

The civil framework for Church schools: national and local government

A strong and developing partnership between the Church and LEAs is at the heart of our proposals for an increase in the provision of Church schools. The Church and the LEAs have had a long and productive relationship characterized by a spirit of cooperation and genuine debate on the nature and purpose of denominational provision.

The Way Ahead, paragraph 4.22

The context within which Church schools operate is created by a partnership between local and central government and the Churches at local and national level. This chapter will explore the governmental aspects of that partnership and the following chapter will deal with the Church dimension. Those involved in leading Church schools need to be aware of the ways in which the various agencies locally and nationally work together and share responsibilities. This is important in order to understand how the work of their individual school relates to these partnerships and where they can best turn for help and support in particular circumstances.

Central government

The role of central government and its agencies is to create the overall framework for schools, set standards, provide effective support and monitoring and ensure that there is a high-quality flow of recruits into the teaching profession. In recent years it has also taken responsibility for setting standards for professional

development for teachers. It achieves these tasks through legislation and the work of government departments and agencies.

The framework

The major legislation that affects schools is contained in the two Acts of 1996, the School Standards and Framework Act 1998, the Learning and Skills Act 2000 and the Education Act 2002. The 1996 Acts consolidated education law passed between 1944 and 1995; thus, although there have been many changes, much of the education system that we have inherited owes its origins to an Education Act passed in wartime. It is remarkable that, despite the pressures of wartime, the 1944 Act was passed only after a considerable period of consultation and following considerable negotiations between Government and the Churches. The principles established in 1944 have continued to inform the way in which education in this country has developed ever since. Education law requires that all children should receive a period of formal education between the ages of 5 and 16. Increasingly, provision is made for younger children to receive some education appropriate to their age if their parents wish them to participate. Similarly, many young people choose to stay on at school or in further education beyond the statutory school age of 16. The law does not require schools to serve defined age groups and, since 1944, a mixed pattern of provision has grown up in different parts of the country, reflecting the decisions taken within particular Local Education Authorities. Broadly speaking, however, there are three bands into which the statutory provision of education is divided:

- primary, which is understood to encompass all education up to the end of the academic year in which the child reaches the age of 11 (Year 6);
- secondary, which encompasses the rest of a young person's schooling, whether this ends at 16 (Year 11) or 18;

- tertiary, which covers education offered in tertiary or further education colleges (higher education in colleges or universities falls outside the scope of this book).

Primary and secondary education are the responsibility of Local Education Authorities; tertiary education is funded through local Learning and Skills Councils. In some parts of the country, schools are not separated into distinctively primary and secondary but include an intermediate or middle school stage. The advent of the national curriculum, introduced after the Education Reform Act of 1988, which provided a curriculum structure of key stages, two corresponding to the primary phase and two to the secondary (to age 16), has created a new pressure, which is leading some authorities to review the future of middle schools. Broadly speaking, the division into primary, secondary and tertiary has existed since 1944. The School Standards and Framework Act 1998, while not changing these broad bands, did provide for changes in the categories of schools, which affect the way in which they are governed and the responsibilities of individual governing bodies. There are three broad categories for schools, regardless of whether they are primary schools, secondary schools or serving an age group within or across these two broad bands. The categories are community school, foundation school and voluntary school. Within the voluntary category there are subdivisions into voluntary aided and voluntary controlled. Details of the major differences between these types of school were given in the previous chapter.

