

AGENDA MANAGEMENT SHEET

Name of Committee **Children, Young People and Families Overview and Scrutiny Committee**

Date of Committee **11th October 2007**

Report Title **LA Intervention Policy 2007**

Summary The revised policy outlines how the LA will intervene in schools to promote high standards. In particular, it sets out how the LA will work with schools causing concern.

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Would the recommended decision be contrary to the Budget and Policy Framework? [please identify relevant plan/budget provision] No

Background papers

- Education and Inspection Act 2006
- New Ofsted framework for inspecting schools 2005
- DCSF Guidance on Schools Causing Concern (2007)

CONSULTATION ALREADY UNDERTAKEN:- Details to be specified

- Other Committees
- Local Member(s)
- Other Elected Members For information:
Cllr Heather Timms
Cllr Richard Grant – “noted for consideration by the Committee”

Cllr John Whitehouse – *“I commend this report for consideration by the Committee. The new legislation puts new statutory responsibilities on the LA, and we must be satisfied that our intervention policy and procedures are effective across all categories of schools.”*

- Cabinet Member For information:
Cllr John Burton
- Other Cabinet Members consulted For information:
Cllr Izzi Seccombe
- Chief Executive
- Legal Richard Freeth – *“fine”*
- Finance
- Other Strategic Directors
- District Councils
- Health Authority
- Police
- Other Bodies/Individuals Michelle McHugh, Scrutiny Officer
Policy consultation – headteachers, governors, teachers, professional associations and other stakeholders

FINAL DECISION **YES**

SUGGESTED NEXT STEPS:

Details to be specified

- Further consideration by this Committee
- To Council
- To Cabinet
- To an O & S Committee
- To an Area Committee
- Further Consultation

**Children, Young People and Families Overview and
Scrutiny Committee – 11th October 2007**

LA Intervention Policy 2007

**Report of the Strategic Director for Children,
Young People and Families**

Recommendation:

That the Committee endorse the revised Intervention Policy and consider the new responsibilities for the Local Authority in relation to promoting higher standards.

Background

1. The Authority has a statutory responsibility to promote high standards in schools. The School Performance Team have had a policy in place which sets out how School Performance will work with schools to raise standards and, in particular, when and how the Authority will intervene in schools giving cause for concern.
2. The policy has been rewritten in the light of new regulations in the Education and Inspection Act 2006, the introduction of School Improvement Partners and the new Ofsted framework for inspecting schools introduced in 2005.
3. A copy of the report is attached at **Appendix A**.
4. A further briefing will be presented to the Committee on the implications of the revised policy and the Authority's new responsibilities, and its approach to supporting schools and intervening as necessary.

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28th September 2007

WARWICKSHIRE LOCAL AUTHORITY

Support and Intervention Policy

2007



*Working for
Warwickshire*

Foreword

I am pleased to endorse the revised Warwickshire Support and Intervention Policy. This sets out how our Children's Services will work in partnership with schools and stakeholders to provide the best possible educational opportunities for all our young people. The new policy is needed to enable the Authority to fulfil its duties under the Education and Inspection Act and meet the demands of The New Relationship with Schools. It provides the framework for the way we work with all schools and how we intervene in the rare situations when schools encounter difficulties.

The policy will also contribute to the way the Service works towards our three central aims of:

- **Ambition** for the achievement of children and young people in Warwickshire;
- **Participation** in activities relating to children and young people by schools, the County Council, parents, children and young people, and multi-agency partnerships;
- **The workforce** - equipping, training and supporting the workforce who provide services to children and young people.

The policy has been through an extensive period of consultation involving headteachers, governors, teachers, professional associations and other stakeholders. We believe that it will now enable the Authority to provide support where necessary and assist more schools to become good or outstanding.

One of the key strengths in the relationship between schools and the Authority is the trust and openness that exists. This policy sets out how we intend to work with schools and partners and in so doing helps to establish a firm foundation for the future. I look forward to having the opportunity to implement this policy that aims to help all schools to be successful and all pupils to achieve their potential.

Best wishes

Marion Davis

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PART A INTRODUCTION

The Education and Inspection Act 2006 and the DfES Guidance on Schools Causing Concern (2007) set out the intervention powers of local authorities (LAs). These powers have been incorporated into the Warwickshire LA's Support and Intervention Policy presented here. This document:

- sets the context and framework within which the LA operates;
- provides information on the LA's policy for identifying and supporting 'schools causing concern';
- identifies the level and source of support and monitoring;
- explains the indicators that cause concern and the process for using formal statutory intervention powers;
- sets out the principles which underpin the relationships between Warwickshire LA and schools;
- explains the role of the LA in supporting schools;
- provides guidance on how the LA will exercise its powers and responsibilities in order to ensure that schools receive effective support and challenge, without being subject to unnecessary intervention.

1. PRINCIPLES OF THE SUPPORT AND INTERVENTION POLICY

This policy is based on the principles of excellence, autonomy, partnership and transparency. The role of the LA is to champion learners and always help them achieve their best. Our aim is to support schools and help them to build their capacity, so that they are autonomous, self-improving organisations. To further this aim we intervene 'in inverse proportion to success'. All schools are entitled to support, but the most support will go to those in greatest need. The LA also wishes to provide the best value for money in the deployment of its support services.

- Excellence

The Authority aims to support schools in providing the highest quality of education possible. The role of the LA is to be the champion of learners. This means all our actions are designed to promote the interests of young people. We believe that all children deserve the best possible education, and we will strive to ensure that all young people in Warwickshire are given the best possible start in life through their education.

The Authority supports the principles set out in the Government's "Every Child Matters" policy. We aim to provide high-quality services to all young people through the coherent way in which services are provided. We will challenge discrimination and take action to improve provision, if there is evidence that particular groups of young people are not being supported as well as others.

We are committed to providing the highest quality of schooling for all our young people, and to helping them to achieve their best. Many children achieve excellent results at the moment, but we are certainly not complacent, and we recognise that further improvements are both necessary and possible.

- Partnership

The LA wishes to work in partnership with schools to provide the best educational provision we can for all learners. We know that it is through the work of schools that young people achieve, and that however good the support services are, it is the schools that make the difference to the lives of young people. All our research into school improvement leads to the conclusion that the aim of advice and support should be to help our schools build their own capacity to improve. Schools will be supported to become, as far as possible, autonomous self-improving organisations. This is not to say that the LA will not work closely with schools or other partners on school improvement matters. It is just that we recognise that schools do best when they are not reliant on external support for their success.

The LA believes that the most constructive partnerships between its officers and schools are founded on mutual respect and a clear understanding of accountabilities. School improvement takes place in schools. The LA supports the principle of 'intervention in inverse proportion to success' as one whereby successful schools should receive 'light-touch' monitoring, and be used wherever possible as exemplars of good practice, while other schools will receive additional levels of support, in line with their need.

The LA will work closely with all stakeholders to improve provision. Consequently we will seek to maintain effective systems of liaison with the Learning and Skills Council (LSC), church authorities, employers' groups, voluntary services, parents' organisations, governors' and students' representatives and other organisations working to assist schools.

- School autonomy

The LA wishes to help schools to be self-improving organisations. It will provide all schools with School Improvement Partners (SIPs), as an entitlement. The LA will only intervene where there is clear evidence of issues of concern. The focus of any intervention will be to assist the school in addressing any weaknesses, and enable the school, as quickly as possible, to become effective again, with no further need for external support.

- Transparency

The policy document sets out the way the LA will work with schools to help improve provision. It sets out what all schools can expect from it, and how it wishes to implement its intervention policy. This policy affects all schools, but will be especially important to schools causing concern. The document also makes clear the processes the LA will use to intervene in schools where evidence suggests provision is not as good as it should be.

- Intervention in inverse proportion to success

The policy is based on the principle of intervention in inverse proportion to success. The LA will give priority to the support and monitoring of the small number of schools causing concern because of their pupils' underachievement. The LA supports all schools as an entitlement for example, through the SIP programme, national strategy support and other services. This principle means that the LA will

target its additional resources towards those schools who need to make the biggest improvements.

- Best value

The LA will strive to ensure that all its services give value for money. It will aim to monitor, support and challenge schools with an appropriate level of resources. That is to say, we aim to help schools make the maximum amount of improvement with the least amount of external intervention. The objective will be to provide schools with sufficient support, and not leave them feeling they want more, while at the same time we devolve as much central funding as possible directly to the schools.

2. ROLES AND RESPONSIBILITIES

Schools have responsibility for their own improvement, making the best use of the support available to them in rising to the challenges they have to face.

Schools are expected to operate within a framework of autonomy, but with clearly defined accountabilities. The first responsibility of any school is to secure the best quality of education possible for its pupils. Though successful schools will always be led by strong leaders and managers, improvement in standards can only be assured through skillful teaching and the support of competent, well-motivated staff.

Local authorities are responsible for enabling schools to respond to the challenges facing them. Our vision for the county is based on a clear understanding of our service users' needs, and those of the stakeholders. We will identify top priorities and the targets that need to be reached in order to fulfill this vision. Where the challenges from SIPs or Ofsted reveal that a school needs additional support in order deliver against these priorities and targets, we will intervene in these schools, help to design, commission and broker a suitable package of support, and monitor its success.

School Improvement Partners (SIPs) provide challenge and support for schools. They will support and challenge the school's process of self-evaluation in order to help the school arrive at an accurate judgement of how well it is serving its pupils and what it needs to do to improve. This judgement will be verified by Ofsted, as part of a new inspection system that will provide more timely and more focused information on a school's capacity to improve.

SIPs contribute significantly to an LA's knowledge about schools. All SIP reports are copied to the LA and the school. Over the course of a year these reports should include comment on the following:

- the quality of the school's self-evaluation;
- the suitability of priorities and targets in the school development plan;
- the progress being made towards these;
- the school's need for external support.

Schools should make their SIPs' reports available to Ofsted inspection teams on request. A SIP may advise the LA to request an early Ofsted inspection. However, SIPs will not have any direct contact with Ofsted.

In most cases the SIPs' and the schools' judgements will be similar. Following on from the SIPs' reports, the LA and the schools can agree how any necessary support will be secured, deployed and monitored.

However, there may be circumstances in which a SIP has concerns about a school and cannot secure agreement on action through professional dialogue with the headteacher and chair of governors. In this situation the LA will intervene to gather more evidence before making a judgement. The SIP will alert the LA to the support they believed to be required by the school, so that early action can be taken. If a SIP's concerns relate to a sixth form, the LA will inform the LSC.

Headteachers, with other senior members of staff, have responsibility for the leadership, direction and management of the school, within the strategic framework set by the governing body. This will include implementing effective systems to monitor and evaluate all aspects of the school's performance, and nurturing high expectations. Theirs is the prime responsibility for creating an ethos in which continuous improvement is consistently and evidently focused upon, in all that the school seeks to achieve.

Governing Bodies are responsible for setting the broad strategy for the school's development, through the cycle of performance assessment, target setting, action planning and review. They should ensure the probity of financial decisions, and, through their planning documents, gear the school's budget to curricular and staffing priorities. They are responsible for monitoring the performance of the school and of the headteacher, in every respect.

