



EDUCATION FOR LIFE SCRUTINY COMMITTEE - 5TH NOVEMBER 2019

**SUBJECT: REGIONAL SCHOOLS CAUSING CONCERN PROTOCOL
AND RISK REGISTER**

**REPORT BY: KERI COLE, CHIEF EDUCATION OFFICER
EDWARD PRYCE, ASSISTANT DIRECTOR – POLICY AND
STRATEGY, EDUCATION ACHIEVEMENT SERVICE (EAS)**

1. PURPOSE OF REPORT

- 1.1 To provide information for Members on the revised South East Wales Consortia (SEWC) Regional Schools Causing Concern Protocol and supporting Risk Register Process.
- 1.2 To provide an update for Members on Caerphilly Schools currently on the Risk Register since January 2019.

2. SUMMARY

- 2.1 The SEWC Schools Causing Concern Protocol and additional Schools Causing Concern – Operation Appendix for meetings (Appendix 1) form a part of and are aligned with the National Model for School Improvement. This report provides both a summary of these processes for meetings in schools and the supporting Schools Causing Concern risk register. It also provides further information on the Caerphilly schools included on the register.

3. RECOMMENDATIONS

- 3.1 For Members to receive the report for information and take the opportunity to comment.

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 It is important that Members are updated on the rate of progress of schools which cause concern.

5. THE REPORT

BACKGROUND

- 5.1 The Schools Causing Concern – Operation Appendix for meetings (Appendix 1) forms a part of and is aligned with the National Model for School Improvement. It describes the processes related to the informal support and challenge provided by the Local Authority (LA) to a school, prior to any issuing of a warning notice or invocation of formal powers of intervention based on the six grounds for intervention. It also aligns with the Welsh Government (WG) Guidance on Schools Causing Concern (March 2016) (Appendix 2). The School Standards and Organisation (Wales) Act 2013 consolidated, clarified and reformed the law in relation to intervention in schools causing concern.
- 5.2 Over the past three years local authority Directors in partnership with the Education Achievement Service (EAS) have operated a regional approach to the implementation of the statutory processes surrounding Schools Causing Concern.
- 5.3 The previous protocol was last updated in July 2017, to include a process for establishing and maintaining a Risk Register of Schools Causing Concern. The Register is used regularly to review the actions taken by local authorities, the EAS and religious authority (as appropriate) for each school identified at risk, to ensure that appropriate support and challenge has been provided to secure the necessary pace of improvement and to improve regional consistency, particularly in the use of statutory powers. Schools listed on the register are agreed by local authority Directors of Education and the EAS Managing Director. The Headteacher and Governing Body are notified in writing if their school is placed on the Schools Causing Concern Register. This notification letter notes the reasons why the school is included and explains the process of determining the support that both the local authority and the EAS will provide. This information will already be included on the school's support or intervention plan.
- 5.4 The register considers a range of criteria to identify schools at risk including:
- Pace of progress against current school support or intervention plan;
 - National categorisation outcomes (3-year period);
 - Current Estyn category (e.g. statutory category / remaining in a category for a longer than anticipated period of time);
 - Pupil outcomes (Benchmarks over a 3-year period) for relevant age phase including a comparison to Welsh Government modelled estimates at KS4;
 - Information provided through the target setting and progress towards targets process;
 - Attendance (Benchmarks over a 3-year period);
 - Exclusions; and
 - Any other LA specific concerns linked to: Finance, Safeguarding, Human Resources, Additional Learning Needs.

