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## Response to the Integrated Communities Strategy Green Paper from ADCS

### 1. Introduction

The Association of Directors of Children's Services Ltd (ADCS) welcomes the opportunity to respond to the Ministry of Housing, Communities and Local Government (MHCLG) Integrated Communities Strategy Green Paper, which builds on the findings and recommendations put forward by Dame Louise Casey in her wide-ranging [review of integration and opportunity](#) on behalf of the government in 2015/16. ADCS is the professional association for directors of children's services (DCSs) and their senior management teams. Under the provisions of the Children Act 2004, the DCS is the chief officer responsible for the discharge of local authority (LA) functions regarding children's services, including education and social care.

This response primarily deals with the proposals relating to children, young people and education, namely increasing diversity in schools, addressing the experiences of children educated in settings outside of the state sector and encouraging mixing to promote integration. In the weeks since the MHCLG's Green Paper has been published, several related consultations and calls for evidence have also been launched by the Department for Education (DfE). Where this is the case more detailed responses on specific aspects of the proposals contained here will be submitted by the Association in due course.

### 2. Increasing diversity in schools

The Green Paper proposes to increase diversity in schools via changes to the admissions process. Whilst well-meaning this will undoubtedly prove problematic as the outcomes outlined here are simultaneously vague and ambitious. It is vital that any oversubscription criteria are clear and capable of being established according to objective facts. So, the government must define precisely what is meant by 'diversity', and 'increasing it', before attempting to bring about change. Admissions arrangements are complex, inter-dependent and very context specific, changes made, even with the best intentions, can have a range of consequences, unintended or otherwise.

The development and testing of a range of alternative admissions models is proposed here, admissions authorities will then be encouraged to adopt 'what works', however, the Green Paper does not suggest that the School Admissions Code ('the Code') will be formally reviewed. The purpose of the Code is to ensure that school places are "allocated and offered in an open and fair way," and that the criteria used to decide this are both clear and objective. Simply encouraging the growing number of admission authorities to act differently will not guarantee results, the Code already goes as far as it can in this respect and is still failing to make a sufficient difference. ADCS believes LAs should coordinate in-year admissions and have the power to direct any state funded school to admit a child, where there is space to do so.

A handful of LAs have already introduced geographical priority areas to encourage a more diverse ethnic mix in schools. These efforts have been challenged on the basis of diluting parental preference and/or social engineering. Ultimately, although they were ensuring children had better access to a wider range of schools, these LAs found that parents and carers used their legal preferences to bypass the new arrangements and ethnic groups continued to attend the same schools as before. The approach recommended here – namely, encouraging and enabling individual

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schools to adopt special arrangements aimed at increasing diversity – is not only unfeasible but could actually make matters worse by generating unpredictable and adverse consequences. ADCS believes a major review of admissions guidance and processes could contribute to the objectives sought by the Green Paper, but only as one aspect of a coherent strategy for education and schools. Here the emphasis should be on fairness for parents, carers and children rather than the convenience or institutional advantage of schools. Any approaches based on seeking to manipulate outcomes by getting in the way of parental preferences may begin with benign intentions but are likely to end with schools seeking intakes which support their need to secure high examination performance, adversely impacting on our most vulnerable learners. The pressure created by accountability systems rooted in raw exam scores is another reason why only a broader strategy can hope to produce better overall social outcomes.

Admission arrangements are increasingly being exercised at an individual school or multi-academy trust (MAT) level as more and more state schools convert to academy status. What this means in practice is that each school has the power to choose its pupils which in turn has a significant impact on the wider system. Where MATs operate across multiple LAs, the decisions they take as a collective can, at times, be incompatible with established local arrangements and produce unfair outcomes. ADCS believes locating the ‘admission authority’ above individual school level e.g. at local authority level is more efficient and offers greater transparency. Several bodies and groups, including parliamentary select committees and the [Office of the Schools Adjudicator](#) (2018) have called on the DfE to publish definitive admissions guidance for MATs and parents to address the disparate nature of arrangements arising from wide ranging education reforms.

The Green Paper states that greater expectations will be placed on new free schools with regards to integration yet this seems at odds with the DfE’s proposal to remove the cap on faith based over-subscription criteria in order to boost free school numbers in the 2016 Green Paper, *‘Schools the work for everyone.’* The DfE has not yet published the outcome of this consultation nor its response to the feedback received. ADCS believes removing the cap would represent a backwards step in terms of community cohesion and the promotion of British values. It would be helpful if MHCLG and the DfE clarified the government’s position on this point.

### **3. Encouraging mixing in order to promote integration**

ADCS members believe we must strive for an inclusive education system that enables all children and young people, in all schools, to realise their potential, whatever their background, ability or faith. The overwhelming majority of schools work hard to teach an understanding of, and a respect for, other faiths and cultures to prepare learners for life in modern Britain, however, the hostile discourse surrounding immigration in both politics and the press run counter to these lessons. ADCS is concerned this persistently negative narrative is feeding division.

In recent years several reports have suggested a new approach to teaching religious education (RE) in schools could support the renewed focus on British values, namely tolerance and mutual respect. Here the spiritual and cultural aspects of study would come to the fore, offering all students the opportunity to learn from, and relate to, their peers. Whilst RE is part of the basic curriculum in all state-funded schools, it is not on the National Curriculum, so parents and carers can withdraw their children from these lessons. Additionally, RE is treated as an exceptional subject - placing it on equal footing with others, or rolling out statutory PHSE to all schools, could achieve a similar goal.

