

DINAS A SIR ABERTAWE

HYSBYSIAD O GYFARFOD

Fe'ch gwahoddir i gyfarfod

PANEL PERFFORMIAD CRAFFU - YSGOLION

Lleoliad: Ystafell Bwyllgor 5, Neuadd y Ddinas, Abertawe

Dyddiad: Dydd Iau, 31 Awst 2017

Amser: 4.00 pm

Cynullydd: Y Cynghorydd Mo Sykes

Aelodaeth:

Cynghorwyr: C Anderson, A M Day, M Durke, S J Gallagher, L S Gibbard, F M Gordon, D W Helliwell, B Hopkins, L James, S M Jones, L R Jones, S Pritchard a/ac L J Tyler-Lloyd. Aelodau Cyfetholedig: D Anderson-Thomas

AGENDA

Rhif y Dudalen.

- 1 Ymddiheuriadau am absenoldeb
- 2 Datgeliadau o fuddiannau personol a rhagfarnol.
www.abertawe.gov.uk/DatgeliadauBuddiannau
- 3 **Llythyrau'r Cynullydd ac ymatebion cysylltiedig gan y Cabinet** 1 - 8
 - a) Llythyr y Cynullydd 6 Ebrill 2017
 - b) Llythyr y Cynullydd ac Ymateb Aelod y Cabinet, 16 Mawrth 2017
- 4 **Cyflwyniad ar Lais y Disgybl yn Abertawe** 9 - 11
Beth Thomas (Gweithiwr Cyfranogiad a Hawliau Plant mewn Ysgolion)
- 5 **Rôl y Panel Craffu Perfformiad Ysgolion** 12 - 22
 - a) Cylch Gorchwyl a Ffyrdd o Weithio
 - b) Rhaglen Waith 2017/18
 - c) Datblygu cwestiynau allweddol ar gyfer sesiynau ysgolion
- 6 **Eitem Er Gwybodaeth** 23 - 80
 - a) Arolygiadau diweddar gan Estyn sydd wedi'u cyhoeddi ar gyfer ysgolion unigol
 - b) Deunydd darllen/Gwybodaeth gefndir ddefnyddiol sy'n ymwneud â materion addysgol
 - i. **Yn ôl i'r ysgol:** Ffyrdd i'r broses graffu ddylanwadu ar addysg leol a chefnogi arweinwyr ysgol i wella canlyniadau (Canolfan ar gyfer Craffu Cyhoeddus)
 - ii. **Y Ffordd Gywir:** Ymagwedd Hawliau Plant at Addysg yng Nghymru (Comisiynydd Plant Cymru)

Cyfarfod nesaf: Dydd Iau, 21 Medi 2017 ar 4.00 pm

Huw Evans

Huw Evans
Pennaeth Gwasanaethau Democrataidd
Dydd Iau, 24 Awst 2017

Cyswllt: Scrutiny - 01792 637256



CITY AND COUNTY OF SWANSEA
DINAS A SIR ABERTAWE

To:
Councillor Jennifer Raynor
Cabinet Member for Education

Please ask for: Scrutiny
Gofynnwch am:
Scrutiny Office 01792 637256
Line:
Llinell
Uniongyrochol:
e-Mail scrutiny@swansea.gov.uk
e-Bost:
Date 21 April 2017
Dyddiad:

This is a letter from the Schools Scrutiny Performance Panel to the Cabinet Member for Education following the meeting of the Panel on 6 April 2017. It is about Ethnic Minority Achievement Unit and Bryniago Welsh Medium Primary School.

Dear Cllr Raynor

Schools Scrutiny Performance Panel

At our meeting on 6 April 2017 we received an update on the Ethnic Minority Achievement Unit (EMAU) in the context of recent changes and an update on progress at Bryniago Welsh Medium Primary School.

Ethnic Minority Achievement Unit

We spoke to the Chief Education Officer and the Head of EMAU about how the service is progressing in the context of declining funding.

We heard that the EMAU service is currently supporting approximately 2,500 learners (aged 3-16 years) from ethnic minority backgrounds who speak around 100 different languages and dialects. This includes working with 65 schools, parents and carers and other stakeholders.

We were pleased to hear that English as Additional Language (EAL) Learners are performing well across key indicators with an upward trend over time when compared to all Swansea and all Wales figures.

We discussed funding and associated challenges given that whilst demand has been increasing, funding has been declining. We noted that since 2013 there has been a 31.7% reduction in funding to EMAU.

We were concerned to hear that the diminishing levels of funding in tandem with unpredictability around future Welsh Government funding streams, the potential of higher delegation rates to schools, and uncertainty over future delivery models has had a substantial destabilising effect on EMAU. As a consequence there has been an impact on staff morale, workload and retention. Particularly worrying is the difficulty to forward plan on a long-term basis.

We heard that there is now a significant mismatch between bilingual support need and provision and whilst this is due to loss of staff it is also exacerbated by the unpredictable, changing and fluctuating need across languages.

We were pleased to hear that in order to maintain stability and ensure sustainability in this constantly changing financial environment, a number of measures are being pursued to mitigate against these challenges, including:

- Supporting the development of independence of schools including capacity building at whole school and classroom level. A school action plan rather than a support agreement has been agreed for each supported school.
- A flexible working model has been introduced in 30 primary schools and 3 secondary schools. This includes time being allocated to schools in blocks rather than a weekly basis.
- Reduction in the number of supported pupils based upon the RAG (Red, Amber, and Green) criteria which has a clear focus on pupil outcomes and assessing the level of need.
- Individualised allocation criteria are being used for bilingual support to make best use of the resources and time available.
- Schools encouraged to rely less on EMAU for the provision of interpreting and translating services.

The Head of EMAU also outlined the further work that is recommended over the coming year including training and developing links with challenge advisors and implementing an audit tool, along with the further development of the measures highlighted above.

Bryniago Welsh Medium Primary School

We met with the Hub Head of School Improvement for an update on progress being made by Bryniago Welsh Medium Primary School against the recommendations made in their Estyn Inspection. We heard that the school had needed to be more self-aware and needs to articulate better the impact they are having on pupils at the school.

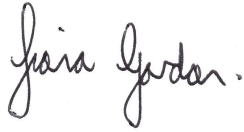
We now heard that:

- There has been a keen focus by the school and the Challenge Advisor on the post inspection action plan to ensure that it is fit for purpose
- The school has had its full quota of 15 days school improvement service support plus more.
- The school is now on track to make progress
- All seven recommendations have made at least satisfactory progress
- There is much more stability in staffing and senior leadership team
- Governors have strengthened their role through developing a Curriculum Sub Committee which is giving more strategic direction and holding the school to account for its standards
- The school is on track to be removed from Estyn Monitoring
- Pressures on staff at the school have been high through this period and it is important to keep an eye on this to ensure continued stability.

- The School is working with another primary school to share practice through triads and other means, recognising that working across schools is essential.

This letter does not require a formal written response.

Yours sincerely

A handwritten signature in black ink that reads "Fiona Gordon". The signature is written in a cursive style with a small dot at the end.

Fiona Gordon
Convener Schools Performance Scrutiny Panel
Fiona.gordon@swansea.gov.uk



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To:
Councillor Jennifer Raynor
Cabinet Member for Education

Please ask for: Scrutiny
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e-Bost:
Date 07 April 2017
Dyddiad:

This is a letter from the Schools Scrutiny Performance Panel to the Cabinet Member for Education following the meeting of the Panel on 16 March 2017. It is about Birchgrove Comprehensive School.

Dear Cllr Raynor

Schools Scrutiny Performance Panel

At our meeting on the 16 March 2017 we met with the school's recently allocated Challenge Advisor then the Headteacher and the Chair of Governors from Birchgrove Comprehensive School.

We spoke to this school because it has been highlighted as Amber on the support and categorisation matrix. We wanted to discuss what the school is doing to improve its current performance and prospects for improvement. We have detailed our thoughts in this letter.

As you will be aware the school was inspected by Estyn in November 2013 and was judged to be good for current performance and good for its prospects for improvement, but performance had declined since that time. We discussed these points both with the Challenge Advisor and the School.

We heard from the Challenge Advisor that:

- The school has a new Headteacher and Deputy Headteacher who have redesigned the Senior Leadership Team. They are doing well in this task and starting to drive improvements forward but need to develop more consistency in leadership to ensure stability and resilience.
- The Challenge Advisor has put together an ERW Action Plan with the School to drive improvement (which we looked at).
- Quality Assurance at the school needs to be strengthened, which they are aware of. They must develop their self-evaluation so that it can be correctly reflected in the School Improvement Plan and drive improvement. The Challenge Advisor will assist with this moving forward.
- Outcomes in English Language and Science need to be improved .

The Headteacher then outlined the context in which the school is working explaining that it has a 3 year average of 25.4% free school meal pupils, 29.1% special educational needs pupils and that 40.2% of pupils live in the 20% most deprived parts of Wales (as per the Wales Index of Multiple Deprivation 2015). The School has a specialist teaching facility with 21 learners.

There are 494 pupils on the school roll, in recent years pupil numbers have shown a falling trend with an increase intake in Year 7 for 2016. The Panel was interested to explore the reasons for this and what could be done to improve numbers. The Headteacher explained that the school was located between three schools two of which are newly built or refurbished and one in Neath Port Talbot which has an aggressive pupil recruitment policy. The school indicated that they are working on a number of levels to increase pupil numbers and are aiming at present to maintain at least 100 new pupils per year.

The Headteacher and Chair of Governors recognised that the school needs to improve its performance in English Language and Science subjects. We were concerned to hear about the secondment of the Head of Science to ERW as a subject specialist. We struggled to understand why this was the case when Birchgrove Comprehensive clearly needed its Head of Science especially when the subject area was identified as one that needed to improve. We felt that the rational of ERW seconding senior teaching staff from schools that might be causing concern and, in particular using subject specialists that are heading departments that are not performing needs to be revisited.

We were pleased to hear that the financial situation at the school has improved and we would like to praise the staff and governing body. We were also encouraged to hear that:

- the school has a new and enthusiastic Headteacher and Deputy who are reinvigorating senior management at the school. They are clarifying roles and putting systems in place that will help lay the grounding for the school to improve.
- the school has a supportive, engaged and knowledgeable governing body that has the necessary skills to help to drive improvement.

Your Response

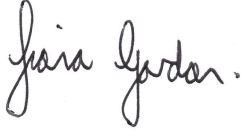
There were three particular aspects that arose from this session that we believe affects education more widely in Swansea and we would ask that you look into these further:

1. The use/release of senior teaching staff for ERW where a school is causing concern and cannot afford to lose that key role. Also is consideration given to the performance of their originating department when seconding challenge advisors and subject specialists?
2. The performance of Science subjects across Swansea has been raised a number of times in conversations with schools and we would like to hear more about what is being done to raise the levels of science in our schools particularly how we are supporting and challenging schools on this aspect.

3. How we work across local authority borders particularly where schools have more aggressive pupil recruitment policies?

Please could we have your response by 28 April 2017.

Yours sincerely

A handwritten signature in black ink that reads "Fiona Gordon". The signature is written in a cursive style with a small dot at the end.

Fiona Gordon
Convener Schools Performance Scrutiny Panel
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Cllr Fiona Gordon
Convener
Schools Scrutiny Performance Panel

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Councillor Jennifer Raynor
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BY EMAIL

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Our Ref / Ein Cyf: JR/HS
Your Ref / Eich Cyf:
Date / Dyddiad: 12 April 2017

**To receive this information in alternative format, please contact the above.
I dderbyn yr wybodaeth hon mewn fformat arall, cysylltwch â'r person uchod.**

Dear Cllr Gordon

Schools Scrutiny Performance Panel

Thank you for your letter regarding your meeting with Birchgrove School. This is a school which has faced a decline in numbers and in lifting outcomes for pupils.

The education improvement team supports the position taken by Birchgrove to recall their head of science. In the City & County of Swansea (CCoS), officers take the view that teachers may apply for secondment to work across the ERW education consortium with the consent of the school's governing body. ERW has confirmed that consent for the secondment was provided at the time and that the new headteacher's desire to recall the member of staff was honoured as soon as practically possible.

Performance in science is relatively strong across CCoS compared to other areas in Wales. At key stage 4, in biology, chemistry, physics, additional science and core science pupils make significantly greater progress than other similar pupils do in Wales. Nevertheless, in a few schools science outcomes are not as strong as they

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should be, such as in Birchgrove. In these cases challenge advisers work closely with the schools to provide the correct level of challenge and support needed to raise outcomes.

Currently, there are no local authority strategies to counter aggressive pupil recruitment policies from other local authorities. This matter will be raised in forthcoming hub meetings between CCoS and the Neath Port Talbot Council.

Yours sincerely

COUNCILLOR JENNIFER RAYNOR
CABINET MEMBER FOR EDUCATION

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Schools Scrutiny Performance Panel

Briefing on the Pupil Voice and Pupil Participation

Bethan Thomas, Participation and Children's Rights Worker for Schools will attend the meeting today to provide a presentation and answer questions about the pupil voice in Swansea.

See below some further background information/reading on pupil participation across Wales.

ESTYN: Pupil participation: a best practice guide (Dec 2016)

[Link to full report](#)

The report is intended for the Welsh Government, governors, headteachers, senior leaders and staff in schools, local authorities and the regional consortia. It may also be of interest to those working with faith schools through diocesan authorities. It is intended to support schools in improving the extent and impact of pupil participation in their own school.

The Pupil Participation definition that is widely used is:

"Participation means that it is my right to be involved in making decisions, planning and reviewing any action that might affect me. Having a voice, having a choice"

The basis for pupil participation is found in article 12 of the United Nations Convention on the Rights of the Child (UNCRC: UNICEF UK, 1990). In article 12 of the UNCRC, it sets out the rights of children and young people to express an opinion and to have that opinion taken into account on any matter that affects them.

"Every child has the right to say what they think in all matters affecting them, and to have their views taken seriously" (UNICEF UK, 1990)

Wales is the first country in the United Kingdom to embed the principles of the UNCRC into legislation. The Welsh Government adopted the UNCRC as the basis for policy-making for children and young people in Wales in 2004 (Welsh Assembly Government, 2004). Through the introduction of legislation with the Rights of Children and Young Persons (Wales) Measure 2011, all Welsh Ministers must have due regard to the rights and obligations within the UNCRC in their day-to-day work.

In January 2004, the Welsh Government published 'Children and young people: Rights to Action' (Welsh Assembly Government, 2004b). In this report, the Welsh Government defines children and young people as 'rights bearers'.

"Children and young people should be seen as young citizens, with rights and opinions to be taken into account now. They are not a species apart, to be alternately demonised and sentimentalised, nor trainee adults who do not yet have a full place in society". (Welsh Assembly Government, 2004, p. 4)

All maintained schools in Wales (other than a maintained nursery school and maintained infant school) are required to have a school council (National Assembly for Wales,

2005). The purpose of a school council is to make sure that pupil voice is well represented as a school develops and implements new policies and identifies priorities for improvement. School councils provide pupils with opportunities to discuss matters relating to their school, and to make representations to the governing body and the headteacher. A school council can also propose and take forward initiatives and projects on behalf of their peers, and be involved in strategic planning and processes such as the school development plan, governing body meetings and staff appointments. The school council must be elected democratically and meet at least six times a year.

In 2007, the Welsh Government launched the National Children and Young People Participation Standards for Wales. The seven standards are intended to promote the participation of children and young people in making decisions that will directly affect them.

The Well-being of Future Generations (Wales) Act 2015 guidance 'Shared Purpose: Shared Future' makes specific references to the National Participation Standards for Children and Young People, whilst Annex B of the guidance for Public Service Boards sets out the expectation of adopting the National Participation Standards in working with partners, to enable children and young people to have a voice. Local authorities have been under a duty to enable the participation of children and young people since the Children and Families (Wales) Measure was passed in 2010 and statutory guidance has been in place since 2012.

