

Appendix 1

DRAFT: Schools that work for everyone Government Consultation Response

Introduction

Following primary legislation introduced by the Labour Government in 1997, further expansion of grammar schools was prohibited in England. All of Cornwall's secondary schools have been comprehensive since the mid 1970s and no form of selection has taken place beyond that within the schools' admissions code since that time. The former Specialist Schools Programme which was introduced by the government from early 2000 enabled 10% selection on specialism. Schools in Cornwall did not adopt selection as part of this initiative.

Nationally, research¹ suggests there are c.164 secondary maintained selective (grammar) schools in England, located in 36 Local Authorities (LAs). However pupils who attend grammar schools do not all live in the LA of the school they attend. About 20% of grammar school pupils come from outside the LA, for some LA's this figure is as high as 75%. Across England one third of the wards in the country house at least one pupil who attends a grammar school. *'The concept of a 'selective' LA, whose performance can be isolated, is therefore problematic.'*

The research² also shows that children from deprived backgrounds are much less likely to attend existing grammar schools than better off children – only about 3% of pupils at existing grammar schools are eligible for Free School Meals (FSM).

The education datalab research briefing³ highlights that there is a greater disparity in education performance in selective areas between children from poor neighbourhoods and children from wealthier neighbourhoods. Whilst there is evidence to show that attending a grammar school is currently good for attainment and later earnings for those that get in, there is equally good evidence that those in selective areas who do not pass the eleven plus do worse than they would have done in a comprehensive system.

A robust evidence base should underpin any policy change. It is difficult to establish the evidence that supports the intended benefits of the proposed introduction of selective provision for all children and young people in Cornwall.

A recent article in the Guardian by Sam Freedman⁴ from Teach First highlights research from the OECD which 'has found that not only are the selective systems socially

¹ <http://www.suttontrust.com/wp-content/uploads/2008/10/SuttonTrustFullReportFinal11.pdf>

² <https://www.ifs.org.uk/publications/8469>

³ <http://educationdatalab.org.uk/wp-content/uploads/2016/09/Grammar-schools-research-briefing-September-2016.pdf>

⁴ <https://www.theguardian.com/commentisfree/2016/sep/09/grammar-schools-education-selection-divisive-ineffective>

segregated, they are also less effective than inclusive ones. All of the top education systems in the world from Korea to Finland to Canada are comprehensive.'

Cornwall Council has always been recognised as an inclusive LA and promotes inclusion, to improve standards and outcomes for all children in Cornwall, including the most able 20%.

A motion was referred from Council to the Young People's Policy Advisory Committee on Friday 21st October 2016 where it was concluded:

The Motion referred from Council, 'Cornwall Council strongly opposes proposals to bring back grammar schools. It believes that they are divisive likely to damage the educational prospect of less well-off children and lead to a downgrading of remaining schools. In Cornwall both existing LEA and academy schools are likely to be undermined and unsettled by this proposal. This Council believe Cornwall should, as part of the Cornwall Deal, have the power to reject the introduction of grammar school,' be endorsed.

Cornwall Context

The development of Multi Academy Trusts (MATs) in Cornwall has led to many disparate groupings of schools as schools converted / joined MATs at different times during the last four years or so. It is our view that selective provision, centres of excellence and competition for pupils would further complicate the schools structure / organisation in Cornwall.

It is suggested the introduction of both of these things would be difficult without the Regional Schools Commissioner (RSC) addressing the organisation of MATs throughout the county in the first instance. Introducing further aspects of school competition through the introduction of selective provision would further complicate this task for the RSC.

However, it is felt that the concept of centres of excellence, if strategically and coherently implemented, could have potential benefits for the outcomes of children and young people in Cornwall. Although, research from the education datalab⁵ raises caution & concerns that non selective schools in selective areas always 'lose out' with less access to the most experienced teachers.

The Local Authority has consulted with the Cornwall Association of Secondary Heads (CASH) in responding to this consultation. The secondary school leaders across the county remain committed to the comprehensive principles that underpin the county's provision, and are opposed to the introduction of selective schools as described in the Green paper; they consider it unnecessarily destabilising and unhelpful to propose that a proportion of the county's most able learners' needs can only be met in a selective institution.

