

CYP Select Committee		
Report Title	Lewisham Education Commission Progress Report	
Key Decision	No	Item No. 5
Ward	All	
Contributors	Executive Director for Children and Young People	
Class	Part 1	Date: 12 th Oct 2016

1 Summary

- 1.1. A proposal for the establishment of an Education Commission was agreed by Mayor and Cabinet on 9th December 2015. The Mayor welcomed the recommendations of the Commission in April 2016 and asked officers to report back with an action plan.
- 1.2. This paper details the progress made to date regarding the Education Commission recommendations for the future of education in the London Borough of Lewisham. This plan is also on the agenda of Mayor and Cabinet and any comments from CYP Select Committee will be tabled at Mayor and Cabinet.

2 Recommendations

- 2.1. It is recommended that the CYP Select Committee note and comment on the report and progress made to date.

3 Policy Context

- 3.1. The Council's corporate priorities are defined as follows:
 - community leadership and empowerment – developing opportunities for the active participation and engagement of people in the life of the community.
 - young people's achievement and involvement – raising educational attainment and improving facilities for young people through partnership working.
 - clean, green and liveable – improving environmental management, the cleanliness and care for roads and pavements and promoting a sustainable environment.

- safety, security and a visible presence – partnership working with the police and others and using the Council’s powers to combat anti-social behaviour.
- strengthening the local economy – gaining resources to regenerate key localities strengthen employment skills and promote public transport.
- decent homes for all – investment in social and affordable housing to achieve the decent homes standard, tackle homelessness and supply key worker housing.
- protection of children – better safeguarding and joined up services for children at risk.
- caring for adults and older people - working with health services to support older people and adults in need of care.
- active, healthy citizens – leisure, sporting, learning and creative activities for everyone.
- inspiring efficiency effectiveness and equity – ensuring efficiency, effectiveness and equity in the delivery of excellent services to meet the needs of the community.

3.2. As set out in Lewisham Council’s Sustainable Community Strategy 2008-2020, there is a Borough-wide commitment to “make Lewisham the best place in London to live, work and learn”. To support this priority the Council is committed to working with partners to:

- Inspire young people to achieve their full potential by removing the barriers to learning.
- Encourage and facilitate access to education, training and employment opportunities for all our citizens.
- Celebrate local achievements so people feel proud of their area and eager to be a part of its success.

3.3. A key priority within the Children and Young People’s Plan 2015 – 2018 is “Raising the attainment of all Lewisham children and young people” and this has a number of specific outcome areas:

- AA1: Ensuring there are sufficient good quality school places for every Lewisham child.
- AA2: Ensuring all our children are ready to participate fully in school.
- AA3: Improving and maintaining attendance and engagement in school at all key stages, including at transition points.

- AA4: Raising participation in education and training, reducing the number of young people who are not in education, employment or training (NEET) at 16-19.
 - AA5: Raising achievement and progress for all our children at Key Stages 1 – 4 and closing the gaps between underachieving groups at primary and secondary school.
 - AA6: Raising achievement and progress for all our children and closing the gaps between under-achieving groups at Key Stage 5 and Post 16 so that all our young people are well prepared to access the best education and employment opportunities for them.
 - AA7: Raising achievement and attainment for our Looked After Children at all Key Stages and Post 16.
- 3.4. In March 2016, the Secretary of State for Education published the White Paper, *Educational Excellence Everywhere*. The White Paper signalled the Government's intentions relating to academisation and a drive towards a school-led system which would mean that local authorities would step back from running school improvement from the end of the 2016/17 academic year.
- 3.5. After the Lewisham Education Commission report was drafted, in May 2016 the government decided, while reaffirming a continued determination to see all schools to become academies in the next six years, that it is not necessary to bring legislation to bring about blanket conversion of all schools. "Good" and "Outstanding" schools in many areas will be permitted to stay under local authority control. Following governmental changes there is uncertainty going forward and a new Green Paper has been published. This does not show a change in direction but it does add new proposals around grammar schools.

4 Background

- 4.1. At the Mayor and Cabinet meeting on 9th December 2015, it was resolved that:
- Having considered an officer report, and a presentation by the Cabinet Member for Children & Young People, Councillor Paul Maslin, the Mayor agreed that the establishment of an education commission to support the development of a future vision for education in Lewisham to report in April 2016 as set out be approved.