The government agencies

At present the Government has two main agencies that have an impact on what is taught in schools. As its name implies, the Qualifications and Curriculum Authority has a responsibility for the public examinations taken by pupils in schools as a measure of their progress at the ages of 7, 11 and 14 and to gain formal

qualifications either at GCSE or A/S and A2 level at 16, 17 and 18. It is also responsible for advising Government on the content of the national curriculum subjects and for providing support materials that show how the non-statutory subjects can interrelate with content that is required by law. The only exception to this framework is religious education which, because it has been a statutory requirement for far longer than the national curriculum subjects, has the content of the curriculum determined locally rather than nationally. The Qualifications and Curriculum Authority has provided materials for religious education that are intended to be a resource for the local authority conferences that have responsibility for the subject. If a national framework for religious education is developed this will be done under the auspices of the Qualifications and Curriculum Authority. These functions are carried out in Wales by Awdurdod Cymystrau, Cwricwlwm Acasesu Cymru, Qualifications, Curriculum and Assessment Authority for Wales (ACCAC).

The other agency involved in curriculum issues is the Office for Standards in Education (OFSTED), which is responsible for the inspection of all schools in England and for providing advice to Government on the development of education, based on its inspection evidence. In Wales these duties are carried out by ESTYN, formerly known as the Office of Her Majesty's Chief Inspector (OHMCI). In Church schools OFSTED/ESTYN does not have complete responsibility. Those aspects of education that are determined by the school's trust deed are not inspected by an OFSTED/ESTYN appointed inspector but by one appointed by the governors as a fit person to inspect the denominational aspects of the school. The National Society has provided a national training scheme and framework for the inspection of Anglican schools (see next chapter for details).

There are three major agencies intimately involved with teaching, teacher education and professional development. The oldest of

these is the Teacher Training Agency. The task of this agency is to ensure that there is a steady supply of high-quality, well-trained entrants into the teaching profession. In order to achieve this, it takes initiatives designed to encourage recruitment to the profession, sets standards for the training of new entrants and promotes a variety of routes into the profession and ways in which this training can be delivered.

The responsibility for setting standards for the further professional development of teachers after qualification lies with the National College for School Leadership. The major programmes of the college are training for subject leaders, a National Professional Qualification for Headteachers (NPQH), an induction programme for newly appointed headteachers, currently called 'Headlamp', and a Leadership Programme for Serving Headteachers (LPSH). Details of how these programmes are developing and how they can meet the needs of those exercising these different levels of responsibility within Church schools can be found on the National Society's web site.

The third body is the General Teaching Council for England (there is a separate GTC for Wales). These bodies are responsible for issues associated with the registration of teachers as members of the profession and the professional standards that teachers are expected to demonstrate in their work. All teachers working in maintained schools must be registered with the appropriate General Teaching Council. These councils also promote professional development for teachers by offering bursaries.

The Department for Education and Skills/National Assembly for Wales not only set standards for schools through the work of their agencies; they also set standards for Local Education Authorities and, working with their agencies, undertake monitoring and inspection of the work of LEAs and scrutiny of some of their major schemes and policies.

Local Education Authorities

The Local Education Authority is responsible for providing the funding for schools in their area from council tax and from the money allocated to them from central government. While the authority may retain some funds for work designed to administer the system and support the development of high-quality education within their schools, the majority of the funding is delegated directly to the governing body of each school. This enables schools to make budget decisions in ways that most directly benefit the education of the pupils in their school. The Local Education Authorities' responsibilities are not limited to financial affairs. They have to provide a number of services designed to meet the needs of individual pupils and a range of policy documents intended to set appropriate local standards and ensure that these are delivered. In their relationships with schools LEAs must operate within a centrally developed code of practice. In order to work with their schools and others concerned with education, the Local Education Authority will create a number of forums, committee and other meetings. Among the most important, in terms of their impact on Church schools, are the following.

The Education Overview and Scrutiny Committee

This title should be taken to indicate a description of the work of the committee or committees within the structure of local government adopted by the local authority. The actual committee(s) covering this work may be titled differently. The majority of members will be elected councillors but there will be members with full voting rights from the Churches and the parent body. Teachers may also have representation on the committee but without the right to vote.