CASH is, however, very mindful of the wider context and complexities of the educational landscape as currently in place, and potentially further complicated by the

⁵ <http://educationdatalab.org.uk/wp-content/uploads/2016/09/Grammar-schools-research-briefing-September-2016.pdf>

Green paper proposals. The following considerations will have a potential impact in the future, and there is a lack of clarity in the Green paper on the role and strategic influence that LAs will have in ensuring a coherent and robust county wide educational provision:

- proposals for satellite selective provision in Cornwall from neighbouring authorities with existing Grammar Schools e.g. Plymouth
- national MAT chains operating in Cornwall through which selective provision may be proposed
- MAT chains where Executive Heads may sit out of county and where selective provision is proposed.

Strategic planning of future development would be essential in addition to considering the selection policy for this provision and impact upon the wider Pupil Place Planning strategy⁶.

An article in Schools Week⁷ articulates the dilemma for Headteachers & Executive Heads of MATs in relation to the Green paper proposals:

'Sir Dan Moynihan of the Harris Federation said in a recent interview that "tactically" he might have to open a selective school.

I see the pressure coming in two ways. First, as trusts wish to expand, open new schools and bid for extra resource, all proposals are assessed for approval. Anyone who believes these processes do not include an assessment of how far the trust is "meeting government expectations for delivering choice and excellence" is extremely naive. It has long seemed to many of us that the easiest way to gain a favourable decision is to be seen as completely on message with government policy and priority. It would be a very courageous decision for a trust to decide to disregard the wishes of ministers while bidding to open a new school. Second, once one MAT in an area develops a centre of excellence for the "most able students", the pressure will be extreme for the others to do so: it will become a bidding war for the most aspirational parents and students.'

Rurality is a further factor that creates challenges for the Green paper proposals. As set out in Cornwall's Pupil Place Planning Strategy, rurality and the distinct geography of the county gives rise to a diverse pattern of school provision, from small village schools with less than 30 pupils to larger urban schools in the major towns of more than 1500. This adds additional complexity to the introduction of any selective provision, ensuring equality of access for all young people and sufficiency of provision across the county. Furthermore, it is anticipated that there would be additional significant pressure on the Home to School Transport budget which as reflected in many geographically dispersed counties have seen sustained increase in spend over the last few years.

⁶ <http://educationdatalab.org.uk/wp-content/uploads/2016/09/Grammar-schools-research-briefing-September-2016.pdf>

⁷ <http://schoolsweek.co.uk/lets-subvert-the-centres-of-excellence-policy/>

Cornwall's Pupil Place Planning Strategy (2015-20)⁸ outlines the Council's approach to school place planning to ensure places are provided where they are needed most which in time should contribute to a reduction in spend against the Home to School Transport budget. This area of spend is considered to be a high risk for the Council.

It is unclear how demand, parental choice and expectation for selective provision will be managed and what impact it will have on the Pupil Place Planning Strategy and pupils' transport entitlements.

Finally, as an inclusive authority, it is concerning to see no reference to those children and young people with SEND as there will be young people in this cohort who potentially qualify for selective provision.

⁸ <https://www.gov.uk/government/statistics/destinations-of-ks4-and-ks5-pupils-2013-to-2014>

Consultation Responses

1. How can we better understand the impact of policy on a wider cohort of pupils whose life chances are profoundly affected by school but who may not qualify for free school meals?

- Robust research and evidence base must underpin any policy. Much of the research in relation to grammar schools highlights the increased likelihood of increasing inequality.
- Additional key research includes:

Marmot review into health inequalities in England⁹:

'As with health inequalities, reducing educational inequalities involves understanding the interaction between the social determinants of educational outcomes, including family background, neighbourhood and relationships with peers, as well as what goes on in schools. Indeed, evidence on the most important factors influencing educational attainment suggests that it is families, rather than schools, that have the most influence. Closer links between schools, the family, and the local community are needed'.

Building children & young people's resilience in schools¹⁰

'The positive effects of resilience on health are not distributed equally across society. There are inequalities in the chances of people experiencing adversity, and inequalities in the resources and protective factors that are necessary to build resilience and reduce vulnerability.'

Actions to increase resilience can be targeted at different levels - they can aim to increase achievements of pupils; to support them through transitions and encourage healthy behaviours; to promote better interpersonal relationships between people – particularly parents or carers and children; and to create more supportive, cohesive schools that support both pupils and the wider community'

Mental health, resilience & inequalities¹¹

'Education that equips children to flourish both economically and emotionally by:

- increasing uptake of the health promoting schools approach, involving teachers, pupils, parents and the wider community
- supporting parents to improve the home learning environment (HLE)
- valuing social, sports and creative achievements, as well as academic performance.'

