



Local Government Association

local authority reactions to the OFSTED inspection process

by Monika Wray
National Foundation for Educational Research

LGA educational research programme



LGAresearch • Report 32

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INVESTOR IN PEOPLE



Published in June 2002
by the National Foundation for Educational Research,
The Mere, Upton Park, Slough, Berkshire SL1 2DQ

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Registered Charity No. 313392
ISBN 1 903880 26 2

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ACKNOWLEDGEMENTS

The NFER is most grateful to the members of staff in the four local education authorities and schools who so kindly gave of their time to share their experiences. Thanks are also due to colleagues at the NFER – Suzanne Edmonds, Melanie Hall and Barbara Lee – who assisted with the data collection.

Introduction

Background

The programme of inspecting local education authorities (LEAs) began in January 1998. These inspections were and are carried out by the Office for Standards in Education (OFSTED) in conjunction with the Audit Commission. According to the OFSTED framework document (2000) which guided the inspectors' work at the time of this research, the aims of the inspection were:

...to review, and report on, the way in which LEAs perform their functions and, in particular, to determine the contribution of LEA support, including support to individual pupils, to school improvement and to high standards of achievement (OFSTED, 2000).

The review was also to cover services that the LEA had contracted out.

Since the OFSTED inspection programme began, a number of authorities have received adverse reports and were required to take radical action to change some or all of their approaches, practices and/or key functions.

The National Foundation for Educational Research (NFER) was commissioned by the Local Government Association (LGA) to undertake research to examine the reactions of a small number of authorities to their inspection report and to document, in some detail, the actions taken to respond to criticisms, taking account of the different change models adopted. The research was carried out between September 2001 and March 2002 and before OFSTED introduced changes to its framework of inspection in the spring of 2002.

Research design

Following analysis of the OFSTED database and inspection reports (and reinspection reports, where appropriate) and scrutiny of other publicly available sources of information, four authorities were selected for case study. They were chosen to represent different types and sizes of authority as well as different types of post-OFSTED action taken. The LEAs were, respectively, a unitary authority, a metropolitan city authority, a borough council and an inner London council. In each, interviews were held with key people:

- the Chief Executive, the Director of Education/Chief Education Officer
- senior staff in the education department
- senior staff from other authority departments
- the Chair or lead member for education
- the leader of the council
- other elected members

- staff representing other organisations
- groups involved in supporting the authority in introducing change
- directors and/or board members, where they existed, for the outsourcing or partnership management.

A total of 33 people were interviewed. All relevant documentation was also collected and studied. This work was carried out between September and December 2001. In order to gain schools' perspectives on the issues, interviews were held with nine headteachers from three schools in three of the four case study authorities – one authority was unable to participate. This work was carried out in February 2002.

Report content

This report outlines the main issues to have emerged from the experience of the four authorities studied. It makes no attempt to evaluate the different models, but seeks instead to document the reactions and actions of those involved. From the local authority perspective, it documents:

- the impact of receiving a negative report
- the immediate post-OFSTED period
- the process of finding the 'right' model and owning it
- the different models for change chosen
- the perceived appropriateness of the models
- the factors thought to have contributed to success so far and
- the early evidence of change.

The last chapter offers the headteachers' perspective.

The Impact of a Poor OFSTED Report

The initial realisation that a fairly damning inspection report had actually been returned not only touched the LEA and its staff very personally but also often had a profound effect upon the local authority as a whole. The entire council was brought face to face with how it managed all its services, how it worked in its partnerships and how its reputation as a service provider was viewed. The poor performance of its Education department was sometimes seen as a reflection upon practice in other departments. Publicity abounded and staff felt very exposed.

Morale dropped dramatically after a negative OFSTED report. LEA staff experienced a whole range of feelings from disappointment to outrage and there was considerable anxiety about the future. Most were uncertain about the options, given that these were still pioneering times; many feared outsourcing.

A very critical report also led to many senior people leaving, or perhaps being forced to resign. While this made it easier to start recruiting new staff, it also left an immediate vacuum at a time when a post-OFSTED action plan had to be prepared and submitted.

Reasons for surprise at the content of the report

None of the LEAs studied expected as damning a first OFSTED report as the one they received, even though there was some awareness that they would be found wanting by the inspectors. All felt they had some strengths to celebrate and/or good reasons why things were not yet going as well as they might be. They were sure these would be taken into account.

LEA 1, which prided itself on its good record with performance indicators and its good results at key stages 1 and 2, was not expecting a negative report at all. In the words of its officers, reaction to the report varied from 'surprise' to 'shock' to 'bewilderment' and 'sheer horror':

We had not registered how damning it would be...There was disappointment among people because our performance indicators were some of the best in the country...We thought performance indicators were the be all and end all. (officer, LEA 1)

LEA 3 had had a new Director of Education in post for less than a year at the time of their first inspection; this Director was the first permanent one in four years. There was an expectation that allowances would be made for this. In the event, the damning OFSTED report genuinely shocked and surprised both the LEA and the council and was thought to have had a 'massive and devastating' impact, which was perceived to be 'immensely damaging in the short-term'. The report's commentary and language were considered by some to be 'diabolical, dramatising, emotive and fierce', all of which caused the authority initially to want to get up and fight.

By contrast, LEAs 2 and 4 knew they had some problems and that 'things were not good'. The very process of preparing for the OFSTED inspection had shown LEA 4 how poorly coordinated some of its services were delivered; LEA 2 meanwhile was still coming to terms with the many problems it had inherited when it became a unitary authority in 1997. Nevertheless, the publication of the OFSTED reports in both these cases was described as a 'devastating experience'. Staff were 'shocked, distressed, defensive and anxious'.

The effect of the manner of reporting

Receiving an adverse OFSTED report was bad enough, but officers in each of the LEAs felt they suffered even greater humiliation because of the way in which OFSTED had 'delivered' its report. Critical content, coupled with an unfortunate manner of presentation or publication, often caused a more devastating immediate 'fall-out' and reaction to the report. The language and tone of the report often made people as angry as its content. It made

them suspect that they were being singled out to be pilloried and that caused them to become even more defensive and angry.

