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By email to: SIMBgrant.consultation@education.gov.uk

ADCS response to the consultation on reforming how local authorities' school improvement functions are funded.

1. The Association of Directors of Children's Services Ltd. (ADCS) is the national leadership organisation in England for directors of children's services (DCSs) appointed under the provisions of the *Children Act (2004)*. The DCS acts as a single point of professional leadership and accountability for services for children and young people in a local area, including children's social care and education. ADCS welcomes the opportunity to respond to the Department for Education's (DfE) consultation on reforming how local authorities' school improvement functions are funded.

Role of local authorities in education

2. Local authorities (LA) have a unique role in the education system. As leaders of place, they have a democratic legitimacy in ensuring accountability for schools to both parents and to the local community. Indeed, where parents have concerns about their child's place of learning, they will often turn to local politicians who will work with the LA to seek solutions. LAs are therefore a central part of all aspects of the provision of education and schooling in a local area, including school improvement, regardless of school governance arrangements.
3. The DCS acts as a clear and unambiguous line of professional accountability for children's wellbeing in a local area, including their learning outcomes and as such is tasked with working in partnership with headteachers, governors, academy sponsors and principals to promote educational excellence, take rapid and decisive action in relation to poor performance and promote high standards. DfE [guidance](#) (2013) on the statutory responsibilities of the DCS and Lead Member for Children's Services includes responsibility to ensure access to high quality education provision for all disabled children and those with SEN including provision of Alternative Provision and provision outside mainstream as well as ensuring fair access to schools.
4. The pandemic highlighted just how important it is to have a central figure, such as the DCS, who has lines of communication with all partners. Many Regional Schools Commissioners (RSCs) relied upon DCSs to communicate with all schools, regardless of governance arrangements, in their area. While the future direction of the further academisation of schools remains under active discussion, the role of the local authority in co-ordinating the family of schools in place remains a critical one, regardless of governance arrangements, and this has become increasingly recognised across all schools.
5. The challenges faced by smaller individual schools or those in rural areas that cannot benefit from the same economies of scale as those that are part of a large MAT are well known. Some of those schools find themselves unable to join a MAT or find a sponsor and are subsequently unable to make important future planning decisions. However, [an evaluation report](#) into 'stuck' schools published by Ofsted (2020) called

for greater joint working between councils, LAs, government and schools themselves to help school improvement. A lack of capacity limits the ability of individual schools to drive this themselves, yet LAs have the expertise and local knowledge to step in when needed. If this vital source of support is eroded, it is not clear as to what would be a viable replacement to fulfil this role.

6. High quality teaching and multi-agency wrap around support are factors that make the biggest difference to learners yet the focus remains on the mechanism of delivery not the quality of delivery or content. ADCS believes that the government must have a greater focus on improving inclusive practices within schools. Fixed-term and permanent exclusions have been steadily rising in recent years and those who are excluded are more likely to have special educational needs, be eligible for free school meals, come from certain black and ethnic minority backgrounds or be in care. As a consequence, the attainment gap between disadvantaged pupils and their peers has widened, something that the pandemic has exacerbated.
7. DfE research conducted by the EPI (2021) found that the relative learning loss for disadvantaged pupils was the equivalent of losing between a third and two-thirds of the progress made over the past decade in closing the disadvantage gap in primary schools. However, we have a school accountability system that does not reward inclusive practices. Those children who will have felt the impact of the pandemic and successive lockdowns most acutely may be known to LA children's services which will be supporting the child and family. The pandemic has shown us even more sharply that all children can experience vulnerability at different times during childhood. Only the local authority has the oversight and duty to ensure education for all children and the LAMB Grant is an acknowledgment of that role. Children's vulnerabilities are dynamic and subject to change. It is therefore essential that schools, which sit at the heart of their communities, are not disconnected from LAs. Instead, LAs must be given the required funding and power to hold all schools to account to ensure that no child is further disadvantaged.

Removal of the Local Authority School Improvement Monitoring and Brokering (LAMB) Grant

8. ADCS is very concerned that the removal of the LAMB Grant will negatively impact local authority maintained schools and the four million children who are taught in those schools. ADCS is also concerned that it will negatively affect academies who benefit from a family of schools approach to quality of education in place and who also benefit from the work undertaken through this grant. There can be no benefit from removing this grant and placing expectations on schools to directly fund this activity. It is disingenuous to announce record levels of funding for schools as part of the Spending Review 2021 but at the same time expect them to fund school improvement activities directly.
9. Currently LAs use this funding to support all schools across place, irrespective of governance arrangements. If the Grant is removed, schools including academies, will lose a significant source of support offered to all within the local area for which an LA provides. For example, LA school improvement staff will intervene when schools find themselves in difficulty, prevent issues from escalating by gathering intelligence and overseeing performance through visits to schools in their area and provide leadership working with the local education system ensuring that the system is providing an effective and efficient education for all. Central to this is the promotion of inclusivity in

education, supporting children to learn in mainstream settings as close to home as possible in their local community, and learning alongside their peers. ADCS does not see how the removal of the Grant will benefit children's education. After a decade of funding cuts to both schools and LAs, the removal of yet more funding will only serve to disadvantage children, particularly the most vulnerable.