Religious and Voluntary Bodies will work in close and effective partnerships with the LA, to provide a range of support to schools.

PART B MONITORING

3. PERFORMANCE CATEGORIES

3.1 Identification of a school's strengths and weaknesses

The LA uses a range of statistical data together with information from national and local sources about aspects of each school's performance.

At least one visit by the SIP each year will focus on reviewing pupils' performance and negotiating targets. This visit involves a meeting with the headteacher and the chair of governors (or his/her representative). Following this meeting, the headteacher is sent a record of visit which should be shared with the chair of governors, staff and the governing body.

The SIP will agree the school performance category at least on an annual basis. The performance category can be changed at any time during the year if there is sufficient evidence. The focus of one SIP visit will be a review of self evaluation, which may be the most appropriate time to review the school's LA performance category. SIPs will draw on all available information when agreeing the category.

3.2 Allocation to a 'category of concern'

Where a SIP believes a school should be placed in a 'category of concern' they will ensure the school is aware of the reasons for concern and will also inform the Principal Inspector. The Head of School Performance will formally write to the headteacher and the chair of governors to confirm this judgement and explain the LA support and monitoring process. If it is a faith school, the LA will also inform the relevant bodies.

Allocation of schools to the Local Authority's Performance Categories

	Category 1 Outstanding	Category 2 Good	Category 3 Satisfactory	Category 4 Notice to Improve	Category 5 Special Measures
Category descriptor	All, or almost all, elements of the school's work are at least good, and significant elements are exemplary.	<p>Learners make good progress.</p> <p>Provision is good in all aspects of the school's work, and there are pockets of excellence.</p> <p>The capacity to improve is good, as shown by recent improvements.</p>	The school's performance is satisfactory or better in all major areas and may be good in some. The school is able to identify and remedy concerns from within its own resources.	<p>The LA judges that the school requires significant improvement, because it is performing significantly less well than it might, in all the circumstances, reasonably be expected to perform.</p> <p>However, the school's leadership has demonstrated the capacity to secure the necessary improvements.</p>	The LA judges that the school is failing to provide an acceptable standard of education, and the persons responsible for leading, managing or governing the school are not demonstrating the capacity to secure the necessary improvement.

		Category 1 Outstanding	Category 2 Good	Category 3 Satisfactory	Category 4 Notice to Improve	Category 5 Special Measures	
Key indicators	1.1	Achievement and standards	Progress is at least good in all, or nearly all, respects, and is exemplary in significant elements, as reflected in 'contextual value-added measures'	Learners meet challenging targets and, in relation to their capability and starting points, they achieve high standards. Most groups of learners, including those with learning difficulties and disabilities, make at least good progress, and some may make very good progress, as reflected in contextual value-added measures.	Progress is not inadequate in any major respect, and may be good in some respects, as reflected in contextual value-added measures.	Standards in the school are too low in one or more areas. There is underachievement by a significant group of pupils, as shown by value-added indicators.	Standards in the school are too low in one or more areas. There is underachievement by a significant group of pupils. as shown by value-added indicators. The trend in pupils' achievement is declining.
	1.2		The school identifies vulnerable groups and collects data to assess their performance. Learners in many of these groups make better progress than similar pupils in similar schools.	The school identifies vulnerable groups and collects data to assess their performance. Learners in some of these groups make better progress than similar pupils in similar schools.	The school identifies vulnerable groups and collects data to assess their performance. Learners in some of these groups make progress which is comparable with that of similar pupils in similar schools.	The identification of vulnerable learners and/or the collection of relevant performance data is inconsistent or unreliable. Learners in some of these groups make progress which is worse than that of similar pupils in similar schools.	The identification of vulnerable learners and/or the collection of relevant performance data are inconsistent or unreliable. Learners in many of these groups make progress which is worse than that of similar pupils in similar schools.
	2	Personal development and well-being	Personal development and well-being are at least good in nearly all respects, and in some respects are exemplary.	Personal development and well-being is not inadequate in any major respect, and may be good in some respects. Pupils enjoy school, as is shown by their positive attitudes and regular attendance. Pupils adopt healthy lifestyles.	Personal development and well-being is not inadequate in any major respect, and may be good in some respects.	A significant number of pupils do not enjoy school. This is shown by unsatisfactory behaviour and/or attendance. Pupils do not adopt healthy lifestyles. There are too many examples of bullying or racial discrimination, which means learners feel unsafe.	A significant number of pupils do not enjoy school. This is shown by unsatisfactory behaviour and/or attendance. Pupils do not adopt healthy lifestyles. There are too many examples of bullying or racial discrimination, which means learners feel unsafe.

		Category 1 Outstanding	Category 2 Good	Category 3 Satisfactory	Category 4 Notice to Improve	Category 5 Special Measures	
Key Indicators	3.	Quality of provision	<p>Teaching is good or better, and lessons enable pupils to make very good progress.</p> <p>The curriculum is very good and meets the needs of all learners.</p> <p>Care and guidance are very good.</p>	<p>Teaching is generally good, and lessons enable pupils to make good progress.</p> <p>The curriculum is good.</p> <p>Care and guidance are good.</p>	<p>Teaching is satisfactory, and lessons enable pupils to make satisfactory progress.</p> <p>The curriculum is satisfactory in all major respects.</p> <p>Care and guidance are satisfactory.</p>	<p>Teaching may be inadequate, but is improving.</p> <p>The curriculum does not meet the needs of all learners.</p> <p>Care and guidance are inadequate.</p>	<p>Teaching is inadequate and does not show improvement.</p> <p>The curriculum does not meet the needs of all learners.</p> <p>Care and guidance are inadequate.</p>
	4.1	Leadership and management	<p>In addition to the criteria listed on the right in the Category 2 column, the leadership and management are at least good in nearly all respects, as shown by their impact on performance of the school</p>	<p>Leaders have a good track record of improvement, including their dealing with issues from the last Ofsted inspection.</p> <p>There is a common sense of purpose among staff.</p> <p>There is a clear vision for the school, with the inclusion of all learners at its heart.</p>	<p>Leadership is satisfactory or better in all respects, as shown by the achievement of learners.</p>	<p>Leaders have demonstrated the capacity to secure the necessary improvements.</p>	<p>Leaders have too little effect on standards which are therefore too low, and learners make slow progress. The school may be disorderly or unsafe. Leaders do not focus sufficiently on raising standards.</p>

		Category 1 Outstanding	Category 2 Good	Category 3 Satisfactory	Category 4 Notice to Improve	Category 5 Special Measures
Key Indicators	4.2	Self-evaluation	<p>Self-evaluation at all levels is accurate and insightful.</p> <p>In the SEF the school judges most key areas as outstanding and none are judged less than good.</p>	<p>Some aspects of the school are outstanding. Self-evaluation provides an accurate diagnosis of the school's strengths and weaknesses.</p> <p>In the SEF the school judges most key areas as good and some as outstanding.</p> <p>None are judged less than satisfactory.</p>	<p>Self-evaluation identifies most of the school's strengths and weaknesses and is based on monitoring that is adequate.</p> <p>In the SEF the school judges some key areas as good and most as satisfactory. None are judged as inadequate.</p>	<p>In the SEF the school judges one or more aspects of its provision as inadequate.</p> <p>The school's strengths and weaknesses are not identified accurately. Self-evaluation is superficial, and it fails to identify a number of significant issues.</p>
	4.3	School improvement	<p>Actions taken by the school are well targeted and bring about sustained improvement.</p>	<p>Actions taken by the school provide evidence of progress in most key areas.</p>	<p>Actions taken by the school have a beneficial effect.</p>	<p>School leaders have the ability to improve provision, as shown by recent progress.</p> <p>Actions taken by school leaders have not improved provision.</p>
	5.	Overall judgement of effectiveness in last Ofsted inspection	<p>Ofsted judgement of '1' for overall effectiveness in most recent inspection.</p>	<p>Ofsted judgement of '2' for overall effectiveness in most recent inspection.</p>	<p>Ofsted judgement of '3' for overall effectiveness in most recent inspection.</p>	<p>Ofsted judgement of 'Notice to Improve' in most recent inspection.</p>

		Category 1 Outstanding	Category 2 Good	Category 3 Satisfactory	Category NI Notice to Improve	Category SM Special Measures
Additional LA support	Primary/ Secondary/ Special Schools	No additional support.	Some limited additional support may be provided..	Some additional LA support may be provided, to assist the school in improving provision or addressing temporary circumstances.	Moderate LA support will be provided to assist the school in making the necessary improvements within the given timescale.	Intensive LA support will be provided, to assist the school in making the necessary improvements within the given timescale.

Notes:

All primary, special and secondary schools, plus Pupil Referral Units (PRUs), will receive five days of support per annum from their SIP.

- Secondary schools and the PRU have a SIP, allocated in September 2006.
- Primary schools will be allocated SIPs in September 2007.
- Special schools will be allocated SIPS in April 2008.
- Nursery schools do not have SIPs, but will be allocated three days of link inspector time.

Some schools may require additional short-term support because of special or temporary circumstances. These could include staffing difficulties at a senior level or recent transition from a category of concern. In this situation a school would be placed in Category 3 and be eligible for some additional support.

	Primary	Secondary/Special
Category 1 No additional support		
Category 2 Limited support	Some limited additional support may be agreed.	Some additional support may be agreed.
Category 3 Some additional support	Some additional support may be agreed.	Some additional support may be agreed.
Category NI Moderate support	Up to 16 intervention inspector days per year. Access to some limited additional funding. LA review meeting twice a year. Additional LA support as agreed in the LA support plan.	Up to 16 intervention inspector days per year. Access to some limited additional funding. Termly LA review meeting. Additional LA support as agreed in the LA support plan.
Category SM Intensive support	Up to 16 intervention inspector days per years. Access to additional funding. LA review meeting twice a year. Additional LA support as agreed in the LA support plan.	Up to 16 intervention inspector days per years. Access to additional funding. Termly LA review meeting. Additional LA support as agreed in the LA support plan.

Support and monitoring plans

All schools in categories NI and SM will have an LA Support and Monitoring Plan drawn up by the Intervention Inspector. Schools in Ofsted categories of concern will also have an LA Statement of Action sent to Ofsted. This will incorporate the LA support and monitoring plan.

Additional sources of support

Support provided to the school may be drawn from a variety of sources such as:

- Governor Development Service
- Learning & Behavioural Support Service (LABSS)
- Educational Development Advisers (ED Advisers)
- SEN Monitoring & Development Team
- Assessment Unit
- Healthy Schools Team
- Intercultural Support Service (ICSS)
- 14-19 Development Team
- Area Schools and Communities Officers (ASCO)

If a school is in a category of concern and does not have the necessary financial resources to purchase the needed external support, the LA may decide to use its limited intervention fund to assist the school by paying for some support from these organisations. If so, this will be detailed in the support and monitoring plan.

Schools not in a category of concern will purchase such additional support as necessary from their own funds. SIPs should help schools to identify their priorities for additional advice.

4. SUPPORT AND MONITORING FOR SCHOOLS CAUSING CONCERN

4.1 Definition of 'Schools Causing Concern'

Schools are considered to be causing concern if they are judged to be in LA or Ofsted categories NI or SM. Schools which are judged to be satisfactory but declining may also be deemed to be causing concern.

