified as requiring special measures or significant improvement has also caused local authorities to revisit their practice and learn from the experience of supporting these schools. As a result many are focusing more sharply on identifying those schools that are underperforming. The emerging partnership agreements have the potential to ensure that authorities intervene effectively in these schools but only if they use all the powers available to them.
- 38 Generally, local authority policies include:
- details of how authorities will monitor schools;
 - the factors to be taken into account when placing schools into different categories;
 - information about entitlement to any additional support linked to levels of performance; and
 - review and reporting arrangements.
- 39 However, not all policies are robust or transparent enough yet, particularly in the criteria that they use for categorising schools and deciding on the nature of any subsequent intervention. Neither are the criteria always being shared fully with schools. As a result, these schools do not understand the criteria or know what kind of intervention they are entitled to expect.

How well do local authorities review and evaluate schools?

Monitoring visits to schools

- 40 In most local authorities, officers have a good understanding of how their schools perform. They gain this understanding from analysing school performance data and from their monitoring visits to schools.
- 41 Local authorities plan formal programmes of visits to schools throughout the year. These visits have agreed agendas. These include regular visits by officers, additional review and monitoring in individual schools, and assessment visits for the Basic Skills Award or other quality marks and awards. Schools identified by local authorities as requiring additional support usually receive more frequent visits, although schools are not always told the full reasons for this.
- 42 Visits in the autumn term generally concentrate on an annual review of performance and on agreeing realistic and challenging targets for future performance. Other visits focus on local and national priorities, including self-evaluation, development-planning and issues specific to the school.
- 43 In a few local authorities, senior officers are directly involved in the annual performance reviews of specific schools, for example primary schools causing concern or all secondary schools. This arrangement usually provides a robust challenge to schools to improve pupils' achievement and is an example of good practice.

Using performance data

- 44 The absence of an agreed performance data set across Wales and common approaches to using data makes benchmarking performance difficult. There is a lack of consistency in how data is used to challenge and support schools. In addition, analyses which compare a school's performance at key stage 4 with that of other schools with a similar level of free school meals arrive too late in the academic year to highlight underperformance early enough to take remedial action for the benefit of learners.
- 45 Local authorities provide an appropriate range of data to schools. In most cases, this data enables schools to track their progress over time and to compare their performance with schools from similar socio-economic backgrounds, both locally and nationally.
- 46 The majority of local authorities are improving the use they make of this information to challenge and intervene in schools experiencing difficulties. However, a few local authorities still do not use data rigorously enough to identify schools that are underperforming or to challenge them on how to improve. In many of the schools identified as causing concern during Estyn inspections, local authority officers had not discussed data rigorously enough during their visits before the inspection to come to a proper judgement about the school's performance.

- 47 A few authorities provide comparative data for secondary schools at subject department level. In general, however, not enough is done to compare the performance of subject departments and to identify the need for intervention.
- 48 Underperforming schools improve most quickly when the headteacher and senior managers, the governing body and all officers working with a school share a common understanding of the school's performance. It is useful to use electronic systems to share and agree up-to-date information and this practice is on the increase.

Focused reviews of provision

- 49 As well as regular officer visits, many local authorities also carry out a programme of more detailed reviews in individual schools. These are at their most effective when they target schools about which the authority has concerns rather than being provided on a rolling programme for all schools. Targeting resources helps to manage the risk of school underperformance.
- 50 The majority of local authorities now routinely include lesson observations as part of these reviews. This provides first-hand evidence of standards and of teaching and improves the authority's knowledge of its schools. Increasingly, the lesson observations are undertaken jointly by the local authority officer with the headteacher, another senior manager or a subject leader. This helps the school to recognise where standards need to improve and improves the rigour with which the leadership team monitors provision. A minority of reviews, however, do not include lesson observations. These focus on analysing data and only reflect information provided by the school.
- 51 In general, authorities do not evaluate the quality of leadership and management rigorously enough during these reviews. A minority of local authorities are too dependent on Estyn inspections to identify weaknesses in leadership and management rather than using their monitoring procedures effectively. The progress the school has made in addressing the recommendations from the most recent inspection is not usually monitored or reported on rigorously enough by using first-hand evidence.
- 52 Nearly all local authorities have provided appropriate training and advice for schools on developing the self-evaluation process and, in many cases, this is accompanied by comprehensive documentation and guidance. However, not all monitor the effectiveness of the process in schools and link advisers may discuss self-evaluation outcomes with headteachers without verifying the information they are given. Although the majority of local authorities routinely collect self-evaluation reports and improvement plans each year, not all evaluate the quality of these documents and fewer write to schools with recommendations for improvement. As a result, schools do not know where there are shortcomings in these areas and are surprised when these are identified during inspection.
- 53 Most local authorities produce a report following a monitoring visit or review which summarises findings and sets out recommendations for actions. The most useful are issued promptly, identify shortcomings and provide clear guidance for schools on how to improve. In a minority of authorities, recommendations in these reports focus

too much on process and provision rather than on standards and often no deadlines are given for completing actions. Reports of target-setting meetings occasionally concentrate too much on the target-setting process and not on whether these targets are sufficiently challenging or realistic.

