

Newcastle City Council
Schools Causing Concern
Policy

May 2007

Newcastle Schools Causing Concern Policy

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Newcastle Schools Causing Concern Policy

Reasons for the revision

The need to take into account the following:

1. The DfES has issued new guidelines for LA intervention in schools causing concern, giving the LA stronger powers and the ability to issue a warning notice.
2. There are too many schools remaining in an amber or red category for long periods of time. The policy needs to demonstrate that support is capacity building and an interim measure.
3. The LA will no longer have the resources to provide support to schools free of charge as has been the case in the past, except for schools in severe difficulty, as the central budget is much reduced in line with the new relationship with schools.
4. The policy is to be aligned to the new Ofsted framework.

Purpose of this policy

To clarify:

- when there is the need for LA intervention
- criteria for identification within a category
- protocols and responsibilities

Rationale

We want all children and young people to have the best possible education in our schools and for all schools to be categorised as green; providing a good education for children and young people in Newcastle.

Effective intervention by the Local Authority and a positive response by the school will help us ensure that:

- in Newcastle all schools are at least satisfactory and the majority good.
- no schools go into an OFSTED category of concern
- intervention builds capacity, thereby effecting sustained improvement
- school leaders use amber or red categorisation as a lever for rapid improvement.

Our preferred method of working is in partnership to effect change within a framework of challenge and support.

Protocol

There will be an open and honest relationship between the school and the Local Authority allowing the sharing of information and if necessary giving challenging messages.

Framework for judging the effectiveness of a School and whether it should be a school causing concern.

The Local Authority uses the Ofsted framework as the basis for making judgements about the quality of education in schools. This will be supported by the school's self evaluation processes, reflected in the Self Evaluation Form (SEF) and the RAISEonline report. This covers:

1. The main characteristics of the school
2. Views of learners, parents/carers and other stakeholders
3. Achievement and Standards
4. The personal development and well-being of the learners (ECM)
5. The Quality of Provision
6. Effectiveness and efficiency of leadership and management
7. Overall judgement for categorisation
8. The capacity for further improvement
9. The steps that need to be taken to improve the provision further

The Local Authority will compile a report based on the above points, commenting on those aspects needing improvement.

The report will be compiled by the School Improvement Partner, using information from the school and Local Authority staff working with the school. The draft report will be shared with the Headteacher and once confirmed as accurate will be reported to the principal advisers.

Following the report a letter will be sent to the Chair of Governors and the Headteacher confirming the category and the steps needed to secure improvement. (See appendix 1 for a copy of the report framework). This process will be overseen by the Director of Children's Services.

Procedures for Formulating the Report

1. Initial identification by the Local Authority, SIP or through a school's self-identification resulting in a report being written. At the start of the review period all schools will receive a letter informing them of the review and inviting schools to self nominate if they feel external support is needed to help their school to improve.
2. In the case of existing amber/red schools the process will be preceded by discussion between the School Improvement Partner and the Headteacher.
3. Triggers for categorisation might include one, some or all of the following:
 - Headteacher / governors' concerns
 - SEF and / or school self-identification (possible use of the Triggers of Fragility self evaluation document)
 - Data analysis – performance including PANDA data and LA data, and especially contextual value-added (CVA) particularly the literacy/numeracy CVA trend over a period of years.
 - SSSRs / LA reviews (full/specific aspect)
 - OFSTED – improvement notice / special measures
 - Identification through additional support, e.g. SEN services, National Strategies.

- Increase in pattern of parental complaints
 - Continuation following previous identification
 - Failure to achieve the required financial management standard
 - Other possible data sources e.g.
 - staff turnover / absence
 - budget deficit
 - recruitment changes – staff and pupil
 - pupil attendance
 - relationship breakdown
4. School Improvement Partner to draft the report following consultation with colleagues working with the school at the six monthly review meeting and the headteacher.
- The starting point for the School Improvement Partner will be:
- that schools are central to this process, informing the LA via the SIP that standards are an issue and that support is needed.
 - to look at achievement and standards / progress within the year.
 - that the SIP has the conversation with the school about categorisation and returns to the LA with a judgement on the categorisation
5. Discuss and agree the outcomes for improvement with the headteacher.
6. The report is approved by the Principal Advisers and a letter from the Director of Children’s Services is written, indicating conclusions and intended outcomes over the coming year is then sent to the headteacher and chair of governors with a copy of the report.
7. A letter is also sent to all other schools confirming that they are categorised as green.
8. Schools in amber or red are required to review the School Improvement Plan within 4 weeks of the Director of Children’s Services’ letter and revise, if necessary, to make the plan more focused and include detail of how it will be resourced and aligned directly to the school’s budget strategy. In the case of schools in the red category the School Improvement Partner will discuss the plan with the school and governing body.
9. A monitoring support group will be identified for schools placed in an amber or red category.

