



Department
for Education

Supporting schools not making necessary improvements

Government consultation response

June 2022

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Introduction

DfE consulted from 28 March 2022 to 23 May 2022 on new powers for the Secretary of State to intervene in schools with two or more Ofsted judgements below Good. The consultation envisaged that these powers would come into force on 1 September 2022.

The aim of the measure is to ensure swift intervention where schools are not making necessary improvements and to tackle entrenched underperformance.

During the consultation period, we engaged with various stakeholders, including unions, Ofsted, primary and secondary head teachers and faith bodies.

The following themes came through the most strongly in both the consultation responses and the stakeholder engagement:

- Even amongst those who do not agree with the measure, respondents are generally in favour of more being done to support schools not making necessary improvements;
- That decisions to intervene in schools in scope should only be taken after consideration of evidence relating to a school's specific context;
- There are some concerns that teacher recruitment, in particular of head teachers, will be impacted;
- That 2 consecutive below 'Good' judgements is not the correct measure – some schools need more time to be turned around than others;

Summary of responses received

We received 74 responses to the consultation from a range of perspectives:

Position/Role/Viewpoint	Number of responses
Head teacher	16
Deputy head teacher	1
Executive leader in academy sector	5
Governor (maintained school)	3
Trustee of academy trust	2
Local government employee	15
Organisation	14
Teacher/Teaching assistant	7
Retired teacher	1
Parent	3
Representative of religious body	1
Other	4
Rather not say	1
Regional collaboration of local authorities	1

The categories of respondent with the most responses were head teachers with 16 responses and local government employees with 15. We also had responses from one deputy head teacher, a retired teacher, 7 teachers or teaching assistants and 5 executive leaders from the academy sector, meaning that schools are well represented in the analysis comprising 30 of the 74 responses. There was one response from a regional collaboration of local authorities as well as the Local Government Association, meaning local authorities are also well represented.

The main teaching unions (NEU, NASUWT, ASCL and NAHT) as well as Community (Education and Early Years) provided comprehensive responses, as did the Confederation of Schools Trusts (CST) and Ofsted.

We also received responses from the Catholic Education Service (CES) and the Church of England Education Office (CEEO), although it should be noted that these respondents categorised themselves as 'Other' and not 'Representative of a religious body'.

Maintained school governors (3) and academy trustees (3, including 1 former trustee) were also represented as well as the National Governance Association.

Finally, 3 responses were received from parents.

Main findings from the consultation

Headlines

- Most parties are supportive of the idea that schools not making necessary improvements should be better supported to do so.
- The vast majority of respondents agree that governing bodies and local authorities should be able to make representations of supporting evidence to a Regional Director and be consulted.
- A great number of respondents do not think a school with two Ofsted judgements of less than Good but that is on an upward trajectory and making improvements should be in scope, especially if there is confidence that the right leadership is in place.

The majority of respondents agree that the intervention power should only be available in relation to schools which have been inspected since May 2021, with the exception of schools that have a long-term history of underperformance (5 consecutive below Good inspections or worse).

Question analysis

In total, 74 responses were received. Most respondents completed the consultation online; however, we also received 8 responses via email, although 3 of these provided comments that cannot be easily categorised within our multiple-choice numerical analysis. These have therefore been primarily recorded as 'not answered' (except where the response to a question clearly stated the organisation's position), but the narrative responses are captured in the analysis. In addition, 3 of those who responded online provided further information via email, mainly to give their reason for the answer to the final question, which was not an option given on the online consultation.

The questions shown below will outline the response received to specific questions in the consultation. Because the narrative responses were strongly themed throughout, focusing on the same handful of issues or concerns, the government response will come at the end of this section rather than responding to each question in turn.

Question 1

To what extent do you agree with the principle of intervening in schools which are rated 'Requires Improvement' (RI) by Ofsted and were rated less than Good at their previous inspection?