- 54 A few authorities summarise the findings from the reviews of all their schools to highlight common issues and share good practice. Schools find this helpful in evaluating their own practice and in making them aware of successful initiatives in local schools. In general, however, this is not done often enough to help underperforming schools understand how to improve.

Placing schools in categories

- 55 Most local authorities use their detailed knowledge of schools to place them into categories of risk. This process triggers support in proportion to need. Officers use performance data and the outcomes of monitoring visits to decide on the category for a school. Many also use the outcomes of Estyn inspections and a minority includes budget and staffing considerations or feedback from parents and pupils. However, the categorisation does not always consider the quality of leadership and management. Only a few authorities review the school's category when its leadership changes.
- 56 The ineffectiveness of the governing body is a shortcoming identified in many schools requiring special measures or significant improvement. However, the effectiveness of the governing body is not often a criterion when local authorities categorise schools on the basis of risk. Support for the governing body does not usually appear as part of the school's entitlement to additional support.
- 57 Many authorities risk-assess all their schools and place them in categories ranging from those requiring minimal support to those needing more intensive intervention. In nearly all authorities, there is a separate category for those schools identified at inspection as requiring special measures or significant improvement. The number of categories varies from three to six. Where there are more than four, officers rarely use all categories and there is less clarity about how these differ.
- 58 A minority of local authority policies provide detailed guidance on the criteria used to place schools in the different categories. Many also define the entitlement to support attached to each category and clearly explain the process for monitoring progress. However, most policies are not yet fully effective because:
- many authorities are only beginning to implement them for all schools;
 - the majority do not have specific enough criteria for placing schools in different categories;
 - the amount and exact nature of the support or intervention to which schools in each category are entitled are not always specified clearly enough;
 - a few local authorities do not communicate clearly enough to schools which category they are in; and

- even when a school knows its category, headteachers, governors and staff do not always fully understand why and may attribute it to external factors rather than internal shortcomings.

Ensuring governors are informed about the performance of a school

- 59 Even where authorities use performance data and other intelligence well and are aware of many of the shortcomings in schools identified as causing concern during an inspection, they do not always:
- inform senior managers and governors of their concerns clearly enough; or
 - identify shortcomings in leadership and management before Estyn inspections.
- 60 A minority of these schools consider that local authority support for their school was limited before their Estyn inspection. They report that they did not receive regular visits from officers and that no review of the school had taken place in recent years. Consequently, senior managers and governors did not fully understand how weak they were. In these schools, the inspection outcome was a surprise to headteachers, staff and governors. In a few of schools, this has led to a culture of denial and to reluctant improvement while senior managers, staff and governors challenged inspection judgements.
- 61 Governors are best informed when local authority officers routinely attend governing body meetings at least once a year to report the authority's view of the school, or a governing body representative is invited to attend discussions between headteachers and officers. However, these reports and discussions mainly concentrate on performance data and the quality of education and do not address shortcomings in leadership and management often enough. Governors are usually less aware of the school's level of performance when officers rely solely on headteachers to pass on information.

How well do local authorities support and intervene in schools?

Support for schools judged to require special measures or significant improvement

- 62 Most local authorities are improving their capacity to intervene effectively in schools identified as requiring special measures or significant improvement during an Estyn inspection. Generally, they support them very well and the schools are usually removed from the list within two years for special measures and within a shorter period for significant improvement. The best progress is made where the headteacher acknowledges the need for change and leads the staff in accepting this.
- 63 In most authorities, the link officer's role is central to the support programme. Schools develop strong working partnerships with link officers during their periods in special measures or significant improvement. In the most effective practice, skilled officers build strong and trusting relationships with these schools and support headteachers in improving staff morale. This is true even in schools where the headteacher considered that more could have been done by the authority before the inspection to prevent the school being placed into a category. Many of the schools that initially resisted the inspection judgements are clear about the benefits of support afterwards and can identify how this has contributed to improvement in standards.
- 64 Governing bodies of schools causing concern consider that they know the school much better after the school has improved than they did before the Estyn inspection. However, these governors do not always receive training tailored to the specific needs of the school. Such training would help governors to understand their responsibilities better and to support the school more effectively. The only training on offer is often of the general kind available to all governors.
- 65 When a school is identified as requiring special measures or significant improvement most local authorities work well with the school to devise a post-inspection action plan to submit to Estyn. Most of these plans define suitable priorities, but actions are not always explained clearly, success criteria are not specific enough and a few targets are not sufficiently challenging to ensure the school improves. Many schools are given extra finance to support the delivery of the post-inspection action plan and to address deficit budgets which may have contributed to the inspection judgement.
- 66 As well as working closely with the school to draw together an action plan after the inspection, the local authority must also prepare a written statement of any action it proposes to take and submit this to Estyn. Not all local authorities currently prepare sufficiently clear statements of action for their intervention in schools causing concern. Further guidance on statements of action is found in Appendix 5.
- 67 These schools benefit most when a clear 'exit strategy' for reducing support is devised from the beginning. This makes sure that everyone understands the level of support available at each stage and the gradual reduction in extra visits and finance that will occur over time and as the school improves. In the schools that sustain improvement, officers reduce the frequency of their visits steadily and senior local authority officers and elected members continue to monitor the school's progress.