Swansea has [National Standards for Participation](#).

Meaningful and purposeful pupil participation is intended to be a strong feature of the new curriculum.

The Children and Families (Wales) Measure 2010 requires local authorities to promote and facilitate participation by children and young people in decisions that might affect them (Welsh Government, 2010). It requires local authorities to: *"make such arrangements as they consider suitable to promote and facilitate participation by children in decisions of the authority which might affect them, and to publish and keep up to date information about its arrangements."* (Welsh Government, 2010)

Local authorities fulfil these responsibilities through a named youth participation officer and one or more youth forums that represent the voice of young people at a local level.

Pupil participation: a best practice guide (Dec 2016) - Main findings

1. Pupil participation is strong in schools that have the following characteristics:

- Pupil participation and building positive relationships are an integral part of the school's **vision and ethos**. Leaders and managers have a clear strategy for promoting participation and for fostering good relationships. They support and encourage open and honest participation. Leaders create an ethos where pupils respect the rights of others and understand the importance of diversity and equality.
- There are clear **roles and structures** in place across the school to capture the views of all pupils on a wide range of issues relating to school improvement. Staff take the views of pupils seriously and act on them. Pupils, staff and governors

understand their roles and responsibilities in relation to participation. Leaders can demonstrate the impact of participation on school improvement planning.

- Pupils have a breadth of **opportunities to participate** within and beyond the school to contribute to debate and influence decisions across a wide range of issues that affect them. These opportunities encourage pupils to develop the skills needed to become active citizens.
- Pupils and staff access good quality **training and continuous professional development** that is well targeted to develop the skills, knowledge and understanding needed to have pupils' voice heard in discussions and in decision-making.

2. Where pupil participation is strong, pupils make a valuable contribution to school improvement by influencing decisions on wellbeing, learning experiences, and the quality of teaching, and by helping to identify the school's future priorities. Many schools report that pupil participation contributes to an improved school environment and ethos, and to better relationships between all in the school community.

3. There are also benefits for pupils in greater participation, including improved health and wellbeing, improved engagement and behaviour, and improvements in learning, achievements and school performance. Through their greater involvement in decision-making, pupils develop valuable personal and social skills, such as listening, communication, negotiation, prioritising, and working with others. They also gain a better understanding of the rights of other members of the school community and of the consequences of actions that affect others. Pupils are better prepared to become ethical, informed and active citizens of Wales and of the world, and attitudes towards active citizenship become more positive.

4. Nearly all schools inspected between September 2013 and July 2016 comply fully with the School Council Regulations. In almost all schools, the school council makes a worthwhile contribution towards improving the school learning environment. In these schools, pupils' views are taken into account and influence decisions on school life.

5. Estyn gathers pupils' views through a questionnaire issued before inspecting all schools, pupil referral units and non-maintained settings. Most learners feel that staff respect them and help them to understand and respect others. Most learners are encouraged to do things for themselves and to take responsibility. Many learners also feel that staff treat them fairly and with respect and that their school listens to their views and makes changes they suggest.

Agenda Item 5

Schools Scrutiny Performance Panel 31 August 2017

ROLE OF THE SCHOOLS SCRUTINY PERFORMANCE PANEL

1. Introduction

- 1.1 The main aim of scrutiny is to act as a 'critical friend' to the Cabinet and other decision makers in order to promote better services, policies and decisions. Councillors involved in scrutiny will hold the Council's executive to account and examine the work of Council departments, as well as other public services.

2. Role of the Schools Scrutiny Performance Panel

- 2.1 The role of this Panel in general is to provide ongoing challenge to schools performance to ensure that pupils in Swansea are receiving high quality education; and the authority is meeting its objectives in relation to improving school standards and pupil attainment. Terms of Reference are attached in **Appendix 1**.

3. Membership

- 3.1 In addition to the 14 councillors the Panel includes in its membership a place for up to four Education Statutory Co-optees. This is to enable the involvement of parent governors and church representatives in the scrutiny of education matters, with voting rights. They will also be entitled to sit on any relevant Panels and Working Groups focusing on education issues.
- 3.2 Mr Dave Anderson-Thomas is currently a member of the Panel (Parent Governor – primary). The Scrutiny Programme Committee will continue to seek interest for a Parent Governor (secondary), and a representative of the Catholic Church and Church in Wales.

4. Schools Scrutiny Performance Panel Convener

- 4.1 Scrutiny Conveners are appointed by the Scrutiny Programme Committee to lead specific activities. Mo Sykes will convene the Schools Scrutiny Performance Panel.
- 4.3 Councillors who are appointed as conveners will be responsible for ensuring that Panels are operating effectively. A role description for conveners is attached in **Appendix 2** (taken from 'New Scrutiny Arrangements' Council Report 18 October 2012)

5. The Work Programme for 2017/18

- 5.1 The Schools Scrutiny Performance Work Programme has been developed based upon core annual items*, topic suggestions received and updated

based on discussion at the Education Scrutiny Briefing on 6 July. It is designed to be a basic framework that allows for further items to be added or removed allowing for flexibility throughout the year for any key items that may arise.

- 5.2 All meetings will be at 4pm with a preparation meeting before the start of the public meeting and will be held in a committee room in the Guildhall unless otherwise stated.

Meeting date	Items to be discussed
Briefing 6 Jul 17	<ol style="list-style-type: none"> 1. Education Scrutiny Workshop (Overview of Education, School Improvement Service and ERW) 2. Planning the year in Education Scrutiny
Meeting 1 31 Aug 17	<ol style="list-style-type: none"> 1. Agreeing the Scrutiny Work Programme 2. Discuss how you wish the panel to operate (pre-meeting, questioning) 3. Developing key questions for school scrutiny sessions* 4. Information on the Pupil Voice in Swansea
Meeting 2 21 Sep 17	<ol style="list-style-type: none"> 1. Education Other Than at School (EOTAS) - Update on progress with changes to service and accommodation 2. How Schools are building capacity to manage behaviour internally
Meeting 3 18 Oct 17	<ol style="list-style-type: none"> 1. *School Improvement Service Performance update (Annual) 2. Quality in Education (QED) and 21st Century Schools Programme 3. Annual Audit report (for information)
Extra Meeting Date TBA	Pre-decision Scrutiny Alternative Learning Needs Reform Commissioning Review (awaiting a cabinet date)
Meeting 4 16 Nov 17 2.00pm to - 4.00pm?	*School 1 – a Pioneer School (Green/excellent School) Olchfa Secondary School and Parklands Primary School Collaboration Visit to Olchfa Comp – invite and speak to Head and Chair of Governors from both schools along with the challenge advisor
Meeting 5 12 Dec 17	<ol style="list-style-type: none"> 1. Looked After Children Educational Outcomes 2. Pupil Deprivation Grant spend and support for vulnerable pupils
Meeting 6 18 Jan 18	*Annual Education Performance (incl. verified data) and *School Categorisation
Extra Meeting Date TBA Feb	*Scrutiny of Annual Budget as it relates to education matters (when Budget Cabinet date is arranged early Feb 18)
Meeting 7 15 Feb 18	*School 2 – Morriston Primary School Amber: Speaking to Head and Chair of Governors of a School including preparation session with the challenge advisor
Meeting 8 15 Mar 18	*School 3 – Bishop Vaughan Catholic Secondary School Amber: Speaking to Head and Chair of Governors of a School including preparation session with the challenge advisor
Meeting 19 12 Apr 18	<ol style="list-style-type: none"> 1. School to School Collaboration, and/or 2. Science in Schools in Swansea, or 3. Meeting with the Association of School Governors

6. Finding Effective Ways of Working

6.1 The panel should take the opportunity to discuss how it can work most effectively, for example in its preparation for meetings:

- **Developing Questions and a Questioning Strategy** (preparing for key scrutiny sessions by developing a core set of questions in advance this can be done through an email conversation.
- **Use of short Pre-meetings** (to discuss and prepare questioning strategy)
- **Post meetings / summing up** (to discuss thoughts about session, actions moving forward and what will go into the letter to the Cabinet Member)
- **Team / Inclusive Working and Communication** (to develop as a scrutinising team)
- **Decorum at meetings** (being inclusive, open minded, respectful scrutineers)
- Any other practical considerations

7. Developing Key Questions for School Scrutiny Sessions

7.1 One of the key roles of the panel will be to meet a selection of schools to look at their performance and prospects for improvement. Usually speaking to the Headteacher and Chair of Governors and this will include a preparation session with the Challenge Advisor. It will also be important this year to look at how the pupil voice can be introduced into this process.

Some of the key questions for schools sessions include:

1. How the school has responded to inspection findings and recommendations?
2. What does the school need to do to improve learner outcomes and to increase the schools capacity to improve in the future?
3. What are the barriers to the school improving learner outcomes?
4. How is the school using tools and initiatives available to improve outcomes?
5. What is the school doing to improve levels of pupil attendance?
6. What is the school is doing to minimise school exclusions?
7. What are the governing bodies' priorities and how are they being addressed?
8. How best practice is being shared across schools?
9. Looking at the support given by the local authority and the school improvement service

8. Some further background information/reading

8.1 Attached to the Agenda papers today are two useful documents that give good practice and hints and tips for Education Scrutiny also information on the children's rights approach (**see item 6 on Agenda**). Also see below relevant policy commitments and Council priorities in relation to Education matters.

8.2 **Councils relevant Policy Commitments**

The Councils Policy Commitments Statement relating to education matters are as follows (as agreed by Council on [27 July 2017](#)). These will inform the Council priorities and the Corporate Plan moving forward.

Standing up for Education Learning and Skills

- Swansea Council will strive to make our city one of the best places for children and young people to be educated in Wales and the UK.
- We will continue to work with local universities and continue to innovate, learn from the best, share best practice with all schools and run an ambitious, supportive and effective performance framework for our teachers and schools.

Investing in Education

- Swansea Council will commit to spending nearly £1bn on schools, teaching and learning in the next 5 years and invest over £100 million in extensive improvements to school buildings across Swansea.
- We will continue to invest in facilities for those who have additional learning needs or require additional wellbeing and mobility support in our schools and in our special schools, ensuring that all children and young people have the opportunity to realise their potential.
- Working in partnership with schools, colleges and employers, we will support pupils to choose the best career path. This will include alternative to traditional exams and assist those who want to progress through college and university education, ensuring that all young people have the opportunity to build a career and access well paid jobs.
- Working with our regional partners, we will align our education system to ensure we create the right people with the right skills to supply the new economy, and to fill jobs offering routes to well-paid careers. As part of the Swansea Bay City Deal, and working closely with the Regional Skills and Learning Partnership, we will help all people to attain the skills they need to find a job.

High Performing Community Schools

- Swansea Council will continue to work in partnership with head teachers and governing bodies to help ensure that schools are accessible and available for community activities and that children, young people, their families and the wider community can all benefit from these new arrangements.
- We will promote school buildings as a resource for the whole community, not just children and young people. We will assist schools to develop and promote Family Learning, Wellbeing, Healthy Eating and Exercise, Recreation and Sports.

The Best Start in Life for all our Children: Happy, Healthy and Safe

- Swansea Council will work with partners locally and internationally to seek to continue to participate in the World Health Organisation's 'Healthy City' initiative and encourage schools to provide school breakfast clubs and

provide a safe and supportive environment before and after the school day.

- Working with the Welsh Government, we will work in partnership with schools to encourage participation in the Welsh government's plan to provide 30 hours a week for 48 weeks a year, free to 3 and 4 year old children, to ensure that all young children have the best start in life.
- Swansea Council will aim to provide the right number of places, in both English medium education to meet the wishes of children and families who want to be education in the two language of Wales.

A City of Life Long Learning

- Working with our regional partners, Swansea will lead in creating an intelligent knowledge regional network, based on a new dynamic relationship with schools, the further education colleges, our two universities and employers. We will aim to create a seamless education and skills 'pipeline' through all levels education collaborating closely with partners we will create the workforce for the new technology skills and knowledge economy we will need to compete and succeed in the 21st century.
- Building upon our membership of the UNESCO Global Network of Learning Cities, the Council will build on our international links through our membership to share ideas and best practice, learning from each other and building strong and economic and cultural ties.

9.0 Relevant Extract from Corporate Plan 2017/22

Improving Education & Skills

Why this priority is a well-being objective

- We want every child and young person in Swansea to gain the skills and qualifications they need to succeed in life.
- Children and young people who attend school regularly are more likely to achieve the skills and qualifications that they need to go on into further education, higher education, employment or training.
- The Swansea Bay City Deal will deliver world-class facilities in the fields of energy, smart manufacturing, innovation and life science, with major investment in the region's digital infrastructure and workforce skills and talent underpinning each.
- Children and young people need qualifications and skills that are suited to the economic needs of the future.
- We want children to be prevented from becoming disengaged from learning.
- When a child is looked after by a local authority, the Council becomes a corporate parent with legal and moral responsibility for that child. We want looked after children to succeed in school and to have opportunities for further education, higher education, employment or training.
- We want our children and young people to be aware of their global rights and responsibilities so that they can be active and responsible citizens, fulfil their potential and make a difference to their communities.

- We want our children and young people to have appropriate Welsh language skills.

The longer term challenges this well-being objective will help address

- We want to respond to the shift away from large-scale manufacturing to the service economy and the growth of smart technology and the high tech industries sustaining the City Deal.
- We will respond to the City Deal ensuring our children and young people have success in the STEM subjects (science, technology, engineering and mathematics) and digital skills such as computer coding.

The steps we will take to meet this well-being objective

- Align our education system and work with partners to ensure we create the right people with the right skills to supply the new economy and meet the challenge of the Swansea Bay City Deal.
- Continue to support and challenge schools to improve attendance and pupil performance and encourage schools to support each other.
- Keep focusing on improving literacy (in English and Welsh) and numeracy at all ages.
- Transform the schools' estate to meet demand and respond to the developments set out within the *Local Development Plan*.
- Raise skill levels in the workplace and construction and vocational aspirations, contributing to the development of ambitious, skilled young people and adults by providing apprenticeships.
- Promote lifelong learning to reflect the changing nature of work and to support well-being and reduce social isolation.
- Teach young citizens to respect rights, understand responsibilities and be globally aware and responsible citizens by continuing to support schools to become *UNICEF Rights Respecting Schools* as part of our commitment to the UNCRC and also *Eco Schools* increasing understanding, respect and appreciation of our environment.
- Continue to involve children and young people in their education through *Pupil Voice* and *Schools Councils* and *Big Conversation* engagement events.
- Meet demand for Welsh medium education and promote the use of Welsh in schools through the *Welsh in Education* strategic plan.
- Using our school building and maintenance programme to reduce our carbon footprint.
- Ensure that children are not disadvantaged by poverty when achieving and attaining standards and wellbeing in education.

How we will maximise our contribution to the national goals through the way in which we work

- *Preventing problems from occurring or from getting worse* – improving school attendance and attainment so that pupils improve their skills and qualifications that they need to go on into further and higher education, training or employment.

- *Addressing long-term challenges* – ensuring the school curriculum in Swansea provides pupils have the skills and qualifications for the future and contributes to the success of the Swansea Bay City Deal.
- *Working in partnership with others* – work with local authorities through the regional arrangements to support school improvement services.
- *Working in partnership with others* – work with a range of providers to provide a range of learning opportunities.
- *Avoiding conflicts between public body objectives* – creating synergy between Council objectives and economic development.
- *Involving people* – involving pupils in their education through *Pupil Voice* and *Schools Councils* and *Big Conversation* events in order to demonstrate we value these key stakeholders.

How we will measure progress.