4.2 Action planning for improvement

All schools causing concern, whether so identified by Ofsted or the LA, will be expected to co-operate with the LA in addressing areas of weakness. The school and the LA will produce plans that:

- outline the actions to be taken by the school and the LA to address the issues causing concern;
- identify the success criteria to be used when judging improvement, with milestone targets and dates;
- detail mechanisms, and name those responsible, for monitoring and evaluating the progress made.

The school's action should form part of its overall Single Integrated Development Plan (SIDP), updated as appropriate, and should be the main focus of the school's work for the duration of the time it is allocated to a category of concern.

The LA's support and monitoring plan will identify the inspectors, advisers, officers and others who will be supporting the school most closely.

4.3 Statement of Action

For schools identified by Ofsted as requiring significant improvement or special measures, the LA is required to submit to Ofsted a Statement of Action within ten working days of the publication of the report. This statement outlines how the LA will support the school and monitor progress. It also has to include a statement of the LA's new options for the school's future, including scope for the school to be closed or federated, and a statement about the LA's intention to use its powers of intervention. These powers include:

- the issue of a formal warning notice requiring the school to take specified action;
- the appointment of additional governors;
- the suspension of delegated budgets;
- the issue of a formal performance report when there is concern about the performance of a headteacher;
- the replacement of the governing body with an interim executive board.

Prior to making a decision the LA will consult with the governing body. If these powers are invoked, a written explanation, signed by the director of Children's Services, will always be given to the governing body and headteacher. This will detail the LA's concern, the evidence on which it is based, and the powers under which it is taking the action proposed.

4.4 The school's responsibilities

The headteacher has prime responsibility for taking action to bring about the necessary improvements. The governing body is responsible for ensuring the actions are appropriate, effective and properly implemented.

If a school is judged to be in an LA or Ofsted category of concern, the Principal Primary/ Secondary Inspector will request an invitation to attend a governors' meeting in order to outline the implications of the judgement. The briefing for governors will include: how the actions for improvement will be drawn up, the level of support to be provided by the LA, the timeframe for improvement, and the role of governors in ensuring appropriate action is taken and is monitored.

Where appropriate, the governing body will be provided with training and support to enable it to carry out its role effectively.

4.5 The LA's roles and responsibilities

The Senior Phase Inspector has responsibility for:

- helping a support and monitoring inspector in working with the school on action planning and evaluating progress;
- ensuring that LA interventions are effective.

The Intervention Inspector has responsibility for:

- co-ordinating support for the school, as agreed initially and at school review and LA intervention meetings.

4.6 Attending governors' meetings

Where it considers it appropriate, the LA will request that the support and monitoring inspector be invited to attend one governing body meeting a term. The purpose of this is to:

- ensure a shared understanding of the school's performance;
- provide a verbal report on the school's progress to complement the headteacher's written report to the governors;
- outline the LA's current and future support programme and action required by the school .

5. MONITORING AND REVIEWING SCHOOLS CAUSING CONCERN

5.1 The school's responsibilities

The headteacher and the governing body have prime responsibility for monitoring and evaluating the school's progress against the targets it has set for improvement.

The school's plan for monitoring and evaluating will be defined in its SIDP.

The chair of governors will be advised to have a standing item on the agenda of each full governors' meeting to discuss actions taken and the progress the school is making against the targets in its SIDP.

5.2 The LA's roles and responsibilities

The Senior Phase Inspector has responsibility for:

- ensuring that progress is made within the agreed time-scale;
- organising and chairing school review and LA intervention meetings and making judgements on the rate of progress made by the school against key issues.

The Intervention Inspector has responsibility for:

- co-ordinating the monitoring and evaluation of the progress made by the school against agreed targets.

5.3 Records of visits

Inspectors and SIPs complete a record of visit at the end of each school visit. Inspectors' records of visit give judgements on performance and progress and recommend actions for the school. These records are copied to the headteacher and the chair of governors.

Strategy advisers complete records of visit which list the key support provided during the visit and make recommendations for action. A copy is given to the headteacher.

5.4 Visits for monitoring

Schools in LA categories of concern will be subject to a monitoring visit by inspectors. The purpose of these visits is to:

- judge the progress made against the key issues ;
- recommend further action to support improvements.

See Appendix 3, page 35, for details of the format for monitoring visits and of the briefing for staff prior to a visit.

5.5 Review and intervention planning meetings

School review and LA intervention planning meetings are held at least twice a year for schools requiring significant improvement or special measures. The meeting is chaired by a Senior or Principal Inspector and attended by the headteacher, the chair of governors, the school inspector and the ASCO. Others, including representatives of organisations, who have been involved in supporting the school, may also be invited to attend.

The purpose of the meeting is to review progress and plan future action.

6. OFSTED MONITORING OF SCHOOLS IN OFSTED CATEGORIES

6.1 Schools in Special Measures

Such schools will receive monitoring visits led by HMI and, if they remain subject to special measures, will be re-inspected by Ofsted after two years. Within those two years, HMI may decide to move the school from the Special Measures category to the Notice to Improve category, or even remove it from the Causing Concern categories altogether.

In cases where the school is judged by HMI at the second monitoring visit to have made inadequate progress, the Secretary of State may consider the case to have become urgent and so require the LA to take additional action (see Section 6.3 below).

6.2 Schools requiring significant improvement

Such schools will receive a 'Notice to Improve' and will be re-inspected between 12 and 16 months after the previous Ofsted inspection.

Some schools judged satisfactory by Ofsted may receive an interim monitoring visit by Ofsted within 12 months.

6.3 When a case becomes urgent

If the Secretary of State informs the LA that 'the case has become urgent', the LA is required to produce a revised action plan within ten working days of receiving the notice. The LA must consider the actions already taken to support the school in order to determine why the school has not succeeded in making progress. By this point the DfES expects LAs to have already used a range of statutory and non-statutory interventions. The presumption at this point is, therefore, that the school will be closed and, if necessary, replaced, unless the LA is able to make a convincing case that another solution will result in a better outcome.

6.4 Parents as champions

Where schools require special measures or significant improvement, DfES guidance expects LAs to set out in their statement of action how they will communicate with parents and ascertain their views. The LA is also required to consider appointing a specific person to discharge these functions. In appropriate cases the LA will consider the appointment of a 'parent champion' to ensure good communication with parents and carers, and ensure they are able to influence decisions about the school's future.

PART C CODE OF PRACTICE

7. WARWICKSHIRE'S CODE OF PRACTICE ON USE OF ITS STATUTORY INTERVENTION POWERS

7.1. Background

This code of practice provides a framework within which the Warwickshire LA will exercise its intervention in school governance, using the statutory intervention powers contained in the School Standards and Framework Act 1998 (as amended) and the Education and Inspection Act 2006. The LA's code of practice takes account of the DfES statutory guidance on Schools Causing Concern (2007).

Legislation provides two types of statutory intervention powers. The first type can be used only in a school which is 'eligible for intervention'. A school is 'eligible for intervention' if it:

- a) has been deemed by Ofsted to require significant improvement or special measures, or
- b) is subject to a formal LA warning notice

In case (a) – the case of a school requiring significant improvement or special measures – LA statutory intervention powers can be exercised at any time.

In case (b) – the case of school subject to a formal LA warning notice – intervention powers must be exercised within 2 months of the warning notice being issued.

The second type of LA statutory intervention powers is not dependent on the school being 'eligible for intervention' and can be used in any school where there are concerns, including schools at risk of falling into an Ofsted 'causing concern' category.

The relevant statutory intervention powers are:

- i) Schools 'eligible for intervention'
 - requiring the governing body to 'enter into arrangements';
 - appointing additional governors;
 - replacing the normally constituted governing body with an interim executive board;
 - suspending the school's delegated budget.
- ii) All schools;
 - suspending the schools delegated budget on grounds of mismanagement or procedural problems;
 - issuing a report on the performance of the headteacher.

This code relates specifically to the exercise of LA statutory intervention and is additional to other support for school improvement. It is intended as guidance to be read in conjunction with statutory guidance on schools causing concern. Statutory timescales will be followed. For church schools the appropriate diocesan authority will be fully consulted and involved at all stages. Depending on circumstances, intervention powers may be used separately or in any appropriate combination.

7.2 Procedures for intervention

- Reference in this section to the Strategic Director means to the Strategic Director for Children, Young People and Families or another senior officer nominated by the Strategic Director.
- Reference in this section to the Head of School Performance means to the Head of School Performance or another member of the School Performance Section Management Team nominated by the Head of School Performance.

Where a school has been identified by Ofsted as requiring significant improvement or special measures, the Strategic Director is required to provide Ofsted with a commentary indicating whether the LA will be exercising its statutory intervention powers. Before deciding whether this could be appropriate, the Strategic Director will first write to the chair of governors to seek the governors' views.

The Strategic Director will ensure that the Warwickshire Cabinet Portfolio Holder for Schools is informed.

7.3 Schools liable for intervention

A school is 'eligible for intervention' if it has been deemed by Ofsted to require significant improvement or special measures, or is subject to a formal LA Warning Notice.

7.3.1 *Schools requiring significant improvement or special measures*

With regard to schools requiring significant improvement or special measures, Ofsted notifies the LA when the right to use intervention powers takes effect.

7.3.2 *Schools subject to a formal warning notices – See flow chart, page 26*

7.3.2.1 Legal framework

Section 60 of the Education and Inspection Act 2006 provides for an LA to issue a formal warning notice to the governing body where the LA is satisfied that:

- a) standards of pupils' performance are unacceptably low and likely to remain so unless the LA exercises its statutory intervention powers; or
- b) there has been a serious breakdown in the way the school is managed or governed which is prejudicing, or is likely to prejudice, pupils' standards of performance; or
- c) the safety of staff and/or pupils at the school is threatened, whether by a breakdown of discipline or otherwise.

7.3.2.2 Process

- i) Concerns will normally have been raised over a period of time with the headteacher during visits by the SIP and other LA officers. These will be reflected in the SIP's records of visit or other official notes. Copies will be given to the headteacher, who should give copies to the chair of governors. The LA personnel concerned will advise on appropriate remedial action. Where immediate action is needed, for example there is a health and safety risk to staff or pupils, prior notice may not be possible.
- ii) Where any of the concerns persist, the LA will ensure that both the headteacher and the chair of governors are fully aware of these concerns, and of the urgent need for remedial action. The Principal Inspector will convene a meeting with the relevant school and LA personnel. At this meeting an appropriate plan of action and timescale will be drafted, along with a programme of at least termly monitoring meetings to be agreed with the Headteacher and Chair of Governors. The meeting will also decide how and when the nature of the concerns and the agreed remedial action will be shared with the full governing body.
- iii) It is expected that in most cases the school, working constructively with the LA, will resolve the concerns. However, where the LA considers that the school is not engaging constructively with it, the Strategic Director, following consultation with the Warwickshire Cabinet Schools Portfolio Holder, will write to the chair of governors.
- iv) This letter will enclose a Formal Warning Notice and will outline:
 - the reasons for issuing the warning notice, including the evidence used by the LA;
 - the action that the LA requires the governing body to take;
 - the action the LA is considering if the governing body does not comply satisfactorily with the warning notice, including any proposed use of statutory intervention powers.

