



# Schools Requiring Improvement

## SCHOOLS\* REQUIRING IMPROVEMENT

### GUIDANCE NOTE

1. The criteria which are used to identify schools requiring improvement are intended to enable the Local Authority to target co-ordinated assistance at those schools which, at certain times, need more support than can be provided for the generality of schools under normal arrangements. The criteria are grouped together in five categories.
2. When a school requires improvement, the headteacher and chair of governors will have been informed verbally of the reasons in advance, and this will be confirmed in writing.
3. The names of schools requiring improvement is not a public document, although schools that have been identified by Ofsted as requiring special measures, having serious weaknesses or requiring improvement will be identified through the Ofsted website. In relation to the other categories under which schools may receive support (subject to the guidance in 4 below), the Local Authority expects the headteacher and chair of governors to make the matter known within the school, since the purpose of the arrangements is to support schools in addressing agreed targets for improvement. The governing body will generally be involved in monitoring the progress made towards the agreed targets.
4. Where schools have been identified as requiring improvement on grounds relating to certain personnel issues, there will need to be careful consideration of the extent, if any, to which information can be shared. Where the school is overstaffed or subject to re-organisation proposals, the information should already be known to staff and governors. However, where the personnel or other difficulties relate to potential competence or disciplinary matters, the information should not be shared with staff, parents or other governors, since there is scope for prejudice to any subsequent proceedings which may be required. If necessary, further guidance should be sought from the Local Authority (and, where appropriate, from the Diocesan/Church Authority) in such cases.
5. Teacher associations are informed, in confidence, of the schools which have been identified, in the case of church schools, there is also communication with the appropriate Diocesan/Church Authority.

\*Note: The term *schools* includes short stay schools

## **PROCEDURES FOR SCHOOLS REQUIRING IMPROVEMENT**

Schools requiring improvement will fall into one or more of the following categories:

**Category A**

Special Measures

**Category B**

Serious Weaknesses

**Category C**

Recommendation from school adviser to area team leader

**Category D**

Recommendation from Director of Children's Services

**Category E**

Recommendation from school adviser to area team leader

**Category F**

Recommendation from schools' financial services manager

**Category G:**

Recommendation from senior area personnel officer

No school will be agreed to require improvement without the approval of the School Improvement Challenge Board (SICB). If a school considers that it meets the criteria for Category C and requires improvement, an approach should be made to the school adviser for recommendation to receive additional support, challenge and intervention. The final decision rests with the Local Authority, through the SICB. If a school considers that its' proposed additional support, challenge and intervention is inappropriate, the school should write to the chair of the SICB.

## **SCHOOLS\* REQUIRING IMPROVEMENT**

### **CRITERIA FOR INCLUSION**

#### **Category A**

The school has been judged by Ofsted to require special measures.

#### **Criterion**

Ofsted informs the Local Authority of the above decision.

#### **Category B**

The school has been judged by Ofsted to have serious weaknesses.

#### **Criterion**

Ofsted informs the Local Authority of the above decision.

#### **Category C**

The school is judged by Ofsted or the Local Authority to require improvement, but is not in categories A or B.

#### **Criteria**

- (i) Levels of attainment and/or pupils' progress and/or expectation of pupils' progress well below what would be expected for the type and intake of school in a core subject, across a number of non-core subjects or in relation to a key group of pupils. In particular,

#### **For Secondary Schools**

- GCSE results poor for the type and intake of school
- A poor or seriously declining picture from value-added (VA) analyses including RAISEonline and Published Performance Table VA
- Evidence of serious underperformance by one or other gender or ethnic group to a significantly greater extent than average
- Evidence of poor progress by many pupils
- Evidence of expectations of pupils' progress significantly below an appropriate level.
- Ofsted has deemed the sixth form to be inadequate

#### **For Primary Schools**

- KS1 or KS2 test results or teacher assessments (TAs) which are poor for the type and intake of school
- Evidence of serious underperformance by one or other gender, ethnic group, ability group or socio-economic group to a significantly greater extent than average
- Evidence of poor progress by many pupils
- Evidence of expectations of pupils' progress significantly below an appropriate level