Categorisation

Schools will be grouped into one of 4 categories:

- Green – stable or thriving and a continually improving school
- Yellow – vigilance needed / fragile but no major issues with Standards, Achievement or Leadership and Management
- Amber – key areas are showing little improvement over time / susceptible to a notice to improve / with a notice to improve / improving from red category
- Red – serious situation, number of aspects in decline / no evidence of capacity to improve without support / likely to need or be in special measures

Evidence and decision making for categorisation

Engagement and impact is the key to the success of this process.

School Category	Common Descriptors
<p>Green - stable or thriving and a continually improving school</p>	<ul style="list-style-type: none"> • School displays at least satisfactory performance in all aspects of its work. • Pupil attainment in National Curriculum and GCSE assessments is at least in line with averages for similar schools. • School has the internal capacity to improve to meet challenging targets.
<p>Yellow vigilance needed / fragile but no issues with standards or Leadership and Management</p>	<ul style="list-style-type: none"> • Although performance would place the school in Green, it faces significant change in the coming period, or it has identified early signals of concern (including budget difficulties) through its self evaluation process. This may be due to a change of headteacher or other key staff members particularly in a school in challenging circumstances (i.e. with a high index of multiple deprivation), high staff absence or staff / pupil turnover in a given period. • The school may be affected by school re-organisation or area regeneration initiatives. • A school may alternatively be in the final stage of returning to Green after more intensive additional support. This requires the School Improvement Partner to remain vigilant, gauging the internal capacity to improve, over the short-term.
<p>Amber key areas are showing little improvement over time / susceptible to or with a notice to improve / improving from red category</p>	<ul style="list-style-type: none"> • School performance in one or more significant aspects / subject areas is inadequate and has been over at least a year or more, with performance below that of similar schools in one or more successive years. • Leadership and management in the school is sound overall and may require support and guidance. • The school identifies key priorities through self evaluation but requires support in its capacity to action and monitor these effectively. • A school with a notice to improve as identified by OFSTED inspection will be placed in this category.
<p>Red serious situation, number of aspects in decline / no evidence of capacity to improve without support / likely to be or in special measures / LA has issued a warning notice.</p>	<ul style="list-style-type: none"> • There are major concerns in a number of aspects of school performance, e.g. standards, achievement, curriculum, parent / community relationships, budget, staffing, leadership and management, pupil behaviour, classroom management, and the school does not have the internal capacity to manage consistent improvement • The school is experiencing significant and sustained crises through which it is failing to provide an acceptable standard of education for its pupils • Self evaluation is weak • Leadership and management is not having a consistent impact on standards in the school, and requires special support • A school found by OFSTED to require special measures • A school not making good progress in the Amber category, after 12 months, will be placed in this category

A wide range of data will be used to support judgements see point 3 above – triggers for categorisation.

Timeline for Categorisation Process

Timing	Activity
Sept / Oct	Collection and analysis of information to inform the categorisation of schools. Schools / Services within the LA / SIP. Focus on initial analysis of unvalidated data. SIP to visit the school to discuss categorisation as part of the first visit in the autumn term in preparation for receiving the first draft of the categorisation report. Headteacher to talk to Chair of Governors following this discussion.
Oct half term	Categorisation reports completed by SIP (copy to HT and CofG) and discussed at the first Education Management Team meeting in November.
Beginning Nov	Letter from DCS to Headteacher and Chair of Governors confirming categorisation.
November	For amber and red schools review of School Improvement Plan to ensure it is focused on the issues identified (within 4 weeks of receipt of the letter).
December	Review of progress to date (monitoring support group - MSG)
March	Review of progress including detailed scrutiny of validated data, interim teacher assessments and monitoring evidence matched to objectives. (MSG)
31 March	Progress reports completed by SIP and discussed at the first Education Management Team meeting in April.
April	Any new priorities need to be built into the emerging School Improvement Plan. Letter from DCS to Headteacher and Chair of Governors confirming categorisation.
June	Review of progress to date – MSG
Late summer / early autumn term	SIP annual report to the governing body – SIP to attend the meeting receiving the report.

