



Department
for Education

Identifying schools for support

Government consultation

Launch date 28 January 2019

Respond by 25 March 2019

Contents

Introduction	3
Who this is for	3
Issue date	3
Enquiries	3
Additional copies	4
The response	4
About this consultation	5
Respond online	5
Other ways to respond	5
Deadline	5
Identifying Schools for Improvement Support	6
Background	6
Consultation on identifying schools for optional support	7
Underlying principles	7
Proposed approach	8
Which schools will be offered support?	9
How many schools will be offered support?	10
Alternative approaches	11
What about schools that are performing well or inadequate schools?	11
Timing and implementation	12
Questions for consultation	13

Introduction

This consultation seeks views on proposals for a clearer, simpler approach to identifying schools that may benefit from an offer of support to help improve a school's educational performance. Our proposal is that all schools judged as *Requires Improvement* by Ofsted will be offered support and that schools with two consecutive *Requires Improvement* judgements will be offered more intensive support.

Who this is for

- Head teachers, teachers and governing boards¹ in nurseries, maintained schools and academies, including nursery schools, infant schools or first schools, middle schools, junior schools, special schools, Pupil Referral Units (PRUs), studio schools, UTCs, free schools and 16-19 academies.
- Local authorities
- Dioceses and other religious authorities
- Any other interested individuals or organisations

Issue date

The consultation was issued on 28 January 2019.

Enquiries

If your enquiry is related to the policy content of the consultation you can contact the team on:

020 7783 8538 and ask for Iain Cuthbert;
or email: consultation.identifyingschools@education.gov.uk

If your enquiry is related to the DfE e-consultation website or the consultation process in general, you can contact the DfE Ministerial and Public Communications Division by email: Consultations.Coordinator@education.gov.uk or by telephone: 0370 000 2288 or via the [DfE Contact us page](#).

¹ The board should be taken to mean the accountable body for the school or group of schools: in local authority (LA) maintained schools, this will be the governing body and in an academy trust this will be the board of trustees (committees to whom the board has delegated functions should take account of guidance to *the board*, in so far as the relevant function has been delegated to them)

Additional copies

Additional copies are available electronically and can be downloaded from [GOV.UK DfE consultations](#).

The response

The results of the consultation and the Department's response will be [published on GOV.UK](#) in the summer term, 2019.

About this consultation

This consultation seeks views on proposals for a clearer and simpler approach to improvement support for schools. It is concerned with schools that have not been judged *Inadequate* by Ofsted but may need educational support to improve. It sets out how we propose to identify schools on the basis of their educational performance that may benefit from an offer of support.

We would like to hear your views on our proposals and will respond to this consultation in the summer term of 2019.

Provided for information alongside this consultation at paragraphs 9 and 26 is an overview of how we envisage the support offer operating in practice – including who will broker that support and the kind of support schools might expect to receive.

Respond online

To help us analyse the responses please use the online system wherever possible. Visit www.education.gov.uk/consultations to submit your response.

Other ways to respond

If for exceptional reasons, you are unable to use the online system, for example because you use specialist accessibility software that is not compatible with the system, you may download a word document version of the form and email it or post it.

By email

consultation.identifyingschools@education.gsi.gov.uk

By post

Iain Cuthbert, Inspection and Accountability Division
(Re Consultation: Identifying Schools for Improvement Support)
3rd Floor, Department for Education
Great Smith Street
London
SW1P 3BT

Deadline

The consultation closes on 25 March 2019.

Identifying Schools for Improvement Support

Background

1. Accountability is a key component of our school system. It is vital that we hold schools to account to ensure all pupils receive the education they deserve. Crucial to this is ensuring that school leaders and others understand how the accountability system for educational performance operates, and what methods the Department uses to determine which schools are eligible for support.

2. In a system where the vast majority of schools are performing well, we have a responsibility to ensure that leaders in those schools know that they can continue to do the best for their pupils without interference. In the small number of cases where a school is not delivering the high standards we expect, we are clear that school leaders should drive the response to their improvement needs. To support this, the Department for Education publishes a range of data metrics to help all schools understand their performance and any areas for improvement. We now have richer and more extensive performance data and are clear that this - alongside Ofsted inspection - is vital to ensuring high standards in our schools.