- Pupil attendance at school.
- Literacy in English and Welsh and numeracy at different ages.
- Pupils and pupils receiving free school meals achieving five or more GCSEs at A* to C, including English and Welsh.
- Pupil take up and attainment in STEM subjects at different ages.
- Young people known to be NEET at 16 years of age.
- Apprenticeships in the Council.
- Training weeks secured for the economically inactive or unemployed through community benefit clauses in contracts.

**Scrutiny Programme Committee
Terms of Reference**

Schools Performance Scrutiny Panel – Terms of Reference

1. Name:

Schools Scrutiny Performance Panel

2. Why this topic is important:

- It is a key *corporate improvement objective* to ‘improve services for children and young people and in particular to maximise well being; raise standards of attainment and achievement; ensure services are safe and services provide excellent education opportunities’.
Source: Swansea’s Corporate Improvement Plan
- Swansea has some of the highest performing schools in Wales but also, some of the lowest.
Source: Educational Attainment Report, Scrutiny Programme Committee - 3 December 2012
- The attainment gap between schools with high and low free school meals numbers is unacceptable.

3. What is the purpose of the Panel?

To provide ongoing challenge to schools performance to ensure that:

- pupils in Swansea are receiving high quality education; and
- the authority is meeting its objectives in relation to improving school standards and pupil attainment.

4. What are the possible lines of inquiry?

To regularly review the authority’s assessments of all schools’ performance. Identify a range of schools performance within the authority. Meet with Head Teachers and Chairs of Governors to ask questions about performance and improvement, focusing on outcomes, provision and leadership, e.g.

1. How the school has responded to inspection findings and recommendations?
2. What does the school need to do to improve learner outcomes and to increase the schools capacity to improve in the future?
3. What are the barriers to the school improving learner outcomes?
4. How is the school using tools and initiatives available to improve outcomes?
5. What is the school doing to improve levels of pupil attendance?
6. What is the school is doing to minimise school exclusions?
7. What are the governing bodies’ priorities and how are they being addressed?
8. How best practice is being shared across schools?
9. Looking at the support given by the local authority and the Consortium.

5. Who will be participating in this Panel?

Which Scrutiny Councillors will sit on this panel?

Mo Sykes (Panel Convenor)	Dave Anderson Thomas (Parent Governor Co-optee)
Mike Day	Mike Durke
Beverley Hopkins	Louise Gibbard
Lyndon Jones	Fiona Gordon
Steven Gallagher	Cyril Anderson
Susan Jones	David Helliwell
Sam Pritchard	Lynda James

6. When will it report? (i.e. likely duration of the Panel)

The Panel will be expected to summarise its findings to each school after the session they attend, highlighting key points from the meeting, including suggestions for improvement

The Panel will also be expected to have on-going correspondence with the relevant cabinet member in order to share views and recommendations, arising from the Panel's activities, about schools performance.

The Panel will continue through this municipal year reporting back to the Scrutiny Programme Committee on a regular basis. The Panel may also raise issues, as appropriate, with the Committee.

7. Scrutiny Support

Your Lead Scrutiny Officer is Michelle Roberts and you can contact her at michelle.roberts@swansea.gov.uk or Tel: 01792 637256

As at: 6 July 2017

Scrutiny Convener Role Description

1. General

- 1.1 The Scrutiny Convener will be responsible for a portfolio of scrutiny topics that they will manage and deliver. These topics, allocated by the Council's Scrutiny Programme Committee, will not be confined to a single subject or department. The scrutiny work led by these conveners will be done through informal task and finish groups / panels and the conveners will chair the meetings of these groups. Conveners will be accountable to the Scrutiny Programme Committee.

2. Providing leadership

- 2.1 To provide confident and effective management of the topics for which they are responsible.
- 2.2 To promote the role of scrutiny within and outside the council, liaising effectively both internally within the Council and externally with the Council's partners.
- 2.3 To contribute to the development of a balanced scrutiny work programme.
- 2.4 To ensure the programme takes account of relevant factors such as: the work programmes of the executive and other committees, strategic priorities and risks, and relevant community issues.
- 2.5 To demonstrate an objective and evidence based approach to scrutiny and to facilitate the identification of conclusions and recommendations accordingly.
- 2.6 To evaluate the impact and added value of scrutiny activity and identify areas for improvement.
- 2.7 To promote cross party working.
- 2.8 To keep any relevant deputies fully involved and informed to ensure they are able to cover the conveners' role as required

3. Managing the work programme

- 3.1 To ensure that the work programme is delivered.
- 3.2 To report on progress against the work programme to Council, and others as appropriate.
- 3.3 To liaise with officers, other members and community representatives to resource and deliver the work programme.

4 Effective meeting management

- 4.1 To set agendas containing clear objectives and outcomes for meetings.
- 4.2 To manage the progress of business at meetings, ensuring that meeting objectives are met.
- 4.3 To ensure that the necessary preparation is done beforehand.
- 4.4 To ensure that all participants have an opportunity to make an appropriate contribution

5 Community leadership

- 5.1 Where necessary to act as a focus for liaison between the council, community and external bodies in relation to the scrutiny function.
- 5.2 To build understanding and ownership of the scrutiny function within the community.
- 5.3 To involve fully external stakeholders for example, service users, expert witnesses and partners in scrutiny activity.
- 5.4 To support the involvement and development of scrutiny members
- 5.5 To encourage high performance from all scrutiny councillors in task and finish groups.
- 5.6 To assess individual and collective performance within task and finish groups and facilitate appropriate development.

6 Values

6.1 To be committed to the values of the Council and the following values in public office:

- a. Openness and transparency;
- b. Honesty and integrity;
- c. Tolerance and respect;
- d. Equality and fairness;
- e. Appreciation of cultural difference;
- f. Sustainability.

For Information

For Information

A. Estyn Inspections Summary
(Published since your update in February 2017)

School	Date published	Schools Current Perf. and prospects for improvement	Previous Estyn Inspection outcome	Estyn Recommendations
Pengelli Primary School Link	Mar 2017	Good / Good	Good/Good	R1 Improve pupils' Welsh language skills, particularly in the Foundation Phase R2 Develop the provision for pupils' independent learning skills in the Foundation Phase R3 Address the health and safety issues related to outside areas
Brynhyfyd Primary School Link	Apr 2017	Good / Good	Good / Good	R1 Develop curriculum planning to ensure it meets statutory requirements and develops pupils' numeracy and information and communication technology (ICT) skills across the curriculum R2 Ensure that teachers meet the needs of all pupils consistently, particularly less able pupils R3 Address the safeguarding and health and safety issues identified during the inspection R4 Refine self-evaluation processes so that they lead to accurate conclusions about the standards pupils achieve
Whitestone Primary School Link	May 2017	Good / Good	Mainly 2's under previous inspection regime (2009)	R1 Raise standards in Welsh in key stage 2 R2 Ensure that governors review and monitor progress regularly against priorities in the school development plan R3 Provide opportunities for staff to share good practice with schools outside of the local area
Morrison Primary School Link	May 2017	Adequate / Adequate	Mainly 1's some 2's in previous inspection regime (2010)	R1 Improve standards of reading and writing R2 Develop the curriculum to ensure that it meets statutory requirements, promotes the ethos of the Foundation Phase and develops pupils' literacy and numeracy skills across the curriculum R3 Share the good practice in teaching across the school to ensure that all pupils receive challenges that are suitable to their ability R4 Address the safeguarding issues identified during the inspection R5 Improve the effectiveness of strategic leadership

				R6	Ensure that targets in the school improvement plan are specific enough to enable progress to be monitored and evaluated
Gowerton Secondary School Link	May 2017	New inspection pilot: Standards: Good Wellbeing: Excellent Teaching & learning: good Care & support: Excellent Leadership: Good	Good / Excellent 2011	R1 R2 R3 R4	Improve the progress that all pupils make in lessons Improve pupils' standards in Welsh and information and communication technology across the curriculum Improve systems of accountability at all levels of leadership Ensure that self-evaluation and improvement planning focuses appropriately on the quality of teaching and the progress made by pupils in their lessons
Gors Primary School Link	May 2017	Adequate / Good	1s and 2s under old inspection regime 2010	R1 R2 R3 R4 R5	Raise standards in English, mathematics and science in key stage 2 Raise standards in information and communication technology across the school Develop the problem-solving and higher order thinking skills of more able pupils Improve pupils' attendance Develop further pupils' abilities to peer assess
Seaview Primary School Link	May 2017	Adequate / Good	Mainly 2's under old inspection regime 2009	R1 R2 R3 R4 R5	Improve pupils' reading skills Raise standards of pupils eligible for free school meals Improve pupils' Welsh speaking skills Ensure that teachers have high expectations of all pupils and challenge them appropriately to reach their potential Improve monitoring arrangements of the pupil deprivation grant to make sure that all pupils who are eligible for free school meals benefit fully from its use
Pen Y Fro Primary School Link	May 2017	Good / Good	Mostly 1s	R1 R2 R3 R4	Further improve pupils' reading fluency and their spelling skills Improve pupils' ability to work independently, especially in the Foundation Phase Develop more effective provision for the Foundation Phase, especially in the use of the outdoors Ensure that monitoring activities evaluate the quality of learning and teaching accurately and identify areas for improvement, where required

Back to school

Ways for scrutiny to influence local education and support school leaders to improve results



The Centre for Public Scrutiny

The Centre for Public Scrutiny (CfPS), an independent charity, is the leading national organisation for ideas, thinking and the application and development of policy and practice to promote transparent, inclusive and accountable public services.

We support individuals, organisations and communities to put our principles into practice in the design, delivery and monitoring of public services in ways that build knowledge, skills and trust so that effective solutions are identified together by decision-makers, practitioners and service users.

www.cfps.org.uk

Local Government Association

The Local Government Association (LGA) is the national voice of local government. We work with councils to support, promote and improve local government.

We are a politically-led, cross party organisation which works on behalf of councils to ensure local government has a strong, credible voice with national government. We aim to influence and set the political agenda on the issues that matter to councils so they are able to deliver local solutions to national problems.

www.local.gov.uk

Acknowledgements

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- Birmingham City Council
- Blackpool Borough Council
- Buckinghamshire County Council
- East Riding of Yorkshire Council
- London Borough of Hackney
- London Borough of Richmond upon Thames
- Solihull Metropolitan Borough Council

Foreword

I am delighted to introduce this publication arising from the latest collaboration between the Local Government Association (LGA) and Centre for Public Scrutiny (CfPS). As all involved in education grapple with new school structures and models, it is timely to focus on how councillors can best contribute, using their scrutiny responsibilities.

I firmly believe that the scrutiny role of councillors becomes more – not less – important as schools become more autonomous. To achieve the council’s ambitions for its local area and community, councillors increasingly need to use the power of influence, coalition building and credible, informed persuasion to get all partners to cooperate together.

These are exactly the skills and attributes demonstrated by the best overview and scrutiny reviews, as CfPS knows from our Good Scrutiny Awards each year. I believe that this power of influence can potentially be more persuasive and effective than when the Local Education Authority sought to rely on their statutory powers to direct schools – because it brings schools into the wider debate about outcomes for children and young people. Regardless of changes in the management of local schools and any moves to Academy status or the setting up of Free Schools, councils continue to have a role to play in the local schools system and retain a range of statutory responsibilities for children in their area and for school improvement.

As you will read, the lessons from our seven case studies are clear and compelling. They have identified the need for closer links with school leaders, for better communication between councillors and local schools and for greater support and training for both councillors and school governors. They have also shown that council scrutiny can challenge all providers on their contribution to wider issues as well as school results.

Our conclusion is that scrutiny of the changing world of education needs to develop a clear focus, work out where its reviews can add value and be clear about the changing lines of accountability, whilst building relationships to gain support for its work in this area.

I hope that our case studies and the shared learning captured in this guide demonstrate to other councils that scrutiny is an important tool for helping councils to meet their continuing statutory responsibilities towards children and young people, regardless of the status of their local schools.

I would like to thank the LGA for funding and collaborating on this project and the councils involved for sharing their experience and ideas.

Jessica Crowe
Executive Director, CfPS

Introduction

“Overview and scrutiny goes back to school”

This quote, from one of the participants of the programme, captures what this publication is trying to achieve – helping councils to understand the different ways to keep in touch with schools and to identify opportunities for scrutiny to influence local education, support school leaders and help improve school results.

About this publication

All schools have become more independent of councils in recent years, but the Academies Act of 2010, the rapid increase in Academies in many areas and the emergence of Free Schools, has fundamentally changed established relationships. The council is still accountable for promoting academic excellence, protecting vulnerable children, school place planning and a whole raft of other responsibilities¹. To discharge these through what is effectively becoming in some areas an independent sector, councils need to develop a strong strategic role based on completely new ‘rules of engagement’.

Many councillors thought the Academies Act gave absolute autonomy to schools and released councils from all responsibility, not

realising they still had fundamental duties to discharge, for some of which Ofsted at the very least would be holding them to account.

The dilution of council powers and the increasing numbers of schools becoming directly accountable to the Secretary of State makes the job of fulfilling these statutory duties more challenging. The case for a continued but changing role for councils and their scrutiny function is compelling in relation to all schools, whatever their governance.

In June 2013, the LGA and SOLACE published a report that illustrates how a number of councils have responded to the challenge of the changing accountability landscape - showcasing the work being done by councils up and down the country to support school improvement. Coinciding with the new Ofsted inspection regime for school improvement support by councils, it showed how councils are adapting to the changing educational context of increasing school autonomy by strengthening and deepening their relationships with local schools.

CfPS recognised that the new pressures on councils with respect to the results achieved by pupils in their schools, regardless of management structures, required councils to increase their knowledge of pupil attainment and school improvement and the role of the council in school improvement – and that there is a role for scrutiny. Working with councils that have identified a role for scrutiny within the evolving educational

¹ http://www.local.gov.uk/c/document_library/get_file?uuid=129dab82-7e7b-4466-9e17-8661848ffec4&groupId=10171 }

picture, this programme and publication focuses on the role of council scrutiny to influence and improve education.

At a workshop in September 2013, programme participants were asked to detail as many ways as possible that scrutiny could review education, including pupil attainment, governance, school improvement and the role of councillors. Over 30 ideas were captured.

These have been themed under the following headings and are explored in more detail within this publication:

- Developing relationships with schools
- Reviewing and monitoring performance
- Reviewing approaches to school improvement and support services
- Reviewing governance
- Reviewing and understanding resource allocation.

Whilst there is a separate section on developing relationships with schools and the importance of good strong supportive partnerships, these run as a thread through the other sections encouraging schools and scrutiny to work together to benefit children and young people.



Developing relationships with schools

Overview

This section puts the foundations in place to ensure that the role of scrutiny in improving school performance can develop to its full capacity. Effective relationships are the cornerstone of ensuring that education delivery and school support services and people engaged in schools and activity relating to children and young people work together to mutual benefit and around common goals.

Sometimes regarded as a cliché, developing effective relationships is vitally important and not hard to do if you understand respective roles, responsibilities, purpose and the added value of a good working partnership.

A lot can be learnt from the role and function of health scrutiny over recent years. Health scrutiny is based on specific powers that education scrutiny does not have – but health scrutiny has rarely relied just on these powers to get results – the powers are used only as a last resort. Instead it has developed an understanding of health services, developed effective working partnerships and ensured that the health service understands what scrutiny is. Hospitals, ambulance trusts, community health services and other health commissioners and providers have learnt that health scrutiny can assist when making changes in health provision, or when tackling underperformance or seeking to involve patients and the public. Also health scrutiny is not ‘inspection’ or ‘performance management’. Similar roles are possible in education and parallels may be drawn with schools, school improvement services, governing bodies, parents and pupils.

It requires an understanding of different roles and expectations in education and the added value that might result from external constructive challenge by the critical friend of scrutiny.