Some specific examples of government-funded initiatives aimed at promoting mixing between communities e.g. school linking, are provided in the Green Paper. Since September 2016 nearly £500,000 has been invested in fostering positive links between different schools and communities and the Green Paper states that 448 schools accessed this funding in 2017 on behalf of 17,500

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pupils. Plans to maintain this investment and expand the reach of this initiative will clearly require a significant increase in the overall funding envelope if the eight million learners attending the 24,000+ state funded schools in England are to benefit equally from this opportunity. It is disappointing no further detail is provided here about timescales, targets, funding etc.

Another example provided in the Green Paper is the National Citizenship Service (NCS), a four-week programme aimed at 16 and 17 year olds. ADCS believes all learners should be taught to understand and respect different cultures and religions at an earlier age, as previously stated a renewed focus on RE or PHSE might offer such an opportunity. The Green Paper notes that 400,000 young people have taken part in the NCS since 2011, a very significant uplift in funding would be required to broaden out the programme to new groups and communities, however, both the National Audit Office (NAO) and the Public Accounts Committee have recently raised concerns about the reach, impact and value for money achieved by the NCS. The NAO notes that in excess of £1 billion has been committed to the scheme but participation targets have not been met since 2010 and hidden costs e.g. self-funding transport costs, present a barrier to those who could benefit the most - children and young people growing up in deprivation.

Dame Louise Casey discussed PHSE in her review, noting there are mixed views about the value and suitability of this subject in some communities. PHSE is not currently a statutory subject in all state schools but the *Children and Social Work Act (2017)* left the door open for the DfE to make it so. This would offer a genuinely universal tool to reaching all school-age children in the country rather than small, specific pockets in specific communities, however, this common-sense proposal is not addressed in the Green Paper. This is potentially a missed opportunity.

The Green Paper sets out a range of measures to boost oversight of out-of-school settings, including a voluntary new code of practice and the provision of advice to parents on choosing the best setting for their child(ren). ADCS responded to the government's consultation on supplementary schools in early 2016 supporting light-touch regulation of these settings. Although LAs recognise the value of this provision and many already work collaboratively with school leaders to encourage them to undertake appropriate staff training and share information, there are undoubtedly schools operating under the radar. Several recognised quality assurance schemes already exist so it's unclear what the added value of some of these new measures will be, particularly if funding to create the capacity to identify and tackle concerns is not forthcoming for LAs to fulfil this role. We do not definitively know how many supplementary schools there are, estimates range from 3,000 to 5,000, making any changes in duties a significant new burden for local areas with diverse local populations.

#### **4. Education outside of the state sector**

Parents and carers have a right to educate outside of the state schools system under UK law. It is not known how many children and young people are educated other than at school, however, the results of a recent ADCS survey suggested that in excess of 45,500 children and young people were known to be home schooled in autumn 2017, with 92% of the 118 responding LAs reporting year-on-year increases as well as great fluidity in this cohort. Whilst the majority of parents and carers choosing to home school work hard to provide suitable educational experiences for their children, both the Casey Review (2016) and the Wood Review (2016) raised concerns about the permissiveness of current legislation and the use of this option as a legal mechanism to avoid the scrutiny of public agencies.

With regards to home schooling the DfE has recently issued two consultations on the content of revised guidance for parents and LAs as well as a call for evidence on additional regulation. The non-statutory nature of this guidance is problematic. The Association will respond in full to each of these consultations in due course. ADCS believes it is important to strike a balance between the right to a

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private family life and collectively ensuring children who are at risk from harm are kept safe. It is also important that the exploitation of the right to educate at home and the links between home schooling and attendance at unregistered settings is comprehensively addressed as part of this exercise.

Unregistered schools operate on a full-time basis under the guise of part-time provision, also known as supplementary schools, often out of poor quality accommodation e.g. disused commercial properties. As part-time schools are not obliged to register, LAs cannot assure themselves that children attending them are safe, well and receiving a broad, balanced and suitable education. The DfE is responsible for the registration of independent schools. The proposal in this Green Paper to review current procedures, including the regulatory regime for independent schools that fail to meet the required standards, is welcome, however, ADCS believes the government must go further and robustly challenge any lack of compliance via the swift prosecution of the proprietors of all unregistered settings deemed to be operating illegally as a school, as well as anyone who covers up such unlawful operations.

Whilst the spirit of the Green Paper is difficult to disagree with, a number of the proposals in relation to the children, young people and schools are not sufficiently thought through, lack detail, defined timescales or dedicated, sustainable funding packages which raises questions about the impact these reforms will ultimately have. ADCS would caution against the reliance on Ofsted to act as an enforcer of behavioural change, this is a blunt tool. Instead our members would advocate a root and branch review of established guidance in this terrain and the development of legislative solutions e.g. enacting statutory PHSE, to ensure all children attending all schools can access the same opportunities. Such a review must seriously consider the unique and vital role of the LAs in regard to schools.

The diverse and increasingly autonomous school system of the day requires careful orchestration to help ensure that all schools can act together in concert, in the best interests of all learners. This should sit alongside a comprehensive strategy on education and schools, which promotes inclusion, social mobility and seeks to win over hearts and minds about the value and strength in diversity – research and experience tells us that learners of all ethnicities benefit from ethnically diverse learning environments. As well as promoting positive change, attention should also be directed to review current accountability systems which militate against progress being made.

ADCS would welcome further discussions with representatives of MHCLG and the DfE on any of the points raised in this response. Please contact Katy Block, ADCS Policy Officer via [katy.block@adcs.org.uk](mailto:katy.block@adcs.org.uk) in the first instance.