3. However, as the Secretary of State made clear in a speech on 4 May 2018, we have heard that having multiple ways to identify schools can cause confusion for schools, leading to unnecessary anxiety about potential Government intervention which can drive unnecessary workload. To ensure school leaders can focus on improving pupil outcomes, we want to be more transparent about the method we will use to identify schools for optional support and the separate circumstances in which we will mandate structural change due to educational underperformance.

4. We are clear that we will only mandate academy conversion or move an academy to a new trust on the grounds of educational underperformance where Ofsted has judged a school Inadequate. Alongside this, DfE retains the power to intervene where serious non-educational concerns arise, such as in relation to governance or safety. And we also recognise that for many schools academisation remains a positive choice and that many schools, including those that perform well, will choose to convert voluntarily to academy status so that they can enjoy the benefits that come from working in collaboration with other schools as part of a Multi-Academy Trust.

5. Most schools have the capacity to self-improve. However, where there are signs of educational underperformance, some may benefit from a more bespoke offer of support. To remove confusion for schools about when they are eligible for this support, the Secretary of State announced in his 4 May speech that we will no longer have both a coasting definition and a floor standard. Instead, schools that are showing the warning signs of underperformance will be identified using a single, transparent method and

offered support to accelerate their improvement. This consultation sets out a proposed approach to take forward those arrangements and seeks views on how we propose to identify schools that could benefit most from an offer of school improvement support, based on Ofsted judgements.

6. In academic year 2018/19, schools that are coasting or below the floor standard are eligible for a proactive offer of support. See further information on School Improvement Support² and the 18/19 support offer³ on GOV.UK. We will announce support available in 2019/20 once the response to the consultation is published

Consultation on identifying schools for optional support

Underlying principles

7. To accompany his 4 May speech, the Secretary of State published a statement setting out the high-level principles for how the accountability system for educational performance should operate⁴. The proposals in this consultation build on the principles outlined in that statement. In particular, they take forward the commitment to move to a single method of identifying schools for support in order to reduce complexity in the system and provide school leaders with greater clarity.

8. The proposals in this consultation relate to a support offer to help improve a school's educational performance. This consultation does not cover identifying other areas where a school or academy trust may require external support or where government intervention may be required. For example, financial performance, governance and safety.

9. The proposed arrangements are based on the principle that in a self-improving system, schools are responsible for their own educational improvement. We want a system where school leaders take the lead in identifying their own improvement needs and securing the most suitable support, working with their trust or Local Authority (LA) and diocese as relevant. As such, we propose to make a proactive offer of support to schools based on transparent criteria, but it will be for schools or academy trusts to decide whether to take up this offer of support in light of their existing school improvement plans and the other sources of support available, which might be from within their trust, or from their LA, diocese or other system leaders. We are clear that

² <https://www.gov.uk/government/collections/school-improvement-support>

³ <https://www.gov.uk/guidance/school-improvement-support-for-the-2018-to-2019-academic-year>

⁴ <https://www.gov.uk/government/publications/principles-for-a-clear-and-simple-school-accountability-system>

the schools we offer support to will not be required to accept this specific support - a school or trust may consider that it already has a credible improvement plan and may already be accessing effective external support. The support offer will, however, be designed to add value for schools at any stage of their improvement planning. It will offer independent support tailored to the school's requirements determined in discussion with the schools to complement their existing plans and any other support they may already be accessing.

10. We want a transparent, straightforward method so schools are in no doubt about when they will be offered support. We want a method that feels proportionate for school leaders and does not unintentionally create additional burdens for schools. We also want a way to identify schools for this support offer based on their overall educational performance. Taking these objectives together, we think that using Ofsted judgements would be the most sensible approach.

Proposed approach

11. Our proposal is that all schools judged as Requires Improvement by Ofsted will be eligible for support and that schools with two consecutive Requires Improvement judgements will be eligible for more intensive support. Alongside this we propose to remove the existing floor and coasting data standards.

12. We acknowledge that no single method can perfectly identify every school that should be offered support. However, we think that using the Requires Improvement judgement provides the best option for a range of reasons and the approach was also proposed by the recent report by a Commission launched by the NAHT on 'Improving School Accountability'.

13. Ofsted Requires Improvement is well established and understood by schools, and we would have one indicator for schools that may require support (Requires Improvement) rather than multiple ones as now which can lead to action from different sources (Requires Improvement, Floor, Coasting, Unacceptable Standards of Performance).

14. One important reason is that using Ofsted judgements removes duplication in the system as Ofsted already provides a diagnosis of school improvement needs in its published inspection reports. This means that using Requires Improvement as the basis for a support offer would reduce the need for further diagnostic work.

