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PREM 19/2120

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PART 13

Confidential Filing

Policy on Education Expenditure.

General Policy on Education.

EDUCATION

Part 1: May 1979

Part 13: May 1987

PREM 19/2120

Referred to	Date	Referred to	Date	Referred to	Date	Referred to	Date
~~1.5.87~~							
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PART ENDS							

PART 13 ends:-

B. UNWIN TO PM 14.7.V7

PART 14 begins:-

SS/HOME TO SS/DES 15.7.V7

CONFIDENTIAL

P 02788

PRIME MINISTER

Maintained Further Education: Financing Governance and Law
E(EP)(87)4

DECISIONS

The Sub-Committee need to decide whether to approve the proposals by Mr Baker, supported by Mr Walker, to introduce legislation to:-

a. introduce financial delegation for FE colleges.

b. reform the role and composition of their governing bodies.

c. establish FE law on a sound basis;

d. Impose on LEAs new statutory duties in respect of special educational needs, and the Youth Service

and to issue a consultation paper setting out these proposals.

BACKGROUND

2. The White Paper on Higher Education (Cmnd 114) proposed that colleges engaged predominantly in higher education should be transferred from the local education authorities (LEAs) to the new polytechnics and colleges sector. Non-advanced further education colleges will generally remain with the local authorities. Mr Baker proposed to Cabinet in May that these FE colleges should enjoy financial delegation broadly along the same lines as schools, and that other changes should be made in the law governing them. Cabinet on 14 May saw a case for those proposals

but concluded that several important questions remained to be settled and that further discussion was needed before decisions could be taken.

MAIN ISSUES

3. Some of this legislation will be controversial, and some will require extra resources. The leading questions at the outset are therefore:

- Whether there has to be any legislation in this area. at all. There is a commitment in the Manifesto on financial delegation to schools, but none on FE colleges.

- If there has to be legislation, whether it has to cover all the above topics.

Financial Delegation

4. Mr Baker's proposals for FE colleges broadly follow those for schools in the draft consultation paper attached to his minute of 8 July. The principle is that for both sectors LEAs would be required to submit schemes of delegation for the Secretary of State's approval. Mr Baker says that his proposals for schools will be controversial because they 'go further and faster than even the most committed authorities have so far contemplated'. This is especially true of the proposal, which would also apply to FE colleges, to give governing bodies the final say on the appointment and dismissal of staff.

5. There are apparently two important differences between the proposals for schools and those for FE colleges:

a. The number of teaching staff in a school would have to be within a range determined by the LEA. His paper does not mention this requirement for FE colleges.

b For schools, LEAs are to be required to allocate resources by a formula based largely on pupil numbers. This is to prevent discrimination against the better schools. For FE colleges LEAs would be free to fix student number targets for each college, although the scheme as a whole would need the Secretary of State's approval.

You may wish to ask Mr Baker to explain the reason for these differences.

6. The proposals for schools were considered by H Committee in April. Some points made then which are relevant to the FE proposals were:

a. They represented a radical change and could not be rushed. On schools, Mr Baker now proposes that LEAs must submit schemes by September 1989 and that they must (in accordance with the Manifesto) be effectively implemented during the lifetime of this Parliament. There is no indication of the FE timetable. What does he envisage?

b. The original proposals on schools failed to remove LEA control on capital expenditure. The new proposals for schools, and those for FE colleges, are unchanged in this respect. Is this acceptable?

Governing Bodies

7. Mr Baker proposes that all except the smallest FE colleges should have 20-25 members. Half would represent business and professional interests, including not more than 2 from trade unions; and more than one fifth of the members could be nominated by the LEA. The remaining members would include representatives of staff, students, parents and local education instutitions, plus the Principal.

8. Two immediate questions arise:

a. Would bodies with 20-25 members be effective? It sounds rather large and unwieldy

b. When Cabinet considered the subject in May it was concerned that outsiders would be in a minority on governing bodies. Business and professional interests would now be half the total, including the trade unionists. Should they be in a majority? Should they be half, or a majority, without trade unionists? Are representatives of trade unions needed at all?

Establishing Lea Vires

9. Over the years LEAs have gradually developed FE activities to the point where their vires are doubtful (the legal basis is still the 1944 Education Act). Mr Baker says that controversial FE legislation on the proposals above would provide challenges in the Courts, and wants to legitimise what the LEAs are doing. The Treasury are unlikely to oppose this. But how difficult and lengthy would such legislation be? Would it give the wrong signal for the Government to legitimise an increase in local authority activities when in general its policy is to restrain them? Or conversely would the inclusion of such provisions soften local authority opposition to the rest of the Bill?

10. One particular proposal on FE law is to prohibit the charging of course admission fees to 16-19 year olds who are not in full-time employment or on sponsored courses (Annex B, paragraph 4). Is this consistent with the Government's general policy on fees in education and other public services?

Special educational needs and the youth service

11. LEAs' powers to provide for special educational needs in FE colleges, and for the Youth Service (facilities for recreation and

social and physical training) are doubtful. Mr Baker says that if there were any FE legislation there would be strong pressure to put this right. He proposes to impose such a duty in both case, and details are given in Appendices 1 and 2 to Annex B of his paper. But:-

- How complicated and controversial will this legislation be? It is difficult from his paper to get the feel of this.

- Would it again give the wrong signal to change the law to increase the activities permitted to local authorities?

- Are the resource inmplications acceptable? Mr Baker accepts that on special educational needs LEAs would incur extra costs building up to £12.5 m a year after 5 years. (This shows that the legislation would actually expand their activities rather than validating those already taking place). On the Youth Service, he says that in the DES view expenditure would not be increased above planned levels since LEAs are already expanding in this area. But is it really likely that imposing a duty where none now exists would have no effect on the scale of activity?

12. The Treasury are likely to argue against any legislation on special educational needs and the Youth Service although, as a fallback, they might propose that it should confer powers rather than duties in these areas.

TIMING AND CONSULTATION

13. Mr Baker proposes a low-key consultation paper at the same time as putting instructions to Counsel. If E(EP) agree the substance of his proposals, it would probably be right to consult on them at the same time on those for financial delegation to schools. Since they affect the Education Bill, the consultation should start quickly; but you will no doubt want to stress the need to make rapid progress if indeed these proposals are to form

part of the Bill in November.

HANDLING

14. You might ask Mr Baker to introduce the paper. Mr Walker is co-author and may want to add some introductory remarks. The Chancellor of the Exc hequer or Chief Secretary, Treasury will wish to comment, especially on the resource implications, and the Lord President of the Council and the Lord Privy Seal on the legislative implications.

J B UNWIN

Cabinet Office
14 July 1987

CC BG
CC SKP

CONFIDENTIAL

P 02785

PRIME MINISTER

REFORM OF EDUCATION: GRANT MAINTAINED SCHOOLS

E(EP)(87)5

CONCLUSIONS

You will wish the Sub-Committee to decide:

a. whether to endorse the detailed proposals on Grant Maintained (GM) Schools set out in E(EP)(87)5; and

b. whether and when to issue a consultation paper based on them.

2. If you decide to issue a consultation paper before the recess, you will wish to invite the Education and Science Secretary to circulate a draft to colleagues for early clearance.

BACKGROUND

3. On 14 May (CC(87)19th Meeting, Item 4), Cabinet endorsed in principle the proposals by the Secretary of State for Education and Science to enable schools to opt out of management by local education authorities (LEAs). But important questions of implementation were left to be settled after the Election. The Education and Science Secretary's Memorandum (E(EP)(87)5) seeks to address these questions.

Proposals

4. In E(EP)(87)5, Mr Baker proposes:

a. **On Parents' Views**

i. governing bodies should have a duty to hold a postal ballot if 20% of parents sign a request to them to do so;

ii. if the ballot of parents shows a simple majority of those voting in favour, the governing body should be obliged to formulate and publish within a specified period a proposal for GM status;

iii. the Education Secretary should have the right to modify a defective proposal, or to ask the governing body to reconsider it;

b. **On Recurrent Costs**

i. to take powers to recover GM school costs directly from LEAs through a levy rather than (as previously envisaged) by a deduction from grant;

ii. to require (in the legislation on financial delegation) LEAs to provide and publish information about expenditure at each of their schools, covering school-based costs and an allocated share of centrally provided services;

c. **On Capital Expenditure**

to pay 100% grant on all capital projects including major repairs at GM schools;

d. **On Staffing**

to invite colleagues' views on whether:

a. to apply to GM schools the main salary scale and minimum employment conditions introduced for local authority maintained schools, while giving GM schools freedom to decide how many incentive allowances they pay

above the main scale, and whether or not to pay the heads and deputies higher salaries than in similar LEA schools; or

b. to leave all decisions on pay and conditions to the schools;

e. **On School Transport, Meals and Pupil Welfare**

i. to place LEAs under a statutory duty to provide free or subsidised transport for GM pupils and the same pupil support payments (clothing grants, educational maintenance allowances) as for LEA pupils in similar circumstances;

ii. to leave GM schools to make their own arrangements for school meals (except for free meals for the lowest income families);

f. **On Resources**

20 additional staff in the DES to process opting out proposals and to pay grant to, and monitor progress at, GM schools;

g. **On Consultation**

to issue a consultation paper on these detailed proposals before the recess.

(Mr Baker's proposals are described in more detail in Annex A of E(EP)(87)5).

MAIN ISSUES

5. The main issues on each of the above proposals are discussed briefly in the following paragraphs.

Parents' views

6. The key issue is whether Mr Baker's new proposals strike the right balance between the interests of parents and those of the governing body. They are certainly more in accord with Government policy of extending parental choice than the earlier proposals which envisaged that the sole initiative for opting out would rest with the governing body. But you will wish to consider whether 20% is the right threshold. In practice, this could be hard to attain unless anxiety about LEA influence is wide and deep. But some kind of meaningful threshold may be important in helping ensure that decisions are not lightly taken.

7. Mr Baker proposes the ballot would be decided by a simple majority of those voting. You will wish to consider whether this is acceptable. In practice, it could mean that decisions might be taken by a minority of parents (although by a majority of those who bothered to vote). Mr Baker also intends to take powers to ensure that no governing body could frustrate a decision by parental ballot to opt out. Again you will wish to be sure these powers will, in practice, be sufficient for their pruposes.

Treatment of Recurrent Costs

8. The issue here is whether the cost of supporting a GM school from the Exchequer should be recovered from the LEA which would otherwise have maintained it by a deduction from the LEA's grant, or by a levy on the LEA. Mr Baker favours a levy. He says that a deduction from grant would be very difficult to administer when major reforms in local government finance are underway and that special powers would have to be taken to recover costs from the ILEA and any other authorities not receiving block grant. DOE officials believe Mr Ridley will welcome Mr Baker's proposal of a levy on LEAs (though he might suggest it be called, for presentational reasons, a recharge). The Chief Secretary, Treasury is being briefed to accept the levy proposal.

Treatment of Capital Expenditure

9. Mr Baker proposes to pay 100% grants on all capital projects including major repairs at GM schools. At present, the governors of voluntary aided and special agreement schools share liability with the Secretary of State for the cost of capital projects. Mr Baker's judgement is that few of these schools would want GM status if their liability for a capital contribution were to continue.

10. You will wish to ask the Chief Secretary, Treasury if he agrees with these proposals. Our understanding is that Mr Major is being briefed to welcome Mr Baker's assurance that the cost of capital work at GM schools and the cost of the 100% grant to former aided schools will be met from within total provision for capital expenditure on schools; and his assurance that the total amount of resources available will be cash-limited, and a system of bids and allocations introduced. Mr Ridley is also being briefed to accept Mr Baker's proposals, but may suggest that arrangements will need to be devised to deal with any existing and prospective debt which GM schools might inherit or incur. Under Mr Baker's proposals (Annex A, paragraph 11) debt charges would remain with the LEA, on the grounds that it would be difficult for the LEA to apportion debt in relation to a particular school. DOE officials believe this could be unfair to the LEA. If Mr Ridley raises this, I suggest you invite Mr Baker to resolve this outside the meeting, in consultation with the Environment and Chief Secretaries.

Staffing

11. Mr Baker invites colleagues' views on the available options. He appears to favour for the present that of applying to GM schools the salary and minimum conditions of employment introduced for local authority maintained schools, and leaving it to GM schools to decide if they wish to pay above these levels. He does not, however, exclude leaving all decisions on pay and conditions to GM schools themselves in time. This second option would be controversial, particularly with the unions; and it could make it harder to get the GM system off the ground. On the other hand, the free

market approach will be controversial whenever it is introduced, and there is a case for grasping this nettle now, rather than simply deferring the argument to a later date.

School Transport, Meals and Pupil Welfare

12. Arrangements for school transport are likely to be particularly significant since GM Schools, if they become popular, are likely to attract pupils from a wider area than before, and these pupils will incur higher transport costs. Mr Baker proposes that LEAs should have a duty to provide free or subsidised transport for GM pupils as for LEA pupils in the same circumstances. He also proposes a similar duty for LEAs in respect of pupil support payments (e.g. clothing grants). It would, however, be for GMs to make their own arrangements on schools meals (subject to the provision of free meals to pupils from the lowest income families). Mr Ridley and Mr Major are being briefed to accept those proposals.

Resources

13. The extra call on resources is 20 additional staff at DES in the first year; the Chief Secretary will not oppose this, but will wish to consider this with Mr Baker in the Survey in the usual way. Mr Baker puts the additional cost of postal ballots at £1/4m, but expects to find that from within his existing programme.

14. You will see that Mr Baker mentions in passing the possibility, eventually, of a regional structure for DES (para 20). But no decision is required on this now. He also proposes to invite the Statutory Assets Board already approved for polytechnics, to determine disputes about which assets should transfer to a GM school (Annex A, para 11).

Consultation

15. You will wish to consider whether, and when, a consultation paper should be issued. Its content will need to reflect what is

decided on the issues discussed above. As to timing, Mr Baker hopes it can be issued before the recess. Given the importance of GM schools in the Government's educational policy, and the urgent need to get on with preparing the legislation, publication sooner rather than later would seem preferable and you may wish to authorise Mr Baker to circulate an early draft to the Committee for clearance by correspondence.

HANDLING

16. You will wish to invite the Secretary of State for Education and Science to present his proposals. Thereafter, you may wish to discuss, in turn, the issues as set out in paragraph 5 above. The Secretary of State for the Environment will have views on the treatment of recurrent costs and on how these proposals relate to the local authority scene. The Chief Secretary, Treasury will wish to comment on financial implications and on the proposed treatment of capital expenditure. The Secretary of State for Wales may have views on the proposals generally. The Lord President of the Council and the Lord Privy Seal may wish to comment on presentation.

J B UNWIN

Cabinet Office
14 July 1987

ANNEX A

Grant Maintained Schools
(Minute of 16 July from the Secretary of State for Education and Science)

CONCLUSIONS

You will wish the Sub-Committee to decide:

a. whether to endorse the revised proposals on Grant Maintained (GM) Schools set out in Mr Baker's minute to you of 16 July;

b. whether to agree to the publication of the consultation document, proposed by Mr Baker for Wednesday.

ISSUES

2. The following paragraphs discuss the issues outstanding from the last discussion.

Levy/Grant

3. This is dealt with in detail in the brief at Annex B. The issue is one of presentation rather than substance.

Qualified teachers (para 14 of consultative document).

4. E(EP) concluded it would be unduly restrictive for GM schools to have to employ only qualified teachers, save where the Secretary of State agreed otherwise. Mr Baker now proposes that where GM schools wish to appoint teachers who have not taken the PGCE or BEd courses, they should assure the Secretary of State that the qualities of the teachers they wish to appoint are such that he can recognise them as suitably qualified; and that teachers so recognised could subsequently be employed in an LEA maintained school. You will wish to consider whether this is still too restrictive.

Transfer of existing teachers to GM schools (para 13).

5. E(EP) concluded that staff at schools which opted out should

not have a right of continuity of employment. Mr Baker now proposes that all teachers should be transferred when schools acquire GM status, with pay and conditions of service equivalent to those they already enjoy, but that GM school governors should then be free to decide if they need to dismiss any of their inherited teachers. The costs of compensation for dismissal during the first 12 months would be met by increased grant. The Chief Secretary, Treasury and the Environment Secretary may have views on this.

Teacher Representation on Governing Bodies (Annex)

6. E(EP) last week invited Mr Baker to think further about his proposal that the GM Governing Body should comprise 2 elected teacher representatives and the headteacher. He now proposes to retain the headteacher and 1 teacher representative but to allow the GM governing body discretion to appoint a further teacher. You will wish to consider whether this meets your point, and whether the governing bodies now seem likely to be effective, given the difficulty of getting good people.

Admissions Policy (para 11i).

7. E(EP) rejected Mr Baker's proposal that Governing Bodies would be required "to agree their admission arrangements" with the Secretary of State. This was considered too restrictive; the Sub-Committee felt it would be sufficient for the Secretary of State to undertake periodic checks to satisfy himself that the character of the school had been retained.

8. Mr Baker now proposes that Governing Bodies would be required "to set out their admissions policy for approval by the Secretary of State". Again you will wish to consider whether this is still too restrictive.