At any point a school could move into a category using any new evidence from either internally or externally validated evidence if deemed necessary by the school or LA.

Local Authority Intervention Powers

The Local Authority's intervention powers in relation to those schools eligible for intervention includes the:

- (i) power to require such a school to work with another school, college, or other named partner for the purpose of school improvement
- (ii) ability of the local authority to appoint additional governors;
- (iii) local authority may apply to the Secretary of State to replace the entire governing body with an Interim Executive Board (IEB);
- (iv) local authority may take back the school's delegated budget.

Warning Notice

Under Section 60(2) of the Bill, a warning notice can be triggered by any of the following circumstances:

1. The standards of performance at the school are unacceptably low, and are likely to remain so unless the local authority exercises its statutory intervention powers; The definition of poor school performance, includes schools that are badly underperforming in relation to the nature of their pupil intake or the school's general context, in addition to schools at which absolute standards (attainment rates) are unacceptably low.
 - The school's data set, as agreed by the school, the local authority and the SIP, indicates there are problems in relation to pupil progress
 - The school is in the bottom quartile nationally in one or more key performance indicators. These will focus on Contextual Value Added (CVA) data, but could also include, for example, low attainment rates, aggregate point scores, or exclusion and truancy data
 - There is specific evidence, from close examination of contextual data or other sources that the school is significantly letting down groups of pupils (usually 5% or more of the school population), or is very weak in core subjects.
 - Some educational settings, eg Special Schools and PRU, will have little standardised data. Here the emphasis will be on how well learners have met their individual targets.
2. There has been a serious breakdown in management or governance which is prejudicing, or likely to prejudice, standards of performance;
 - Key sources of information to justify a warning notice are likely to be the SIP's report, particularly the commentary on the quality of the school's self-evaluation and target-setting, and Ofsted reports.
 - Declining school popularity, usually revealed through falling rolls
 - High or increasing absence or truancy rates
 - High rates of staff turnover, or numbers of staff grievances
 - Significant or increasing numbers of parental complaints.

3. The safety of pupils or staff at the school is threatened (whether by a breakdown in discipline or otherwise).

A warning notice is unlikely when the school is already working positively to address poor performance, and there is evidence of progress. Circumstances in which the local authority might refrain from issuing a warning notice include when:

- the authority has notified Ofsted that the inspection of the school should be brought forward
- the school acknowledges the problem and is working effectively with the SIP, or other support commissioned by the local authority, to rectify the problem
- the school has taken positive steps, and is monitoring these effectively, to rectify areas identified for improvement after an Ofsted grade 3 (“satisfactory”) judgement.

A warning notice will only be used where there is evidence to justify both the local authority’s concerns and the school’s reluctance to address these concerns through a professional dialogue with the local authority via the SIP within a reasonable timeframe. It is envisaged that the local authority will only use a warning notice in extreme cases.

When issuing a warning notice, the local authority will indicate the action it is contemplating if the school does not respond satisfactorily. The school has the right to appeal to Ofsted and must respond to the warning notice, or appeal to Ofsted, within 15 working days.

See Appendix 2 for details of the process for issuing a warning notice.

Monitoring Support Group

As part of the process the Local Authority will review the school’s work to ensure progress towards the identified outcomes is being made. To do this a Monitoring Support Group will be established.

Membership of MSG

Headteacher

Chair of Governors

2nd relevant governor (not a staff governor)

Members of the Leadership team as deemed appropriate by the HT

SIP

LA representative to chair the meeting and record key notes and actions from meeting.

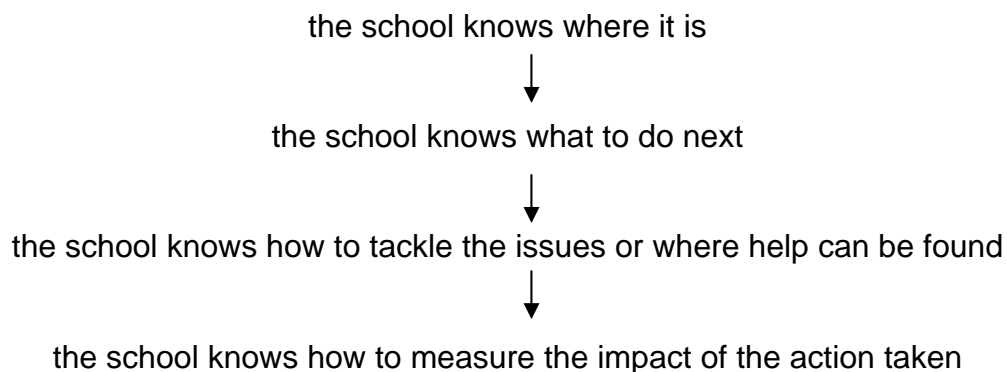
If, following either of the formal reports in October / March, no progress has been made, then a recommendation may be made to Education Management Team, by the SIP, to change the categorisation of the school, in consultation with the school in such extreme circumstances. The school could move from Amber to Red or if already in Red then a Warning Notice may be served or an Ofsted inspection requested.