⁹ <http://www.instituteofhealthequity.org/projects/fair-society-healthy-lives-the-marmot-review>

¹⁰ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/355770/Briefing2_Resilience_in_schools_health_inequalities.pdf

¹¹ https://www.mentalhealth.org.uk/sites/default/files/mental_health_resilience_inequalities_summary.pdf

2. How can we identify them?

- Consider the criteria and model used by the DWP for assessing free early education and the extension in entitlement from 20% to 40% of two year olds. Criteria used as part of the DWP eligibility checker would be helpful to define and cross reference
- The impact of Universal Credit would need to be considered
- Any criteria introduced to identify and raise the attainment of *'those children on modest incomes who do not qualify for such benefits but who are nevertheless just about managing'* should be reflected in the National Schools Fairer Funding Formula for selective and non-selective schools
- Consider models developed through Troubled Families programmes identifying those families on the border line of eligibility and a broader range of indicators including emotional health and wellbeing
- It is important to consider those families who do not qualify for Free School Meals due to casual or self-employment and how this would be reflected in any identification criteria
- It is likely that not all young people identified through a set criteria will gain a place to a selective school – what will the selection process be if not an eleven plus and what will happen to those young people identified as 'eligible' but not gaining a place?
- For those that do, what will be the wider support infrastructure around them to enable them to afford uniform, school trips etc. which will add additional pressures on those families just about managing
- The link between pupil health and wellbeing and attainment is well documented – health inequalities data could potentially be used as part of identification

3. What contribution could the biggest and most successful independent schools make to the state system?

- Collaboration and partnership across all schools to make the best possible use of the collective resource in an area is essential. Collaboration is an underpinning feature of the white paper Education Excellence Everywhere¹² and the shift to a model of school to school improvement
- A reciprocal relationship between the independent and state school system is important – whereby both sides have something to offer
- There are examples of collaboration between the independent sector and state school system already taking place through, for example the Cornwall Sixth Forms Together Group / Truro School focusing on the development of high quality Level 3

¹² <https://www.gov.uk/government/publications/educational-excellence-everywhere>

teaching and learning; admissions procedures and different interview practices for university entry (including Oxbridge, Russell Group and international) and higher/degree apprenticeship entry; competitive and participatory sports fixtures.

- Financial support from the independent sector would benefit the state school system and sponsorship from parents. A more tangible definition of financial support would be required.

4. Are there other ways in which independent schools can support more good school places and help children of all backgrounds to succeed?

- Sharing of their expertise and specialisms with the state sector e.g. access to specialist / high level sports coaching etc.

5. Are these the right expectations to apply to all independent schools to ensure they do more to improve state education locally?

- As above, collaboration and partnership is key. It is important to recognise that the partnership is 'two-way' with the outstanding practice and expertise in both sectors being shared.

6. What threshold should we apply to capture those independent schools who have the capacity to sponsor or set up a new school or offer funded places and to exempt those that do not?

- Outstanding Ofsted

7. Is setting benchmarks the right way to implement these requirements?

- Benchmarks are important but it would depend what that these are

8. Should we consider legislation to allow the Charity Commission to review its guidance and to remove the benefits associated with charitable status from those independent schools which do not comply?

- Yes

9. Are any other changes necessary to the Governments objectives?

- A single inspection system across all schools
- The change in a statute of a school should be the choice of a school and should not be imposed.
- Requirement for an equity in the inspection regime and business rates for the respective education establishments.

10. How can the academic expertise of universities be brought to bear on our schools system, to improve school level attainment and in doing so widen access?

- Universities already work closely with schools however funding has been significantly reduced since the Aimhigher initiative ceased
- Subsequent widening participation programmes including the latest Networks for Collaborative Outreach Programme (NCOP) are much narrower in their remit and focus upon a smaller proportion of pupils considered able but not progressing to HE¹³. They focus on older age groups, closer to progression which limits the amount of work universities can do with younger age groups to raise aspiration, where there can be significant benefits.
- Is there sufficient capacity in the HE system to undertake additional work with schools?

11. Are there other ways in which universities could be asked to contribute to raising school level attainment?

- Brokerage with business, employment and enterprise

12. Is the DFA guidance the most effective way of delivering these new requirements?

- Access agreements largely reflect the recruitment needs of the individual HEI (Higher Education Institution) which in the past has led to inconsistent coverage of schools across the county e.g. some schools will have been prioritised for support by more than one HEI whilst others will have no support
- Programmes like NCOP have helped to address more collaborative working across HEI's to ensure a more equitable approach in Cornwall, however as outlined above the funding and remit of this programme is narrow which therefore does not enable the same level of support to be provided to all schools
- Whilst all schools will not feature in target wards for support through NCOP, all schools will have young people that will benefit from this provision

13. What is the best way to ensure that all universities sponsor schools as a condition of higher fees?

- Potentially a financial penalty but how would this be enforced? See above point in relation to school engagement with HEI support

14. Should we encourage universities to take specific factors into account when deciding how and where to support school attainment?