- (ii) Inadequate progress in addressing the key issues for action identified in a previous Ofsted inspection report.
- (iii) Concerns about pupils' behaviour in the school.
- (iv) Evidence of substantial amounts of unsatisfactory teaching or pockets of poor teaching.
- (v) Failures in management by the headteacher or at other levels, which are not being addressed by the headteacher or governing body and which require external support to move forward. Examples include:
  - Failure to ensure high-quality of teaching
  - Failure to implement appropriate school improvement priorities
  - Failure to use resources effectively
  - Failure to develop other levels of management
  - Failure to meet statutory responsibilities, eg curriculum requirements
- (vi) Loss of confidence by a substantial number of parents.
- (vii) Seriously low morale amongst teachers likely to lead to any of the other criteria.
- (viii) Significant relationship or communication problems.
- (ix) An ineffective or underperforming governing body, including one that is failing to fulfil its statutory responsibilities, exceeding statutory or delegated powers or is managing inappropriately.
- (x) Serious concerns about pupils' care, welfare or safety, including bullying, racist incidents, and any contravention of Section 175 of the Education Act 2002 and illegal or wholly inappropriate pupil management.
- (xi) Any combination of the above or any other reasons which lead to the strong possibility that the school may require special measures or have serious weaknesses as far as Ofsted is concerned, when it is next inspected or visited by an HMI monitor.
- (xii) Serious concerns about the school's provision for pupils with special needs.
- (xiii) Where any or a number of the following issues need to be addressed:
  - Lack of educational direction
  - Weaknesses in the School Improvement Plan
  - Ineffective monitoring and evaluation processes
  - Poor staff development
  - Ineffective or underdeveloped management by a deputy headteacher, Senior Management Team (SMT) or subject leaders

## Category D

The school is subject to intervention by the Local Authority.

### Criteria

- (i) The Local Authority has exercised its reserve power under Section 62 of the School Standards and Framework Act 1998 to prevent the breakdown or continuing breakdown of discipline at the school because in the opinion of the Local Authority:
  - (a) the behaviour of pupils at the school or
  - (b) any action taken by pupils or their parents is, or is likely in the immediate future, to severely prejudice the education of pupils at the school
  
- (ii) The Local Authority has suspended financial delegation at the school under Section 51 of the School Standards and Framework Act 1998, because it appears to the Local Authority that:
  - (a) the governing body has been guilty of a substantial or persistent failure to comply with any requirements applicable under the Scheme for Financing Schools in Lancashire or
  - (b) the governing body is not managing the appropriation or expenditure of the school's budget for the purposes of the school in a satisfactory manner
  
- (iii) The Local Authority has exercised its powers of intervention under Section 14 of the School Standards and Framework Act 1998 because:
  - (a) the Local Authority has given the governing body a warning notice because:
    - A. the Local Authority is satisfied:
      - 1. that the standards of performance of pupils at the school are unacceptably low and are likely to remain so unless the Local Authority exercises its powers under either or both of sections 16 and 17, or
      - 2. that there has been a serious breakdown in the way the school is managed or governed which is prejudicing, or likely to prejudice, such standards of performance, or
      - 3. that the safety of pupils or staff of the school is threatened (whether by a breakdown of discipline or otherwise); and
    - B. the Local Authority has previously informed the governing body and the headteacher of the matters on which that conclusion is based; and
    - C. those matters have not been remedied to the Local Authority's satisfaction within a reasonable period. And
  - (b) the governing body has failed to comply or secure compliance with the notice to the Local Authority's satisfaction within the compliance period.
  
- (iv) The Local Authority has exercised its power under Section 23 of the School Standards and Framework Act 1998 to make representations to the chair of governors about the headteacher's performance.
  
- (v) The Local Authority has exercised its power under Section 57 of the Education Act 2002 to provide for the governing body to consist of interim executive members.

If a school is deemed eligible for intervention, the range of actions open to the Local Authority includes:

- Appointing additional governors to the governing body;
- Requiring the governing body to enter into arrangements for the provision of advisory services to the school;
- Requiring the governing body to enter into collaboration arrangements with other school(s) and/or further education setting(s);
- Requiring the governing body to proceed towards the creation or joining of a federation;
- Taking steps that would lead to the suspension of delegation of the school's budget;
- With the consent of the Secretary of State, replacing the governing body with an Interim Executive Board appointed by the Authority.

In addition to these actions, The Secretary of State may intervene directly in a school that has become 'eligible for intervention' in this way. Her powers are similar, and include the ability to appoint additional governors, or to remove the governing body altogether and have it replaced by an Interim Executive Board consisting of his appointees. The Secretary of State also now has power to make an Academy Order in relation to any school which is 'eligible for intervention'.

### **Category E**

The school has fallen below floor standards.

#### **Criterion**

- (i) The school has fallen below the Floor Standards as set by the DfE where there are less than 11 pupils in the cohort (DfE guidelines).

### **Category F**

The school has serious financial difficulties.

#### **Criteria**

- (i) The school has or is facing an overall budget deficit requiring a financial recovery plan.
- (ii) The school has financial difficulties which have led, or are likely to lead, to it requiring special support in relation to educational issues.
- (iii) Identification of serious financial management weaknesses.
- (iv) The school is in breach of the approved financial recovery plan.

## **Category G**

The school has serious human resources difficulties.

