A Guide to Regional Schools Commissioners

National Foundation for Educational Research (NFER)
A Guide to Regional Schools Commissioners
September 2015

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Published in September 2015
By the National Foundation for Educational Research,
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www.nfer.ac.uk

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How to cite this publication:
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1 At a glance

In September 2014 eight Regional Schools Commissioners (RSCs) were appointed to oversee the growing numbers of academies in England. Since taking up post, further announcements have indicated that their roles will expand to include decision-making in tackling underperformance in Local Authority (LA) maintained schools, and for coasting schools. RSCs are rapidly becoming an important and powerful part of the English education system.

This report explains the background and role of the RSCs, and presents an analysis of characteristics and challenges for each region. The analysis is presented as a comparative overview, followed by eight individual ‘region profiles’.

Academisation varies by region and phase

Nationally, 64 per cent of secondary schools are academies, compared to only 16 per cent of primary schools. However, the extent of academisation is highly variable between and within regions. This will affect the role of the RSCs: some will be more focused on existing academies and others on establishing new ones or the performance of LA maintained schools.

Some RSCs will be more challenged than others

There is a wide variation in the numbers of coasting and ‘below floor’ schools per region. There are two regions with over 300 schools requiring attention, and one with fewer than 150. Many of these schools are already academies.

Given the focus of the RSC role in tackling underperformance, the use of metrics identifying the proportion of schools in these categories would provide a transparent way of monitoring their performance over time.

Finding new sponsors is crucial

RSCs’ abilities to tackle underperformance are primarily realised through academy sponsors. The regions which have the greatest need for high quality sponsors to take on underperforming schools tend to be those with the smallest pool of existing sponsors operating in the region with high potential for taking on additional schools. RSCs are therefore likely to need to look beyond their current pool of sponsors for support.

Rising pupil numbers will make the job harder

Although RSCs are not responsible for school place planning, increasing pressure on school capacity provides an important backdrop to their role, and is likely to exacerbate their challenges.

Map of RSC regions

North of England

East Midlands & the Humber

Lancashire & West Yorkshire

West Midlands

East of England & North-East London

South-Central England & North-West London

South-East England & South London

South-East England & South London

South-West England
2 What is a Regional Schools Commissioner?

A shift from Whitehall to the regions

The Department for Education (DfE) announced the introduction of Regional Schools Commissioners (RSCs) in December 2013. The change was described in a letter from the Schools Commissioner, Frank Green, of April 2014, as 'a shift in emphasis from decision-making in Whitehall to more involvement by schools at a regional level,'. The original definition of their role, focussed on academies, was described by the DfE as follows:

"From September 2014, eight new Regional Schools Commissioners (RSCs) were appointed as directors of the department to take decisions in the Secretary of State’s name on the operation of the academies regime. RSCs, with the help of elected Head Teacher Boards, will approve applications for new academies and free schools, approve and monitor sponsor capacity. They will also take intervention action where either performance [or governance] is poor". DfE Accountability Statement, January 2015

Giving evidence to the House of Commons Bill Committee for the Education and Adoption Bill in June 2015, one RSC described the work of his team as comprising three elements:

"We forge as many partnerships as possible to address the issue of capacity—we work extensively with the local authorities, teaching schools and significant academy trusts in the area. Secondly, we spend significant time looking to be very clear about addressing failure in academies and calling academy trusts to account for where they are not ensuring success. Thirdly, we look to the best schools in the system to form multi-academy trusts".

Tim Coulson, RSC for East of England

An expanding role

In June 2015 DfE announced an extension of the RSC role in a letter to Local Authority Directors of Children’s Services:

"I have decided to delegate decision-making on tackling underperformance in maintained schools through sponsored academy arrangements to RSCs".

Lord Nash, Parliamentary Under-Secretary of State for Schools.

The Education and Adoption Bill, published June 2015, embodies the Conservative Manifesto commitment to address coasting schools. Introducing the Second Reading of the Bill, Nicky Morgan explained that RSCs would also have a key role in this process.

"The education measures in the Bill will be enacted by those commissioners, supported by the advice of the outstanding headteachers who have been elected to regional boards."

"...the Bill [as introduced] does not propose any automatic interventions for coasting schools. Coasting schools will be eligible for intervention, but regional schools commissioners
will have the discretion to decide the most appropriate course of action."

Nicky Morgan, Secretary of State for Education

Lord Nash told the Bill Committee on 30th June ‘I expect in time we may need more regional schools commissioners—they will certainly need more people.’

