



# HARTLEPOOL SUPPORT AND CHALLENGE PROTOCOL

# SCHOOLS CAUSING CONCERN



(Updated September 2016)

HARTLEPOOL SUPPORT AND CHALLENGE PROTOCOL: **SCHOOLS CAUSING CONCERN** (Updated September 2016)

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# HARTLEPOOL LOCAL AUTHORITY

## Introduction

Hartlepool local authority has a duty to promote high standards of education in its schools, to monitor the performance of schools and to support and challenge them in their efforts to improve.

This document describes how the local authority promotes school improvement in schools causing concern in order to achieve our vision for Hartlepool as a place where:

- all children and young people find their talents, and experience good and inspirational teaching every day in a climate that expects the highest standards;
- the gap is closed between the achievement of children and young people who are disadvantaged and children in care and all other children and young people nationally;
- young people achieve the best qualifications possible, particularly in the globally important subjects of English, science, mathematics, technology, engineering and modern foreign languages, so that they can compete for the best jobs, best university places and high level apprenticeships;
- children are supported from birth and throughout their childhood and adolescence by strong families and communities so that they start school with a zest for learning and grow up to have high expectations of themselves and their schools, and the optimism, confidence, values and resilience to succeed;
- young people are prepared for life and work in an increasingly complex world and globally competitive economy.

Furthermore, the local authority has set out an ambition that every child in the town should attend a school that is judged as good or better.

To achieve this ambition, the Support and Challenge Protocol describes how the local authority analyses the performance of every school, identifies strengths and weaknesses in standards and provision, and categorises schools accordingly. It states how school data are used more widely to affect improvement and to encourage effective school to school support. It also outlines the strategic approach that the local authority will take to support school improvement, target setting and school self-evaluation.

A key aim of this document is to ensure that all schools and stakeholders are clear about the strategies and procedures that the local authority will follow to monitor school self-evaluation and to support and challenge schools to improve, particularly those schools that are currently causing concern.

## Support and Challenge

Partnership and collaboration are key factors in the local authority's strategy for support and challenge.

Hartlepool local authority seeks to support schools in becoming more autonomous and successful. To achieve this, and for the purposes of monitoring the performance of schools, great emphasis is placed upon the accuracy and effectiveness of schools' own self-evaluation processes, their school improvement planning and the impact this has upon learning and achievement.

The School Improvement Partner (SIP) is crucial to this process. On behalf of the local authority, the SIP conducts the 'Single Conversation' with the school about targets, the process and outcomes of self-evaluation, priorities for development and any support that is required from the local authority and/or the Hartlepool Together 2 Succeed Alliance. Schools will determine the external support they need in order to achieve their improvement priorities and targets. Following this conversation with the SIP, the local authority can offer or commission support for schools through:

- Service Level Agreements
- Hartlepool Together 2 Succeed Alliance
- Assisted School Reviews
- Consultant / Advisory Teacher Support
- Leadership Development Programmes
- Specialist teams such as Educational Psychology, Early Years and Inclusion
- Specialist Leaders in Education
- Local Leaders in Education
- National Leaders in Education

In order to establish a shared understanding and consistency of what is expected of schools, the SIP will make use of the criteria provided by the latest OFSTED handbook to determine judgements about standards and achievement, leadership and management, the effectiveness of teaching and learning and any safeguarding issues that are apparent. These criteria, together with discussion with the school, will be used to make judgements about the school's performance. In addition, the SIP will report on the school's self-evaluation systems and its capacity to sustain improvement.

A further role of the SIP is to support the school in setting and achieving ambitious targets. This will be done by guiding the review of performance data, taking into account national data sets and the current DfE (Department for Education) floor standards, challenging where the targets set indicate low expectations of progress or attainment and ensuring that additional support is available, if needed, to improve teaching and learning. The SIP will focus on pupil outcomes across the ability range, including the achievement of identified vulnerable groups.

