

EDUCATION SCRUTINY COMMITTEE

MINUTES of the meeting held on Monday, 13 March 2017 commencing at 10.00 am and finishing at 1.00 pm.

Present:

Voting Members: Councillor Mark Gray – in the Chair

Councillor Gill Sanders (Deputy Chairman)
Councillor Kevin Bulmer
Councillor John Christie
Councillor John Howson
Councillor Sandy Lovatt
Councillor Michael Waine
Richard Brown
Mrs Sue Matthew

Other Members in Attendance: Councillor Steve Harrod

By Invitation: Mrs Carole Thomson (Oxfordshire Governors' Association).

Officers:

Whole of meeting Lucy Butler, Director for Children's Services, Roy Leach Strategic Lead, Education Sufficiency & Access, Jackie Atkinson and Deborah Miller (Corporate Services).

Part of meeting

Agenda Item	Officer Attending
8	Janet Johnson, Strategic Lead for Vulnerable Learners

The Scrutiny Committee considered the matters, reports and recommendations contained or referred to in the agenda for the meeting [, together with a schedule of addenda tabled at the meeting/the following additional documents:] and agreed as set out below. Copies of the agenda and reports [agenda, reports and schedule/additional documents] are attached to the signed Minutes.

49/17 INTRODUCTION AND WELCOME

(Agenda No. 1)

The Chairman welcomed everyone to the meeting and in particular the children of St. Ebbe's Primary School who had come to sing to the Committee in honour of Sue Matthew who had been a Co-opted Member for the County Council specialising in Education for the past 30 Years.

Following the singing by the children, the Chairman presented Sue with a long Service Rose Bowl and a bouquet of flowers. Members of the Committee then paid tribute to Sue for her work and dedication to Education.

50/17 MINUTES

(Agenda No. 4)

The Minutes of the meeting held on 12 December 2016 were approved and signed subject to adding Mrs Carole Thomson to the list of those present.

Matters Arising on the Minutes:

Minute 42/16 – Minute 3/16 - Councillors requested that the Cabinet Member send the letter as soon as possible.

Minute 44/16 – Councillor Gill Sanders reported that they had met last week to look at the issue of affordable housing, including looking at areas where it could be built. However, it had been decided that due to timing, the upcoming elections and the Unitary bid to postpone further discussion on this issue to the autumn when things would become clearer.

Minute 46/16 (Elective Home Education Annual Report) – In response to a query on whether the letter detailed in the recommendation had been sent, Mr Roy Leach reported that the letter had not yet been sent as they were awaiting the outcome of a serious case review and a prosecution and then would use the letter to draw also draw attention to that. Members acknowledge this but stated that they did not want the issue being left for too long.

51/17 ACADEMIES IN OXFORDSHIRE ANNUAL REPORT

(Agenda No. 6)

During 2016, the Council had continued to implement its policy on academies through the Academies Programme as part of its overarching Education Strategy. There had been considerable change in the legislative framework and national education policy agenda and as a result the Council updated its policy position in October 2015. The Scrutiny Committee had a report before them which identified and analysed trends in this programme during 2016 and indicated changes from those noted in 2015.

Allyson Milward in introducing the report drew the committee's attention to the following conclusions from the year:

- All schools that converted to academy status in 2016 did so as members of groups;
- The number of schools converting to academy status was significantly lower. The increase in applications seen later in 2016 was seen mainly as a reaction to the national education policy and perceived position of the Council;
- Under performing schools had been identified, early support was put in place and schools have completed conversions as sponsored academies. The Council

sought to be proactive with Governing Bodies in promoting suitable sponsors to the RSC;

- New academies and free schools continued to be set up in the county in response to demographic need and parental demand. Procedures were in place to set up new academies as required by the county or to engage in positive dialogue with sponsors applying to open schools in the area through DfE bidding annual processes;
- Resources would continue to be required to manage this process;
- Over half the pupils in publicly funded education in Oxfordshire are taught in academies;
- The value for money and availability of Council services for buyback by maintained schools may reduce providing a driver for their consideration of converting to academy status;
- Additional powers of the RSC through legislation will impact on the future role of the Council and services to be provided;
- To achieve the above programme considerably more resources may be required in the short term for the Council to comply with its obligations in respect of converting academies;
- The creation of a new Cabinet Member for Education and aspiration to support maintained schools better and also to develop a good partnership approach to working with maintained schools and academies may impact on conversion trends in 2017.

The Committee expressed concern about small rural schools not being attracted to MATs due to financial restrictions. In response Ms Milward reported that some MATs were interested in small schools and that it was not solely about money. Much of the problem lay with the amount of time it took small resource strapped schools to dedicate to it.