On 20th July 2015 DfE issued a joint policy paper with the Department for Business, Innovation and Skills on post-16 education and training institutions. It announced a programme of area-based reviews, each of which will be ‘led by a steering group composed of a range of stakeholders within the area; likely members include… Regional Schools Commissioners’.

Then, on 12th August 2015 DfE issued notice of a contract, valued at £12m over two years, for education specialists who would be commissioned by the RSCs to ‘help deliver the Department’s aim to ensure high educational standards in academies and free schools and to secure sponsorship arrangements for maintained schools moving to academy status.’ The criteria for evaluating bidders put the greatest weighting on showing expertise and experience in school improvement.

Not a replacement for Local Authorities

Despite their expanding role, RSCs are currently seen as an additional part of the education system, rather than a replacement for any existing body.

In their report on School Oversight and Intervention (January 2015), the House of Commons Public Accounts Committee describe the situation as ‘complex.’ RSCs operate alongside Ofsted, the Education Funding Agency and local authorities in discharging their responsibilities. In the course of introducing the second reading of the Education and Adoption Bill, Nicky Morgan stated that this will continue to be the case: ‘I would like to emphasise the continuing role we expect local authorities to play, alongside regional schools commissioners, in challenging their schools to improve.’

Local authorities also retain a range of responsibilities relating to all state schools including securing sufficient school places and through the Local Safeguarding Children Board, safeguarding. For many LA maintained schools, the LA is the admissions authority. RSCs have no formal role in complaints about schools or in the distribution of revenue funding to schools.

Greater clarity and transparency needed

The House of Commons Education Committee’s report on academies and free schools was published in January 2015 and the Government responded in March. The committee’s view was that

- The RSC regions are too large as currently devised
- the DfE, as a matter of urgency, [should] clarify the respective roles of local authorities and RSCs in relation to academies
- Greater transparency is also needed regarding the process and criteria by which sponsors are authorised and matched with schools.
• ‘an Ofsted inspection judgement for each academy chain would [ ] help Regional Schools Commissioners monitor chain performance.’

The Public Accounts Committee (PAC) report on School oversight and intervention (January 2015) noted that the eight RSC are ‘a welcome recognition of the need to provide more local intelligence and oversight for the growing number of academies’. However, ‘it is hard to believe that the Commissioners will have enough local knowledge on their own.’ The PAC recommended that:

• In the next 18 months, the Department should evaluate the effectiveness of the Regional Schools Commissioners.

• The department should obtain independent judgements of the capacity of sponsors that run more than one academy, and should use this to determine which sponsors are able to grow and when it should intervene with particular sponsors.

In its response, the Government agreed with the PAC’s recommendations.

Further reading

This report builds on NFER’s programme of research into academies and the new structures that are emerging around them. This can be found at at www.nfer.ac.uk/academies, and includes:

• A factsheet introducing academies – what they are and what we know about their performance

• A guide to the evidence on academies, providing an accessible overview of the key research

• A think piece exploring the rationale behind the academies programme, and issues for further expansion

• Analysis of Key Stage 4 academy performance in 2014, and how this compares to similar local authority maintained schools.
3 What are the characteristics of the RSC regions?

Academisation varies by region and phase

An RSC’s remit covers both existing academies which they have responsibility to monitor and support, and Local Authority (LA) maintained schools which are potential new academies. The extent of academisation is highly variable, most obviously by phase: nationally, 64 per cent of secondary schools are academies, compared to only 16 per cent of primary schools.

The picture also varies between regions. For example, in South-West England 72 per cent of secondary schools are already academies, implying a greater role for the RSC in monitoring the performance of existing academies as opposed to brokering sponsors for new academies or intervening in other ways in underperforming maintained schools. This contrasts with Lancashire and West Yorkshire where just over half of secondary schools are currently in the LA maintained sector.

These averages also mask some within-region variation, highlighted by the maps on individual RSC pages later in this report. For example, of the seventeen LAs in the East Midlands and Humber region, there are five with over 50 percent of schools that are academies across both phases (including North East Lincolnshire – the second most academised LA in England) and four LAs with fewer than ten per cent academies. RSCs working in LAs with very low existing levels of academisation are likely to face different challenges, for example in finding sponsors or establishing suppliers for bought-in services.
Some RSCs will be more challenged than others

RSCs were created partly to increase the capacity within the system to oversee ever increasing numbers of academies. However, even with eight RSCs now in place, each still has responsibility for a large region covering large numbers of existing and potential new academies. This is especially the case following recent and proposed expansion in their remit to encompass underperforming LA maintained schools and schools deemed coasting (see background section), and so they are likely to need a corresponding increase in resources.