### **Criteria**

- (i) The headteacher is on long term absence (or there is a vacancy) and the school either has no deputy headteacher or the deputy is unable or unwilling to act as headteacher.
- (ii) The quality of the headteacher's (or deputy headteacher's) management is potentially such as to require the implementation of the Competence Procedures.
- (iii) There are significant relationship problems (eg headteacher/staff, headteacher/governors) resulting in a loss of confidence in the headteacher).
- (iv) There is poor quality of teaching/class control which potentially requires the implementation of the Capability Procedures.
- (v) There are significant levels of staff absence and/or turnover.
- (vi) There are particularly problematic issues relating, for example, to discipline, grievance, dispute, complaints, safeguarding, medical or alcohol/drug abuse.
- (vii) There is a decline in the number of pupils on roll which may lead to redundancies.
- (viii) There is a level of overstaffing requiring potential compulsory redundancy (eg due to falling pupil rolls).
- (ix) The school is undergoing reorganisation or closure procedures.

### **NOTE**

Some schools will fall into more than one category and some will move between categories over time, requiring support from different functional teams in the Local Authority.

## **School Improvement Challenge Board (SICB) Guidance for providing Financial Support to Schools**

The Lancashire Schools Forum has agreed the criteria whereby financial support will be provided to schools from the Schools in Financial Difficulty budget. The formula and assumptions used in this assessment will be reviewed annually by the Forum.

This applies to all funding decisions agreed by the School Improvement Challenge Board, e.g. contracts, additional funding bids, associate and acting arrangements. Separate arrangements apply to Voluntary Redundancy, Compulsory Redundancy and Severance payments (see below).

It should be noted that the Schools in Financial Difficulty Budget (SIFD) will not be used to pay off a school's deficit budget.

### **The formula**

Financial support will be provided to schools where their reserves are not sufficient for the school to meet the full cost of the intervention or restructuring costs themselves. To ensure fairness and equity across all phases and size of schools, the following formula will be used to determine the contribution the school will be required to make. Where:

#### **Schools are in deficit or have a surplus balance below their floor balance:**

- The full cost of the support will be met from the Schools in Financial Difficulty budget.

#### **Schools have balances above their floor balance but below their ceiling balance:**

- Schools will pay the lower of:
  - The full cost of the support, or
  - 50% of their balance above their floor balance
- Any difference between the school contribution and the cost of the support will be met by the Schools in Financial Difficulty budget.

#### **Schools have balances above their ceiling balance:**

- Schools will pay the lower of:
  - The full cost of the support, or
  - The balance above their ceiling balance, plus 50% of their balance above their floor balance and ceiling balance
- Any difference between the school contribution and the cost of the support will be met by the Schools in Financial Difficulty budget.

### **For the purpose of this formula:**

- A school's floor balance is set at the greater of £20,000 or 1% of CFR income;
- A school's ceiling balance is set at the greater of £60,000 or 4% of CFR income;
- The level of support from the Schools in Financial Difficulty budget will be calculated on the basis of the year end position in the preceding financial year;

- Any allocation made to Schools in Deficit or Schools in Surplus that qualify for support under the agreed formula will not be reduced. All bids will be re-calculated once the final outturn for the current financial year is known. Any additional support required, after applying the agreed formula to the final outturn will be funded to the school before financial close.

**Schools in deficit or forecasting to move into deficit by 31 March are required to:**

- Agree a Recovery Plan with the Local Authority;
- Provide termly I&E submission with a revised forecast closing balance, and
- Provide a copy of the termly management accounts that are submitted to the governing body.

Procedures are in place to challenge schools where the approved recovery plan is not on target.

**Financial Support for Voluntary Redundancy, Compulsory Redundancy and Severance payments**

Financial support for VR, CR and severances is treated separately to other Schools in Financial Difficulty (SIFD) decisions. Financial support is not based on cumulative figures throughout the year, nor is it re-calculated\* once the final outturn for the current financial year is known.

Financial support for VR, CR must have prior approval from the School Improvement Challenge Board (SICB). Any VR or CR payments arising without SICB prior approval will be charged in full to the school budget.

Financial support for severances must have prior HR approval.

**The formula (for VR, CR and severances)**

Financial support will be provided to schools where their reserves are not sufficient for the school to meet the full cost of the intervention or restructuring costs themselves. To ensure fairness and equity across all phases and size of schools, the following formula will be used to determine the contribution the school will be required to make. Where:

**Schools are in deficit or have a surplus balance below their floor balance:**

- The schools will pay 20% of the cost with the remaining 80% being met from the Schools in Financial Difficulty budget.

**Schools have balances above their floor balance but below their ceiling balance:**

- Schools will pay 50% of the cost with the remaining 50% being met from the Schools in Financial Difficulty budget.

**\*Schools have balances above their ceiling balance:**

- The schools will pay 80% of the cost with the remaining 20% being met from the Schools in Financial Difficulty budget.

\*where schools have balances above their ceiling balance, SICB reserve the right to recharge any Schools in Financial Difficulty contributions towards VR, CR or severances made during the year if balances remain above their ceiling balance at the end of the current year.

**For the purpose of this formula:**

- A school's floor balance is set at the greater of £20,000 or 1% of CFR income;
- A school's ceiling balance is set at the greater of £60,000 or 4% of CFR income;
- The level of support from the Schools in Financial Difficulty budget will be calculated on the basis of the year end position in the preceding financial year.