The Chairman reported that Kent had had a very similar situation and had been in discussions with the DfE about creating a local Authority MAT. Ms Milward reported that local authorities could only have a 20% interest in the company, but that Kent was very determined to achieve it. Officers were working on a survey of the remaining maintained schools to see if there was any appetite for this.

Members of the Committee expressed concerns over misconceptions and perceptions that Oxfordshire County Council wanted all schools to become academies when in fact this was up to the Governing Body of the school.

The Director for Children's Services, Lucy Butler added that they wanted to be supportive and had been changing their message to schools recently, but were still awaiting a paper on the role of local authorities to see if it was fact that there will be funding stripped away.

The Committee thanked Mrs Milward for her informative report.

52/17 DISCUSSION WITH THE OFSTED REGIONAL DIRECTOR

(Agenda No. 7)

Christopher Russell, Ofsted Regional Director, had been invited to attend the Meeting to discuss with the Council in what ways it could work with Ofsted to ensure the best educational outcomes for all the children in Oxfordshire. The debate would also provide a chance to raise awareness of the key challenges faced by the Council in the provision of Education and improvement of educational standards across the County.

During questions and discussion members:

- Established that the new Ofsted Chief Inspector, Amanda Spielman, would be fiercely independent and interested in evidence based training and would inevitably bring new flavour and individualism, but that it was envisaged that not too many changes would be made. There would be a strong focus on validity – a chance for Ofsted to look critically at what they were doing and to look at whether they were looking at the right things to assess whether a school was good. The bringing in house of schools inspections would improve things dramatically. There was a very strong direction in terms of focusing decisions and making them evidence based. Ofsted would also be carrying out a large survey to look at the curriculum.
- Established that an inspection converting from short to full did not always mean that a school was bad. Mr Russell reported that the starting point for a short inspection was whether the school was good, it had to be focused to be good. There might be things inspectors needed to look at in the first day such as safeguarding. If this was the case, the inspection would then convert to get around that. There was no suggestion that if the inspection converted that the school was bad, sometimes there was just a need to convert to get a full judgment. Many schools had converted and got outstanding. It was new for Ofsted, although it was felt the mythology had been tested and inspectors were now leading. Ofsted had to focus on safeguarding.
- In relation as to whether the new Chief Inspector had any intention to do something on standards and social mobility and whether there were any plans to change the Ofsted framework, established that when Ofsted had **significant** evidence they would make those statements. In relation to the framework, it had to evolve and move on in terms of feedback, it would therefore change, had changed this term bringing Ofsted inspections in. Ofsted were always looking at it and considering it. They did try to keep the inspections about key things and make sure the sector was consulted on changes.
- In relation as to whether Ofsted have a view on inadequate schools that were in limbo waiting for an academy sponsor to come forward and whether Ofsted could revisit in this period which could be substantial, confirmed that the routine monitoring that Ofsted had carried out had now ceased as it could take a very long time and was in no-ones interest. If there was a safeguarding issue Ofsted did go back within 3-6 months and could take the school out of the category.

Ofsted were currently looking at the situation more generally. Now once it got to 5 months a review would be triggered.

Ofsted further recognised the issue of sponsors not coming forward due to schools needing a lot of investment due to being in a very bad state of repair. Ofsted were looking at an alternative to routine monitoring. Mr Russell confirmed that Ofsted shared the Members concern and confirmed that the Chief Inspector would escalate the situation up to Government if evidence showed this happening across the County.

- The education scrutiny committee recognised that there was underperformance of disadvantaged children in Oxfordshire schools and that there were some areas of advantage with small numbers of disadvantaged children. In relation to how Ofsted viewed and take small numbers into account when inspecting these schools, Mr Russell reported that in the case of small schools it was often a common sense judgement. When there was a small amount of children not performing well, inspectors looked for an algebra rhythm. What Ofsted would want is for that to be properly evaluated. There was a need to insure inspectors received the correct training and were able to apply professional judgement. In answer to questions from members about whether Ofsted had any intel on how small schools were performing in Oxfordshire, Mr Russell confirmed that the picture for Oxfordshire was generally good with a bit of a dip for primary and gave an undertaking to have a look at primary and to get back to the Committee if there were any issues.
- In relation to how Ofsted would take into account (when carrying out inspections) the declining funding for both designated early years grants and all local authority school improvement services, established that Ofsted had a framework and criteria and that their job as inspectorate was to make a judgement against those criteria. Ofsted were aware that schools were funding differently. The window for inspections was on the journey from 5 years to 3 years. It would not be right or possible to change the standard, but Ofsted did recognise the issues. It was the organisations job to do individual inspections, but if during inspections they found common themes it would be reported on.
- In relation to Ofsted's own budget and staffing decreasing and the possible impact on inspections going forward in Oxfordshire, the committee noted that Ofsted funding had decreased year on year as an organisation so they were used to it and there were clear plans in place to deal with it. Ofsted changed how they inspected in terms of frequency and tariffs etc, it was easily manageable. Mr Russell confirmed that Ofsted had no plans to change how often they inspected schools, so they knew where the funding was going.
- On the issue of when schools were re-inspected they were often less than good and that the assumption should not be that good schools remained Good, Mr Russell confirmed that Ofsted were aware of this issue and that the movement from 5 to 3 years inspections was hoped to improve this situation in that Ofsted could hopefully influence what sometimes might only be a dip and therefore stop schools falling out of that category. He stressed the importance of a 'good

