

School Performance Strategy



2019-23

2021 UPDATE FOLLOWING COVID PANDEMIC INCLUDING COVID RESPONSE RECOVERY PLANS

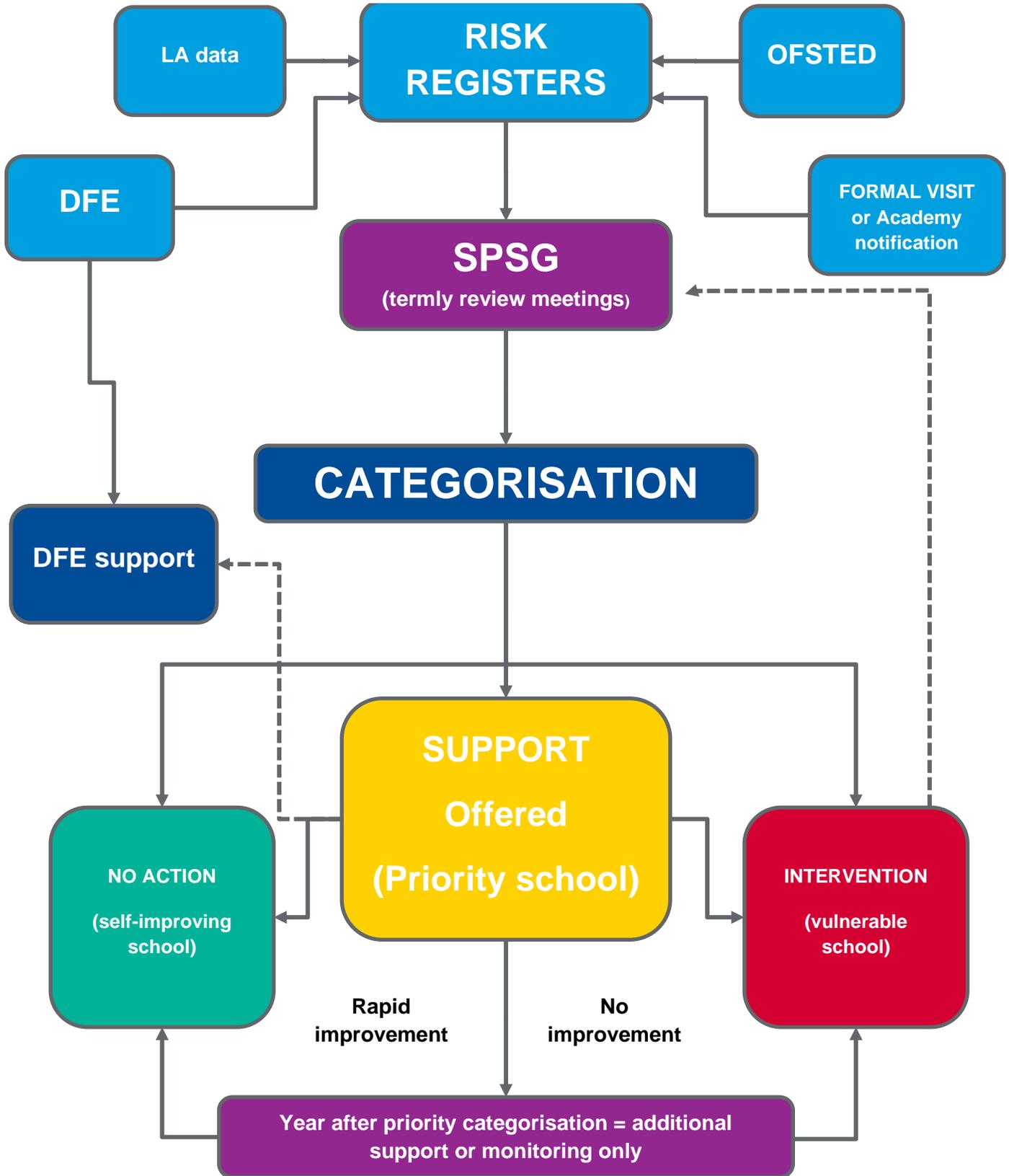
This document sets out Southend-on-Sea Borough Council's and partners evolving process of support and intervention for schools

Cover and other photos courtesy of the Thorpedene Primary School including those taken by pupils as part of Thorpedene Primary School photography project

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Detailed sources of intelligence that inform the risk register listed on p.13



Ensuring our children get the very best education that they can and have the opportunity to attend a good or outstanding school is a key ambition and priority for Southend-on-Sea Borough Council (SBC). We recognise the successes of many of our schools and continually strive to be one of the highest performing Local Authority areas. At the time of writing, 88.1% Southend pupils attend a good or outstanding school. We continue to offer support and challenge to schools not yet good or outstanding or those whom the School Performance Sub Group (SPSG) have approved as being eligible through its processes. This document sets out how we will work closely with our partners to ensure the best possible outcomes and opportunities for Southend pupils.

Expenditure for 2019-23 will focus on the outcome-based commissioning model. The term outcome-based commissioning refers to commissioning arrangements whereby Southend-on-Sea Borough Council identifies groups of providers who are funded to achieve designated outcomes for Southend's young people. The Local Authority will primarily act in a contractor function, coordinating schools and other providers to deliver the required benefits. The Local Authority will also endeavour to signpost schools to appropriate grants and recovery funds intended to support schools, following closure and the Covid pandemic. Services will be commissioned to schools and other providers to undertake projects which will primarily be linked to COVID recovery, council priorities and Education Board / School Performance Sub Group mandates. There may be other occasions where individual schools require specific support.