	Total	Percent
Strongly agree	10	14
Agree	23	31
Neither agree nor disagree	4	6
Disagree	12	16
Strongly disagree	18	24
Not answered	7	9

53 of 74 respondents provided a narrative response to this question and there was a fairly even split between those who agreed and disagreed (33 agreed or strongly agreed and 29 disagreed or strongly disagreed).

Broadly speaking, the reasons given for disagreement fit into the following categories:

- 2 consecutive below 'Good' judgements is not enough and in many cases more time is needed for schools to deliver improvements;
- Lack of consistency/fairness in Ofsted judgements;
- Local support is preferable to a multi-academy trust based further away;
- Academisation is not necessarily the answer/academies aren't better than other schools; and

- A possible negative effect on staff and on recruitment.

Those who gave a reason for their agreement generally said that they agreed with the measure on principle because the longer children spend in a school that is less than Good, the greater the impact on their education and that they support moving all schools to Good or Outstanding. In addition to their agreement, however, it should be noted that most of these respondents emphasised one or more of the following in their narrative response:

- All schools that are eligible for intervention must be assessed on a case by case basis;
- The department must work to ensure there is sufficient capacity in the MAT system before issuing academy orders;
- That an academy order or termination warning notice (TWN) should not be the default position, especially where schools can show recent improvement.

Question 2

To what extent do you agree that the proposals should apply to alternative provision (AP) academies and pupil referral units (PRUs), as described above?

	Total	Percent
Strongly agree	14	19
Agree	23	31
Neither agree nor disagree	10	14
Disagree	8	11
Strongly disagree	12	16
Not answered	7	9

38 of 74 respondents (approximately half) provided a narrative response to this question, with more than half agreeing or strongly agreeing with the proposal.

Much of the agreement centred on a belief that schools should be on an equal footing and that the AP sector needs improving. At the same time, several respondents pointed out the difficulties these types of settings face due to a volatile pupil population, with most there on a temporary basis, making it difficult to make judgements on performance.

Question 3

To what extent do you agree that the proposals should apply to maintained special schools and special academies, as described above?

	Total	Percent ¹
Strongly agree	13	18
Agree	22	30
Neither agree nor disagree	10	14
Disagree	11	15
Strongly disagree	11	15
Not answered	7	9

38 of 74 respondents (approximately half) provided a narrative response to this question, with more than half agreeing or strongly agreeing with the proposal.

As with the previous question, many of those in favour believe schools should be treated equally, although did raise a concern that there may not be enough strong MATs in the right places that have the expertise to take these schools on.

Most disagreement was related to a disagreement with the policy as a whole and not specifically to the inclusion of special schools.

Question 4

To what extent do you agree that the proposals should not apply to maintained nursery schools at this stage?

	Total	Percent
Strongly agree	13	18
Agree	19	26

¹ Because of rounding, not all % columns add up to 100.

	Total	Percent
Neither agree nor disagree	8	11
Disagree	20	27
Strongly disagree	8	11
Not answered	6	8

38 of 74 respondents provided a narrative response to this question, with slightly more overall (43% versus 38%) agreeing that nursery schools should not be included.

Broadly speaking, those who agreed that the proposals should not apply to maintained nursery schools did so for two reasons, either because they accepted that standards are high enough to make it unnecessary or because they believe the intervention measure should not apply to any setting. However, one respondent did comment that they would like to see a more rigorous inspection framework for nurseries.

Those who disagreed did so because they believed that the principle of intervention should apply to all educational settings because although standards are currently exceptionally high, things can change. One respondent commented that they are not convinced nurseries are as good as the evidence suggests.

Question 5

To what extent do you agree that the ‘schools not making necessary improvements’ measure should take account of judgements issued to predecessor schools when assessing whether a school is not making necessary improvements?

	Total	Percent
Strongly agree	7	9
Agree	20	27
Neither agree nor disagree	9	12
Disagree	19	26
Strongly disagree	13	18
Not answered	6	8

47 of 74 respondents provided a narrative response to this question, with more disagreeing with the proposal (36% versus 43%).