In LEA 1's case, the press got wind of the final outcome at the same time as the local authority did. This added extra pressure:

Staff were devastated as they had no idea... They were upset by the process which hit them like a bombshell... Staff disliked the secrecy of OFSTED and its media management. (officer, LEA 1)

On the day that LEA 4 learnt that its services to schools were to be outsourced, its OFSTED report was published: *'There was no opportunity for a period of reflection or internalisation of what had been said and no analysis about how to respond.'* Several senior staff immediately resigned, not wanting to work within a private/public arrangement.

In one of the other authorities, the draft report was not shown to councillors but was read aloud to them page by page. Interviewees claimed that it was then apparently published without proper notification. This kind of *'savage ... disgraceful ... unprofessional'* handling of a sensitive issue did not make the situation any easier for those involved. There was a mix of feelings ranging from: *'This should never have happened to us'* to *'We are not as bad as all that'* to *'What are we going to do about it?'*

The Immediate Post-inspection Period

The amount of time taken to start the renewal process after the OFSTED report varied enormously depending on how those in the local authorities reacted to the report and how they felt they might move forward. Obtaining political approval for the change model was critical. In some instances, politicians were harder to win over as they disliked being seen to give into Government pressure. Less time was 'wasted' where politicians more quickly accepted the DfES advice on a change model. However, in reality, there was not always a great deal of choice about the renewal model proposed.

The experiences of individual authorities

LEA 1

LEA 1 accepted the need for change immediately and agreed to the DfES suggestion that they work in partnership with another authority. A Change Management Team (CMT), comprising representatives from other LEAs, an ex-Director of Education, and consultants from Price Waterhouse Coopers (PWC) and KPMG, was set up within a week or two of the publication of the OFSTED report. It immediately analysed the OFSTED criticisms and scrutinised mechanisms within the LEA. It found that some aspects of the education service *'were even worse'* than OFSTED had reported. A detailed action plan was prepared and work began on implementing change while a new Director of Education was recruited.

LEA 2

LEA 2 also decided to move quickly following its OFSTED report. The leader of the council worked across political parties to convince political colleagues that it would be better not to resist the DfES. Politicians opposed to privatisation had to be convinced that it was not the only and/or inevitable outcome of taking DfES advice. The Office of Public Management (OPM) was commissioned to advise on how best to respond to OFSTED's recommendations. A temporary Director of Education was appointed.

The OPM reported within a few weeks, recommending seven key levers for change: some internal, some external. The internal levers centred on finding a new Director of Education, establishing a robust performance management process, developing sound systems for establishing performance data and clearly defining the role of link officers. The external levers included the establishment of a Partnership Board '*to add strategic drive to the implementation package and to oversee renewal*', the creation of a school development and support agency '*to build client side capacity and promote high expectations in schools of themselves and of the LEA*' and the building of partnerships with communities to develop support for education. The Partnership Board began its work within five months of the OFSTED report.

LEA 3

Some '*heated debate*' took place in LEA 3 before a decision was taken not to fight the Government but to concentrate on a way forward. Officers and councillors accepted that some of the OFSTED criticisms were valid, even if the manner of their delivery was thought to have been '*over the top*': '*We knew there were problems so it was pointless to defend ourselves against OFSTED. To fight would have been to waste more time.*' The authority felt in a '*no win situation*' and agreed to take the inspection '*as a challenge to improve*'.

A post-OFSTED action group of officers, from education and other departments, was formed to draw up the action plan. Meanwhile the process began of agreeing a model for change that was acceptable to all concerned. PWC were appointed to assess whether there was a case for outsourcing – an idea much detested in this authority. It then took virtually a year before a model for change, acceptable to all, was agreed.

LEA 4

LEA 4 had the outsourcing option for change imposed upon it by the Government on the very day that OFSTED published its report. It did, however, take a year for a private company to be chosen and then come in to manage the authority's school services. In the immediate aftermath of the inspection, an internal council team, headed by one of the council's executive directors, was set up to '*deal with the consequences*' of the inspection. The incumbent Director of Education prepared the required post-OFSTED action plan before he left. This was seen as a temporary plan, pending the appointment of a new company to run school services. The new company would produce its own plan as part of its contract and

therefore the first priority for LEA 4 was to choose the *'best people'* to take on the job. PWC, appointed jointly by the DfES and the council, were then appointed to start the detailed work on procurement. That process took several months.

Agreeing the Most Appropriate Model and Taking Ownership of It

The degree to which the council and the LEA felt they *'owned'* the change model adopted was crucial. It was difficult to move forward easily, educationally or politically, until the majority of those involved were content with the change model chosen. The amount of time taken to achieve ownership varied from weeks to several months.

Immediate ownership

Politicians in LEA 1 immediately accepted the solution suggested to them by the DfES – i.e. that they appoint a Change Management Team. It was clear from the outset that the team's role would be to make recommendations on which the council would then decide. In the event, the council agreed with all the recommendations made by the CMT. There was no question of the CMT taking over the LEA. One of their tasks was to recruit a new Director of Education who would provide leadership and take the education agenda forward. That agreed, ownership remained with the council.

A 'no choice' scenario

In LEA 4, there was no choice but to take ownership, reluctantly or otherwise, of the change model demanded by the Government. Determined to turn a crisis into an opportunity, council took no more than a weekend to agree with the Government's requirement. There was no consultation with schools, parents or the opposition parties. The outsourcing process began immediately

There seemed to be varying views about the principle of outsourcing. Those committed to the public sector found the whole idea abhorrent at best; it was perceived as a punishment. Others were prepared to *'take the risk'* that a private company, well chosen, would not only be more efficient at running school services, but also value its staff more than the local authority appeared to have done.

There were many political discussions within the council during the procurement process. Some councillors, frustrated that the education service had eaten up a lot of money and had still failed to deliver, wanted change. The council was in the spotlight; it was being *'dragged down'* by its education service; everyone was watching every move and Government pressure to succeed was resting very heavily on the council's shoulders: *'It was a very*

politically charged time. The way forward was to find a means of 'saving' the authority's schools from further 'failure'.

A long journey to ownership

LEA 3's experience was probably the most protracted. The OFSTED report had made it clear that the existing *status quo* within the LEA could not deliver the changes necessary within the allotted timeframe. PWC was appointed to start work on advising how the LEA should best respond to the OFSTED recommendations and ensure rapid improvement in the LEA's performance and the services it provided to schools. Essentially, their role was to assess whether there was a case for outsourcing some or all of the education support services provided by the LEA.