However, too often, local authority statements of action do not include details of a suitable, graduated reduction in the level of support when a school is removed formally from the list of those causing concern and are no longer monitored regularly by Estyn. Consequently, a very few schools do not continue to make progress when they are removed from a category because support is withdrawn too quickly.

Support for schools causing concern and other underperforming schools

- 68 Schools identified by the local authority as underperforming receive similar types of support as those formally categorised as causing concern, although this is usually less intensive. These schools also make the most progress when the headteacher and governing body agree detailed action plans to address the identified shortcomings.
- 69 In both types of school, officers quickly provide a range of well-coordinated support and guidance. Most schools receive targeted support and training for low-performing curriculum areas and for whole-school aspects such as teaching and assessment. In the best practice, this includes practical classroom-based support to develop teachers' skills. However, usually this support focuses too much on teaching and not enough on standards. Many authorities provide a range of opportunities for schools to work together to share good practice which are valued by teachers. A minority of local authorities are extending their range of subject networks for secondary schools beyond the core subjects to challenge and support subject leaders more effectively.
- 70 Generally, officers provide headteachers, staff and governors with suitable advice and training to help them develop systems to evaluate better the work of the school and plan for improvement more effectively.
- 71 However, a few authorities do not provide enough professional development for school leadership teams, even where there are concerns about leadership and management. They do not provide peer mentors or develop the people-management skills of these school leaders.
- 72 Low levels of attendance and behaviour are often issues for schools identified either as underperforming by the local authority or as causing concern during an Estyn inspection. In the best practice, members of the inclusion service work well with link advisers and other support staff to bring about improvement. However, too often, staff from school improvement services and staff from inclusion services do not work together well enough to address the causes of poor attendance and behaviour. Staff from the inclusion service are not involved enough in planning or reviewing the support for a school and are not fully informed about the performance of schools.

Targeting support in inverse proportion to success

- 73 The most effective education services are increasingly differentiating their approach and are targeting their resources where they are most needed. These local authorities make sure they focus particularly on raising standards in underperforming schools. The local authorities that try to provide as much support as possible to all schools are not able to target support sharply enough. In these authorities, schools continue to expect a high level of support, even if they perform very well. This limits

the capacity of the authority to respond to underperforming schools and causes schools to become too dependent on officers and not take enough responsibility for improving themselves.

- 74 Even when the school improvement service broadly differentiates its support for schools, the work of a few specialist services such as peripatetic support teachers of Welsh as a second language or of English as an additional language (EAL) are not focused. In these instances, all schools have an equal allocation regardless of need. This allocation is not sufficient for those schools which have specific shortcomings in these areas.
- 75 Overall, local authorities generally do not yet identify, support and intervene in the most seriously underperforming schools quickly or strongly enough to prevent them from being identified as causing concern during an Estyn inspection. Even authorities that intervene are not always successful in improving the school because they do not use the full range of powers quickly enough and do not give sufficient attention to developing leadership and management.

Monitoring progress in supported schools

- 76 Nearly all local authorities monitor well the progress that schools causing concern make in addressing the shortcomings identified during an Estyn inspection. The majority also monitor well the progress of other schools needing improvement.
- 77 Monitoring is most effective where:
- after each review visit, the headteacher and governing body receive a detailed written report including agreed areas for development, limited to two or three aspects at one time;
 - officers attend governing body meetings to discuss the progress the school is making;
 - chief officers and elected members receive progress reports; and
 - meetings involve managers of inclusion and additional learning needs (ALN) services.
- 78 However, not all local authorities monitor the impact of interventions well enough and schools do not always receive written feedback. These schools find it more difficult to make progress.
- 79 Many of the local authorities that have had a school on Estyn's list of schools causing concern in recent years have used the experience to revise and improve their own review procedures. The rigour of their review process and the quality of their reports have improved as a result.

Capacity of local authorities to support schools

- 80 In Wales many local authorities have limited advisory capacity and they have to draw on resources outside their immediate complement to make sure they are able to support and challenge schools causing concern appropriately. Many use school leaders as peer mentors and consultants to help headteachers in those schools. The grouping of authorities into four consortia across Wales is increasingly enabling them to broker support in aspects where they do not have sufficient expertise themselves. In addition, a few authorities employ outside consultants on a part-time basis to increase the capacity of the school improvement service to monitor and challenge schools. However, a few authorities still do not increase capacity sufficiently to provide the full range of support for all types of school.
- 81 A minority of local authorities do not have the expertise to challenge, support or intervene effectively in special schools. These authorities do not know whether or not pupils in their special schools and units are achieving good standards. In a few special schools, therefore:
- shortcomings are not identified early enough, particularly for pupils with emotional, social or behavioural difficulties;
 - even where shortcomings are recognised, the local authority does not have the capacity to intervene appropriately; and
 - when one of these schools is placed in a category of concern after an Estyn inspection it does not make progress quickly enough.
- 82 Many local authorities give good support to pupil referral units. However, they do not all have effective systems to track the educational provision for pupils in these units. In those pupil referral units that have been identified as requiring improvement, local authorities do not make sure that:
- all pupils receive their full entitlement of taught hours;
 - teaching and learning are of a sufficiently high quality;
 - managers rigorously evaluate the quality of provision and outcomes; and
 - recommendations from the last inspection have been addressed.
- 83 In a few small schools, appointing a new headteacher after agreeing early retirement terms for the previous head has improved the school very quickly. However, many local authorities experience difficulty in recruiting headteachers for small schools, particularly in rural areas. Overall, most local authorities have not developed effective enough strategies to ensure that leaders and managers of small schools themselves develop the capacity to improve the school.