Parents eligible to vote

9. There was some discussion at last week's E(EP) about how to define the parents eligible to vote. There was thought to be a special problem over the position of single parents, and one suggestion made was that only the parent or parents with whom the child was living would be eligible. Mr Baker, however, thought it better to keep out of this difficult area. His draft makes no

reference to the problem, although he may intend that it should be dealt with in the detailed guidance on procedure promised for later (para 7). You might like to ask what his intentions are.

Umbrella Organisations

10. You saw a strong case for strengthening the role of the proposed umbrella organisation to help Government maintained schools, possibly by establishing some form of Trust, independent of the DES but answerable to the Secretary of State. You thought this might be responsible for establishing GM schools and for administering them on behalf of the Secretary of State; and that this proposal should be mentioned in the proposed consultative document. It is not mentioned at the moment, and you may wish to ask Mr Baker how he proposes to cover it in the consultative document and in legislation.

HANDLING

11. You will wish to invite the Secretary of State for Education and Science to present his proposals. The Chief Secretary, Treasury and the Secretary of State for the Environment may wish to comment on the issue of levy/grant deduction. The Lord President of the Council and the Lord Privy Seal may have views on the politics.

20 July 1987
Cabinet Office

ANNEX B

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GRANT MAINTAINED SCHOOLS: GRANT OR LEVY

DECISIONS

The Sub-Committee needs to decide how the cost of financing Grant Maintained (GM) schools is to be recovered from the local education authority (LEA) for their area. The two options considered so far are -

i. an explicit Government levy on the LEA;

ii. deduction from rate support grant payable to the LEA.

BACKGROUND

2. You agreed before the election that GM schools should receive recurrent funding from the Exchequer at the same level as they would have received from their own LEA; but to ensure financial neutrality, the same amount would be recovered from the LEA. Deduction from grant was then seen as the most likely mechanism, although the Environment Secretary argued that a levy would be more consistent with the aims of the new local government finance system to be introduced in 1990/91.

3. At E(EP) on 15 July you felt that an explicit levy would be damaging presentationally and would provoke local resistance to GM schools. You asked the Chief Secretary, in consultation with the Education and Environment Secretaries, to consider how recurrent costs could instead be recovered from grant while retaining financial neutrality.

MINUTES FROM THE CHIEF SECRETARY, EDUCATION SECRETARY AND ENVIRONMENT SECRETARY

4. All three Ministers chiefly conerned have minuted about this issue since the last E(EP) meeting. The Chief Secretary's minute

of 20 July discusses the pros and cons of the two options without making any firm recommendation either way. (He also considers but rejects a third option, under which each GM school would recover its recurrent costs directly from the LEA). The Education Secretary (in his minute of 16 July) and the Environment Secretary (in his minute of 17 July) both argue in favour of the levy option.

MAIN ISSUES

5. It is common ground that the pure grant deduction option cannot deliver full financial neutrality. This is mainly because some LEAs will receive no RSG -

i. under the existing RSG system, a number of LEAs may go out of grant before 1 April 1990. ILEA - a major candidate for opting out - is already out of grant;

ii. under the new local finance system, E(LF) has agreed that grant should be paid at taxpayer level. The ILEA and the 39 shire county LEAs would receive no grant in their own right.

6. If you opted for the grant deduction route you would therefore need to take secondary powers to recover money from some LEAs. These could include powers to deduct money from other Government grants and payments, most obviously Education Support Grant and Exchequer payments towards student grants. But you would probably need a reserve power to demand direct payments in cases where net Government grants were too low to cover the costs of GM schools.

7. Equally Ministers agree that the levy option need not involve a direct demand for payment to every LEA. In practice the levy bill could be set off against Government grants: LEAs would be asked to write cheques only where the cost of GM schools exceeded Exchequer payments due to them. (Mr Ridley may, however, resist netting amounts off against the new Revenue Support Grant, because he is keen to keep it as free and uncluttered as possible. But that need not prevent netting off against other grants).

8. The difference between the two options therefore seems more a question of presentation than fundamentals. Clearly the use of the terms "levy" or "precept" could give the wrong signal about the nature of the arrangements. Two possible approaches have been put forward:-

i. the use of a term which stresses the real nature of the payments by LEAs. Options suggested include "Schools Recoupment Payment" or "Schools Formula Repayment". The aim would be to emphasise that the LEA was being recharged for the cost of an opted out school, funded at a level determined by the authority's own decisions on spending on its remaining schools;

ii. emphasising that the recharging mechanism will be deduction from grant wherever possible. The legislation could create a presumption in favour of grant deductions wherever possible as the main route for recouping Exchequer grants. Direct payments could be presented as very much the exception (particularly in 1989/90, the first year for opting out, when nearly all LEAs will still get RSG direct).

I understand that the Chief Secretary and the Secretaries of State for Education and the Environment favour the first approach. You will want to decide whether to accept that, or whether you prefer a presentation based entirely on the second alternative. The two are not, however, mutually exclusive, and could be combined presentationally.

HANDLING

9. You will want to ask the Chief Secretary, Treasury to introduce his minute. The Education Secretary and the Environment Secretary will both wish to speak to their minutes. The Secretary of State for Wales and other Ministers may also wish to comment.

20 July 1987
Cabinet Office

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PRIME MINISTER

14 July 1987

Grant-Maintained (GM) Schools

GM Schools are the jewel in the crown of the forthcoming Education Bill. Their establishment will be strongly and bitterly opposed by LEAs, teacher unions and the Opposition.

It is crucial that GM schools are given maximum independence. They need the freedom to hire and fire the staff of their choice, the freedom to spend the extra funds they obtain and the freedom to establish their own salary structure and terms of employment.

The present proposals would emasculate these new schools, making them indistinguishable from other LEA maintained schools - the only major remaining difference being that they are funded by the DES.

The present proposals are not nearly robust enough. If GM schools are to have a cutting edge in improving standards throughout our school system, they must be sharpened up considerably.

Procedure for Opting-Out

- Crucial to this is the right of parents to a ballot if parents of 20% of children in a school sign a petition. It is vital this is retained.

- The criteria by which the Secretary of State will decide the application is laid down in the Annex (3f on

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page 12). Six criteria are set out. Two of these seem very questionable

Criterion (iv) "the adequacy of the accommodation". If the school is already functioning in existing accommodation the strong presumption must be that it is satisfactory. In addition there are numerous examples of first class schools in second rate accommodation.

This criterion should be removed.

Criterion (vi) "the effect on LEA maintained schools in the area". This will be an objection we shall receive from all LEAs. But one of the major objectives of this reform is to force the LEA to improve standards in its other schools. It is for the LEA to take appropriate action, but not for it to prevent the change in the first place.

Once again this criterion is a hostage to fortune and should be dropped.

Financing GM Schools

The proposal is that GM schools should be financed by a levy on the local authority rather than by a reduction from the authority's grant. The reason given is

"I see considerable difficulty in proceeding by way of a deduction from grant during a period of change in local government finance arrangements." (para 5, page 3)

I believe this needs more thought.

The presentational effects of a levy are nothing short of disastrous. Assume a secondary school of 800-1000 children which wishes to opt out. This would mean a levy of some £1½-2m. Local politicians would have a field day in showing how a group of self-interested parents, located conceivably in a well-off part of a borough, was taxing the whole of its education service. They would doubtless show that the "true" cost of running the school was less than the tax, so that all other children were suffering because of the selfishness of a minority. A levy is guaranteed to generate conflict.

If the financing were to be through the overall grant, the transfer of funds would be more disguised and less likely to provoke conflict.

I am not convinced that the "considerable difficulty" the Secretary of State has in reducing grants is an overwhelming one.

The Secretary of State needs to be pressed hard on this issue.

Staffing

This is critical. I see no reason why GM schools should not be allowed complete flexibility to set their own salaries and terms and conditions of employment.

The proposals from the DES however are very different:

(a) existing staff have the right to continue their employment at the new schools;

(b) pay and conditions are virtually identical to LEA schools - except GM schools can pay a little more.

I/m have written to Mr Baker about this.

The Secretary of State raises five objections to flexibility (page 7). They are not convincing.

(a) Before seeking GM status some schools may have the overwhelming support of teachers. Others will most certainly not, as one of the major attractions for governors and heads of independence is to get rid of militant teachers. There is no reason why teachers should lose financially from independence.

(b) I see nothing difficult about treating GM schools in a totally different way from other schools: other schools can choose independence if they wish. This is the worst kind of bureaucratic, collectivist and egalitarian argument. GM schools are different because that is the way we are setting them up -and no one is excluded from this new status.

(c) If this is so, it is not an argument either way.

(d) & (e) It is essential that the government sets out a strategy to undermine the power of teacher unions. Of course they will oppose us. But short of a measure such as this we shall simply allow the unions to strengthen their hold over our schools. Meanwhile standards will get worse.

Qualified Teachers

Annex 23 (b) page 20.

"Only QT (Qualified Teachers) would be employed, except where the Secretary of State agreed otherwise."

In terms of the flexibility which these schools need, it is quite unnecessary to restrict them to employing only

Qualified Teachers. The success of the Governor of New Jersey in opening up teaching in schools to anyone providing they

(a) showed an ability to communicate with students;

(b) demonstrated professional competence in a particular subject or area of learning;

(c) were of good character

has a major lesson for us here.

If we cannot break the stranglehold of teacher unions in schools whose raison d'etre is that they opt-out of the existing system, then there is very little possibility that we shall ever break their grip over education.

Conclusion

It is essential for GM Schools to succeed. They are crucial to raising standards in all our schools.

Parents and governors will only opt out if they are provided with clear incentives. GM schools must be clearly differentiated from existing LEA schools. The present proposals are inadequate in this respect.

If these proposals go through, we risk a poor response to opting-out and the charge that this demonstrates the intrinsic weakness of our whole approach to raising standards in schools.

The Secretary of State will doubtless argue that changing these proposals invites too much opposition. But we already have severe opposition. As a result of our manifesto, the

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educational world has already braced itself for something far more red-blooded than the proposals of this paper.

BRIAN GRIFFITHS

CONFIDENTIAL

CC BG.

PRIME MINISTER

REFORM OF EDUCATION: GRANT MAINTAINED SCHOOLS

I am sorry that I shall not be able to attend tomorrow's meeting of E(EP). I would wish to support Kenneth Baker's paper on grant maintained schools, subject to two observations.

I fear that the proposal to allow GM schools flexibility to pay an unlimited number of incentive allowances and higher salaries for heads and deputies will lead to similar demands from LEA maintained schools. Once budgets have been delegated to those schools, we could find it hard to justify resistance to that, and we would be opening the door to escalation in costs.

On the provision for recurrent grant, I think we all recognise the difficulties of having the funding of GM schools determined by individual LEAs' policies. In England that may well be unavoidable. In Wales, though, the local authority finance scene is less difficult and I would like to keep open the option of consulting about an approach which would link the funding of the GM sector to the average level of funding within the LEA maintained sector. I note that Kenneth proposes to clear his consultation document with colleagues in correspondence and I hope E(EP) would agree that I should do the same with mine.

I am copying this minute to Members of E(EP) and to Sir Robert Armstrong.

14 July 1987

P W

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cc BG

Top copy sent to NP10 in error.
K. Baker has a copy, however.

2 MARSHAM STREET
LONDON SW1P 3EB
01-212 3434

My ref:

Your ref:

The Rt Hon Kenneth Baker MP
Secretary of State
Department of Education and Science
Elizabeth House
York Road
LONDON
SE1 7PH

14 July 1987

NBBM

Dear Secretary of State,

FINANCIAL DELEGATION TO SCHOOLS

I have ~~seen~~ attap the draft consultation paper attached to your minute of 8 July to the Prime Minister.

I am concerned that the the consultation paper appears to move away from the proposal that the formulae for allocating resources should be based on the number and ages of pupils and include an automatic provision for dealing with social problems and schools of different sizes. The approach now described is more open ended and puts the initiative much more onto the local education authority. I note what you say about the difficulties in Cambridgeshire but I do not yet think that we should abandon the prospect of much greater consistency of approach to the funding of schools. I am particularly concerned about the interaction of this proposal with the proposal for Grant Maintained schools where the financial delegation will also set the basis for funding schools which opt out. I should prefer to see the consultative paper take a line much closer to that in your paper for the No 10 meeting on 8 April.

I should also note that there is an interaction between the proposal to allow schools greater freedom to choose where to buy services and our legislation on compulsory tendering. My officials are in contact with yours about this, but I believe that the consultative paper should at least acknowledge that there is an interaction and say that the matter is under consideration.

Finally, there are long standing arrangements for dealing with new financial and manpower burdens on local authorities. The consultative paper, however, makes no reference to the costs which would fall on local authorities as a result of the proposals. The monitoring and financial information proposed in paragraph 18 and the training proposals for governors and head

100% RECYCLED PAPER

teachers set out in paragraph 20, would have substantial resource implications which ought to be properly quantified. Experience of setting up cost centre arrangements for central administrative expenditure in Government Departments provides evidence for this, and if each school is to be a cost centre with appropriate monitoring, the setting up and running costs need to be estimated and local authority associations' views on the estimates sought.

I am copying this to the other members of E(EP) and to Sir Robert Armstrong.

Yours sincerely,

pp NICHOLAS RIDLEY
(Approved in draft by the Secretary of State and Signed in his absence.)

This is 100% recycled paper

10 DOWNING STREET

LONDON SW1A 2AA

14 July 1987

From the Private Secretary

Thank you for your and Dr. John Mark's letter to the Prime Minister of 1 July about the Kingman Committee, which she read with interest. She has suggested that, if this has not already been done, the CPS document to which you refer might be sent to the Committee, and that its author, John Marenbon, might offer to give evidence.

David Norgrove

The Baroness Cox.

cc BG

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WELSH OFFICE
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Tel. 01-270 3000 (Switchboard)
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From The Secretary of State for Wales

The Rt Hon Peter Walker MBE MP

14 July 1987

NBPM

CONFIDENTIAL

EDUCATION LEGISLATION: FINANCIAL DELEGATION TO SCHOOLS

Thank you for copying to me your minute of 8 July to the Prime Minister. I agree that we should now proceed to early consultation and I would propose to do so on the same basis in Wales.

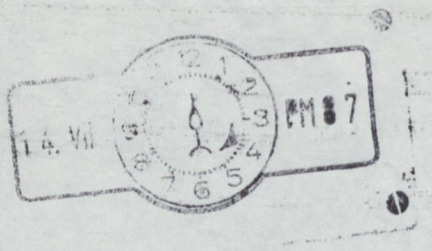
In Wales, some LEAs have already made moves in the direction of financial delegation, irrespective of political control, and I shall want to be sure that the legislation will allow me sufficient flexibility to recognise any genuine difficulties which emerge from consultation, as opposed to the inevitable special pleading. I have in mind particularly the formula approach where we may need to recognise in the end that some schools will find it genuinely impossible to manage on a per capita based allocation; at the same time we shall have a commitment to see that the National Curriculum is delivered everywhere. I also believe it will be vital to the success of this measure to ensure that there is enough (but not too much) time to run pilot studies and get adequate financial information systems installed. I agree, though, that we should begin by consulting on the basis of a firm line and see what response we get.

I think it would be helpful if the draft gives some acknowledgement to two issues. The delegation of appointment powers to governing bodies may create awkwardnesses of accountability. We ought to recognise the need to work this out in detail. Secondly, the exclusion of capital from financial delegation will create difficult border lines: the level of maintenance expenditure may depend heavily on the adequacy of capital expenditure, which is excluded from the formula.

I am copying this letter to the other members of E(EP) and to Sir Robert Armstrong.

Rt Hon Kenneth Baker MP
Secretary of State for Education and Science

EDUCATION: General Policy
PR13



CONFIDENTIAL

SRW
bcBG

10 DOWNING STREET
LONDON SW1A 2AA

From the Private Secretary

13 July 1987

E(EP)(87)2: BOGUS DEGREES

The Prime Minister has seen the paper on bogus degrees circulated as E(EP)(87)2 and has asked how trading standards officers would in practice enforce the legislation against such degrees.

I am copying this letter to the Private Secretaries to members of E(EP), to Richard Stoate (Lord Chancellor's Department) and Trevor Woolley (Cabinet Office).

(DAVID NORGROVE)

Rob Smith, Esq.,
Department of Education and Science.

CONFIDENTIAL

CONFIDENTIAL

SRW

bc BG

10 DOWNING STREET
LONDON SW1A 2AA

From the Private Secretary

13 July 1987

EDUCATION LEGISLATION:
FINANCIAL DELEGATION TO SCHOOLS

The Prime Minister has seen your Secretary of State's minute of 8 July to which was attached a draft consultative paper about financial delegation to schools. She is content with this, subject to the views of colleagues. She has asked that when the Government comes to look at the results of the consultation, the DES should circulate some examples of budgets for typical schools and of the amounts of money over which head teachers will in practice have discretion.

I am copying this letter to the Private Secretaries to the members of E(EP) and Sir Robert Armstrong.

(DAVID NORGROVE)

Rob Smith, Esq.,
Department of Education and Science.