We are operating at a time of continual change in terms of national policy, responses to the COVID pandemic and OFSTED frameworks, within an environment of economic constraints.

Changes are developing an increasingly autonomous and diverse school system, a differing role for the Local Authority (LA), and an even greater need for the Local Authority and schools to work together, through a range of partnership arrangements. The strategy is intended as an evolving and enabling document, which provides a framework for Southend-on-Sea Borough Council's process for supporting school improvement, in particular through the Southend Education Board. At the time of writing this document, the 52 Southend-on-Sea schools (not including independent schools) can be categorised into the following types of school:

- 33 infant / junior / primary schools of which 21 form part of Multi Academy trusts and 12 are Local Authority Maintained.
- 12 secondary schools (comprising of 8 non-selective secondary schools and 4 Grammar schools) of which 4 are single academy trusts, 8 form part of multi academy trusts.
- 6 special schools which all form part of multi academy trusts
- 6 Independent schools ,1 Free school, 1 Virtual School for 'Looked after' children

THE ROLE OF THE LOCAL AUTHORITY

The introduction of the Department of Education's (DfE) White Paper: [Educational excellence everywhere](#) (March 2016) and the green paper [Schools that work for everyone](#) (September 2016), both of which are yet to be redacted, resulted in a new role for local authorities being defined. The White Paper gave local authorities three core functions:

- Ensuring the needs of vulnerable pupils are met: including identifying, assessing and making provision for children with special educational needs and disability, and looked after children.
- Ensuring every child has a school place: including that there are sufficient school, special school and alternative provision places to meet demand.
- Acting as champions for all parents and families: including listening to and promoting the needs of parents, children and the local community; championing high standards locally for all pupils; and, where necessary, calling for action from the Regional Schools Commissioner.

This document defines a key role for the Local Authority, which remains the most up-to-date guidance, in leading the development of good and better schools through its duties in championing high standards, namely:

- to promote early action to tackle school underperformance, so that it does not become entrenched and lead to formal school failure
- to ensure that effective support and challenge is provided immediately when an unacceptable standard of education is identified, so that improvements can be made quickly
- to secure decisive action if a school in special measures fails to make sufficient improvements, so that the education and life chances of pupils are protected.

These duties are reflected in the Council's document '*Our ambitions for your child's education in Southend*' which is our 'compact' with parents and families.

SCHOOL PERFORMANCE PRIORITIES/TARGETS 2019-2023

The following school performance and improvement priorities are directly linked to the priorities identified by Southend-on-Sea Borough Council. They intend to support the council administration's priorities, as stated within the Southend ambition 2050 five-year roadmap and, to meet our statutory requirements.

- Work with schools and Academy trusts to secure improvements in performance in underperforming schools
- Identify and agree pathways into employment, education or training.
- The gap between disadvantaged pupils and their peers continues to close.
- Raising aspiration and educational attainment in deprived areas.
- All schools will be good or outstanding

LOCAL AUTHORITY FRAMEWORK FOR IMPLEMENTING CORE FUNCTIONS

Cabinet and People Scrutiny	<ul style="list-style-type: none">• Direction• Governance• Scrutiny of Policy
SBC Corporate Plans and Priorities	<ul style="list-style-type: none">• Key Performance Indicators• Performance Management
Our Ambitions for your Child’s Education in Southend	<ul style="list-style-type: none">• Education “Policy” for Southend-on-Sea Borough Council
Education Board	<ul style="list-style-type: none">• Implementation and Operations for All Schools• Reports to Cabinet and Scrutiny
School Performance Sub Group	<ul style="list-style-type: none">• Commissioning of Intervention Challenge and Support
School Performance Strategy	<ul style="list-style-type: none">• Intervention Criteria and Categorisation

OUR PRINCIPLES

- The overarching responsibility for improving the performance of schools rests with each school’s leaders and governing body
- Categorisation is a means, and is an open, evidence based process that involves individual schools as well as School Performance Sub Group, whose powers have been delegated by the Education Board; any emerging judgement formed of school performance must be shared with the Headteacher and Chair of Governors/Trust
- Under the remit of Education Board, the suite of school performance opportunities and support applies equally to all schools regardless of status.

HOW THE SCHOOL PERFORMANCE STRATEGY RELATES TO OTHER PLANS

The Local Authority provides a strategic framework of plans and policies that take account of any legislation and statutory requirements.

This strategy is also linked the following documents:

- [Annual Education Report](#) – SBC March 2020 (updates available at [smartsouthend](#))
- [Schools causing concern](#): Guidance for local authorities and Regional Schools Commissioners on how to work with schools to support improvements to educational performance, and on using their intervention powers, DfE September 2020
- [Ofsted school inspection handbook](#), October 2021
- [DfE State-funded School Inspections and Outcomes](#): Management Information (updated October 2021)

The Local Authority has a statutory responsibility to ensure that arrangements are in place to support school improvement in both maintained schools and academies, although responsibility for intervention in academies and free schools rests with DfE and the Education Funding Agency (EFA). The LA is accountable for monitoring impact within individual schools. The Regional Schools Commissioner (RSC) has parallel accountability for academies, as well as intervention in LA maintained schools if determined appropriate. The Director of Education and Early Years and Head of School Performance and Provision meet with Her Majesty's Senior Regional inspector and the Regional Schools Commissioner on a termly basis which ensures that information is shared regularly and that the Local Authority is held to account with regard to its statutory roles and responsibilities.