The letter will make clear that any such action will be proportionate to the issues facing the school, and it will specify a compliance period (15 working days) within which the governing body must address the LA's concerns.
- v) The LA will also remind the governing body of its right of appeal to Her Majesty's Chief Inspector (the HMCI) at Ofsted, within 15 working days, if the governing body believes:
 - a) the grounds for the LA warning are not valid; or
 - b) the proposed LA action is disproportionate.

- vi) At the same time as the letter is sent to the chair of governors a copy of the letter and of the formal warning notice will be sent to:
 - the headteacher,
 - HMCI at Ofsted,
 - the appropriate diocese or archdiocese for church or 'voluntary' schools,
 - the SIP (where in place).
- vii) Where the LA's concerns are resolved, or the governing body takes positive steps towards resolution, to the satisfaction of the LA, within the 15-day compliance period, the warning notice will be withdrawn. Failure to resolve the concerns within a reasonable timescale will lead to a further warning notice, or a request by the LA for an Ofsted inspection.
- viii) Where the LA is not satisfied with the governing body's response, the formal warning notice takes effect and the governing body must act to resolve the concerns. After a reasonable notice period the Strategic Director may exercise statutory intervention. If urgent intervention is required, this may follow after one working day.
- ix) LA support to the school will be co-ordinated through the School Performance Section. The Principal Inspector will convene a meeting with the headteacher, chair of governors, ASCO and relevant LA personnel to review progress.
- x) Once the Head of School Performance is satisfied that the weaknesses in question have been overcome, and that good practice has been embedded, a report will be made to the Strategic Director recommending the lifting of the formal warning notice. This decision to make this report will have been discussed with the headteacher and the chair of governors.
- xi) If the Head of School Performance considers that the school has failed to make satisfactory progress against the specified success criteria, s/he will report to the Strategic Director. The Strategic Director may then consider requesting an Ofsted inspection, or use of additional statutory intervention powers.

7.4 Use of statutory intervention powers

7.4.1 Requiring the Governing Body to 'enter into arrangements'

7.4.1.1 Legal framework

Section 63 of the Education and Inspection Act 2006 provides for the LA to require the governing body of a school 'eligible for intervention' to:

- a) enter into a contract or other arrangement with a specified person;
- b) enter into collaboration arrangements with a college of further education or other such institution;
- c) enter into collaboration arrangements with the governing body of another school; or
- d) take specified steps with the purpose of creating or joining a federation.

7.4.1.2 Process

The appropriateness and benefits of the school entering into a contract, collaboration or federation arrangement will normally be considered at LA review meetings. In appropriate situations the LA may also consider use of this power between meetings. In all cases consultation will take place with the governing body prior to any decision. The LA will liaise as necessary with officers of the diocese or archdiocese.

7.4.2 Appointment of additional governors

7.4.2.1 Legal framework

Section 64 of the Education and Inspection Act 2006 provides for the LA to appoint additional governors in schools which are 'eligible for intervention'.

7.4.2.2 Process

The ASCO will discuss the need for additional governors with the chair of governors. The chair of governors will be involved in identifying any additional needs or skills required. The appointment of additional governors will be made by the Strategic Director, liaising as necessary with officers of the diocese or archdiocese. Appointments will be made in accordance with the LA's 'Procedure for the Appointment of LA Governors'.

7.4.3 Suspension of Delegated Budget – See flow charts, Pages 28 and 29

7.4.3.1 Legal Framework

Section 51 and Schedule 15 of the School Standards and Framework Act 1998 provide for an LA to act if it appears that the governing body:

- a) has been guilty of substantial or persistent failure to comply with any delegation requirement or restriction, or
- b) is not managing the expenditure or appropriation of its delegated budget satisfactorily.

Section 66 of the Education and Inspections Act 2006 provides for the LA to suspend a governing body's right to a delegated budget in schools 'eligible for intervention'.

7.4.3.2 Process

A) Non-urgent action under Section 51 of the 1998 Act (budget management/procedural problems)

- i) Concerns will normally have been raised over a period of time with the headteacher during visits by the school inspector and other LA officers. These concerns will be reflected in the inspector's records of visit or other official notes. Copies will be given to the headteacher, who should give copies to the chair of governors. The inspector or other officer concerned will advise on appropriate remedial action.
- ii) Where the LA's concerns persist, the LA will ensure that the headteacher and all governors are fully aware of these concerns, and of the urgent need for them to be remedied. To this end, the Head of School Performance will convene a meeting with the headteacher, chair of governors, ASCO and the senior (or another) school inspector. At this meeting an appropriate action plan and timescale for remedying the concerns will be agreed, along with a programme of monitoring meetings.
- iii) Where the concerns are not satisfactorily addressed within the agreed timescale, and the LA considers that the governing body is unlikely to manage the delegated budget satisfactorily, the Strategic Director, following consultation with the Warwickshire Cabinet Portfolio Holder for Schools, will write to the chair of governors concerning the suspension of delegated powers.
- iv) The letter will enclose a formal notice specifying the grounds for suspension, including details of any failure by the governing body to comply with a delegation restriction or requirement, and/or details of any mismanagement. The notice will further specify:
 - the action the LA requires the governing body to take;
 - the further support and guidance that will be offered by the LA, including advice on remedial action and attendance by an officer and/or inspector at a governors' meeting to explain the reasons for LA's action, and its background, and agree an action plan;
 - the success criteria against which the LA will judge whether the governing body has addressed the issues and demonstrated its ability to resume management of its delegated powers;
 - the frequency and type of review meetings and who will be expected to attend them.

- v) A copy of the letter of suspension will be sent to the headteacher at the same time as it is sent to the chair of governors.
- vi) The LA will work closely with the governing body, with a view to restoring delegation at the earliest opportunity. The ASCO will normally assume responsibility on behalf of the Strategic Director for exercising the suspended powers, working closely with the headteacher and governing body. The powers concerned relate largely to exercising the governors' budgetary and personnel responsibilities.
- vii) The ASCO, or another officer as appropriate, will work closely with the governing body, and will co-ordinate the LA's support and advice to the governing body. Delegated powers will be restored when the governing body has demonstrated that the factors that led to withdrawal of delegation have been resolved.

B) Urgent action under Section 51 of the 1998 Act (budget management/procedural concerns)

- i) In urgent cases (for example to protect the integrity of personnel procedures) the Head of School Performance may convene a meeting with the headteacher, chair of governors, ASCO, principal inspector and school inspector. At this meeting the headteacher and chair of governors will be consulted on the possibility of suspending the governing body's delegated powers. Where the Head of School Performance decides that suspension is required, s/he will make a recommendation to the Strategic Director.
- ii) Where the Strategic Director accepts this recommendation, s/he will write to the chair of governors, and paragraphs iv to vi under Section A above will be followed.

C) Schools 'eligible for intervention' under Section 66 of the 2006 Act

- i) Where the Strategic Director is minded to exercise the power to suspend delegated powers in a school eligible for intervention, the Head of School Performance will convene a meeting with the headteacher and chair of governors, ASCO, principal inspector and school inspector. At this meeting the headteacher and chair of governors will be consulted on the possibility of intervention.
- ii) The Head of School Performance will make a recommendation to the Strategic Director.

- iii) Where the recommendation is that delegated powers should indeed be suspended, paragraphs iv to vii under Section A above will be followed.

7.4.4 Interim Executive Board (IEB) – See flow chart, page 27

7.4.4.1 Legal framework

- Section 65 and Schedule 6 of the Education and Inspections Act 2006 give the LA power to provide for the governing body of a school which is 'eligible for intervention' to consist of interim executive members. Statutory guidance requires that the LA must also have determined that the existing governing body is unable to provide the necessary leadership to turn the school around as quickly as possible.
- The consent of the Secretary of State is required before this power can be used.

7.4.4.2 Process

- i) Where the LA is minded to replace the governing body with an IEB, the Strategic Director will meet with the chair of governors and the headteacher to explain the proposal. The Strategic Director will also write to all governors, and will consult with other interested parties.
- ii) The Strategic Director will also consult with the Warwickshire cabinet, and seek provisional approval from the Secretary of State for Education and Skills.
- iii) Where, having considered the governors' response, and having received the secretary of state's provisional approval, the LA decides to form an IEB, the Strategic Director will write again to all governors, stating the effective date of the decision and the target date for the restoration of a normally-constituted governing body. S/he will also inform the secretary of state.
- iv) The Strategic Director will appoint the IEB's members, chair and clerk.
- v) The LA will work closely with the IEB, with a view to restoring a normally-constituted governing body as quickly as possible. The school's inspector and the ASCO will normally attend IEB meetings.
- vi) The senior phase inspector will convene at least termly review meetings with the headteacher, IEB chair, school inspector and ASCO, to review progress.

- vii) Once Ofsted judges that the school no longer requires significant improvement or special measures, or the concerns that led to the LA's formal warning notice have been resolved, the Strategic Director will consider restoring a normally-constituted governing body. A shadow governing body will be established six months prior to the anticipated date.

7.4.5 Concerns over the performance of the headteacher – See flow chart, page 30

7.4.5.1 Legal framework

Section 5 of the School Staffing (England) Regulations 2003 places a duty on the LA to make a written report to the chair of the governing body in any case where it has a serious concern about the performance of the headteacher.

7.4.5.2 Process

- i) The LA will only exercise this duty in cases where it has grounds for concluding that the headteacher's performance is having a significantly detrimental effect on the performance, management or conduct of the school, or would soon have such an effect if action were not taken.
- ii) Consideration will be given at all stages to whether the matter is more appropriately dealt with under appropriate personnel procedures.
- iii) The LA will first report its concern informally to the headteacher. Normally this will be done through the school inspector, or another inspector as appropriate, or the ASCO. The LA will support the headteacher with a view to resolving the concern as quickly as possible.
- iv) If this support does not result in sufficient improvement, the Head of School Performance will convene a meeting with the Headteacher, Chair of governors, ASCO, the Principal Inspector and/or the School Inspector. At that meeting an appropriate action plan, support and timescale will be agreed. The headteacher and chair of governors will be informed of the possibility of the LA issuing a performance report if their concerns are not satisfactorily resolved.
- v) If the LA's concerns are not resolved within the agreed timescale, the Strategic Director, following consultation with the chair of governors, may advise that the matter be dealt with under appropriate personnel procedures. Alternatively the Strategic Director may issue a performance report on the headteacher to the chair of governors.

- vi) The report to the chair of governors on the headteacher's performance will state the grounds for the LA's concern and the evidence on which it is based. A copy of the report will be sent to the headteacher at the same time it is sent to the chair of governors. The LA will also advise the chair of governors on appropriate action.
- vii) The chair of governors will give the headteacher the opportunity to make representations concerning the report. An LA inspector/officer with knowledge of the LA's concerns will be present to hear these representations, and to respond to any questions.
- viii) The LA will allocate an appropriate inspector and/or the ASCO to advise and work with the chair of governors, and to attend at any governors' meeting where the report is to be discussed.
- ix) The Head of School Performance will convene a series of review meetings with the headteacher, chair of governors, school inspector and ASCO.
- x) Where the concerns are not resolved, the Strategic Director may consider use of further intervention powers.