**Note:** Those schools that do not buy back the SIP programme from the local authority are supported through the 'Supporting Non-SIP Schools' protocol (Appendix 1).



## SCHOOLS CAUSING CONCERN

The Education and Inspections Act 2006, together with subsequent legislation and statutory guidance, places a duty on local authorities to act quickly and decisively in respect of schools causing concern. The contents of this Support and Challenge Protocol indicate the local authority's (LA) requirement to have regard to the statutory guidance published by the DfE relating to schools causing concern (hereafter known as the statutory guidance).

Since September 2012, Hartlepool Local Authority has adopted a rigorous and systematic approach to intervening where school performance gives cause for concern. This approach continues to be refined and improved. This update to the Support and Challenge Protocol outlines the developments and additions to the approach which are now in place.

Schools cause concern because the children and young people they serve do less well than their peers nationally, the school appears unable to address this low performance in an effective and timely manner. Some of these schools are unable to sustain incremental improvement, so that their performance remains insecure over time. This document summarises the strategies that will be adopted for maintained schools that are not on a secure course to be judged as good or may be at risk of being judged 'inadequate' by OFSTED.

Details are also included of the local authority's approach to under-performing academies. The local authority's powers of intervention in maintained schools are detailed on the Department for Education website and relate to the Education and Inspection Act 2006. Please visit - [DfE website Schools Causing Concern](#) for full details.

## CATEGORISATION OF SCHOOLS AND THE PROTOCOL FOR INTENSIVE SUPPORT AND CHALLENGE

### Purpose

The purpose of categorisation and this protocol is to help schools and the local authority work together to address identified areas of concern promptly and effectively. The key priority is to support the school to provide the best possible environment to help children and young people maximize their potential and achieve the outcomes they are capable of.



## Statutory Guidance

The protocol is based upon the guidance contained in Part 4 of the Education and Inspections Act 2006: the provisions relating to schools causing concern. The statutory guidance for Local Authorities on Schools Causing Concern (DfE 2016) gives the legal duties and contextual circumstances under which the provisions of the Act can be utilised. Part 4 of the Act builds on existing statutory powers and good practice that exist to “... ensure that every pupil is provided with the education and opportunities they deserve”. It does this by:

- **Promoting early action to tackle school underperformance** defined as:
  - where standards are unacceptably low and are likely to remain so;
  - where there has been a serious breakdown in the way the school is managed or governed which is prejudicing standards of performance;
  - the safety of staff or pupils is threatened.
- **Ensuring that effective support and challenge is provided immediately** when an unacceptable standard of education is identified so that improvements can be made quickly.
- **Securing decisive action if a school requiring significant improvement or Special Measures (OFSTED Grade 4 inadequate) fails to make sufficient improvements**, so that the education and life chances of pupils are safeguarded”.

(DfE - Statutory Guidance on Schools Causing Concern)

The definition of what constitutes “**low standards of performance**” is set out in section 60(3) of the 2006 Act. This is where standards in a school are low when compared to any one or more of the following:

- the standards that the pupils might in all the circumstances reasonably be expected to attain; or,
- where relevant, the standards previously attained by them; or,
- the standards attained by pupils at comparable schools.

**For the purpose of this protocol, ‘unacceptably low standards of performance’ includes:**

- standards which are below the DfE floor standards, on either attainment or progress of pupils;
- low standards achieved by disadvantaged pupils;
- a sudden drop in performance;
- sustained historical underperformance;
- performance of pupils (including disadvantaged pupils) is unacceptably low in relation to expected achievement or prior attainment;
- performance of a school not meeting the expected standards of comparable schools.

### **DfE definitions of “Schools Causing Concern” and “Eligible for Intervention”**

This guidance makes a distinction between schools deemed to ‘cause concern’ and those that are ‘eligible for intervention’:

- ‘Causing concern’ is used by the Department for Education to describe all schools that are performing less well than others nationally.

- Schools 'eligible for intervention' are those which are causing concern and are subject to a Warning Notice as detailed in the statutory guidance, or those judged as "requiring significant improvement" or "special measures".