Southend-on-Sea Borough Council's framework for fulfilling this responsibility is structured around four functions: monitoring; challenge; intervention; and support. Intervention and support are decided through the School Performance Sub Group, whose responsibility for the categorisation of schools has been delegated by Education Board.

Following the COVID pandemic of 2020 to 2021, the Local Authority has also committed to COVID recovery response work and will support schools, wherever possible following the unprecedented closures as a result of this pandemic to close gaps in children's learning, support mental health requirements and develop pupils' socialisation and personal skills.

MONITORING

All schools

The Local Authority examines evidence from attainment, progress and other data and intelligence gained from across children's services (details of which can be accessed in appendix 2) as well as information provided through Education Board and School Performance Sub Group. Following the initial review, a provisional categorisation of schools is presented to the School Performance Sub Group for further discussion. Following confirmation of categorisation by SPSG, priority schools are identified and support offered. SPSG will review data and info at termly meetings across the year. As such, categorisation may change during the academic year.

For maintained schools

The Local Authority has a statutory function to monitor the performance of locally maintained schools. In order to meet this statutory responsibility, The Local Authority will commission direct monitoring of Local Authority Schools through Hackney Services for Schools for 2021-2022. This arrangement will be reviewed at the end of the first-year contract.

The council would fund a school performance adviser for each of the maintained schools.

The school Performance adviser will in effect act on behalf of SBC Local Authority.

- a. The nature and schedule of the visits will be agreed in advance between all three parties, ie Hackney Services for Schools, the school and the local authority, on an annual basis.

- b. The authority will fund the equivalent of three termly school visits, including the time required by Hackney Services for Schools for preparation, visit and reporting, against the schedule agreed.
- c. The report will be for the chair of the governing body, but a copy in full will be sent to the authority.
- d. The school will be required to prepare appropriately for each visit, including supply of relevant information.
- e. If the school required additional support then this will be an arrangement between the school and Hackney Services for Schools. This includes should the governing body require Hackney to undertake the annual appraisal of the Headteacher. The council will not receive any of this information.

For academies

Direct monitoring of academies is the responsibility of the relevant Trust. The Regional Schools Commissioner will arrange for an educational adviser to visit a school where there are concerns. Regular updates between the Local Authority Director of Learning, Head of School Performance and Provision Service and the DfE ensure that both the Local Authority and departments are aware of any concerns at a local level.

In addition, academies have a duty to provide information to the Local Authority as outlined in [*Educational Institutions: Duty to Provide Information under the Education and Skills Act 2008*](#). Sections 76 and 77 provide additional data sharing powers to support local authorities to deliver their duties. The Local Authority co-ordinates and maintains data sharing arrangements with schools that set out the information schools should provide, when it will be provided and how they will ensure that data is passed securely. The school and the Local Authority are joint data controllers and it is the joint responsibility of the school and the LA to ensure the data flows are operational. Further information about the data sharing framework can be found in [appendix 3](#).

All schools

All schools may be subject to challenge through the Education Board and SPSG processes. However, the designation of the schools concerned determines the ways in which this is delivered:

For maintained schools

Appropriate challenge will be offered as part of the monitoring procedures and informal discussions with the school's Head Teacher and, if necessary, Chair of Governors. Schools categorised as requiring rapid improvement and intensive support will receive half termly visits. Hackney Services for Schools for 2021-2022 will be commissioned by the local Authority to provide an element of the 'challenge' function through its termly visits as part of the service level agreement held between Hackney Services for Schools and the Local Authority.

The Local Authority adheres to '[Guidance for local authorities and Regional Schools Commissioners](#) on how to work with schools to support improvements to educational performance, and on using their intervention powers', DfE September 2020. Failure to address concerns or make timely improvements will result in escalation to more formal intervention methods (see relevant section within this document).

For academies

The Local Authority will contact the Academy's Headteacher and/or the Academy or Multi Academy Trust's (MAT's) CEO to arrange a meeting to discuss concerns and the action for the Academy/Trust is taking. Further concerns will be escalated by the Local Authority with the Regional Commissioner for Schools where concerns remain or where the Trust cannot assure the LA that the improvements will be timely and sufficient.

SUPPORT

All schools

Offers of support to schools will be determined based on categorisation at the School Performance Sub Group (SPSG). However, additional support may be offered at the discretion of the Head of School Performance and Provision service and Director of Learning, at the request of individual schools, to deal with specific issues. The Local Authority preferred approach to provide schools with support is through 'school to school support' which will be brokered through local schools in the first instance and additional providers if necessary.