7.5 Notice of Concern

7.5.1 Legal Framework

In accordance with Section 48 of the School Standards and Framework Act 1998 the LA must maintain a "Scheme for the Financing of Schools". This Scheme was amended by the Secretary of State in January 2007, to include a provision which allows a LA to issue a notice of concern to any of its maintained schools, where in the opinion of the Chief Finance Officer and the Strategic Director, the school has failed to comply with any provisions of the Scheme, or where actions need to be taken to safeguard the financial position of the Authority or school.

7.5.2 Process

- i) Concerns will normally have been raised over a period of time with the headteacher during school inspector, finance officer and other officer/inspector visits. The concerns will be recorded, and copy will be given to the headteacher, who should give a copy to the chair of governors. The Strategic Finance Manager will advise on appropriate remedial action.
- ii) Where the situation continues, the LA will issue a formal notice of concern to the headteacher and governors, which will set out the reasons and evidence for the notice being made. The notice of concern may place on the governing body restrictions, limitations or prohibitions in relation to the management of funds delegated to it. The Head of School Performance will convene a meeting with the headteacher, chair of governors, Strategic Finance Manager ASCO and school inspector. At this meeting an appropriate action plan and timescale for remedying the concerns will be agreed, along with a programme of monitoring meetings.

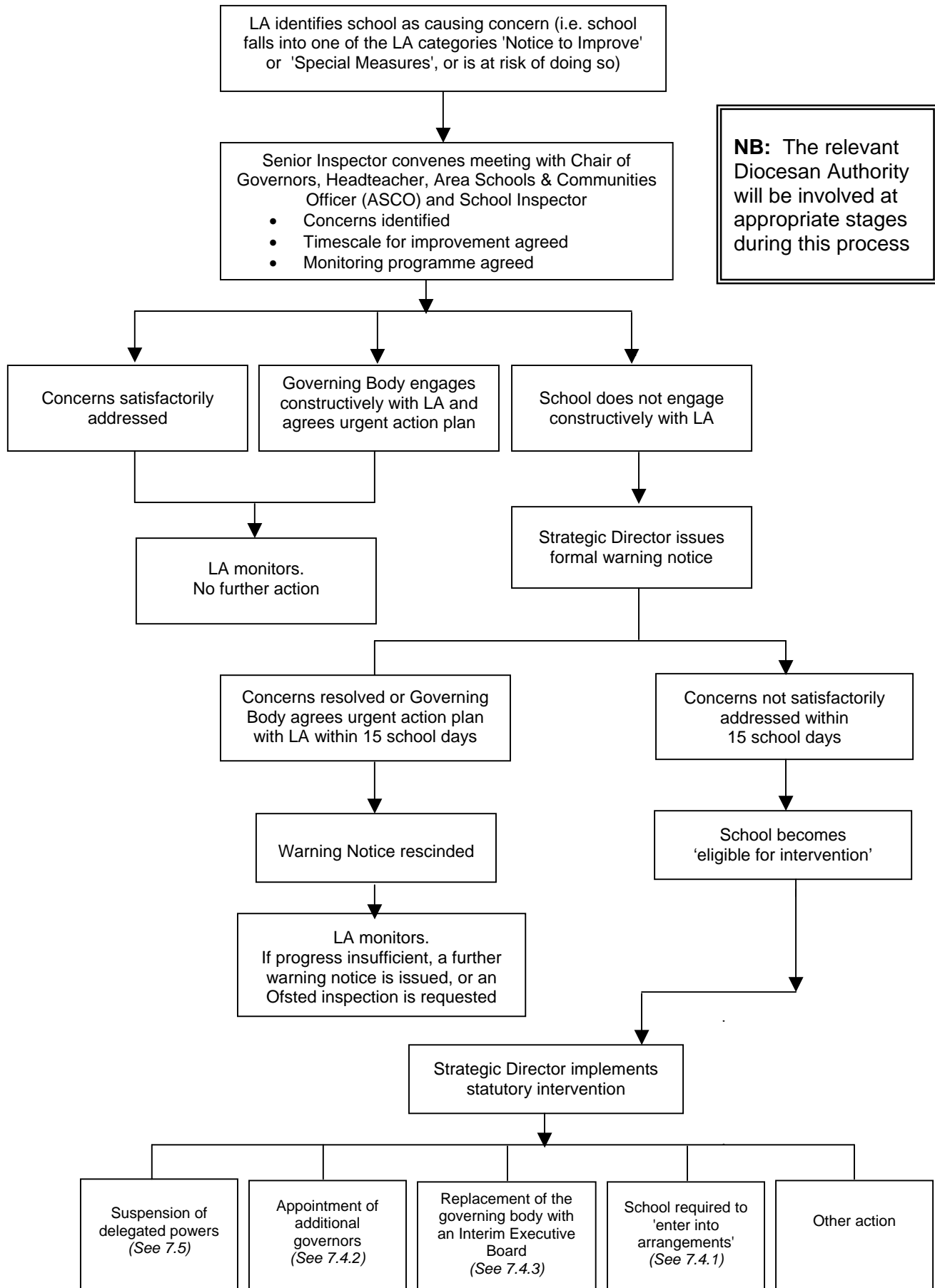
- iii) Where the concerns are not satisfactorily addressed within the agreed timescale and the LA considers that the governing body is unlikely to manage the delegated budget satisfactorily, the process for suspending a delegated budget will be followed.

7.5 Appeal

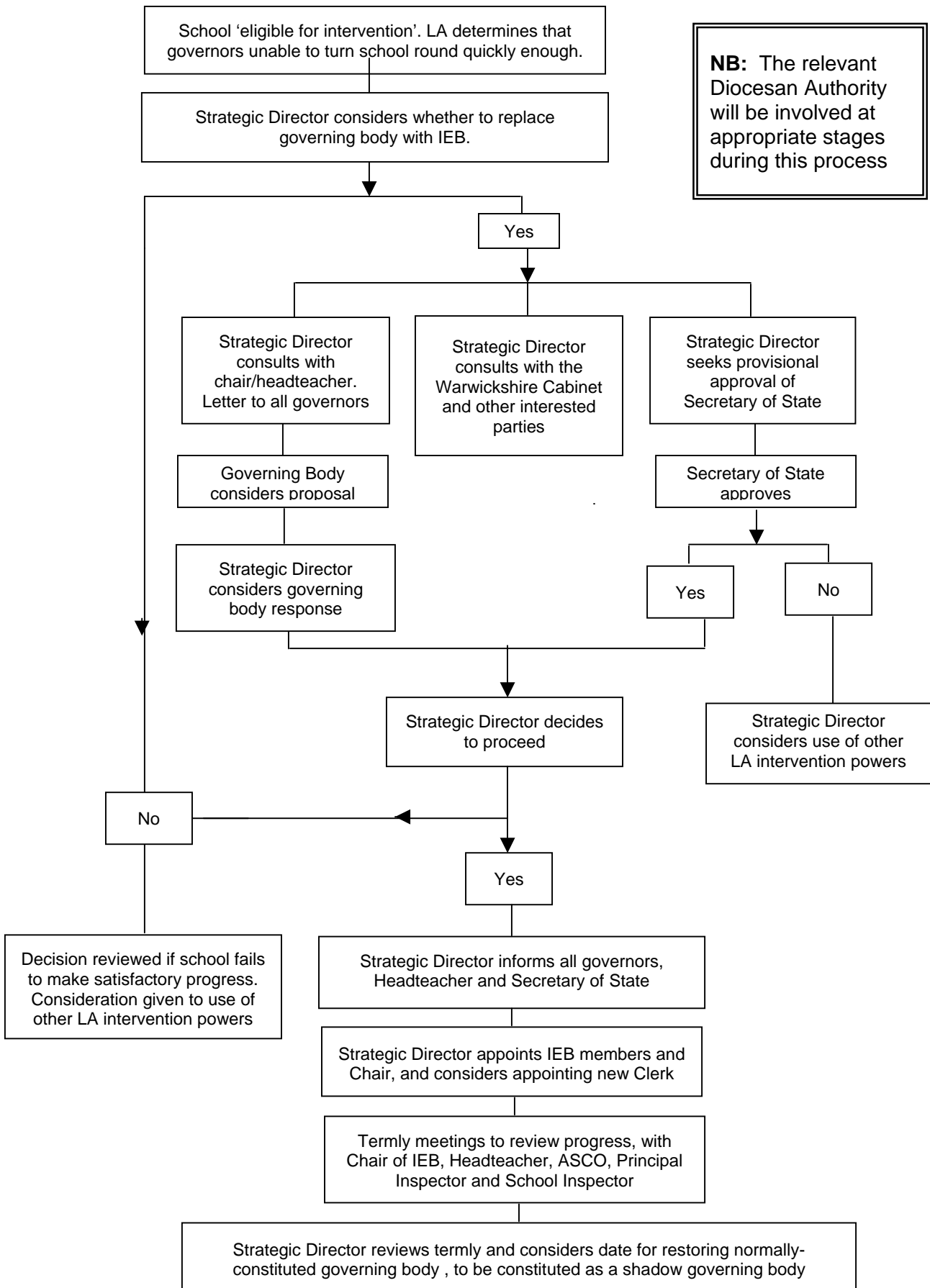
If the governing body feels that the LA has acted unreasonably in exercising its powers of intervention, it may appeal to the secretary of state (where this is provided for in the Education and Inspections Act 2006, i.e. in relation to the issue of a formal warning notice and the suspension of a delegated budget). In respect of other intervention powers, the governing body may write to the Strategic Director, who will refer the matter to the Warwickshire Cabinet Portfolio Holder for Schools.