We present here estimates of the total numbers of underperforming primary and secondary schools in each region likely to require the attention of their RSC. This picture varies substantially by region, from the North and South-Central regions with just 145 and 185 schools respectively, up to East Midlands and Lancs. & W. Yorks. with 311 and 326 schools requiring attention. To put these numbers in context, a typical (median) LA has fewer than 100 schools in total.

These figures include both LA maintained schools for which the RSCs could be expected to find sponsors, and schools which are already academies. Indeed, we estimate that 28 per cent of primary schools requiring action are already academies, and 62 per cent of secondary schools (reflecting the difference in the proportion of academies in each phase overall). This share is likely to increase over time, as more schools convert to academy
status, and may lead to RSCs increasingly having to intervene in existing academies.

The figures here are deliberately presented as absolute numbers of schools requiring action, rather than as percentages. This is the measure which provides the greatest insight into the workload for the RSC. For example, whilst the North of England and Lancashire and West Yorkshire have similar percentages of primary schools requiring action (7.1 and 7.8 respectively), this translates into fewer than half as many schools in the North of England owing to the lower total number of schools.

These figures illustrate the baseline position inherited by RSCs. In due course, a measure of the proportion of schools in these categories and how this is changing over time, or the typical length of time schools remain in the categories, could provide one way to monitor RSCs’ performance. It is significant to note that the role of RSCs currently focuses on tackling underperformance, rather than being a wider school improvement remit concerned equally with middle and higher performing schools (except for where these are deemed coasting). For as long as this remains the case, their performance metrics should be similarly focused on the lower end of the performance distribution.
Finding new sponsors is crucial

RSCs’ abilities to tackle underperformance are primarily realised through academy sponsors. It is important therefore to understand the level of sponsor capacity in each region, and how ready these sponsors are to take on new schools. Although we cannot provide a measure of potential new sponsors, we can look at the number of sponsors already operating, and make a judgement as to their potential for further expansion.

Based on DfE’s briefing note on high performing sponsors, referred to in the Commons Education Select Committee’s report on academies and free schools, we have constructed a measure as follows:

- Sponsors with greater numbers of existing academies deemed to be below the floor standard or coasting have less potential to expand.
- Sponsors with a local or regional focus have greater potential for expansion within a given region than more nationally dispersed sponsors.
- Very large sponsors and those in a difficult transition phase of their growth (e.g. from 5-10 academies) are less ready.

For example, a sponsor with three academies all of which are performing well and are located within the same region could be ready immediately to take on a struggling school. If their schools were dispersed over a wider geographical region or they were going through a difficult transition phase, then it’s possible that a greater level of support from the RSC would be required. And if they were already sponsoring a reasonable number of struggling schools within this number, then any further expansion could raise concerns.

Further details of how we have defined these categories are provided in the methodology section.

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2 There is scope for a more refined analysis here in future, considering for example sponsors’ track record in turning around underperforming schools, and differentiating between mainly primary/secondary/cross-phase sponsors.
This once again presents a highly variable picture between regions. By definition we would expect larger numbers of existing sponsors to already be operating in larger regions and those with higher levels of academisation, such as East Midlands & the Humber. We would also expect a larger proportion of sponsors to be ready for further expansion in regions where existing academies are already performing well.

Both of these factors compound to create a scenario where the regions with greatest need have the least capacity to address this need. For example, Lancashire & West Yorkshire has over 300 schools requiring action from the RSC, and just 20 sponsors which we estimate as having high potential to take on new schools immediately or with some support. At the opposite extreme, we estimate that South-Central England and North-West London has fewer than 200 schools requiring action and a pool of over 40 sponsors who could potentially take on new schools relatively easily.

Even in the best cases, these ratios still imply a need for RSCs to look beyond their current pool of sponsors for support. This could include existing sponsors not currently operating in their region, local high-performing schools not currently in a multi-academy arrangement, or new sponsors identified from among local employers or charities. However, each of these present additional challenges (and workload) for the RSC in question.

Rising pupil numbers will make the job harder

Although RSCs are not responsible for school place planning, rising pupil numbers could nevertheless affect their roles. It will mean increased numbers of larger, more complex schools to oversee in future. It will also mean having to intervene in schools which are facing capacity challenges, growth in staffing numbers, and site development – all of which take up leadership capacity that would otherwise be focussed on tackling underperformance. Finally, with school places under pressure it will also put at risk the school choice and competition mechanisms often cited as part of how academies (and free schools) drive up standards.

