

HEREFORDSHIRE COUNCIL

Improving schools

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SECTION 1

Risk assessment

- Schools that have been identified as '**low risk**' are generally performing at above national average in the **vast majority** of key performance indicators.
- Schools that have been identified as '**medium risk**' are generally performing at national average or better in **most** key performance indicators.
- Schools that have been identified as '**high risk**' are generally performing below national average in a significant number of key performance indicators.

The following gives additional detail:

| Risk level | Description |
|------------|---|
| Low | <p>An 'outstanding school' which is performing at a high level with all key indicators at or above national levels.</p> <p>A 'good school' with no concerns, performing at or above national averages in the vast majority of key indicators.</p> |
| Medium | <p>A school which may have been judged by Ofsted as 'good' or better but where there are some concerns re performance: some key indicators (such as the attainment and progress of disadvantaged pupils) may have dipped below national levels or there may be decline in some areas.</p> <p>A school which may have been judged by Ofsted as 'requires improvement' but which has responded very positively to support and whose attainment and progress indicators are improving rapidly.</p> |
| High | <p>Any school that is underperforming significantly in several areas particularly against national performance indicators.</p> <p>Any school that has just been placed in RI, serious weaknesses or special measures.</p> <p>Any school with changes or weaknesses in leadership (including governance) which significantly compromise the performance of the school.</p> <p>Any school that does not safeguard its pupils effectively.</p> |

The aim of the risk assessment is to ensure the attention of the head teacher and governing body is drawn to any issues or combination of factors which are or could affect performance and to take actions to mitigate the risk.

Where the risk assessment is deemed 'high', Herefordshire Council will arrange a meeting with the Head teacher and Chair Of Governors to discuss the school's plans for improvement and/or broker support from a teaching school or National Leader in Education, if necessary. This will lead to termly monitoring by the Local Authority and statutory intervention, if no rapid improvement is made.

Section 2

Statutory Intervention

Effective intervention needs to be early and sharply targeted so as to achieve swift improvement where necessary and prevent a decline in outcomes for children and young people and an Ofsted inspection placing the school in category.

Herefordshire Council always aims to work with the leadership and governing body of a school to improve outcomes for children and young people.

Where there are judged to be significant barriers to improvement Herefordshire Council will use the statutory intervention powers in maintained schools.

While the local authority has no power with regard to academies there is an expectation from the termly meetings with DfE and Ofsted that Herefordshire Council will inform the school and, if appropriate, the sponsor of any concerns, and thereafter the Regional Schools Commissioner.

Herefordshire Council's aim will be to work with schools in such circumstances. Where we believe concerns are not being addressed, we will inform the Regional Schools Commissioner and the Department for Education (Academies and Performance Division) and they may decide on advising the Secretary of State to use her/his statutory powers.

Statutory guidance on local authorities and regional schools commissioners' responsibilities relating to schools and PRU's causing concern is detailed in: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/754974/Schools_causing_concern_guidance-November_2018.pdf

SECTION 3

Statutory Intervention may take the form of

- A warning notice
- Suspending the school's delegated budget
- Appointing additional governors to the governing body
- Appointing an interim executive board

Low standards of pupil performance, threats to the safety of pupils and staff and/or the breakdown in the way a school is managed or governed are justifiable reasons for intervention.

Section 4

Statutory Framework for Schools and the Local Authority

Under section 13A of the Education Act 1996, as amended by section 1 of the Education and Inspections Act 2006, the council has a legal duty to promote high standards and the fulfilment of potential in relation to all its education functions. This section applies to education for children of compulsory school age, whether at school or otherwise; and children under or over that age who are registered as pupils at schools maintained by the council. A child is defined as a person under the age of 20.

Section 13A places a legal duty on the council to ensure that all its education functions are (so far as they are capable of being so exercised) exercised by the authority with a view to:

- (a) promoting high standard;
- (b) ensuring fair access to opportunity for education and training;
- and**
- (c) promoting the fulfilment of learning potential by every person to whom the section applies.

This duty applies to community schools, but not to academies. While the council has no direct responsibility for academies, there is an expectation that there will be a relationship whereby the local authority is aware of standards and in a position to raise concerns directly with the school, or with Ofsted, if there is not a satisfactory response.

Various Education Acts define the responsibility of schools and governors with respect to financial management, staffing, the curriculum and inspection. There are also prescribed general responsibilities around specific groups of children and young people.