Many head teachers, chairs of governing bodies and other school leaders may not be familiar with the role of scrutiny. However, there is the statutory requirement for scrutiny committees that cover education to have co-optees from governing bodies, which may include parent governors and diocesan representatives in respect of voluntary aided faith schools. It therefore is important to champion scrutiny, to tell the story of why it is important and how it might add value, to explain that it is the voice of the public (parent and pupil, the local business community and others) and to demonstrate how it helps the council to deliver the best services to its wider community, including its schools.

Ways to improve links with schools

Raise the profile of scrutiny

Given the perceived limited knowledge about scrutiny and the changing education system and council support, it would be important to showcase what scrutiny does and how it can help a school and the council in respect of its responsibilities in connection with education. This would include drawing on examples from other councils or making comparisons with health scrutiny.

Tips!

- ✓ Create opportunities to explore and understand respective roles, perhaps by attending a schools forum.
- ✓ Consider ways of improving communication through publishing a scrutiny newsletter or setting up an email group or agreeing the information that should be shared with scrutiny by schools.
- ✓ Ask if the scrutiny chair might visit the school and meet with the head teacher and chair of governors to explain the role and explore how they might work together, highlighting the potential value.

Strengthening links between local councillors and schools in their ward or division

Local councillors have a unique role in their community and are best placed to ensure that the school is aware of the community that it is within. These individual relationships help to break down perceived barriers. Challenge is easier to exert if the council and councillors are alongside their schools and are supportive and interested in their activity.

Tips!

- ✓ Show support by attending school and community events.
- ✓ Show an interest all of the time – not just when performance is patchy!

Site visits to schools

Visiting schools gives councillors a ‘real life’ picture, helping them to get to know their schools and its leaders. This type of informal approach helps councillors “feel where the school is coming from”, and brings its activities to life. It also helps schools to gain a different view of the council and its councillors and how they might work together.

Tips!

- ✓ Contact the head teacher to request a visit or tour of the school – stating your reasons and indicating that you would like to support them.
- ✓ Plan where visits can be used most effectively and where information gleaned may be helpful evidence.
- ✓ Once you have developed good working partnerships, ask to hold a scrutiny committee at the school and engage the school leaders and pupils as co-optees, partners or witnesses in a review or inquiry.
- ✓ Consider the role of schools within their community, rather than focus only on performance and results.

Strengthening links with local school and education leaders

Councillors and governors, whether appointed to community schools from the council or elected by parents, selected from a council or staff, or co-opted in Academies² have very similar roles not dissimilar from scrutiny. Working together to share experiences and skills will allow for better governance overall. Understanding where scrutiny can help school governors and where school governors can help scrutiny will help build support for partnership working.

Tips!

- ✓ Be clear about the information you need, from whom it is available, how it will be sourced and why you need it.
- ✓ Be clear about the different types of governing body and governors how they are elected, selected or appointed, and their roles.
- ✓ Create opportunities for direct conversations with parents, pupils, head teachers, chairs of governors and leaders of federations or Academy chains – and for scrutiny to meet with schools on a regular basis.
- ✓ Involve the Youth Parliament, youth representatives on scrutiny and other students in field research with their peers e.g. young carers and schools.
- ✓ Try holding in-depth reviews to look at topics related to schools and invite school leaders to suggest possible topics that might help them.
- ✓ Consider joint training and sharing of scrutiny skills between councillors and governors. Sharing council best practice on governance and transparency might be helped by comparing schools' approaches and openness to scrutiny and information sharing.
- ✓ Explore opportunities to maximise the role of council governors in particular and share scrutiny skills between governors, councillors and others along the lines of the CfPS local accountability framework – Accountability Works for You³.

² <http://www.education.gov.uk/a00226253/academy>

³ <http://www.cfps.org.uk/accountability-works-for-you>

Reviewing and monitoring performance

Overview

Although not new, the Academies agenda has strengthened and gained momentum recently, with more and more schools opting to become independent of the council. This has caused anxiety in some areas with councils fearing that they are losing oversight of performance, admissions and curricular within Academies across their area – and that they are becoming more distant from schools.

Monitoring, challenge and support remain clear roles for a council as it seeks to raise pupil achievement across the whole area – getting the best possible schools for local children. The work by scrutiny that is outlined in this publication shows how council scrutiny committees can help councils to fill this emerging accountability gap and to continue to fulfil their ‘champions for children’ role. This could include taking an overarching look at the quality of education in a local area and asking questions about any poor attainment levels, regardless of school type.

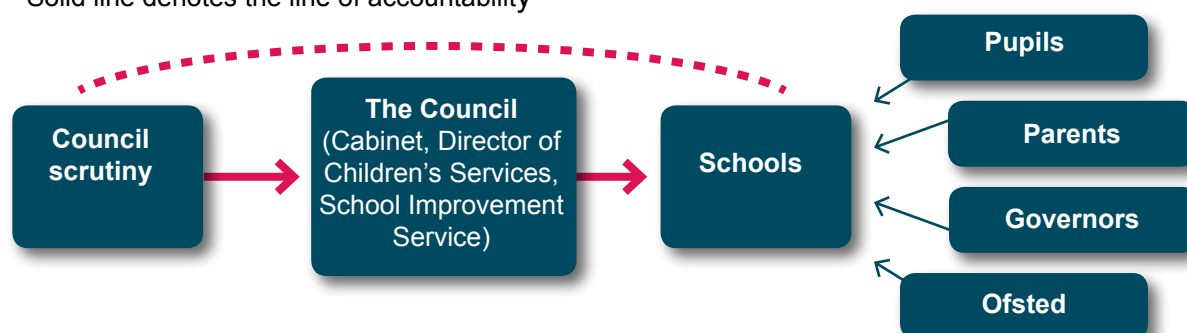
Case examples

Blackpool and East Riding of Yorkshire Councils have taken the direct route of reviewing a number of schools at each of their meetings. They felt that this gave opportunities for scrutiny councillors to review the effectiveness of all schools – challenging improvement services where things needed to improve and praising those that were raising the bar.

Richmond is moving to a commissioning council model and using scrutiny for strategic oversight of school performance at a council-wide level, not school by school. They systematically review topical issues such as place-planning and future education provision.

Hackney found it helpful to understand the lines of accountability and considered this for the role of scrutiny and holding schools to account. As the diagram below demonstrates, they concluded that the role of scrutiny was not to hold schools directly to account but to hold improvement services and senior officers within the education department to account for the support and challenge that they provide to schools.

- Semi-dotted line to connect Scrutiny with Schools denotes informal information sharing
- Solid line denotes the line of accountability



Identifying roles for overview and scrutiny in reviewing and monitoring performance

A number of topics and opportunities for scrutiny to add value to improving the performance of schools emerged from our case studies.

Much debate took place on the role of scrutiny in tackling under-performance of schools and it was clear from the conversations that the councils within this programme had tackled this in different ways.

Tips!

- ✓ Scrutiny could take an overview of school attainment in the council area and compare results with similar councils at all stages.
- ✓ Scrutiny could look at school Ofsted reports by exception, review improvement support and help prepare for Ofsted inspections of council support.
- ✓ Scrutiny is not performance management.
- ✓ Beware the time pressures of trying to scrutinise all your schools. Instead, set criteria to help you to select the best approach and focus on the places where you can make most impact; this could be of council procedures for monitoring performance and supporting school improvement.
- ✓ Make an annual challenge to the Executive councillor and officer on progress in closing the attainment gap within the council area and in comparison with similar authorities.
- ✓ Look at learning from the experience of federations of schools in terms of performance and improvement.

Suggested topics for scrutiny of performance

- Comparative results across the local authority area and with similar councils at key stages, GCSE and A level.
- The role of the council and local schools in bridging the gap in educational attainment.
- The effectiveness of education in making pupils ready for work.
- Thematic reviews e.g. Key Stage 2 literacy results, sixth forms, 14 – 19 provision, early years provision
- The local authority's support for looked after children and their educational attainment.
- School exclusions.
- Reviews with the head teacher and chair of governors of a school facing special measures or with underperformance to gain a clearer appreciation of the support and challenge that the school requires.
- Work with school leaders, the council's Executive member and the director of children's services and other appropriate officers to help carry out an informal 'dry-run Ofsted inspection' of the local authority's school improvement arrangements.

Reviewing approaches to school improvement and support services

Overview

In September 2013, Ofsted announced that annual inspection figures show that 39 per cent of schools had improved since their last inspection. In real terms this now means that 78 per cent of schools are graded “outstanding” or “good”, compared with fewer than 70 per cent last year. Sir Michael Wilshaw concluded that the inspection figures showed that “England’s school system is making some genuine and radical advances”.

Schools have been becoming autonomous for many years and are increasingly responsible for their own improvement – but the move to establishing Academies has given them additional freedoms away from central government such as the ability to adapt the national curriculum and national teacher’s pay and conditions thus moving them further away from councils. Despite this, from May 2013 Ofsted introduced a new inspection framework which will consider how well a council is fulfilling its general duty to promote high standards of education and to enable every child to fulfil their educational potential. Alongside this, councils still retain a role to act as champion for their children and to fulfil duties such as those to ensure there are sufficient school places.

So in this mixed world where there are continued expectations of councils in some aspects of educational provision, but increasing autonomy of schools, what can scrutiny do to help and support effective and appropriate school improvement services?

Identifying roles for scrutiny

School improvement services

Where provided by the council, there is more opportunity for scrutiny to monitor and challenge the support the council provides. Scrutiny can be the bridge between the school and the school improvement service to ensure that what is being provided makes an impact, is of high quality and addresses the need of schools.

The situation is more complex where Academies and Free Schools buy in support services from elsewhere. Here scrutiny could have a role in checking the effectiveness of the improvement support provided by Academy Chains.

Tips!

- ✓ Scrutiny committees need to understand the totality of school improvement locally – is it provided by the council and/or others?
- ✓ Listen to stories of success as well as of concern.
- ✓ Build effective working relationships (as detailed in the previous chapter) to allow for a better understanding of how improvement services are deployed within a school.
- ✓ Scrutiny may help to ensure that schools have access to advice, support and professional development that supports improvement from the council or elsewhere.
- ✓ Use scrutiny to help stakeholders to prepare for Ofsted inspections.

Recruitment and retention of leaders

Maintaining continuity and strength of leadership is vital for schools to improve. Whilst this seems less of an obvious task for scrutiny committees, they can assess whether there is a framework to recruit and retain leaders through monitoring turnover, identifying whether there is a training and development programme in place and listening to school leaders in terms of their success at retaining effective teachers, heads and deputies.

Tips!

- ✓ Use a council's influence to build the reputation of schools and the area including through ward councillors taking a more active and supportive role within a school.
- ✓ Monitor recruitment and retention of head teachers, senior leaders, governors and chairs of governors – reviewing the advice given to schools by council human resources staff.
- ✓ Seek to develop joint training and leadership development for champions of their patch (scrutiny councillors and all governors, not only council appointed governors).

School-to-school support

Outstanding schools make it their business to provide school-to-school support as part of their on-going journey to excellence and to help those in need of support. Academy chains have been established and some maintained schools have been federated in order to support each other's improvement journey and ensure the transfer of excellence across schools, this is a potentially significant area for scrutiny to explore. This could include assessing what a school excels in or needs to improve, gaining an understanding of the strengths and weaknesses of schools on an individual basis (using scrutiny's improved links, as detailed in the previous section) and asking questions of chains or federations in terms of the outcomes of their school-to-school support in order to share those insights more widely.

Scrutiny could also have a role in ensuring that all local schools are working collaboratively to drive school improvement or check that all schools are buying in improvement support from somewhere, even if it is not from the council.

Scrutiny's evidence gathering would provide a picture of the key inputs and structures to promote excellence and improvement that can be shared across an area.

Tips!

- ✓ Carry out a review of school-to-school support – involve school leaders, school improvement services, education partnerships, Academies and their chains, Free Schools and maintained schools and their federations.
- ✓ Encourage buddying and sharing across schools.
- ✓ Where it is difficult for scrutiny to review the performance of all schools, seek to hold ‘collaboratives’ or ‘clusters’ to account for the results and the effectiveness of their ‘school-to-school’ improvement systems across those schools.

Engagement with stakeholders and the public

It is possible to develop a role for scrutiny to assess how effective a school is at listening and responding to pupils, parents, the community and stakeholders. Scrutiny might also explore how it can involve pupils, parents, the community and stakeholders in reviews of schools and school improvement.

Parental insights are invaluable in any review of admissions procedures, eg the clarity of information provided, the ease with which applications may be made, the information that they receive about place allocations and their experience, if any, of appeals.

As ever, effective scrutiny will depend upon getting to know individual schools better, understanding how these stakeholders are engaged with their School Development

Plan, looking at how open schools are in terms of meetings with parents and considering whether schools offer community focused activities. The best schools build on the views of all stakeholders and, whilst they may not be able to deliver everything that people want, scrutiny can assess whether they have a systematic approach and culture of involvement.

As is the case with most scrutiny reviews, you will need to encourage all stakeholders to be involved and be open to new ways of reaching out to local people – parents, young people and children.

There are many good examples of councils that have involved young people within scrutiny reviews and some of these are highlighted within CfPS’s publication ‘Tomorrow’s People’⁴.

Tips!

- ✓ Use Public Question Time at council meetings.
- ✓ Use web-casting.
- ✓ Show the public the work of scrutiny in relation to schools.
- ✓ Draw on the experience of scrutiny across the country in engaging with children and young people, sourcing ideas from the CfPS website and library of reviews.

⁴ <http://www.cfps.org.uk/domains/cfps.org.uk/local/media/uploads/youngpeopleguide2final.pdf>

Suggested topics for scrutiny of school improvement and support

- The whole education approach of the council from early years to post-16
- School improvement services, whether within the local authority or outsourced
- Local authority provision of a schools liaison team, or similar
- Local authority provision of support for special educational needs
- Support of the local authority for co-optees on education scrutiny committees
- The local councillor as school governor and local authority support for them
- The effect of traded services
- The Home to School Transport Service



Reviewing governance

Overview

Given the refreshed school accountability system with the growth in number of Academies and the emergence of Free Schools, as well as the new ways that school improvement is delivered, scrutiny committees and their officers need to understand better the new lines of accountability and with whom they need to work. Then, having determined with whom the relationships need to be developed or sustained, contact needs to be made and shared understanding developed.

Scrutiny can play a role by exploring if there is effective governance. Although schools have more autonomy, many continue to have local authority governors. Even if they do not, council scrutiny might explore new accountabilities and the openness of schools, the nature and effectiveness of school leadership and the role and performance of governing bodies. Many councillors are also local authority governors and have an appreciation of education and the effectiveness of local schools. They could be involved in helping to develop relationships with schools and scrutiny and could be witnesses or co-optees on task and finish groups on matters relating to education. In general, as outlined earlier, local councillors should be more involved with their schools, including but not only as school governors.

Whilst there are fundamental differences between members of a governing body (whatever the school management structure) and scrutiny councillors, there are also some parallels. These include:

- providing constructive challenge and helping to develop proposals on strategy and policy
- monitoring school performance and providing challenge where appropriate
- being satisfied about the integrity of financial information and the robustness of controls and risk management
- refreshing their knowledge and skills and participating fully in an induction programme
- showing integrity and probity, instilling an appropriate culture, applying appropriate values and exhibiting appropriate behaviour
- insisting on high quality information in sufficient time for meetings
- taking account of parents', children's and other stakeholders' views
- disclosure of relevant interests.

Yet there are very few opportunities for scrutiny and governors to work together and learn from each other and support services for governors and scrutiny often sit within different departments of a council. With authorities increasingly recognising the vital and complex role played by governors in ensuring school effectiveness, it would be useful to understand the complementary roles of governors and scrutiny councillors and how they can work together locally to improve education for children and young people.