How do authorities ensure accountability?

Assuring the quality of intervention and support programmes

- 84 Overall, the quality of the support provided to schools once they have been identified as causing concern is generally good and many schools appreciate working with their link officers. However, the work of individual officers varies significantly. The rigour with which headteachers and governors are challenged about the school's performance is not always consistent and link officers do not all have the skills and expertise to help underperforming schools to improve sufficiently.
- 85 The local authorities that are most effective in improving the consistency and quality of their link officers' work:
- ensure senior officers monitor all visit reports;
 - have good processes to identify and share best practice;
 - use the knowledge and skill of the most effective officers to develop and coach other staff;
 - use performance management to improve the work of officers; and
 - have effective staff induction processes.
- 86 In a few authorities, there are good processes to keep all service staff well informed about local initiatives and national priorities and to ensure that they continue to develop their skills. This is already improving the consistency of their work with schools.
- 87 However, performance management processes are not rigorous enough in all local authorities and senior officers do not usually monitor the impact of support or interventions well enough to identify whether the guidance being provided by link officers is good or clear enough.
- 88 In general, the work of additional staff and outside consultants is not monitored closely enough to make sure that they implement policies consistently and that they are held accountable for the impact of their support.
- 89 Around half the local authorities in Wales share the monitoring and supporting of schools with a cross-authority advisory service. The majority of authorities involved in these arrangements have revised and improved their joint-working arrangements recently in preparation for implementing their partnership agreement with schools and in response to increasing numbers of schools being identified as causing concern.
- 90 In the best practice, an officer is appointed as a support manager to co-ordinate the work of all the officers in contact with the school. In these cases, the roles of all

officers are clearly defined and arrangements for monitoring and reporting and for sharing information are clearly understood and agreed by all involved. In other cases, individual officers are not accountable enough for the improvement of individual schools and senior officers are not fully aware of shortcomings because visits carried out by several different staff are uncoordinated. In a few of these authorities, officers do not allocate their time appropriately to those schools most in need and senior officers do not monitor the impact of training and support rigorously enough.

Working with dioceses where appropriate

- 91 There is a wide variation in how local authorities work with dioceses to improve denominational schools that are causing concern. In the best practice, there is close working between the diocese, senior officers and individual link officers. These relationships ensure that the authority and diocese work together effectively to quickly address shortcomings in leadership and provide effective support to improve schools. However, in general, authorities do not routinely pass on performance data on relevant schools to the diocese.
- 92 A minority of authorities do not:
- keep the diocese informed about schools that are causing concern; or
 - involve the diocese early enough in addressing poor leadership and management in schools.

Using the full range of local authority powers to improve schools

- 93 Many local authorities can give examples of schools that they have identified as underperforming that have subsequently improved after intensive support.
- 94 The local authorities that are most successful in improving schools are those whose senior officers, including the chief education officer, are personally involved in challenging underperforming schools to improve and monitoring the progress they make. In a few local authorities, headteachers of such schools are required to attend meetings of the authority education scrutiny committee to discuss their school's performance with elected members.
- 95 Few local authorities are using the full range of powers available to them to engage all headteachers and bring about improvements for pupils. Authorities generally are loathe to invoke their statutory powers unless all other approaches have failed to address the shortcomings in the school. The majority of local authorities are concerned that formally applying these powers would compromise the collaborative relationship they have developed with their schools. However, a few schools remain very difficult to improve by collaborative approaches and the standards pupils achieve remain too low for too long.
- 96 Only a very few authorities across Wales have issued a warning notice to a school (see Appendix 4). However, there are a growing number of examples of informal interventions by authorities as a preliminary to invoking formal processes. A few

local authorities have issued schools with letters as a precursor to issuing a warning notice. In nearly all cases, this has been sufficient to bring about improvement.

- 97 Local authority officers do not all fully understand the process of issuing warning notices. In many schools, headteachers and governors are unaware of the local authorities' statutory powers and do not understand the steps the authority can take if the school does not improve. There is a need for further guidance and advice for both local authorities and governing bodies.
- 98 In a minority of schools causing concern, the local authority has used its powers to appoint additional governors. This has brought additional expertise to strengthen the governing body and enabled them to challenge and support the school more effectively. No local authority has yet replaced the governing body with an Interim Executive Board.
- 99 Authorities do not always support governors well enough in addressing weaknesses in the leadership and management of the school. They do not provide enough advice or support for governing bodies to help them use performance management and competency procedures appropriately. In a few authorities, officers have worked well with governing bodies to improve school leadership. These approaches include:
- informing governing bodies clearly in writing of weaknesses in leadership and management;
 - reminding them of their responsibilities and powers as governors; and
 - senior officers meeting with governing bodies to discuss the possibility of instigating capability proceedings against a headteacher.
- 100 In a few schools, even when governors are aware of shortcomings in the leadership and management they are reluctant to take firm action and do not use their full powers to address underperformance including the use of capability procedures.

