

Department for Education
Reforming how local authorities' school improvement
functions are funded
26 November 2021

1. The NASUWT welcomes the opportunity to comment on how local authorities' school improvement functions are funded.
2. The NASUWT - The Teachers' Union - represents teachers and headteachers across the United Kingdom.

GENERAL COMMENTS

3. The NASUWT considers that it is the responsibility of the Government to design a fair system of school funding. Nevertheless, to ensure fairness and equity of entitlement for all pupils, the Union believes that the funding mechanism for schools, academy trusts and local authorities must:
 - a) provide equality of opportunity and equitable access for all learners, including through the provision of a broad and balanced curriculum, and contribute to raising educational standards for all pupils and narrow the achievement gap;
 - b) ensure that all schools are funded on the same basis, irrespective of their legal or governance status, which should not result in anomalies between schools where their needs and circumstances and the expectations upon them are the same;
 - c) reflect the additional costs related to pupil deprivation, socio-economic circumstances, school location and setting;

- d) ensure the provision of, and access to, high-quality education and related support services for children and young people, including vulnerable children;
- e) provide equality of entitlement for all learners to be taught by qualified teachers and for the recruitment, retention and development of a world-class workforce in every school or setting as critical components in delivering better outcomes for all children, while ensuring that these entitlements must not be based on parents' ability to pay;
- f) be clear and transparent so that school budgets are based upon clearly identified and agreed sets of expectations about what work schools should do and the performance expectations that will apply to them;
- g) enable fair, open and easy comparisons to be made with regard to the income and expenditure of different institutions or sponsors;
- h) be fit for purpose, taking account of local circumstances and needs, and the expectations on schools and local authorities, while promoting public and professional confidence in the system;
- i) be sufficient in ensuring that the global amount available for the funding of schools takes full account of education priorities and needs and promotes fairness, equity, inclusion and social cohesion;
- j) ensure that changes to the funding for schools do not result in detriment to colleges or early years provisions, which are also essential in providing education for school-aged pupils;
- k) be responsive to changing needs and circumstances;
- l) be predicated on consultation and democratic involvement at national, local and institutional levels, including full recognition of school workforce trade unions;
- m) promote stability for schools and enable schools to plan and organise their priorities in the longer term, and help to minimise turbulence;
- n) support the best use of resources, through arrangements for strategic planning of local provision, institutional collaboration, economies of scale and the pooling of resources to meet locally identified educational needs; and

- o) ensure that schools in receipt of state funding should not be able to make a profit, and that they demonstrate the provision of good value for money.
- 4. The NASUWT is concerned that, less than one month after the consultation on the introduction of the direct National Funding Formula (NFF) closed, the Department for Education (DfE) has launched another consultation which removes a provision of the school funding system on which maintained schools and local authorities rely and which is at variance with the DfE's consultation document, *Fair school funding for all; completing our reforms to the National Funding Formula*.
- 5. Paragraph 4.2. of *Fair school funding for all* states: 'Statutory school improvement functions are also delivered centrally for schools for maintained schools, but provided for separately through the local authority school improvement monitoring and brokering grant.'
- 6. The DfE now proposes to abolish the school improvement monitoring and brokering grant. The NASUWT opposes this move because the grant contributes to principle (d) above, to ensure the provision of, and access to, high-quality education and related support services for children and young people.
- 7. The NASUWT calls on the DfE to withdraw its proposal to abolish the grant and instead confirm its continuation.

SPECIFIC COMMENTS

Question 1: We believe that instances of councils exercising formal intervention powers remain relatively low, and that since its introduction, this grant has primarily supported improvement functions such as early support and challenge to improve individual school performance, which overlaps with wider (non-core) improvement provision. Do you agree that this is the case? If not, please explain.

- 8. Even though it may be the case that the grant has frequently been used by local authorities to provide early support and challenge to schools, this does not mean that the grant has not been used to provide vital school improvement functions. The removal of the grant will mean that these functions will either not be carried out or that de-delegated schools block funding will need to be used to ensure that they continue to be carried out.

Question 2: We are proposing to (i) remove the Grant (Proposal 1), and (ii) enable councils to de-delegate funds via their schools forum to ensure they are sufficiently funded to exercise all of their improvement activities, including all core improvement activities (Proposal 2).

Do you agree that, taken together, these proposals will allow councils to continue to ensure they are adequately funded for core improvement activities; and therefore do not impose a new burden? If not, please explain.

9. The proposals will clearly impose a new burden on schools, in that the de-delegation places a cost on the schools budget, whereas a grant was previously provided to fund the same activities. In addition, the proposals are likely to lead to greater conflict between schools forums and local authorities, as local authority core school improvement functions for a minority of schools will (in all likelihood) be dependent on schools forums agreeing to de-delegate from the schools block.

Question 3: Bearing in mind Proposals 1 and 2, are there any aspects of our guidance to councils on their role in school improvement which could usefully be clarified to aid understanding of what councils are accountable for with respect to improvement and how it should be funded? (For example, our Schools Causing Concern guidance.)

10. The *Schools Causing Concern* guidance states, on page 36:

'Local authorities should act as champions of high standards of education across their schools, and in doing so should:

- *Understand the performance of maintained schools in their area, using data as a starting point to identify any that are underperforming, while working with them to explore ways to support progress;*
- *Work closely with the relevant RSC [Regional Schools Commissioner], diocese and other local partners to ensure schools receive the support they need to improve;*
- *Where underperformance has been recognised in a maintained school, proactively work with the relevant RSC, combining local and regional expertise to ensure the right approach, including sending warning notices and using intervention powers where this will improve leadership and standards; and*

- *Encourage good and outstanding maintained schools to take responsibility for their own improvement; support other schools; and enable other schools to access the support they need to improve.'*

11. It is fundamentally unjust for the Government to place these significant and costly core school improvement duties on local authorities without core funding to enable them to be discharged. The NASUWT does not believe that core local authority duties should be funded by means of de-delegation from the schools budget.

12. It is difficult not to draw the conclusion that the Government's intention is to make it more difficult for local authorities to carry out their core school improvement duties for maintained schools to a high standard. Schools would therefore have to look to academy trusts for school improvement support, and the NASUWT therefore believes that withdrawal of the grant is an ideologically motivated change in Government policy.

Question 4: The Public Sector Equality Duty (PSED) requires that public bodies consider the potential effects of key decisions on groups with protected characteristics. The relevant protected characteristics for the purposes of the PSED are: sex; race; disability; religion or belief; sexual orientation; pregnancy or maternity; gender reassignment; and age.

Please let us know, providing evidence where possible, if you believe any of the proposals set out in this consultation will have the potential to have an impact on specific groups, in particular those with relevant protected characteristics.

13. There is ample evidence that schools serving communities with high levels of additional language needs and deprivation are more likely to need core school improvement support. The withdrawal of the grant is likely to impact adversely on black and minority ethnic and poor communities.

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General Secretary

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