Identifying roles for scrutiny

Role and efficacy of school governors

It is usual for a council to provide varying degrees of support for governance of schools, eg training, information and clerking services, so there are opportunities for scrutiny to ensure that these services are fit for purpose and used to benefit all governing bodies. However an untapped resource and conduit of information is the council governor. Maximising use of this role and the support provided to council governors could improve the challenge provided by the whole governing body and can certainly be used to improve communication between schools and scrutiny councillors. More effective council governor roles and support will help councils to keep an eye on education from a distance.

Tips!

- ✓ Explore the support that the council provides to all governors.
- ✓ Understand the different types of governor and their roles – in particular the role of the council governor.
- ✓ Review whether good governors are being recruited.
- ✓ Review whether governors have the right skills and support.
- ✓ Remember that Academies are allowed up to one council governor, so might be interested in a scrutiny role regarding support for and the selection of councillors on governing bodies.

Involving statutory co-optees

There was some debate between the programme participants surrounding the role of statutory co-optees. There are regulations requiring the co-option of church (Church of England and Roman Catholic), and parent governor representatives onto council committees dealing with education. These include voting rights on education matters only. Some education or children's services scrutiny committees also co-opt youth representatives and it is at the discretion of the council whether they are given voting rights on matters relating to education and youth provision.

It was felt that there was value in having co-optees to provide a link to the wider community and give broader representation and that they could fill the gap in the skills of the committee sharing resources, insights and ideas. However, their understanding and contributions appear to vary widely within and across committees, which is possibly a reflection of the nature of their induction and support, time availability and competing personal commitments.

Tips!

- ✓ Ensure that education co-optees are inducted and kept fully briefed on matters relating to education.
- ✓ Consider co-opting youth representatives eg from a local youth council or Youth Parliament and ensure they are inducted, briefed and involved.
- ✓ Ensure that co-optees have an understanding of their role and the nature of scrutiny.
- ✓ Encourage and support co-optees to be involved in task and finish groups and other forms of scrutiny review.
- ✓ Review the views and engagement of co-optees and their relationship with the bodies they represent, their recruitment, training and engagement and identify action required to improve their understanding of scrutiny, their involvement and the support they need.

Political decision making

Participants recognised that the council continues to have powers and duties in relation to education, so scrutiny needs to retain an internal council focus on its own decisions around education support and resource allocation.

The council leader, executive member covering education and children's services, and the director of education and/or children's services all have a significant role in decision making about education. This may include:

- school place planning
- support for vulnerable pupils including those with Special Educational Needs
- admissions policies including the provision of information and the handling of appeals
- the resources made available for school improvement
- the level of in-council staffing for school improvement and support
- provision or not of clerking services and training for governing bodies
- provision or not of human resources advice
- funding of Home to School transport and Pupil Referral Units
- non-school support for learning such as the provision of libraries and their opening hours, leisure facilities, playing fields, public health and even housing, given their role in the wider determinants of educational attainment
- council policies and budget allocations for looked after children, children's social care, safeguarding, and the activity of the council as a corporate parent.

Potential outcomes from scrutiny of council decisions relating to education were identified as:

- better relationships for the council with all schools in its area
- an improved and extended offer of council support to schools
- clarification of the role of the council
- better understanding of how scrutiny might help all stakeholders in education
- acceptance of the council's responsibility for the whole area and all the children who live there.

Tips!

- ✓ Hold a briefing for scrutiny councillors on the Government's agenda for education and schools, including the Secretary of State's proposal for 'developing moral purpose'.
- ✓ Hold a briefing for scrutiny councillors on the new accountabilities in education and the emerging local school systems, including Federations, Academies, Academy chains and Free Schools.
- ✓ Hold regular (though not necessarily frequent) meetings with the director of children's services and other relevant officers, the executive member, teaching unions, a head teachers forum, schools forums, parent groups, teaching alliances and similar.
- ✓ Hold the leader, executive member and director of children's services or education to account for their monitoring of Ofsted inspections and school results and their preparation for Ofsted inspection of school improvement support by the council.
- ✓ Scrutinise school place planning and council school building projects and the use of planning gain that is earmarked for education.
- ✓ Look at the council's policy in relation to relationships with Academies and Free Schools and their attitude and relation to Academy improvement chains.

Suggested topics for scrutiny of governance

- Local authority as the 'champion of pupils and parents'.
- Local school leadership against the four Ofsted criteria: namely the achievement of pupils at the school, the quality of teaching in the school, the behaviour and safety of pupils at the school and the quality of leadership in, and management of, the school.
- Local authority intelligence gathering about the range of curricula across all schools – and what they do with the intelligence.
- Engagement with any governors networks, including consideration of the support provided by the local authority for all school governors.
- Admissions procedures and appeals.
- School to school improvement arrangements in-house or outsourced.
- Succession planning by schools.
- Performance monitoring of relevant KPIs by the school leadership.
- School leadership's pupil plans, differentiation and alignment.
- Collaboration with schools forum or similar.
- Inclusion across the local authority.
- Pupil behaviour and attendance across the local authority.

Reviewing and understanding resource allocation

Overview

As councils' children's services budgets come under pressure, the question of maximising the impact of resources becomes more important. It's also important to ensure that schools allocate funding according to need and that targeted funding provided to the council or to schools is utilised effectively. These are roles that scrutiny can play, both externally, through the influence of council governors where appointed and through building better relationships with schools and also internally, through the budget and policy scrutiny mechanism.

Scrutiny roles could include:

- understanding the authority's strategy for targeting expenditure and working with children and young people at a time when schools have increased autonomy and providers of schools are becoming increasingly diverse, thus making it harder to gain intelligence about them
- looking at the range of services being provided, whether 'traded' or otherwise and how the pattern of services are likely to change in the future
- reviewing and helping to choose the right performance indicators that will provide assurance as to the quality and effectiveness of any relevant strategy and delivery
- monitoring spend and outturn figures.

Identifying roles for scrutiny

Place planning

Councils have a statutory duty for school place planning and shaping future education provision. Scrutiny can play a valuable role in providing insight and challenge to plans made by a council. This can include a check on the quality and source of data and future projections, compared with census and other demographic information, for example.

Scrutiny can:

- bring together and listen to the views of a wide set of stakeholders
- work across councils
- represent the community and act on behalf of parents
- review and interpret data.

Tips!

- ✓ Continue to ensure scrutiny of council budgets that relate to education in the annual budget cycle.
- ✓ Monitor funding allocations by central government to the council and schools within the council area and decide whether it is possible to scrutinise their use and outcomes.
- ✓ Look at data that is used in place planning and projections alongside the location of all types of school in the area.

Use of the Pupil Premium

The majority of participants identified this as a possible scrutiny topic. It was recognised that schools use pupil premium funding differently. Some use it to benefit those pupils that receive it, despite some of these pupils not needing additional support to achieve well. Others who have an in-depth understanding of the performance of all of their children target spending on the pupil premium where it is needed more – and so pupils who are not eligible for free school meals benefit as well as those that are.

Scrutiny can challenge the use of pupil funding – gaining an understanding of local practices and what works best and comparing local schools' application of the funding with schools in other councils. Scrutiny can help assess whether the funding is achieving the required outcomes in different schools and hold the school leadership to account for making best use of an additional resource.

Scrutiny is able to access relevant information as schools must publish details of their pupil premium, how it is spent and what the outcomes are for children receiving it. This is relatively new data that schools now publish and will give a great deal of insight into school planning and improvement that scrutiny can use to build up a picture of the school.

Tips!

- ✓ Scrutiny can offer a holistic view in terms of the use of the pupil premium, the selection of children who might benefit and the sharing of good practice from other authorities.
- ✓ Scrutiny may identify aspects of deprivation that influence educational attainment and make suggestions to other relevant council services or partners that could help them also to address this inequality, drawing on evidence in assessing the use of the pupil premium.
- ✓ Scrutiny might look at what works and celebrate the success of schools in making an impact through the pupil premium.
- ✓ Scrutiny could be used to facilitate transparency of the use of the pupil premium, evaluate the teaching system and make recommendations and have a better understanding of the needs of pupils and their schools.
- ✓ Scrutiny could help to ensure compliance with a school's statutory duty for publishing information on the use of and outcomes from the pupil premium.

Suggested topics for scrutiny of resource allocation

- Local authority budgetary support for schools and school improvement and related services.
- Research data on the Capital Programme.
- Local authority input into the school improvement strategy and services.
- Recruitment and retention of school leaders and staff.
- Home to School Transport budget.
- Cost of value added in School Improvement Services.
- Services provided to schools by the local authority that are bought by Academies as well as used by maintained schools.



Summary and conclusions

Our interest is in how scrutiny can help to improve educational attainment and the prospects for all the children in our councils. The case studies and other material in this publication indicate the many ways in which scrutiny can develop in regard to the continuing responsibilities of councils for education, as well as by providing a means to ensure accountability of all schools. From our work and the case studies, it is clear that council scrutiny has a significant role to play in relation to education.

Furthermore, we are convinced that scrutiny has a role in education regardless of the form of governance of schools. This applies both in exercising its powers to scrutinise the services directly provided by the council and in engaging with all schools whilst recognising their autonomy. Scrutiny may use its influence and credibility to act on behalf of its community, engage stakeholders, work with decision-makers and providers to seek to improve education and where appropriate to hold decision-makers and providers to account.

Reflecting on the comparisons with health scrutiny as a 'lever to improve the health of local people', we feel that scrutiny can be a 'lever to improve the educational achievement of children'. This is an opportunity to build relationships not just between scrutiny and schools but across all stakeholders in education.

Scrutiny can bring:

- independent support and challenge to schools, regardless of their governance model
- relevant experience of and skills from

working with health and social care (where, as in education, partners and council commission and provide services, and where scrutiny can provide internal and external challenge and support in relation to policies, services, public experience and outcomes)

- a track record in building strong effective working relationships and practices
- skills in consensus-building through stakeholder engagement as a core way of working.

We hope that this resource will help other scrutineers to draw on this good practice and to consider some of the suggested ways to scrutinise education and school leaders in order to improve school support and educational attainment of children and young people in your council.

CfPS would like to hear from you and how you are scrutinising education; and also how you have drawn on this resource in developing new accountabilities in education. Please use the blank pages at the back of this publication to jot down your thoughts and next steps. The remainder of this publication includes:

- Appendix 1 outlines questions to help you start to think about scrutiny and education. The questions have been adapted from those produced by the West Midlands Scrutiny Network (CfPS wishes to thank the network for sharing these questions). They include additional questions highlighted by this programme and should provide a tool to help you consider your own arrangements and to plan for the future.
- Appendix 2 provides the case studies of councils who already have undertaken scrutiny of local education provision and support and of their schools.

Appendix 1

Questions

- **What reviews have you undertaken regarding education?**
- **What topics would you now wish to review after reading this publication?**
- **Which education services are the council continuing to provide to schools?**
 - How are these services being funded?
 - How do these services relate to the priorities for children and young people in the area?
 - How might you scrutinise performance across your council?
- **How is the council ensuring that it will still be able to deliver its statutory duties?**
 - What are its statutory duties?
 - How is the council ensuring that safeguarding remains the top priority?
- **The council will continue to have a statutory duty to ensure there are sufficient school places in the area. What information does the council have about:**
 - Proposals for Free Schools?
 - Plans of schools to increase their admissions numbers?
- **Is the council considering trading education services with schools?**
 - How will the council ensure the sustainability of those services when in competition with other service providers?
- **Which education services has the council stopped providing to schools?**
 - How will outcomes for young people be affected if external service providers cannot fill the gap?
- **Will the council be seeking an agreement with Academies regarding access to information – for example, to enable scrutiny of educational attainment and compliance with the admissions code?**

- **Will the council continue to operate a School Admissions Forum, following removal of the statutory duty?**
 - If so, what changes would be beneficial to its terms of reference?
- **How is the council continuing to foster collaborative relationships with schools in the area?**
 - Does the council have a role in school-based partnerships?
 - What about the relationship with local councillors?
 - What about the relationship with the scrutiny function?
 - How do you currently work with the full range of schools in your area?
 - What actions could you take to improve links with all types of school in your area?
 - What are the implications for a scrutiny committee's statutory education co-optees?
 - How could you raise the profile of scrutiny with school leaders?
- **How will the council work with all schools to take forward initiatives in the Special Educational Needs (SEN) Green Paper and support for children and young people with SEN?⁵**
 - How will you achieve an appropriate balance between scrutiny of the council's role in education and direct scrutiny of the range of local schools?
- **How will the council influence better educational outcomes for the most vulnerable children and young people in the council area?**
 - How will you achieve an appropriate balance between scrutiny of the council's role in education and direct scrutiny of the range of local schools?

⁵ (The Green Paper 'Support and aspiration: A new approach to special educational needs and disability' was published on 11 March 2011; see <http://www.education.gov.uk/schools/pupilsupport/sen/b0075291/green-paper>)

Appendix 2 Case studies

Over the following pages you will find out more about the work and reviews of seven of the councils that worked on this project.

Each one gives more details on:

- their context and the reasons for the review
- what they did
- learning and tips
- what they are planning to do next.

Strengthening the family of schools – the role of Birmingham City Council

Background

Like others, Birmingham wanted to respond positively to the changing educational landscape. The changes risked a growing misconception that the council no longer has a role to play in our children's education; in fact nothing could be further from the truth. The Secretary of State for Education has made clear that he sees councils taking a strategic role in the educational system, while retaining three core responsibilities:

1. Ensuring a sufficient supply of school places.
2. Tackling underperformance in schools and ensuring high standards.
3. Supporting vulnerable children.

What Birmingham did

The Scrutiny Inquiry was conducted via a short series of formal committee meetings during September and October 2012 along with a visit to a city Academy. We heard evidence in the meetings from a range of schools and stakeholders. The key questions for the Inquiry were:

- In the light of more schools in Birmingham becoming Academies what role should the City Council play to support all schools and children?
- What is the new strategic role for councils in local education provision?

The timeframe for the Inquiry meant that there were several areas we were unable to probe, and the findings from the review are very much seen as a baseline to build upon. The ten recommendations are focused on improving processes and relationships.

They covered: developing a vision for education; school improvement; school places; and the role of councillors in understanding and challenging performance at a local level and championing their local schools.

Learning and tips

- The review identified several challenges, but the one overwhelming message heard was the need for a new debate on education locally to develop a shared vision for education. This will be central to ensuring that the needs of all our children are met, whichever type of school they attend.
- Don't be afraid to question; you are a 'critical friend'.
- Be clear about your objectives; identify what you can influence.
- Make achievable recommendations that add value and track progress.
- Hold officers and the executive to account on the council's role in education.
- Visit schools to hear at first-hand about issues that are affecting them.

What's next?

Committee members see this report as an important step in establishing how the City Council can work with all schools within the increasingly diverse and autonomous school landscape and how councillors can develop a role as effective 'Education Champions' for children, parents and communities.

Members will continue to explore issues relating to the future role of the council in this new educational landscape and this will form the basis of the committee's on going work.

For more information, please use this link:

<http://tinyurl.com/nqvcq9p>

Scrutiny of schools in Blackpool

Background

In October 2012, the Scrutiny Committee appointed a Review Panel to undertake scrutiny of education matters, including the consideration of school performance information and Ofsted Inspection Reports.

The Panel's role is to consider and make recommendations on school performance information including attendance at schools, attainment of children and Ofsted Inspection Reports; and to review and make recommendations on key strategic documents and issues affecting schools such as exclusions.

What Blackpool did

The Review Panel meets approximately six times per year and considers up to four schools at each meeting (comprising a mix of schools e.g. primary, Academy, secondary and special). Schools are considered on a rolling programme and meetings are held at a school in Blackpool and at a time to allow attendance by head teachers and governors, if requested by Members. Time prior to the meeting is used for councillors to undertake a tour of the school.