There was resentment from some councillors at the hiring of PWC as it was felt that they would inevitably recommend outsourcing. PWC were perceived as the DfES's puppets, there *'to underwrite the worst aspects of OFSTED'* and do the DfES's bidding. Bringing in a private company to manage education in a predominantly Labour council was anathema to some. At the same time, other politicians admitted that the council had not perhaps fully understood how serious its education problems were and how essential it was to bring about change in schools rather than just promises of a vision. The agenda was a big one and the LEA needed help to turn itself around.

In the months that followed the OFSTED inspection, both PWC and the council were simultaneously exploring possible future partners to help take the LEA forward. PWC was looking for private companies; the authority was looking for its own solution, doubting whether the private education market was ready to take on as big a challenge as the authority presented. The authority was in favour of a *'strategic partnership'*, whereby another independent LEA or private sector partner could work **with** them in partnership. Both the DfES and OFSTED doubted whether another LEA could manage both itself and LEA 3.

At the end of their consultation, PWC put forward two preferred options – outsourcing or a joint venture; it was considered that both could address service requirements and ensure a rapid improvement in the LEA's support for its schools. More debate followed. Eventually, it was agreed to concentrate on setting up a 50/50 joint venture company (JVC), which would be nearer the council's view of a strategic partnership than a straight 80/20 JVC might be. PWC started its search for suitable companies for the JVC some seven months after the OFSTED report.

The plan was that the JVC would have a Board comprising two authority representatives and two representatives from the private sector partner. The Chair would be an independent person, chosen by the DfES from a list provided by the authority. LEA staff would transfer to the JVC. The Council would decide which functions it would retain and which it would delegate to the JVC. This compromise *'eased the transition for some elected members and helped to rebuild confidence in the management structures within the council'*.

Despite these compromises and the feeling that this was the best way forward for the authority, politically the 50/50 JVC model was still unpopular. The *'long battle and complex discussions'* continued; several politicians still *'wanted war'*. There were discussions about how much would be outsourced in a JVC, whether the contractor would be responsible for assets and losses, whether staff would be seconded or re-employed and so on. There were numerous meetings in London before the authority found a solution it could *'live with'*.

Knowing that some kind of JVC would eventually be the way forward, the leader of the council felt that the independent Chair of the Board of the new company should be appointed quickly. This person had to be acceptable to local politicians, the DfES and local stakeholders, very motivated, admired, trustworthy and a good communicator. This person was appointed some six months before the JVC came into being and immediately embarked on a series of school visits to try to reassure headteachers and their staff and to explain the difference between a JVC and outsourcing. It was felt important to demonstrate that the LEA was not being taken over.

Some ten months after the OFSTED inspection, PWC was able to invite tenders from three bidders. These companies were given a very tight schedule as the authority wanted to get started as soon as possible. The task was a challenging one for all concerned; bidders and contractors were entering new territory and stakeholders were apprehensive.

It was at this very late stage in negotiations that the model was changed from a 50/50 JVC to a 100 per cent wholly owned, arms-length company which would manage the authority's education services. It was another *'first'* in terms of partnership model. Capita was eventually selected to be the authority's partner as its bid was closest to what the authority preferred and Capita was willing to work in partnership.

The final shape of the new company was one that appealed to the authority's politicians and made it easier for them to accept and own. Staff could be more easily transferred to the new company with all their rights and conditions protected. The authority would retain some control, but the company would have the freedom to get on and make changes as it saw fit.

There were those in LEA 3 who felt precious time had been wasted while lengthy negotiations took place. However, others felt that the enormous effort that had been put into finding the right solution which could more easily be owned by the authority would lead to a better chance of success.

A shorter road to ownership

In the case of LEA 2, OPM had initially suggested that the Partnership Board appointed be accountable to the DfES and that it should have statutory power over the LEA. Local politicians were, not surprisingly, reluctant to accept DfES control; they did not feel that this was in the best interests of the authority's children. After personal intervention by the authority's three

party leaders with the Secretary of State for Education, it was agreed that the council would retain control and work **with** (not, **to**) the Partnership Board. The Chair of the Board would have dual accountability to the DfES and the council. This arrangement made ownership local and made it easier to move forward.

Phase I of the Partnership Board's work called for many meetings with key stakeholder groups; partnerships had to be established; different groups had to be consulted; strategic working parties to address and bring together all the varying demands placed on the LEA had to be set up. The Chair of the Partnership Board considered that without building these foundations and generating this level of consensus and commitment, it was unlikely that structural changes could be achieved. This first phase had the desired effect of encouraging both politicians and headteachers to agree to work collaboratively and so ownership was reinforced.

The Different Change Models Adopted

Each of the four LEAs studied had adopted a different model for change, each one of which was new and pioneering, although one or two had been piloted (at least, in part) in a similar form elsewhere. Whatever the model chosen for the renewal of school services and whoever provided it, the council remained accountable to its electorate.

Outsourcing

The model adopted in LEA 4 was the total outsourcing of its school services: immediately after the first OFSTED inspection, a suitable company to do the work was sought.

PWC drew up a specification for the service, invited tenders, organised the bidding and drew up the contract. The process took several months, during which there were weekly guidance meetings between the council, DfES and PWC. At the time, there were no existing models on which to work and no existing market for the provision of LEA services: *'We were describing, for the first time, what an LEA does.'*

The company eventually chosen to take on LEA 4's school services was Cambridge Education Associates (CEA). Even to those in the council opposed to privatisation, this company seemed to offer the best way forward:

*They were a version of the private sector that was more acceptable.
They wanted a management fee rather than working for profit.
They spoke a language we understood and were not high risk.*

CEA agreed a seven-year contract to run statutory school services in the authority; the responsibility for early years and post-16 provision remained with the council.

The arrival of CEA meant a new top management team – a new Director of Schools, supported by three assistant directors, only one of whom had worked in the authority in the past. At least half of those in the next tier of management were also newcomers.

CEA ‘took over’ school services a little less than a year after the OFSTED inspection. The first job for the directors was to go through all the issues raised in the OFSTED report and prepare their own action plan for renewal. The whole arrangement received considerable press coverage as the ‘*first big Government experimentation with privatisation*’. A press report commented that if the experiment were successful, there would be criticism that the employment of CEA had taken money out of schools while if it were unsuccessful, the agency would be criticised for ‘walking away at the end of the contract’.