In addition to formal offers of support, the Local Authority offers a wide range of services to both maintained schools and academies through our 'services to schools'. Details of available services can be found on the Southend Learning Network. Services can be fully funded through the Local Authority school support funding, 'matched' or traded dependent on the categorisation and needs of the individual schools

For maintained schools

Schools categorised as requiring rapid improvement and intensive support will receive half termly visits which will be undertaken by Local Authority officers, external consultants or the preferred method of school performance advisers commissioned through Hackney Services for Schools for 2021-2022. Details concerning the nature of the support provided for each category school are indicated in the table within the 'categorisation' section within the appendix 1 to this document.

For academies

It is the responsibility of the Multi-Academy Trust and/or sponsoring academy to provide support for academies. In addition, the Regional Schools Commissioner may allocate an educational adviser to visit the school.

Academies will receive first-line critical incident support from the Local Authority at no charge. In addition, with the approval of the School Performance Sub Group, additional support will be provided by the LA and funded through the Local Authority school support funding, if and where appropriate.

DFE SUPPORT

On 28 April 2021, the Department for Education published a reviewed plan for support which can be [accessed here](#) for schools if a school, or a school within a trust (including local authority-maintained school, single academy trusts and multi-academy trusts (MATs) with only one school, meets either of the following criteria:

- a school receives an Ofsted 'requires improvement' judgement during the 2021 to 2022 academic year
- a school entered the 2021 to 2022 academic year with a current 'requires improvement' judgement for overall effectiveness where the previous judgement was also 'requires improvement', or worse

The ratings for both current and previous Ofsted inspections are based on the [Ofsted management information](#) which is published monthly.

The school or trust will be offered up to 3 days' support and advice from a national leader of education (NLE) or equivalent to help leadership teams identify and implement improvements within the school and support the building of relationships with a MAT, where appropriate credit up to the value of £10,000 towards the costs of a trust partnership where a suitable partner MAT is identified, and subject to the availability of funds

The DfE will make offers of support directly to schools independently of the Local Authority and school support subgroup (although, the Local Authority is informed when schools are identified for support and, can be asked for contextual information to support the process). It should be noted that TSI 21/22 is delivered at trust level, not school level.

AREAS OF SUPPORT REQUIRED BY SCHOOLS FOLLOWING COVID PANDEMIC

Following school closure as a result of the Covid pandemic, a survey was sent out to school in summer 2021 schools to identify gaps in pupils' learning and perceived areas where support may be required as a result of the pandemic. Emotional wellbeing, social skills, culture for learning and engagement (previously 'behaviour') was identified by schools as the priority areas for recovery. As a result, this will be the main focus for support services during this current year. Additional recovery areas are summarised as follows:

- Subject and curriculum specific (with main areas of concern around communication, language and Literacy and mathematics)
- Attainment gap for disadvantaged pupils
- Safeguarding & child protection
- Attainment of all pupils created by COVID-19 school closures
- EYFS, Transition and school readiness

SBC Teams across Learning departments, Public Health, SEN, EYFS and CCG are meeting to identify sources of support and allocate funding where possible to support schools' individual requests. School Improvement funds and Covid support grants are being utilised to address these needs through commissioning of appropriate services and work with relevant hubs.

This work will be ongoing and reported through School Performance Sub Group

The Data Path



The School Performance Sub Group (SPSG) will meet to confirm categories for schools which will have been provisionally categorised by the Director of Education and Early Years and Head of School Performance and Provision Service. Categorisation is usually based on the dataset outlined within the Local Authority Risk Registers. However, for 2021 to 2022, Support will be focused according to needs / requests following feedback from schools following the Local Authority Covid recovery survey where schools were asked to identify areas of concern in terms of pupils learning social and developmental needs. Support and Resources including access to id

Risk registers will be updated to reflect Covid priorities. However, these will, where possible and available retain the information outlined below. Please note that data collection for 2020 -2021, has been suspended as result of the Covid Pandemic, but is outlined below for information as part of the longer-term strategy intentions.

Four data sets will be recorded:

- Attendance & Inclusion
 - Permanent exclusions
 - FT exclusions
 - Persistent absence
 - Overall absence
 - Off-rolling to EHE

- Contextual
 - Finance
 - New Head teacher (a 'flag' in determining a schools categorisation and/ or provision of additional support)
 - uncharacteristic drop in performance
 - **OFSTED:**
 - current OFSTED judgement
 - date of previous OFSTED
 - Flag for potential upcoming or imminent inspection (soft data)
 - school currently on an existing OFSTED, 'requires improvement' judgement (a 'flag' in determining a schools categorisation and/ or provision of additional support)
 - Notification of safeguarding complaints
 - any other identified specific concerns e.g., high number of parental complaints, high turnover of staff etc.
- Vulnerable Groups
 - SEND
 - Outcomes for disadvantaged pupils
- Attainment / Progress (not available in 2020-21)
- Curriculum
 - Schools' self-evaluation of curriculum strengths / priorities

Secondary schools datasets will also include:

- Post 16 Participation (including disadvantaged pupils)

Full information about datasets and thresholds can be found in appendix 2

Once the SPSG has approved categorisation of 'priority' schools, this information will be shared with the individual schools deemed to be a priority. A meeting will be arranged to discuss what, if any, support is required.

During the year there may be occasions where additional information is received about a school. This may be as a result of a change of circumstances e.g., new Headteacher, a serious incident, external inspections including OFSTED or complaints from parents. This may trigger a change of category which will be decided by the Head of School Performance and Provision services and Director of Education and Early Years and presented to SPSG for approval before being discussed with the Headteacher/Chair of Governors (or other relevant senior leader) of the schools concerned.