The Panel has made a number of enquiries and observations in relation to the schools that have been reviewed to date, including the impact of pupil stability on absence levels, the high levels of special educational needs at schools and the steps made by schools to improve attainment. The Panel has also considered data demonstrating that Blackpool schools have significant levels of children in receipt of free school meals and higher than average pupil transience.

The Panel review Ofsted Inspection reports as and when they are published and receives regular updates regarding improvements at schools, monitoring the implementation of any action plans that may have been put in place.

Learning and tips

- Hold meetings in schools (with the permission of the school) and take a tour to enable councillors to get to know the school.
- Build relationships with schools to ensure they are approachable and to allow for better cooperation, if and when required.
- Don't take attainment in isolation – use the links between Ofsted reports and school performance data (including absence, transience, free school meals, special educational needs) to get a holistic view.
- Get an understanding of who is accountable to the Panel – is it the Executive Member, the Director of Children's Services, the School Improvement Team, the governing body or the head teacher?

What's next?

In November 2013 the Panel is going to review its work over the first year of operation to identify how to take work forward to next year – building on what has worked well in meetings and also what they have learnt from being a part of this national project for CfPS. Amongst other questions, the Panel will be considering the following:

- Is the Panel receiving the right level of information?
- Is the Panel challenging the right people in the right way? Where does accountability lie? Council officers, school governors, head teachers?
- Is the Panel being challenging enough?

For more information, please use this link:

www.blackpool.gov.uk

Scrutiny of schools in Buckinghamshire

Background

In 2012 there were already over 30 Academies in Buckinghamshire, almost all secondary schools. Some councillors thought this meant absolute autonomy for those schools and were unaware of the key strategic role played by the council. Others were concerned how the statutory responsibilities of the council for the education and wellbeing of its children were being discharged without the traditional top down relationship; and others expressed concern for the accountability of Academies in general.

An emerging independent learning trust had reported regularly to the Overview and Scrutiny Commissioning Committee (OSCC) – but had not been the subject of review. It was in this context that the OSCC commissioned a review to explore relationships between Buckinghamshire Academies and the county council.

What Buckinghamshire did

A review group was tasked with providing an overview of how working arrangements between Academies and the local authority have developed since the 2010 Academies Act, in particular around supporting vulnerable children, standards and provision of places; and potential roles around local involvement and accountability, including new roles for local councillors in working with and building relationships with schools. They did this through a variety of meetings with cabinet members and education professionals, head teachers, literature review and research.

Learning and tips

- It is key for the local authority to define its new strategic role in relation to education – built around collaboration and projects such as the creation of the Buckinghamshire Learning Trust.
- There is strong commitment in Buckinghamshire to exploring collaborative working between schools and the local authority.
- Councillors have a strong role as a link between schools, the council and other organisations, and as ‘critical friends’ of schools.
- There are opportunities for sharing good practice including school-to-school development.
- The Cabinet Member is held accountable overall.
- It is important to engage with as wide a group as possible and especially with head teachers, chairs of governing bodies and parents.

What's next?

- The council embarked along a path of continuous adjustment and culture change. It demonstrated commitment to a new style of collaborative working to fulfil their responsibilities. This will be reviewed again by scrutiny.
- As the future is in part dependent on the success of the proposed Buckinghamshire Learning Trust, scrutiny will be updated formally on the early operation of the Trust in Spring/Summer 2014, including information on commercial operation and the mitigation of identified risks and support for collaborative working.
- Member induction will include guidance on why it is important for councillors to get to know their local schools. Options for a ‘protocol’ around school and councillor working relationships are to be explored.
- The new Education Skills and Children’s Services Select Committee is continuing to tackle education issues with a review into the causes of the widening achievement gap.

For more information, please use this link:
<http://democracy.buckscc.gov.uk/documents/s27387/Chairmans%20update%20-%20Learning%20New%20Ways.pdf>

Scrutiny of schools by East Riding of Yorkshire Council

Background

Scrutiny of education falls to the Children and Young People Overview and Scrutiny Sub-Committee and Review Panels at East Riding. The work of the Sub-Committee is divided up between ordinary meetings and Ofsted meetings. The Sub-Committee has co-opted members including parent governors, young people, Teachers' Union and Church representatives.

What East Riding did

The Sub-Committee meets seven times per year to review subjects such as school funding, 14-19 education provision, term time holiday, special educational needs, school admissions and road safety training within schools; and four times a year to view all the Ofsted reports for East Riding schools. Head teachers and chairs of governors from a cross section of schools (including Academies) are invited to meet with the Sub-Committee, alongside the School Improvement Service. Councillors ask questions about the Ofsted report; what the school is doing to address areas for improvement; and how the School Improvement Service is supporting them; and since the introduction of the new Ofsted framework, also ask those schools requiring improvement, how long it will be before they are a good school.

Review Panels are set up to undertake in-depth reviews of specific issues. A Review Panel was set up following the release of the 'Achievement and Attainment Tables' in 2011, which showed that some East Riding secondary schools had not performed as well as had been expected. The Panel looked into the reasons why, visited and met with a number of secondary schools and sought the views of all secondary schools on the 2011 examination results.

The review recommended that an 'Excellence for All Fund' of £200,000 be established and invited all LA schools to bid for funding to undertake initiatives to raise attainment. This was well received and has led to increased attainment.

Currently the Panel is examining the performance of East Riding Schools following the 2011/12 annual report of Her Majesty's Chief Inspector, which highlighted that schools in the East Riding were falling below the national average in terms of the proportion

that have been judged to be good or outstanding. The review is examining and evaluating the effectiveness of schools in the East Riding and the measures implemented by schools to monitor, review and improve their outcomes. This is due to report later in 2013.

Learning and tips

- Ofsted meetings provide an excellent opportunity to build good relationships with schools, enabling the Sub-Committee to monitor performance, identify good practice and follow up issues raised by schools.
- A focused approach via a Review Panel has been effective in making recommendations which have made a positive impact on children and young people in the East Riding.
- Visits to schools, children's centres and businesses are invaluable and help to build relationships and involvement in the scrutiny process; councillors hear first-hand about their experiences and issues.
- The Portfolio Holder for Education is invited to participate in meetings and to be held to account as necessary.

What's next?

The Sub-Committee is keen to ensure it is taking a holistic approach to the performance of schools, comparing performance of schools across the East Riding and nationally. It is also considering ways in which it can involve young people more effectively in the topics it considers.

For more information, please use this link:
<http://www2.eastriding.gov.uk/council/committees/overview-and-scrutiny-committees/children-and-young-people-sub-committee/>

Hackney's Scrutiny Review: The Council's Role in the New Education Environment

Background

The Children and Young People Scrutiny Commission focuses on all services provided by Hackney Learning Trust, children's social services, and other issues relating to young people in the borough.

The Commission chose to review this topic to try to understand and shape the local authority's future role in education, and the relationship between schools and local councillors. This was influenced by changes to policy nationally as well as locally as education services were transferred back to Hackney Council having been run by the Learning Trust since 2002.

What Hackney did

They sought clarity about what the council expects from schools in the borough; and explored the role of ward councillors in relation to schools and how that relationship could be improved. They:

- gathered evidence over four months
- heard from the Learning Trust; Sir Michael Barber, a former Chief Adviser to the Secretary of State for Education on School Standards and an educationist; Rick Muir, Associate Director for Public Services at the Institute for Public Policy Research and London Councils
- surveyed councillors and head teachers
- councillors listened to governors and met head teachers in their wards and reported back.

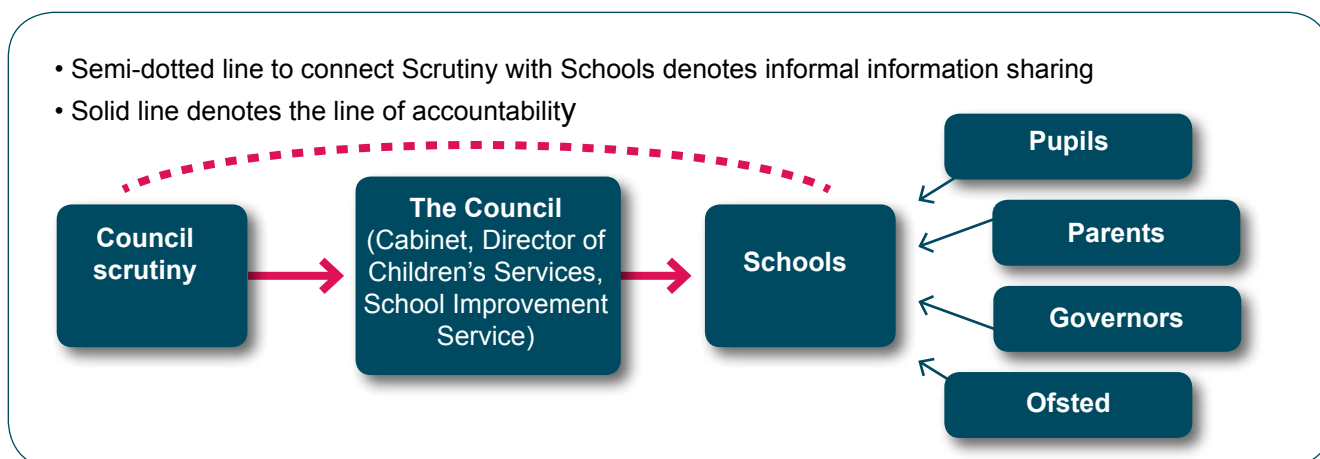
Learning and tips

- Councillors can be a key link between schools and a council by promoting wider engagement with the local community, and educating children and young people about local democracy.
- Being a school governor is one of the best ways to link with a school, but challenges are the time commitment and getting a balanced coverage across wards.
- There is a good track record of councillor involvement with schools when involved in a scrutiny review, as evidenced in the report.
- You need to understand the lines of accountability. There is a role for scrutiny in holding schools to account and asking school leaders questions about performance. But scrutiny should not hold head teachers directly to account for the performance of their school. Instead the Committee should hold the Head of Education Services and the Cabinet Member to account for how effectively they were challenging and supporting the school to improve.

What's next?

The Cabinet response to the Commission's findings and recommendations was positive and it has agreed with everything the Commission said. The recommendations were largely about the council providing information, advice and support for councillors to develop their relationships with schools effectively.

For more information, please use this link:
www.hackney.gov.uk/Councils-Role-New-Education-Environment-Scrutiny-Review



Scrutiny of schools in the London Borough of Richmond upon Thames

Background

Richmond's vision is to become a fully 'Commissioning Council.' Work is underway across all areas to commission and procure the services the council needs to meet the existing and future needs of its residents.

This includes a programme within Education and Children's Services to create 'Achieving for Children'; a joint company, with the Royal Borough of Kingston. The challenge of growing numbers of Academies and Free Schools also raises wider issues of accountability and transparency for scrutiny councillors.

What Richmond did

Richmond is not doing a specific piece of time limited work. Instead they are focusing on ensuring that scrutiny is fit for purpose for the council model and wider changing education landscape. They have:

- A strong partnership of schools developed through Education Richmond. The challenge for scrutiny is to build good relationships with this body through its officer links to enable whole scrutiny of cross borough school and education issues. Officers attending as witnesses need to provide reassurance that schools are continuing to work together and are open to scrutiny and involvement.
- Looked at what the councillor role will be in the future through the council's Strategy Panel.
- Managed the agenda for committee meetings to ensure that the range of bodies and individuals are invited and the full breadth of issues are scrutinised.
- Scrutinised key issues such as school place planning and future education provision. A range of detailed meetings have taken place on these issues to involve scrutiny prior to decision making.
- Separated out council statutory duties from the delivery by Academy Trusts and Free Schools to ensure they are effectively scrutinised. They are asking: What happens where there is underperformance? How can scrutiny maintain relationships and helpfully challenge?
- Developed an agreed way to engage councillors as fully as possible in the commissioning and procurement process. Councillors are engaged

in looking at: what is needed to meet the needs of people accessing services; how can the specification be developed to meet these needs; what are the strengths of existing arrangements which need to be carried forward; and how can value for money and quality be ensured? In respect of post contract award monitoring, they are asking: how has the contract bedded in; are the outcomes being delivered; and are there any areas where expectations haven't been met?

Learning and tips

- Restrict agendas to only three items per meeting to ensure focus and more detailed scrutiny.
- Get out and about – scrutiny councillors engage best when they can see things happening on the ground.
- Involve young people through use of a volunteer youth scrutiny panel to gather the views of their peers.
- Make sure that scrutiny looks in two directions – with 'schools as customers' and the 'council as provider', and ask if expectations are being met.
- Focus on outcomes.

What's next?

- Continue to be flexible – ensuring scrutiny adapts to meet the requirements of the emerging 'Commissioning Council Model'; including working closely with partners and schools to ensure good relationships can be maintained and further developed.
- Refresh the councillor role to keep pace with the changing council and ensure that scrutiny continues to play a valuable role.
- Focus on ensuring continued engagement with schools across the borough which is meaningful and challenging so as to ensure the highest quality of education for the children and families in the borough.

For more information, please use this link:

http://www.richmond.gov.uk/council_committees_list?mgl=mgCommitteeDetails.aspx&ID=536

Scrutiny of schools in Solihull

Background

Solihull was keen to explore and understand the extent of the education changes locally and whether scrutiny could be used as a lever for holding schools to account for their performance.

What Solihull did

Tasked by the Chief Executive, Solihull scrutiny officers began to examine legislation to explore what powers scrutiny had to call in head teachers and governors and hold them to account for the performance of their school. Despite a wealth of legislation governing most other public bodies, they found that legislation and powers in respect of education were limited, even non-existent.

So Solihull concluded that in the absence of powers it needed to build on its current working practices and relationships with schools and develop these further to ensure that the council is able to fulfil its statutory role for children. Building relationships with schools and their governing bodies in support of voluntary cooperation was found to be undoubtedly the most appropriate means of getting either a chair of governors or head teacher to the table. From research they identified the following practices as ways to get schools to work with scrutiny:

- Scrutiny needs to show the added value that could result for schools if they are engaged in any particular activity.
- Schools are more likely to engage if the scrutiny is focused on a specific problem rather than a particular school.
- It is better to gather evidence from schools in a more informal way ie 1:1 meetings between a scrutiny councillor and a head teacher or chair of governors
- It is useful to engage with school governing bodies through council representatives on those bodies and/or by co-opting governors onto scrutiny committees or a task and finish group.

The Committee recommended that scrutiny should seek to work with school governing bodies in sharing scrutiny skills and possibly to undertake joint activity on areas of mutual interest.

The Committee also looked at the role of statutory co-optees and felt that the changing relationship between councils and local education providers may provide an opportunity to rethink this role, working with co-optees to ensure that their skills, expertise and time can be used in the most effective ways possible.

Learning and tips

- There is little in legislation to require a school to report to or attend scrutiny meetings. However using any such power should be a last resort anyway. The answer is to build better relationships and links with schools instead.
- It is useful to hold scrutiny in educational settings and to build links and relationships with schools and related stakeholders.
- It is important to undertake deep scrutiny through task and finish groups and to hold subject specific meetings and reviews on specific and focussed topics, such as 'narrowing the gap' and 'developing skills for the future'.
- It is important to make sure that scrutiny is effective in holding to account the lead councillor, the director of children's services and a school where there are performance issues.

Next steps

Solihull is looking at ways to strengthen its links with schools and in particular the role of the ward councillor.

For more information, please use this link:
<http://www.solihull.gov.uk/decisions/overviewandscrutiny.htm>



accountability, transparency, involvement

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THE RIGHT WAY

A Children's Rights Approach for Education in Wales

A Children's Rights Approach is a principled and practical framework for working with children, grounded in the UN Convention on the Rights of the Child

Making rights a reality

THE RIGHT WAY

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Improving
children's
lives

WHY A CHILDREN'S RIGHTS APPROACH?