- 5.5 As part of this process, where a local authority in partnership with the EAS has concerns in relation to the quality of teaching, learning and standards achieved by pupils and/ or the leadership and management of a school, prompt action will be taken to support. Such concerns will be based on an appropriate range of available quantitative and qualitative evidence available including analysis of performance data, scrutiny of learners' work and progress, learning walks and evaluations of leadership and management. Where this is the case, a full review of the leadership and management of a school may be considered. The timetable for the review and subsequent school activity will be completed in full consultation with the school.
- 5.6 The register is reviewed on at least a termly basis by senior officers within the local authorities and the EAS to ensure that levels of support and challenge are consistent. Progress of schools is also discussed at the meetings with all Cabinet Members for Education on a termly basis. Following these meetings schools will be notified if there are any changes to their inclusion on the register or any updates regarding support. The process for School Based 'Schools Causing Concern Meetings continues and this is an opportunity to have open discussions about progress and support.
- 5.7 This work recognises that the progress made by schools cannot be attributed solely to the work of the regional consortium, as other partners in the system also play an important role. The role of school leaders and governing bodies in holding these leaders to account are a key factor in securing school improvement.
- 5.8 The improvements that are required at regional and LA level will continue to require a strong commitment to partnership working to be successful; with each LA making full use of their statutory powers, as appropriate, and wider support services such as HR to ensure that all schools make improvements at the required pace.
- 5.9 School leaders in schools across the region requiring the most improvement will need to fully engage with the improvements that need to be made and, alongside governing bodies, will need to drive forward this change at pace. The EAS will offer support and challenge through this process but will not be able to effect change on a whole region level without the commitment from each tier within the system.
- 5.10 For September 2019 a revised regional Schools Causing Concern Operational Appendix was agreed and shared with governing bodies and headteachers. This document explains the rationale for holding schools causing concern meetings with individual schools.
- 5.11 A Schools Causing Concern meeting can be requested by the local authority when a school is considered to be a 'school which causes concern' or is at risk of 'becoming a school which causes concern'. A School Causing Concern meeting will be arranged when a school:
- Is placed in a red or amber category;
 - Has received a local authority warning notice;
 - Is placed in an Estyn statutory category of requiring Significant Improvement or Special Measures;

- Evidences that enhanced support and challenge is required linked to grounds 1-6 of the Schools Standards and Organisation (Wales) Act 2013 for Schools Causing Concern.

Meetings may be arranged when a school;

- Is placed in a yellow or green category but its capacity to improve is not secure and / or the pace of improvement is too slow.
- Is in an Estyn review category.
- Is identified as a risk in relation to a review or audit, which has been conducted by the LA or EAS. This may include for example; Finance, Health & Safety and Safeguarding Audits or Leadership and ALN Reviews.
- Demonstrates evidences that enhanced support and challenge is required linked to grounds 1-6 of the Schools Standards and Organisation (Wales) Act 2013.
-

5.12 Within the Welsh Government guidance on Schools Causing Concern, the six grounds for intervention are:

Ground 1	The standards of performance of pupils at the school are unacceptably low.
Ground 2	There has been a breakdown in the way the school is managed or governed.
Ground 3	The behaviour of pupils at the school or any action taken by those pupils or their parents is severely prejudicing, or is likely to severely prejudice, the education of any pupils at the school.
Ground 4	The safety of pupils or staff at the school is threatened (whether by a breakdown of discipline or otherwise).
Ground 5	The governing body or head teacher has failed, or is likely to fail, to comply with a duty under the Education Acts.
Ground 6	The governing body or head teacher has acted, or is proposing to act unreasonably in the exercise of any of its, his, or her functions under the Education Acts.

Caerphilly Schools on the Risk Register (3 October 2019)

5.13 The last meeting of LA senior officers and the EAS took place on 3 October 2019. All Caerphilly schools on the register are listed, along with their: phase; whether there is a current live LA Warning Notice; National Categorisation over 3 years; and current Estyn follow-up status (where available)