inspection' setting people at ease and of schools not getting stressed about the inspection and his hopes that the shorter inspection reducing stress.

- With regard to the annual detailed school data analysis by the local authority which highlighted outstanding schools which were declining, members questioned whether there was any scope for the local authority to liaise with Ofsted to potentially bring forward an inspection. In response, Mr Russel commented that although Ofsted always made their own judgement as to when to inspect, they would be happy for local authorities to bring issues to their attention and that if standards were dropping significantly, Ofsted would welcome the Intel.
- In relation to safeguarding coming into the framework and how Ofsted were going to ensure there were no safeguarding issues in outstanding schools, Mr Russel explained that if Ofsted picked up any intelligence regarding safeguarding issues at a school they would go straight in. He highlighted the importance of Ofsted and the local authority working together on this issue.
- Members questioned how Ofsted would authenticate any evidence received during a school inspection, regarding the local authority involvement. In response, Mr Russel reported that that they would triangulate and check the information out. Firstly, Ofsted would meet with the local authority and if there were concerns about how the school was being supported by the local authority there were clear strategies in place.
- Inspectors were trained to get underneath the evidence to see what the impact was on the ground. Ofsted also held forums and had an annual meeting with local authorities for raising issues. Professional development was achieved by inspectors consistently learning from carrying out inspections.
- Regarding Ofsted's view of how Oxfordshire managed the provision of education for Looked after Children placed both in county and out of county, Mr Russel commented that their overview came mainly from inspections and that the most recent inspection was very positive in relation to children in care. Ofsted only tended to pick up if there were issues

Following the question and answer session, the Chairman thanked the Regional Director for a positive discussion and AGREED that he be invited to attend again in a year.

53/17 EDUCATIONAL ATTAINMENT OF VULNERABLE LEARNERS AND THE STRATEGIC OVERVIEW 2016-2020: IMPROVING THE EDUCATIONAL PROGRESS OF VULNERABLE LEARNERS - GOOD PRACTICE EXAMPLE OXFORD ACADEMY
(Agenda No. 8)

Education Scrutiny Committee considered a report which presented an overview of the educational attainment of vulnerable learners. Janet Johnson, Strategic Lead for Vulnerable Learners, had attended to present the Strategic Overview 2016-2020 and

Alison Wallis, performance Information Manager present the trend data in relation to the educational attainment of Vulnerable Learners.

Mr Niall McWilliams, Principal of Oxford Academy had also been invited to join the discussion and share good practice as the 14th best performing academy in the Country.

Mr McWilliams outlined the broad framework of how the Academy operated. In terms of School Improvement, Mr McWilliams used 4 main building blocks

Behaviour – the academy expected very high standards of behaviour in and outside of the classroom and taught children about behaviour for learning. The Academy also provided wrap around pastoral care.

Curriculum – the academy had adopted a curriculum approach with a very high focus on maths and English. Students worked on maths, English and a science at least once a day and sometimes more. The academy went for depth instead of breadth.

Teachers and Learning – all teachers follow a framework and tell students what they are going to learn. The teachers show students what success looks like and to tell them if they are right or wrong after each lesson.

Track Progress Vigorously – the academy does lots and lots of testing – formal testing in the hall. We look for subjects that will help the students and will help the school. We look for courses to benefit students to give them a chance.

What are you doing that is different?

Rigour. We apply teach – boost – teach and each student has a unique personal learning checklist. We do a lot of testing and then we analyse the data to see what we need to do to get the student into another group.

What would you say the most important step is?

Behaviour. Also Head teachers and keeping teachers.

Is your Rigorous teaching based on tests more than teacher assessment?

Yes, I need validation data. The data is then validated by people I know or by examiners. This ensures a mastery of English and maths.

Your Progress 8 across open and EBac. If you are focusing on these how are you achieving across the board?