How well informed are elected members?

- 101 In the best practice, elected members are kept well informed about the progress of schools in their authority through annual reports on performance covering a wide range of issues. These include trends in performance over time, progress of different groups of pupils including the most vulnerable, progress pupils make from one key stage to another, how well schools perform against similar schools both locally and nationally and how well schools performed against targets. In most cases these reports also include the outcomes of Estyn inspections. Nearly all education services report to elected members when a school is identified as requiring special measures or significant improvement.
- 102 However, the role of members, including the scrutiny function in most local authorities, is not robust enough to identify and challenge underperformance in individual schools. Officers tend to protect schools rather than keep elected members fully informed about which schools are underperforming. As a result, members do not have enough knowledge about the performance of individual schools to hold these schools to account.

Appendix 1: Case studies of good practice

The following case studies identify aspects of good practice in local authorities.

1 Use of data to identify and address underperformance at subject department level

One large urban authority provides schools with comparative data at subject level at key stage 4 and this is shared openly between schools. Secondary headteachers have found this a useful tool in quickly identifying underperforming departments and challenging them to improve.

2 Use of data profiles

For the past five years, one local authority has developed an electronic profile to maintain up-to-date information on schools in 16 key areas including performance data and information on pupil attendance, the provision of statutory plans and policies, the school's staffing profile and its priorities for the coming year.

Each year, the authority updates the data on the profile and sends it to schools to add their own analysis and self-evaluation. The completed profile is discussed in the link officer's next visit. In many schools, the deputy headteacher and chair of governors also attend the meeting to discuss the profile, ensuring that information is widely shared within the school.

This arrangement enables local authority officers and senior school managers to share their perception of the school's performance and, consequently, discussions during officers' visits are better informed. The authority is also able to identify where leaders do not know their school well enough.

3 Criteria to determine risk and category of schools

In one local authority, the policy for schools requiring additional support includes a list of questions under the headings 'standards of achievement', 'quality of education', and 'leadership and management'. These are the questions that senior officers use to place a school in a category for support. Their inclusion in the policy helps all schools to evaluate their performance and to identify issues for improvement. It also ensures that schools placed into a specific support category understand clearly why they have been placed there.

4 The work of the link officer in support of a school causing concern

One authority has developed its process for supporting schools causing concern through its experience of working with an increasing number of these schools in recent years.

In one primary school needing significant improvement, the link officer undertakes the role of support manager and coordinated the work of all other advisers and consultants. She also visits the school each month to meet the headteacher, provide training and monitor progress. During these visits the officer and headteacher observe lessons together. The headteacher then provides feedback to the teacher while the adviser observes and she, in turn, later provides feedback to the headteacher.

These visits are followed with detailed reports summarising the progress already made and identifying areas for improvement. The headteacher gradually takes increasing responsibility for setting agendas for these meetings, writing the visit reports and recording outcomes of joint classroom observations.

The link adviser is building the capacity of the school to continue to improve after the support finishes. When the school was removed from Estyn's list of schools causing concern the adviser continued the pattern of meetings, gradually reducing their frequency over time, until she was confident that the school could continue to improve.

5 Training for advisers

One local authority identified that reports of visits to schools varied too much in quality and many were not evaluative enough.

Senior officers have introduced a structured training programme for all advisers. This involves skilled senior officers sharing their expertise and coaching less experienced colleagues by modelling good practice. They also scrutinise visit reports and provide individual feedback.

As a result, the quality and consistency of school visit reports have improved. They are now mainly evaluative, focus more sharply on standards and provide clear advice to help schools improve.

6 Planning and appraising the work of local authority officers

One local authority with well over 100 schools identified in its post-inspection action plan the need to improve the performance management of staff and address inconsistencies in the quality of challenge that a few schools receive.

Managers have introduced an electronic system to record and share reports of visits to schools. A senior officer monitors these reports to ensure that every school receives its entitlement of link visits, that reports are sent to schools within the agreed time and that the reports are of high enough quality to help the school to improve.

Officers meet to agree the core business of the team to map out a timetable of commitments. They plan writing time into their work schedule and agree strategies to minimise the risk of meetings being cancelled. The lead officer provides exemplar reports to guide the team who can also request appropriate individual training.

The senior officer provides a summary each year of how many reports are not of the agreed quality, and how many schools did not receive their quota of visits or their reports within the agreed time and/or a report at all. This summary is provided to senior education managers and shared with the whole team and team leaders are informed about the performance of individual officers.

7 Use of project planning to assure quality

In one secondary school requiring significant improvement, the local authority adopted a project management approach to implementing the post inspection action plan. The project team were the school's senior managers and the project board were the governing body. A quality assurance team was appointed to provide the challenge and scrutiny role, with representatives from the school's senior management team, the governing body and the local authority as well as an external headteacher consultant. This group met every half term. In addition, all visit forms completed by the team of advisers and consultants supporting the school were carefully scrutinised by senior officers to monitor the quality of the support given and the advice provided.

The school was removed from the list of those causing concern at the end of the first year. The re-inspection report noted the effective actions taken by the school and the good progress made in addressing recommendations.

