

CHILDREN AND YOUNG PEOPLE OVERVIEW AND SCRUTINY COMMITTEE

22 SEPTEMBER 2015

INTERIM REPORT ON UNVALIDATED KEY STAGE 2 PERFORMANCE

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Summary

This report provides information about the performance of Medway schools at the end of Key Stage 2 (pupils aged 11 years) based on the provisional release of data (source: Department for Education statistical first release 27 August 2015). A full report on all final performance data of Medway schools will be provided to this Committee in March 2016.

1. Budget and Policy Framework

- 1.1 The performance of schools continues to be a priority in the Council Plan “Children and young people have the best start in life in Medway”.
- 1.2 As the next meeting of the committee is not scheduled until 8 December 2015, the Chairman has accepted this item as urgent to enable timely discussion of the issue following the recent publication of statistical first release of provisional data from the Department for Education. The report could not be despatched with the agenda as officers needed time to prepare the report which was requested by Members at the pre-agenda meeting on Wednesday 9 September 2015.

2. Background

- 2.1 Provisional results from the annual Standard Attainment Tests (“SATs”) are published to schools in July and the provisional performance of Local Authorities (LA) is published in the Department for Education (DFE) in August. All maintained schools (LA maintained and academies) are included in those figures. The national standard is Level 4+ reading, writing and maths combined. Not all children can reach this standard. For a LA area with Medway’s social profile, it is reasonable to expect schools overall to reach the national average.
- 2.2 This year the Key Stage 2 provisional results were extremely disappointing and a significant cause for concern. The provisional national average is 80%. Medway schools’ results were 73%. The gap between the national average

and Medway has increased from 4% to 7%. Medway has the lowest result nationally alongside 4 other LAs.

- 2.3 The provisional results will improve when the final results are published in November. During the period from publication of provisional to final results, adjustments are made to recognise disapplications and other exceptions. However, in previous years the adjustment upwards has been matched nationally and so it is not expected that Medway's position will significantly change.
- 2.4 An analysis of Medway's performance from the DFE Statistical First Release is shown in Appendix 1. In none of the progress measures for 2015 is Medway at the bottom of the national league table for LAs. However, it is of very significant concern that Medway LA is bottom for pupil attainment in the key measure of reading, writing and mathematics combined.
- 2.5 In previous years, this committee has received a report in Autumn on data which has not been finalised. This means that the full data and therefore analysis for all Medway schools has not been published. It is proposed that this year a comprehensive performance report on all Medway schools should be submitted to this committee in March 2016 when the final data of secondary schools is known. At this meeting the portfolio holder for Children's Services would be called to account on school performance.

3. Options

- 3.1 The powers of the LA are limited in raising school standards. In some circumstances a formal warning notice can be issued on the governing body of a LA maintained school where certain criteria are met. If the school is an academy, a referral can be made to the Regional Schools Commissioner. A Year 6 accelerated learning programme has been developed and promoted to all schools. For many schools, the cost of the programme will be funded from resources allocated by the Schools Forum. Whilst the LA does not have the power to direct a school to be part of the programme, the Director of Children and Adults Services and the lead member for Children's Services have strongly urged schools to do so.

4. Advice and Analysis: Attainment

- 4.1 The two key measures of performance at KS2 are Level 4+ and Level 4B+ reading, writing and maths combined. Level 4B+ is the more demanding measure. At Level 4+, Medway is bottom with 4 other LAs (Bedford, Doncaster, Luton and Poole). At level 4B+, Medway is bottom with 2 other LAs (Peterborough and Walsall). In total, Medway is bottom of all 152 LAs.
- 4.2 **Level 4+ reading, writing and maths** - Medway achieved 73% against the provisional national performance of 80%. This is a poorer result than was achieved in 2014 when Medway's performance was 75% against a national result of 79%. Therefore the gap against the national standard has widened. Whilst girls achieved the same result, boys accounted for the decline in results, as shown in table 1 below.