10. Many local authorities use the LAMB Grant to fund school improvement teams. Since the outbreak of the pandemic, these teams have been central to the Covid-19 response, supporting schools to implement Covid safe arrangements and meet the requirements of DfE guidance. They have also played an important role in providing the DfE with intelligence about the local school system throughout the pandemic as well as allowing LAs to fulfil statutory duties around SEND and inclusion. The proposals set out in this consultation therefore seem at odds with the strength of relationships formed between schools, Regional Schools Commissioners and LAs which have only improved over the past 18 months. ADCS believes that now presents an ideal opportunity to build upon those relationships, particularly between LAs and MATs and strengthen joint working to improve performance across all schools. However, the removal of the Grant will instead reduce LA capacity to provide challenge and support in the school system. The government's sole focus on school governance arrangements is misguided and should instead be placed on the needs of the children who learn in these schools and what is needed to provide the most effective and efficient high-quality education.
11. ADCS is concerned that the proposals in this consultation, announced after the Budget, gives LAs incredibly short notice to adapt before the new financial year. The consultation document proposes the DfE will announce its decision in early January 2022 with new regulations to come into effect in April 2022. This does not provide LAs with nearly enough time to re-set budgets or agree new budgets with their schools forum. Given the impact this may have on school funding and how LAs support schools in their local area, a far longer notice period and timeframe should have been proposed.
12. If school improvement services are to be funded entirely by de-delegation, this relies on strong consensus from schools but there is no detail nor recognition of how an LA can fulfil some of its statutory duties if schools forums do not reach consensus. Further, there is a risk that LAs will become distanced from schools in offering both support and challenge by reducing their capacity to engage with them. This not only applies to improving academic standards, but also regarding attendance, exclusions, safeguarding and early help support. It is unclear as to how LAs can fulfil some of these statutory duties towards all pupils without sufficient capacity to engage with schools, such as through their school improvement teams. If the Grant is removed, it takes away any levers an LA has in driving up performance. Any funding agreed through a schools forum would need to be spent strictly on those schools contributing, losing the value of the partnership overview of quality education in place.
13. The suggestion that low levels of formal interventions or warning notices issued by LAs to schools is an indication that the LAMB Grant is no longer required is misguided. Rather, this should be interpreted as a sign that the system is working effectively as LAs are supporting schools at the earliest opportunity to help them improve. The removal of the Grant will risk the model of intervention and support, which we know works well, and may lead to more schools requiring formal intervention. Indeed, LAs have been successful in school improvement by developing

partnership models across all schools to support performance and intervene where necessary. The local knowledge and oversight that LAs have of all schools within their local area should be harnessed and not eroded through more cuts to LA funding.

14. The consultation document suggests the proposals will help ensure that maintained schools and academies are funded on an equivalent basis as MATs normally top-slice funding to secure school improvement support. However, there are multiple examples of inconsistencies in the treatment of LA maintained and MAT schools, and as a result this can significantly impact the level of funding available to them. Additionally, funding allocated to RSCs to oversee academies should be included in these comparisons. LAs have faced a reduction to core funding from government of nearly £16 billion over the past decade (LGA) which has created an immediate additional pressure for maintained schools; because the funding relates to statutory duties, there is no option but for LAs to pass on the cost. In addition, the approach to financial surpluses and deficits when schools convert to academy status is inconsistent, as is the approach to payment of the apprenticeship levy. The approach to school growth across maintained and academy schools is also very different, academies are able to apply for additional DfE funding if their numbers increase for reasons other than basic need, this avenue is not open to LAs. It is also worth noting that the introduction of a national funding formula, if adopted by LAs, limits flexibility for LAs and the proposals in the more recent DfE consultation will reduce that further. School budgets are generated by LAs at an individual school level, however a MAT has the ability to change those funding allocations for individual schools, giving them much more freedom to do as they wish. Such anomalies within the system do nothing to promote fair funding of all schools, irrespective of status.