



## **Local Accountability in the National Education Service:**

### **Response to the Labour Party consultation**

#### **Aims and Values**

The Tories have an unacceptably narrow vision for the place of education in 21<sup>st</sup> century society. Labour's vision for education should reflect both a broad understanding of what it means to be an educated citizen in the first half of the 21<sup>st</sup> century and the needs of society as a whole. It needs to take account of how our society is changing, the transformative impact of technology and the kinds of skills and knowledge that will be needed in families, communities and at work.

It is important to re-assert a broad comprehensive vision of the aims and value of education which will be underpinned by our commitment to equality, democracy and collaboration. This should include a statement of the educational entitlement which should be accessible to all. All policies should then be assessed against this statement and all institutions should explain and should be judged against how well they contribute to their achievement. It will be important to gain support for this vision from the widest possible range of educational stakeholders.

The aims cannot be confined just to a set of narrow academic subjects or to the needs of the labour market – they must address the fundamental question of what knowledge, skills and values that our society values and which young people will need in order in their future lives.

It must be recognised too that learning must be lifelong. As society and the economy continues to change at a breath-taking pace, it will be essential for everyone to have access to continuing education and training throughout their lives. The importance of informal learning must also be recognised by the restoration of comprehensive youth service provision.

#### **What should be devolved to local authorities – and what should not?**

There will need to be a consistent overall framework for the NES but not a single management structure with all decisions ultimately being taken by central government or its agencies.

National bodies will not often be the best way of delivering services at a local level as the chain of accountability to elected politicians is likely to be too long and will therefore be remote from local communities. This can be seen very clearly when decisions about academisation are made behind closed doors by entirely unaccountable ministerial appointees.

England has an unusually centralised approach to government. This is neither particularly efficient or effective. It also contributes to the alienation of many from the political process because they feel that they have no say in decisions about their communities. In this respect it is important to recognise that the NHS is not the model for the NES to follow.

Early years providers, schools, FE providers (and sixth forms), youth services and adult education providers should be commissioned by and be responsible to local authorities. They should work within a national framework of regulations and guidance set by central government and by arms-length bodies established by but not controlled, by government.

Universities play a significant part in local economies and in some cases draw a significant proportion of their students from their local area. However, their role is much broader than that, so it would be appropriate for them to be accountable to central government. An arms-length relationship with strong safeguards for academic freedoms will be essential but within a national framework of regulations, standards and funding.

Children's Services need to work closely with schools but at the same time need to be independent – so that for example they are able to ensure that safeguarding is effective.

This kind of devolution doesn't mean, however, that institutions or local authorities can do anything they like. It will be essential for central government to set out the principles, values and legal framework of the NES and to require the whole NES to follow them.

However, over the last 20 or so years, ministers have increasingly tried to control the detail of the curriculum and of pedagogy. The DfE now sees itself as the enforcer of a very particular approach to teaching and learning. It needs to be made clear that such DfE direction is inappropriate and should end. A broad national framework for the curriculum is necessary but the current level of political involvement is wrong.

Our education service should be one in which innovation and experimentation can flourish. This will not happen if the current top down approach is allowed to continue.

Government should set up arms-length systems for disseminating the outcomes of high quality research, producing curriculum guidance and for establishing and managing appropriate qualifications. It should also restore the independence of a reformed national inspectorate.

### **What should a modern local authority managing education look like?**

Local authorities should be the basic building blocks of the system at local level. There should be a presumption of them being responsible for education as they are already democratically accountable and have the experience of managing sizeable resources.

Local authorities should have the responsibility for ensuring there is sufficient high quality provision in early years, schools, FE, adult education and youth services. So they need to have the size and capacity to do so. This is not currently the case, partly because their role and resources have been massively reduced but also because of the incoherent nature of the English local government system means there are too many very small education authorities.

A major restructuring of English regional and local government might well be desirable but would be time consuming and controversial. Therefore the establishment of the NES would need to build on existing structures at least initially.

Persuading local authorities to work together can be challenging, especially when they are led by different parties. We suggest that the Secretary of State should take the power to set criteria for recognising individual local authorities or groups of authorities as ready to fully manage educational provision. Government should take into account size, capacity, geography, collaborative and democratic structures and a definitive commitment to partnership if more than one LA is involved.

Councillors should exercise their responsibilities through an Education Committee or Board which should include other stakeholders, professionals and the wider community as well as elected councillors. This may help to reduce party political conflicts where local authorities are seeking to work together and between central and local government. Local authorities should also ensure that local forums provide opportunities for the widest possible engagement of everyone with an interest in the success of education.

Combined authorities and Metro mayors could provide a framework within which local authorities can work together, for example where there is cluster of small local authorities, such as Teeside. But their effectively random distribution and their dependence on central government patronage are serious issues.