PART D FLOWCHARTS

FORMAL WARNING NOTICES – Re 7.3.2.2

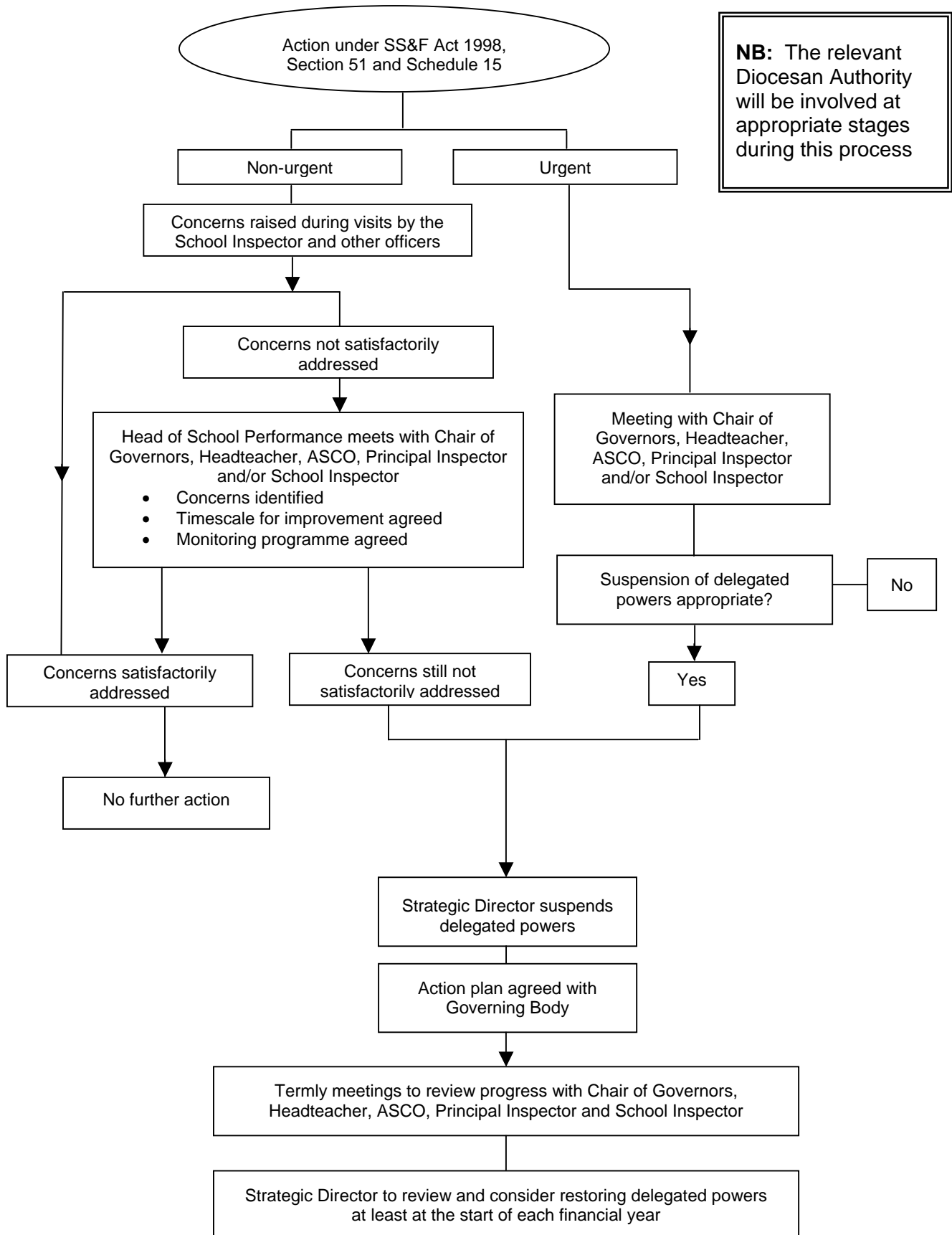


INTERIM EXECUTIVE BOARD (IEB) – Re 7.4.4.2



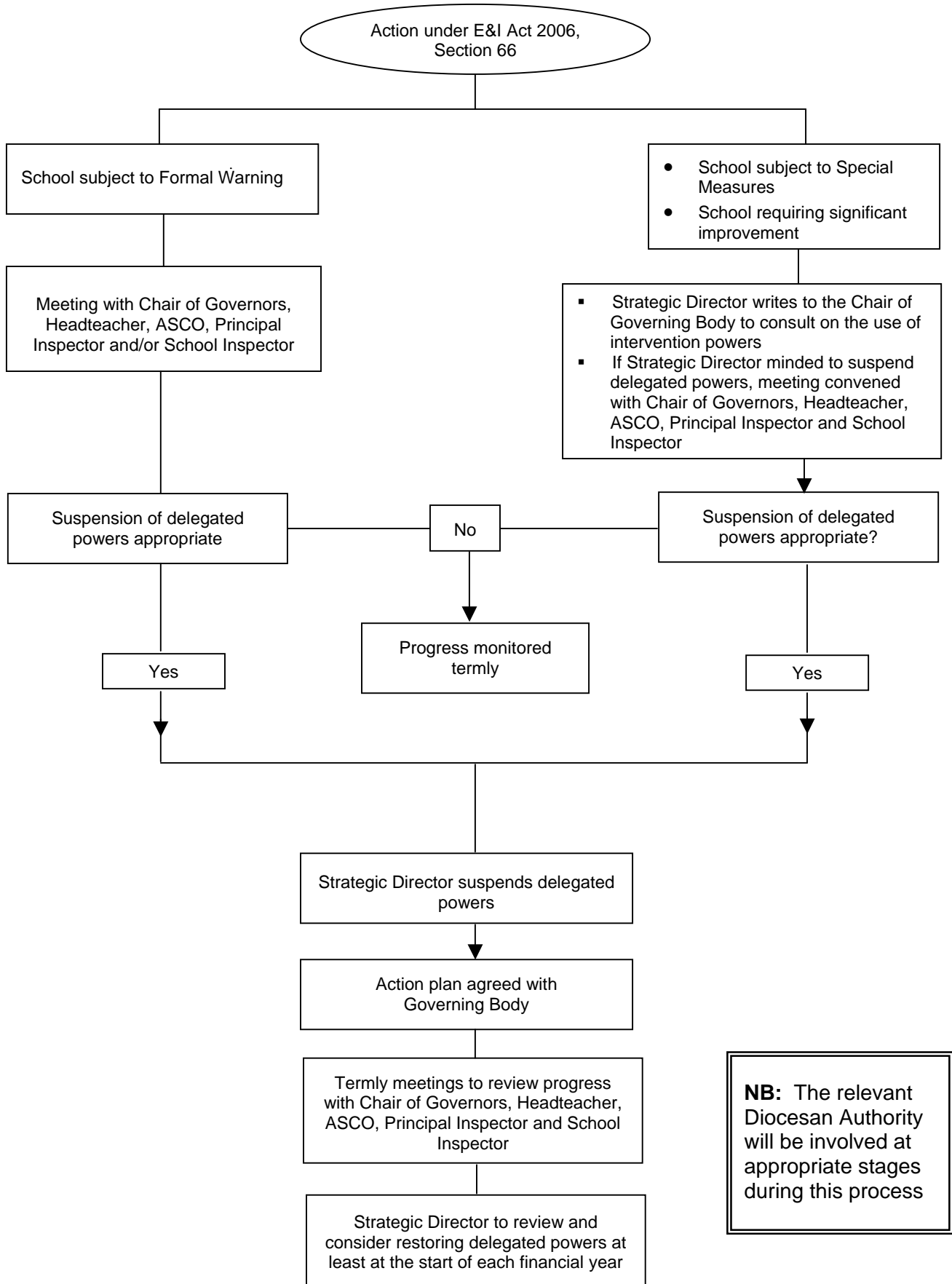
SUSPENSION OF DELEGATED POWERS – Re 7.4.3.2 A and B

Section Budget Management Concerns under Section 51 of the 1998 Act

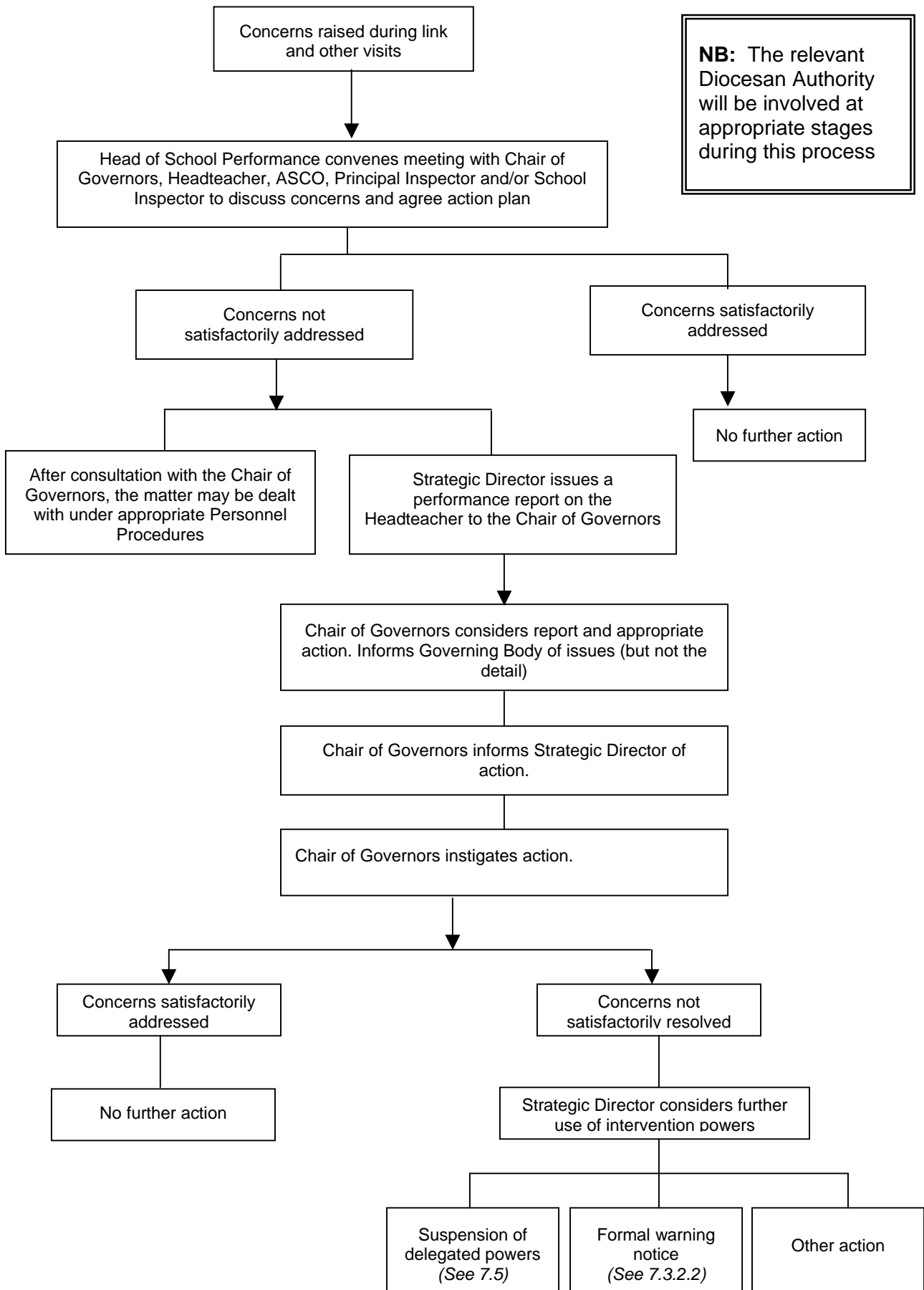


SUSPENSION OF DELEGATED POWERS – Re 7.4.3.2 C

Schools ‘eligible for intervention’ under Section 66 of the 2006 Act



PERFORMANCE REPORT ON HEADTEACHER – Re 7.4.5.2



APPENDIX 1

RECORD OF VISIT

- The inspector or SIP will complete a Record of Visit, and send it to the school within five working days.
- The record of visit will summarise any discussion or oral feedback, and will highlight issues for action. The purpose of the record is to ensure a shared understanding of any issues arising from the visit, and to aid continuity. If appropriate, the headteacher can add a comment relevant to the visit, or can record any disagreement in the section at the end of the note, prior to the subsequent meeting.