Partnership Board model

In LEA 2, an innovative model to bring about change was introduced on the recommendation of the OPM: a Partnership Board and a School Development and Support Agency (SDSA) were established.

The Chair of the Partnership Board was able to start work within five months of the OFSTED report; the Board itself started work a little later. The Board comprised the leader of the council, the Chair of Education, two opposition councillors, four headteachers, a CEO, a college principal and a businessman – all appointed on the basis of their expertise and experience in performance management, governance, community relations, ethnicity issues and support for school improvement. They were joined by representatives from the DfES. The Board was chaired by an academic with a national reputation in school improvement and with considerable experience of working with LEAs.

The Partnership Board’s role, as defined by OPM, was ‘*to ensure the effective implementation of the key levers of the modernisation package and to scrutinise the implementation of the LEA’s post-OFSTED action plan from a client perspective*’. The Board divided its work into three phases: building consensus and establishing direction; taking action for structural change; and embedding change and consolidating capacity. Phase 1 – building consensus and establishing direction – had to pre-empt taking action and embedding change. The Board initially entered a ‘*hostile environment*’ and its first task was ‘*to lay a strong basis for the renewal of the LEA*’ and try ‘*to get politicians, headteachers and stakeholders to confront their denial and to charter a movement forward*’. It was important to ensure that all understood clearly that the Board was not an alternative LEA but that its role was ‘*to help and support all stakeholders to generate a collective vision and appropriate strategies to deliver such a vision for the improvement of all learners (in the authority)*’.

In tandem with moving ahead on the external levers for change, there was also a need to work on the internal levers recommended by OPM, i.e. finding a new Director of Education, establishing a robust performance management process and developing sound systems for establishing performance data and clearly defining the role of link advisers. Much of Phase 1 of the Board's work – building consensus and establishing direction – was done before a new Director of Education was appointed. Thereafter, the Board and the Director worked together on taking action for structural change. This included redefining the departmental divisions within the LEA, creating a new division for Standards and Effectiveness, appointing a new senior management and reorganising jobs and posts within the advisory service. Conditions of service for the Director and the Head of Standards and Effectiveness fell outside the normal constraints of local authorities.

Throughout this period, the Chair of the Board acted as '*critical friend and consultant in terms of strategic direction*', while other Board members took on specific tasks such as monitoring the work of the post-OFSTED action plan and advising on the restructuring of the advisory service. The Board as a whole continued to advise and monitor. It was important during this period to ensure that, while changes were being made, organisational stability was maintained and the LEA continued to provide adequate services to its schools.

Meanwhile, the SDSA, an independent company limited by guarantee and fully funded by the DfES for a two-year period, was set up to work with the client side – to help schools become more confident and assertive in their buying in of services from the LEA and other providers and in raising their own expectations of themselves. The SDSA was to be an advocate and catalyst for school improvement and help promote high standards of teaching and learning through five key areas: development groups, Best Value and brokerage, governing bodies, community development and educational leadership and school development. The SDSA saw itself as working both **for** and **with** the LEA, and in particular its newly established Standards and Effectiveness Division.

Working with a Change Management Team

LEA 1 worked with a Change Management Team (CMT) – a group of experts from other local authorities, agencies and consultancies, chaired by an independent consultant. The role of the CMT was to prepare for change, to respond to OFSTED, to devise a change programme and to prepare a longer-term Post Inspection Action Plan (PIAP). It was not there to take over the authority's education services. The CMT brought in outside consultants and used internal resources as and when needed.

The CMT was itself overseen by a Change Management Team Steering Group, set up at the same time. This latter group was chaired by an ex-CEO with experience of working in an intervention team, and included

representatives from local schools, the community, the DfES and the CMT itself. Its remit was to ensure that the PIAP was prepared on time and was on target and then to monitor progress against timescales and evaluate the quality of what was being done. It also had a role in *'keeping things ticking over'* until the new Director of Education arrived

An 'arm's-length' company

Another 'first' in terms of a model for change was the creation of a wholly owned arm's-length company formed to provide statutory school services in LEA 3. The company was accountable to the council through a service contract and the council retained responsibility for the determination of the education budget as well as for the approval of educational policy and key education plans.

The contract between the council and the company was based on many performance targets and standards. The company's provision of services was to be measured in part by the achievement or otherwise of several strategic incentive performance targets, each of which had been allocated an incentive point or points. In order to be paid an incentive, the company had to achieve a minimum points score of more than ten points each year.

Capita were the consultants contracted to provide education support and administration services to this new company. The company's contract with Capita gave the former a number of full-time staff from Capita's senior education team plus a number of Capita consultancy days. The Chief Executive of the company was employed by the company itself and was supported by a senior management team of four, of whom three were seconded from Capita for the first 18 months of the company's life. The fourth was an LEA senior manager. This core group formed the strategic management team. (The existing CEO remained in post and retained responsibility for some non-statutory school services. He also took on an advisory and monitoring role on behalf of the local authority.)

The Board of the company numbered five: two council (non education) and two Capita representatives, with an independent Chair. The role of the council Board members was *'to provide a balance between the private sector and the council; to act in the interests of the company; to make sure that what was done by [the company] was in line with the values of [the council]; and to manage political processes, given there were no politicians on the Board'*. The role of the two Capita Board members was to support the Chief Executive of the company in achieving the agreed aims and objectives: *'to advise and support [the company] and to help it meet its targets especially in developing its services and raising levels of achievement in schools'*. The Chair's role was as the *'independent voice between the council and Capita to help set and develop strategy and also to be the public voice of the company...to assist in negotiating the agreement between the DfES and the council and be an independent arbiter...and help bring about change'*. The first task of the company was to create its own five-year strategic plan.

Appropriateness of the Change Models

The NFER research did not set out to evaluate the models for change chosen by the four local education authorities. Instead, it sought to understand and describe them through the experiences, feelings, thoughts and concerns of those involved.

What made a particular model 'appropriate'?

Several key factors, thought to contribute to the appropriateness of the models chosen, were mentioned in the four authorities. These 'appropriateness factors' seemed to have relevance regardless of the particular model.

◆ The model had to be the one considered 'right' or 'best' for the authority

No one solution was thought appropriate for all. Local circumstances were thought paramount. These included size of LEA, main OFSTED criticisms, political climate, local culture, existing strengths, and so on. A model had to respect local context and stakeholder interest. This then made it possible to build on strengths, while identifying weaknesses that could be remedied.