5 Key Questions

- 5.1. The Lewisham Education Commission considered the following key questions:
- Given the national and regional context, what is the best form of organisation for Lewisham's schools going forward?

- Is there a school-led model of school improvement which would put Lewisham's work on a more sustainable footing, given the council's financial constraints?
- Lewisham needs additional secondary and SEND places. What are the best means to achieve this, alongside ensuring all our existing schools are schools of choice?
- Given Lewisham's strong commitment to improving outcomes at KS4 and KS5, are any more radical or leading edge models or approaches that Lewisham could adopt at borough level?
- Underpinning all these questions is the central theme of how Lewisham's system serves the most vulnerable.

6 Process

- 6.1. A team of three national experts was established to support the work of the Education Commission in Lewisham, supported by a fourth member to provide operational support. A biography for each member of the team is set out below:
- Christine Gilbert is chair of the Commission. She is currently visiting professor at the Institute of Education, UCL. Christine was previously a head teacher, director of education, local authority chief executive and Her Majesty's Chief Inspector at Ofsted.
 - Robert Hill, a visiting senior research fellow at King's College London, is an educational consultant, researcher and writer. He was a senior policy adviser to the Labour government.
 - David Woods is a visiting professor at Warwick University and chair of the London Leadership Strategy. Formerly, David was a senior education adviser at the Department for Education and chief adviser for London Schools and the London Challenge.
 - Michael Pain is Director of Forum Education. He was previously at the National College and is supporting the work of the Commission.
- 6.2. Particularly over the first two weeks of the Commission, significant desktop analysis was undertaken. Commissioners conducted an analysis of recent school Ofsted reports, with particular focus on the secondary sector, in order to identify strengths and weaknesses, themes and issues.
- 6.3. Throughout the course of the Education Commission, Commissioners attended a number of existing fora and hosted a number of bespoke events as part of a comprehensive programme of stakeholder engagement.

- 6.4. Commissioners attended a number of existing meetings, including Children and Young People Select Committee, the System Leaders' Breakfast and meetings of primary, secondary and special school head teachers.
- 6.5. Christine Gilbert met with the Mayor and the Cabinet Member for Children and Young People to ascertain their vision for Education for Lewisham. Additionally, Commissioners met with a number of other Councillors, including the Chair and Vice-Chair of Children and Young People Select Committee and the Chair of Overview and Scrutiny Committee.
- 6.6. Two bespoke evening governors' events took place, led by Christine Gilbert; these sessions provided an outline of the work of the Education Commission followed by discussion around the key questions for Commission.
- 6.7. Children and Young People were given the opportunity to present their thoughts to the Commission through the Young Advisers group in addition to a separate meeting of a smaller focus group of students who are educated within the Borough.
- 6.8. Residents and other stakeholders were offered the opportunity to meet with Christine Gilbert for a bespoke 30 minute meeting as part of the 'open sessions'; these sessions consisted of 24 separate meetings including a number of sessions held on a Saturday. The sessions were advertised on the Lewisham Council website, through the Headteachers' Weekly Bulletin, to all Councillors, and directly to other stakeholders. During the 'open sessions', Christine Gilbert met with, among others, residents groups, voluntary and community sector representatives, union representatives and individual parents.
- 6.9. Throughout the course of the Education Commission, visits have been made to 17 schools (1 nursery school, 6 maintained primary schools, 5 maintained secondary schools, 2 maintained 'all-through' schools, 1 academy, 1 special school and 1 pupil referral unit).

7 Summary of Findings and Recommendations

- 7.1. The Commission recognised that there was much good collaborative working and urges the local authority to extend this good work, making the most of the Heads' Leadership Forum and other local initiatives.
- 7.2. The Commission identified that there is local interest in multi-academy trusts (MATs) and recommends that the local authority supports the establishment of 'home-grown' MATs. It should use these to support weaker schools and address the need for school places.