Foreword by Sally Holland, the Children's Commissioner for Wales

As Wales' children's champion I aspire to a Wales where all children and young people have an equal chance to be the best that they can be. In 2017 very many children and young people in Wales lead safe, happy and active lives and feel listened to and respected by the adults around them. However, despite lots of effort by organisations working with children, there remains much to do in order to make rights a reality for all children in Wales.

My work is guided by the UN Convention on the Rights of the Child (UNCRC) and I strive to ensure that it is implemented fully in Wales. I have created this guide with expert advice from the Wales Observatory on Human Rights of Children and Young People (based at Swansea and Bangor Universities) and by including the real experiences of educational settings in Wales. Some settings have successfully developed a children's rights approach using support from external experts, such as UNICEF, or by working with my office. Many other settings have developed elements of this approach without this guidance. This document has been developed to give leaders, teachers, governors and other educational professionals the guidance to develop a Children's Rights Approach so that all over Wales children and young people have the opportunity to access and learn about their rights throughout their education.

This Children's Rights Approach to education will safeguard the long term needs of children and young people and will help develop healthy and confident individuals who can learn and thrive. Implementing this approach also provides meaningful opportunities for children and young people to participate as ethical, informed citizens in their communities.

“Article 42 says we should all know our rights. If all children know what they should have then maybe we would live in a fairer world.”

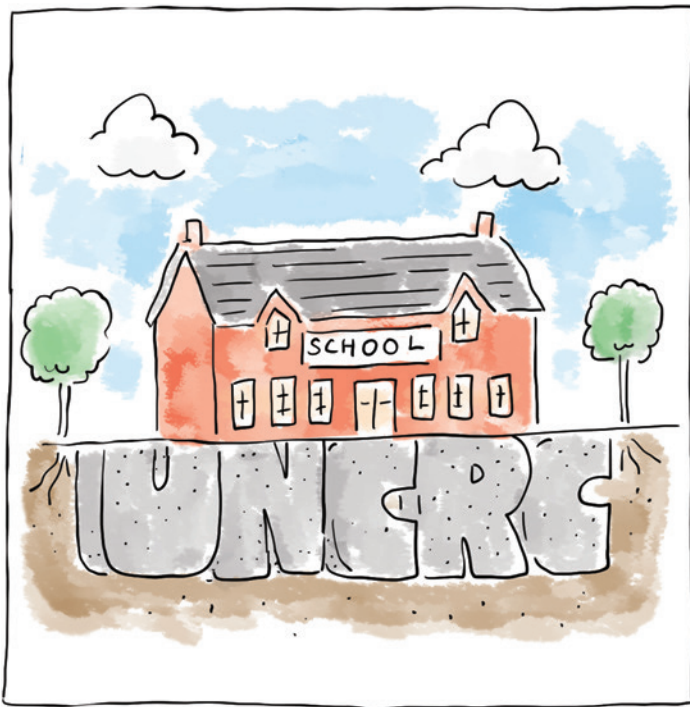
Child, Primary School

“[A children's rights approach] has given our children a platform to continually assess their lives and has helped engagement in learning”

Head teacher, Primary School

INTRODUCTION

A Children's Rights Approach is a coherent, politically neutral and practical framework for working with children, grounded in the UNCRC. It is a durable approach that withstands social change. **It is about placing the UNCRC at the core of a child's experience of education and at the core of school planning, teaching, decision-making, policies and practice.**



Policy and legislation on children in Wales is underpinned by the UNCRC. [The Rights of Children and Young Persons \(Wales\) Measure 2011](#), the [Social Services and Well-being \(Wales\) Act 2014](#) and the [Well-being of Future Generations \(Wales\) Act 2015](#) all establish duties on public authorities that contribute toward the realisation of children's rights. A Children's Rights Approach is consistent with these duties, and will help educational settings meet their statutory duties.

Education settings in Wales work hard to enable children to realise their rights but in some settings the link between their work and the rights of children is not clear to staff, learners or the wider community. When schools do make the link between their work and the rights of the child explicit they are establishing a clear framework and rationale to their work. The UNCRC provides a strong foundation of values for a school community, which are recognised in international law.

“These principles [of children's rights] permeate the whole school community. This has a very positive effect on pupils' behaviour and attitudes towards others.”

Estyn, [School Inspection Report 2012](#)

The human rights of children

“Rights has given us all a universal language”

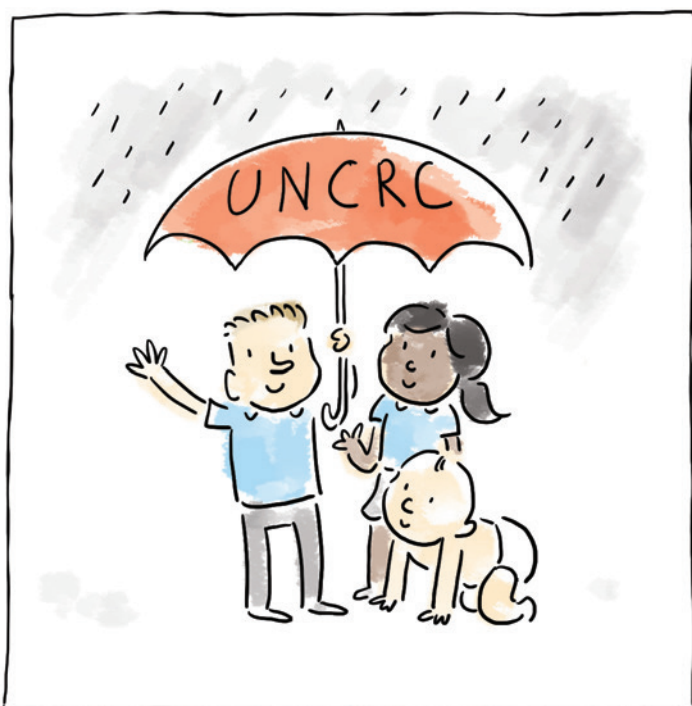
Governor, Primary School

Human rights guarantee basic freedoms and meet the basic needs of all humanity, underpinned by respect for human dignity. Human rights are binding on government and on public authorities at all levels in the UK, and provide a strong ethical framework for planning, decision-making and action.¹²

Children are entitled to their human rights, including being able to access and exercise their rights. Children's rights are set out in international treaties, including the European Convention on Human Rights (ECHR). Children's rights are entitlements, they are not optional. **Children aged 0-17 years are given special human rights protection by the United Nations Convention on the Rights of the Child (UNCRC).**

In 1991 the United Kingdom formally agreed to ensure that every child in the UK has all the rights listed in the convention by ratifying the [UNCRC](#). The Welsh Government adopted the Convention as the basis for policy making for children and young people in Wales in 2004. The Rights of Children and Young Persons (Wales) Measure 2011, strengthened and built on the rights based approach of the Welsh Government to making policy for children and young people in Wales, placing a duty on all Welsh Ministers to have due regard to the UNCRC when exercising any of their Ministerial functions.

The UNCRC recognises that children are in a different situation than adults and will often have different needs, and that children face particular challenges because childhood involves stages of physical or emotional development. Part 1 of the UNCRC, contains 41 articles, which guarantee children a comprehensive set of rights. Article 42, in Part 2 of the UNCRC requires the State, including public authorities, to make the UNCRC widely known to children and adults. The remainder of Part 2, and Part 3 of the UNCRC deal with monitoring and reporting responsibilities to the Committee on the Rights of the Child.



The rights set out in the UNCRC are an additional safeguard of their safety and development, and support children's capacity to take decisions and act autonomously. All of the articles of the convention cover three main themes:

Participation, Provision and Protection.

The articles on **Participation** are based on the idea of the child or young person as someone who actively contributes to society as a citizen in the here and now and not just someone on the receiving end of good or bad treatment from others.



Provision articles cover the basic rights of children and young people to survive and develop.

These range through health care, food and clean water to the education and environment which allow children to develop. The Convention is clear that the best place for a child is normally with their family, and that the Government has a duty to support and assist parents but provide special care when children are unable to live with their parents.



Protection articles deal with exploitation of children and young people at work; physical, sexual and psychological abuse; discrimination and other mistreatments which many still suffer, including in the UK. The Convention makes it a duty for Governments to protect children and young people and, where necessary, to provide rehabilitation for them.

The Committee on the Rights of the Child³ is a committee of experts responsible for monitoring the implementation of the UNCRC. The Committee holds regular sessions to review and assess the progress toward realisation of children's rights by governments across the world, including the UK. The Committee also make suggestions to help governments better realise children's rights. These are set out in documents called General Comments⁴.

A 'CHILDREN'S RIGHTS APPROACH'

The model set out in this guide has been developed for education settings in Wales and is applicable across the educational sector, to both statutory and non-statutory provision. Our case studies illustrate practice that can be implemented from Early Years to Post-16 education and reflect practice in mainstream and non-mainstream settings. Many settings will already have procedures which are consistent with a **Children's Rights Approach**; often adopting the principles and practices described below will complement or improve what is already working.

The principles of a Children's Rights Approach⁵ are:

- **Embedding children's rights**
- **Equality and Non-discrimination**
- **Empowering children**
- **Participation**
- **Accountability**

Embedding children's rights

Children's rights should be at the core of whole-school planning and delivery. This requires that all staff in the school, including associate and support staff, understand the UNCRC as a framework for the work of the school. Similarly all governors need awareness of the principles and content of the UNCRC. School policies should be revisited to ensure that they are consistent with the principles of the UNCRC. There should be coordination across different areas of the school, and also with external services to ensure application of the principles and practice of a Children's Rights Approach. This will help ensure that the best interests of the child are a primary consideration in all decision-making concerning individual children and groups of children (as guaranteed by Article 3 of the UNCRC). It should be clear and transparent where children's rights have been taken into account.

Guarantee
basic freedom
and needs

In order to put this principle into practice education settings should aim to:

- **Refer to the UNCRC in all policies** and other documents setting out vision and values.
- **Ensure that staff, governors and parents** are aware of this commitment and familiar with the UNCRC.
- **Ensure that learning outcomes** about the UNCRC and children's rights are included into teaching and learning.
- **Prioritise training** on children's rights for the whole school community.
- **Identify key individuals and/or a team** with responsibility to act as champions of children's rights, who are available to support other staff to develop their practice.
- **Carry out an initial and then regular audit** of all policies to assess compliance with the values of the UNCRC.
- **Carry out an initial and on-going evaluation** of levels of knowledge and understanding of children's rights amongst staff, governors, pupils and the wider school community.
- **There should be a clear commitment** to ensuring adequate human and financial resources are allocated to support the setting to implement children's rights.

Case Study 1:

A whole-school approach to embedding children's rights was taken by a primary school in Wales. At this school all staff, governors and pupils understand the principles of the UNCRC as their guiding principles and have informed parents and carers about the Convention repeatedly through its inclusion in newsletters, letters, homework and school policies. Pupils have led consultations with parents and carers to identify what they know about children's rights and will lead sessions to further develop understanding.

“the principles [of the UNCRC] are embedded throughout all our curriculum, policies and practices. It has provided us with a framework which provides a real meaning and understanding for everything we do.”

Head teacher, Primary School



Wales'
commitment
to children

Case study 2

In another primary school also taking a whole-school approach classroom rules have been completely replaced by charters in all areas of school. Charters are based on the UNCRC and have explicit references to articles. Children understand that their rights are unconditional and that adults are the duty bearers of their rights, **“adults make sure we get our rights”**. Children also understand that while they are not themselves responsible to ensure other children access their rights, their own actions and behaviour can help to support other children to enjoy their rights, for example, they can support their peers' rights by making sure they listen to each other so everyone can share ideas in class. Pupils make explicit reference to articles relating

to their roles in school, for example a trained peer-mediator explained that, **“all children have the right to be heard and feel safe”**. Pupils also understand that their actions can have an impact beyond their school and view global citizenship projects through the lens of universal equality, as one child says **“I am born with rights and so is every child in the world.”**

“it has to be a whole-school approach, it can't be just one teacher in a classroom. Every single member of staff needs to understand that these are the principles that guide you”

Deputy Head teacher, Primary School



Equality and Non-discrimination

Equality is about ensuring that every child has an equal opportunity to make the most of their talents and develop to their fullest potential, and that no child has to endure poor life chances because of discrimination. Many children and young people in Wales face discrimination in education settings. Sometimes children face discrimination due to their identity, for example, children and young people can experience bullying due to sexual identity or because they are a member of a minority ethnic community. In a study about bullying, the Children's Commissioner for Wales consulted more than three thousand children and young people in Wales, and this showed that exclusion and bullying are also responses to characteristics that are not protected by equalities legislation, for example bullying due to poverty, appearance or clothing, as illustrated in the drawing below.

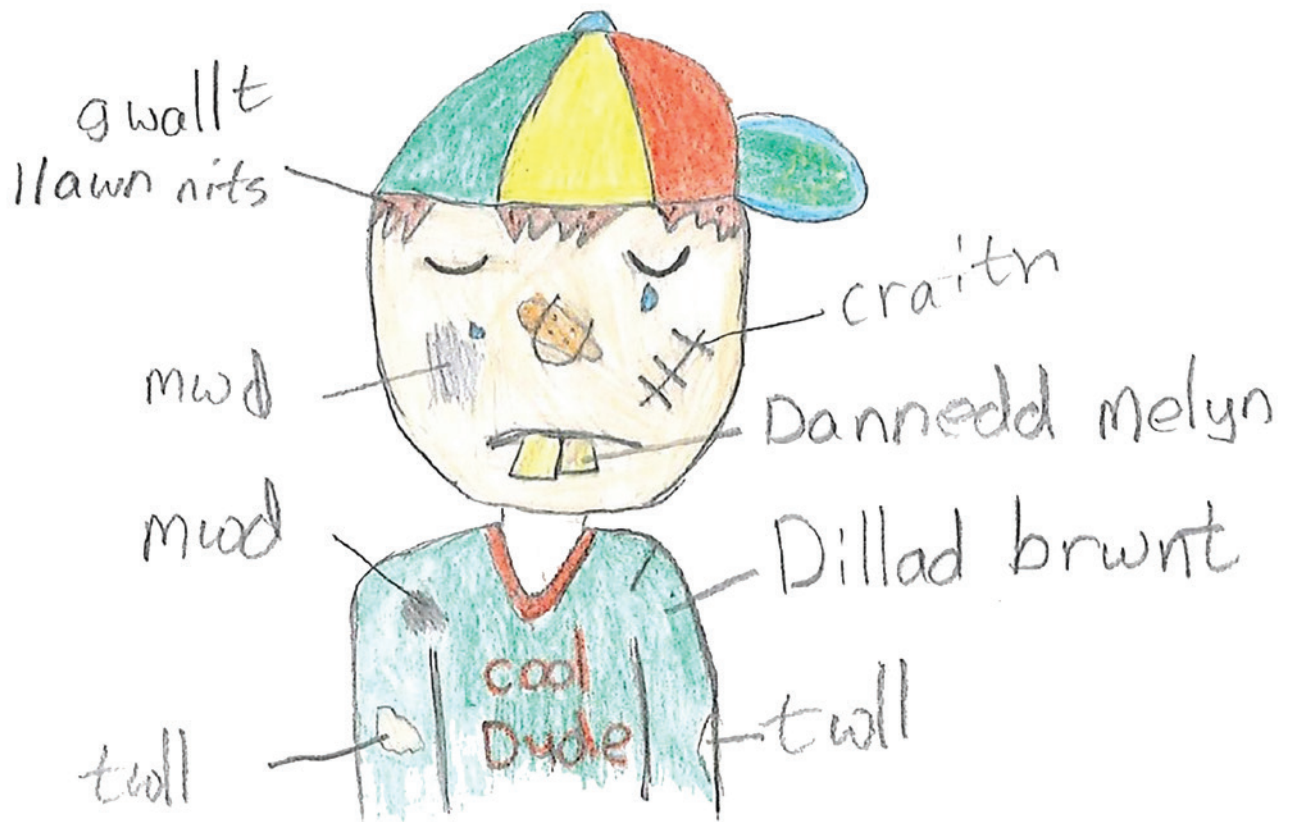


Figure 1: Image drawn by child, captured as part of Children's Commissioner for Wales consultation about children's experiences of bullying, 2016. Children were asked to draw a picture of a child who was experiencing bullying.