Categorisation (best fit)	School performance support
<p>Self-improving school</p> <ul style="list-style-type: none"> Schools likely to be judged good/outstanding by OFSTED Schools currently judged as 'RI' / in 'measures or inadequate by Ofsted cannot be self-improving schools 	<p>Universal offer for all schools:</p> <ul style="list-style-type: none"> core services such as Southend learning network (SLN); Southend-on-Sea Borough Council briefings (directors briefing, Gov services briefing etc); SBC documentation outputs from Education Board /School Performance Sub Group service level agreements commissioned or brokered activity* participation as a donor/recipients in school to school support (S2S)* data and intelligence benchmarking (free access to Nexus for LA Maintained schools, Academies may purchase if required) critical incident support access to Local Authority officer if required
<p>Priority school</p> <ul style="list-style-type: none"> OFSTED/SBC requires improvement Schools not on track to maintain or achieve good or outstanding. Schools identified through risk registers 	<p>In addition for priority schools:</p> <ul style="list-style-type: none"> termly school performance review meeting access to data and intelligence dashboard access to targeted commissioned programmes access to targeted support for specific concerns # access to targeted relevant reviews # DFE support (if relevant criteria met)
<p>Vulnerable School Schools requiring rapid improvement which require monitoring, challenge/support to improve or in order to prevent need for formal intervention;</p> <ul style="list-style-type: none"> schools in special measures or with serious weaknesses schools with two RI ratings inconsistent results/declining trend offer of DFE category 2 or 3 tier support 	<p>In addition for rapid improvement schools:</p> <ul style="list-style-type: none"> half termly school performance review progress check targeted school to school support# access to leadership/governance support*/# DFE support

Formal intervention:

- schools which failed to demonstrate sufficient progress towards improvement in a timely manner
- standards of performance at the school are unacceptably low, and are likely to remain so unless the Local Authority exercises its statutory intervention powers
- there has been a serious breakdown in management or governance which is prejudicing, or likely to prejudice, standards of performance
- the safety of pupils or staff at the school is threatened (whether by a breakdown in discipline or otherwise)

See details in formal intervention section:

Actions may include:

- the issuing of a warning notice
- the appointment of additional governors
- the appointment of an Interim Executive Board (IEB)
- the suspension of delegated authority for the governing body to manage a school's budget.

Warning notices should only be used where there is evidence to justify both the Local Authority's concerns and the school's reluctance to address these concerns through a professional dialogue within a reasonable timeframe.

*at a cost # expected matched funding or from school to school support fund



FORMAL INTERVENTION FOR SCHOOLS WHICH FAIL TO DEMONSTRATE TIMELY IMPROVEMENT

On 4th May 2018, the Secretary of State announced principles for a clear and simple accountability system which set out the circumstances in which the DfE will intervene in schools; how they will identify and support schools that are underperforming; and ways of working with schools. As part of these principles the department announced that it would not seek to use its intervention powers for low standards of pupil performance unless the school has been judged inadequate by Ofsted.

On 3 May 2019, the Secretary of State announced the removal of the 'floor' and 'coasting' standards and confirmed that from September 2019 that Ofsted Requires Improvement judgements would be the sole method of identifying schools for an offer of improvement support.

It is essential that action is taken wherever a school is judged inadequate, or where there is financial mismanagement or failure of governance. Intervention is different to school support and refers to the formal action taken by local authorities and RSCs in schools that are causing concern.

This guidance describes the processes local authorities and the RSC may take in schools that are eligible for intervention within the meaning of Part 4 of the [Education and Inspections 2006 Act](#). These include:

1. **Schools that have failed to comply with a warning notice** – The Local Authority may give warning notices to maintained schools where they have concerns about unacceptable educational performance, a breakdown in leadership and governance, or where the safety of pupils or staff may be being threatened. RSCs may give a warning notice to a maintained school where they have concerns about a breakdown in leadership and governance, or where the safety of pupils or staff may be being threatened. Where a maintained school does not comply with a warning notice, it will become eligible for formal intervention. The warning notice process for maintained schools is described in more detail in Chapter 2 of this guidance.
2. **Schools that have been judged inadequate by Ofsted** – An academy order must, in line with statutory requirements, be issued for all maintained schools that have been judged inadequate by Ofsted, requiring them to become sponsored academies. When an academy is judged inadequate by Ofsted, the RSC is able to terminate the funding agreement with the existing academy trust and move the academy to a new trust. The process for schools judged inadequate by Ofsted is described in more detail in Chapter 2 (maintained schools) & Chapter 4 (academies) of this guidance.

Where a maintained school has become eligible for intervention, the Local Authority and RSC have specific powers they may use to bring about improvement.

WARNING NOTICES IN MAINTAINED SCHOOLS

Warning notices can be given to schools that are causing concern but are not currently eligible for intervention. Both the RSC and Local Authority may issue warning notices but there are differences in the circumstances under which they may be issued.