Accountability

Accountability for school improvement and the quality of education lies with the Governing Body and the School Leadership Team, under the direction of the headteacher. School staff are accountable for the quality of their work to the Leadership team and Governing Body.

The SIP is accountable to the LA for the quality of judgements made supported by evidence.

One of the principles of the Newcastle policy for Schools Causing Concern is that it is predicated on the fact that all Newcastle schools should have the ability to self evaluate accurately with, or seeking to build, the capacity to improve.



The LA has a statutory duty to monitor the quality of education of its schools and to intervene when the quality falls below an acceptable level.

Ofsted Categorisation

If, following a Section 5 inspection, Ofsted considers a school to be inadequate (Grade 4), it will give a judgement that the school requires either 'Significant Improvement' or 'Special Measures'.

A school requires Significant Improvement if it is:

- (a) failing to provide an acceptable standard of education, but demonstrating the capacity to improve, or
- (b) not failing to provide an acceptable standard of education, but performing significantly less well than it might in all the circumstances reasonably be expected to perform.

A school requires Special Measures if it is failing to give learners 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.

Action required for schools in an Ofsted category

Schools

1. The governing body, in consultation with the local authority, should start to consider what action to take immediately after the oral feedback that Significant Improvement or Special Measures are required.
2. Under the NRwS, all schools should have a single, integrated development plan. There is, therefore, no longer any statutory requirement for the school to produce a specific action plan to respond to the judgement of Significant Improvement or Special Measures. The school should instead develop its existing school development or improvement plan to cover the issues highlighted by the inspection. Where these issues relate to sixth form provision, the local LSC should also be consulted.

Local authorities

3. The local authority is required to prepare a statement of action within 10 working days of receiving the final inspection report.
4. The local authority should begin preparing the statement of action immediately after the oral feedback to indicate that Significant Improvement or Special Measures are required. The local authority should work closely with the Headteacher and governing body of the school; the SIP; the diocesan or other appointing authority, if the school is a foundation or voluntary school; and the local LSC, if the school has a sixth form.
5. The statement of action must provide a detailed explanation of the options for the future of the school. In considering possible action, the local authority should balance the school's need for long-term, sustainable improvements with actions which will have an immediate impact on the quality of education received by pupils. Specifically, the statement of action should set out:
 - The action the local authority has taken so far
 - The additional support the local authority will commission to help the school address the areas of weakness identified by Ofsted

- What arrangements the local authority has made to inform parents and carers about the actions planned for the school, and how it will gather and take into account their views
The local authority must also consider appointing a specified person to discharge these functions e.g. by appointing a Parent Champion.
- What specific steps are needed to build the leadership and management capacity of the school, including at middle management level
- Whether there is scope for partner organisations to be brought in to support the school (including other schools, trusts, colleges, or non-educational organisations), and how this collaboration will be facilitated
- The scope for the school to be closed or federated, taking into account the number of surplus places in better-performing local schools, and – if such a course of action is appropriate – when this might happen
- The scope for the school to become a Trust school or an Academy
- Whether the authority intends to use its intervention powers to appoint additional governors, require the school to enter into arrangements, withdraw delegation of the budget, or replace the governing body with an Interim Executive Board (IEB)
- If the school is not to be closed or federated, or the authority's intervention powers will not be used, why none of these actions is considered appropriate
- A plan of future action, including resource implications, quantified targets to evaluate the effectiveness of external support, target dates for key actions, and progress review points.
- The local authority should copy the statement of action to Ofsted, the school's governing body; the SIP; the diocesan or other appointing authority, if the school is a foundation or voluntary school; and the local LSC, if the school has a sixth form.