One respondent, a trustee of an academy trust, commented that this was the aspect with which he agreed most strongly as deleting the history of predecessor schools has allowed academies to delay responding to long term issues or to ignore them altogether.

The key theme mentioned in almost all narrative responses was that timeframes must be taken into account in any consideration of a school for intervention. For example, as schools do not always have an immediate change on staff or culture, improvement isn't always as rapid as we would like. One respondent said that although predecessor school judgements should be taken into account, schools should be given time to demonstrate improvement as unnecessary rebrokering can cause stress to pupils and staff and have a negative impact on school effectiveness.

It is also important to look at the trajectory of Leadership and Management judgements in order to make comparisons and to look closely at the local context.

Some additional points of note are:

- If predecessor schools are not included when looking at attendance, performance and exclusions, this is not equitable.
- The Academies Act 2010 states that the school becomes a new legal entity on conversion, so this proposal is therefore not compatible with the Act.

Question 6

To what extent do you agree that the intervention power should only be available in relation to schools which have been inspected since May 2021 with the exception of schools that have a long-term history of underperformance (5 consecutive below Good inspections or worse)?

	Total	Percent
Strongly agree	13	18
Agree	26	35
Neither agree nor disagree	13	18
Disagree	11	15
Strongly disagree	4	6

	Total	Percent
Not answered	7	9

34 of 74 respondents provided a narrative response to this question. Overall, more than half are in agreement and only a fifth disagree.

The key things to note from the narrative responses are:

- RDs should take into account the effects of the pandemic – schools may have been on an upward trajectory between section 5 inspections and expecting to receive a Good judgement but been hampered by Covid.
- Not only this, but schools were inspected under a new framework and their ability to prepare for this has also been hampered by the pandemic.
- There was general agreement that it was fair and proportionate to consider schools with an inspection history of 5 or more consecutive below ‘Good’ judgements for intervention even where their last Ofsted judgement predates May 2021.

Question 7

To what extent do you agree that RDs should invite representations from the governing bodies of maintained schools and the management committees of PRUs that are not making necessary improvements, as well as consulting the relevant local authority, before deciding whether to make an academy order?

	Total	Percent
Strongly agree	38	51
Agree	24	32
Neither agree nor disagree	2	3
Disagree	3	4
Strongly disagree	1	1
Not answered	6	8

42 of 74 respondents provided a narrative response to this question. The vast majority (62 of 74) agreed or strongly agreed that governing bodies/managing committees of schools not making necessary improvements should be able to make representations to

the RD, and that the RD should consult the local authority before issuing an academy order. Much of the narrative focused on this being a way that RDs could understand the specific nature of the problems of individual schools and the steps that were being taken to mitigate them, as well as the varied nuances that come with 2 or more judgements below Good.

Question 8

To what extent do you agree that the department should adopt a presumption in favour of making an academy order to a maintained school or PRU that are not making necessary improvements? This means that cases will always be considered on their facts but that RDs will normally expect to issue an academy order compared to other intervention action.

	Total	Percent
Strongly agree	3	4
Agree	13	18
Neither agree nor disagree	8	11
Disagree	17	23
Strongly disagree	26	35
Not answered	7	9

46 of 74 respondents provided a narrative response to this question, with the majority disagreeing with the proposal. Most of the disagreement centred on the following:

- MATs are not universally strong. Whilst many are, there are also many strong maintained schools so there should not be a presumption that intervention means academisation.
- An academy order isn't necessarily the best or only solution and the RD should consider a range of options, including allowing a local authority with a record of school improvement to work with an underperforming maintained school before issuing an academy order.
- A presumption towards making an academy order contradicts the suggestion that RDs will make decisions on a case by case basis.
- It is untrue that schools that are not part of a family of schools cannot sustain school improvement.

Question 9

To what extent do you agree that the department should adopt a presumption in favour of issuing a termination warning notice (TWN) to standalone academies that are not making necessary improvements? This means that cases will always be considered on their facts but that RDs will normally expect to issue a TWN compared to other intervention action.