The local authority works in partnership with all schools considered to be a 'school causing concern', regardless of whether they are local authority-maintained or an academy. Where an academy is causing concern the LA will write to the Regional School Commissioner (RSC) explaining the cause(s) for concern. The LA will work with the RSC to address the concerns.

Where a local authority maintained school is eligible for intervention, the local authority will exercise one or more of its statutory powers, as required.

Where governors, head teachers and school staff are unsuccessful in addressing underperformance, the local authority is required to intervene by exercising the full range of its statutory powers. These are set out in the following legislation:

- School Standards and Framework Act 1998
- Education and Inspections Act 2006
- Apprenticeships, Skills, Children and Learning Act 2009
- The School Governance (Transition from an Interim Executive Board) (England Regulations 2010)
- Academies Act 2010
- Education Act 2011

#### **Examples of statutory powers include:**

- Issuing of Warning Notices
- Power to suspend the delegated authority for the governing body to manage a school's budget
- Power to appoint an Interim Executive Board (IEB)
- Power to appoint additional governors

#### **Categorisation of Schools**

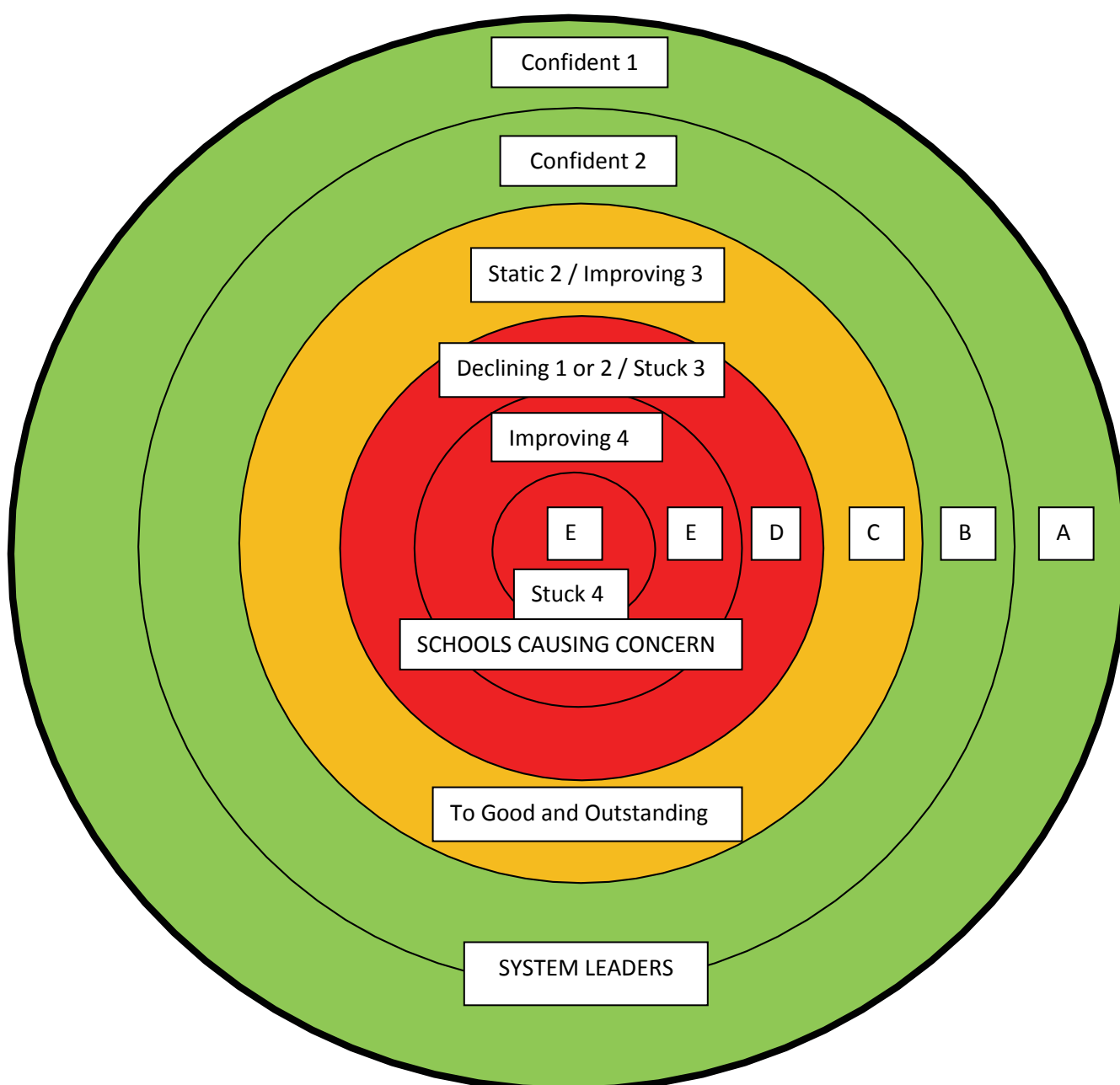
To categorise every school in Hartlepool, including those maintained by the local authority as well as academies, each school's performance data are evaluated annually and a range of measures are assessed in order to identify a future risk benchmarked against the OFSTED criteria for judging pupil outcomes. This leads to a view that is based upon published outcomes. It is not a comprehensive judgement about a school, but an objective view of the school based predominantly on outcomes for all pupils over time in the known local context of that school. As a consequence, schools are placed into a series of bands (**see Diagram A on next page**) where:

