

EM26

Proposed Education (Wales) Measure

Response from the Welsh Local Government Association



Our Ref/Ein Cyf:

Your Ref/Eich Cyf:

Date/Dyddiad:

Please ask for/Gofynnwch am:

Direct line/Llinell uniongyrchol:

Email/Ebost:

19th October 2010

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Leighton Andrews AM
Minister for Children, Lifelong Learning and Education
Welsh Assembly Government
Cardiff

Dear Minister,

School Governance

Thank you for your letter dated 5th October regarding the proposed legislative changes to school governance. Local government welcomes the opportunity to comment on your proposals at this early stage. The views contained in this response are those of the WLGA and the Association of the Directors of Education in Wales (ADEW).

There is broad support in local government for the need to review the current system of school governance. The WLGA and ADEW gave evidence to the Enterprise and Learning Committee in June 2009 and, also to the Legislation Committee considering the LCO on governance in November 2009. In both Committees support was expressed for the need for the National Assembly to take additional powers in the area of school governance.

In your letter you outline the areas where you will be seeking legislative change. In terms of school governance, local authorities accept the importance of the role, duties and accountability of governors and the critical influence that they have on school performance and standards. Currently, local authorities provide training for governors according to their local needs and it is accepted that training is important to ensure that governors have the skills necessary for the role. Compulsory training however, could have a

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negative impact on recruitment and retention, which is already a problem in many authorities. It may be more effective to bring forward legislation which would, in certain circumstances, bind governors to have regard to professional advice and provide a compulsion to conform with direction when given.

A statutory framework for collaboration in terms of governance would be most welcome, especially if it could facilitate effective and non-bureaucratic governance arrangements. An area urgently in need of attention is statutory partnerships, especially where joint-funding of provision is required. WLGA and ADEW also endorse the recommendation that there should be compulsion on educational establishments to consider collaboration to avoid duplication and inefficiency, which includes Further Education Institutions (FEIs). Such moves could radically improve the impact of the Transformation policy and would speed up the pace of change in this area. This proposal is particularly welcomed by local government, as previous regulations only made provision for the governing bodies of schools and FEIs to work together. This legislative proposal strengthens the Learning and Skills Measure 2009 and should make it easier for education providers to work together to ensure that efficient use is made of schools and FEIs resources.

The current proposals are a step toward bringing governance arrangements in Wales in line with those of England. Recent changes in the system in England have given local authorities a clear commissioning role with regards to education for 16 to 19 year olds and for those with a disability aged up to 25. English councils now have the role of commissioning education and training to support the choices of 16 – 19 year olds and the needs of local employers from a range of autonomous providers such as school sixth forms, sixth form colleges, FE colleges and independent providers. Local authorities have a clear view of the needs of young people and are able to secure collaboration where appropriate to ensure that a full range of options is provided for young people. The arrangements mean that councils in England can seek the best value for money to meet the post-16 needs of the area and reduce the risk of overprovision and the provision of courses that fail to attract learners. It also allows local authorities to make sure that education and training is relevant for work and responds to the needs of employers. Having the commissioning role means that councils can base services around the needs of the young person and offer improved, shared services in areas such as careers advice. It has been shown in England that this approach offers significant improvements in the stability of the system. Any proposals within the Governance Measure that enables local authorities to effectively lead collaborative change would be warmly welcomed by local government.

The WLGA and ADEW actively support the proposal preventing schools changing category to become foundation schools and also the repeal of Section 347 of the Education Act.

In addition to the proposals outlined in your letter, local authorities would also like to see more powers for councils to deal with under-performing schools, in a similar way to the powers that currently exist in the context of financial mismanagement. Such powers could include strengthening the role of the local authority in headteacher, and teacher, performance management and powers to direct governing bodies to remove a failing headteacher/senior management team. Giving local authorities powers in this area would significantly improve the effectiveness of the authority to raise standards and bring schools out of special categories. Local authorities are held accountable for standards and performance and so need adequate powers to act swiftly and robustly when needed. The scope of the LCO that relates to this Measure does seem to allow for such powers to be

granted to local authorities and the WLGA and ADEW would be happy to work with WAG colleagues to explore this issue.

In conclusion local authorities welcome the proposals that are outlined as they clearly support the School Effectiveness Framework and the drive to improve literacy, numeracy and break the link between underachievement and child poverty. The additional powers would also enhance collaborative arrangements across the board and support the further the development of the Transformation agenda.

Yours sincerely

Dr Chris Llewelyn
Director of Lifelong Learning, Leisure and Information