	Total	Percent
Strongly agree	3	4
Agree	18	24
Neither agree nor disagree	18	24
Disagree	12	16
Strongly disagree	16	22
Not answered	7	9

41 of 74 respondents provided a narrative response to this question, with responses fairly evenly split between those who are in agreement, those who disagree and those who responded with Neither.

In general, the responses focused on the following:

- Joining a MAT is not necessarily the best or only solution
- Does not allow for the fact that there are other forms of school improvement
- This does not treat maintained schools and SATs equally as a TWN provides an opportunity for an academy to improve whereas an academy order means the school will become an academy regardless.
- Issuing a TWN should not be an automatic decision and all cases should be assessed individually to ensure the right decision is made for that school.

Question 10

To what extent do you agree that the department should issue a TWN where they are not satisfied that a trust has the capacity to improve an academy that is not making necessary improvements?

	Total	Percent
Strongly agree	5	7
Agree	28	38
Neither agree nor disagree	17	23
Disagree	6	8
Strongly disagree	12	16
Not answered	6	8

43 of 74 respondents provided a narrative response to this question, most of whom agreed or strongly agreed with the proposal for the reasons given below:

- Agree but there needs to be a clear definition for what ‘capacity to improve’ actually means as well as the criteria used to define an effective Trust.
- If the Department is not confident in the capacity of a trust then it should act.
- Some agree as long as efforts to investigate capacity have been exhausted.
- Some agree but would like to note the scarcity of alternative trust options in some areas.

Question 11

To what extent do you agree that intervention in schools that are not making necessary improvements should initially focus in Education Investment Areas?

	Total	Percent
Strongly agree	8	11
Agree	12	16
Neither agree nor disagree	21	28
Disagree	18	24
Strongly disagree	9	12
Not answered	6	8

The responses to this last question were closely split between those who agreed or strongly agreed, those who disagreed or strongly disagreed and those who neither agreed nor disagreed, although more disagreed. Whilst the consultation did not provide

for giving a reason for the response to this question, some respondents did so via email or as part of their response to another question. All of those who did so either disagreed or did not specify and the reasons included:

- a lack of faith in the validity of Ofsted judgements;
- a concern that pupils in schools not in EIAs would be unfairly left behind; and
- the existing difficulties around finding the right MAT in areas of disadvantage.

Key stakeholder views

Key stakeholders who responded to the consultation include:

- Community, NEU, NASUWT, ASCL and NAHT
- CES and CEEO
- CST
- Ofsted
- LGA

Broadly speaking, the teaching unions were not in favour of the measure. Their responses indicated that they do not disagree with intervention in principle – and believe all schools should receive support where necessary – but do not agree with the presumption that intervention equals academisation.

It was noted by one union that an RI judgement reflects a consistent standard of performance whereas, in reality, it captures a very wide range of performance, making it feasible that a school with a second RI judgement does not need to do much more to become Good. Another raised concerns that whilst the Ofsted inspection handbook provides inspectors with detailed criteria for all other judgements but not for RI. Therefore, the nature of the intervention required is not always clearly defined.

Another noted that where a school is at risk of being judged Inadequate, inspectors are supported by a highly experienced team to ensure judgements are sound and based on good evidence; however, there are no such provisions for schools at risk of being judged RI.

Unions were also concerned about the impact on teacher and leader recruitment and retention as well as the impact of the policy on wellbeing.

The churches (as represented by the CES and the CEEO) are broadly supportive but both emphasised that we must take into account the principles set out in the Memorandum of Understanding and that there must be an integrated approach between RDs and dioceses. The CES noted the potential difficulties of including PRUs and special schools in the measure, particularly in finding a trust with both the religious character and the relevant expertise.

Neither church disagreed with the inclusion of predecessor schools; however, stressed that trusts need to be given time to effect change. The CES in particular pointed out that some trusts work almost exclusively with schools that are not yet good and should not be penalised for this.