	Medway	National	Medway	National
	2014 L4+ R, W, Ma		2015 L4+ R, W, Ma	
All	75	79	73	80
Boys	73	76	69	77
Girls	76	82	76	83

- 4.3 **Level 4B+ reading, writing and maths** – Medway achieved 61% against the provisional national performance of 69%. This is a poorer result than was achieved in 2014 when Medway’s performance was 62% against a national performance of 65%. Therefore the gap against the national measure has widened. Whilst girls’ performance has slightly improved, boys’ performance has declined, as shown in table 2 below.

	Medway	National	Medway	National
	2014 L4B+, R, W, Ma		2015 L4B+, R, W, Ma	
All	62	67	61	69
Boys	62	65	58	68
Girls	63	69	64	71

- 4.4 The detailed figures for reading, writing and maths are attached at Appendix 2, together with the Grammar, Punctuation and Spelling results, which are not part of the combined national standard.

5 Advice and Analysis: Progress and School Inspection

- 5.1 Expected progress between the end of Key Stage 1 and Key Stage 2 is defined as two National Curriculum levels of progress (12 points). In summary, expected progress in writing has improved, but declined in reading and maths. Nationally, 5 LAs are below Medway in reading, 19 below Medway in writing and 10 below Medway in maths. This is a better position than the raw attainment. OFSTED consider progress measures when schools are inspected. Consequently OFSTED inspection judgements are showing improvement, as highlighted in 5.3.
- 5.2 Table 3 below shows the progress results for Medway against the national results.

	2015	
	Medway	National
Reading, writing, mathematics	88	91
Reading	88	91
Writing	93	94
Maths	86	90

- 5.3 Ofsted Inspection judgements show that Medway continues to have too many primary schools judged not to be good or outstanding. Currently 81% of all primary schools nationally are judged as good or outstanding; in Medway this is just 68%. However, since the LA inspection in March there have been 20 Ofsted inspections. The results of these are:
- Three schools moved from Good to Outstanding
 - Three maintained a good judgement

- Six moved from Requires Improvement to Good
- Three maintained a Requires improvement judgement
- One school moved from Serious Weaknesses to Requires Improvement
- One school dropped from Good to Requires Improvement
- One school, previously undesignated, achieved a good judgement
- One school, previously undesignated was judged as Requiring Improvement
- One school, previously undesignated was deemed to require Special Measures

6 Analysis and Advice: School Performance and LA actions

- 6.1 The results for Medway show that just 28 schools of the 65 included in the statistical analysis achieved at or exceeded the provisional national average of 80% at Level 4+. Of these, seven are academies. All are converter academies and therefore were judged by OFSTED to be good or better on conversion.
- 6.2 There are too many schools with performance below the national average and far too many with low attainment. 14 schools achieved below 65% in reading, writing and mathematics at L4+. Eight of these are academies. When the final results are published and the median progress is known, eight of these (four academies, four LA schools) are likely to be below the floor threshold of 65% at L4+ in reading, writing and mathematics and below median progress in reading, writing and mathematics.
- 6.3 Headline figures mask significant variation in school performance. Medway school results range from 100% L4+ in reading, writing and mathematics to the lowest performing LA primary school with 42% and another primary school whose results are under investigation and the data therefore includes a calculation of 0% for this school
- 6.4 The Statistical First Release gives national provisional figures for LA maintained schools and for academies, as shown in table 4.

	2015 reading, writing, maths L4+ combined	2015 reading, writing, maths L4+ combined
	Medway	National
LA maintained schools	77	81
Academies - converter	82	84
Sponsored academies	56	71

- 6.5 Action taken so far as a result of the analysis of the provisional results includes:
- The development of a training programme for Year 6 teachers to improve pupil outcomes and accelerate progress. This involves a series of sessions over the next few months to ensure that there is robust tracking and rigorous monitoring of pupil progress. Funding from the Dedicated Schools Grant (DSG) has been allocated by the Schools Forum for this intervention to schools with the poorest performance.
 - A data protocol has been produced to enable schools to share information with one another and other partners to drive school improvement.
 - A reading initiative has been implemented working with Beanstalk to provide training reading volunteers to schools to encourage and develop

reading skills in pupils who require additional support. This initiative is also funded from the DSG to support schools and raise standards of achievement.