CONFIDENTIAL

CX/25

Treasury Chambers, Parliament Street, SW1P 3AG
01-270 3000

13 July 1987

The Rt. Hon. Kenneth Baker MP
Secretary of State for Education and Science

Dear Kenneth.

EDUCATION LEGISLATION: FINANCIAL DELEGATION TO SCHOOLS

I have seen your minute of 8 July to the Prime Minister on this subject.

I am in general content with the draft consultative document. However, I am concerned that the prominence given to expenditure per pupil could get in the way of our efforts to shift attention to the results achieved by schools. It is important that information on expenditure per pupil should be accompanied by information on schools' output and performance. I therefore suggest that you might add, at the end of paragraph 11, a sentence on the following lines:

> "Both the budgetary and the outturn information will need to be accompanied by suitable measures of performance, to show what schools have achieved with the resources available.

This will of course mean little in practice unless suitable performance measures are developed. I know that your Department has work in hand on this, and I hope that it will be given high priority.

I am copying this letter to E(EP) members and to Sir Robert Armstrong.

Yours ever,
NL

NIGEL LAWSON

EDUCATION: policy pt 13.

File SM

cc BG

10 DOWNING STREET

LONDON SW1A 2AA

From the Private Secretary

13 July 1987

Dear Rob,

EDUCATION POLICY

Your Secretary of State has circulated a series of papers for Wednesday's meeting of E(EP). The following are the Prime Minister's preliminary comments.

First, the proposed Green Paper on teachers' pay and conditions, circulated with your Secretary of State's minute of 8 July. The Prime Minister has asked that colleagues should if possible circulate their comments before Wednesday's meeting so that discussion, if one is needed, will be as brief as possible. As for her own comments, she believes that it would be useful to include a paragraph in the introduction, possibly right at the beginning, setting out the background to the Green Paper, including in particular the very large pay award which the teachers have received. Generally, the Prime Minister believes there is a need to put across much more forcefully again the scale of the increase, and this would be one place to do it.

On more detailed points, the principles for the new machinery described in chapter 4 need in the Prime Minister's view to be rewritten and reordered. The first principle, that the new machinery should be designed to deliver settlements without disruption of schooling, is not in her view a principle at all. It is a hoped for effect of the new arrangements. The other three principles should be reordered, so that they run manpower, management, and affordability, and the 'manpower' principle should be described in terms of recruitment, retention and motivation rather than in terms of the need to staff schools in competition with other employers. In paragraph 6.8 the reference to a 'perceptible' increase in the community charge arising from a substantial increase in teachers' pay looks odd. 'Perceptible' should be amended to read 'considerable'.

Secondly, the paper on grant maintained schools (E(EP)(87)5) states (paragraph 3) that few governors could ignore a strong message from the parents in favour of opting out. This contrasts with more detailed statement set out in the annex whch suggests that a majority of parents voting would oblige governors to make an application. The Prime Minister prefers the formulation in the annex. On recruitment

costs (paragraph 4) the Prime Minister believes that GM schools should not receive the costs of administration incurred by the LEA in administering LEA schools and the Prime Minister also believes it to be quite wrong that staff at schools which opted out should have a right of continuity of employment at the GM school (paragraphs 22 and 24 of Annex A): it is vital to leave a way for head teachers and governing bodies to prevent the transfer of trouble-makers.

On maintained further education (E(EP)(87)4) the Prime Minister questions the inclusion of staff on the governing bodies of FE colleges (paragraph 7) and is opposed to the inclusion of new measures on the youth service, which the Government has opposed for many years, partly on grounds of cost.

I am copying this letter to the Private Secretaries to members of E(EP), David Watkins (Northern Ireland Office), and Trevor Woolley (Cabinet Office).

Yours,

David.

DAVID NORGROVE

Rob Smith, Esq.,
Department of Education and Science

10 . vii . 87

Baroness Cox/
Dr T. Modes
to PM
1.7.87

10 DOWNING STREET

2

I shall ask
Mr Baker's views.
DRN
10/7.

Prime Minister

I received this letter from Caroline Cox earlier this week. I enclose the evidence from the Standing Committee on University Entrance - which is interesting, and worth reading.

BG

Has the C.P.S. document been sent to every member of the committee? Has its author sent in evidence not.

PRIME MINISTER

BOGUS DEGREES

Mr. Baker now proposes that the legislation would describe the kinds of UK degree which he would regard as genuine degrees by virtue of being awarded by institutions authorised by Royal Charter or Act of Parliament. (The legislation would cover degrees but not other qualifications such as diplomas.) He proposes that the existing local authority arrangements for consumer protection, through trading standards officers, should be extended to enforce the legislation. How?

DES tell me they very much hope you will agree to this proposal: there is real abuse through offering of bogus UK degrees overseas. But if you remain adamantly against, they would probably not try further to persuade you.

Are you now content with this or do you wish to continue to oppose it? (It would be desirable to try to deal with this by correspondence, rather than to add it to your already very heavy schedule.)

DRN

DAVID NORGROVE

10 July 1987

SLHAKU

But the paper does not say what the enforcement officers should do. It really is very sketchy

MB

1

PRIME MINISTER

EDUCATION LEGISLATION: FINANCIAL DELEGATION TO SCHOOLS

Mr. Baker has now circulated his draft consultation document about financial delegation to schools.

Brian and I have both been through this and as far as we can see it accords with the position reached in your own discussions with Mr. Baker.

You will want to look in particular at paragraphs 12 to 17 which discuss responsibilities for hiring and firing staff. Paragraph 13 is particularly important. As always, a great deal will depend on how the changes are operated in practice.

It would I think be useful when you come to look at the results of the consultation to have some examples for typical schools of the amounts of money over which head teachers will in practice have discretion.

Content, subject to the views of colleagues?

DRN

Yes

DAVID NORGROVE
10 July 1987

SLHAKW

JPM01D4B

CCBG

SECRETARY OF STATE FOR EDUCATION AND SCIENCE

ELIZABETH HOUSE
YORK ROAD
LONDON SE1 7PH
01-934 9000

DN,
I think you and the Policy Unit will want to look through this.
MEA

Mark Addison Esq
Private Secretary
10 Downing Street
London SW1

10 July 1987

Dear Mark,

THIRD REPORT FROM THE EDUCATION, SCIENCE AND ARTS COMMITTEE SESSION 1985/86: ACHIEVEMENT IN PRIMARY SCHOOLS

This report was published last September. On 11 December the Secretary of State made an interim response on one of the recommendations about the Council for Accreditation of Teacher Education. We now need to publish a full response to the report and I enclose a copy of a draft White Paper for this purpose.

This response has been delayed partly because of the need to take account of developing thinking on the national curriculum, and partly by the Election.

The Secretary of State decided that, rather than respond by a recommendation by recommendation commentary on the Select Committee's report, we should make a general statement of policy on primary education. The text does not therefore refer directly to the Committee's recommendations. Where it bears on specific recommendations we have noted these under the relevant section heading. Those recommendations which we wish actively to reject have been dealt with separately in an Annex.

The response does not announce new initiatives or policy, but draws together our current thinking on the wide range of issues which the Committee's report addressed. However, as a result of the Committee's recommendations, we are as you know - my Secretary of States minute to the Prime Minister of 9 July - consulting the local education authorities, the Churches and other interested bodies about collective worship. The object is to discover the extent to which there is support for the Committee's view that the statutory provisions in the Education Act 1944 relating to collective worship in schools should be amended to allow for greater flexibility in the arrangements which schools must make to meet the requirement that all pupils should take part in a daily act of worship (see paragraph 5.7 of the draft White Paper).

/cont..

I am copying this letter and the draft White Paper to Private Secretaries to members of E(EP) and to Trevor Woolley. The Secretary of State would be grateful for clearance to publish the text. He would hope if at all possible to do this before he issues the consultation document on the national curriculum legislative provisions later this month and would therefore welcome comments by close of play on 15 July.

Yours sincerely,

R L SMITH
Private Secretary

ESAC REPORT: ACHIEVEMENT IN PRIMARY SCHOOLS

1. INTRODUCTION

1.1 The Government is grateful to the Education, Science and Arts Committee for undertaking a timely and wide ranging enquiry into primary education in England. The Government shares the Committee's view that primary education and the skills required by primary teachers are undervalued. There is, moreover, substantial common ground between the Government and the Committee on many of the latter's recommendations. This response therefore takes the form of a statement of policy, reflecting many of the Committee's views. The Government's reasons for rejecting a limited number of recommendations are set out in Annex A. The Committee's enquiry, and this statement of policy, should contribute to greater public awareness of the crucial role of primary schools.

1.2 The primary phase lays the foundation for all later learning. No less than the secondary phase it is a preparation for the responsibilities of adult life. And it is of value in its own right, in helping younger children to cope with growing up and to get the best from their childhood experiences.

1.3 The challenge is to provide a curriculum for all children which gives them a firm grounding in a broad range of knowledge, skills and understanding and the necessary practical applications, which develops positive and helpful attitudes and matches their individual abilities and aptitudes. The demands of this task equal those of secondary education. A corresponding degree of effort needs to be put into meeting them. The quality of the primary curriculum must not be allowed to be second best; its delivery must be as effective as that of other phases of education.

PART A - THE CURRICULUM

II. CURRICULUM POLICY

(Recommendations 14.50, 54, 56)

2.1 If these aims are to be achieved, the primary curriculum needs to be more closely defined. This requires a stronger lead from the Secretary of State. The Government's plans for a national foundation curriculum for the whole of the compulsory school period will achieve that. The foundation curriculum will establish clearly those subject areas which it is essential that pupils in each phase of education should study, including age-related attainment targets for pupils of different ability, programmes of study, and assessment (and testing) related to the targets. A copy of the Secretary of State's statement to the Committee is at Annex B.

2.2 The national curriculum will offer clear objectives for the primary curriculum, and an overall framework into which its contribution will fit, so that later phases will build successfully upon it. The clarity of aims and objectives offered by a foundation curriculum, programmes of study for each subject area and clear attainment targets, will all help to ensure more effective delivery of the curriculum and greater awareness by teachers and parents alike of what is being taught. The Government intends that within the overall framework of the national curriculum there should be suitably wide scope for teachers to exercise their professional skills and imagination to meet the needs of their pupils.

Note: Throughout this Statement references to recommendations are to those in the Report of the Select Committee [number] to which the following text relates.

III. THE CONTENT OF THE CURRICULUM

3.1 The Government remains committed to the principles for the primary curriculum set out in its White Paper "Better Schools" (Cmnd 9469) 1985, and believes that these principles should underlie decisions about the application of a national curriculum to the primary phase.

3.2 "Better Schools" states that the primary phase should help pupils to learn to understand themselves, their relationships with others and the world around them; should stimulate their curiosity and teach them to apply it purposefully and usefully; and should develop the foundations for later learning and those personal qualities and attitudes which provide a sound base for what follows.

3.3 To achieve this, the primary curriculum should place substantial emphasis on reading, writing and speaking the English language and on mathematics; introduce pupils to science and technology - particularly information technology - and to a range of activities in the arts; lay the foundation of understanding in religious education, history and geography, and the nature and values of British society; provide opportunities throughout the curriculum for craft and practical work leading up to some experience of design and technology and of solving problems; provide moral education, physical education and health education; and give pupils some insights into the adult world, including how people earn their living.

3.4 A curriculum founded on these principles will be broad, introducing pupils to a wide range of knowledge, understanding and skills and developing positive attitudes; relevant, ensuring that subjects are taught so as to bring out their application to pupils' own experience and to adult life and giving due emphasis to practical aspects; and it will be balanced, allotting each part sufficient time to make its special contribution, but not so much that it squeezes out other essential parts.

3.5 "Better Schools" sets out one further principle - differentiation - which the Government believes should be reflected in the curriculum offered to all primary pupils. HMI have consistently reported that in most classes the

content and pace of teaching is geared to the middle level of ability with the result that able pupils are insufficiently stretched and waste time practising skills already mastered, while the individual weaknesses of the less able are either not diagnosed or are not tackled appropriately. It is of the greatest importance that all pupils, including the most and least able, are stimulated and challenged. This means first that the curriculum should be carefully differentiated: what is taught, how it is taught need to be matched to individual pupils' abilities and aptitudes; and second that attainment targets and arrangements for assessment and testing need to take into account the ability and maturity range of the pupils.

IV. QUALITY AND STANDARDS OF ATTAINMENT

(Recommendations 14.25, 14.67, 69)

4.1 The Government has made clear its commitment to the identification of objectives for learning which will indicate what the normal range of attainment should be at particular ages, and to assessment of achievement against those objectives, the results of which will be publicly available. "Better Schools" notes that while periodic testing of pupils and conscientious record-keeping are common, few schools or LEAs have formulated and implemented policies for assessment and record-keeping designed to be used to ensure progress and continuity of learning for all pupils in all areas of the curriculum. It calls for a more precise definition of what pupils of different abilities and ages should understand, know and be able to do. The Government believes that such definition will help all concerned to assess the effectiveness of policies and practice, will encourage teachers to have high expectations of pupils and bring about their realisation, and will help motivate pupils.

4.2 As part of its plans for a national curriculum, the Government now intends to establish attainment targets for the primary curriculum, relating to the range of attainment to be expected of pupils in their second and sixth years at school. The targets will allow for differences in pupils' abilities and aptitudes. Pupils' performance in relation to the targets will be assessed in various ways appropriate to the particular aspects of attainment in question. The Government is considering how best the findings and expertise of the Assessment of Performance Unit (APU) might contribute to the development of the targets and methods of assessment and testing; and will be reviewing the APU's own future role in the light of its conclusions on the Unit's potential contribution to this work and of the experience gained from APU activities to date.

V. CURRICULUM PLANNING AND DELIVERY

(Recommendations 14.42, 14.64, 14.70-71)

Subject co-ordinators and advisory teachers

5.1 The Government supports the use of subject co-ordinators as a means of ensuring that primary schools are equipped with the expertise necessary to deliver the curriculum in the required breadth and depth. Too few primary schools have designated subject consultants in more than one or two areas of the curriculum, though there has been a welcome increase in the number of teachers with designated responsibility for work in science. In setting its national priorities for in-service training under the new training grants scheme the Government has stipulated that the training of subject co-ordinators in primary schools should be eligible training in the priority areas.

5.2 In addition, the Government is promoting with education support grants improvements in the quality and relevance of primary science through the appointment of advisory teachers, who act as agents of change, and by providing resources for equipment and in-service training. Similar work is being done with education support grants by mathematics advisory teachers; at least half of the 350 teachers appointed are working in primary schools. Education support grants are also being used to support pilot projects to enrich the curriculum in rural primary schools and to improve the quality of primary education in deprived urban areas. The results of these projects will be disseminated in order to spread good practice throughout the system.

Good practice and schemes of work

5.3 The recent HMI publication "Some Aspects of Good Practice in Primary Schools" identifies and describes good practice seen in individual primary schools so that others can learn from it. HMI will continue to highlight where appropriate examples of good practice observed in all aspects of the curriculum and in the organisation and management of schools. The HMI short course programme and other in-service training activities draw upon examples of good

practice from different kinds of primary schools catering for pupils with a wide range of socio-economic and ethnic backgrounds.

5.4 Weaknesses in curricular planning and its implementation are found in about three quarters of primary schools. It is the aim that all schools should have schemes of work which, in line with the national curriculum, indicate the major topics to be studied, the skills and attitudes to be developed, and describe how it is proposed to put these intentions into effect. Such schemes of work will serve as a valuable instrument for the application of the national curriculum school by school and as a basis for monitoring its implementation. They will also assist with smoothing admission to and transfers between schools.

Religious Education and Collective Worship

5.5 The place of religious education in schools is governed by statute. The 1944 Education Act places a duty on local education authorities and schools to provide religious education. In county (and subject to the detailed provisions of the Act) in controlled schools religious education must be given in accordance with an agreed syllabus. The Act provides for local determination of the scope and character of religious education in schools; and it ensures the participation of the local education authority, the teachers, the Church of England and such other religious denominations as the authority considers ought to be represented having regard to local circumstances in drawing up the agreed syllabus.

5.6 The Government believes that religious education makes a special contribution to the education of all pupils, and that, within the statutory framework, an introduction to the Christian tradition should remain central to the religious education provided in our schools. The mechanism for drawing up agreed syllabuses helps to ensure that it does so. But it is important that children are educated to have an appreciation of different faiths. The Government has sought to encourage the revision of agreed syllabuses to reflect the multi-faith nature of society and the needs of particular groups of pupils. About half of all agreed syllabuses have been revised in the last ten years.

5.7 The Government believes that collective worship also has a special contribution to make to the development of childrens' personal qualities and attitudes and to the corporate life of schools. However, the present statutory requirement - that all children should take part together in a single daily act of worship at the start of the day unless their parents request that they should not - causes practical problems for schools. The Government does not question the underlying intention of this requirement, but is consulting local education authorities, the Churches and other interested bodies to ascertain whether there is support for changes which would allow for greater flexibility in the timing of collective worship and for sections of the school to worship separately.

Ethnic Minorities

5.8 The Government's policy is to ensure that ethnic minority pupils have the same opportunities as others to benefit from what schools have to offer. The Government welcomes initiatives by community groups to maintain their mother tongues and cultures by means of supplementary schools. The Government recognises that without necessarily establishing formal links some liaison between school and community provision can be helpful in promoting good practice.