School name	On the Register Previous Year (Sept 2018)	Commentary
Bedwas High School	Y	The Headteacher took up post in January 2019 and the Warning Notice was lifted. The school was removed from Special Measures in March 2019.
Heolddu Comprehensive	Y	The new Headteacher took up post in April 2019. The school is currently in Estyn Review and it will be re-assessed this term.
Islwyn High	Y	The school is currently in Estyn Review and will be re-assessed this term.
Lewis School Pengam	Y	The school is currently in Estyn Review and will be re-assessed this term. A Warning Notice was issued in January 2019 which was removed in October 2019, as the school had exceeded all targets set.
Ysgol Gyfun Cwm Rhymni	Y	The school was issued with a Warning Notice in January 2019 and placed in Significant Improvement in February 2019. It will be revisited by Estyn next year to assess progress. The Warning Notice was lifted in September 2019 as the school had exceeded all targets sets.
Bryn Awel Primary	Y	The school is currently in collaboration with Fochriw Primary School in regard to shared headship.
Llanfabon Infants	Y	The Warning Notice was lifted in January 2019 and the school was subsequently removed from Significant Improvement in April 2019.
Idris Davis 3-18	Y	The school remains on the Risk Register.

The following schools have been removed from the Risk Register

- St Cenydd School
- Lewis Girls' Comprehensive
- Panside Primary School
- St James Primary
- Upper Rhymney Primary
- The Learning Centre (PRU)

5.14 The next meeting of the Schools Causing Concern – Risk Register group is 12 December 2019. This meeting will be used to review progress against agreed LA and EAS Actions to support these schools and to agree future required actions. Schools will be added and removed from the risk register as appropriate.

6. ASSUMPTIONS

6.1 There are no specific assumptions.

7. LINKS TO RELEVANT COUNCIL POLICIES

7.1 The recommended course of action contributes to the following Well-being Goals within the Well-being of Future Generations Act (Wales) 2016:

- A prosperous Wales
- A resilient Wales
- A more equal Wales
- A Wales of vibrant culture and thriving Welsh language
- A globally responsible Wales

8. WELL-BEING OF FUTURE GENERATIONS

8.1 This report content contributes to the Well being Goals in terms of securing improvement. This report does not analyse the 5 ways of working in terms of decision making but it does recognise that going forward support is put in place to improve school performance for the well-being of future generations.

9. EQUALITIES IMPLICATIONS

9.1 The EAS have their own Equalities and Welsh Language plans in place. CCBC has therefore not undertaken any specific impact assessment on this regionally agreed protocol.

10. FINANCIAL IMPLICATIONS

10.1 There are no specific financial implications for maintaining the Schools Causing Concern Risk Register.

11. PERSONNEL IMPLICATIONS

11.1 There are no personnel implications.

12. CONSULTATIONS

12.1 There are no consultations that have not been included in the report

13. STATUTORY POWER

13.1 Schools Standards and Organisation (Wales) Act 2013 for Schools Causing Concern.
Local Government Acts 1972 and 2000
Children's Act 2004
Standards and Framework Act 1998

Author: Edward Pryce, EAS Service Strategic and Policy Lead

Consultees: Christina Harray, Interim Chief Executive
Keri Cole, Chief Education Officer
Richard Edmunds, Corporate Director of Education and Corporate Services
Dave Street, Corporate Director, Social Services
Mark S. Williams, Corporate Director Communities
Councillor Philippa Marsden, Cabinet Member, Education and Achievement
Councillor Teresa Parry, Chair of Education Scrutiny Committee
Councillor Carol Andrews, Vice Chair of Education Scrutiny Committee
Steve Harris, Interim Head of Business Improvement and Acting Section 151 Officer
Lynne Donovan, Head of People Services
Anwen Cullinane, Senior Policy Officer (Equalities and Welsh Language)
Rob Tranter, Head of Legal Service and Monitoring Officer
Ros Roberts, Performance Manager
Directorate Senior Management Team

Background Papers:

Appendices:

Appendix 1 Schools Causing Concern – Operational Appendix for Meetings (September 2019)
Appendix 2 WG Statutory Guidance – Schools Causing Concern (September 2017) (222/2017)