Sharing the Record of Visit

- No individual will be identified by name in the record. Two copies of the record will be made. The headteacher will keep one copy and will be responsible for giving the second copy to the chair of governors.
- The headteacher should always pass a copy of the record of visit to the chair of governors. This has been made clear in previous communications to headteachers and governors and is indicated at the top of the record of visit.
- The headteacher and the chair of governors should agree what is to be shared more widely with staff or the governing body. There might be certain points (e.g. references to unsatisfactory teaching, where the teacher might be identifiable), which it would not be appropriate to share. In such circumstances the record of visit would not be copied to all governors and staff, but might be quoted from.

LA copies of record of visit and reports

Records of visit and reports will be kept in the LA school file.

APPENDIX 2

LA REVIEW AND MONITORING VISITS

LA review visits

The purpose of an LA review visit is to:

- help a school accurately identify its strengths and weaknesses, and to recommend key issues for action.

The conduct of the review will be consistent with the process described in the Ofsted schedule for the inspection of schools. Reviews will focus on areas where there are concerns and on the capacity of the school to improve.

The size and composition of the LA team, and the length of the visit too, will be determined by the size and context of the school. There will be a lead inspector and at least one other inspector. In addition, where it is appropriate, other LA personnel may be involved.

Schools will be given at least three weeks notice of the visit, and the headteacher will be asked to inform staff and the chair of governors as soon as possible.

The lead inspector for the review, or the school inspector, will provide a verbal briefing for staff prior to the visit. This will cover the purpose of the visit, how evidence will be gathered, how feedback will be given to staff, and how the findings will be reported to the headteacher and the governing body. (See Appendix 3 below for full details of what will be covered in the briefing.)

The Principal or Senior Inspector and lead inspector will request an invitation from the governing body to present the report.

At the end of the review the headteacher will be asked to complete an evaluation of the process. Feedback from the evaluations is used to inform future practice.

LA monitoring visits

The purpose of an LA monitoring visit is to:

- fulfil the LA's responsibility to monitor standards and quality within its schools, particularly those deemed to be giving cause for concern;
- monitor progress on key issues against specific success criteria;
- plan for an appropriate programme of support.

The conduct of the monitoring visit will be consistent with the process described in the Ofsted schedule for the inspection of schools and will result in a judgement on the progress made by the school with regard to key issues and to the capacity of the school to improve.

Where the number of key issues is considerable, the focus of monitoring visits will be in line with the timescale for actions in the LA support and monitoring plan.

The size and composition of the LA team, and the length of the visit, will be determined by the size and context of the school. There will be a lead inspector and at least one other inspector. In addition, where appropriate, other LA personnel may be involved.

Schools will be given at least three weeks notice of the visit, and the headteacher will be asked to inform staff and the chair of governors as soon as possible.

The lead inspector for the monitoring visit, or the school inspector, will provide a verbal briefing for staff prior to the first monitoring visit. This briefing will cover the purpose of the visit, how evidence will be gathered, how feedback will be given to staff, and how the findings will be reported to the headteacher and the governing body. (See Appendix 3 below for full details of what will be covered in the briefing.)

The visit report will be considered at the review and intervention planning meeting, alongside the headteacher's and governors' reports of progress.

At the end of the visit the headteacher will be asked to complete an evaluation of the process. Feedback from the evaluations is used to inform future practice.

APPENDIX 3

PROMPTS FOR INSPECTORS GIVING A STAFF BRIEFING PRIOR TO A REVIEW VISIT OR PRIOR TO THE FIRST MONITORING VISIT

1. Background

- Outline the LA support and intervention policy and explain that the LA's approach to monitoring is described there in full.

2. Purpose of visits

Review visits

- Remind staff of the school's current performance category. Explain that there are some causes for concern about the school, and list these – for example, quality of provision, performance data, value-added measures, attendance figures, exclusions, etc.
- Explain that the purpose of the review is to:
 - gather evidence about the extent of weaknesses and the balance between weaknesses and strengths;
 - help identify priorities for future action.

Explain too that that the visit will also support school self-evaluation.

Monitoring visits

- Remind staff of the school's current performance category, and explain that inspectors carry out at least two monitoring visits a year to schools in this category.
- Explain that there will be no briefing before subsequent monitoring visits because arrangements will be the same as for this first one.
- Explain that the purpose of the monitoring visit is to:
 - judge the progress made against the success criteria for the key issues (list these issues);
 - recommend further action to support improvements.

Explain too that the visit will also:

- support school self-evaluation;
- reaffirm strengths.

3. Scale and scope

- Give dates and times inspectors will be in school.
- Give names of inspectors involved.
- Describe nature of the activity: lesson observations, work scrutiny, interviews with staff, pupils, governors, pupil tracking, etc.
- Describe subjects/aspects involved.
- Opportunity for paired activities with staff.
- Explain the rationale for lesson observations.
- Explain that staff will not be told in advance which of their lessons will be observed, because the programme of observations will naturally depend on the emerging evidence (e.g. initial observations might indicate it would be useful to focus on a particular issue).

- Explain that some teaching sessions will be observed in full, but other observations will cover only half-sessions, and possibly even shorter periods (e.g. ten-minute sampling), with a specific focus.
- Explain that it is very helpful for the inspector to be able to see lesson planning (although not necessarily individual lesson plans) when observing, and to be given information about the ability and possibly SEN background of pupils being taught.

4. Feedback

Explain each of the following points:

- Feedback will be given to teachers on all full or half lessons observed which are longer than 30 minutes (other than pupil tracking), giving strengths, areas for development and the grade description (using Ofsted grades). Teachers will be encouraged to make notes during the feedback, and any arrangements for written feedback will be described.
- There will be verbal feedback on key issues to the senior team, at the end of the visit.
- The school will receive a written draft report to check for factual accuracy within three working weeks of the activity.
- The school will be sent the final report within five weeks of the activity.
- The lead inspector will be available to discuss the report at a governors' meeting.
- The report will be sent to the headteacher and chair of governors. It is confidential to the school, although it may be shared with relevant members of staff and with Ofsted.

5. Questions

Take any questions from the staff.

APPENDIX 4

REVIEW AND INTERVENTION PLANNING MEETINGS

Review and intervention planning meetings will be held at least twice a year for all schools which require significant improvement or special measures.

The agenda for the meetings will be adapted to suit the circumstances of the school and the stage it has reached in its improvement, but the standard agenda is as follows:

Part 1: Review of progress.

Attended by: Senior Phase Inspector, Link Inspector, ASCO, Headteacher, Chair of Governors. The meeting is chaired by a senior or principal inspector.

Purpose:

- To review the progress the school has made on the key areas for improvement against the agreed success criteria.
- To review the effectiveness of LA support.
- To review the effectiveness of the Governing Body in monitoring and accounting for the school's progress.

Agenda:

- Introductions
- Minutes and matters arising from the previous meeting
- Review of progress against the success criteria for each key issue, including:
 - Headteacher's report on the impact of actions taken
 - LA's monitoring report and/or HMI's report
 - Chair of Governors' report on progress (verbal)
 - Overall judgement of progress made
- Consideration of external monitoring report
- Areas requiring further action (to be taken forward to part 2 of meeting)

Other significant issues

Part 2: Intervention planning.

Attended by: Senior or Principal Inspector, School Inspector, ASCO, Headteacher, Chair of Governors, plus other colleagues from across the LA who are supporting key developments in the school. The meeting is chaired by a senior inspector.

Purpose: To match the programme of support, time allocation and deployment of personnel to the actions in the improvement plan.

(A separate meeting is held for secondary schools to focus on the support provided by the secondary national strategy team.)

Minutes are taken by the LA and are shared with the attendees.

APPENDIX 5

SAMPLE FORMAL WARNING NOTICE

Warwickshire County Council
Children, Young People and Families Directorate

**To: The Chair of Governors
Headteacher
OFSTED**

Dear Chair of Governors,

Formal Warning Notice

This letter is a Formal Warning Notice to xxxxxx school issued by Warwickshire Local Authority on xxxx 20xx in accordance with Section 60 of the Education and Inspection Act 2006.

The reasons for the Formal Warning Notice are set out below:

- There is evidence of unacceptably low achievement in your school. An analysis of performance data shows that a significant number of pupils do not do as well as they should.
- There is evidence of weakness in leadership or management. This is shown by the lack of recent improvement in addressing known weaknesses. School self-evaluation is not sufficiently accurate, and school leaders have not demonstrated that they have the capacity to swiftly make the necessary improvements.
- There is evidence that the safety of pupils or staff is at risk. This is evidenced by a serious breakdown in pupil behaviour and discipline.

What the school should do now

Governors should meet and consider this letter. They will need to draw up a statement detailing what action they intend to take in order to ensure that improvements are made urgently to address the issues set out above. This statement must be received by me within fifteen working days of the receipt of this letter. The Principal Inspector is available to attend a meeting of governors in order to discuss the reasons for this Formal Warning Notice and to assist the school in putting together a statement of action.

Proposed action by the local authority

If the school fails to comply with the requirement set out above, the authority will consider all options in relation to the future of the school. These includes consideration of the following:

- the need for the school to close;
- amalgamation or federation with another school;
- replacing the Governing Body with an Interim Executive Board (IEB);
- the appointment of additional governors;
- the withdrawal of delegated funding;
- the strengthening of the school's leadership and management.

In this instance it is likely the LA will..... These steps will be taken immediately following the fifteen days given you to respond to this letter. If the authority is satisfied with the intended actions of the school, or the school indicates that it wishes to work constructively with the authority to address the issues of concern, the Formal Warning Notice will be rescinded.

If the school does not agree with the Formal Warning Notice, it can appeal to Ofsted (under section 60 (7) of the Education and Inspection Act 2006) on the grounds that you believe either that the local authority has insufficient grounds to issue the notice, or that in issuing the notice the LA is being disproportionate in its actions. If you appeal, it will be Ofsted that makes the final judgement on the quality of education provided by the school.

I enclose a copy of the LA Support and Intervention policy. which clearly sets out how we intend to support and monitor schools causing concern.

We naturally understand that this is a very difficult period for the school. Our intention in issuing this Formal Warning Notice is to ensure that all necessary action is taken to restore good education to your pupils. If the school accepts the Formal Warning Notice we guarantee that we will work in collaboration with you to restore the school to a position where it is providing a good standard of education to its pupils as swiftly as possible.

Yours sincerely

Strategic Director – Children, Young People and Families

APPENDIX 6

OFSTED CRITERIA FOR INSPECTING SCHOOLS

Evaluating overall effectiveness

Outstanding (1)	Exceptional: <ul style="list-style-type: none">• all or almost all elements of the school's work are at least good, and significant elements are exemplary.
Good (2)	Inspectors should consider the judgement good when: <ul style="list-style-type: none">• there is a generally strong performance across all aspects of a school's work• the capacity to improve is strong, as shown by its recent improvement A school may be good in a variety of ways, and may have pockets of excellence, but no school should be judged good if its performance is merely ordinary. No school can be judged to be good unless learners are judged to make good progress.
Satisfactory (3)	The school's work is inadequate in no major area, and may be good in some respects.
Inadequate (4)	A school is likely to be inadequate if one or more of the following are judged to be inadequate: the standards achieved; learners' personal development and well-being; the overall quality of provision; and leadership and management. The sixth form or Foundation Stage might also be inadequate but, where the numbers are small, this does not necessarily lead to the judgement that the school as a whole is inadequate. At its worst, the school provides an unacceptable standard of education and it lacks the capacity to turn things round.