- gwallt llawn nits: hair full of nits
- mwd: mud
- twll: hole
- craithn: scar
- dannedd melyn: yellow teeth
- dillad brwnt: dirty clothes

The consultation showed that effects of this experience can be profound, with missing education highlighted by children and young people as a common response to bullying. Non-discrimination is a right under the UNCRC

(Article 2) and promoting equality means taking action to tackle discrimination. In education that means working with all staff, learners and the wider community to ensure that children do not experience discrimination. Children's rights provide a clear language through which children can describe and frame their relationships to each other.

In order to put the principle into practice schools should aim to:

- **Include a clear commitment** to promoting equality and tackling direct and indirect discrimination against specific groups of children in all significant policies, and share this as a clear and consistent message with the school community.

- **Celebrate the different identities** in the community and support children and young people to celebrate and feel positive about difference.
- **Enable all children, young people and staff** to explore and feel proud of their own unique personal identity.
- **Make the implications of discrimination** widely understood by staff and children themselves.
- **Gather relevant data**, including disaggregated data, to enable identification of discrimination or inequalities to identify children who may be discriminated against.
- **Develop appropriate priorities and programmes of action** to reduce discrimination against excluded, socially marginalised, disadvantaged children and to promote equality for these groups.
- **Require external services and experiences**, for example, school visits and trips, to be provided in ways that do not discriminate against children or groups of children.
- **When children or young people** return to school after absence routinely check if they are experiencing bullying or social difficulties that are causing them to miss education.



Case Study 1

In a primary school pupils undertook a topic about beauty, which was underpinned by a whole-school approach to rights and linked directly to Article 2 (equality). Using self-chosen creative methods, pupils explored what beauty means to them and presented their own 'beauty project' to the class to share what they thought was beautiful. The project transformed how some pupils thought about beauty, one Year Five girl explains,

“I used to think that beauty was make up and nails but when I did my beauty presentation... I took lots of photos of every single person in my class... I thought it meant friendship... it changed my view of beauty.”

Case Study 2

All staff at a secondary school (teaching, support and associate) received training in restorative approaches to peer conflict. This is in the context of a clear commitment to children's rights identified in the school development plan. A whole school charter linked to rights is displayed around the school and a new behaviour programme has been developed as a shared enterprise with young people, who have been key in its development and evaluation, exemplifying the school's commitment to Article 12 (right to express opinions). The programme emphasises the recognition of positive behaviour and one young person explains that **'the system encourages you to respect the rights of others'**. Since the new programme has been in place the number of fixed term exclusions has fallen dramatically. Alongside restorative approaches, teaching staff have meticulously mapped the coverage of the UNCRC across all learning and teacher planning, meaning that an understanding of rights and how they relate to decision making in different contexts can be continually developed and explored.

"with rights we have developed more empathy towards others, especially the right to learn"

Pupil, Secondary School.

"When your school commits to rights it's not an add-on. You need to go back to what you're trying to do, to your school values and then take it through everything... it transforms the relationships in the school"

Deputy Head teacher, Primary School.

"I have never been in a more welcoming school... [X's] behaviour has improved and he's settled here, rights have definitely helped with this."

Parent, Special Education Setting



Empowering children

Human rights should empower children. Empowerment means enhancing children's capabilities as individuals so they are better able to take advantage of rights, and to engage with, influence and hold accountable the people and organisations that affect their lives. Children should be able to make choices and to affect outcomes for themselves. Children should be given information to increase their understanding about their rights, and access to resources to enable them to make use of rights in their everyday lives. Empowerment changes the relationship between children and adults in education settings. It means adults handing over or sharing decision making with children. This principle applies equally to younger children and should be seen as an important contribution to the development of the child (guaranteed by Article 6 of the UNCRC).

In order to put this principle into practice authorities should aim to:

- **Provide children with opportunities and the skills** to engage with and influence school policies and processes. Offer training and information accessible to children and establish clear guidelines for how children will influence decisions.
- **Make data gathered about children available** to them in an appropriate way so that they can share decision making about school priorities and strategies.
- **Provide children with opportunities to act collectively** to develop ideas and proposals, to take action and to influence decisions. Consider how all children can take part in this, for example, ensure that there are mechanisms by which school council members can be genuinely representative of views held by other children, for example by enabling classes to discuss agenda items prior to meetings.
- **Proactively identify opportunities for children** to take decisions according to age and maturity, including opportunities to make significant choices which transform their lives, and inform children of these opportunities.
- **Provide children with accessible information and education** to develop their understanding of their human rights. There are many resources available to support this: www.uncrcletsgetitright.co.uk
- **Provide children with accessible information** about local and national services and the Children's Commissioner. Our Ambassador schemes will support this: www.childcomwales.org.uk/our-schemes

Case Study 1

A primary school has developed an assessment policy with pupils, using pupils' comments as the feedback statements they would receive. Pupils then evaluated the assessment policy when it was implemented. In the same school, pupil voice is extended wider than elected committees with committee members actively seeking the views and opinions of all pupils through class discussions and ensuring that their agenda items, minutes and feedback are readily available to other pupils. Pupils are also encouraged to express themselves not only through elected councils but in lessons and through the use of circle time.



Information
and
Opportunities

Case Study 2:

A Pupil Parliament has recently been introduced in a primary school which mirrors the Welsh Government structure, with Cabinet Members taking particular responsibility for different priority areas in the school. The parliament has worked closely with the Head to review the school development plan and set whole school priorities and has also introduced a pupil participation award to celebrate others' contributions to school life.

“I can talk to grown-ups and explain... what our rights are and what we would like to change.”

Year 6 Pupil.

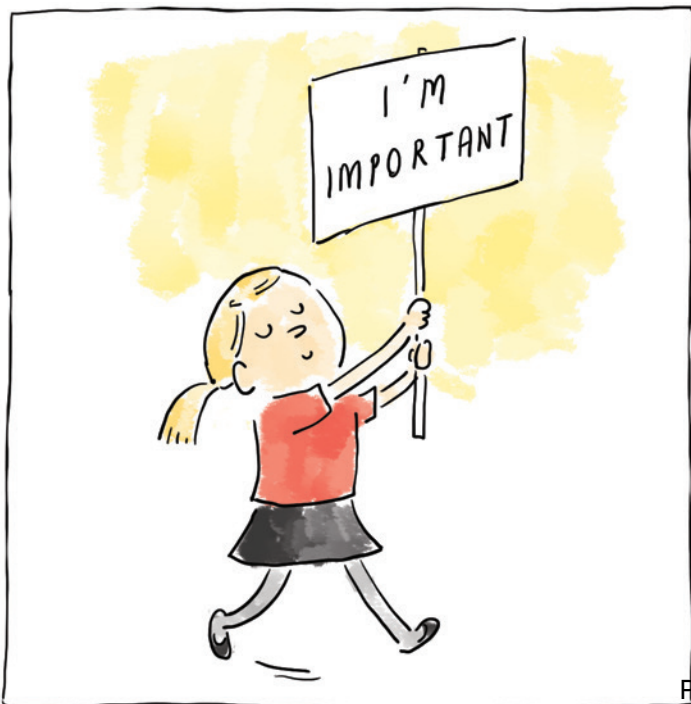
“It’s had a huge impact on their confidence and sense of pride. They’ve made changes and know they have a voice. It’s given them a real sense of responsibility toward younger pupils”

Teacher, Primary School.



Participation

Participation means listening to children and taking their views meaningfully into account. All children should be supported to freely express their opinion; they should be both heard and listened to. Their views should be taken seriously when decisions or actions are taken that affect their lives directly or indirectly (as guaranteed by Article 12 of the UNCRC). Participation can take place in different forms, appropriate to different circumstances. Children should be supported to take part in decisions that contribute to the lives, shape the school and the communities they live in and wider society. Children’s views will need to be taken into account and given due weight in light of their age and maturity, but young age or relative immaturity is no reason for discounting children’s opinions or for giving them less attention in decision-making processes. Children should be fully informed and given opportunities to be involved in decision making. It should be clear how children have influenced decisions and how their views have been taken into account, with feedback always given to the children who are involved in the process. Participation should not be understood as an end in itself, but as a process, which is safe, enabling and inclusive, and which supports dialogue between children and professionals.



In order to put this principle into practice education settings should aim to:

- **Recognise that there are different levels of participation**, relevant to different circumstances. A participation model can help clarify the degree of ownership that young people will experience in each process.
- **Include a clear commitment** to participation of children in all significant school policies.
- **Adopt the National Participation Standards.**
- **Develop targets and programmes of action to increase participation**, in particular amongst otherwise excluded/marginalised or disadvantaged children and young people.
- **Involve children directly** in the design, monitoring and evaluation of teaching and learning. This can be as simple as asking pupils to give feedback after a lesson but can be developed into a continuous process encouraging pupils to reflect upon their learning and social development to help inform how teachers can best support them.
- **Involve children** in the proofing of budgets.
- **Create choice about learning.**
- **Enable pupil voice** in the classroom through participative pedagogy.
- **Involve children** in the recruitment of staff and governors.
- **Provide feedback to children and staff** on the outcomes of children's involvement, highlighting any changes brought about by their participation.
- **Ensure that resources** (human / financial) are identified to support participation.

Case Study 1

A primary school has enabled all teaching staff to receive constructive feedback and recommendations from children about their teaching through a scheme called *You Said... I Did*. This has been displayed throughout the school and pupils have related it directly to the implementation of Article 12 in their school.



Support
and
Involve

Case Study 2

A school for pupils with a wide range of special needs has empowered all pupils to take an active role in their school and wider community, with the Head stating that “we work within the guiding principles of the UNCRC in all that we do”. Through whole school consultation and by working with the school council, pupils contributed their opinions to a pupil friendly School Development Plan, linked to Estyn’s key questions. Staff are annually invited to sign their support for this whole school development, which includes their responsibility as duty bearers to promote and uphold the rights of children. Article 12 is at the heart of school life, with pupils meaningfully participating in the development of policies, for example, pupils have created their own version of the Safeguarding policy to include

symbols and photographs. Individual learning targets have been negotiated in collaboration with pupils and link explicitly to Article 29 and where possible pupils have led their own annual review meetings.

“pupils feel safe and secure here and know they are listened to.”

School Governor

“Student voice is involved in everything we do. This is their school, they respect it far more when they have ownership of it.”

Teacher, Secondary School.



Accountability

All staff in education settings have responsibilities and take decisions and actions that impact on children. Children should be provided with information and given access to procedures which enable them to question and challenge decisions that have been taken in educational settings. For this to be effective education settings need to be transparent and provide reasons for their decisions and actions. Wherever possible these should be linked to children’s rights. To obtain any right a child must know they are entitled to it and be able to actively claim it, including when making a complaint or challenging decisions and actions. Accountability means holding decision-makers to account, which requires information and data on performance against children’s rights standards.

In order to put this principle into practice education settings should aim to:

- **Include a clear commitment** to accountability in all significant policy statements or other documents setting out their vision or key objectives.
- **Ensure that staff and governors** understand their responsibilities and obligations to children including by making this explicit in job descriptions and policies governing the conduct of staff.



- **Ensure that children and young people are not given the message either that they bear responsibility for the rights of others or that their own rights can be removed. Children's rights are inalienable (they cannot be taken away) and it is the duty of adults to uphold their rights. With this knowledge, children and young people can be encouraged to support and respect the rights of others, and can understand that their actions can impinge upon the rights of others. Children can also explore how they balance their own rights with other people's rights in their school setting or community.**

- **Staff supervision and performance management** should include individual responsibility for children's rights, using individual performance indicators as appropriate.
- **Carry out children's human rights** monitoring consistently against children's rights standards. This should include involving children to develop applicable children's rights indicators (using key articles as a starting point), involving children in monitoring and making your findings available to children.
- **Enable children to give feedback** and constructive evaluation of teaching and learning.
- **Provide accessible information** about processes for making complaints about the setting or individual staff and accessible information on how to access advice, such as advisory services or professional legal advice.

Case Study 1

A secondary school in Wales has provided pupils with associated governor training and pupils attend Governing Body meetings to represent the school council, pupils then report back to the school council and provide a link meaning that the two bodies can work together to make changes in their school. Similarly, pupils at a primary school also regularly attend sections of Governing Body meetings, which include the effectiveness of pupil voice as a regular standing item. At both of these schools pupils are involved in the recruitment of staff and have received training to interview for staff appointments.

“We do things with children and not for children”

Teacher, Primary School

CONCLUSION

by Sally Holland, Children's Commissioner for Wales

Investing in children's human rights has real benefits for educational settings, including **enabling more**

children and young people

to participate and take ownership of decision making, ensuring there's a

real focus on the particular needs of

children and young people whose voices can be lost or silenced, and creating an educational environment that is **accountable to all** of its learners.

Children's human rights are delivered internationally, regionally and domestically. The UNCRC is often seen as an abstract concept. This guide is intended to bring to life the real, positive impact that educational settings in Wales can have on delivering a Children's Rights Approach in communities across Wales, an approach that will have a meaningful impact on how Wales responds to and safeguards the long term needs of its children.

Why is a Children's Rights Approach important in Wales?

- **The United Nations Convention on the Rights of the Child (UNCRC)** was adopted by the Welsh Government in 2004 as the basis of all its policy making for children and young people.
- **The UNCRC is a key document** to underpin the framework and values for education settings and safeguard the long-term needs of children and young people.
- **Children that are experiencing rights feel valued** in their educational setting and are more likely to be healthy, confident individuals who can learn and thrive.



- **All children have the right to an education** that promotes their rights and helps them develop their skills and talents to the full. However, many children do not have the opportunities to develop their ambitions and capabilities, and can face discrimination. A children's rights approach directly tackles this discrimination.
- **Currently, too many children in Wales don't know that they have rights.** Welsh Government's 2016 survey into awareness levels of children's rights showed 41% of children and young people surveyed did not know children have specific rights and 77% had never heard of the UNCRC. A Children's Rights Approach means children and young people know their rights.

■ **Despite being experts** on their own lives, children are often excluded from decisions that affect them, and this applies in their education and beyond. A Children's Rights Approach means that children are provided meaningful opportunities to influence decisions about their lives and also to participate as ethical, informed citizens in their communities.

We must endeavour to match the principles of our laws and policy with meaningful actions which improve outcomes for children and young people. Delivering a Children's Rights Approach in Wales will help heighten public awareness of the UNCRC and help us to further foster a culture which promotes thinking about the impact of what goes on in society on children, which challenges bad practice, and which promotes positive outcomes. Practical improvements leading to beneficial outcomes are essential for children's rights to have real meaning.

FOOTNOTES

- ¹ Find the core international human rights texts [here](#)
- ² Find out more about the Committee on the Rights of the Child [here](#)
- ³ Read the Committee's observations on progress on Children's Rights in the UK [here](#)
- ⁴ Read General Comments published by the Committee [here](#)
- ⁵ The principles of Children's Rights Approach are not intended to be used in any particular order. Instead they should be thought about and used together to inform the work of the school. Inevitably there are some overlaps. For example, empowering children to take decisions and make choices is very close to providing opportunities for children to participate in decisions that affect their lives, and participation will only realise rights for children if it is carried out based on the principle of non-discrimination and equality. However, the overlapping principles are mutually re-enforcing and contribute to a holistic, coherent and comprehensive approach to realising children's rights

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