- Category A identifies a school that is 'outstanding' and Category B a school that is confidently 'good'. Both Category A and Category B schools should be system leading schools.
- Category C identifies an improving OFSTED Grade 3 school or a static Grade 2 school. These schools need to improve rapidly or continue to do so.



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- Where a school is causing concern, it will be a Category D if it is a declining OFSTED Grade 1 or 2 or a 'stuck' OFSTED Grade 3, and it will be a Category E school if it is a Grade 4 Serious Weaknesses or Special Measures.
- The risk assessment will be updated termly for a very small number of schools where there has been significant change to the provision at the school.

**Diagram A: Categorisation of Schools**

CODE	LA GRADE	CATEGORY	RAG RATING
A	CONFIDENT 1	SYSTEM LEADER	GREEN
B	CONFIDENT 2	SYSTEM LEADER	GREEN
C	STATIC 2/IMPROVING 3	TO GOOD AND OUTSTANDING	AMBER
D	DECLINING 1 or 2/STUCK 3	SCHOOL CAUSING CONCERN	RED
E	IMPROVING 4/STUCK 4	SCHOOL CAUSING CONCERN, POSSIBLY ELIGIBLE FOR INTERVENTION	RED

**Key indicators used to determine the Annual School Assessment:**

- Key Stage test and teacher assessment outcomes of attainment and progress measures for all children by gender, free school meals, special educational needs, looked after children and any other relevant vulnerable group in the school
- Pupil premium gaps
- Current and previous proximity to the DfE Key Stage 2 and Key Stage 4 floor standards
- Trends in pupil performance over time taking RAISE Online significance into account
- Most recent OFSTED outcome and previous inspection outcomes, where relevant
- Any previously issued local authority Warning Notice
- Leadership of the school, including governance, with account taken of new or acting headteachers and / or significant transitional issues in leadership beyond the headteacher
- Any changes in status or age range of the school, including new builds or recent reorganisation, that may impact upon effectiveness
- Accreditations of school leaders e.g. Local or National Leaders of Education or recognition by the local authority as System Leaders
- Any other factor – e.g. significant financial or HR issues – that might impact upon school effectiveness.

**Category - rating Criteria****Schools that are/should be System Leaders – Category A and Category B****RAG RATING: GREEN**

Schools identified as outstanding or as good and on the cusp of outstanding will be identified in this group of Category A and Category B schools. These schools will also display some evidence of outstanding achievement in their most recent statutory assessments and all the indicators suggest that they will remain confidently outstanding or good. There will also be evidence of their contribution to school to school improvement as system leading schools.