- 7.3. The Education Commission recommended that a 'Lewisham Secondary Challenge' is established to give a boost to performance at Key stages 4 and 5. This will need financial support for three years.
- 7.4. The Commission found that the local authority, schools and stakeholders had great pride in Lewisham as a place and a commitment to the community, and suggests that this should be used to articulate a shared local vision and a shared plan for success.
- 7.5. The local authority continues to have an important role in education matters, regardless of the statutory position. As part of this role, the local authority should hold schools to account, help make connections and act as guardians of the most vulnerable.
- 7.6. Commissioners recommended that the local authority review planning (for place numbers and new schools) and develop and consult on a clear School Place Planning Strategy for the next 5 years. The Commission noted that Lewisham is reliant on secondary places within other boroughs, and suggested that these arrangements should be formalised.
- 7.7. The Commission recommended that an agreement between the local authority, headteachers and governors to set up a partnership to establish a school-led system of school improvement. In September, a Partnership Steering Group, with an independent chair, should be established to produce a detailed set of proposals with a view to beginning consultation in October 2016.
- 7.8. In order to ensure sufficient place planning, the Commission recommended that the local authority has close contact with the Education Funding Agency (EFA) about potential free school proposals and encourage the best schools to lead trusts to set up new schools and seek out school providers with similar values.
- 7.9. The Education Commission recommends that the London Borough of Lewisham set itself the following success criteria to be achieved by 2020:
- All schools will be judged good or better by Ofsted.
 - Performance at 16+ and 18+ will be at least the London average.
 - The most vulnerable will be served better than most other LAs.
 - The vast majority of parents have confidence in their choice of school.
 - Young people will have huge pride in their school.
 - Teachers will be proud to work in an ambitious and successful system.
 - The council will be considered to have done a good job.

8 Recommendations and progress to date

- 8.1. Set out in the table below are all the recommendations of the Commission. The Mayor and Cabinet are asked to agree the initial next steps set out in the table as well as the preparation and a more detailed action plan which would also be presented to CYP Select Committee. It is important to note that the process of

taking this work forward is mainly partnership endeavor with schools rather than top-down activity led by the local authority.

	Recommendation	Action	RAG rating
Establishing a new approach to school organisation			
1	Lewisham school federations should be supported if their governors decide that they wish to set up a local multi academy trust.	Officers to maintain a constructive dialogue with school governing bodies. NB No schools are currently consulting on forming a M.A.T.	Ongoing and on track.
2	Every school in Lewisham should be part of a formal and effective school collaborative group.	Map existing networks and collaboratives in order to identify areas of good practice as well as to identify any 'isolated' schools who can then be offered support to be completed by December 2016.	Agreed at a meeting of the borough-wide School Improvement Partnership and on track for completion December 2016.
3	The borough wide school improvement partnership should be tasked with identifying those headteachers that have the potential and interest in moving into Executive Headship.	Ensure role of the partnership reflects this recommendation. Terms of reference and outline action plan to be agreed by December 2016.	Agreed by SIPTG and on track for completion December 2016.
Developing a school-led model of improvement			
4	Lewisham Headteachers, Lewisham Governors' Association (LGA) and the local authority agree to set up an overarching partnership that establishes a school-led system of improvement by July	Continue discussions with partners to ensure that by July 2016, an agreement is reached to establish the partnership.	Agreed. Partnership Steering Group established with Nursery, Primary, Secondary and Special School Headteacher representation in addition to Governor and LA

	2016.		reps. Met in July and again in September.
5	From September 2016, a Partnership Steering Group, with an independent chair but involving headteachers, governors and the local authority should be set up.	Working with Headteachers and Governors, broker an Independent Chair and support them to establish to Partnership Steering Group by September 2016.	Agreed and established (see above).
6	The Lewisham Leadership Forum (LLF) should liaise with the London Leadership Strategy to develop Lewisham's system leadership and school-to-school support.	Broker relationship between organisations via Chair of LLF. Action plan to be developed by the partnership to develop Lewisham's system leadership and school-to-school support by December 2016.	Chair of LLF has already started conversations with the London Leadership Strategy. Action plan to be developed by December 2016.
Achieving more school places			
7	The local authority should review whether sufficient additional primary places are being planned for the next five years.	2016-2021 forecasting has been produced and is currently being moderated in advance of being included within the new 5 year place planning strategy. Draft strategy to be completed by the end of October ready for public consultation in November/December.	Ongoing and on track. Draft Strategy to be ready by December 2016.
8	The local authority should set out a clear and comprehensive School Place Planning Strategy.	2017-22 strategy is on schedule to go before Mayor and Cabinet for final sign off in Spring 2017 ready for an April launch.	Ongoing and on track. Going to Mayor and Cabinet in Spring 2017 to launch in April 2017.
9	The local authority should work closely with governors, headteachers and the Regional Schools Commissioner to ensure that those schools in the secondary sector with low numbers of first parental preferences	Continue to implement our School Improvement Framework, focussing resources on the secondary sector. Support the Secondary Schools in the process of agreeing 'the secondary challenge' which will be a collaborative commitment to improve outcomes and progress across the sector. Launch to take place early November with prospectus and detailed action plan.	Ongoing and on track