Local authorities may issue warning notices to their maintained schools under the following circumstances:

1. the standards of performance of pupils at the school are unacceptably low and are likely to remain so; or
2. there has been a serious breakdown in the way the school is managed or governed which is prejudicing, or likely to prejudice, such standards of performance; or
3. the safety of pupils or staff at the school is threatened (whether by a breakdown of discipline or otherwise); or
4. the governing body have failed to comply with a provision of an order under section 122 of the [Education Act 2002](#) (teachers' pay and conditions) that applies to a teacher at the school; or have failed to secure that the Head Teacher of the school complies with such a provision.⁹

RSCs will only issue a warning notice to maintained schools under the following circumstances:

1. Where there has been a serious breakdown in the way the school is managed or governed, which is prejudicing, or likely to prejudice, such standards of performance; or
2. Where the safety of pupils or staff at the school is threatened (whether by breakdown of discipline or otherwise).

RSCs will only issue warning notices for low standards of educational performance in exceptional circumstances, such as where there are links to poor financial management and/or failures of governance.

Failure to comply with a warning notice will make a maintained school 'eligible for intervention' under Sections 60 and 60A of the [2006 Act](#). Local authorities and RSCs will use their discretion to decide whether the use of formal powers is necessary.

The Local Authority will work with the Regional Schools Commissioner or Director judges that a warning notice is necessary.

The RSC will issue a warning notice on grounds other than educational standards where, in the RSC's opinion, it is appropriate to act. Examples of this may include where the Local Authority has failed to act swiftly enough in a specific case, has generally not acted swiftly or robustly enough in the past, or lacks capacity to act. The Secretary of State's power to issue a warning notice takes precedence over the Local Authority's, so the RSC can also act where the Local Authority issues a warning notice that the RSC does not consider to be robust enough, or where the RSC does not consider that the action required by a Local Authority warning notice is robust enough.

The Local Authority must give a copy of any warning notice they issue to the relevant RSC; similarly, an RSC must give a copy of any warning notice they issue to a maintained school to its Local Authority.

- The Local Authority will deploy its formal powers of intervention promptly and decisively where a school has been placed in an OFSTED category or is considered by the SPSG to be underperforming in one or more of the key OFSTED judgement areas.
- The progress of schools causing concern will be kept under review by the Schools Performance Sub Group (SPSG), chaired by an elected member of the group. Robust action will be taken where progress is judged to be insufficient and/or where schools have met the threshold for intervention.

The Director will meet with the Head and Chair of Governors to inform them of his decision and record the decision in writing. The improvement plan will be monitored by the Head of School Performance and Provision services. The timescale for improvement will be no more than two full academic terms and the Director of Education and Early Years will sign off any de-escalation once he is assured that the necessary actions have taken place and the impact is being felt.

If a Local Authority is notified that the RSC has given a warning notice, the Local Authority may not give such a warning notice to the same maintained school without the RSC's agreement. If the RSC gives a warning notice, any earlier warning notice given to the same maintained school by the Local Authority will cease to have effect. Whichever has given a warning notice should keep the other informed about what action the maintained school has taken to address the concern, whether they consider the school to have complied with the warning notice, and what, if any, interventions will be made as a result.

ACTIONS LOCAL AUTHORITIES AND RSCS MAY TAKE IN MAINTAINED SCHOOLS THAT HAVE FAILED TO COMPLY WITH A WARNING NOTICE

When a governing body has failed to comply with a warning notice to the satisfaction of the RSC or Local Authority within the compliance period, and the issuing Local Authority or RSC has given reasonable written notice that they propose to intervene, a school is eligible for intervention and further action may be taken.

The Local Authority or RSC must have specified in the warning notice what action they were minded to take if the governing body failed to comply.

The powers in sections 63, 64, 66 and 66A of the [2006 Act](#) must be exercised within a period of two months following the end of the compliance period. If the Local Authority or the RSC fails to exercise these powers within this time, these powers can no longer be exercised and a new warning notice must be given in order to do so.

APPENDIX I – CATEGORISATION RATIONALE

Categorisation will be set in line with Ofsted framework descriptors which can be found [here](#).

Green (Self- Improving school) are broadly in line with Ofsted Framework descriptors for 'Good' Schools

Amber (Priority) schools are broadly In line with Ofsted 'Requires Improvement' Descriptors

Red (Vulnerable) schools are broadly in line with Ofsted 'Inadequate' descriptors

Purple (Formal Intervention)

Any of the following may apply:

- Following its first inspection a school needs to address urgently significant areas for improvement and is not demonstrating capacity to make necessary improvements
- A school reported as 'having important areas for improvement' at its first inspection and is subsequently found to 'need to address urgently significant areas for improvement' following its first follow-up inspection and is not demonstrating capacity to make necessary improvements. Following its second follow-up inspection a school remains with 'important areas for improvement'. The school would have been reported as having 'important areas for improvement' at its first inspection and first follow-up inspection, i.e. the school has remained at this performance level for three consecutive inspections and is not demonstrating capacity to make necessary improvements
- The standards of performance of pupils at the school are unacceptably low, and are likely to remain so unless the authority exercise their powers in this part
- There has been a serious breakdown in the way the school is managed or governed which is prejudicing, or likely to prejudice, standards of performance
- The safety of pupils or staff of the school is threatened (whether by a breakdown of discipline or otherwise)

There are serious concerns about financial management

OFSTED FRAMEWORK DESCRIPTORS USED TO DETERMINE SCHOOLS LEVEL OF CATEGORISATION

Ofsted [Grade descriptors](#) for overall effectiveness

Ofsted [Grade descriptors](#) for the quality of education

Ofsted [Grade descriptors](#) for behaviour and attitudes

Ofsted [Grade descriptors](#) for personal development

Ofsted [Grade descriptors](#) for leadership and management

Ofsted [Grade descriptors](#) for early years education in schools

Ofsted [Grade descriptors](#) for sixth-form provision

Please note that the data sets which are being laid out below will not be using data for the academic years 2019-2020 or 2020-2021, following the COVID pandemic and the lack of available attainment/progress data. The proposed version of the risk registers set out in this document will use data from 2021-2022 which will be available during this academic year.