In authorities where privatisation was the only option, the model presented '*an opportunity to do something radical*'. In authorities where people were totally opposed to privatisation, the fact that the model they finally chose did not involve outsourcing made all the difference. Where an authority prided itself on being very good at the operational level, it was important to introduce a model to develop greater vision and direction while doing minimal damage to that which was working well.

A home-grown model was thought to find favour with the local community and to demonstrate that the authority was not totally beholden to the DfES:

Home-grown models...went with the cultural grain...created better relations and gained full political support...there were no winners and losers...there was genuine working together. (officer, LEA 2)

But even where the model adopted was not home grown, what mattered was its acceptance politically and the feeling that the right partner/solution had been chosen to match local circumstances. Where elected members were not alienated and where they felt engaged and involved to some extent, the change model was easier to embed.

◆ Ownership had to remain with the council

Feeling that the choice of the model had been a council choice, even if the choice was from a limited field, was important. Local authorities needed to feel they were managing their own destiny, even though they had been badly criticised by OFSTED and even where new people were now heading up their school services. Ownership was good for local democracy: '*It was "doing with", not "being done to".*'

◆ **The chemistry had to be right**

Where those in the authority could respect and work with any newcomers whom they felt they could trust, the fit was more comfortable: *'Whatever model you choose, it is really the people that matter.'*

◆ **A sense of partnership, however defined, had to be felt**

Partnership was defined differently. While authorities felt they were being dictated to by the Government and had no leverage, they tended to be more entrenched against models suggested. As soon as they felt they had more control, these negative feelings eased. When key people (officers and members) in the authorities felt that they could work **with** outsiders, they felt less imposed upon and were more willing to take advice and work together. That partnership could have been short term and close as in the cases of LEAs 1 and 2 or much longer term and distant as in the cases of LEAs 3 and 4. The link with the council *'made politicians feel more comfortable about accountability. There was a balance of independence and accountability. There was a check by the council, but without interference'*.

◆ **The change model had to be focused on education**

For many people within the authorities, it was important that, whatever the model, it had an educational focus, not a business one – *'an educational response to a breakdown in LEA effectiveness'*. It had to be a model that provided challenge and support to the LEA, which in turn would ensure that the LEA did the same for its schools. This focus on educational issues in the new regimes often helped to clarify roles, responsibilities and accountability. Targets were clearer and the process was better understood.

◆ **The model had to constitute a genuine and visible 'fresh start'**

What proved necessary was the opportunity to do things differently and to focus very specifically on LEA performance and the school improvement agenda. For some authorities, a fairly drastic culture change was called for by a fresh start, but this was usually seen to be no bad thing. Alternatively, a fresh start was seen as a passport to doing things differently and was a break with the past. For example, LEA 1's use of a Change Management Team *'was a quick way of getting a step change which allowed for new management quickly and allowed the LEA to move forward'*.

Perceived disadvantages of the models chosen

The need for an LEA to change the status quo inevitably displaced some senior people and introduced new ones. The process was sometimes fairly brutal, with some senior LEA managers choosing to leave or being asked to leave within days of an OFSTED report. Sometimes a retiring Director of Education stayed on for a few months to see an authority through its post-OFSTED action planning; at other times, that person left immediately. Both scenarios presented their difficulties to those who remained.

People apart, those interviewed within the LEAs offered the following thoughts about the possible or potential disadvantages of the different change models.

Outsourcing, where imposed, was perceived as a punishment. Imposition contributed to lowered morale, which, in turn, hampered an easy fresh start.

Private/public partnerships were still viewed with some suspicion – from both perspectives. Public servants did not always appreciate the profit arrangements, and private companies knew that their success in turning around an LEA could simply result in the termination of their contract, with the LEA taking back responsibility for school services. Anything private was also seen as a challenge to local democracy.

The change models usually only applied to statutory school services; LEAs retained responsibility for early years and post-16 provision. There was some concern that there would not therefore be a seamless link between the different levels of education. Would there be scope, some wondered, for developing a wider curriculum beyond GCSE for potentially disaffected 14-year-olds and/or would schools still want to open their schools for community use? Might lifelong learning be sidelined?

Bringing in outsiders to manage education could, it was felt, **decrease capacity within the LEA**. Where consultants were being widely used and/or where they were only employed on contract, insiders might feel devalued and disinterested.

Success of the Change Models Chosen

Once a change model had been chosen and was up and running, albeit for a short time at the time of the research, those interviewed were asked what they felt were the key factors contributing to success so far. It should be borne in mind that some of the authorities were visited only months after their new order had been put in place. In some instances, reorganisation below the very top level of management was still ongoing.

The majority of those interviewed in the four authorities were satisfied that their model of change was working as anticipated – in some cases, even better than anticipated. The right steps had been completed in an appropriate order: denial of ‘failure’ had been confronted; a belief that things could be done differently was generated; council support was committed; consultation with and involvement of stakeholders was ongoing; employment of strong top management teams was completed or virtually so; power and freedom to operate had been given to the new directorate teams.

The mere fact that something positive was being done was thought to be contributing to success. Where the previous situation in the LEA had been

unsatisfactory with poor services and low morale, any change was going to be a change for the better.

Comments such as the following summed up progress to date:

We know where we are going and we look forward with optimism... We are changing because we want to be the best, not because anyone is making us [change]. (LEA 1)

[The model] is working more or less as it was thought it would... a genuine partnership is emerging... Good foundations have been laid... There is still some rough water ahead – the devil's in the detail. (LEA 3)

There is a sense of purpose and identity, without losing sight of the schools and the children. (LEA 4)

Success factors

There was considerable consensus around the factors that had contributed to success, although there were, of course, some local differences. But how much success was due to the model and how much was due to those who now staffed the new arrangement was a matter of some debate. The following were most frequently cited as factors contributing to success so far.

◆ **Freedom for the local authority to employ a new, high-calibre, top management team without the usual constraints on salaries and conditions**

The new Directors of Education or Chief Executives were usually paid salaries in excess of those on offer before. While this came as a shock in some authorities, it was seen as the only means of attracting high-calibre applicants. Also, those who used consultants from private education companies found that they were able to buy in 'better' people with considerable experience once the salary boundaries were opened out.