CST's response focused on the ability of the regulator to reach an informed decision, and that the RD must decide on a case by case basis whether intervention or support is required.

They do not agree that the inspection history of a school should include inspections before joining its current MAT as they believe a trust should not be held accountable for outcomes prior to it taking over. They also feel this would act as a disincentive to trusts taking on RI or Inadequate schools.

Ofsted have expressed a concern that whilst a second RI judgement may reflect continuing or worsening issue in some cases, in others schools may be improving and under strong leadership. Therefore, they believe intervention is unnecessary and possibly damaging in those circumstances. They are also concerned that schools with one RI judgement may implement short term fixes to avoid a second RI rather than focusing on sustainable improvement.

They agree that 5RI+ schools should be exempt from the most recent Ofsted inspection being from May 2021 but note that if only the most recent inspection was under the current trust it will not necessarily represent a failure on the trust's part.

Finally, we had a response from the LGA. Whilst supportive of the measure in principle, they expressed a concern that there are not enough strong trusts in the right areas to support these schools. Equally, they stressed the high proportion of maintained schools rated Good or Outstanding (92%).

They are supportive of including predecessor schools as feel it is right that trusts should be held to account for improving schools rapidly.

However, they disagree that the presumption should be to issue an academy order and feel that in areas where there is insufficient trust capacity RDs should consider how Good or Outstanding maintained schools can support coasting schools.

Government Response

The government's view is that all children should have the right to go to a school that is Good or Outstanding. Whilst huge strides have been made since 2010 with record numbers of schools being Good or better², there are still too many children attending schools that are not yet good enough. Whilst we have rightly focused our attention on Inadequate schools in recent years, we now need to look at the minority of schools that are not making necessary improvements.

As shown in the analysis of responses, the views expressed by respondents can be grouped into broad themes, which this response will address in turn.

Academy and MAT performance

Our ongoing vision is a world-class, school-led system where every school is part of a family of schools in a strong multi-academy trust. The Department sees strong academy trusts as the key vehicle to improve educational standards by facilitating better collaboration, directing resources to where they are needed most, and enabling our best leaders to support a greater number of schools.

The MAT model creates the conditions for deep collaboration and a shared strategic vision across multiple schools, enabling clear accountability for pupil outcomes. By working in partnership, schools within a trust can share curriculum expertise and effective teaching practices to deliver the best outcomes based on the needs of each individual school.

Where an academy trust requires additional support, the ESFA and RSC Office will work with the trust to build its capacity, supporting effective school resource management with specialist advisors to help schools and trusts reach a stronger position.

Evidence shows that trusts have performed well in improving the performance of most sponsored academies. More than 7 out of 10 sponsored academies which were found to be underperforming as an LA maintained school in their previous inspection now have a good or outstanding rating. The department has also published robust analysis ([analysis of sponsored academies](#)) showing that schools which became sponsored academies typically performed significantly less well than otherwise similar schools prior to academisation, but afterwards typically demonstrated improvement to a point where their performance was often indistinguishable from their similar schools and sometimes better than them.

Ofsted

Ofsted inspection gives head teachers an independent, rounded judgement of their school's performance, and the information they need to raise standards. Ofsted's post-

² As of August 2021, 86% of schools were rated 'good' or 'outstanding', compared to 68% in 2010

inspection survey data shows that 9 in 10 schools that have been inspected agree or strongly agree that the inspection will help them improve.

Ofsted introduced its new inspection framework in 2019 following two years of extensive development and consultation. Its published handbook sets out how it will provide judgements on overall effectiveness, quality of education, behaviour and attitudes, personal development and leadership and management, including safeguarding.

The judgements inspectors make are based on the evidence collected and the Department trusts Ofsted's judgement as an independent inspectorate. The Department also uses school inspection judgements and reports to intervene in schools that need to make improvements.

As set out in the school inspection handbook, Ofsted has quality assurance arrangements in place and monitors the quality of inspections through a range of formal processes.