This challenge could be especially acute for primary schools in the East of England & North-East London region, which currently has around 200 schools requiring action, and a projected 14 per cent growth in pupil numbers.
4 Region profiles
The East Midlands & the Humber has a high degree of academisation yet the region still faces challenges in terms of coasting schools & schools below the floor standard

1. The region has a comparatively high proportion of academies. However there are three local authorities where less than 10% of schools are academies.

2. A large number of sponsors operate in the region; and the proportion of these which are not ready for taking on new schools is comparatively low.

3. The challenge posed by coasting schools & schools below the floor standard is high at both primary & secondary level.

4. Forecasted increases in pupil numbers are lower than average, but could still cause a range of challenges to the region in the future.

Pupil numbers are forecast to increase 9% in primary schools & 6% in secondary schools by 2018/19

- **Secondary academies**: Of secondary schools are academies
  - 71%
- **Primary academies**: Of primary schools are academies
  - 23%

The level of academisation varies by Local Authority; in 3 LA’s less than 10% of schools are academies
The East of England & North-East London has a high degree of academisation that is relatively consistent across the region

1. The region has a comparatively high number of academies. There is no Local Authority in the region where less than 10% of schools are academies.

2. Of the 102 existing sponsors a comparatively high proportion are not ready for taking on new schools, however there are still over a third that would be likely to be able to take on new schools immediately.

3. The challenge posed by coasting schools & schools below the floor standard is comparatively low at the secondary level but is more significant at primary level.

4. A significant challenge may be caused by one of the highest forecasted increases in pupil numbers.

Forecast pupil numbers show some of the highest increases in the country; 14% in primary schools & 11% in secondary schools by 2018/19

The level of academisation is relatively consistent across Local Authorities; it has only one LA where more than 50% of schools are academies & none where there are less than 10%
Lancashire & West Yorkshire has a comparatively low degree of academisation. It faces challenges with coasting schools & schools below the floor standard

1. The region has the largest number of schools but a comparatively low proportion of academies. In six of the 25 Local Authorities in the region less than 10% of schools are academies.

2. A relatively low number of sponsors operate in the region & over half of these are not ready for taking on new schools.

3. The challenge posed by coasting schools & schools below the floor standard is high at the secondary level & there are also a high number of primary schools below the floor standard.

4. A significant challenge may also be caused by a forecasted increase in pupil numbers in both primary & secondary schools.

Pupil numbers are forecasted to increase by a similar amount in both primary & secondary; 10% & 8% respectively by 2018/19

A low number of sponsors operate in the region & 52% of them are not ready for taking on new schools

Lancs. & W. Yorks. has the highest number of secondary schools that are coasting or below the floor standard... 

...it also has one of the highest number of primary schools below the floor standard, but the number of coasting primary academies is low
The North of England has one of the lowest proportions of academies, the lowest numbers of academy sponsors & one of the lowest numbers of schools below the floor standard & coasting schools

1. The region has the smallest number of schools & one of the lowest proportions of academies. In three of the 14 Local Authorities in the region less than 10% of schools are academies.

2. As the number of academies is low, the number of sponsors is also low; however the region has the second highest proportion of sponsors who are likely to be able to take on new schools immediately.

3. As the number of schools is low, the number of coasting schools & schools below the floor standard is also low.

4. The forecasted increases in pupil numbers are some of the lowest in the country.

Forecasted pupil numbers show some of the lowest increases in the country; 6% in primary schools & 2% in secondary schools by 2018/19

The North has one of the lowest numbers of secondary academies that are coasting or below the floor standard

The level of academisation varies by Local Authority; but there is only one LA where more than 50% of schools are academies
South-Central England & North-West London has a high degree of academisation but a challenge may be caused by a high forecasted increase in pupil numbers

1. The region has a comparatively high proportion of academies: in the majority of Local Authorities between 25 & 50% of schools are academies, although there is only one LA where more than 50% of schools are academies.

2. Nationally, one of the highest numbers of sponsors operate in South-Central England. Of these, the proportion not ready to take on new schools is the lowest & the proportion likely to be able to take on new schools immediately is the highest.

3. The challenge posed by coasting schools & schools below the floor standard is relatively low at both primary & secondary level.

4. A significant challenge may be caused by one of the highest forecasted increases in pupil numbers in both primary & secondary schools.

Forecasted pupil numbers show some of the highest increases in the country; 14% in primary schools & 12% in secondary schools by 2018/19

South-Central has the lowest number of secondary schools that are coasting or below the floor standard...

The level of academisation varies by Local Authority; there are two LAs where less than 10% of schools are academies whilst in one LA over 50% of schools are academies
South-East England & South London has one of the largest numbers of academies. Coasting schools are a particular challenge at primary level.