5.9 The Government is promoting through Education support Grants (ESGs) the development of multi-cultural education and resource centres. Grants towards the funding of ancillary and other staff in schools are already made under Section 11 of the Local Government Act 1966 to help meet particular needs of ethnic minority pupils where the normal criteria for these grants are met. The Government will continue to look sympathetically at such applications, whilst monitoring the effectiveness of existing grant-aided schemes.

5.10 The Government's policy is that schools should promote understanding and respect between different ethnic groups. The Government has made ESGs available for pilot projects in this field. These include a number, such as school twinning schemes, specifically directed towards fostering racial harmony.

5.11 HMI recognise the importance of knowing how schools are responding to ethnic diversity in society, whether or not they contain children from ethnic minority groups. Many HMI reports on individual schools and several publications, for example the Curriculum Matters series, refer to this. HMI will continue to take this issue into account and to refer to it where appropriate in their reports.

PART B - SUPPORT FOR THE CURRICULUM

VI. ORGANISATION OF SCHOOLS

(Recommendations 14.128-9, 14.132)

School size

6.1 To allow all pupils access to an education consonant with the principles for the curriculum outlined above each school needs to be an adequate size to justify sufficient teachers to provide the necessary range and balance. Some principles concerning the desirable size of schools were set out in 'Better Schools': the DES Circular 3/87, 'Providing for Quality' sets out the considerations which local education authorities should bear in mind in considering the extent to which they can bring schools closer to viable size. In the Government's view size alone cannot determine the future of a school: a true assessment of its continuing viability must take account of a number of other factors including, in the case of a rural school, the distances to be travelled to alternative schools and the age of the children making these journeys.

6.2 The Government accepts that in some rural areas the balance of these considerations will make it desirable to retain small schools. The Government is supporting a range of projects designed to identify cost-effective means of broadening and enriching the curriculum of rural primary schools to enable them to overcome any disadvantages of their size.

Parental Choice

6.3 Parental choice is an essential principle of the Government's policy, and increased parental choice was one of the key provisions of the Education Act 1980, which also provided for parents to be properly informed about the available schools and of the arrangements for admission and transfer so as to enable them to exercise choice effectively. The Government intends to extend to larger primary, as well as secondary, schools the opportunity to opt for

grant-maintained status rather than remaining under LEA control. Many primary schools will be given control over their own budgets; this should increase the freedom and flexibility with which they can respond to the views of parents as expressed in governing bodies and through the annual parents' meetings required by the Education Act 1986 (see para 9.4).

6.4 If genuine choices are to be available to parents, there must be a variety of educational provision. Voluntary schools have an important role to play in this respect. All proposals under section 13 of the 1980 Act to establish new voluntary aided schools are considered by the Secretary of State on their merits and the criteria applied are the same whatever the religious persuasion of the promoters. Amongst the factors which the Secretary of State takes into account in reaching decisions are the need for additional maintained school places in the locality concerned, the evidence of current demand for education of the type to be offered at the school, and the willingness of the local education authority concerned to maintain the school as a voluntary school.

6.5 The Secretary of State must also satisfy himself that the promoters of a new aided school are able to meet the expenses that fall to them under the Education Act 1944; that the proposed admission arrangements, secular curriculum and qualifications of the staff are in accordance with the Education Acts; and that the proposed premises meet the requirements of the Standards for School Premises Regulations.

6.6 The 1980 Act requires the Governors of aided schools to admit all pupils whose parents express a preference for the school, provided that there are spare places within the school's admission limit. Restriction of admission to children of a particular faith would therefore be contrary to law, although it is open to governors to give priority to those for whom the school is primarily intended.

VII. TEACHERS

(Recommendations 14.89, 14.92, 14.148,149)

7.1 Teachers are our most valuable resource in delivering the Government's aims for schools. The Government wishes to see all primary schools adequately staffed with sufficient teachers with the skills, qualities and experience necessary to ensure that all primary schools can and do deliver the curriculum as effectively as possible. The primary teacher force represents a very large investment of public funds. The total annual cost of employing primary teachers in our schools is well over £2bn. It is the responsibility of all local authorities to ensure that this valuable human resource is deployed as efficiently and as effectively as possible.

7.2 National data on the primary teacher force shows that the overall ratio of pupils to teachers has improved markedly in recent years from 23.1 in 1979 to 22.1 in 1986. Much of the improvement has shown up in smaller average class sizes, although recently there has been some contrary tendencies to larger classes taught by two or more teachers. In-service training is now accounting for more teacher time. But assistant teachers still appear to have very little time in school for curriculum evaluation and consultancy work. The national Primary School Staffing Survey will provide a more detailed picture of the deployment of primary teachers and the use made of their time as well as information about teachers' curriculum specialisations. Its findings will be published in 1988.

7.3 In 1985 a joint working group of the Department and the local authority associations considered school teacher numbers and deployment in the longer term and looked at the teacher time required to deliver Government policies for primary education. This group suggested that, at 1984 staffing standards, the equivalent of some 10,000 additional teachers might be needed for primary curriculum change. The primary sector's share of the allowances for expanding in-service training provision, and for work with special needs pupils, might amount to the equivalent of a further 5,000 teachers. Members of the group were not able to agree on the scope for finding some of this time through the more efficient use of existing teacher resources - for example through a further reduction in the number of primary classes with fewer than 20 pupils.

7.4 The group envisaged that additional time might be used for teachers to work with small groups, to act as consultants to their colleagues, and to plan a curriculum strategy. The Government shares these priorities.

7.5 The Government acknowledges the interest of parents in keeping class sizes down. But limits to class size will vary according to the nature of the activity, the spread of pupil ability and the skills of the teacher. The Government believes that the headteacher and governors of each school should have the flexibility to deploy teacher time to maximum effect. The concept of "curriculum-led" staffing could prove to be a valuable planning tool. The desirable pattern of staff use may prove to vary considerably from one school to another.

7.6 The Government's expenditure plans up to 1990 (Cm 56) make provision for some further modest improvement in pupil:teacher ratios. But it believes that additional teacher time should be used for the specific purposes named above, and should be concentrated in those schools and local authorities most in need of it.

7.7 On the question of the supply of future primary teachers, the Government will continue to monitor the overall supply position to ensure that planned initial teacher training and other recruitment (eg re-entrants to teaching) are sufficient to ensure that the Government's objective of the improvement in primary staffing standards referred to above is being achieved.

VIII. INITIAL AND IN-SERVICE TRAINING FOR TEACHERS

(Recommendations 14.20, 14.171, 14.176-77, 14.182-83, 14.187)

8.1 The Government is committed to securing high-quality, cost-effective initial teacher training and to promoting the more systematic and purposeful planning of in-service teacher training so as to meet the needs of schools. Intakes to courses of primary initial teacher training are planned to increase by 27% between 1985 and 1989. The allocation of those intakes to training institutions has been designed to consolidate a robust and resilient system, capable of responding to changing demands into the 1990s. The LEA Training Grants Scheme, which came into operation in April 1987, aims to promote the professional development of teachers and other professional staff groups. It supports training in areas identified by the Government as national priorities with a preferential rate of grant, and further training identified by LEAs as their own priorities at a lower rate.

8.2 These initial and in-service training systems will be equipped to meet the many training needs identified. The Government has sought to ensure that all initial teacher training institutions are able to provide, cost-effectively, the academic subject study essential if primary teachers are to take on the role of coordinator; to this end some smaller institutions will enter into academic association with more broadly based higher education institutions. In-service training for the role of coordinator in mathematics and science in primary schools falls within a national priority area under the Training Grants Scheme; local authorities may support the training of coordinators in other curricular subjects with local priority grant.

8.3 In making allocations to public sector initial teacher training courses, the Government has had regard to the capacity of institutions to safeguard and expand the training of teachers of the 3-8 age range and has built up intakes at institutions with particular strengths in this area. In-service training for teachers involved with all aspects of work with the under fives is eligible for grant under the Training Grants Scheme.

8.4 The Government is concerned about the present imbalance of curricular expertise among students in primary training. Intakes to primary initial training courses have been expanded at institutions offering specialist subject study in mathematics and the sciences but, while difficulties remain in recruiting sufficient students with appropriate qualifications, in-service training will have an important part to play in correcting the imbalance. Training to teach mathematics, science and technology is a national priority area under the Training Grants Scheme.

8.5 Taking account of the recommendations of the Swann Committee, the Government has recognised the need to increase the number of teachers from the ethnic minorities. The Government is promoting the development of specially designed initial teacher training courses. All such courses will prepare fully fledged primary teachers but will also reflect and build upon students' skills and previous qualifications. Thus specially designed primary PGCE courses will help students use their skills in ethnic minority community languages as an aid to learning in the primary classroom while shortened (two year) primary BEd courses will build upon previous higher education qualifications, in many cases gained overseas, which are not equivalent to UK degrees. Some local education authorities may wish to second staff to these courses; such training would be eligible for grant under the Training Grants Scheme.

8.6 As foreshadowed in "Teaching Quality" (Cmnd 8836) and described in "Better Schools", the Government has drawn up criteria which all courses of initial teacher training must meet if they are to gain approval. The criteria rested on the advice of ACSET and were the subject of wide consultation. They are set out in the Annex to DES Circular 3/84.

8.7 All courses of primary initial teacher training must prepare students for their future roles as class teachers and subject coordinators. Such courses must therefore cover all relevant areas of the curriculum, including religious education, devoting not less than 100 hours to mathematics and language; at the same time all courses must provide at least two full years of subject study (up to a quarter of which may be devoted to the application of the subject concerned

to the learning needs of young children). As already indicated, the Government considers that the role of subject coordinators in primary schools is crucial and it therefore attaches considerable importance to the subject studies criterion. Without academic expertise in a subject or broad area of the curriculum and without an understanding of the application of the subject to children's learning needs, newly-trained teachers will not be equipped to act as coordinators. Such academic expertise should be gained during or prior to initial training: later, other pressing professional concerns will compete for the time available for in-service training.

8.8 At the same time as the criteria were published, the Government announced the establishment of the Council for the Accreditation of Teacher Education (CATE) to review all initial teacher training courses against those criteria and to make recommendations on their approval to the Secretary of State. The Council began work in the autumn of 1984; by the spring of 1987 it was more than half way through its remit having initiated reviews of courses at 58 institutions in England and Wales. In the autumn of 1986 CATE's remit was widened to include the review of courses in Northern Ireland.

8.9 Initial teacher training must lay the foundation for continuing professional development throughout a teacher's career. In presenting their proposals for in-service training in 1987-88 under the Training Grants Scheme, LEAs generally have shown a determination to put their provision on a more systematic footing: the Government welcomes this and will be looking for further development in future years.

8.10 Across LEAs in general, the arrangements for consulting primary teachers and identifying their training needs tend to be weaker than those for secondary teachers. While no uniform approach will be imposed, systematic involvement of primary teachers will be required and the Government will give this particular attention in coming years of the Grants Scheme.

8.11 The organisation of in-service training in many LEAs is developing in useful directions. Many LEAs require the preparation of school development plans and the appointment of designated INSET coordinators in schools. Practically all LEAs have or are setting up advisory committees on INSET.

Training for the preparation of school development plans would be eligible for grant as a local priority, while management training for heads and other senior staff is a national priority.

8.12 The definition of expenditure eligible for in-service training grants is widely drawn so as not to constrain LEAs' ability to obtain the training they think most appropriate for their staff. Expenditure on training provided by teachers' associations would be covered as would supply cover and travel and subsistance which would facilitate training through action research, training visits and teacher fellowships. LEAs may also arrange for teachers to be trained jointly with other groups, though expenses for trainees outside the scope of the scheme would not be eligible for grant under it.

IX. GOVERNORS AND PARENTAL INVOLVEMENT

(Recommendations 14.105, 107-8, 14.117, 14.128)

9.1 The Government has made clear its wish to see governing bodies play a more active role in school life, in primary schools as much as in secondary. The 1986 Act enhances the role of governing bodies, and this makes it essential that governors should be offered suitable training. Section 57 of the Act contains a new requirement for every LEA to secure the availability of free training for governors in addition to basic written information about the job. It is intended that this training should be straightforward: over-elaboration seems likely to be counter-productive. Pilot projects in appropriate forms of training are being supported in 10 LEAs by Education Support Grants in 1986-88. There is also much other activity. All this should provide a reservoir of appropriately diverse training materials and approaches for wider application and further development in particular local circumstances. Headteachers who exercise their right to be governors will be entitled to training under section 57 of the Act.

9.2 The 1986 Act requires the selection of head teachers to be undertaken by a panel consisting of representatives of the governing body and of the LEA. The DES has issued guidance on good practice in the selection of head teachers by way of this procedure. That guidance is very much in line with the recommendations of the POST - Project on the Selection Head Teachers - conference sponsored by the DES in 1984.

9.3 The Government also wants to see greater involvement of parents generally in the work of schools. Schools should make an effort to explain their aims and policies to parents and to associate parents with their work. This will be assisted by the development of a national curriculum, and schemes of work as outlined earlier.

9.4 The 1986 Act requires governing bodies to hold an annual parents' meeting and issue an annual report. Every governing body will be required to issue its first annual report and hold its first parents' meeting by the end of the summer term 1987. In addition the Secretary of State is to make Regulations under section 20 of the Act giving parents the right to more specific information about their childrens' educational programmes. These provisions will give

parents collectively and individually the opportunity to become more closely involved in the life of the school. HMI's inspections and reports will show how the new system of school government, the presence of more parent governors and improved home/school relations are having an effect. In addition, proposals for making available information about what is taught in schools and the results achieved, as part of the policy for a national curriculum, will help to secure greater parental involvement in schools' activities and the Government's intention to give many primary schools control over their own budgets will enable schools to respond to parents' concerns. The Government intends to enable the governors of larger primary schools to opt for government-maintained status where a majority of parents agree.

9.5 The Government welcomes the inception in some areas of schemes through which schools reach out to and support parents who may be reluctant to come forward, although such schemes demand skilful planning and careful handling. The DES has commissioned a survey of parental outreach schemes. This will identify, describe and classify the range of schemes and examine a number of them in detail. The project is due to report to the DES in May 1989.

X. RESOURCES

(Recommendations 14.114, 115)

10.1 The amount spent per pupil in our primary schools rose by 17% in real terms between 1979-80 and 1985-86. This reflects the fact that although pupil numbers fell by 16 per cent over the period, total expenditure fell by less than 2 per cent in real terms. The Government accepts that at a time of rapidly falling school rolls some decrease in the average size of primary schools and in the number of pupils per teacher is needed to maintain existing policies and standards; and that consequently only part of the real terms increase in expenditure per pupil was available to raise standards. But expenditure per school did rise over the period by 6% in real terms, and there were real improvements in staffing standards in the schools.

10.2 It is against this background - as well as that of competing claims for public expenditure - that the government has to consider bids for more resources for the primary schools. The number of children aged 5 to 11 has now begun to increase. Existing public expenditure plans allow for a limited further increase in real levels of expenditure per pupil. At the same time the Government looks to LEAs to improve the efficiency and effectiveness with which they deploy these resources. If they do so, there is scope to make good progress with the implementation of national and local policies for the primary schools.

10.3. Despite the modest increase in primary school rolls a large proportion of places will remain surplus. It is in the Government's view essential to the search for greater efficiency for LEAs to continue with the task of taking these out of use where circumstances permit: the average cost of maintaining a surplus place in a primary school is £120 a year at 1987-88 prices. The Government's Circular 3/87, 'Providing for Quality', sets national targets which imply the removal of half the remaining primary surplus by 1991, and offers guidance on the considerations which authorities should bear in mind in framing proposals involving the closure of schools, particularly those in rural areas. Other key areas for greater economy and efficiency are school meals, caretaking, cleaning and administration.

10.4 Provided that authorities budget sensibly taking opportunities of these kinds, they will be able within the Government's plans to spend more on items of greater priority for the primary schools. In particular, plans allow for some continuing improvement in the pupil to teacher ratio. The Government's expenditure plans allow for significant increases in spending on books and equipment and on the upkeep of primary school buildings. It is for local education authorities to decide provision for their areas in the light of their own circumstances and priorities - but their representatives have endorsed books and equipment and repairs and maintenance as priorities in discussions with the Department.

10.5 The maintenance of school buildings is essentially the responsibility of the local education authorities or governing bodies which own them. The Government actively encourages good practice in the upkeep of the school building stock and recent publications by the Architects and Building Branch of DES have included Design Note No 40 (1985) "Maintenance and Renewal in Educational Buildings, Needs and Priorities", which gave guidelines for determining maintenance priorities and for setting up maintenance programmes, and Design Note No 46 (1986) which dealt with the repair and renewal of flat roofs. Other relevant work is in progress. The Government's expenditure plans for education in 1987-88 allow for a 13% real increase in spending on repair and maintenance of school buildings between 1984-85 and 1987-88 provided that authorities' other costs are contained.