- The LA has issued two warning notices to schools, using its powers of intervention in LA maintained schools causing concern.
- Six LA maintained schools have been called into the LA to discuss their plans for this academic year to address the disappointing pupils outcomes of 2015
- Concerns have been raised with the Regional Schools Commissioner regarding the performance of some academies in the Local Authority
- Letters of concern have also been written to academy proprietors where appropriate
- Work continues via the School Effectiveness Strategic Board and the primary consortia to provide peer challenge and develop systems leadership.
- Additional resource for teacher recruitment has been provided to address this issue identified by schools as a barrier to improvement and is a priority in Medway's School Improvement Strategy
- Work continues with the Teaching Schools to deploy specialist Leaders of Education and Local and National Leaders of Education and Governance into local schools

7. Risk management

Risk	Description	Action to avoid or mitigate risk	Risk rating
DFE may intervene to require more schools to become academies	Where LA schools are performing poorly, pressure may be applied on governing bodies by DFE to become academies. The financial loss to the LA is in the region of £1.3m if all schools became academies	Target resources allocated by Schools Forum at those schools most at risk Engage strategically with DFE and Regional schools Commissioner on effective academy sponsors	C2
Regional schools Commissioner may change existing academy sponsor to one which will not engage with LA	An academy sponsor can be removed when there is standards or governance failure. If this leads to improvement for all pupils, that can be helpful. However if a new sponsor is weak, or for example does not support children at risk, the impact on the LA and on some pupils could be detrimental	Maintain constructive and proactive relations with the Regional Schools Commissioner to ensure that any new sponsors are effective and engage with other schools and partners	C2

8. Implications for Looked After Children

- 8.1 Poorly performing schools may not be providing an aspirational learning environment for looked after children. However, the provisional Key Stage 2 results suggest that looked after children did well, achieving close to the national figure on expected progress in Reading, Writing and Mathematics and higher than national compared to the percentage who achieved more than expected progress. There are many contributory factors to this but the support which they have received from the Virtual School has been significant.

9. Financial implications

- 9.1 £200k was allocated by the Schools Forum from the DSG to support the School Improvement Strategy. Of this resource, £80k will initially be used to fund targeted schools on the accelerated learning programme.
- 9.2 In addition, during the year, fees for specialist consultants or national leaders in education will be met in targeted LA maintained schools through existing resources for such purposes within the budget of the School Challenge and Improvement Team.

10. Legal implications

- 10.1 Local authorities' statutory responsibilities for educational excellence are set out in section 13A of the Education Act 1996. This duty states that a local authority must exercise its education functions with a view to promoting high standards. Local authorities are discharging this duty within the context of increasing autonomy and changing accountability for schools, alongside an expectation that improvement should be led by schools themselves.
- 10.2 Local authorities should raise any concerns they have about academy performance directly with the Department for Education.
- 10.3 Section 72 of the Education and Inspections Act 2006 places a statutory duty on all local authorities in England, in exercising their functions in respect of schools causing concern, to have regard to any guidance given from time to time by the Secretary of State. The relevant Guidance is titled "Schools causing concern" and was implemented in 2015. Local authorities must have regard to this guidance. It also provides non-statutory guidance on approaches, which local authorities should take in overseeing effective governance in the schools, which they maintain.
- 10.4 Where a school is eligible for intervention there are a number of powers the local authority or the Secretary of State may use to drive school improvement.
- 10.5 The Local Authority has specific powers of intervention (timescales vary for each of the powers):
- Power to suspend the delegated authority for the governing body to manage a school's budget by giving the governing body of the school notice in writing, subject to whether an Interim Executive Board (IEB) has been appointed. There is no requirement for the local authority to consult before exercising this power.