	and unfilled places urgently address the school improvement challenges.		
10	The local authority should consider seeking the provision of a further secondary free school, run by a proven education provider (in addition to the Citizen Free School)	Engage in conversations with potential sponsors and with the EFA to ensure that high quality bids come forward.	Ongoing. The DfE is the decision maker, not the LA.
11	The local authority should formalise both the process for cross-borough discussions on pupil place-planning and any resulting agreements.	Continue discussions with neighbouring boroughs and explore opportunities for more formalised dialogue. Participate in London Councils Secondary School place planning project – November 2016	Ongoing and on track
12	The local authority should investigate the underlying reasons for the high incidence of ASD among its school population.	Produce ASD scoping paper in Autumn term 2016 to agree the areas for review and investigation.	Ongoing and on track. Draft scoping paper to be presented for discussion at SEND Board in October.
13	The local authority should satisfy itself that there are clear integrated pathways across the mainstream and special school sectors so that children are educated and supported in the setting best suited to their needs.	Implement the SEND strategy which includes: <ul style="list-style-type: none"> • banding review. • resource base review by Autumn term 2016. 	SEND strategy is in place. Banding review is underway and will be complete by December 2016. Resource base review complete, actions implemented and will be monitored.
14	The local authority should seek to mitigate its funding shortfall in planning for school places by maximising the use of centrally-approved free schools that share Lewisham's	Continue discussions with Education Funding Agency (EFA) on opportunities for free schools and engage with a range of free school providers to develop relationships with those that share our values. (See 10 above).	Ongoing discussions with EFA and potential free schools. The DfE is the decision maker not the LA.

	values.		
Creating Lewisham Secondary Challenge			
15	Working with the Secondary Headteacher's Group the LA should establish and resource a Lewisham Secondary Challenge	Support Secondary Schools to agree 'the secondary challenge' which will be a collaborative commitment to improve outcomes and progress across the sector. Launch to take place early November with prospectus and detailed action plan.	Ongoing and on track to be launched in November 2016.
16	Supported by the local authority, the Leadership Forum should facilitate a small scale trial of different models of peer review beginning no later than April 2017.	Support the headteachers' Leadership Forum to undertake this work. The Partnership Steering Group (see no.5 above) has agreed to map and evaluate the range of existing peer review which currently operate across a number of schools in the borough. At least one secondary school has already agreed to trial a new model of peer review.	Ongoing and on track
17	Supported by the local authority, and using an external resource, the Heads' Leadership Forum should raise Lewisham's positive profile and agree a process for identifying and sharing best practice.	Support the Heads' Leadership forum to develop and publish a set of Lewisham case studies by January, 2017. The Partnership Steering Group (see no.5 above) has agreed to map and identify the range of existing best practice across the borough. This will be included in the partnership action plan.	Ongoing and on track
18	The Secondary Headteacher's Group should establish strategic groups of senior and middle leaders to meet to develop collective solutions to particular issues requiring improvement	Support the Secondary Schools in the process of agreeing 'the secondary challenge' which will be a collaborative commitment to improve outcomes and progress across the sector. Launch to take place early November with prospectus and detailed action plan. The establishment of strategic groups of senior and middle leaders has already been identified as a key element of the action plan which is in development	Ongoing and on track
19	The Secondary Headteacher's Group should work closely with the London	Support the Secondary Schools are in the process of agreeing 'the secondary challenge' which will be a collaborative commitment to improve	Ongoing and on track.