10.6 The Government does not believe it feasible to give school pupils an entitlement to resources in the strict sense of a particular level of resources because the actual level from year to year must depend on what can be afforded, as well as on competing claims. But it recognises that every child is entitled to a fair share of the resources available, and that that implies a more uniform allocation of those resources than prevails now. The Government's support for local authority current spending on education is for the most part provided through the block grant element of rate support grant. At the heart of the block grant system is the assessment of grant-related expenditure. This aims to allow authorities to provide a common standard of service for a common rate in the pound, taking into account the different characteristics of their areas. It recognises that, for example, inner city areas are likely to have a higher

proportion of children suffering from various kinds of disadvantage which increase the costs of providing for primary school pupils and which necessitate higher levels of provision for the under fives. It also takes account of the higher cost of providing primary education in sparsely populated areas. Neither the Government's aggregate provision for expenditure on local authority education nor its distribution of grant anticipates any contribution from parents to schools' income.

10.7 The Government believes that it is necessary to set a new framework for the allocation of resources to schools by local education authorities. Authorities must retain the right to decide how much in total they will spend on the primary schools and on other stages of the education system. But in the Government's view once that decision is taken, resources should be allocated between schools through a simple and open formula based fundamentally on the number of pupils; and the majority of schools should have the right to allocate their budgets as they think fit. In that way the decisions as to how resources should be used to best effect to deliver to each child the national curriculum will be taken by those best able to judge: the schools themselves.

PART C - MEETING PARTICULAR NEEDS

XI. UNDER FIVES

(Recommendations 14.4, 14.7, 14.10, 14.12, 14.14, 14.17,19)

11.1 The Government stated its policy in "Better Schools" (Chapter 4). Its view remains that the age of admission to compulsory education should not be altered, and that it is for local education authorities to decide what forms of provision and how much, if any, to make for the pre-compulsory phase, in the light of local needs, demands and resources. It is also for parents to decide whether to take up any provision available. The Government will aim to maintain the present level of expenditure on under fives in real terms within its plans for local authority expenditure.

11.2 The Government also recognises, however, the importance of the role of parents and the home in children's cognitive, social and physical development at this stage, and the need for playgroups and other facilities for parents with young children and for the provision of advice for parents on the facilities which are available locally. The Government has been reviewing the present degree of coordination of services for under fives and is studying proposals for improving coordination. With Government funding the National Children's Bureau has set up an Under Fives Unit which is concentrating much of its work on this area.

11.3 The Government regards playgroups and other forms of day care for children as justified in their own right in answering specific needs of parents as well as children. It recognises the important educational role which they can play. The DHSS provides a grant of some £385,000 a year towards the Pre-school Playgroups Association's central administrative expenses. The DES has recently announced an increase in its annual grant to the PPA, to £108,000 in 1987-88 and £153,000 thereafter. This grant goes to support the costs of fieldstaff engaged in training and advisory work with the PPA's regional network of voluntary helpers.

11.4 The Government believes that the admission of children to primary reception classes before the term in which they reach 5 ("rising five") should depend upon the maturity and readiness of the children, and that the teaching approaches, ancillary staff, accommodation and resources must be appropriate to the stage of the children's development. The Government accepts that there is a need to reinforce this advice, in the light of the recent trend for more local education authorities to adopt a policy of earlier admission. HMI through their reports on inspections of individual schools and in other publications describe good practice and ways of improving provision. A further HMI publication on the education of under fives is planned.

11.5 There is a marked contrast between the quality of provision made in designated nursery classes in primary schools and that made in most ordinary reception classes in primary schools. There is no agreed definition of nursery education apart from the guidelines issued by DES in 1973, which reflected good nursery education practice at that time. Local education authorities may be able to make more suitable provision for a greater proportion of the age group, even if the age group is increasing slowly in numbers, within existing expenditure plans, if they are able to modify the standards of provision in designated nursery classes and use the resources released to improve the provision for four year olds in reception classes.

XII. CHILDREN WITH SPECIAL EDUCATIONAL NEEDS

(Recommendations 14.47)

12.1 Under the Education Act 1981 the Government registered its commitment to the 20% of children with Special Educational Needs, and to the principle of identifying the needs of the individual child. Thus the Act placed a statutory duty on LEAs to assess needs and make appropriate provision in partnership with parents and with the relevant providers across a wide range of educational, medical and para-medical disciplines. The Government sees the assessment and statementing procedures introduced in the Act as a force to ensure that inter-disciplinary advice is brought together to the benefit of each individual child. It commends to LEAs the Committee's proposal for regular meetings between the various professionals concerned which will benefit not just the individual child, but produce in cross-fertilization of ideas. Since the people involved are busy professionals, the purpose of such meetings should be known to participants in advance, and the Government would endorse the proposal that meetings should take place at least termly, or more often if the operational needs of the service require it. Since LEAs vary in size and organisation, they themselves are best placed to determine the coordinating officer.

12.2 Teacher training is a crucial element in the response of the educational system to children with special needs. The arrangement for approval of initial teacher training courses set out in DES Circular 3/84 indicated that as part of their educational and professional studies students should be introduced to ways of identifying children with special educational needs, helped to appreciate what the ordinary school can and cannot do for such children and given some knowledge of the specialist help available and how it can be enlisted. The Government initiated in 1986 a new scheme designed to improve the quality of in-service training for teachers generally. Pre-dating but now subsumed within, that scheme is a national priority training for "designated teachers" in ordinary schools. Following a one term course on special educational needs, designated teachers are expected to offer a general advisory service to colleagues in the ordinary schools.

XIII. CONCLUSION

13.1 This statement has set out the main thrusts of Government policy towards primary education. The Report of the Committee to which it responds has helped in many ways to focus on the important issues and to clarify policy. The Committee's recommendations will also help the Government in its development of a national curriculum and its application to the primary phase - to which the Government intends to give priority. This priority is a due recognition of the fundamental importance of primary schooling.

Annex A

RECOMMENDATIONS REJECTED BY THE GOVERNMENT

14.18

Whilst the Government recognises the important educational role of playgroups and other forms of day care for children it does not regard this as sufficiently dominant to justify a change in Central Department's responsibilities as recommended by the Committee. The Government does not believe that there is evidence that such a change would be widely welcomed.

14.50

The Committee recommends that governing bodies should lodge schemes of work with HMI and forward amendments as they are made. While HMI will continue to examine schemes of work in the course of their inspection programmes and will have regard in so doing to the arrangements for the national curriculum, it would be impracticable for them to collect and appraise schemes of work for every school.

14.66,74

The Government notes the Committee's recommendations that the Department of Education and Science sponsor research into children's progress and the effects of organisational practice. The Government has in the past supported and is at present still funding research work on pupils' attainments and their measurement and on school organisational issues. Research in these areas is now extremely complex, using a variety of advanced techniques. The Government must ensure that the limited resources available for educational research are deployed with care and in accordance with policy priorities.

14.100,101

The Government has noted the Committee's recommendations that the number of advisers with experience in primary education should be increased and that advisory services should carry out formal inspections and publish their results. The Government intends to bring forward proposals on the role of local authority advisory services in the context of its proposed legislation on the national curriculum.

14.103,112

"Better Schools" makes clear the Government's view that the function and use of school libraries should form part of the curricular policy of every local education authority and school since schools are better placed to extend the range and depth of pupils' learning when library services are included in their curricular policies. The Government recognises the importance of school libraries and looks to local education authorities and schools to explore ways in which the resources available can be most effectively deployed. It is not convinced that legislation is needed to back the school library service, as recommended by the Committee, nor that there is a need for a centrally established body.

14.105

The Committee recommends that the Department of Education and Science should collect and disseminate information and guidance on parental collaboration with schools in the teaching of reading, based on evidence collected from schemes throughout the country, and that it should support and encourage the work of voluntary organisations engaged in activities involving other adults in the progress of individual children needing extra help. The Government believes however that such activities, which can be valuable where carefully planned and closely integrated with the work of the school, are best developed and supported mainly at local level in the light of local circumstances, rather than through a national focus of the kind proposed.

14.115

The Government has considered the Committee's recommendation that a working party be established by the Department of Education and Science to advise on the level of resources to which children should be entitled. The Government will continue to review annually in consultation with the local authority associations the provision appropriate nationally for local authority education and the distribution of that provision. However, local education authorities must continue to decide the levels of resourcing in the schools they maintain. The Government believes that it can best promote a more equitable and uniform distribution of resources through legislating for the principle of per capita funding, and for further financial delegation to schools.

14.120,127

The Committee recommends that the Secretary of State should issue a statement about good practice in relation to liaison between primary and secondary schools and set up a permanent working party to review practices and research in this area. The Government endorses the general aim of smoothing admission to and transfer between schools, and would encourage schools and local education authorities to consider ways in which this could be improved yet further. One benefit of its proposals for a national foundation curriculum with age related attainment targets together with associated assessment and testing should be to provide a framework in which it will be easier for a child to move from primary to secondary education. It has, however, been noted that what might appear to be improvements in procedure, for example the establishment of formal links between particular primary and secondary schools, could inadvertently have the effect of inhibiting parental choice. The Government does not wish to go beyond the present arrangements, supplemented by the requirements of the national curriculum, within which schools and local education authorities can devise the arrangements best suited to the local situation.

14.138

The Committee recommends that it should be a requirement in legislation for head teachers to take part in teaching. The Government accepts that it is good practice for head teachers to do some teaching. The Education (School Teachers'

Pay and Conditions of Employment) Order 1987 (SI 1987/650) provides that the professional duties of a head teacher shall include:

> "Participating, to such extent as may be appropriate having regard to his other duties, in the teaching of pupils at the school, including the provision of cover for absent teachers."

The Government does not consider that further legislative provision is required. The amount of teaching that a head teacher should do, and whether he or she should have a regular timetabled teaching commitment, will depend on the circumstances of individual schools.

14.161,162,163

The Government notes the Committee's recommendations that a less detailed set of criteria might be adopted for the Council for the Accreditation of Teacher Training (CATE), perhaps similar to those operating in Scotland, and that, without changing the Secretary of State's powers to approve courses, CATE's remit should not be renewed after its initial term of appointment expires and that its task should be taken over by the CNAA and the validating bodies. As the Secretary of State has already made clear in his letter to the Chairman of the Committee dated 11 December 1986, the Government has the fullest confidence in CATE. It is carrying out an important task effectively and with tact and consideration, thereby contributing substantially to the improvement of initial teacher training. In completing its remit, CATE will review all courses against the criteria set out in Circular 3/84. The Government will review the position when that remit is complete but in the meantime proposes no change in CATE's terms of reference or the criteria to which it is working.

14.185

The Government notes the Committee's recommendation that the DES in conjunction with the Local Authority Associations seeks ways to promote increased representations of primary school teachers in advisory and administrative posts in LEAs and the DES. The Government does not consider it appropriate for the DES to take a central role in this respect. It has no plans to introduce recruitment procedures for its own employees which give preference to any particular group.

14.190

The Government has considered the arguments for establishing an area or regional committee structure to facilitate liaison between local education authorities and higher education in-service training providers. Its view remains that local education authorities should make arrangements that best suit their circumstances. A number have already developed coordination arrangements, while others are in the process of doing so. Under the Training Grants Scheme local education authorities are required to state their arrangements for regional coordination and what plans exist for their development. At present the Government sees no need for a new body to coordinate INSET at a national level.

In addition it should be noted that the Government's plans for a national foundation curriculum, which are outlined in this statement, were announced after the Committee made its report and have overtaken many of the Committee's recommendations, in particular those directed towards curriculum policy, planning and delivery.

ANNEX B.

Secretary of State's National Curriculum Statement

1. At the North of England Conference in January I said that the time had come to move rapidly to a national school curriculum. This has been much discussed.

2. The aim of the main partners in the education service and myself is to raise standards of achievement in our schools. It cannot be secured without an education which equips every pupil with at least basic skills, knowledge and understanding to meet the challenging responsibilities of adult life and employment in tomorrow's world. Many of our schools offer such a curriculum, though not always to all their pupils. But many offer something far less good.

3. The Government believes that this is no longer acceptable. Pupils are entitled to a curriculum that draws upon individual talents and which challenges the child. This can be guaranteed only if it is required and enforceable by law. That is the principle on which the Government now intends to stand.

4. The Government wants the national curriculum to be as good as the best minds in the country can make it. The level of attainment to be aimed at and the content of what is taught should reflect the best practice of our good schools. The duties placed on the schools should leave full scope for good teaching, and for this country's tradition that teachers use their professional talents and skills to adapt the work to each pupil and to develop new approaches as new needs arise.

5. But two aspects of our educational tradition will have to be modified. First, we can no longer leave individual teachers, schools, or LEAs, to decide the curriculum children should follow. It is no longer acceptable that many children have a much less good curriculum than others through the accident of where they happen to go to school, or where they live.

6. Second, it is not right that hardly anyone knows with any clarity or in any detail what the schools are trying to do for their pupils. Parents are entitled to know what the schools seek to teach and how well they succeed in teaching it. Once they have that evidence, schools can be judged fairly.

7. Once the school itself has clear objectives, all the staff will know where they are and what is expected of them. Pupils will be motivated by clear expectations, and parents, employers and the public will know better how to give effective support to the school. A good curriculum will attract commitment all round. That commitment in turn will promote high standards of achievement which can continue to be measured over the passage of time.

8. The Government intends to legislate early in the next Parliament to establish a national curriculum brought about by the cooperative efforts of the education service, the providers and its customers. My aim is that when the Secretary of State sets out the national curriculum, he will not be imposing his will but giving effect to a broad national consensus.

9. We want to ensure that pupils have a well-balanced foundation curriculum suitable to their abilities and aptitudes which during the compulsory period includes not only maths and English, but also science, foreign languages, history, geography and technology in its various aspects. Time should be found for music, art and physical education. Religious education is covered by the 1944 Act.

10. This list of essential subjects which I have just set out does not describe the whole of a school curriculum. For example, it does not mention essential parts of the curriculum, such as health education, which is not usually taught or learnt as a separate subject. It does not mention choice of additional subjects at age 14-16. It does not refer to the personal qualities, attitudes and values which are required for a worthwhile and useful life.

11. For each subject within the foundation curriculum it will be necessary to determine clear and challenging attainment targets for the key ages of 7, 11, and 14. These targets should allow for variations in ability. They should not result in an unduly narrow approach to teaching and learning. Having established the attainment targets it will be necessary to determine and define the essential content, skills and processes of what has to be covered and taught in each subject. This approach parallels what is now being developed for the 14-16 period through GCSE: the national criteria, worked out by professionals, set objectives for measuring attainment; the Examining Groups set detailed syllabuses and examinations which are approved by the Secondary Examinations Council.

12. I emphasise that what is defined will be a core: it should leave ample scope for teachers to build around it, to exploit individual pupils' abilities, and to determine their own methods of teaching for the whole ability range. Teachers must have scope for exercising imagination for experiment, and for responding quickly to new challenges as they arise. But unlike now, all this should take place within a set framework, known to all, intelligible to all, and as far as possible acceptable to all.

13. Having decided the core of what should be learnt, we need to assess pupils' performance in relation to the attainment targets. Those attainments which can be tested will be tested at the key ages. But we do not want teachers to teach only what is testable, so it will be essential also to assess work done in class at the key ages. The tests and the assessments would fall to the teachers, but both would be externally moderated.

14. The far-reaching changes planned by the Government pose a professional task which is large, complex and vitally important. Some of the groundwork has been done, notably in the professional discussions stimulated by successive HMI documents, including the discussion papers in the "Curriculum Matters" series. The next step is a more concentrated distillation of professional and lay expertise and wisdom.

15. I plan to appoint a number of very strong working groups to advise on suitable attainment targets and the writing of the programmes to make sure these targets are achieved in the subjects of the national foundation curriculum. Their reports will serve as the focus for statutory consultation before attainment targets and subject curricula are specified in legislation. I intend to start by setting up, as soon after Easter as possible, a working group on maths and a working group on science. Both groups will be thoroughly professional and small enough to work effectively and will reflect the main interests within and outside the education service who have an essential contribution to make. I shall ask the groups to give priority to the primary phase which has so far received less attention than the secondary phase.

16. There is much work to be done. I welcome the national discussion which will come and after that I propose to send a further memorandum to the Committee.

10 DOWNING STREET

cc BG

Note for the record

DES accepted the changes marked, subject to Welsh agreement. On that basis I accepted that the terms of reference could be published today.

DCW

10/7.

(Revised draft 10 July)

NATIONAL CURRICULUM SUBJECT WORKING GROUPS
TERMS OF REFERENCE

The degree of definition and the requirements to be set for each of these subjects will of course vary widely. But maths, English and science are at the centre of the curriculum and working groups are therefore being established first in these subjects.

1. PREAMBLE

1.1 The Government has announced its intention to legislate for a national curriculum for pupils of compulsory school age in England and Wales. The aim is to equip every pupil with the knowledge, skills, understanding and aptitudes to meet the responsibilities of adult life and employment. Within the secular national curriculum, the Government intends to establish essential foundation subjects - maths, English, science, foreign languages, history, geography, technology in its various aspects, music, art and physical education. The Secretary of State for Wales will be considering what particular provision will be needed to accommodate the distinctive needs of the Welsh curriculum.