School Organization Committee (SOC)

This committee exercises powers formerly belonging to the Secretary of State by bringing together the various groups interested in school organization at local level: the LEA, schools, the Anglican and the Roman Catholic dioceses and, where there are post-16 implications, the local Learning and Skills Council. It provides a forum in which the Local Education Authority's plans for the development of schools in its area can be discussed and, if the committee is so minded, approved. The main issues that will come to a School Organization Committee are authority plans for the reorganization of schools, school closures or the creation of new schools to meet the demand for more places. There are no School Organization Committees in Wales; the Local Education Authorities undertake their duties.

Standing Advisory Council for Religious Education (SACRE)

This council brings together those bodies in the authority with a particular interest in religious education and school worship. It has the responsibility for advising the local authority on these issues and taking initiatives to promote religious education and school worship in the area. It has a particular interest in the use of the Local Authority's agreed syllabus for religious education and a duty to inform the local authority if the syllabus needs revision. It does not have responsibility for school worship in Church schools or religious education undertaken in Church schools in accordance with the school's trust deed.

Agreed syllabus conference

If the local authority decides that its agreed syllabus for religious education needs revision, it must convene a conference for this purpose. The constitution of this agreed syllabus conference is

different from that of a Standing Advisory Council for religious education because there can be no co-opted members. Despite this difference, in many authorities the membership of the two bodies is almost identical. The conference only exists for the period of time that it takes to generate a new religious education syllabus for the authority and for this to receive approval by the local authority.

Early Years Development and Childcare Partnerships

These bring together all the parties concerned or involved with the provision of education for children up to the age of 14. They are charged with the responsibility of advising the authority on the best strategies to ensure that there are an adequate number of places for children whose parents wish them to have education before they reach statutory school age.

Admissions Forum

The Local Education Authority must bring together representatives of all admissions authorities in order to discuss the coordination and administration of school admission and transfer between schools at whatever age this takes place. As well as the local authorities and the churches, there will be representatives of voluntary aided and foundation schools on the Admissions Forum because the governing bodies in these schools are the admission authority for the school. In some areas, neighbouring Local Education Authorities may also be represented on the Admissions Forum where there are a significant number of cross-border admissions.

Schools Forum

These forums will consist mainly of elected representatives of the schools in an LEA and will provide a means whereby the LEA's

arrangements for financial delegation and other related matters can be discussed. At the time of writing there is no formal experience of these forums as they are a creation of the Education Act 2002. It will be important that, in authorities where there are voluntary or foundation schools, their voice is heard on these forums so that, within an overall policy that establishes and maintains fairness between different schools, the needs of all schools, with their different legal responsibilities, are properly taken into account.

A prime duty of the Local Education Authority is to act for school improvement and therefore much of the work that they do with schools and the services that they provide has this objective in mind.

European institutions

The European Union and the Council of Europe both have interests in education throughout the areas that they cover. The latter has a particular interest in maintaining a Europe-wide standard on human rights. They promote European understanding, programmes of learning and visits. Many Church schools, both at primary and secondary level, are becoming involved in such programmes.

Organizations and associations of teachers

These fall into two distinct categories. The first category is professional associations concerned with issues related to employment and professional responsibilities and duties. Most teachers belong to one of these professional associations and teachers can consult local and regional representatives over issues of concern. At the school level, representatives of these associations

should be facilitated in carrying out their tasks on behalf of their members.

The other form of professional association of teachers is one that brings together teachers with a particular subject or phase interest. Some of these associations have a national structure and standing and make a major contribution to the continuing development of their subject or phase. Other groupings have a more local nature and serve as a forum for local professional development and curriculum action. This may be as simple as coordinating school sports fixtures and facilitating teams to represent the schools at LEA or regional level, or include such complex tasks as organizing national or international conferences for teachers with a particular interest and commitment to a single subject area. Many of these subject associations have come together at national level to create the College of Teachers, which exists to promote high standards of education and professional development amongst all members of the profession. Many Church schools benefit significantly from the participation of their teachers in such local or national associations.



More details of all the issues raised in this chapter can be found on www.churchschools.co.uk.