**Schools that are Moving Towards Good and Outstanding – Category****RAG RATING: AMBER**

Schools identified as being 'static' at Grade 2 i.e. are unlikely to be outstanding in the next 12-18 months or schools whose trajectory indicates that they will improve from 'requires improvement' to 'good' in the next 12-18 months will be banded together in the 'To Good and Outstanding' category.

These schools require further improvement to get to Good or Outstanding and will be expected to have a strong development plan that demonstrates the key milestones to achieve the higher overall effectiveness judgement. The local authority will use the latest published achievement evidence and an informed judgement on the quality of leadership and management to determine the categorisation of these schools. Evidence taken into account will include:

- Previous OFSTED outcomes
- Improving or declining pupil outcomes
- Security of leadership and governance
- Participation as a system leader/Local or National Leader of Education

A school will be classified as 'static 2' if the trajectory in terms of pupil achievement is static overall or for key groups identified in school, and either does not, or is unlikely to, meet the pupil achievement criteria for outstanding in the current OFSTED handbook.

A school will be classified as 'improving 3' if the trajectory in terms of pupil achievement is strongly improving overall and for key identified groups. An Officer Group is likely to be maintained for these schools until they are judged by OFSTED as Good.

### **Schools Causing Concern – Category D and Category E Schools**

**RAG RATING: RED**

A school causing concern, whether determined by the local authority or by OFSTED, will be categorised as a Category D or Category E school.

Category D schools will be those that are currently judged by OFSTED to be Grade 2 (or even Grade 1) but are likely to drop to Grade 3 or lower at their next inspection without intervention, and those schools that are currently judged by OFSTED to be Grade 3 Requires Improvement whose latest published data shows no improvement on the previous year's or has declined.

All Category D schools will be regarded as a School Causing Concern and will be subject to a local authority Officer Group in order to support improvement. It is likely that Category D schools will be issued with a pre-Warning Notice letter.

Category E schools will be those who are currently judged by OFSTED to be Grade 4 'Serious Weaknesses' or Grade 4 'Special Measures'. All category E schools will be regarded as schools causing concern and will be subject to a local authority Officer Group in order to support improvement. These schools will be issued with a Warning Notice.

Occasionally, transitional factors such as the loss of a key leader or some significant change in the school may cause an otherwise effective school to be of concern. In such a case, the local authority may classify the school as temporarily of concern. They will be monitored more closely by the local authority during the transitional period with appropriate actions taken and interventions made as necessary to stabilise the school. Senior local authority officers will liaise closely with the school's head teacher and governing body throughout this period. Formal written notification of any change to the school's categorisation will explain the local authority concerns and the support the school will receive. Relevant communications will be copied to the RSC and Diocese as appropriate.

### **Termly Risk Assessment of School Effectiveness**

All schools will be reviewed termly at a local authority risk assessment meeting to ensure that no significant issues have arisen that may impact negatively on their improvement/development planning. The effectiveness of the local authority's support for all schools, and in particular schools causing concern, will be evaluated at the termly risk assessment meeting.

Where there are concerns about insufficient progress, or additional issues arise, these will be scrutinised by the local authority and immediate contact will be made with the school to seek further clarification in order to resolve the issue or to offer appropriate support.

Where the performance of an academy provides cause for concern, the local authority will contact the principal and/or sponsors to discuss the academy's plans prior to contacting the RSC.

Headteachers and chairs of governors of all schools, whether maintained or academy, will be informed confidentially of the school's categorisation by letter (see Appendix 2). This information will also be shared with the relevant Diocesan Boards of Education and academy sponsors. The ratings will be notified to the Director of Child and Adult Services and the Chair of the Children's Services Committee termly.