Evaluating quality and standards in the Foundation Stage

<p>Outstanding (1)</p>	<p>Exceptional:</p> <ul style="list-style-type: none"> • all or almost all elements of the Foundation Stage are at least good, and significant elements are exemplary.
<p>Good (2)</p>	<p>Children make good progress in most of the areas of learning, including their personal development. They enjoy their time at school and are well aware of the needs of others in their class. Teaching and the curriculum meet children's needs well and keep them actively engaged. Good arrangements exist to ensure their safety and health and encourage their involvement in their community. Effective links with parents help to involve them in their children's education, and they are kept well informed of their progress. Managers of the Foundation Stage have an accurate understanding of the strengths and weaknesses of the provision and take effective steps to improve it.</p>
<p>Satisfactory (3)</p>	<p>The Foundation Stage is inadequate in no major area, and may be good in some respects.</p>
<p>Inadequate (4)</p>	<p>Teaching and/or the curriculum have significant weaknesses that impair the progress and personal development of children. Children are not cared for adequately so that their safety and health are at risk. Foundation Stage leaders and senior managers do not give the staff an adequate sense of direction and show insufficient capacity to effect improvement.</p>

Evaluating the sixth form

<p>Outstanding (1)</p>	<p>Exceptional:</p> <ul style="list-style-type: none"> • all or almost all elements of the sixth form are at least good, and significant elements are exemplary.
<p>Good (2)</p>	<p>Standards, including retention rates, are high, and learners' overall progress is good. There is effective independent learning. Learners' personal development and well-being, including the capacity for future economic well-being, are good. The quality of teaching, and of care and guidance, are good, as are most other aspects of provision. The leadership and management of the sixth form are effective in monitoring, and where necessary improving, the provision, and any links with external organisations are well managed. The sixth form provides good value for money. Learners and other stakeholders are pleased with the education provided. And have good involvement in developing its quality.</p>
<p>Satisfactory (3)</p>	<p>The sixth form is inadequate in no major area, and may be good in some respects.</p>
<p>Inadequate (4)</p>	<p>A sixth form is likely to be inadequate if one of the following are judged to be inadequate: the standards and progress achieved, the overall quality of provision; leadership and management.</p>

Evaluating achievement and standards (based upon how well learners make progress)

Outstanding (1)	Progress is at least good in all or nearly all respects and is exemplary in significant elements, as reflected in contextual value added measures.
Good (2)	Learners meet challenging targets and, in relation to their capability and starting points, they achieve high standards. Most groups of learners, including those with learning difficulties and disabilities, make at least good progress and some may make very good progress, as reflected in contextual value added measures. Learners are gaining knowledge, skills and understanding at a good rate across all key stages. Most subjects and courses perform well, and some better than this, with nothing that is unsatisfactory.
Satisfactory (3)	Progress is inadequate in no major respect, and may be good in some respects, as reflected in contextual value added measures.
Inadequate (4)	A significant number of learners do not meet targets that are adequately challenging. Contextual value added measures indicate slow progress. Considerable numbers of pupils underachieve, or particular groups of pupils underachieve significantly. The pace of learning is insufficient for learners to make satisfactory gains in knowledge, skills and understanding, especially in core subjects. Learners underachieve in one or more key stages. Performance in a number of subjects and courses is unsatisfactory. Overall, the standards that learners achieve are not high enough when set against their capability and starting points.

Evaluating personal development and well-being

<p>Outstanding (1)</p>	<p>Learners' personal development and well-being are at least good in all or nearly all respects and are exemplary in significant elements.</p>
<p>Good (2)</p>	<p>Learners' overall spiritual, moral, social and cultural development is good, and no element of it is unsatisfactory. Very young children are learning to understand their feelings. They enjoy school a good deal, as demonstrated by their considerate behaviour, positive attitudes and regular attendance. They feel safe, are safety conscious without being fearful, and they adopt healthy lifestyles. They develop a commitment to racial equality. They make good overall progress in developing the personal qualities that will enable them to contribute effectively to the community and eventually to transfer to working roles.</p>
<p>Satisfactory (3)</p>	<p>Learners' personal development and their well-being are inadequate in no major respect, and may be good in some respects.</p>
<p>Inadequate (4)</p>	<p>Learners' overall spiritual, moral, social and cultural development is unsatisfactory. Learners generally, or significant groups of them, are disaffected and do not enjoy their education, as shown by their unsatisfactory attitudes, behaviour and attendance. Exposure to bullying, racial discrimination or other factors mean that learners feel unsafe. When threatened, they do not have confidence that they can get sufficient support. Healthy lifestyles are not adequately appreciated or pursued. Learners do not engage readily with the community or make satisfactory progress in the skills and qualities that will equip them for work.</p>

Evaluating the quality of teaching

Outstanding (1)	Teaching is at least good in all or nearly all respects and is exemplary in significant elements. As a result, learners thrive and make exceptionally good progress.
Good (2)	Learners make good progress and show good attitudes to their work, as a result of effective teaching. The teachers' good subject knowledge lends confidence to their teaching styles, which engage learners and encourage them to work well independently. Any unsatisfactory behaviour is managed effectively. The level of challenge stretches without inhibiting. Based upon thorough and accurate assessment that informs learners how to improve, work is closely tailored to the full range of learners' needs, so that all can succeed. Learners are guided to assess their work themselves. Teaching assistants and other classroom helpers are well directed to support learning. Those with additional learning needs have work well matched to their needs based upon a good diagnosis of them. Good relationships support parents/carers in helping learning to succeed.
Satisfactory (3)	Teaching is inadequate in no major respect, and may be good in some respects, enabling learners to enjoy their education and make progress that should be expected of them.
Inadequate (4)	Learners generally, or particular groups of them, do not make adequate progress because the teaching is unsatisfactory. Learners do not enjoy their work. Behaviour is often inappropriate. Teachers' knowledge of the curriculum and the course requirements are inadequate, and the level of challenge is often wrongly pitched. The methods used do not sufficiently engage and encourage the learners. Not enough independent learning takes place or learners are excessively passive. Bad behaviour is not adequately managed. Assessment is not frequent or accurate enough to monitor learners' progress, so teachers do not have a clear enough understanding of learners' needs. Learners do not know how to improve. Teaching assistants and parents/carers are inadequately helped to support learners.

Evaluating the quality of the curriculum and other activities

<p>Outstanding (1)</p>	<p>The curriculum and other activities are at least good in all or nearly all respects and are exemplary in significant elements.</p>
<p>Good (2)</p>	<p>The great majority of learners are well served by the curriculum and no group is ill-matched to what is provided. Statutory requirements are met and the curriculum is responsive to local needs. There is good provision for literacy, numeracy and ICT. Learners have many opportunities to contribute to and take on responsibilities in the community. The curriculum provides opportunities for all learners, including those with learning difficulties and disabilities, to progress and develop well. Progression routes are clear and well established. Learners are well prepared for their future, and in secondary schools there is a strong work related dimension. Education for safety and health is good, as are the opportunities for enrichment, which are varied, have a high take up and are much enjoyed.</p>
<p>Satisfactory (3)</p>	<p>The curriculum is inadequate in no major respect, and may be good in some respects.</p>
<p>Inadequate (4)</p>	<p>The curriculum is inadequately matched to learners' needs, interests and aspirations. There is considerable discontinuity from year to year. This shows itself in the disaffection displayed by learners. There are significant gaps in response to external requirements and local needs. There is weak provision for literacy, numeracy or ICT. There is inadequate provision for education in safety and health and work-related learning. The curriculum excludes significant numbers of learners, belonging to one or more groups, because it does not meet their needs, interests or hopes adequately. The school has a limited range of enrichment activities and opportunities to take responsibility in the community, or learners do not participate adequately in those that are available.</p>

Evaluating the care, guidance and support for learners

Outstanding (1)	The care, guidance and support for learners are at least good in all or nearly all respects and are exemplary in significant elements.
Good (2)	Good quality care for learners is seen in the high level of commitment of staff and their competence in promoting the health and safety of the learners. Child protection arrangements are robust and regularly reviewed, and risk assessments are carefully attended to. In this safe and supportive environment, learners reach challenging targets. They are well informed about their future options. Any learners at risk are identified early and effective arrangements put in place to keep them engaged. The school works well with parents and other agencies to ensure that learners make good progress. All learners, including those most at risk, are well supported.
Satisfactory (3)	The care, guidance and support for learners are inadequate in no major respect, and may be good in some respects.
Inadequate (4)	The school does not provide adequate care for its learners . Its systems are too weak, or staff are inadequately trained or vigilant, to safeguard or promote learners' safety and health. Child protection arrangements and risk assessments are inadequate. Many learners do not have a clear understanding of their targets, or the targets are not challenging enough. Learners' progress is inadequately monitored, and many do not make good enough progress. The quality of advice and guidance does not support many learners adequately when they come to make choices. Too many learners have poor attendance, are excluded or drop out, and the school makes inadequate attempts to re-engage them.

Evaluating leadership and management

Outstanding (1)	Leadership and management (including governance) are at least good in all or nearly all respects and are exemplary in significant elements, as shown by their impact on the performance of the school.
Good (2)	The leadership of the school is successfully focused on raising standards and promoting the personal development and well-being of learners. It has created a common sense of purpose among staff. Through its effective self-evaluation, which takes into account the views of all major stakeholders, managers have a good understanding of the school's strengths and weaknesses and have a good track record of making improvements, including dealing with any issues from the last inspection. The inclusion of all learners is central to its vision and it is effective in pursuing this and dismantling barriers to engagement. The school runs smoothly on a day-to-day basis. Resources are well used, including any extended services, to improve learners' outcomes and to secure good value for money. Vetting procedures for all adults who work with learners are robust. Good links exist with parents and outside agencies to support its work. The impact is seen in the good progress made by most learners on most fronts, in their sense of security and well-being, and in its deservedly good reputation locally. The leadership and management provide the school with a good capacity to improve.
Satisfactory (3)	Leadership and management are inadequate in no major respect, and may be good in some respects, as shown by their impact on the school.
Inadequate (4)	Overall, leadership and management have too little effect so that standards are too low and learners make slow progress in their work and personal development. At its worst, the school is disorderly and unsafe, and arrangements to ensure the safety of learners are not adequately in place. Leaders and managers are insufficiently focused on raising standards and promoting the personal development of all groups of learners, and lack the authority and drive to make a difference. Many staff are disenchanted and lack confidence in their leaders. Even though the school may run smoothly on a day-to-day basis, the quality of its self-evaluation is inadequate and managers do not have a realistic view of its weaknesses. The views of major stakeholders are rarely sought and, if they are, little is done to address the issues or concerns raised. Resources are not well deployed, because the school does not have a well-ordered sense of its priorities, and this means that value for money is not satisfactory. Inadequate use is made of any extended services to promote outcomes for learners. Links exist with parents and other providers of education and care, but overall the school does not do enough to ensure they have a positive impact. Overall, the leadership and management do not provide the school with the capacity to improve.