Flexibility and the need for context

All cases will be assessed on an individual basis by the Regional Director and their Advisory Board, with governing bodies able to make representations and provide evidence. All schools that fulfil the criteria set out in the updated *Schools Causing Concern* guidance attached as an annex to this response will be considered for intervention by RDs. RDs will consider any evidence provided by a school, as well as other interested parties such as trusts and religious bodies, when making a decision on whether to intervene. For example, RDs will consider inspection histories (including if a school's inspections demonstrate an upwards trajectory), evidence regarding the capacity of leadership and management of the school to secure sustained improvement, performance and other quantitative data and evidence relating to the local context of the school. However, this list is not exhaustive and any evidence provided will be considered by the RD.

Alternative provision and special education

The SEND and Alternative Provision Green Paper, published on 29 March, sets out our plans for a more inclusive and coherent education, health and care system that will improve the experience and outcomes for children and young people with SEND and those who need alternative provision.

We propose to establish a single national SEND and alternative provision system which will set clear standards about how support is provided. Targeted support for children and young people who need it will be available when required, together with excellent specialist provision for those with more complex needs.

At their best, alternative provision schools are experts in dealing with behavioural or other needs which present barriers to learning, but high-quality alternative provision does not exist everywhere. Structural barriers to effective delivery of alternative provision mean that, too often, its role is unclear, and it is used too late or in a way that is not best focused on children's needs. Our new national vision for alternative provision will help

local areas to ensure that children and young people with challenging behaviour or with health needs receive the right support, in the right place and at the right time.

To drive improvement in the sector, alternative provision schools will benefit from joining multi-academy trusts and we will open new alternative provision free schools where they are most needed. Resources will be targeted and distributed more effectively, with needs addressed earlier and more stable funding for alternative provision schools to help them recruit and retain high-quality staff. We will also develop bespoke performance metrics to set robust standards focused on progress and re-integration into mainstream or post-16 education. This will transform the sector, giving alternative provision a key role in improving disadvantaged and vulnerable children and young people's outcomes.

Leadership

Good leadership is key to school improvement and is an aspect of a school's performance that RDs will consider carefully. Alone it is not enough to provide certainty that a school can improve, but it will be carefully considered alongside any other evidence provided.

Local support is better

Delivering a good standard of education and good outcomes for pupils is of the highest importance. We recognise that there are schools of all types who are providing this. However, it is our view that academy trusts are best placed to do this by enabling stronger schools to support weaker schools to improve, as the trust is accountable for the performance of all academies within the trust. This can also provide teachers with the opportunity to gain experience in different schools' settings, sharing subject expertise and piloting innovative approaches.

The academy trust model can be a powerful vehicle for improving schools. It allows high performing schools to consolidate success and spread that excellence across their local area. Almost all academy trusts with multiple schools surveyed in a recent study³ (96 %) believe their structure has led to greater collaboration, and most have formal relationships with schools outside their trust. We encourage any collaboration between schools that will improve outcomes for pupils and joining a MAT does not preclude schools from forming relationships with other local schools.

2RI+ is not the right measure

A number of respondents are concerned that 2 judgements of less than Good is not the right measure. Some commented that the time between inspections varies and can be as little as two and a half years or more than four, leading to a lack of consistency. Others emphasised that effecting real change takes time and a school that goes from Inadequate to RI is not a school that is 'not making necessary improvements'.

³ [Academy trust survey \(2017\)](#).

As set out above, every case will be assessed individually. There will not be a blanket presumption that in every case the RD will issue an academy order or a termination warning notice (TWN). But it is not right that some pupils have spent their entire compulsory education in schools that are less than Good. Early intervention will benefit pupils and lead to improved outcomes.

In response to this feedback, we have clarified the case by case nature of all intervention decisions in the supporting guidance.