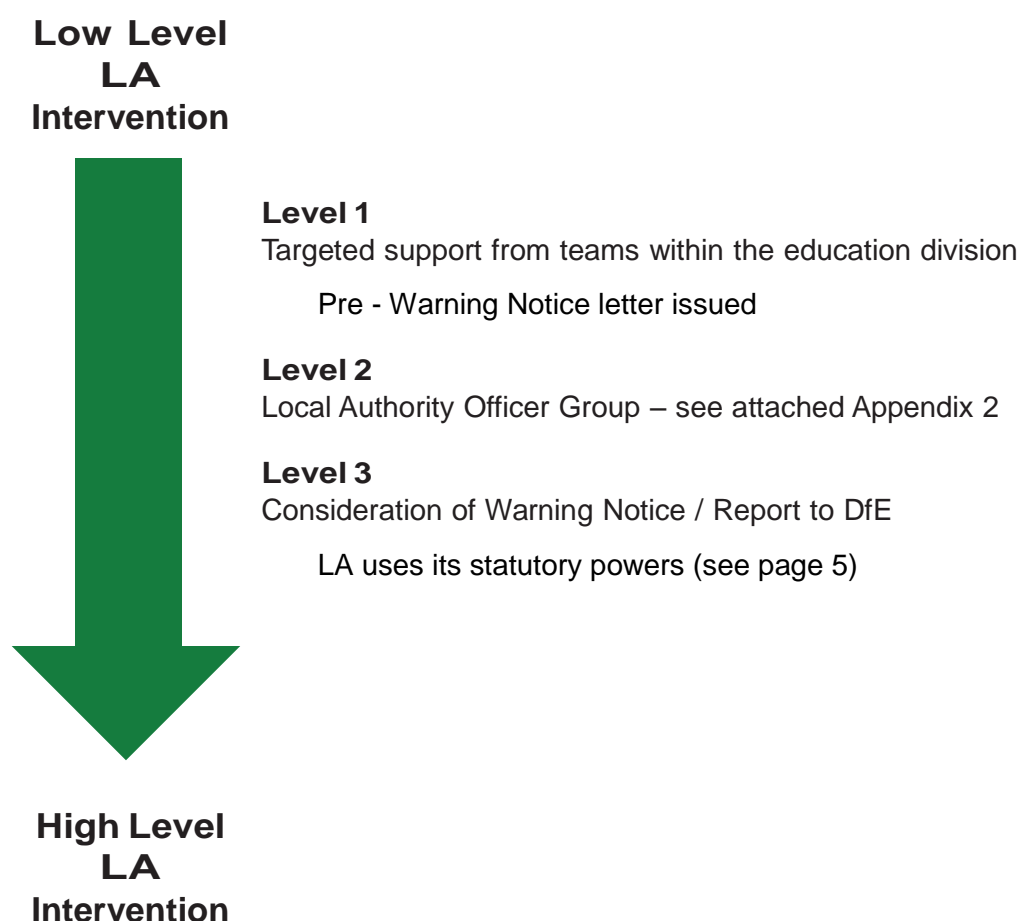
## Officer Groups

All schools causing concern (Category D and Category E) will have an Officer Group which gathers together each half-term local authority officers and the school's leaders and governors. The Officer Group ensures that school leaders and governors are held to account for the school's improvement on a regular basis. It is also an opportunity for the local authority to confirm the level of support being offered and to consider whether there is a need to adjust its level of intervention.

The remit and constitution of a local authority Officer Group is set out in Appendix 3.

## The Support and Challenge Continuum

There are three levels of support and challenge for vulnerable schools:



A Pre-Warning Notice letter may be issued where the local authority is concerned about emerging data and local intelligence. This would normally be a Level 1 intervention and lead to informal support.

If it is clear that the school is not going to make, or has not made, sufficient progress following high level local authority intervention, the local authority will consider issuing a Warning Notice to the school. The issuing of the Warning Notice will be in line with the statutory guidance provided by the Department for Education in accordance with Section 60 of the Education and Inspections Act 2006.

