

# The new role of the local authority in Education

## 1 National legislative and policy context

- 1.1 Since the General Election there has been considerable debate about schools and education policy. Within weeks the government had fast tracked the Academies Act onto the statute books making it easier for schools to become Academies. There was a time when the LA managed all state schools in its area and controlled what schools did. The LA held the budget for its schools and these had to ask for everything they needed. The LA appointed the staff, set the curriculum and inspected the schools.

Those days have long gone and legislation has reduced the role of the LA and strengthened that of schools and the central government department.

Schools are now largely self-governing. All manage their own budgets; many employ their own staff, own the land and buildings and only come into contact with the LA when they choose to make use of LA services. The LA has strict guidelines it has to follow in its relationship with schools. In general, the LA has a closer relationship with community and voluntary controlled schools, because it still employs the staff and sets the admissions criteria.

What is the role of local authorities? Is looking at how the Pupil Premium is being used part of the 'strategic role' with schools that the Secretary of State for Education has outlined?

*Local authorities are responsible for passing on the Pupil Premium to schools, and for managing its distribution in respect of looked after children and children in non-mainstream settings. They may wish to look at how it's being used within their area, but there is no requirement that they have to do so.*

*There will be some looked after children that are not in mainstream provision and it will be the role of the local authority to use the Pupil Premium to support these children as per each child's personal education plan.*

- 1.2 Croydon is one of many LAs nationally which by January 2013 no longer maintain the majority of secondary schools in their area. Indeed nationally 45% of secondary schools are now already academies or in the process of converting to become one. In Croydon, a number of primary schools are currently in the process of converting to academy status or have just done so. This means that local authorities have to rethink their approach as they are inexorably transformed from being provider of education to being a significant commissioner of education.

- 1.3 The Local Government Association summarised the changing role of local authorities in education in its report “*Local Freedom or Central Control II*”, published in June 2011. It suggested the following broad features of the local authority role:
- Supporting school improvement
  - Bringing forward new provision
  - Championing educational excellence
  - Championing the needs of vulnerable pupils
  - Ensuring every child has access to a place at a good school

The LGA suggested it was for local authorities themselves to determine, in discussion with local schools and other partners, what role the local authority would take with regard to education. This would depend on the local context, the local opportunities and the local needs.

- 1.4 Following the LGA report there was a national research project involving eight local authorities, jointly funded by the Department for Education and the LGA, to examine how local authorities are responding to the new context and gathering practice from which others may learn. In June 2012, the Department for Education published the final Report entitled ‘*Action research into the evolving role of the local authority in education*’. This research set out to explore how local authorities are changing and responding to the requirements of a more autonomous education system. Central to the research was to examine three core responsibilities of the local authority in Education:
- Ensuring a sufficient supply of school places
  - Tackling underperformance in schools and ensuring high standards
  - Supporting vulnerable children

The purpose of the project was to present an accurate snapshot of how nine local authorities across the country are responding practically to the challenges and opportunities that a more autonomous education system presents.

## **2 Local authority duties and priorities**

- 2.1 Alongside the changing role, the Council’s core statutory educational duties remain unchanged. There continues to be a duty to secure sufficient school places in their area, and to “promote high standards and the fulfilment of potential” of local pupils. Local authorities have a duty to:
- Ensure fair access to all schools for every child
  - Support vulnerable pupils – including Looked After Children, those with SEN and those outside mainstream education
  - Support maintained schools performing below the floor standards to improve quickly or convert to Academy status and to develop their own school improvement strategies

## 2.2 Local priorities

The role of the LA in relation to education is an evolving one.

The LA is working with those schools that have subsequently become academies to develop a strong community partnership and to set out its strategic leadership role..

From April 2010 Croydon became responsible for securing education and training provision for young people in their area who are over compulsory school age, but under 19. This included the planning, commissioning, quality assurance and funding of provision for learners. Where Croydon is commissioning 16-19 provision from providers for which it is not the sponsoring body, it retains a role in quality assurance to ensure its commissioning decisions take account of quality issues.

## 2.3 Emerging strategic responses from local authorities

Thurrock Council Scrutiny Committee recently considered the role of LA in education. The committee was told that as part of the research project referred to above, different models are emerging according to local circumstances. Approaches can be characterised by the dominant driver.

At one end of the spectrum of responses, some local authorities' approaches can be characterised by **tighter focus and retrenchment**. The main driver here is an **emphasis on delivering statutory responsibilities**, and having a narrower focus on **ensuring good outcomes for vulnerable pupils** rather than all pupils.

Other local authorities, particularly those with a strong history of trading or providing highly regarded services with schools, are quickly moving to a broader traded service, particularly around school improvement services. These market-based approaches are also characterised by the local authority as **expert commissioner**. There are clear benefits here in terms of income generation and improved clarity around desired outcomes.

The third broad approach is characterised by the local authority taking a leading in being a **convenor of partnerships**. This has particular applicability in the 14-19 arena and adult skills as well as using the considerable opportunities of the new Health and Well Being board to influence and set the agenda with health partners.

A **principle-based approach**, where the council sets out a clear vision for improvement and acts more strongly as a strategic leader is in contrast to councils which prefer a retrenched position concentrating on its statutory responsibilities and letting the market only determine the quality of educational provision. This retrenched position is perhaps most attractive to councils where the quality of educational provision is less secure, whereas where there are strong improvements to make the council would want to be at the heart of driving pace and improvement.

Finally, an approach based on **strategic system leadership** is possible. This combines the best elements of all the above approaches. The matrix of responses is illustrated in the table below.

## Summary table of the key approaches to a redefined role for the LA in education

No	Key approach.	Characteristics	Benefits	Risks
1	<b>Tighter focus and retrenchment</b>	<p>Emphasis on delivering statutory responsibilities</p> <p>Tighter focus on ensuring good outcomes for vulnerable pupils rather than all pupils</p>	<p>Could lead to improved performance on statutory responsibilities owing to singularity of focus</p>	<p>Unambitious and misses out opportunities for regeneration and driving up attainment</p>
2	<b>Market based approaches</b>	<p>Becoming an expert commissioner</p> <p>Entering the market as a competitive provider of services</p>	<p>Increased clarity about needs analysis, resources available and value for money in letting contracts</p> <p>Potential for improved income generation</p>	<p>Limited in terms of system leadership to build strong partnerships for whole system improvement</p> <p>Limited scope for maximising opportunities arising from regeneration</p>
3	<b>Convenor of partnerships</b>	<p>Creating the forums and conditions for collaborative decision making</p> <p>Facilitating and brokering partnerships</p>	<p>Brings together key players to drive up outcomes with shared accountability and strong peer support</p> <p>Strengthens relationships to create sustainable change</p> <p>Maximises the use of each party's resources</p>	<p>May be conceived of as overly meeting based or bureaucratic</p> <p>Possibility of a "plethora of partnerships"</p>

4	<b>Principle based leadership</b>	<p>Creating a unifying local vision</p> <p>Becoming local advocates and champions for pupils and parents</p>	<p>Clarity of vision gives a picture of the future around which partners can coalesce</p>	<p>Credibility depends on what the council can do to add value – creating a vision and being a champion is not enough</p>
5	<b>Strategic System leadership</b>	<p>Place shaping</p> <p>Orchestrating the maximum benefit from local opportunities and using the best of the above approaches</p>	<p>As above 1-4 and makes the best use of tools and levers available and maximises the cross cutting opportunities for regeneration, raised aspiration</p>	<p>Politicians may prefer a narrower focus</p>