Local Enterprise Partnerships as organisations can have no place in the accountability structure because they have no democratic mandate and in many areas are not coterminous with local authorities. However, they could provide employer representation where that is appropriate and could have advisory input into the skill needs of local areas.

Regional Schools Commissioners would have no role because academy conversion would cease and academies (while they still exist) would revert to being accountable to local authorities.

### **What does “being accountable” mean and how should the process be organised?**

All providers of education should be first and foremost accountable to their learners and their families. This should not just be in name only – systems are needed to enable the voice of learners to be genuinely heard.

The next level of accountability should be to the wider local community and to other local providers of education. Peer review should be central and there should be a presumption of collaboration rather than competition between providers – for example in admissions and in meeting the needs of vulnerable students.

Governing bodies remain a vital defence of the interests of children, parents and communities and they need to be representative of those stakeholders, along with staff. In some multi- academy trusts, the schools no longer have even a vestige of independence and parents and the wider community has no meaningful influence over them. We are clear that this situation must be brought to a speedy end.

Local authorities should play the central role in holding providers to account. They are in a position to access a wide range of local intelligence not just from professionals but from all parts of the local community. National government agencies are too remote to be able to do this adequately.

National government should not run entirely separate systems of accountability, whether (as now) through Ofsted or appointed Commissioners. Its role should be to ensure that local systems work well, that processes and standards are comparable across the country and that overall, outcomes for learners are high.

All providers should be able to demonstrate commitment to the aims and values of the NES. This would include a focus on collaboration rather than competition. No institution should seek to prosper at the expense of others and the accountability system should not reward such behaviour.

Accountability systems should evaluate what is genuinely important not just what is easy to measure. This will not be easy and will require going beyond simple test scores to make professional judgements based on a wide range of evidence gathered over time not just on a single short inspection visit.

Data which contributes to the narrowing of the curriculum and which judges education purely against learners' future destinations or earnings should not be published. Information published about educational institutions should address the full range of educational aims.

Data which is unreliable and misleading as is the case with much current performance data should also not be published. Consideration should be given to publishing information on an area basis so that all schools share the responsibility for all pupils

### **How can accountability work for academies and colleges?**

Currently academies and FE colleges are not locally accountable. This needs to change. There is too much evidence of the inadequacy of national government's attempts to hold these sectors to account both in relation to educational standards and to financial probity.

SEA has set out in a separate paper how academies can be brought into re-established local structures. This can be accessed at <https://socedassoc.files.wordpress.com/2019/04/restoring-a-democratically-accountable-school-system.pdf>.

Arrangements for accountability in the FE sector are currently weak. They are heavily reliant on Ofsted together with a high level role for the FE Commissioners' Office. The extent to which colleges are embedded in local structures is hugely variable. They need to be better integrated into both local planning and local democratic accountability structures.

### **Accountability in the Early Years**

Most nursery provision is in the private or voluntary sector (in 2015 there were only 400 maintained nursery schools in England). Local authorities have a responsibility to ensure that the appropriate number of places is available, provide information for parents and give 'advice, guidance and support' to providers. They also distribute central government funding for the 15 and 30 hours of early years education.

The private and voluntary nursery sector is not currently subject to any form of public accountability (other than Ofsted inspections). This means there is an absence of accountability over governance, admissions and exclusions. There is no complaints and appeals system for parents.

Maintained nursery schools have an outstanding record of success, especially in areas of deprivation, whilst outcomes in the private and voluntary sector are far more variable. The long-term aim of increasing the provision of maintained nursery schools with universal entitlement should be followed.

In the meantime, consideration should be given to devolving to local authorities appropriate powers to oversee and regulate the private and voluntary nursery sector. At the very least, they should be charged with the responsibility of providing a robust complaints/grievance and appeals process.

### **Do we need different arrangements for different sectors of education?**

The NES needs to be seen as an integrated operation from cradle to grave. However, it is necessary to recognise that the travel to learn patterns vary between sectors and this will affect how planning and accountability are structured.

For example, early years provision needs to be very local and available to every community. By contrast post 16 education is more specialised and institutions are likely to draw on a wider catchment area. And universities in many cases draw students from across the whole country.

With the probable exception of higher education however, the responsibility for ensuring coherence and progression across the NES should lie with local authorities. Separating responsibilities for different sectors of education would be a recipe for confusion and inconsistency. That will mean ensuring that local authorities are large enough to have oversight of further and post 16 education. But they will also need to establish systems for ensuring the accessibility of early years provision at very local levels.

### **What are the resource implications?**

The establishment of the NES cannot be done on the cheap. There will be an inevitable pressure to focus resources onto front line services. However it needs to be recognised that management, governance and public engagement are all essential elements without which the initiative will not realise its potential. They will need adequate resourcing.

Although most funding will come from central government, decisions about the allocation and use of resources should be delegated as far as possible to local authority then institutional level. Seeking to make all funding decisions at national government level is inevitably crude and likely to cause unfairness and anomalies.