## Appendix 1:

# Supporting Non-SIP Schools

The local authority's School Improvement Partner (SIP) Programme is the preferred method of providing appropriately trained, moderated and quality-assured professional support and challenge to headteachers, senior leaders and governors in Hartlepool schools. However, some schools choose to take this support and challenge from sources other than the local authority programme.

In order to gather information efficiently from schools that are not in the local authority SIP Programme, the Headteacher and Chair of Governors (or equivalent) of such schools meet with the Assistant Director or the Senior School Improvement Officer in the second half of each term on an agreed date. This meeting will be used to:

- inform the regular dialogue between senior local authority officers and OFSTED/DfE;
- identify good and outstanding practice that may be shared across the Hartlepool Together 2 School Succeed of schools;
- provide local authority and T2S Alliance support in order to improve school performance, where this is appropriate.

The anticipated outcomes from each termly meeting will be:

- a review of 'headline' pupil outcomes, i.e. the updating of a **scorecard**;
- to receive an updated **summary SEF** from the school;
- a discussion around current school improvement priorities and barriers;
- to agree any local authority or school actions to sustain or improve performance.

The information gathered from these discussions will be held securely and confidentially.

### Scorecard

This is a simple but effective text that summarises past performance of the school and national benchmarks in key indicators of pupil outcomes, attendance and exclusions, and provides indicative data for the current academic year. Key aspects of leadership and management are also discussed and tracked. Examples of the primary phase and secondary phase scorecards are available.

### Summary SEF

A summary SEF should have:

- a maximum of 6 sides of A4 – one A4 side each on school context; outcomes for pupils; quality of teaching, learning and assessment; personal development, behavior and welfare; leadership & management; overall effectiveness;
- clear judgements for each of the five OFSTED categories, with no split grades, but the best fit judgement based on the published OFSTED criteria;
- strengths and areas for improvement in each of the five OFSTED categories;
- a clear indication of why the judgement is not yet the 'next one up'.

There may be an additional page evaluating the effectiveness of early years or sixth form provision.

## Appendix 2:

### ANNUAL SCHOOL ASSESSMENT

<b>School name:</b>	<b>&lt;&lt; INSERT NAME IN CAPS &gt;&gt;</b>
---------------------	--

<< insert date >>

Dear << insert name of headteacher >>

As described in the local authority's Support and Challenge Protocol, the annual assessment of your school is:

**< <INSERT CATEGORY IN CAPS AND CORRECT COLOUR >>**

This means that we believe that should your school be inspected during the coming academic year the overall outcome will be << insert Ofsted grade + words >>.

We have based the assessment on the following evidence:

- << any other pertinent sources of evidence >>
- the outcomes of your most recent Ofsted inspection;
- the unvalidated pupil achievement outcomes in 2015;
- 2014-5 SIP reports/conversations with school leaders held during 2014-15 where your school does not buy-back the LA SIP Programme;
- other intelligence gathered in conversation with school leaders and school staff throughout the year.

This assessment recognises the following key strengths in your school:

- << strength 1 >>
- << strength 2 >>
- << strength 3 >>

We believe the following actions will improve provision further and thus improve outcomes for pupils:

- << Afl 1 >>
- << Afl 2 >>
- << Afl 3 >>

I hope that you find this summary assessment useful. Local authority officers are here to help and to support you and your school, and are looking forward to continuing to work with you to improve the provision at your school further.

If you have any immediate questions please don't hesitate to get in touch with me or the Senior School Improvement Advisers.

Kind regards

Mark Patton  
ASSISTANT DIRECTOR  
EDUCATION, LEARNING & SKILLS



# Appendix 3:

## Local Authority Officer Groups

### The Remit and Constitution of a Local Authority Officer Group

#### Context

As part of Hartlepool's School Support and Challenge Protocol, senior officers in the Education Division may convene an Officer Group to offer challenge and support to a school causing concern.