- Power to appoint an IEB, following consultation with particular bodies and consent from the Secretary of State - the local authority can apply to the Secretary of State for consent to constitute the governing body as an IEB. An IEB can be used to accelerate improvement in standards and attainment and provide challenge to the leadership of the school to secure rapid improvement or where there has been a serious breakdown of working relationships within the governing body of the school.
- Power to appoint additional governors - The local authority is likely to appoint additional governors when they would like a school to be provided with additional expertise and may appoint as many additional governors as they think fit.
- Power to require the governing body to enter into arrangements with a view to improving the performance of the school. The local authority may give the governing body a notice requiring them to take particular steps. Consultation with particular bodies is required before this power is exercised.

10.6 The Secretary of State also has further powers of intervention.

10.7 Local authorities have overarching duties under the Children Act 1989 in respect of the safeguarding of children in need, or those suffering or at risk of suffering significant harm, regardless of where those individual children are educated or found. To comply with these duties, local authorities may need to work with maintained schools, academy trusts or independent schools (wherever the individual child concerned is educated) to investigate what action they need to take to safeguard such a child.

10.8 In addition to the Schools Causing Concern guidance there are two other statutory documents that provide guidance on the roles and responsibilities for safeguarding: 'Keeping Children Safe in Education' and 'Working Together to Safeguard Children'. The guidance makes clear what all education institutions (including academies) should do to safeguard children in their care. The Local Authority must have regard to the Statutory Guidance.

10.9 The performance of schools continues to be a priority in the Council Plan "Children and young people have the best start in life in Medway". Medway Council and Schools must comply with obligations in regard to equalities under the Equality Act 2010, to eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by this Act. It must advance equality of opportunity and foster good relations between people. This involves removing or minimising disadvantages suffered by people, including taking steps to meet the needs of people who have a "protected characteristic" in the terms of this Act. It must encourage people from protected groups to participate in public life and other activities where their participation is disproportionately low.

11. Recommendations

The Committee are recommended to note the report and to receive a detailed report on all school performance data in March 2016 when the final results of all schools are published.

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Appendices

Appendix 1:
SFR - 27 August 2015 – analysis of LA performance

Appendix 2:
Attainment in Reading, Writing, Mathematics and Grammar, Punctuation and Spelling

Background Papers

None

Appendix 1

Analysis of performance of LAs (152 LAs)

- Reading, writing and mathematics combined
 - Medway achieved 73%. L4+ in reading, writing and mathematics combined
 - Four other LAs also achieved 73%. They are Bedford, Luton, Poole and Doncaster
 - Medway achieved 61% at L4B+ in reading, writing and mathematics combined
 - Two other LAs also achieved 61%. They are Walsall and Peterborough
- Reading L4+
 - Medway achieved 84% L4+ in reading.
 - The lowest performing LAs were Bradford, Bedford and Peterborough on 83%
- Reading L4B+
 - Medway achieved 75%. The lowest result nationally for LAs was 71%. There are five other LAs with results below 75% (Bradford 71%, Peterborough and Doncaster 72%, Luton 73%, Nottingham 74%).
 - Medway is in a group of seven LAs with 75%.
- Writing
 - This is a teacher assessment with results moderated. Medway achieved 84% L4+ in writing, National 87%
 - The lowest performing authority achieved 81%. Ten LAs achieved results poorer than Medway (Leicestershire 81%, Derby, Nottingham, Stoke-on-Trent, Luton 82%, Manchester, Bradford, Sandwell, Plymouth, Poole 83%.
 - Medway is in a group of 15 LAs with 84%
 - A 4B+ result in writing is not given because the teacher assessment is for a whole level and not sub-levelled for writing)
- Mathematics
 - Medway achieved 81% at L4+ in mathematics against national 87%.
 - The lowest performing LA achieved 80% (Bedford)
 - Medway and Poole achieved 81%.
 - At L4B+ in mathematics, Medway achieved 69%
 - The lowest performing LAs were Poole and Doncaster are 68%
- Grammar, Punctuation and Spelling (GPAS)
 - Medway achieved 73% at L4+ in GPAS
 - National 80%
 - Doncaster and Poole were the lowest performing LAs on 72%
 - Medway achieved 65% at L4B+ in GPAS, national 73%
 - The lowest performing LAs were Doncaster and Poole on 63%
- Progress measure for reading, writing and mathematics combined
 - Medway achieved 88%, national 91%
 - The lowest performing LA achieved 85%
 - Five LAs are below Medway's performance (Poole – 85%, Luton and Central Bedfordshire 86%, Doncaster and Portsmouth 87%, Medway is in a group of 11 LAs on 88%