Ofsted will provide feedback to the local authority, usually within a few weeks, about the quality of its statement of action.

Interim Inspections

A school requiring **Significant Improvement** will be visited, usually for one day by one inspector, 6-8 months after the section 5 inspection.

A school requiring **Special Measures** will be visited for up to two days by an inspection team 4-6 months after the section 5 inspection.

These visits are section 8 interim inspections, usually referred to as a 'monitoring visits'.

The school will normally receive two days' notice of each monitoring visit. At the beginning of a monitoring visit, the school will be encouraged to provide any recent self-evaluation of its progress, or updating of its self-evaluation form, to the lead inspector.

See timelines – appendices 3 and 4

School Improvement Service

Categorisation Report - March 2007

School :
 Headteacher :
 Chair of Governors :
 Current Category :
 Report compiled by :

Achievement and standards

Personal development and well-being of learners

Quality of Provision

Leadership and Management

Capacity to Improve

Recommendation for Categorisation (each aspect coded to show strengths / weaknesses)

Achievement & standards	Personal dev & well being	Quality of Provision	Leadership & management	Capacity to improve
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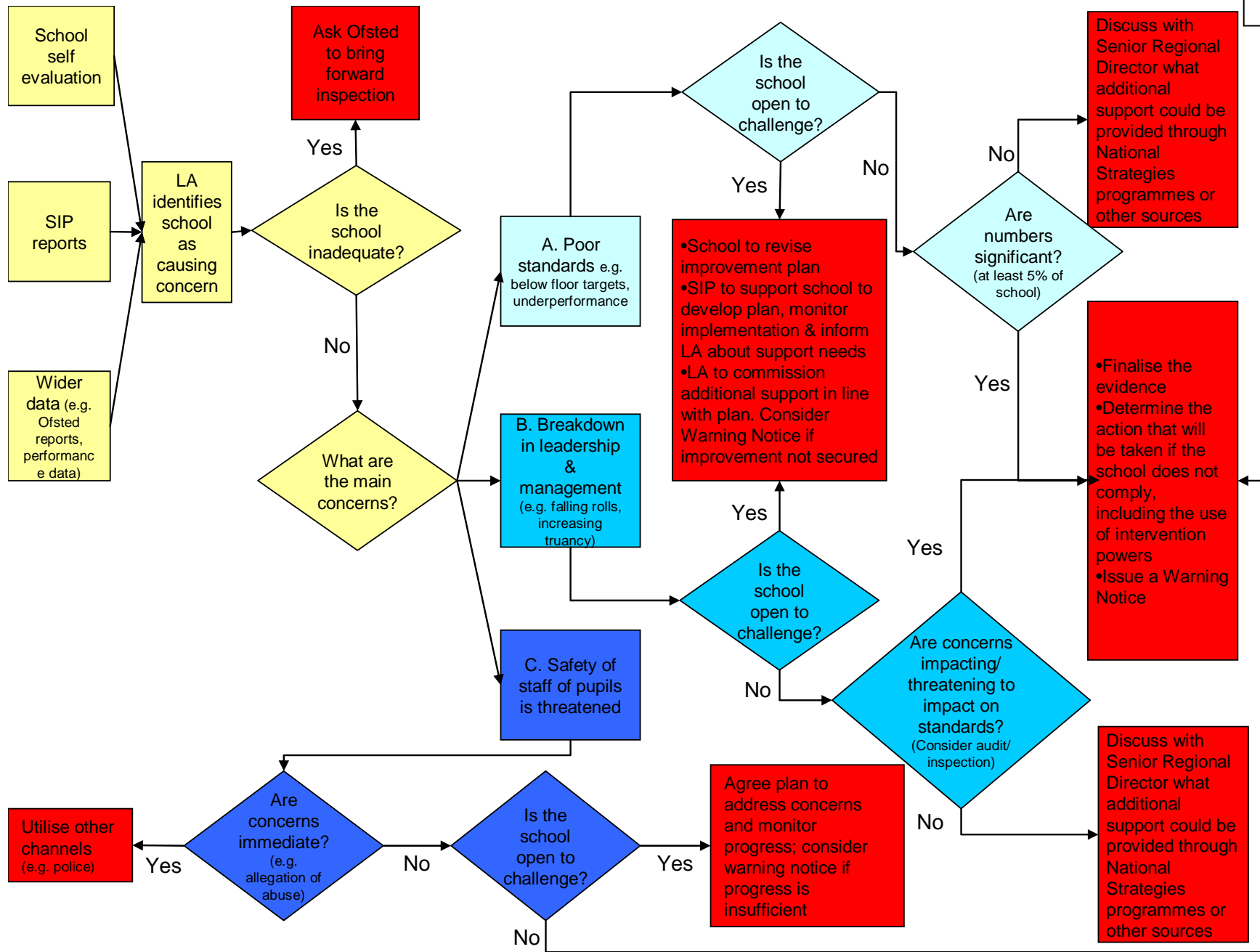
Improvements in outcomes and quality of provision needed to remove the cause for concern