8 Taking a proactive approach

One local authority, which has never had a school placed in a category of concern by Estyn, takes a proactive approach to identifying and improving underperforming schools. These schools include those awarded grade 3 in any key question at an Estyn inspection.

The policy for schools needing additional support defines four stages of support and lists the criteria used to assign schools to each stage. A representative group of headteachers have agreed these criteria and devised those for the first two stages. If a school does not make enough progress it is moved to the next stage of support.

If a school is at stage 3, the head of school improvement and inclusion is the named officer coordinating the support and monitoring. A school at stage 4 may trigger a statutory response by the local authority and the director of education is the named officer. Governing bodies are fully included from the start of the process, link officers attend governing body meetings and headteachers are required to provide governors with termly progress reports.

The high profile given to these schools by senior officers has ensured that nearly all those identified for additional support in the last five years have improved significantly. The very few schools that did not improve were closed.

9 Reports to elected members

In one large rural local authority, a report for elected members includes a summary of the annual self-evaluation statements of all the authority's schools, highlighting common good features and areas for development.

10 Use of Estyn reports

In one local authority, link officers analyse all Estyn inspection reports for their schools and present the main outcomes together with the post-inspection action plan at a formal meeting with the cabinet member for education and the chief education officer. The headteacher and chair of the governing body also attend this meeting and will be challenged about any shortcomings identified at the inspection and how they plan to address them.

The cabinet member also receives progress reports on the schools identified as requiring the most intervention by the authority.

11 Scrutiny and challenge

Elected members in one local authority hold secondary headteachers to account for the use they make of extra resources to bring about improvement. The authority's scrutiny committee meets the headteacher and chair of governors of each secondary school and asks searching questions about the school's plans and targets for improvement. They subsequently challenge officers and schools if these improvements are slower than expected.

Appendix 2: Schools causing concern

The regulations on schools causing concern apply to all schools that receive Section 28 (previously Section 10) inspections, that is, all maintained schools including:

Community schools	Special schools
Foundation schools	Pupil referral units
Voluntary aided schools	Nursery schools

In every Section 28 inspection, the lead inspector must consider whether or not the school is failing to give its pupils an acceptable standard of education. If the school does not require special measures then significant improvement should be considered. The procedure to be followed by the inspection team is outlined in Annex 2 of the Estyn guidance handbooks for primary, secondary and special schools and for pupil referral units, available at www.estyn.gov.uk

Number of schools causing concern identified at Estyn inspections

From the start of the current inspection cycle, in September 2004, until December 2008, 52 schools were identified during inspection as causing concern. Of these schools, 13 were judged to require special measures, 10 to have serious weaknesses (Sept 2004 to July 2006) and 29 to require significant improvement (from Sept 2006).

	Primary	Secondary	Special	PRU	Total
Special measures	8	4	0	1	13
Serious weaknesses ¹	7	1	2	0	10
Significant improvement ²	18	7	1	3	29
Total	33	12	3	4	52

¹ From January 2003 to July 2006

² From September 2006

In addition, two primary schools and two special schools originally identified as having serious weaknesses or requiring significant improvement were later judged to require special measures because they had not made enough progress. These schools had not addressed shortcomings in their leadership and management. One of these schools has since been removed from the list.

In addition, one school closed while it was in the category of special measures and two while identified as having serious weaknesses.

Monitoring the progress of schools causing concern

When inspectors identify a school as requiring special measures or significant improvement, the governing body and the local authority must prepare action plans for Estyn. These plans must address the recommendations and findings in the inspection report. Estyn inspectors then visit the school to monitor its progress in implementing these plans. They visit schools requiring special measures every term and those requiring significant improvement after a year.

Most schools requiring special measures have made enough progress to be removed from the list within two years. Many schools with serious weaknesses or requiring significant improvement have been removed from the category after a year and nearly all within two years.

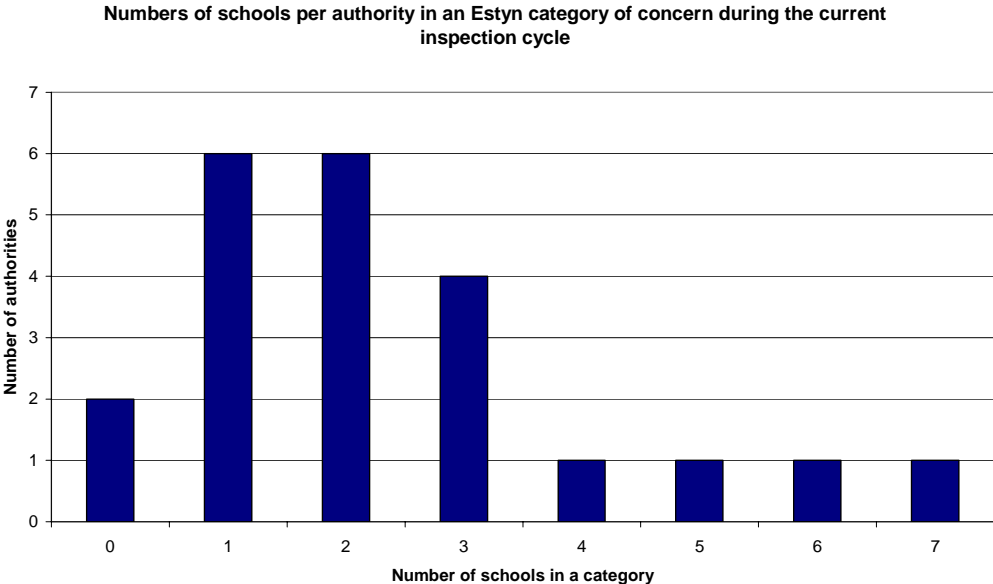
Overall, schools removed from the list of schools causing concern have made progress in several aspects of their provision. They have raised standards, improved attendance and behaviour, introduced more effective approaches to managing behaviour and attendance and improved teaching and learning.