◆ **The quality of the strong leadership introduced**

There was universal agreement that the quality of the new Directors of Education/Chief Executives and/or the Chairs of the temporary partnership or Change Management Teams was a vital factor in success to date. These people clearly understood the education agenda and the changed role of LEAs. They had vision, commitment, were prepared to work extremely hard and were determined to bring about change.

◆ **Bringing in dynamic outsiders – new blood – to head up the LEA**

New people brought with them different and new ideas and a fresh impetus: *'There was new blood and good people committed to excellence of service'* (LEA 3).

The need to respond to the OFSTED report allowed for a 'root and branch' change in leadership which, although a brutal process for those who did not survive, did help the authorities to move forward: *'It let in some fresh air*

and, as the new Director's changes make their way down the system, the LEA will end up with a better job' (LEA 1). The calibre of top and senior management from outside was important. Professional, academic and intellectual rigour was introduced. For example, 'Capita provided enormous people strength and educational support...It [the strategic management team] is a good, hard-working team which deals with difficult issues...It is very empowering' (LEA 3).

◆ **Giving the new management teams freedom to make decisions and see them through quickly**

Giving the 'new order' greater decision-making powers and/or faster channels to get decisions implemented meant that progress could be visible more quickly. The new Chief Executives and/or CEOs/Directors had a 'separateness' from the council which both enabled and empowered. There was no operational interference from the council. This allowed them to be more forthright. Commercial judgement (where this was necessary) and experience and expertise were '*not constrained by council measures*'. They were also able to bring about change quickly.

◆ **The inclusion of both insiders and outsiders**

The right mix of insiders and outsiders allowed perspectives to be shared and talents, expertise and understanding to be introduced. Together this contributed to clearer, strategic thinking

◆ **The establishment of good working relationships**

Key players, for example, the Director/Chief Executive and the lead member for lifelong learning and/or the new directors and the 'old LEA' staff, were learning to work well together. Involving schools in consultation and discussion was also beginning to break down feelings of 'them and us', and better relationships were slowly growing.

◆ **A spirit of goodwill and cooperation from politicians, officers and schools gave the new order a chance to work**

There was a shared determination to overcome difficulties and make things work: '*People are looking forward.*' The authority's immediate acceptance for the need to change often meant little time was wasted and commitment could be translated into action far more quickly. There was also a growing acceptance that an LEA had to change itself first before it could work with schools to improve their standards and attainment.

◆ **The depoliticisation of education**

It was considered important that energy was focused on school improvement rather than on political competition.

The transferability of the models of change

Opinion was divided on how transferable change models were from one authority to another. Most importantly, it was agreed, that a model should fit local circumstances: '*You have to look at it [the model] and see if it is right for you.*' Most of the respondents in this research were stepping into

relatively uncharted water; the models were still fairly new and were being tested. What worked for one authority might not work for another, although certain aspects may well be transferable. Culture and context were all important. Models needed to fit and be chosen rather than be imposed. What would suit a large, diverse authority dominated by one political party might not be appropriate for a small, cohesive authority that had seen several changes of political power over the years. Where circumstances were similar, then tried and tested models might be transferable.

Again, respondents stressed the importance of the people who 'staffed' the models rather than the models themselves as being the criterion that mattered most in success and transferability:

A lot of modelling turns on personalities. You need people who believe in what you are doing to make it work. Some missionary zeal is necessary. You have to have the confidence that you can make the difference. (LEA 4)

It was all about high-calibre people with considerable knowledge and expertise who had the will to make a model a success and who were given the freedom and power to make decisions and get the job done. The question remained whether there were enough good leaders and managers out there.

Main barriers to change

Inevitably those involved in bringing about change in their LEAs had encountered some obstacles. The 'labour' of introducing a new order had at times been very painful.

As the new change models were still young in the authorities studied, it was still early days. In some cases, no hard political decisions, such as getting rid of surplus places or closing schools, had yet been made. There had been no confrontations with trades unions or major crises.

The main obstacles to change in these early days were generally these:

◆ Challenging or changing an entrenched culture

There were several points at which the established culture had to be challenged, changed, modified or even overturned – among politicians and their perception of what their involvement should be in the detail of managing schools in their area; within the LEA and how much it felt it had to consult with stakeholders; and between schools and the LEA where schools were not used to working in a team with the LEA. There often remained tensions between LEA officers and teachers; headteachers were unused to being involved in decision making and had to be encouraged to join in consultation and so on.

◆ Residual resistance to the new order and strategy chosen

It was still the case, in at least two of the LEAs studied, that a substantial minority wanted to see the initiative for change 'fail'. People were impatient

and wanted miracles while at the same time feeling uncomfortable with the speed with which decisions and changes were being made.

◆ **Shortage of competent leadership/senior managers**

There were a limited number of people out there in the education world to take on the challenges of turning round an LEA. There were not enough good-calibre people working within a department and precious few outside choosing to apply for significant jobs.

◆ **Privatisation or the threat of it**

Politicians had to be encouraged to accept new models and this proved particularly difficult where privatisation was threatened. There was considerable mistrust of outsiders who had not been appointed by the council as well as resentment from some schools.

◆ **Persuading schools that a new order in the LEA would help them achieve their targets and improve standards**

Some headteachers, most particularly secondary school heads, had to be 'won over'. In LEA 2, they had to be encouraged from a *'position of competition and independence to one of cooperation and interdependence with the LEA'*. There was a tension between schools achieving their targets and the LEA achieving its own. Some schools were reported to be put out by the fact that some of the LEA's targets were based on what schools could achieve. Schools still needed to be convinced that it was only if the 'new LEA' could make a difference to services to schools that schools themselves could get on with their job.

◆ **Being under public scrutiny**

Those in LEA 4, which had had privatisation imposed upon it, found that being in the limelight throughout the period of change was trying. It had been particularly important for senior management to communicate regularly with staff and ensure they understood what was happening with the new contract so that they were not distracted or confused by press reporting.

Early Evidence of Change

Even though some new arrangements had only been in place for a few months at the time of the research, those interviewed were able to point to visible evidence of improvement. No one was complacent yet; there was widespread agreement that, in all cases, there was a long way to go to see sustained improvement. It would take time for change to settle and for those involved to be able to judge its full impact.