How progress will be monitored

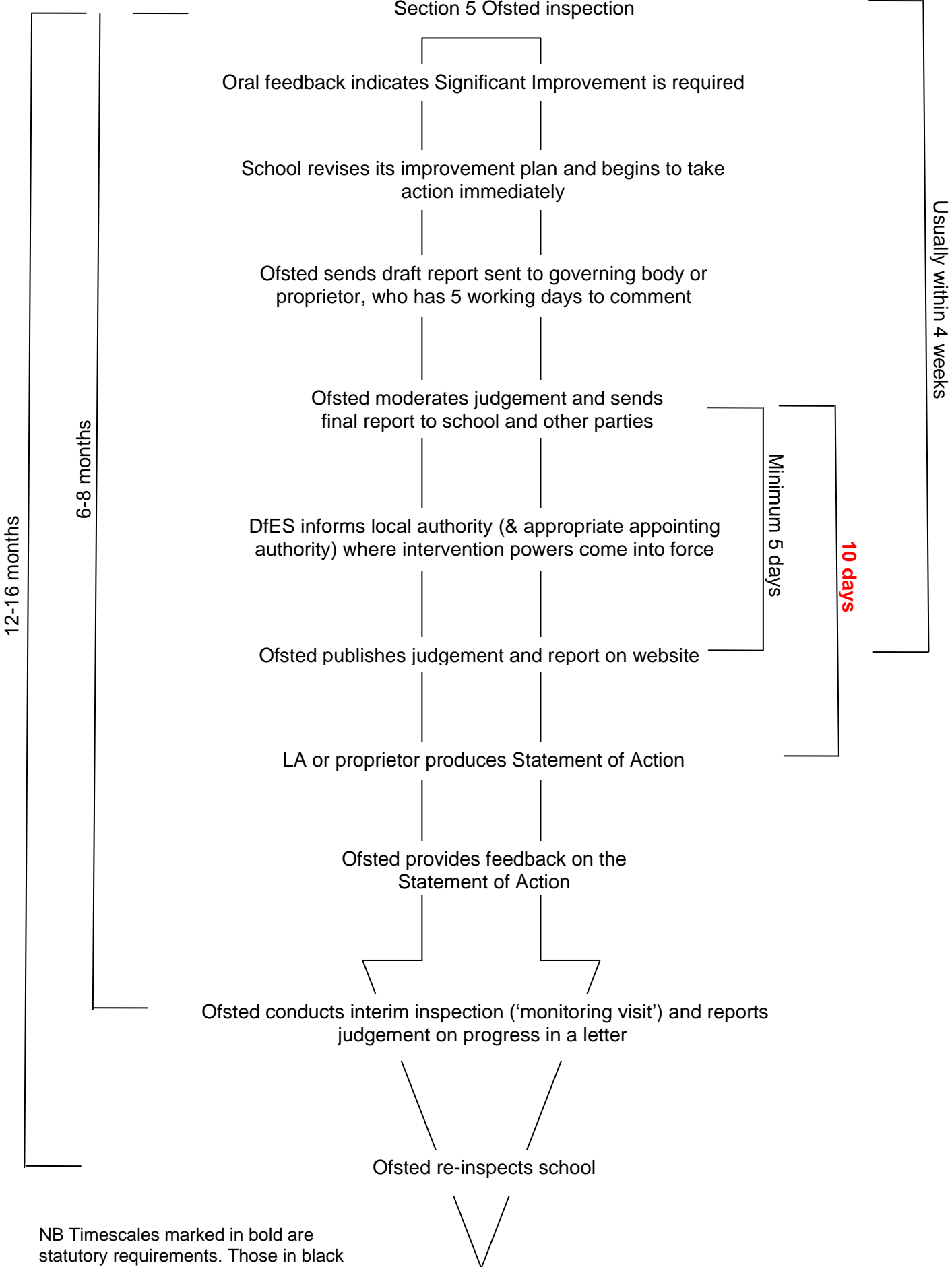
Monitoring dates for the Monitoring Support Group (MSG)