Why is the number of schools causing concern increasing?

Several factors have contributed to the increase in the number of schools causing concern. The changes in the definitions of categories are one of the main reasons. More schools are likely to be identified as needing significant improvement (performing significantly less well than may be reasonably expected) than as having serious weaknesses.

Many schools causing concern do not know themselves well and are not able to plan effective enough strategies to help them improve. They do not make enough progress in improving the standards that pupils achieve from one inspection to the next. One of the characteristics of schools causing concern is that they have not fully addressed the main recommendations from the previous inspection. These schools struggle more and more to make progress from one inspection to the next.

How many local authorities have schools causing concern?



During the current inspection cycle, only two local authorities have not had a school listed as causing concern. The majority of authorities have had between one and three schools identified since September 2004. Only four authorities have had more than three schools on the list of those causing concern.

Appendix 3: Legislation and guidance on local authority roles and responsibilities

The Code of Practice on LEA-School Relations (1999) confirms that;

- schools should be able to make their own decisions about the way they operate and only schools can deliver improved standards of teaching and learning; and
- the LEA has responsibility for securing educational provision for all children of compulsory school age in their area and the support schools receive from the LEA is very significant in securing better outcomes.

The provisions of the School Standards and Framework Act 1998, amended by the Education and Inspections Act 2006, require local authorities to exercise relevant education functions with a view to promoting high standards.

In that context the Code seeks:

- to contribute to giving schools the freedom and responsibility to develop measures to improve standards;
- to enable schools to look to the LEA for help and support in areas of weakness;
- to enable LEAs to be pro-active in providing support and disseminating good practice;
- to give LEAs the scope to intervene where schools are failing their pupils; and
- to secure an appropriate balance between schools and LEAs.

The range of involvement of the LEA set out in this code of practice includes:

- light-touch monitoring of performance in all maintained schools;
- the provision of advice and, where necessary, challenge to help schools maintain and raise standards; and
- direct intervention in a few schools where necessary.

The Maintained Schools (Partnership Agreements) (Wales) Regulations 2008 builds upon the Code of Practice to further improve the partnership working between schools and local authorities. It imposes a duty upon all local authorities in Wales to put in place partnership agreements with each of their schools. These agreements must include:

- information on how the LA will promote high standards and support its schools, in particular those giving cause for concern, and those identified as requiring special measures or significant improvement following a Section 28 inspection;

- the factors that the LA will take into account in identifying schools giving cause for concern; and
- the support authorities will provide for governing bodies where the authority has exercised its powers of intervention or suspended the right to a delegated budget or appointed additional governors.

Appendix 4: Local authority powers of intervention

In a very few cases where schools do not make the necessary improvement, either after being identified by the local authority or at Estyn inspection, local authorities have a range of powers available to them.

The Code of Practice on LEA-School Relations makes it clear that, before these intervention powers are used, there should be a process of informal discussion where the authority:

- draws its concern to the attention of the governing body and headteacher and seeks their view;
- offers advice and support in addressing the concern; and
- encourages the governing body and headteacher to take the lead in sorting it out.

In the great majority of cases, that should be enough to ensure that formal intervention never becomes necessary. The sensitive handling of this process is central to the local authority's role in raising standards, and is a distinguishing feature of the effective local authority.

The code also states that, where intervention is needed:

- a written explanation should always be given to the governing body and headteacher detailing the local authority's concern and the evidence the local authority is relying on and the school should be given an opportunity to respond and state its view; and
- in the case of a school with a religious character, the diocese and trustees must be kept informed of significant concerns and should be involved in the resolution of problems.

A local authority has similar powers of intervention to those of the Welsh Ministers. That is, they can:

- issue the school with a warning notice;
- suspend the school's delegated budget;
- appoint additional governors to the school's governing body; or
- replace the governing body with an Interim Executive Board.

Warning notices

Under Section 15 of the School Standards and Framework Act 1998, the local authority may decide to issue a warning notice to any school where it is of the view that:

- the standards of performance of pupils at the school are unacceptably low and are likely to remain so unless the authority exercise its powers of intervention;
- there has been a serious breakdown in the way the school is managed or governed which is prejudicing, or likely to prejudice, pupils' standards of performance; or
- the safety of pupils or staff of the school is threatened, whether by breakdown of discipline or otherwise.

In addition, a warning notice can only be given where a local authority has:

- previously informed the governing body and the headteacher of its concerns; and
- the matters identified have not been remedied to the local authority's satisfaction within a reasonable period.