15. Alongside this, Ofsted inspects all types of schools and carries out inspections on an ongoing basis – meaning support could be offered to schools throughout the academic year at the point a Requires Improvement judgement is confirmed. This would make the support offer timely for schools, as it would come at the point when school leaders are already reflecting on their improvement plan. It also means we could offer

support to schools not currently covered by the floor and coasting standards (such as special schools or infant schools) and it would be a better system for those schools that have data but still require intensive diagnostic analysis of that data (such as middle schools and UTCs).

16. A further important consideration is that Ofsted takes account of a broad range of factors to provide a rounded assessment of a school's effectiveness. Inspectors' judgements are based on direct observation and engagement with leaders, teachers, parents and pupils, alongside analysis of published performance data.

17. Using Requires Improvement as the way to determine eligibility for an offer of support also makes clear that Ofsted judgements are the only basis for government offering support in response to educational underperformance.

18. One potential drawback of using Ofsted's Requires Improvement judgement alone to identify schools that should be offered support is that inspection is periodic. There is, therefore, a risk that some schools may decline between inspections.

19. We are reassured that Ofsted retains the ability – as now – to inspect any school at any point, should significant concerns arise. Performance data would remain a key feature of this system and Ofsted would continue to use data as part of its risk assessment approach to school inspections. Schools showing signs of potential decline - for example, based on published data – can be selected for re-inspection sooner and may receive a full rather than short inspection.

20. Ofsted is consulting on a new inspection framework. The new inspection framework provides an opportunity to shape the criteria that will be used to determine the schools that are Requires Improvement and therefore eligible for support.

21. The department will continue to publish annual performance data on all schools, including the use of coloured bandings around the Progress scores to clearly show where a schools' score is well below average. By this means, we will continue to be transparent publicly about any annual dips in performance, prompting schools and others to ask questions about what, if any, improvements might be needed.

22. Our view, therefore, is that we no longer need separate data thresholds. Since 2010, standards have risen in schools and the vast majority are now performing well. Ofsted's scheduling of inspection will continue to be informed by performance data, and annual data will be highlighted in performance tables, removing the need for separate floor and coasting measures.

Which schools will be offered support?

23. As our proposal is to use Ofsted inspection judgements, all local authority maintained schools and academies judged as Requires Improvement would receive an

offer of support. This includes: nursery schools, infant schools or first schools, middle schools, junior schools, special schools, Pupil Referral Units (PRUs), studio schools, UTCs, free schools and 16-19 academies. Sixth Form Colleges and FE Colleges are not captured because they operate under a different statutory intervention framework to schools. These institutions can apply to the Strategic College Improvement Fund for support (see 'Guidance for applicants').

How many schools will be offered support?

24. Our intention is that schools will be offered support as they are judged Requires Improvement by Ofsted⁵. The number of schools judged as Requires Improvement varies as inspections are carried out throughout the year. Between September 2017 and August 2018⁶, 221 (38%) secondary and 661 (38%) primary schools inspected were judged as Requires Improvement, as well as 12 (12%) special schools and 17 (35%) PRUs inspected.

25. Of these schools judged RI on inspection, 81 (37%) secondary, 116 (18%) primary, 2 (17%) special schools and 4 (24%) PRUs have received consecutive Requires Improvement judgements. Schools with consecutive Requires Improvement judgements are likely to have more complex needs and so we propose to offer them more intensive support at the point they receive a further Requires Improvement judgement⁷.

26. When these changes first come into effect, which is planned from academic year 2019/20, we recognise that a number of schools will already have received a Requires Improvement judgement or have consecutive Requires Improvement judgements. We propose these schools will be eligible support, as our objective is to ensure all schools can access the support they need to improve, although the offer to these schools may be phased. We recognise that schools already judged as Requires Improvement will have been inspected at various points and that some schools may be due for re-inspection very soon. In this situation, we appreciate it may be less likely that a school or trust will accept the offer of support as they will likely already have reviewed their improvement plan and be accessing support. The offer, however, will be designed to be suitable for schools at all stages of their improvement planning and that the advice

⁵ For clarity, we are including all schools regardless of their type in this offer: infant, junior, middle and special schools and Pupil Referral Units.