¹³ where HEFCE's analysis has shown participation in HE to be particularly low overall, and lower than would be expected given the KS4 attainment levels in those areas

- They already do as part of NCOP – criteria as set out by HEFCE. It is important that the new government proposals do not compromise already existent relationships and provision.
- In relation to the points made above this criteria should potentially be reviewed in order to ensure equality of access

15. How should we best support existing grammars to expand?

- Needs to be developed in discussion with partners
- The capability of existing grammar schools to meet the needs of a range of pupils perhaps needs to be considered rather than expanding numbers.
- Support should be available to enable existing grammar schools to become more inclusive in their approach

16. What can we do to support the creation of either wholly or partially new selective schools?

- Any expansion needs to be undertaken in partnership with the LA / RSC and as part of strategic pupil place planning ensuring sufficiency and accessibility across all phases
- The impact upon primary schools would also need to be considered
- A significant capital investment would be required for the expansion of grammar schools. There will have to be the option of attending a 'secondary modern' in areas where a grammar school exists in order to accommodate those pupils who do not qualify for entry to the grammar school
- We could assume that the Free School Programme would provide the capital investment for the proposed expansion of grammar schools
- In a rural authority there could be significant implications to transport budgets as a result of the introduction of selective provision at a time when there are existing pressures on these budgets. Transport policies would need to be reviewed

17. How can we support existing non selective schools to become selective?

- Significant impact expected on those schools choosing not to become selective also highlighted by the research set out above
- The profile of schools will change impacting upon the number of places available in non-selective schools. This will have an impact, too, on primary school provision in those communities.

- Whatever mechanism is used we would expect that funding would be made available for non-selective schools or funding would not be further compromised for non-selective schools through the introduction of grammar schools

18. Are these the right conditions to ensure that selective schools improve the quality of non-selective provision?

- This question assumes that selective provision is 'better' but as outlined above the evidence base for this unclear
- Collaborative and partnership approaches are welcomed and underpin a network of school to school improvement as set out in Educational Excellence Everywhere

19. Are there other conditions that we should consider as requirements for new or expanding selective schools, and existing non selective schools becoming selective?

- Robust inclusion policies

20. What is the right proportion of children from lower income households for new selective schools to admit?

- It is difficult to determine a threshold if entry is meritocratic
- An admissions policy should reflect the same demographic of the local community
- Please refer to the evidence outlined above in the introductory section

21. Are these sanctions the right ones to apply to schools that fail to meet the requirements?

- An independent inspection system should inform any decision
- The impact upon outcomes for children and young people should be considered in relation to the sanctions and risks of destabilisation

22. If not, what other sanctions might be effective in ensuring selective schools contribute to the number of good non-selective places locally?

N/A

23. How can we best ensure that new and expanding schools and existing non selective schools becoming selective are located in the areas that need good school places the most?

- It is unlikely that the expansion of selective schools will address existing pupil place pressures and will also further compound existent pressures.

- Planning would need to be undertaken strategically with the RSC and LA and in line with the Pupil Place Planning strategy
- Impact upon the transport policy /budgets would also need to be fully analysed and understood
- There is a risk of new selective provision undermining existing educational partnerships in the area

24. How can we best ensure that the benefits of existing selective schools are brought to bear on local non-selective schools?

- It would be beneficial to have more information on the benefits
- A significant concern is that selective schools will undermine partnership and collaboration which is being encouraged and developed as part of the shift to a school to school improvement model

25. Are there other things we should ask of existing selective schools to ensure that support non-selective education in their areas?

- The evidence underpinning excellent practice and the benefits articulated in the green paper e.g. case studies

26. Should the conditions we intend to apply to new of expanding selective schools also apply to existing selective schools?

- There should be consistency in the approach

27. Are these the right alternative requirements to replace the 50% rule?

- There is a risk that proposals promote greater segregation rather than cohesion

28. How else might we ensure that faith schools espouse and deliver a diverse, multi-faith offer to parents within a faith school environment?

- Consultation with our partners including CAST and the Diocese would be required for a response

29. Are there other ways in which we can effectively monitor faith schools for integration and hold them to account for performance?

- We would anticipate the same sanctions for all schools

30. Are there other sanctions we could apply to faith schools that do not meet this requirement?

N/A