Meanwhile, people were slowly getting accustomed to the new order. There was a strong focus on the future and meeting the needs of children and schools. The new systems and leaderships were growing quickly and evolving to meet the challenges ahead; new and stronger relationships were

being established, and the Government agenda for school improvement was more clearly understood. Even where some stakeholders had been vehemently opposed to privatisation and had had this option imposed upon them, there was a growing confidence in the contractor. What mattered most was the delivery of outcomes.

Significantly, early improvements were often seen to be the result simply of having better management systems in place

Visible early improvements

◆ Improved morale among LEA staff once they understood that they were not being blamed for the failures of their LEA

Improved morale in turn gave rise to a greater feeling of 'togetherness' and sense of working together:

There is more bonding, more cohesion. We have come together as an organisation... We have begun to feel comfortable as an organisation. (LEA 4)

Improved morale was still fragile; recovering from the 'trauma' of a poor OFSTED report and the huge changes introduced thereafter still left some people wary.

◆ Greater clarity of purpose, better definitions of roles and responsibilities

Inevitably there had been changes – some staff had moved on; others had been reorganised. This seemed to have resulted in greater clarity and role definition:

The LEA needed a different delivery model and this had resulted in a shift about how decisions were made... Roles are clearer now. (LEA 3)

◆ Improved systems for performance management, monitoring, consultation and communication were being put into place

Sometimes these changes went far beyond the LEA and became corporate:

OFSTED broke the log jam... It had a huge effect on the council as a whole... OFSTED was the catalyst for showing that we were in a different ball game. It made us look at ourselves and see that we were not operating as a strategic local authority. (LEA 1)

◆ Cultures were slowly changing

Culture change was often visible as a more cohesive education department taking the place of separate groups ploughing their own furrows. In at least one instance, the authority was thought finally to be 'catching up' with the national agenda: members were 'sensing the need to change' and were embracing it:

Members now realise that we cannot be the old-fashioned authority we were... We were changing, but we were slow... Things that were sacrosanct will be no longer. (LEA 1)

◆ **A clearer understanding of the education agenda**

Both the LEA and the local authority as a whole were beginning to refocus on what was important and to work together, and with schools, to achieve the desired results. As confidence grew, it became easier to move forward. Even if some of the targets the new order had committed to were very ambitious, there was a feeling that the agenda was achievable. A 'can do' culture was growing: *'There's a general feeling and confidence that things are going to improve.'*

The new model united the Education department and also allowed for corporate objectives within the local authority to be addressed. Education was seen as part of the corporate whole, rather than as a monolith all on its own. Education changes could be incorporated into the whole local authority agenda.

◆ **A strong belief – on the part of both politicians and officers – that change was now possible**

Trust was growing internally. Elected members were beginning to recognise the new strategy and were mostly supportive.

◆ **Greater trust of the LEA by schools and improved relations**

Satisfaction surveys and more informal feedback were suggesting that schools were seeing a difference: *'Services are universally better in the eyes of headteachers'* (LEA 4). Schools were thought to be more supporting of the LEA: *'Trust and confidence with schools is being built up...A genuine partnership with schools is developing'* (LEA 3).

Headteachers will tell you that they feel reassured that change is taking place...in the way we are talking to them, in our relationship with them. They are enthused by the school improvement strategy...They can see benefits both for them and for us. They now understand the relationship between the LEA and schools.
(LEA 1)

Other LEAs reported that schools were already seeing enhanced support through better collection of data, a more clearly defined EDP and more structured interventions. The LEA and its schools were beginning to share a language and understanding on how they could effect change together. There was already

a greater belief that change was possible within the council and across schools...There was a better sense of partnership and improved levels of trust...There were climate changes for the better, coupled with a better focus on what needed to be done. (LEA 2).

This was a beginning, however. Not all headteachers were thought to be convinced by this stage.

◆ **Action regarding intervention in schools**

Some of the LEAs were already able to point to a reduction in the number of failing schools. Elsewhere, an intervention team was up and running,

providing targeted support and helping schools to develop action plans. Some LEAs were also able to show schools that had been shut or those where top management had been quickly replaced: *'In the past, things had taken months to do. [The new management] was getting things done'* (LEA 3).

Outcomes of OFSTED reinspections

Two of the LEAs studied had been reinspected since they introduced their new order. In LEA 4, the new company had been in post for only ten months when OFSTED returned. Staff were still divided when the reinspection was announced. The new Director welcomed OFSTED back, feeling that the challenge of reinspection helped to push the agenda forward and allowed staff to work together in a common cause. Not all staff were as enthusiastic to embrace the early reinspection as a positive experience.

Preparation for OFSTED's return to LEA 4 was *'planned like a military campaign'*. Teams were set up to inspect each other's work; editing teams checked documents; regular newsletters, outlining what had been done and what needed to be done, by when and by whom, were circulated. The emphasis was on teamwork and understanding: *'It became a corporate effort. Everyone became a critical friend and guardian to each other. It was a very bonding experience.'* One member of the SMT acted as a point of reference and conduit between the directors and the staff. Her role was to listen, report, and convey information up and down so that everyone understood what the reinspection entailed and that they *'all sang from the same hymn sheet'*. Having that link person allowed the top team to bridge the gap between themselves (as a private company) and their ex-LEA staff (now their staff) while providing a genuine two-way line of communication. By the time OFSTED returned, there was a feeling among senior staff that staff were well prepared: *'They were less hysterical...they were not going in blind...even though there was still some anxiety.'*

The outcome was a successful one; the LEA found to be *'in disarray'* two years earlier was now deemed viable: *'A sense of purpose and optimism had been instilled.'* There was no denial, however, that the challenge ahead was a formidable one.

LEA 2 had also had an OFSTED reinspection ten months after the new Director had taken up his post and when only some initial restructuring had been completed. Preparation for the reinspection involved many briefings with stakeholders so that everyone could share the same message about renewal. In addition, there were the practical changes and those devoted to developing strategy. It was thought important that all concerned should act together. OFSTED concluded that LEA 2 had *'made considerable progress'* since the first inspection, but again, there was a long way to go: *'The fragile progress...had to be nourished.'*

The Schools' Perspective

In total, only a few headteachers were interviewed as part of this research – two secondary, four primary, one infant and one special school. They came from three of the four authorities case studied. All had reasonably close connections with their local authorities through sitting on committees, working groups and/or forums. They felt their views were fairly representative of their school-based colleagues and did provide a snapshot of the reactions and concerns from the schools' point of view.