⁶ State-funded schools inspections and outcomes as at 31 August 2018, <https://www.gov.uk/government/collections/maintained-schools-and-academies-inspections-and-outcomes-official-statistics>

⁷ Schools with a single *Requires Improvement* judgement who have not been open for long enough to have had a second inspection will also be eligible for this support.

offered can help to amplify the impact of existing support arrangements and build on existing plans.

Alternative approaches

27. We have considered using headline performance data to determine which schools should receive an offer of support (e.g. using a Progress 8 score of -0.5 or below for secondary schools like the existing floor standard). The main advantage of using data is that school performance data is published on an annual basis. This would mean that the support offer could be more responsive to changes in a school's annual data. Overall, however, we believe that data alone does not provide a complete picture of school effectiveness and does not offer any diagnostic information about improvement needs.

28. In addition, some types of schools are not currently included in our floor and coasting standards (e.g. special schools, PRUs) or do not currently have any published performance data (e.g. infant/first schools) and so separate arrangements would be needed to ensure these schools can also be offered support. Identifying some schools via an alternative method has the potential to cause confusion when our objective is to simplify arrangements and provide greater clarity to school leaders.

29. We have also considered the merits of a method based on both a school's performance data and Ofsted judgement. Whilst this approach would combine some advantages of both options, it would also carry drawbacks around complexity and less transparency. Overall, we believe a more complex approach would not be in line with our aim of simplifying school improvement support by moving away from multiple ways to identify schools eligible for support.

What about schools that are performing well or inadequate schools?

30. The approach to support proposed in this consultation would relate to schools judged as Requires Improvement by Ofsted. We want school leaders to know that in the vast majority of cases - unless their school is judged Inadequate by Ofsted - they should lead on responding to their own educational improvement needs and will be given the space to raise standards without direct offers of improvement support from DfE on the basis of educational performance. Taking each Ofsted grading in turn, the arrangements we are proposing would mean that for schools judged:

- *Outstanding* or *Good* - we will ensure that appropriate high quality school improvement provision continues to be available for these schools to access support as they choose. In a school-led system, we would also expect our strongest schools to be providing support to any schools in their community that are not yet reaching the same high standards.

- *Requires Improvement* - school leaders will retain responsibility for their own improvement. Under the arrangements outlined in this consultation, the existing leaders will be offered external support, instigated by DfE contacting their LA or trust. Of course, there are many other sources of support available – both nationally and at a local level – which schools can continue to choose to access at any point.
- *Inadequate* - it is right that we act quickly in the small minority of cases where overall failure of a school occurs. That is why we will retain the requirement for maintained schools judged *Inadequate* by Ofsted to become sponsored academies. For *Inadequate* academies, the Regional Schools Commissioner (RSC) will consider whether the existing trust has the capacity and capability to bring about improvements. If not, we will look to move the academy to a new trust. We are clear that we will only mandate academy conversion or move an academy to a new trust on the grounds of educational underperformance where Ofsted has judged a school *Inadequate*.

Timing and implementation

31. Subject to the outcomes from this consultation, we intend to move to the approach proposed in this document from 1 September 2019 - the start of the 2019/20 academic year.

32. As outlined above, we recognise that when these changes first come into effect a number of schools will already be judged as Requires Improvement or have consecutive Requires Improvement judgements. These schools will be eligible for support on the same basis as schools judged as Requires Improvement after 1 September 2019. In the 2019/20 academic year, we will assess system leader capacity in response to demand and if necessary phase the offers of support to schools. Subject to budget settlements, we will announce the support on offer and any phasing timescales once the response to the consultation is published.

33. The proposals in this consultation document do not require any immediate changes to legislation or regulations for the proposals to take effect, but we will consider whether it is necessary to update the statutory Schools Causing Concern guidance in the light of the outcomes from this consultation.

Questions for consultation

We welcome views on how we propose to identify schools that will be offered educational support. In particular, we invite views on:

1) The Government has committed to introducing a single transparent method to identify schools eligible for improvement support, as set out in paragraph 11. Do you support the proposal to use Ofsted *Requires Improvement* judgements to identify schools eligible for these DfE offers of support?

Yes No Don't know

Comments:

2) Do you agree we should remove coasting and floor data standards?

Agree Disagree Neutral Don't know

Comments:

3) Do you see any disadvantages to removing coasting and floor data standards?

Yes (please explain) No Don't know

Comments :

4) Do you think that the changes outlined in paragraphs 9, 11, 26 and 30 will give schools greater clarity on which are eligible for improvement support?

Yes No Don't know

Comments:



Department
for Education

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