We are really struggling with this. I don't think I can offer music and drama this year. If I was a school in an advantaged area I could offer a broader curriculum. I do not have enough numbers coming through the doors to offer those subjects so am reducing from 1 language to 3, music, drama, RE and ICT are all under threat. I am constantly scanning the horizon to look at what qualifications are good for students at

school. I am very concerned about the future of the Academy and being able to offer the level of pastoral care and curriculum.

How will the new fairer funding formula affect you?

New fairer funding is not fair. At this moment in time we do not have enough numbers coming through the doors. This is largely down to parental perception – they are avoiding Oxford Academy because of high level of disadvantaged children.

Following discussion the Committee noted the report and thanked Mr McWilliams for coming to share good practice with the Committee and wished him well for the future.

54/17 CONSULTATION ON FUNDING FORMULA

(Agenda No. 9)

On 14 December 2016, The Department for Education (DfE) had released Stage 2 of the School National Funding Formula consultation which closed on 22 March 2017. Alongside the Schools National Funding Formula, the DfE had released Stage 2 of the High Needs National Funding Formula. This followed the same timeline.

Sarah Fogden, Finance Business Partner and Roy Leach, Strategic Lead for Education Sufficiency and Access attended to present a report which outlined the implications of the new formula for Oxfordshire and suggested a response to consultation.

In introducing the report, Sarah Fogden explained that the DfE's target was that the new scheme would be implemented in 2018-19 via Local Authorities local formula. Full implementation of the Schools National Funding Formula, with funding directly allocated to schools by the EFA/DfE, would commence in 2019-20. To provide stability, no school would receive an overall reduction of more than 3% per pupil as a result of the National Funding Formula and the minimum funding guarantee (MFG) of -1.5% per pupil year on year would continue.

The pupil premium, pupil premium plus, and service premium would continue to operate through the separate allocations. The DfE had confirmed that the Dedicated Schools Grant will be split into four blocks:

- Early Years (this has already been consulted on - the first allocations have been released for 2017-18);
- Schools National Funding Formula;
- Central School Services Block (Taking historic LA commitments and the former ESG Retained Rate element – this has been renamed from Stage One for clarity);
- High Needs National Funding Formula

The factors used to construct the National Funding Formula and the weightings given to each factor cause the loss to schools. The main reasons for this were:

- A smaller basic per pupil allocation;
- A triple weighting for 'deprivation' (Free School Meals + Ever, in the past six years, FSM + IDACI, the Income Deprivation Affecting Children Index);

- A higher weighting for low prior attainment upon entry to school (which tends to be linked with deprivation); and
- A smaller lump sum for all schools.

The last point meant that a school would have reduced funding unless there were sufficient gains from the other factors to offset the lump sum loss.

Oxfordshire was a member of the f40 group that represented a group of the lowest funded education authorities in England, where government-set cash allocations for primary and secondary pupils were the lowest in the country. In its response to the consultation, Oxfordshire proposed to agree the 4 main points of the f40 response that was:

- The weakness of evidence used to support the proposals;
- The proportion of weighting given to additional needs rather than basic entitlement;
- The 3% funding floor, which 'locks in' historical differences;
- The amount invested in education funding and the cost pressures facing all schools.

The High Needs Funding Formula protected all local authorities with a funding floor, so that no authority loses. There was a small increase for Oxfordshire of £1.138m (2.3%). Oxfordshire currently had an overspend against the High Needs block of £1.8m. The increased funding was therefore insufficient to meet current demand and there was no indication of any growth funding to meet increasing need. In addition, the Funding Formula allocated 50% on historic spend which therefore locked in inequities between Local Authorities.

The DfE had funded all LAs to prepare and implement strategic plans for High Needs as well as providing "Capital funding to support the expansion of special provision in schools (including mainstream schools) and other institutions, and progress a new route for more special schools to be established through the free schools programme". Oxfordshire had received £287,494 to undertake a strategic review of High Needs provision.

Following a discussion around the committee's concern regarding the quantum of funding being unfair and the fact that the DfE were not actually redistributing the 3% , the discontinuation of per pupil funding, SEN and the detrimental effects on Rural Schools the Committee:

AGREED: to set up a small working Group comprising Councillor John Howson and Carole Thomson to consider and contribute to the County's response on the School National funding formula and High Needs Funding Formula.

55/17 DRAFT SCRUTINY ANNUAL REPORT

(Agenda No. 10)

The Committee considered the Scrutiny Annual Report prior to its submission to Council in May 2015.

Members commented that it was a good report covering the work of the Committee.

AGREED: to note the contents of the report.

56/17 FORWARD PLAN AND COMMITTEE BUSINESS

(Agenda No. 11)

The Education Scrutiny noted the Forward Plan and AGREED that due to the upcoming elections, the next meeting's business to be confirmed at the agenda planning meeting.

..... in the Chair

Date of signing 2017