The Officer Group is part of a continuum of support, challenge and intervention provided to all schools and academies as part of the local authority's statutory role and responsibility to "promote high standards of education" as set out under section 13A of the Education Act 1996. This continuum is described and explained fully in Hartlepool's School Support and Challenge Protocol, which also draws on the local authority's statutory duty to identify and support schools causing concern, as set out in Part 5 (sect 118) of the Education and Inspections Act 2006.

#### The purpose of a local authority officer Group is to:

- support and challenge the school in improving outcomes for pupils;
- take robust action where the pace of improvement is not good enough;
- focus on improvements in learning and leadership;
- review progress since the last meeting in terms of outcomes and impact, and to challenge under performance;
- review the judgements and evaluation of the quality of teaching and learning, and to challenge under performance;
- evaluate the quality of leadership and management through reviewing the leadership of the headteacher and the senior leadership team;
- evaluate the quality of governance through reviewing the leadership of the chair, individual governors and their impact;
- evaluate the quality of the challenge and support provided by all those involved;
- identify the needs of the school and to match these needs with appropriate providers, including support from the local authority, external consultancy, school to school networks and the Hartlepool Together 2 Succeed Alliance.

#### Who will attend?

- An Officer Group will be formed consisting of the head teacher, chair of governors, attached Senior School Improvement Officer, and representatives of the Diocese and/or academy sponsor (where appropriate). The Assistant Director and school improvement partner may also attend.
- This group will decide who else to invite, whether for all or specific meetings. Other participants can include other governors, one or more members of the school's senior leadership team, a consortium/partnership representative where applicable and local authority officers such as those with responsibility for finance or HR.
- The Officer Group will be chaired by the appropriate Senior School Improvement Officer when intervention is at Level 2
- The Officer Group will be chaired by the Assistant Director when intervention is at Level 3

## Frequency of meetings

- Initially, meetings will be at least half-termly.
- Support and challenge will be proportionate and, as a school grows in capacity and improves on the delivery of its targets, so Officer Group meetings will be less frequent.
- Frequency and dates will be set at the first meeting and reviewed regularly.

## Accountability of each participant at the meeting

### The headteacher is accountable for:

Evaluating the school's progress against milestones and success criteria with particular reference to pupil outcomes by evaluating:

- the delivery of the improvement plan, including the implementation of action points arising from the last Officer Group meeting;
- outcomes and impact of actions;
- evaluating the impact of any external providers of support to the school;
- findings and judgements from monitoring processes of teaching and learning;
- improvements in the quality of learning;
- leadership and management of the school.

### The chair of governors is accountable for:

- the quality of governance of the school;
- delivery of briefings by individual governors e.g. for finance;
- challenging and quality assuring judgements made by the school in respect of the school's evaluation of progress against milestones and success criteria with particular reference to pupil outcomes;
- monitoring progress against the action plan and ensuring it is properly resourced;
- ensuring the financial health of the school;
- conducting highly effective governors' meetings;
- assuring the quality of school leadership and management by the head and senior staff.

### The chair of the Officer Group is accountable for:

- challenging and quality assuring judgements made by the school in respect of the school's evaluation of progress against milestones and success criteria with particular reference to pupil outcomes;
- the quality of support and challenge provided to the school by the local authority;
- helping to identify any additional needs the school may have and brokering resources to meet these needs;
- maintaining a clear judgement on the robustness and performance of the school;
- maintaining an informed judgement on the quality of leadership and management including governance;
- acting as a conduit for and maintaining an audit trail of all local authority and partnership support and challenge provided to the school;
- evaluating the impact of any agreed interventions.

**The strategic role of the Assistant Director is to:**

- set out the purpose of the group and the role of each member of the group;
- ensure the group is focused on the school's improvement;
- hold members of the group to account for their responsibilities, including local authority officers;
- challenge the pace of improvement;
- propose further intervention as appropriate where progress is judged to be too slow;
- report to the Director of Child and Adult Services and the chair of the Children's Services Committee, and advise on further action.

## NOTES

[illegible]

## NOTES

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