Teacher recruitment

A number of respondents to the consultation, as well as stakeholders when we met, expressed concerns that the measure would impact on teacher recruitment, particularly at senior leader and head teacher level. Their concerns centred around leaders being unwilling to take a post at an Inadequate or RI school in case it received a second judgement below Good. (Often, if an academy order is issued, or an academy is rebrokered, a change in leadership follows, therefore meaning a head teacher could be replaced.)

We would emphasise that the new measure means that schools will become *eligible* for intervention, not that they will be chosen for intervention. RDs will consider a wide range of evidence when making decisions on whether to intervene and if they see evidence of improvement in difficult circumstances it is unlikely that they will intervene. Instead, the school may be directed elsewhere for further support or, in the case of a maintained school or a standalone academy, encouraged to join a MAT to benefit from the support available.

Predecessor schools

Whilst a greater number of respondents disagreed that predecessor schools should be included, the narrative responses showed that this was generally because they believed trusts that have taken on Inadequate schools should be afforded sufficient time to make the necessary improvements. As has been set out, when a school receives a second Ofsted judgement below good it will become eligible for intervention. This does not necessarily mean that a RD will choose to intervene and each case will be assessed on an individual basis. Where a RD does signal their intention to intervene, schools will be able to make representations and if the RD is satisfied that improvements are being made, and the trust has capacity to improve the school further, it is unlikely that intervention will occur.

However, it is important that schools that require support get it quickly: all pupils are entitled to a good education and the inclusion of predecessor schools in this measure will facilitate swifter intervention wlt should also be noted that one respondent did not believe the inclusion of predecessor schools would be compatible with the Academies Act 2010. The regulations will explicitly allow for intervention based on Ofsted judgements of predecessor schools; therefore, it is our view that there is no legal barrier to their inclusion.

Education Investment Areas

Whilst we acknowledge the concerns raised by some respondents that focusing on intervening in schools in the EIAs could lead to pupils in other areas being disadvantaged, the need to build capacity in EIAs is greatest. We know that finding the right trust can be challenging, which is why the Schools White Paper signalled our intention to build the trust capacity, with £86 million of trust capacity funding allocated over the next 3 years, which will be focused on EIAs.

At the same time, whilst schools in EIAs will be prioritised, this does not preclude schools in other areas receiving support. Some regions have more schools that currently meet the coasting definition in non-EIA areas and it is therefore likely that these schools will receive support earlier.

Next steps

The Secretary of State's right to intervene in schools is set out in the Coasting Regulations (England), which will be laid before Parliament on 30 June 2022. The Statutory Instrument will be subject to the negative procedure, meaning it will become law on the day the Minister signs it and automatically remain law unless a motion – or 'prayer' – to reject it is agreed by either House within 40 sitting days. The measure will come into effect on 1 September 2022 and we will formally publish the supporting guidance in advance of this date.

Annex A: List of organisations that responded to the consultation⁴

- Carrant Brook Junior School
- St Philip's Primary School
- Kings Education Trust
- Walkwood Church of England Middle School
- Parenting Together
- The Mosslands School
- Ferndale School
- The Pennine Trust
- The Wings CE Trust
- Peterbrook Primary School
- St Mary's Catholic Primary School
- Confederation of Schools Trusts (CST)
- Salford City Council
- Diocese of Arundel and Brighton
- St Wilfrid's
- Hackney Education
- The Catholic Education Service
- The Mayflower Primary School
- Crowdys Hill
- NASUWT
- London Borough of Hillingdon
- Rotherham Metropolitan Borough Council
- Norfolk Children's Services
- Brent Local Authority

⁴ Some respondents wished to remain anonymous

- Waltham Forest Borough Council
- North West Association of Directors of Children's Services
- Barnsley Metropolitan Borough Council
- The Howard Partnership Trust
- National Governance Association
- NEU
- Bristol City Council
- Medway Council
- Coventry City Council
- Bury Council
- Potteries Educational Trust
- Medway Virtual School
- Kent County Council
- ASCL
- The Church of England Education Office
- ADCS
- Parentkind
- Local Government Association
- Community Union
- Ofsted
- NAHT



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