Reactions to the LEA's OFSTED report

Inevitably, those in schools felt tarnished, to some extent, by the poor OFSTED reports received by their LEAs. Extensive press coverage, and especially bad press reporting about standards, added to these feelings of discomfort. Seeing people leave the LEA (especially when they felt these colleagues had worked hard) and then getting used to working with a new order took time. And, while it was clear to headteachers what should happen when a school failed its OFSTED inspection, there was no comparable understanding of what procedures followed an LEA's failure.

No one denied that many of OFSTED's criticisms were generally fair, but there was shock about how negative the inspection reports had been and the manner of their delivery, and disappointment that the LEA's strengths had rarely been celebrated or even mentioned. Headteachers from LEA 3, for example, did not feel their LEA deserved to be called a failing authority. There was a strong feeling, endorsing that of the local authority staff themselves, that the Government had an agenda to reduce political interference in the authority and had, to some extent, singled out the LEA for particular criticism. Again, like their local authority colleagues, headteachers from LEA 2 felt that OFSTED had not taken enough account of the many problems the authority had inherited with reorganisation in 1997. Nevertheless, the report had acted as a catalyst allowing the change team and officers the freedom to begin to tackle serious educational issues.

Views on the change models adopted

Headteachers in LEA 3 felt that the joint venture capital company was the best model for their authority; they were no more in favour of outsourcing than their local authority colleagues had been. The wholly owned arm's-length company finally agreed upon ensured local authority ownership and guaranteed greater cooperation. Its benefits also included the introduction of *'new people with a different perspective...fresh minds, fresh thinking...knowledge'*, all of which were welcomed as a real opportunity for a new start. How far the concept of a wholly owned arm's-length company and its relationship with the council was actually understood among those who worked in schools was still thought highly questionable.

Reservations about the LEA 3 model centred on the efficacy of short-term contracts (18 months) for the Capita consultants who formed part of the strategic management team of the new company. There was a nagging concern about the commitment of people on short contracts. There was also some apprehension about the assumption that the use of private companies/consultants necessarily meant 'better' management. Whether a private company was better placed than a public one to run an education department remained to be seen. However, these reservations were tempered by optimism and confidence that the model would be successful and the observation that, so far, Capita consultants were seen to be working hard and were sincere.

Some headteachers in LEA 1 were distrustful of the CMT mainly because it was perceived to have moved in very quickly and seemed to be '*railroading*' decisions. This style was at odds with the previous culture of the authority. New LEA appointments were also initially viewed with some suspicion, not least because they had displaced some members of the 'old team' who were thought to have been good at their job and who, it was felt, had been '*scapegoated*'. There had been a '*mad rush*' of new people. The transition period had been difficult. Nevertheless, the CMT was generally thought to have been effective. Headteachers had been given the opportunity to participate in debate and to elect representatives to working parties. As the new sense of direction was being developed, so was confidence in the new order.

The choice of the partnership model in LEA 2 was commended by headteachers; particular praise was given to the Chair of that Board and his effectiveness. The role and work of the SDSA was viewed with less certainty and enthusiasm; there was some doubt about the future shape and continuity of the agency after its two-year contract expired. There was confidence that the Standards and Effectiveness Division in the authority would support schools appropriately.

Evidence of change/improvement

Because the headteachers interviewed were fairly well involved with their LEAs, they tended to feel up to date with changes that had taken place since the new order had been introduced. Such changes were viewed positively, although everyone agreed that there was a long way still to go. Examples of visible improvements included evidence of more of a 'can do' culture in the authority; a more proactive and positive approach to promoting education; better and more refined consultation, communication and debate with schools (albeit resulting in more paperwork); more clarity and openness about vision, objectives and action and more school visits. Heads were aware of the new structures and appointments in their LEA and also of the tough decisions that faced those at the top.

Although it was still thought far too early to judge the new structures, headteachers were able to point to several factors that they thought were helping the new change models to work:

- new strong leadership
- more power and freedom for those in charge
- greater knowledge and expertise of those at the top
- a clearer/different structure
- clear vision, strategic plans and targets – a shared sense of direction
- a focus on school improvement
- more consultation and communication with schools – schools were being listened to
- better, more targeted intervention in schools
- less political interference.

There was still much detail to sort out, for example, budgetary issues, spread of resources, knowledge of local schools, surplus places, SEN provision, building works, behaviour management and more.

How far specific changes were being felt at school level depended on how long the new order had actually been in place. What an LEA could and could not do for schools was slowly becoming clearer. First impressions were that the new teams were going to put things in place to help schools. But how far targets would be met and/or how far LEAs could help schools achieve their own targets still had to be seen. Was there too much reliance on school-based targets, some headteachers wondered. And, were all schools ready to work in partnership with their LEA? Questions and concerns remained at this early stage. None the less, there was a sense of optimism and of going forward in the right direction, even if there was not yet total clarity about some of the finer detail.

Reflections and Conclusions

Despite the variable time it had taken the four authorities to implement their changes and the fact that much of what was happening was new and experimental, no one wanted to look back. There was consensus that different models suited different local circumstances and that no one formula could or should apply to all. All the models, even if they had been piloted elsewhere beforehand, had been refined in the light of experience and adapted to local conditions. Context and culture were critical.

Perhaps more important than the choice of model were the people involved. Strong, good-quality people to head up the 'new order' were seen as more important than the systems adopted.

The sheer weight of the task to be achieved by the new orders was not underplayed. It could appear overwhelming. Targets were extremely ambitious. The risk of underperformance was always present. For the LEA staff, meeting the new challenges called for enormous hard work, long hours and total commitment.

Having some seemingly unattainable targets did not discourage those within the LEAs. There was a strong feeling that one had to believe things were achievable, but that it was important to remember that '*there was more to it than results*'. Models for change would not be undermined if some targets, especially those involving school results, were not achieved. The point was to start the graph going up. If organisational targets for the LEAs could be achieved, these would, in turn, make a difference to school targets.

Once the functions of an LEA were fully and clearly defined, it might be easier to have a smaller number of alternative models for renewal. That would come with time and experience and it is likely that some local adaptation of a generic model will always be necessary. However, some of the more severe 'birth pains' were now over.

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ISBN 1 903880 26 2
Code No. SR063