1.2 For most foundation subjects, the Government wishes to establish clear objectives - attainment targets - for the knowledge, skills, understanding and aptitudes which pupils of different abilities and maturity should be expected to have acquired at or near certain ages. To promote these objectives, the Government wishes to establish programmes of study for the subjects, describing the essential content which needs to be covered to enable pupils to reach or surpass the attainment targets. Taken together, the attainment targets and programmes of study will provide the basis for assessing pupils' performance - in relation both to expected attainment, and to the next steps needed for the pupils' development.

1.3 The Government wants attainment targets and the content of what is taught to reflect current best practice and achievement. Both the objectives (attainment targets) and means of achieving them (programmes of study) should leave scope for teachers to use their professional talents and

skills to develop schemes of work, ~~to adapt their approach to the needs of each pupil and to respond quickly to new challenges~~. However they will do ~~all this~~ within a set framework which is known to all. It is the task of the subject working groups to advise on that framework. The assessment instruments used, including tests, will be developed separately in the light of the working group's recommendations and those of the TGAT (see 3f below). This group will report by Christmas and I will then invite the Working Group to reflect its findings in their work.

2. THE TASK

2.1 Against this background, the mathematics [science] working group is first, to submit an interim report to the Secretary of State by [30 November] 1987] outlining:

a) the contribution of mathematics [science] to the overall school curriculum which will inform their thinking about attainment targets and programmes of study;

b) their provisional thinking about the knowledge, skills, understanding and aptitudes which pupils of different abilities and maturity should be expected to have attained and be able to demonstrate at or around the end of the academic year in which they reach the ages of (7), 11, 14 and 16. (The working group may recommend that a different age than 7 should be used to check progress in attainment during the first years of primary education, but some checking before the age of 11 is required);

c) provisional thinking about the programme of study through from 5 to 16 which would be consistent with the attainment targets provisionally identified.

2.2 In the light of this thinking, the working group should also make initial recommendations in their interim report about assessment of performance related to the attainment targets, and in particular what might appropriately be measured by externally set tests rather than by other techniques of

assessment.

2.3 By 30 June 1988, the working group is to submit a final report to the Secretary of State, setting out and justifying its final recommendations on attainment targets and programmes of study for mathematics [science].

3. APPROACH

3.1 Working groups will be given an indication of approximately how much time they should assume to be available within the curriculum for mathematics [science]. This time will also be intended to cover the teaching of cross-curricular themes to which mathematics [science] can contribute. The working group should consult informally with relevant interests and have regard to the work of the other subject working groups. Additionally it should take account of:

a) best practice and the results of relevant research and curriculum developments;

b) the national and subject criteria for GCSE, taken together with recent work to establish a more objective approach to measuring attainment through the GCSE, which should provide the starting point for recommendations relating to attainment at age 16 and programmes of study for ages 14-16;

c) the need for continuity and progression throughout compulsory schooling;

d) the contribution which mathematics [science] can make to learning about other subjects and the contributions which these subjects can make to learning about mathematics [science];

e) the need for attainment targets and programmes of study to reflect cross-curricular themes and subjects;

f) the need to devise attainment targets and programmes of study appropriate for pupils of different abilities.

The working group should give particular thought to the application of attainment targets in mathematics [science] to lower attaining pupils; and,

g) the work of the Task Group on Assessment and Testing which the Secretary of State has set up to make early recommendations on common criteria for the assessment framework and the choice of techniques of assessment.

ES

CONFIDENTIAL

ELIZABETH HOUSE
YORK ROAD
LONDON SE1 7PH
01-934 9000

David Norgrove Esq
Private Secretary
10 Downing Street
London SW1

10 July 1987

Dear David,

CONSULTATION ON CHARGES FOR SCHOOL ACTIVITIES

I attach a draft consultation document on charging. You will recall that the Prime Minister in a letter to Gordon Brown during the election campaign said that the Government was "considering how to protect longstanding practice" in this area, and "would do this through consultation with all concerned". There has been recent press and Parliamentary speculation about the Secretary of State's intentions, and he feels it is desirable to proceed soon with the consultations.

The basis of the document is the policy agreed by E(LF) following the review of local authority fees and charges. Namely, that primary legislation should prohibit charging for the central elements of school education, but that the Secretary of State should be empowered to make regulations allowing charges for certain other school activities. The document puts forward this policy without commitment as a possible solution to local authorities' problems under the present law and invites comment upon it.

My Secretary of State feels that this, coupled with a clear statement of the Government's commitment to the principle of free school education, is the right approach. The document emphasises the long-standing nature of charging practices, and is likely to encourage LEAs, whom we know to be concerned about the present position, to argue for a clarification of the law to preserve current practice. It should therefore be clear that the Government is not imposing a system of charging, but reacting to pressures on the ground to clarify the law and protect provision. In due course, further consultations on specific proposals about the borderline between free and chargable provision might be necessary before the details are finalized - this might mean in practice adding clauses to the Education Bill after its introduction.

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In order to go out to consultation this month, it would be helpful to have clearance by Friday July 17.

Copies go to the Private Secretaries to E(EP) members, to Geoffrey Podger (DHSS) because of the suggested remission arrangements for those in receipt of benefit and to Trevor Woolley.

Yours sincerely,

R L SMITH
Private Secretary

CHARGES FOR SCHOOL ACTIVITIES

DRAFT CONSULTATION DOCUMENT

BACKGROUND

1. The Government remains firmly committed to the principle of free school education established by the Education Act 1944. That principle is one of the main foundations of the system of maintained schools. It guarantees for each child, irrespective of parents' financial circumstances, a school education suited to his or her needs, abilities and aptitudes which will be an appropriate preparation for the challenges and opportunities of adult life and employment.

2. There is a general understanding, however, which has been widely accepted since the 1944 Act became law, that the principle of free school education which it established was not intended to prevent LEAs or schools charging parents for what are often loosely described as "extras" in their children's education. As early as December 1944 the Ministry of Education issued an Administrative Memorandum, AM.15, in response to questions about the exact scope of Section 61(1) of the 1944 Act, and whether it prohibited the charging of fees for 'extras'. This concluded that such charges were acceptable in certain circumstances. The range of 'extras' has widened over the years, and now almost all LEAs pass on to parents

some or all of the costs involved in certain school activities. Those activities include, for example, the costs of school visits, and board and lodging during residential field trips. This practice is long-standing, and of almost universal application.

3. However, the legal basis for such charges has become unclear. Section 61 of the 1944 Act states that "no fees shall be charged ... in respect of the education provided" in any maintained school, and while authorising the charging of fees for board and lodging goes on to require them to be remitted in certain circumstances. (Further provision for charges for board and lodging is made in section 52.) A wide interpretation of Section 61 therefore calls into question the legality of much current practice. In 1981, Mr Justice Forbes' judgement on the only occasion on which Section 61 has been tested in the Courts (R vs Hereford and Worcester ex parte Jones, re instrumental music tuition) seems to favour a wide interpretation in respect of activities forming part of the school curriculum. Some recent reports by the Parliamentary Commissioners for Local Administration on cases in Wiltshire, North Yorkshire and Kent have favoured a similarly wide interpretation in respect of charges for board and lodging.

4. These developments have caused LEAs substantial difficulties. They fear that their ability to offer pupils a range of desirable experiences will be severely reduced if they cannot continue their practice of charging. This has begun to happen already in some authorities. In representations to the Department, LEAs have emphasised the long-standing nature of such arrangements, and their

concern that they are now under threat. The Secretary of State acknowledges that concern, and he believes that the great majority of parents who have been willing to pay these charges also value present arrangements and the additional opportunities they afford to their children. There has been no serious claim since 1944 that such arrangements in any way threaten the basic principle of free education, or the spirit of the 1944 Act. But since the interpretation of Section 61 of that Act has been called into question, the Secretary of State has been asked by the local authorities to clarify the legal position.

5. The discussion which follows bears upon the provision to pupils of items or services to which a specific charge is attached. It does not cover voluntary contributions from parents, for which the test is that they are known by parents to be voluntary and pupils do not receive any different treatment whether or not their parents have paid. Such contributions have always been and will remain outside the arrangements covered by the Education Acts.

POSSIBILITIES FOR NEW LEGISLATION

6. There is no question of requiring any LEA to charge for any service it provides. The Secretary of State seeks the views of local authorities and others concerned on the suggestion that legislation be enacted that would

allow authorities, if they wished, to maintain their long-standing practice of charging for certain limited activities. The scope of any such legislation is a matter which the Secretary of State will consider further in the light of comments on this document; but - to illustrate the possibilities - such legislation might

(i) establish much more clearly than at present those items for which no charges could be made. It would, for example, be possible to include a list of such items in primary legislation.

(ii) give the Secretary of State a new power to make Regulations listing those items for which charges might, if the LEA so wished, be passed on to parents. Statutory consultations could be required before Regulations were made or amended, and they could be subject to negative resolution by both Houses of Parliament.

(iii) require LEAs to determine their policy in respect of what charges permitted by the Regulations, if any, they intended to pass on to parents. This policy would then inform the LEA's allocation of resources to individual schools;

(iv) require any LEA intending to pass on charges also to determine arrangements for remission designed to avoid hardship and to ensure in particular that no charges fell to be met by families in receipt of income support or family credit. This policy could also inform the LEA's allocation of resources to individual schools; and

(v) allow the governors of individual schools to require payment by parents for any item covered by the LEA's policy, subject to remission at least as generous as that established by the LEA. The effect of such a provision would be that governors would be free to decide not to pass on some or all of the charges allowed by the LEA, or to remit more generously; but not to charge for additional items, or remit less generously.

(I) DEFINITION OF FREE PROVISION

7. Section 61 of the 1944 Act is expressed in general terms, and its application in particular circumstances has given rise to difficulty. Reformulations in general terms, such as requiring items which 'form part of the curriculum' to be free, but allowing charges for 'extra-curricular activities' would present the same problems.

One way out of this difficulty would be to include in primary legislation a full list of those types of LEA expenditure for which charges could not be made. Such a list might cover all the general costs of running the LEA and its schools, including the employment of teachers and the provision of necessary books and equipment.

8. The Secretary of State invites comments on the following draft of a possible list of items for which it would be unlawful to charge:-

a. the administrative costs of the local education authority including allowances and expenses paid to members of the authority or of the education committee or to governors of a school;

b. the cost incurred in employing teachers and non-teaching staff under a contract of employment with the authority or, in the case of an aided school, with the governors of that school;

c. the cost incurred in establishing the school, enlarging the school or transferring the school from one site to another and in maintaining the school premises;

d. the cost incurred in providing and in

maintaining that equipment which is necessary to enable pupils to benefit fully from the education provided in the school. Equipment in this context includes furniture, books, stationery, materials (for example, chemistry ingredients), instruments (for example, bunsen burners and tools), machinery (for example, lathes), and other equipment (for example, television sets, video recorders and gymnasium equipment);

e. the cost incurred in meeting the fees charged in respect of external examinations;

f. the cost incurred in providing transport between home and school when such provision is required by section 55(1) of the 1944 Act;

g. the cost incurred in providing transport from one site of a school to another site of that school where the school is not located wholly on one site;

h. the cost incurred in providing transport from one school to another, or to an educational establishment which is maintained or assisted by a local education authority;

i. the cost incurred in securing the provision of board and lodging where the board and lodging is necessary for education provided at the premises of the school and the education cannot otherwise be provided by the authority for the pupil.

(II) DEFINITION OF CHARGEABLE ITEMS

9. The draft list in paragraph 8 covers the vast majority of present LEA expenditure, consistent with the spirit of the 1944 Act. But to allow charging for all other items might give authorities too much freedom in this difficult area. The Secretary of State accordingly invites comment on the suggestion that he be empowered to make Regulations allowing LEAs wishing to do so to pass on charges for items specified in those Regulations. The Regulations might be the subject of statutory consultations before they could be laid before Parliament. The Regulations could not of course include any of the items of main-stream provision for which charges were prohibited by the main legislation.

10. The following is a list which might be included in Regulations defining items for which charges might be made:

a. the cost incurred in securing the services of a teacher or of non-teaching staff otherwise

than on the basis of a contract of employment (eg a private music teacher);

b. the cost incurred in meeting any admission charge to any place which is visited by the pupil in accordance with arrangements made by the local education authority or school;

c. the cost incurred in arranging or providing transport (other than transport which the authority are bound to provide pursuant to section 55(1) of the 1944 Act) - eg the trip to the local swimming pool, to the museum, to the theatre or to the residential field study centre;

d. the cost incurred in securing the provision of board and lodging necessary to enable a pupil to receive education which is provided otherwise than at the premises of the school of which he is a registered pupil (eg the residential field study centre);

e. the cost incurred in meeting additional insurance premiums consequent upon engaging in activities away from the school premises.

11. Such a list, and the statutory exclusions suggested in paragraph 8, would be broadly consistent both with the principle of free provision and also with what the

Secretary of State understands to be authorities' current practice. But they would present a number of problems, on which the Secretary of State invites views.

12. First, there is the problem of the charges which are now commonly made for raw materials for craft and home economics lessons which would be ruled out under 8(d) because these are necessary materials. It seems questionable whether the present practice of charging for materials for regular lessons (or requiring parents to supply them - see para 21) can be reconciled with the principle of free education. Even if charging for materials were ruled out, it would remain open to schools to charge parents for any finished product from such lessons if they wished to purchase it (as most probably would). Would this allow current practice to continue broadly unchanged?

13. Secondly there is the question of individual music tuition. If the provision in 10(a) were adopted, charges could only be made for tuition carried out by visiting teachers not employed by LEAs and not for tuition by LEA staff under the terms of their employment. This is a consequence of ruling out charges for the services of LEA teachers. Since 10(a) would enable authorities to pass on charges for private peripatetic staff, it would encourage the 'contracting out' of instrumental tuition. This would be regrettable if it put a stop to

some very desirable practices, as when authorities plan music provision so that school-based instrumental and other work feeds into collective musical activity across the authority so reinforcing provision in the schools. Such authority-wide planning would be much more difficult if the music staff were not employed by the LEA. Does this argue for separate treatment of instrumental music tuition, so that any provision could be charged for, or would that go unacceptably far in the opposite direction of allowing charges for mainstream provision?

14. Thirdly, there is the grey area which surrounds the definition of 'necessary' materials and equipment which would be free under 8(d). For example, if a pupil chose to study photography should all his equipment and films be provided free by the school? If a pupil chose to learn the tuba, should an instrument be purchased for him by the LEA? Current practice in these and related areas varies, but there must always be a practical limit to the obligation on authorities to provide equipment and materials. Is the formulation used in paragraph 8(d) consistent with such a limit, or would it cause authorities further problems?

15. Finally, is there a case for different treatment of trips, which contribute to external examination courses, because schools and parents have less control over such activities? Some authorities now try to make free provision for field trips required for examinations, but it is

difficult to distinguish in practice those visits which may be necessary for an examination course and those which are merely desirable. The list in paragraph 10 would allow charges for any trips and visits, whether or not they were linked to an examination course, and this reflects current practice in many authorities. Is there a practical alternative which would avoid placing too great a burden on LEAs?

(III)-(IV) LEA POLICIES ON CHARGING AND REMISSION

16. Parallel with the general duty on LEAs to establish a curriculum policy, it might be desirable for LEAs to establish and publish their policy on charges and remission arrangements. This policy would have to be consistent with the limits on charges imposed in the regulations, and the requirements as to remission set out in primary legislation. LEAs would then be free to resource individual schools on the assumption that they adopt the LEA's policy in both respects. Such a provision might be included in the legislation.

17. Where LEAs place pupils at fee-paying schools, under arrangements made under Section 6 of the 1953 Education Act, they might be allowed to pass on to parents those charges which relate to items which, under the LEA's policy, were chargeable in maintained schools.

(V) GOVERNORS ROLE

18. Consistent with the general aim of increased financial delegation, the Governors of all schools could be enabled, having considered the LEA's policy and consulted the headteacher, to adopt charging and remission policies for their own school. However it would not be appropriate to allow Governors to extend charges to items beyond those covered by the LEA's policy, nor to remit any less generously than the LEA. They might however choose to use the resources available to them to charge for fewer items, pass on a smaller proportion of their costs or remit at a more generous rate.

19. The proposed new Education Bill will make provision for some schools to apply to be maintained by the Secretary of State rather than by a local education authority. These grant maintained schools might be able to charge, if they chose, only in respect of the items specified by the Secretary of State in regulations. Any school choosing to pass on charges could be required to adopt at least the minimum arrangements for remission. All GM schools could be required to secure the Secretary of State's approval for their policy on charging, so that they would not be able to vary it without his permission.

20. The Secretary of State might include in Regulations a requirement that certain charges could only be levied with the agreement of parents. This could cover, for

example, instrumental music tuition. But, in other circumstances, there would be a case for obliging parents to pay fees which LEAs and governors chose to charge unless they were remitted. Parents would be able to make their views known as local electors, through their representatives on the governing body and at annual parents' meetings and would have opportunities to get the charging policy changed. But it is at least arguable that it would be wrong to allow parents to withdraw pupils from school activities just because they were charged for.