- Progress in reading
 - Medway achieved 88%, national 91%
 - There are four LAs with performance poor than Medway– Central Bedfordshire, Luton, Peterborough 86%, Portsmouth 87%
 - Medway is in a group of 11 LAs on 88%

- Progress in writing
 - Medway achieved 93%, national 94%
 - There are 19 LAs with performance below that of Medway (Poole 88%, Isle of Wight 89%, Southampton 90%, Kirklees, Worcestershire, Norfolk, Suffolk, Wilshire 91%, Derby, Leicestershire, Northamptonshire, Rutland, Central Bedfordshire, Slough, West Sussex, Windsor, and Maidenhead, Bath and NE Somerset, Dorset and Plymouth 92%).
 - Medway is in a group of 29 LAs with 93%

- Progress in mathematics
 - Medway achieved 86%, national 90%
 - There are 10 LAs with performance below Medway (The lowest performing LA achieved 80% - Poole, 80%, Central Bedfordshire 83%, Bedford and the Isle of Wight 84%, Doncaster, Worcestershire, Luton, Suffolk, West Berkshire, Dorset 85%).
 - Medway is in a group of five LAs on 86%

Appendix 2

Attainment in Reading, Writing, Mathematics and Grammar, Punctuation and Spelling

1. Reading

At Level 4+ (national expectation) reading performance dropped 2% in Medway to 84% when compared to 2015. The dip is a result of boys underperformance.

	Reading L4+				Reading L4B+			
	2014		2015		2014		2015	
	Medway	National	Medway	National	Medway	National	Medway	National
All	86	89	84	89	75	78	75	80
Boys	84	72	81	87	73	76	71	78
Girls	87	91	87	91	76	81	78	83

Medway's performance at L4B+ was maintained at 75% but national results improved by 2%.

2. Writing

	Writing L4+				Writing L5+			
	2014		2015		2014		2015	
	Medway	National	Medway	National	Medway	National	Medway	National
All	85	85	84	87	29	33	28	36
Boys	79	81	78	81	22	26	21	26
Girls	88	90	89	91	35	41	35	44

Results in 2015 are now below national. Level 4B+ is not available in writing and hence the higher Level 5+ is shown

3. Mathematics

	Mathematics L4+				Mathematics L4B+			
	2014		2015		2014		2015	
	Medway	National	Medway	National	Medway	National	Medway	National
All	83	86	81	87	71	76	69	77
Boys	83	86	81	87	73	75	70	78
Girls	81	86	81	87	69	75	68	76

Results in 2015 show a widening gap between performance in mathematics in Medway and national on L4+ and L4B+.

4. Grammar, Punctuation and Spelling (GPAS)

	GPAS L4+				GPAS L4B+			
	2014		2015		2014		2015	
	Medway	National	Medway	National	Medway	National	Medway	National
All	73	77	73	80	63	68	65	73
Boys	67	72	68	76	58	63	60	68
Girls	76	81	77	84	67	74	70	78

The gap between Medway and the provisional national average has widened at both L4+ and L4B+ in 2015