The following data sets will form the basis of the initial proposals for categorisation to the Education Board's School Performance Sub Group. During 2021-2022 academic year data will be collected as it becomes available throughout the academic year for key data collection points such as Phonics screening in Autumn 2021 Primary Assessment data during Summer 2022 (EYFS, KS1 and KS2), Key Stage 4 and Key Stage 5 data will be requested as per usual process in August 2022. The potential frequency of updated data is shown, although in practice the information will be collated in line with dates of SPSG meetings.

The principles of the data selection are as follows:

- Existing headline, and local and national benchmark data will be used as a proxy of school performance but will be superseded by school support requests from schools for 20-21 A focused set of evidence-based indicators will be used to lead to a judgement on school performance.
- A data set and intelligence which will be confidential to the School Performance subgroup, but will be shared with the individual schools and the allocated officer / Local leader of Education for the purpose of supporting schools designated as 'priority'.
- The data set will be coded in relation to above or below a threshold (statistically significantly above/below the latest national benchmark unless otherwise stated)
- Where intervention is required, this will require additional depth of materials.
- Data will be refreshed according to the frequencies shown below

Contextual:

- Overall Ofsted rating (refreshed as appropriate)
- Finance projection into deficit flag (refreshed annually for maintained schools/annually for academies)
- Finance non-allocated surplus flag (refreshed annually) – threshold: $\geq 15\%$
- New Head Teacher (refreshed termly)
- Self-reported curriculum rating – No issues / Issues addressed in-house / Support Required (refreshed annually)
- Curriculum Strengths (refreshed annually)
- % KS4 leavers in Education/Employment/Training (refreshed annually from Activity Survey available from February internally)
- % KS4 leavers in Education/Employment/Training – Disadvantaged pupils (refreshed annually from Activity Survey available from February internally)
- % KS4 leavers in Education/Employment/Training – Non-Disadvantaged pupils (refreshed annually from Activity Survey – available from February internally)

Attainment & Progress Overview (refreshed bi-annually, provisional/revised)

- % Achieving a Good Level of Development at EYFS
- % Achieving the Expected Standard or Above at KS1 in Reading
- % Achieving the Expected Standard or Above at KS1 in Writing
- % Achieving the Expected Standard or Above at KS1 in Maths
- % Achieving the Expected Standard or Above at KS2 in Reading
- % Achieving the Expected Standard or Above at KS2 in Writing
- % Achieving the Expected Standard or Above at KS2 in Maths
- KS1-2 Progress Score in Reading
- KS1-2 Progress Score in Writing
- KS1-2 Progress Score in Maths
- Progress 8 Score at KS4
- % Entered for English & Maths at KS4
- % Achieving 5-9 in English & Maths at KS4
- % Entered for EBACC at KS4
- EBACC APS at KS4

Attainment & Progress – Vulnerable Groups (refreshed bi-annually, provisional/revised)

- % of pupils with EHC plans (refreshed termly) – threshold: significantly above/below national
- % of pupils on SEN Support (refreshed termly) – threshold: significantly above/below national

Threshold for all of the measures below: significantly below national

- KS1-2 Progress Score in Reading – EHC pupils
- KS1-2 Progress Score in Writing – EHC pupils
- KS1-2 Progress Score in Maths – EHC pupils
- KS1-2 Progress Score in Reading – SEN Support pupils
- KS1-2 Progress Score in Writing – SEN Support pupils
- KS1-2 Progress Score in Maths – SEN Support pupils
- KS4 Progress 8 Score – EHC pupils
- KS4 Progress 8 Score – SEN Support
- % Achieving the Expected Standard or Above at KS1 in Reading – Disadvantaged pupils
- % Achieving the Expected Standard or Above at KS1 in Writing – Disadvantaged pupils
- % Achieving the Expected Standard or Above at KS2 in Maths – Disadvantaged pupils
- % Achieving the Expected Standard or Above at KS2 in Reading – Disadvantaged pupils
- % Achieving the Expected Standard or Above at KS2 in Writing – Disadvantaged pupils
- % Achieving the Expected Standard or Above at KS2 in Maths – Disadvantaged pupils
- KS4 Progress 8 Score - Disadvantaged

Access & Inclusion

- Absence Rate (refreshed termly)
- Persistent Absence Rate (refreshed termly)
- Fixed Exclusion Rate (refreshed termly)
- Permanent Exclusion Rate (refreshed termly)

% of pupils withdrawn to home education (refreshed termly)– threshold: $\geq 0.5\%$

The additional contextual evidence is as follows:

OFSTED:

- previous OFSTED judgement
- date of previous OFSTED
- Flag for potential upcoming inspection (soft data)

We currently have a number of Information sharing agreements in place with schools to share data including the termly school census and more regular B2B feeds.