ADDITIONAL PROVISIONS

21. There are 2 further issues on which comment would also be welcome:

(a) Charges in kind. It has been an anomaly since 1944 that while fees are prohibited in respect of education, pupils may be required to provide items of equipment or materials. Such charges 'in kind' do not appear to be covered by section 61 of the 1944 Act. The Secretary of State could include in the proposed legislation a provision to prevent parents being obliged to provide essential items of equipment or materials. Such a provision would raise the problems discussed in paragraph 14, but voluntary provision by parents and the sale of finished products would not be prevented.

(b) Information. the new Education Bill will contain general provisions in respect of information about

children's schooling. These provisions would be used to ensure that parents were fully informed about LEAs' and schools' charging policies and remission arrangements. Since remission arrangements in particular would require regular updating, legislation might require all requests to parents for payment to say where information about current arrangements could be obtained.

TIMETABLE FOR COMMENT

22. The Secretary of State would be grateful for comments from all those concerned before 23 September 1987 so that he can give further consideration to the case for new primary legislation. He recognises that this is a difficult area and that authorities and others will wish to consider in some detail how any change in the law would affect present arrangements. If the ideas discussed in this document were made the basis of statute law there would be a further opportunity to comment on the detailed content of Regulations. Even so, comments on all aspects of the suggestions in this paper would be welcome. Comments should be sent to [ ].

EDUCATION — Policy

cite SH
cc BG

10 DOWNING STREET
LONDON SW1A 2AA

From the Private Secretary

10 July 1987

The Prime Minister has seen your Secretary of State's minute of 9 July about consultations relating to collective worship. She has made no comment on this.

P. A. BEARPARK

Rob Smith, Esq.,
Department of Education and Science

JPM02D4B

ELIZABETH HOUSE
YORK ROAD
LONDON SE1 7PH
01-934 9000

David Norgrove Esq
Private Secretary
10 Downing Street
London SW1

9 July 1987

Dear David,

E(EP)(87)2: BOGUS DEGREES

I understand that "Bogus Degrees" - paper E(EP)(87)2 - will not be on the agenda for the meeting on 15 July, but might be cleared in correspondence instead. It would therefore be very helpful to have any clearance or comments on the proposal set out in the paper, by 15 July if at all possible.

I am copying this letter to Private Secretaries to members of E(EP), Richard Stoate (Lord Chancellor's Office) and to Trevor Woolley.

Yours sincerely,

R L SMITH
Private Secretary

LM

CC/G

PRIME MINISTER 2

P23 9/7

CONSULTATIONS ABOUT THE LAW RELATING TO COLLECTIVE WORSHIP

1. I am writing to make clear what is involved in our consultations about the law on collective worship.

2. The consultations originate from a recommendation of the Education, Science and Arts Committee (ESAC), contained in its report on 'Achievement in Primary Schools' issued last September. The Committee recommended that the present law should be changed to allow flexibility of timing of the act of collective worship during the day, and so that sections of a school may worship separately.

3. The Select Committee took evidence from various religious bodies, all of whom were in favour of amendment to the present law. The Committee's report quoted statements from the Chairman of the Catholic Education Council and of the Board of Education of the Church of England, and from the Methodist Church supporting the need for some change. The Bishop of London is reported as saying in the report that though the Church felt strongly that worship must remain an integral and necessary part of the school's life they did not press for an act of worship every day and wanted the flexibility to allow worship to take place without being in the context of an assembly of the whole school or a major part of the school.

4. In view of this body of opinion, and our own evidence that the present law is frequently broken simply because schools are unable to accommodate a whole-school assembly at the start of the day, I consider it sensible to undertake consultations, to see whether there is wider support for the views put to ESAC and for the Committee's recommendation.

5. I attach a copy of the letter that has been sent to organisations concerned inviting their views. You will see that we have reiterated the Government's views on the value of religious education and made clear that no change in the law either on religious education generally, or on whether there should be an act of collective worship, is contemplated. We have also made clear that we are not committed to any changes at all in the law.

K.B.

KB

9 July 1987

Department of Education and Science

Department of Education and Science
Elizabeth House York Road London SE1 7PH

Direct Line 01-934
Switchboard 01-934 9000
GTN Number 2914

Telex 23171

The purpose of this letter is to seek the views of your members on whether the law should be amended to allow greater flexibility of timing of the act of collective worship during the school day, and to permit sections of a school to worship separately. You may recall that such a change was proposed by the Education, Science and Arts Committee (ESAC) in their report "Achievement in Primary Schools".

The Secretary of State holds strongly to the Government's view, set out in the White Paper "Better Schools" (Cmnd 9469) and elsewhere, that religious education makes a special contribution to the education of all pupils, and should be given the significance it deserves within the curriculum. He reaffirmed this belief during his statement to ESAC on the national curriculum on 7 April. He has no plans, therefore, to propose changes in what the law requires in this respect.

The Secretary of State also believes that collective worship has a special contribution to make to the development of children's personal qualities and attitudes, and to the corporate life of schools. He recognises, however, as did the Committee, that assemblies are often held at some time other than at the start of the day, and that schools frequently gather in sections and not as a whole. He would therefore be interested to know your views on whether the law should be amended when opportunity arises so that these practices are permitted; and whether there are other aspects of the present law, for example its application to pupils of above compulsory school age as well as those aged 5-16, which should also be reviewed.

I should be grateful if your members' views could be sent to Mr J F Bird at the address above by 11 September 1987. The Secretary of State will consider what, if any, changes should be made in the law, in the light of the comments which are received, and will include any necessary provisions in the Education Bill to be introduced this Autumn.

PRIME MINISTER

9 July 1987

We must follow this up

Education : Lessons from America

The visit of the Secretary of Education, William Bennett has proved a great success. Apart from individual meetings and a joint TV appearance with Kenneth Baker, the seminar and dinner at the CPS were also greatly appreciated.

I believe that his style, speeches, publications and tactics contain important lessons for us in winning the education debate in this country.

1. 'What Works'

Everyone I have met who has read What Works (especially the issue on Educating Disadvantaged Children) has been impressed with them. Yet I suspect that these publications are unknown to many Chief Education Officers, local education officials, teachers and lecturers in teacher training colleges in this country.

Secretary Bennett will be delighted to produce a single volume for use in countries other than America - so that we can all share their experience and in particular the success of certain schools in educating under-privileged children.

If these volumes were distributed to all CEOs, head teachers of inner city schools, etc, they could be an important catalyst in the UK situation. The evidence they provide will force our opponents on to the defensive, as the US is

widely acknowledged to have more experience than us in tackling inner city problems.

2. Visit by selected US heads and teachers

The publication of such a volume would be greatly helped if it were to be linked by a visit from some of the teachers who are mentioned as successes.

Once again if we focussed on educating under privileged children, such a group of US heads and teachers (some of whom would be black) could make a real impact in places such as Brixton, Hackney, Liverpool, Manchester, Bristol etc. We could use it so that

(a) the opposition is put on the defensive,

(b) heads and teachers who have been quiet are encouraged to speak out,

(c) we can show in a practical way that our methods work,

(d) we can make this event very attractive to the media.

3. Joint UK-US Education Conference

The focal point for such a visit might be a joint UK-US one day conference. (During my time as an academic I organised a number of highly successful conferences with the US Embassy) Secretary Bennett and Kenneth Baker could be keynote speakers and the audience should consist of

Chief Education Officers, educationalists, heads and senior teachers and education journalists.

We could at this stage introduce discussion of good British schools such as John Loughborough and the Oratory, Brompton.

4. A British Version of 'What Works'

We need a British version of 'What Works'. Successful schools need to be celebrated and held up as examples which others can follow.

We cannot rely on the HMI to produce this: because of their constituency, they would have to hedge anything they said with too many 'ifs' and 'buts'.

But we do need people to identify the schools and we need a vehicle for publishing the results. One possibility might be if Kenneth Baker were to do it through his special adviser. Another might be for it to be done via the CPS. Yet another might be through an independent trust. The publications would be practical and very British.

5. Visits by British teachers to US

Through the US Education Department it would be good if we could encourage a UK/US charity to send UK teachers for a short visit to the US, focussing on inner city schools.

Conclusion

In the early seventies many of us faced an uphill task in trying to sell "monetarism" and refute "Keynesianism". It was an enormous challenge and I believe it was achieved in no small measure due to American support (e.g. visits and writings from Friedman, Brunner and Meltzer, Alan Walters' US connections etc).

We now need to set in train a similar assault on the citadel of the "New Orthodoxy" of contemporary education.

I believe that your support for initiatives such as these, although small, could nevertheless be the crucial factor in changing the climate of debate and gaining acceptance for our policies.

BG.

BRIAN GRIFFITHS

SECRETARY OF STATE FOR EDUCATION AND SCIENCE

ELIZABETH HOUSE
YORK ROAD
LONDON SE1 7PH
01-934 9000

The Rt Hon Peter Walker MBE MP
Welsh Office
Gwydyr House
Whitehall
LONDON
SW1A 2ER

9 July 1987

NRBPM.

Dear Peter

NATIONAL CURRICULUM: ESTABLISHMENT OF WORKING GROUPS

Thank you for your letter of 7 July. I am glad that you are content with our proposals for chairmanship and membership of the science and maths curriculum working groups and of the task group on assessment and testing.

I think the important thing now is to get the groups formally set up as soon as possible so that they can start work this side of the summer holidays. I want to announce the composition and broad terms of reference of the science and maths groups tomorrow. I will amend the latter to make sure that they do not preempt discussion of time allotted to subjects comprised within the national curriculum. I am asking my officials to discuss urgently with yours any remaining points of difficulty you have on these groups' formal terms of reference. I shall also be sending each of the chairmen detailed letters of guidance elaborating on the formal terms of reference. You will have the opportunity to comment on these in draft.

The questions of the total time available for the national curriculum and for individual subjects within it, and of the degree of detail in which the curriculum is to be specified, will be discussed in the consultation document which my Department is preparing and which I hope we can issue as a joint document. I aim to circulate a draft to E(EP) colleagues early next week, for clearance in correspondence. I would be glad to discuss separately with you any particular points which concern you, and proposals you may have for applying the national curriculum in Wales, where clearly some differences will be appropriate.

I am copying this letter to the Prime Minister, Nigel Lawson, Malcolm Rifkind and Sir Robert Armstrong.

Yours

SECRETARY OF STATE FOR EDUCATION AND SCIENCE

ELIZABETH HOUSE
YORK ROAD
LONDON SE1 7PH
01-934 9000.

The Rt Hon Peter Walker MBE MP
Welsh Office
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LONDON
SW1A 2ER

9 July 1987

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I am copying this letter to the Prime Minister, Nigel Lawson, Malcolm Rifkind and Sir Robert Armstrong.

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LCC BG

SECRETARY OF STATE FOR EDUCATION AND SCIENCE

PRIME MINISTER

EDUCATION LEGISLATION: FINANCIAL DELEGATION TO SCHOOLS

As we have agreed, I shall be issuing a series of consultative papers about the main aspects of the Education Bill to be introduced in the autumn. I now attach a draft consultative paper on our proposals for financial delegation to schools. Subject to your views, and to any comments by colleagues, I intend to issue this on Monday 20 July. I should be grateful to have reactions from colleagues by close of business on Tuesday 14 July.

The paper reflects the policy agreed by H Committee on 29 April, and now further developed. It is deliberately framed in fairly general terms but takes account of comments registered by colleagues in H Committee by emphasising the duty of LEAs to give appropriate training to governors and to heads, and by explaining more fully the proposed allocation of responsibilities for staff appointments and dismissals.

Our proposals will be controversial. Although they take account of the developing experience of some LEAs with local financial management schemes, they go further and faster than even the most committed authorities - who are mostly our own supporters - have so far contemplated. We can expect considerable opposition to at least two aspects of our proposal.

First, on the appointment and dismissal of staff, the 1986 Education Act has only recently shifted the balance of responsibility so as to give greater influence to governing bodies of county and controlled schools, whilst leaving the final say to the LEA. The attached draft reflects our intention to give the final say to governing bodies. That will be attacked by local government, who will see it as effectively

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removing from them the power to manage the teaching force which they will continue to employ.

Second, there is bound to be comment on the novel proposal to require LEAs to allocate resources to their schools by a formula largely based on pupil numbers. In my view this proposal is an inevitable consequence of extending financial delegation to virtually all schools; but Cambridgeshire, the first LEA to contemplate it, has already found that there are real practical difficulties about constructing a formula which is accepted locally as fair. We may expect local government to call attention to the practical difficulties and to argue that this requirement will unnecessarily restrict their discretion to provide education in accordance with local needs and wishes.

Omissions

On both these matters, we may need to reflect further in the light of the consultation. I shall report back to colleagues in the Autumn.

I am copying this letter and the paper to the other members of E(EP) and to Sir Robert Armstrong.

K.B.

KB

8 July 1987

Department of Education and Science

DRAFT CONSULTATION PAPER

FINANCIAL DELEGATION TO SCHOOLS

PROPOSAL

1. The Government's proposals for financial delegation to schools have two main objectives:

(a) to ensure that parents and the community know on what basis the available resources are distributed in their area and how much is being spent on each school;

(b) to give the governors of all county and voluntary secondary schools, and of larger primary schools, freedom to take expenditure decisions which match their own priorities, and the guarantee that their own school will benefit if they achieve efficiency savings.

The Government intends to introduce legislation later this year to secure the effective implementation of these objectives during the lifetime of this Parliament. This paper sets out its proposals, on which the comments of all interested parties are now invited.

BACKGROUND

2. School governors and heads have for many years been able to exercise some discretion over the use of "capitation" grant for certain items of expenditure. Many local education authorities (LEAs) have now expressed their view that such discretion should be extended to encompass a larger proportion of school budgets. A number of them have launched experimental projects and have developed appropriate management systems to underpin them. The Government has been encouraged by

the progress made, and impressed by the many examples of benefits gained by individual schools. It wants to enable all schools and local authorities to learn from that experience. The 1986 Education (No 2) Act took the first steps towards extending best practice by formalising the arrangements for capitation and requiring LEAs, from September 1987, to give governing bodies discretion over a sum of money for books, equipment and stationery.

MANAGEMENT BY LOCAL EDUCATION AUTHORITIES AND GOVERNORS

3. The Government believes that it will be essential in the development of wider financial delegation to schools that full account is taken of the experience and expertise already developed by local government, reflecting local needs and circumstances. Its proposals for legislation will provide a national framework for action within which it will be for LEAs in the first instance to propose, after consultation with the governing bodies of the schools they maintain, how school budgets might best be delegated. Once the legislative framework is in place, the Secretary of State will want to draw on the views of LEAs before issuing general guidance on more detailed aspects of the introduction and management of financial delegation.

BROAD OUTLINES OF THE LEGISLATIVE PROPOSALS

4. LEAs would be placed under a new duty to devise schemes of financial delegation which would explain the basis for the allocation of funds to their schools. They would be required to submit these schemes to the Secretary of State. The Secretary of State would be empowered to approve schemes, to reject them, or to approve them with modifications after consultation with the LEA. In the light of experience with the operation of schemes, LEAs might wish to propose variations, and these also would need to be submitted for the Secretary of State's approval. The Secretary of State would want to

see proposals from all LEAs by September 1989. All schemes would need to include a proposed timetable for phased implementation.

5. All schemes would include certain key features, which will be reflected in the legislation and are set out below:

(a) each year, each LEA would be required to identify the total resources to be spent at all of its maintained primary and secondary schools. From that total it would deduct certain items to be treated as centrally-determined expenditure, which the Secretary of State suggests would be:

(i) capital spending and associated debt charges; insurance

(ii) administration currently carried out by the LEA, including pay, tax and superannuation matters; accounts

(iii) provision of advisory and inspection services

(iv) provision of an education welfare service, education psychology service, school library service, and financial, legal and medical advice

(v) supply cover for long term staff absences, and redundancy payments where the need for redundancies is agreed between the LEA and the schools.

(vi) expenditure supported by central government grants

(vii) home to school transport and pupil support.

School meals might also be treated as a centrally-determine item, but the legislation would give school governors

the right to make their own meals provision, provided they could offer a service comparable to that offered by the LEA, and at an equivalent or lower cost.

(b) the LEA would then be required to allocate the total remaining sum between schools in accordance with a formula to be agreed with the Secretary of State. The development of an appropriate formula for its area would be a matter for the LEA, in consultation with the governing bodies of its schools. Legislation, and subsequent regulations, would set out a broad framework within which a formula should be constructed, and would require, in particular, that it should take account of the number and ages of registered pupils at each school. Factors such as differential social need, and different types and sizes of school, would also require consideration.

(c) once an LEA's scheme was fully operational, responsibility for the allocated budget would be delegated to the governors of all secondary schools, and to the governors of primary schools with 200 or more registered pupils of statutory school age. Governors would be free to spend the delegated budget at their discretion, provided that their own, and the LEA's, statutory duties were met. LEAs would have discretion to include within their schemes proposals to extend delegation to smaller primary schools. The Secretary of State would be empowered to extend the provisions of the legislation so as to include primary schools with fewer than 200 registered pupils if in the light of experience that seemed desirable.