1. The region has the one of the largest numbers of schools & one of the largest numbers of academies.

2. A high number of sponsors operate in the region & of these a comparatively high proportion are likely to be able to take on new schools immediately.

3. The challenge posed by coasting schools is significant at primary level – it is the only region where more schools are coasting than below the floor standard.

4. Another challenge to the region’s primary schools may be caused by one of the highest forecasted increase in pupil numbers in the country.

Forecasted primary pupil numbers show some of the highest increases in the country at 13% by 2018/19. Increase at secondary level is forecast at 10%.
South-West England has the highest proportion of academies in the country & the challenge posed by coasting schools & schools below the floor standard is comparatively low

1. The region has the highest proportion of academies both at primary & secondary level. There is no Local Authority in the region where less than 10% of schools are academies.

2. The sponsors operating in the region are almost evenly split between those not ready, those that could take on new schools, but with concerns & those that are likely to be able to take on new schools immediately.

3. The challenge posed by coasting schools & schools below the floor standard is comparatively low at both primary & secondary level.

4. The challenge posed by increasing pupil numbers is also relatively low.

Forecasted secondary pupil numbers show some of the lowest increases in the country at 5% by 2018/19. Increase at primary level is forecast at 10%
The West Midlands has a relatively consistent proportion of academies across its constituent Local Authorities. A particular challenge that the region faces in the high number of coasting secondary academies.

1. The region has an average proportion of academies both at primary & secondary level. There is no Local Authority in the region where less than 10% of schools are academies.

2. Over a third of sponsors operating in the region are likely to be able to take on new schools immediately & the region has one of the lowest proportions of sponsors not ready for taking on new schools.

3. The challenge posed by coasting secondary academies is particularly high.

4. The challenge posed by increasing pupil numbers is comparatively low, particularly at primary level.

Forecasted primary pupil numbers show some of the lowest increases in the country at 9% by 2018/19. Increase at secondary level is forecast at 6%.
5 Methodology
### Methodological Notes

**Total number of schools by region, primary secondary & all-through only, excludes special school & alternative provision. Source: Edubase, 10 August 2015.**

Based on DIE guidance on the most successful sponsors, we scored existing sponsors of two or more schools as follows:

- **Performance:** Percentage of existing academies below floor or coasting (<10% → +2pts; 10-34% → 0pts; 34%+ → -2pts)
- **Size:** Total number of academies across all regions (2-4 → 1pt; 5-10 → 0pts; 11-30 → 1pt; 31+ → 0pts)
- **Geography:** Where are the sponsors’ academies located (within a single LA → 1pt; within a single region or nearby LAs → 1pt; nationally → 0pts)

We added up the scores for each sponsor, and classified as:

- 4pts → High potential for taking on new academies
- 3pts → Good candidates, but may require some support
- 1-2pts → Could take on new academies, but with concerns
- 0 or less → Not ready

**Source:** Edubase, 10 August 2015

### Definition of coasting:
In each of the past three academic years fewer than 60% of pupils achieved 5 A*-C including English & Maths AND progress in both English and Maths was below the median for all schools nationally.

### Definition of schools below the floor standard:
In the academic year 2013/14, fewer than 40% of pupils achieved 5 A*-C including English and Maths, and progress in both English and Maths was below the median.

**Scale:** 0-80 schools


### Forecasted increase in pupil numbers to 2018/19 (%) by region.

**Scale:** 0-15%

**Source:** National pupil projections: trends in pupil numbers - July 2015

### Definition of coasting:
In each of the past three academic years, fewer than 85% of pupils achieved level 4 in Reading, Writing (TA) and Maths (English and Maths for 2011/12) AND progress in these subjects was below the median for all schools nationally.

### Definition of schools below the floor standard:
In the academic year 2013/14, fewer than 65% of pupils achieved level 4 in Reading, Writing (TA) and Maths (English and Maths for 2011/12) progress in these subjects was below the median.

**Scale:** 0-200 schools


### Definition of secondary academies by region.
Includes Free Schools, UTCs & Studio Schools. Excludes special schools & alternative provision. Source: Edubase, 10 August 2015.

### Percentage of secondary academies by region. Includes Free Schools, UTCs & Studio Schools. Excludes special schools & alternative provision. Source: Edubase, 10 August 2015.

### Total number of secondary academies by region.
Includes Free Schools, UTCs & Studio Schools. Excludes special schools & alternative provision. Source: Edubase, 10 August 2015.

**Source:** Edubase, 10 August 2015
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