December	
March	
June	

Process of Issuing a Warning Notice

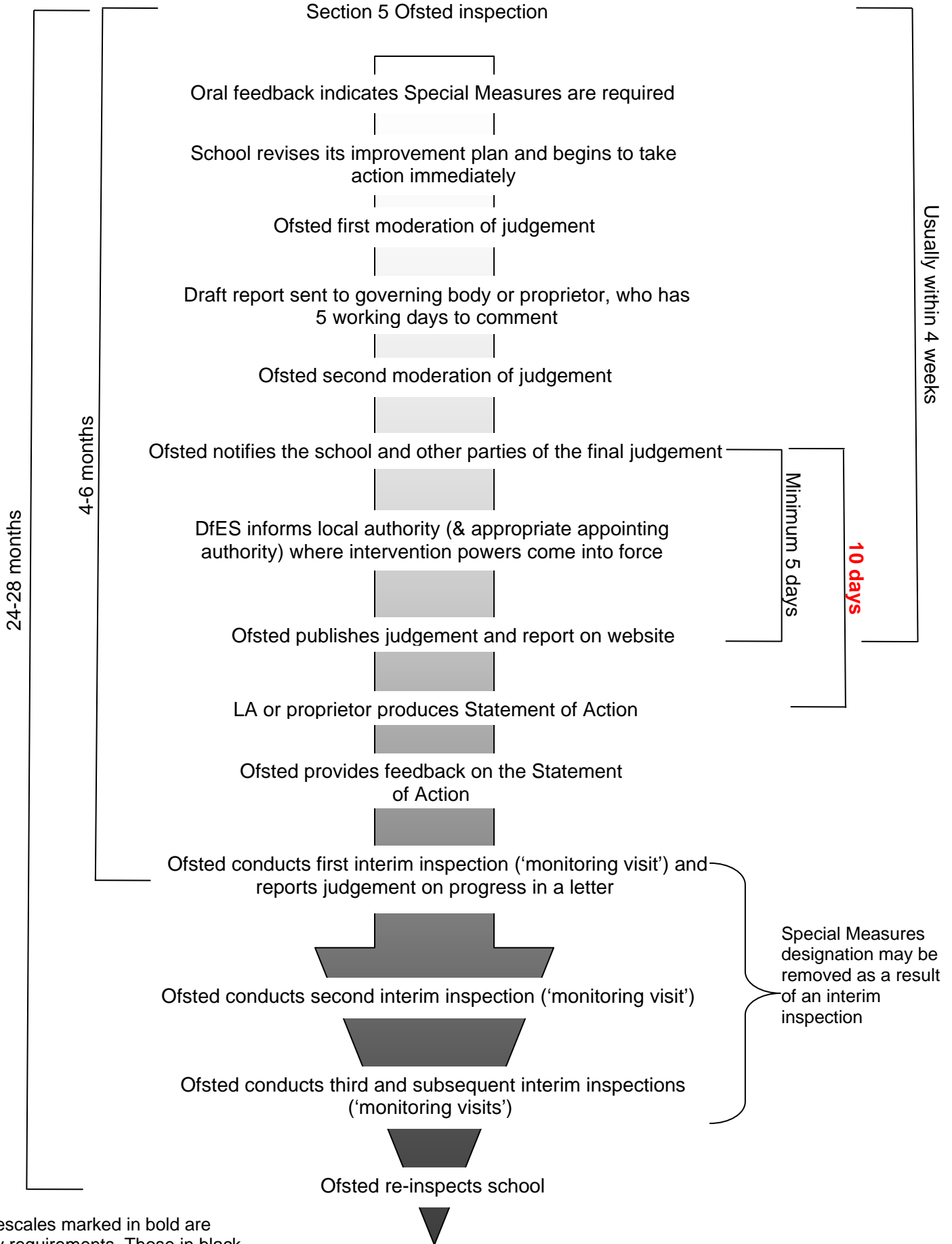


SIGNIFICANT IMPROVEMENT TIMELINE



NB Timescales marked in bold are statutory requirements. Those in black are indicative only.

SPECIAL MEASURES TIMELINE



NB Timescales marked in bold are statutory requirements. Those in black are indicative only.