	Leadership Strategy to enable access to a wide range of system leaders and teaching school alliances	outcomes and progress across the sector. Launch to take place early November with prospectus and detailed action plan. The secondary challenge collaborative have already engaged an experienced secondary headteacher from another borough to facilitate this and this work will be included in the action plan.	
20	The Secondary Headteacher's Group and the LA should engage with other organisations outside of the borough to build capacity.	As above	Ongoing and on track
21	The LA should allocate funding to pump prime the establishment of a borough-wide, school-led partnership for improvement in Lewisham	Identify resources from within the School Improvement budget which can be used differently to support the establishment of both the school-led partnership and the secondary challenge.	Already complete
22	The LA should stimulate an ambitious vision for education locally, engaging constructively with a range of key stakeholders and third sector groups	Use the Education Commission Report to start this debate. This will be key to the work of the borough-wide school-led partnership and the secondary challenge.	Ongoing and on track
23	Secondary and all-through schools should review their processes to ensure greater involvement of parents.	Build this theme into the work of Secondary Challenge.	Ongoing and on track

9 Financial Implications

- 9.1 There are no immediate financial implications which arise from agreeing the recommendations to this report as any initial funding will be found from the School Improvement budget. However, there will be a cost to developing any future partnership arrangement and as part of the early stages of that process, an initial financial business case will need to be undertaken. This business case will be used to consider the future financial viability of such a partnership organisation being established. Future funding for school improvement is

uncertain given the huge changes in national funding of education and the threat to take away statutory duties from local authorities.

10 Legal Implications

- 10.1. Additional to those set out elsewhere in the report local authorities are required to provide primary, secondary and further education for 16 to 18 year and for people aged 19 or over who have an Education Health and Care Plan (EHC Plan).
- 10.2. Section 13A of the Education Act 1996 specifically requires local authorities to exercise their education and training functions in relation to those young people for whom that have assumed responsibility so as to promote high standards, fulfilment of potential and fair access to opportunity for education and training. It applies in relation to persons aged 20 or over for whom an EHC Plan is maintained.
- 10.3. Section 14 of the Education Act 1996 requires local authorities to secure the provision of 'sufficient' schools (as amplified in sub-ss (2), (3) and (4)) for their areas. This function must be exercised with a view to securing diversity and parental choice. Local authorities must have regard to the need to secure primary and secondary education in separate schools, provision for children with special educational needs and boarding provision for those for whom it is desirable. The local authority is not itself obliged to provide all the schools required, but to secure that they are available. Section 18 enables an LEA to make arrangements for the provision of education at non-maintained schools.
- 10.4. The findings and recommendations of the Education Commission will assist the local authority in complying with its general statutory responsibilities especially so in the light of the changes to school improvement and education provision in the Education and Adoption Act 2016.

11 Equalities Implications

- 11.1. The Commission has made every effort to draw views and ideas from across the community, including black and ethnic minority groups and parents of children with disabilities. The Commission has visited many different schools throughout the course of their work, including a special schools and specialist resource provision.
- 11.2. The Equality Act 2010 (the Act) introduced a public sector equality duty (the equality duty or the duty). It covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

- 11.3 In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - advance equality of opportunity between people who share a protected characteristic and those who do not.
 - foster good relations between people who share a protected characteristic and those who do not.
- 11.4 It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed at 11.3 above.
- 11.5 The weight to be attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made. This is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. The Mayor must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances.
- 11.6 The Equality and Human Rights Commission has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled "Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice". The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at:
<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-codes-practice>

<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-technical-guidance>
- 11.7 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
- [The essential guide to the public sector equality duty](#)

- [Meeting the equality duty in policy and decision-making](#)
- [Engagement and the equality duty: A guide for public authorities](#)
- [Objectives and the equality duty. A guide for public authorities](#)
- [Equality Information and the Equality Duty: A Guide for Public Authorities](#)

11.8 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at:

<https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-guidance#h1>

12 Environmental Implications

12.1. No specific environmental implications have been identified as arising from this report.

13 Crime and Disorder Implications

13.1. No specific crime and disorder implications have been identified as arising from this report.

14 Background Documents and Report Author

14.1. Appendix A: Lewisham Education Commission Report (April 2016).

14.2. If you require further information about this report please contact Sara Williams (sara.williams@lewisham.gov.uk).