Any school-level data will only be shared with SPSG for categorisation purposes and will not be used for any other purpose with wider groups.

SBC Information Sharing Agreements (ISA) with schools are designed to ensure that information is shared in a way that is fair, transparent and in line with the rights and expectations of the people whose information you are sharing.

SCHOOL CENSUS ISA

The purpose of this information sharing agreement is to ensure all parties share information relevant to the intended purpose based on the 6 GDPR principles and the DPA (2018).

The submission of the school census returns, including a set of named pupil records, is a statutory requirement on schools under [Section 537A of the Education Act 1996](#). The census takes place during the autumn, spring and summer terms. The census collects information about individual pupils; covers school phases from nursery to secondary education; special schools and pupil referral units / alternative provision (PRU / AP).

Southend-on-Sea Borough Council supports their maintained schools with the submission of their census via DfE Collect system. Non maintained schools submit their data direct to the DfE and send a copy to SBC via secure email.

Much of the data collected represents some characteristic or status at a point in time – census day. There are also continuous items that capture data for a term or a year, for example:

- Pupil attendance
- Exclusions
- Bursary funding
- Post-16 learning aims

SBC will use census data at an aggregated level to support, for example:

- Admission planning.
- Local planning.
- Strategic planning including JSNA and their Local Plan.
- Understand SEN and FSM populations.
- Reconciling against SEN caseload and support Early Help with attendance and exclusion information.
- Cross referencing with social care data to improve data accuracy and safeguarding
- Ensure attainment results are matched to the schools census data.
- Reconcile early year's data against the early year's census to prevent fraud.
- To aid targeted support to improve outcomes for students.
- Identification and correction of data to ensure funding is maximised.

SCHOOL B2B FEED ISA

B2B allows data synchronization between Schools and Southend-on-Sea Borough Council. It enables the automatic and seamless transfer of core student data between schools management information system (SIMS) and CapitaOne, creating an integrated system for schools and SBC. (One consists of a suite of modules dealing with data about pupil/students, personnel and the school office).

The transfer of data via B2B supports SBC in meeting their legal obligations and supports Safeguarding; Special Educational Needs (SEN); Admissions; Early Years provision; Attendance; Children missing education (CME) processes. It allows identification and correction of data to ensure funding is maximised. Information will also be used to inform provision of LA Services to individual children to ensure their well-being and safety. It will be used to help identify children missing from education and to target intervention and support through monitoring of key indicators such as attendance and exclusions.

Information held in the LA's Capita ONE system may also be shared with other internal Council departments and Council partners. This will only be done where to do so is in compliance with statutory guidance and legislation regarding the duty to co-operate to improve well-being of children and the relevant data protection legislation.

Some aggregated data will be made available on platforms such as [SmartSouthend](#), appropriate suppression will be applied on these to eliminate the ability to identify.

LEGAL BASIS FOR DATA AGREEMENTS:

Every school in England has a statutory duty to complete the school census each term.

Information is to be provided for all pupils on the school's admission register, in accordance with the following:

- [Regulation 12 of the Education \(Pupil Registration\) \(England\) Regulations 2006](#) –
- [The Education Act 1996](#) – [Section 434](#) (1), (3), (4) & (6) and [section 458](#) (4) & (5)
- [The Education \(Pupil Registration\) \(England\) Regulations 2006](#)
- [The Education \(Pupil Registration\) \(England\) \(Amendment\) Regulations 2010](#)
- [The Education \(Pupil Registration\) \(England\) \(Amendment\) Regulations 2011](#)
- [The Education \(Pupil Registration\) \(England\) \(Amendment\) Regulations 2013](#)
- [The Education \(Pupil Registration\) \(England\) \(Amendment\) Regulations 2016](#)
- Government departmental advice on attendance
[Advice on school attendance aug 2020.pdf](#)

The sharing of this data is lawful under the [General Data Protection Regulation 2016 \(GDPR\)](#) Article 6 and Article 9 below.

Personal Data	Special Categories of Data
Sharing personal information in accordance with this agreement is lawful under the <i>General Data Protection Regulation 2016</i> article 6:	Sharing personal information in accordance with this agreement is lawful under the <i>General Data Protection Regulation 2016</i> article 9: (if appropriate): <i>[please complete]</i> :
Public Task	Vital Interests
	Substantial Public Interest ¹
	Scientific/Research/Statistics

Fair Processing in accordance with [General Data Protection Regulation 2016](#) article 12.

- Any processing of personal data should be lawful and fair. It should be transparent to the person how data concerning them is collected, used and processed.

Fair processing requirements have been satisfied by:

[Privacy notices](#) are given to students by their school outlining how their information is used, as recommended by the DfE;

DATA RESPONSIBILITIES

As a public body, Southend-on-Sea Borough Council holds many statutory powers to deliver services or provide them in line with legislation. Statute informs the data we need to collect, and in such cases we are typically the Data Controller too, therefore the school and the council have Joint Data Controller responsibilities.²

¹ [GDPR](#) Go to Articles 6-14

² [GDPR](#) Go to articles 13-14, 24 - 31