The warning notice must set out:

- the matters that have caused the local authority to conclude that one or more of the tests is met;
- the actions that the local authority requires the governing body to take; and
- the period within which the action is to be taken by the governing body.

Further guidance is provided in the Welsh Assembly Government 'Code of Practice on Local Education Authority School Relations', sections 99-104.

The Education and Inspections Act 2006 (section 1) defines unacceptably low standards of performance of pupils if they are low by reference to any one or more of the following:

- the standards that the pupils might in all circumstances be reasonably expected to attain;
- the standards previously attained by pupils; or
- the standards attained by pupils at comparable schools.

Other powers of intervention

The authority can use these powers when the school:

- a has been identified as requiring special measures or significant improvement following an Estyn inspection; or
- b a warning notice has been served and a school has failed to secure satisfactory improvement within the specified period; and
- c after the authority has given notice to the governing body and headteacher in writing that it intends to use these powers.

Where a school requires special measures or significant improvement these powers cannot be used until a period of 10 days has elapsed since Her Majesty's Chief Inspector issued the notice confirming this.

In the case of a school which fails to comply satisfactorily with a warning notice, the powers must be used within two months of the end of the compliance period. If the local authority concludes that using its powers of intervention would help resolve the problem, it must do so within a reasonable period.

Appointment of additional governors

A local authority can appoint an unlimited number of additional governors to the governing body of any maintained school in the circumstances outlined above.

In the case of a voluntary aided school, the relevant diocese (in relation to any Church in Wales or Roman Catholic school), or whichever other body appoints the foundation governors, can appoint a matching number of additional foundation governors where the local authority has exercised its power to appoint additional governors. This is to ensure that the foundation governors can continue to hold a majority of places on the governing body. In the case of a voluntary aided school that has been found to require special measures or significant improvement, the diocese or other body which appoints foundation governors may appoint an unlimited number of additional governors irrespective of whether the local authority has first exercised its power to appoint additional governors.

Further guidance is provided in the Welsh Assembly Government 'Code of Practice on Local Education Authority School Relations', sections 105-113.

Suspension of delegated powers

The local authority has the power to suspend the governing body's right to decide how to spend its delegated budget if it fulfils the necessary conditions listed above. The related powers of the governing body to make decisions about the appointment and dismissal of staff are then also restricted.

The code of practice on local authority-school relations makes it clear that suspension of delegation should only be used as a means of creating an opportunity in which

positive action can be taken, to resolve the immediate problem and ensure that it does not recur. This means that it is not enough to get someone outside the school to take decisions for a while. The school's capacity to take its own decisions must be strengthened, and the local authority should explain how that is to be done.

Further guidance is provided in the Welsh Assembly Government 'Code of Practice on Local Education Authority School Relations', sections 114-120.

Appointment of an Interim Executive Board (IEB)

A local authority may apply to the Welsh Ministers for permission to replace the school's governing body with an IEB where the above conditions apply. The local authority must obtain the consent of the Welsh Ministers before serving notice on the governing body that an IEB will be appointed.

The powers to appoint an IEB are intended to be used in circumstances where a governing body is judged to be incapable of improving performance and turning a school around even with support. The effect of appointing an IEB is that all existing governors cease to hold office from the date appointed.

Where a local authority seeks to appoint an IEB at a foundation or voluntary school, it must consult the diocesan or other appointing authority before applying to the Welsh Ministers. Ministers will expect to see evidence of the full involvement of the Diocese or appointing authority in any decision to establish an IEB. Interim executive members will be required to ensure that the school's trust deed is preserved and developed, and that the character of the school is maintained.

Further guidance is provided in annexes A and B of the forthcoming Welsh Assembly Government Circular: Guidance for schools and local authorities on Schools Causing Concern.

Appendix 5: Guidance on local authority statements of action for schools causing concern

Taken from the Welsh Assembly Government Circular: Guidance for schools and local authorities on Schools Causing Concern

When a school is identified as requiring special measures or significant improvement the local authority should work closely with the headteacher and governing body of the school and, if appropriate, the diocese, in drawing together the school's Action Plan.

Under Section 40 of the Education Act 2005, the local authority is also required to prepare a written statement of any action it proposes to take in the light of the school inspection report that identifies a school as requiring special measures or in need of significant improvement. The written statement should also set out the period within which it is proposed to take such action. The written statement of support must be produced with 10 working days from the date that the local authority received a copy of the school's Action Plan or within 12 working days from the date by which the appropriate authority is required to have distributed the school's Action Plan. The time periods referred to in relation to the completion of written statements exclude Saturdays, Sundays, Good Friday, Christmas Day and any other bank holidays but do not exclude any other school holidays.

If the local authority does not propose to take action it must still produce a written statement setting out its reasons.

Best practice indicates that the school, local authority and, where appropriate, the diocese should work closely to prepare complementary plans. It is important that the local authority's written statement is closely tailored to the specific needs of each school.

Estyn will evaluate the school's action plan and the local authority's statement of action and write to the governing body, local authority and Welsh Ministers to advise whether the action plan and statement are considered fit for purpose to secure the necessary improvements within a reasonable timescale. In this context, it is anticipated that in most instances schools should aim to make sufficient progress to be removed from special measures within two years and to be removed from requiring significant improvement within one year.

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