6. The Secretary of State recognises that considerable changes in local authority practices might be required in order to accommodate the new developments. He is also aware that a number of substantive issues will arise for local resolution, for example:

(a) the definition of capital and recurrent expenditure - would it be appropriate for the LEA to retain responsibility for maintaining the structure of the building, whilst governors were given responsibility for internal repairs, the decoration and maintenance of buildings and grounds maintenance?

(b) whether schools with community facilities should be given responsibility for the budget relating to youth and adult activities on their premises.

(c) the extent to which schools with delegated budgets should be permitted or expected to carry forward an underspend or overspend from one year to the next.

(d) the need for additional guidance to schools on health and safety aspects of their delegated responsibilities.

(e) the extent to which any allocation formula should allow the LEA to retain a degree of discretion so that marginal adjustments to budgets might be made during the year. The Secretary of State has it in mind, for example, that LEAs might want to operate delegation schemes on a financial year basis but would need to allow for the likelihood that pupil numbers at each school could vary considerably from one year to the next. Or pupils with statements of special educational need might be admitted to a particular school at very short notice and

require an additional input of resources. Alternatively, all schools might be affected by an unanticipated mid-year pay increase for a particular group of staff for which their delegated budgets have made no allowance. All of these contingencies might point to the need for a proportion of total funds to be held in reserve.

7. The Secretary of State would particularly welcome views about these and other similar practical issues which will arise in the development of schemes of financial delegation. To assist his consideration, he has commissioned management consultants to devise a model or models of a financial management information system which would enable an LEA to introduce the maximum possible delegation to schools. He intends to publish the conclusions of their study.

8. The Secretary of State will look to LEAs to consult widely and to develop schemes of financial delegation for his early approval. If a particular LEA were to fail to make appropriate plans, the legislation would give the Secretary of State the power to introduce a statutory scheme for the area on that authority's behalf.

ACCOUNTABILITY

9. As from September 1987, LEAs will be required under the Education (No 2) Act 1986 to provide each governing body with an annual statement of recurrent expenditure at the school and, as they consider appropriate, capital expenditure. This may relate to past or budgeted expenditure, as seems best in local circumstances.

10. The legislation would build on this requirement for public accountability, by placing LEAs under an additional duty to provide information on the total amount spent on central educational services in the authority, and the notional

share of that total which might be attributed to each school. The Secretary of State would expect that the determination of notional shares would take account of the number and ages of pupils at each school.

11. Once a scheme of financial delegation was operating in an LEA, it would be required to publish budgetary information in a different form. The Secretary of State envisages that this might include:

(a) the total resources available to be spent at primary and secondary schools in the coming year, and the amount within that total to be included in the allocation formula.

(b) a description of the allocation formula and the resulting planned expenditure per pupil for each school maintained by the authority, including the smaller primary schools without delegated budgets.

(c) expenditure per pupil at each school on services not included in the allocation formula.

At the end of each year the LEA would be required to publish information on actual expenditure at each school, which could be compared to the original plans.

STAFF

12. The LEA would continue to be the employer of teaching (and non-teaching) staff at county and controlled schools and would retain its existing power to set complements for the staff at aided and special agreement schools. Subject to that, the Government believes that the benefits of financial delegation would only be fully realised if governing bodies were given discretion in respect of how many, and which, staff they should employ. It notes the degree of autonomy

in staffing matters already enjoyed by aided schools. The Secretary of State therefore proposes that, under schemes of financial delegation, the total number of teaching staff within a school would have to lie within a range determined by the LEA. This complement would be expressed in full-time equivalent terms. Decisions on staff within this range would give governing bodies opportunity to vary the mix between expenditure on teaching staff on the one hand and on the other aspects of school activities on the other hand, including non-teaching staff, books and materials.

13. Certain changes to the staffing provisions of the Education (No 2) Act 1986 would be required. The Secretary of State envisages that the selection of headteachers, teachers and other staff would be a matter to be delegated to the governing bodies. In the case of teachers an LEA would need to be satisfied, before an appointment could be made, that the person chosen by a governing body had satisfied the Teachers' Regulations and had appropriate qualifications, and that his or her appointment would not be inconsistent with the delivery in the school of the national curriculum. These arrangements would be very similar to the arrangements for staff appointments currently operating in most aided schools under their articles of Government.

14. LEAs would continue to have the main responsibility for the professional development of their teachers, including appraisal, statutory probation and in-service training. They would rely on the advice of their Inspectorates who would report on the performance and achievement of the schools and the teachers both to the governing body and the LEA. It would be the responsibility of the local Inspectorates to ensure that a common approach to teacher appraisal was followed and common standards applied throughout an LEA's schools, in accordance with an agreed national framework. Funds received under specific grant for in-service training would be allocated by LEAs in accordance with the specific needs of individual schools and the teachers serving in them.

15. Governing bodies would need to provide from within their budget for the costs of cover for short term absences. But exceptional staff costs, for example, where a teacher has unavoidably to be replaced for more than 1 month due to maternity or sick leave, would need to be met by the LEA.

16. It is proposed that any reductions in staffing should be the responsibility of governing bodies within the scheme of delegation. Where the need to reduce staff resulted from a reduction in the approved complement any compensation costs would have to be met by the LEA. Where the requirement for a premature retirement or dismissal in a particular case did not result from a reduction in the complement but represented the agreed outcome of consultation between the governing body and the LEA, the Secretary of State proposes that the LEA would similarly be expected to meet any costs of compensation. Premature retirements or dismissals at the instigation of the governing body with which the LEA did not concur would fall to be financed by the governing body out of its own funds.

17. The Government's expectation is that these arrangements would in practice lead to most changes in staff in schools with financial delegation being made by agreement between the LEAs and the schools concerned, with the initiative resting in most cases with the governors. It would remain open to LEAs, where they considered that some redeployment of teachers would be desirable and drawing on the advice of their Inspectorates, to take the initiative in proposing the movement of individual teachers. But any such moves could only take place with the approval of the governors concerned.

GOVERNORS' DISCHARGE OF RESPONSIBILITIES

18. LEA schemes would need to include arrangements for financial information and monitoring. Delegated budgets would be subject to audit by the LEA's internal auditors. Where the LEA was satisfied that the governing body was

failing to manage its budget effectively or was otherwise failing to discharge its duties it would be able to withdraw governors' discretion over both finance and staffing. The legislation would permit governors to appeal to the Secretary of State against such withdrawal. Where the LEA had withdrawn delegation it would be obliged to review the position at the beginning of every financial year and to restore delegation as soon as it judged this possible.

MAINTAINED SPECIAL SCHOOLS

19. The Government recognises that LEAs could find it difficult to devise a resource allocation formula to include appropriate weightings for the full range of special needs pupils. It is not therefore proposed that the legislation should require that special schools be included within schemes of delegation. However, the Government would welcome any initiatives by LEAs to give the governors of special schools responsibility for the resources attributed to them. It is proposed that the legislation should empower the Secretary of State to extend delegation to all special schools at a later date.

TRAINING

20. The Secretary of State proposes that LEAs should be required, in accordance with the provision of the 1986 Act, to give appropriate training to governors and headteachers. The Department will discuss with interested parties how this training might best encompass training on financial management. The Department would be ready to give detailed advice to LEAs, governors and headteachers on schemes of financial delegation, including appropriate management and financial information systems, in the light of a study now being undertaken for it by management consultants.

CONSULTATION

21. Comments on these proposals are now invited, and should be forwarded by 16 September 1987 to Mrs R Turp, Room 3/54, Elizabeth House, York Road, London SE1 7PH.

CCSG

SECRETARY OF STATE FOR EDUCATION AND SCIENCE

ELIZABETH HOUSE
YORK ROAD
LONDON SE1 7PH
01-934 9000

David Norgrove Esq
10 Downing Street
London SW1

8 July 1987

Dear David,

EDUCATION LEGISLATION: MORE OPEN ENROLMENT

Thank you for your letter of 3 July recording the Prime Minister's comments on the draft consultative paper attached to my Secretary of State's minute to her of 30 June.

In the light of the Prime Minister's comments, we have removed paragraph 5 of the draft my Secretary of State circulated and have redrafted what is now paragraph 5 so as to make clear that the argument about the provision of efficient education or the efficient use of resources would bite only in circumstances where LEAs or governors were being pressed to admit higher than the new minimum higher level. The objective is to ensure that intakes are permitted to the limit of a school's physical capacity but that LEAs would not be obliged automatically to increase that capacity, either on a temporary or a permanent basis, unless this was clearly justified.

I enclose a copy of the paper with these amendments incorporated. My Secretary of State plans to publish it later this week.

I am sending a copy of this letter, and the revised draft, to Trevor Woolley (Cabinet Office).

Yours sincerely

R L SMITH
Private Secretary

ADMISSION OF PUPILS TO MAINTAINED SCHOOLS

1. The Government is committed to securing wider parental choice within the system of state schools. It intends to bring forward legislaton during this session of Parliament to change the present arrangements for schools' admissions so that local education authorities (LEAs) and governing bodies, depending on who is responsible for admissions policy at the schools concerned will be required to admit pupils up to the limits of the available capacity of each school. This paper sets out detailed proposals and invites comments from interested parties.

The present position

2. Under the provisions of the Education Act, 1980, parents may express a preference for whichever maintained school they wish their child to attend. The LEA, or governors as the case might be, must each year determine admission limits for their schools, together with criteria for determing admissions in the event of oversubscription. The Act provides that each school has a "standard number", which is usually the number of pupils admitted to the school in the 1979-80 school year. The LEA or governors are free to set the limit lower than the "standard number" by up to 20% without reference to the Secretary of State, and may seek his approval to set an even lower limit by making statutory proposals under Section 15 of the Education Act 1980. The admission limit for a school may therefore vary from year to year and need not bear any close relationship to its available capacity. As a result, pupils whose parents wish them to attend a particular school may not be admitted although the school could accommodate more children.

3. In this way, artificial limits are placed on the ability of popular schools to recruit up to their available capacity. As school rolls have fallen, there has been widespread use of the flexibility available under the 1980 Act to spread intakes among schools. This has often inhibited and delayed necessary rationalisation of schools provision and at the same time acted as a barrier to the exercise of effective parental choice.

The Government's Proposals

4. The Government proposes to legislate so as to require schools, if there were a demand for the places, to admit pupils up to their "standard number". In the case of primary schools, the "standard number" as defined under Section 15 of the 1980 Act would be redefined to take account of all pupils admitted to a reception class of the school, including those below the age of 4 years 6 months and any who came up to the main school from a nursery unit or class. If admissions to any primary or secondary school were above the "standard number" in the school year immediately preceding implementation of the new legislation, the "standard number"

would be redefined as the higher figure represented by those admissions. If a school had the existing physical capacity to take an even higher figure, and the LEA or governors wished to adopt that higher figure as their admissions limit, they could do so without the prior agreement of the Secretary of State. Where whichever of the LEA or governing body was not responsible for admissions to a school wished to propose that the school's admission limit should be raised beyond its "standard number", the legislation would enable it so to propose to those responsible for admissions and, in event of that proposal not being agreed, to seek an Order from the Secretary of State. LEAs or governors would need to secure the Secretary of State's approval if they wished on grounds of the school's physical capacity or type of accommodation to apply a lower "standard number". Other arguments for a lower "standard number" would not be admissible.

Admission Procedures

5. Subject to these changes and to consequential amendments to disapply Section 15 of the Education Act 1980, LEAs and governors would be required, from the school year for which the change was implemented, to operate admissions policies, and admit pupils to schools following the procedures which presently exist under Sections 6-8 of the Education Act 1980, but against the higher admission limit. They would, as at present, be obliged to publish information about their schools, including details of the admission arrangements. Parents would have the right to express a preference as to the school at which they would like their child to be educated, that school being anywhere in the LEA in which they live or within the area of another LEA. Admissions policies will need to be determined in the light of the new higher limits which will be established by the legislation. LEAs and governors will be obliged to admit pupils up to these newer higher limits except where to do so would:

i. in the case of an aided or special agreement school, be incompatible with any admission arrangements agreed between the governors and the LEA, or

ii. in the case of selective schools, be incompatible with the selection arrangements.

They could admit a higher number of pupils unless to do so would prejudice the provision of efficient education or the efficient use of resources. Parents whose preference could not be met would be offered a place for their child in an alternative school and, if dissatisfied over a child's non-admission to their preferred school, would have the right of appeal to a statutory local appeals committee. Arrangements for the provision of school transport would remain as they are at present.

Implementation

6. The intention, subject to enactment of the necessary legislation, would be to apply the new provisions to secondary schools from September 1989 and to primary schools from a later date, should that then be appropriate. Until the new provisions applied, LEAs and governors would continue to be subject to the provisions of Section 15 of the 1980 Act.

Consultation

7. The Secretary of State would welcome comments on his proposed procedure for removing artificial barriers to recruitment. These should be sent to Mrs R Turp in Room 3/54, Department of Education and Science, Elizabeth House, York Road, London SE1 7PH by not later than 16 September 1987.

CCB/6

Y SWYDDFA GYMREIG
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WHITEHALL LONDON SW1A 2ER
Tel. 01-270 3000 (Switsfwrdd)
01-270 0538 (Llinell Union)
Oddi wrth Ysgrifennydd Gwladol Cymru

WELSH OFFICE
GWYDYR HOUSE
WHITEHALL LONDON SW1A 2ER
Tel. 01-270 3000 (Switchboard)
01-270 0538 (Direct Line)
From The Secretary of State for Wales

The Rt Hon Peter Walker MBE MP

7 July 1987

CONFIDENTIAL

EDUCATION LEGISLATION: MORE OPEN ENROLMENT

You copied to me your minute of ~~30~~ June 1987 to the Prime Minister.

I am content with the thrust of your proposals and would propose to consult upon them similarly in Wales. I entirely agree with you - for presentational as well as practical reasons - that we should leave implementation in respect of primary schools to a later date.

... I am copying this letter to the Prime Minister, to members of E(EP) and to Sir Robert Armstrong.

The Rt Hon Kenneth Baker MP
Secretary of State for Education and Science

EDUCATION: POLICY PT13

CCPG

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Tel. 01-270 3000 (Switchboard)
01-270 0538 (Direct Line)
From The Secretary of State for Wales

The Rt Hon Peter Walker MBE MP

7 July 1987

NRBM.

NATIONAL CURRICULUM: ESTABLISHMENT OF WORKING GROUPS

Thank you for copying to me your letter of 25 June to the Prime Minister. I am content with the proposals for chairmanship and membership of the three groups. I would though not want to see the remits agreed if that were to pre-empt discussion at E(EP) of issues such as the proportion of the total time available which the foundation curriculum is to occupy and the degree of detail with which it is to be specified. It is the intention that E(EP) should discuss the terms of reference of the groups?

I am copying this letter to the Prime Minister, Nigel Lawson, Malcolm Rifkind and Sir Robert Armstrong.

The Rt Hon Kenneth Baker MP
Secretary of State for Education and Science

EDUCATION: Pdcy on Ed Exp Pt 13

010/2986

CCBG

CONFIDENTIAL

Treasury Chambers, Parliament Street, SW1P 3AG

The Rt Hon Kenneth Baker MP
Secretary of State for Education & Science
Department of Education and Science
Elizabeth House
York Road
London
SE1 7PH

NBM

6TH July 1987

Dear Ken,

HMI EXPENDITURE REPORT

You copied to me your letter of 30 June to Willie Whitelaw on this subject.

The press notice commenting on the report advocates a sustained programme of repair and maintenance for school buildings, and increased provision for the GCSE. I am concerned to avoid appearing to urge additional expenditure on local authorities. The point to be made is surely that these expenditures deserve higher priority within existing provision. I therefore suggest that on the second page, in the second paragraph, the last sentence should read:

> "This higher priority will need to be sustained over several years ..."

and that the last sentence of the fourth paragraph on that page should be amended to read:

> "I hope that HMI will find that due priority is being given to GCSE this autumn ..."

In the factual press notice, I would rather not describe the list of increases in provision and expenditure on the second page as "positive features". I suggest that "areas of increased provision" should replace the words "among the positive features". I think, incidentally, that "increasing" in the first indent of this paragraph should be "decreasing".

EDUCATION

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PT73

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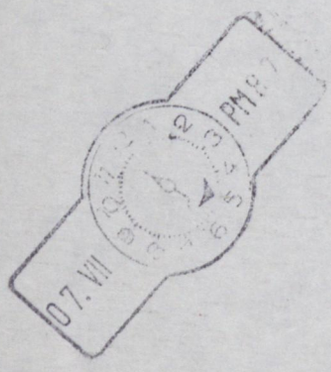
I recognise that you are not seeking comments on the report itself, which is an expression of HMI's own judgments. It may however be worth offering the reaction that there seems to us to be scope for being more explicit about the criteria on which some of the professional assessments in these reports are based, particularly where the adequacy of resources is in question. We also thought that these reports could be clearer about the relationship between levels of provision on the one hand and the results achieved on the other. For example, the report emphasises the variation in provision which exists as between LEAs. It does not say much about the extent to which higher provision is justified by better results or, conversely, whether lower provision necessarily means worse results. Greater attention to the issues of efficiency and effectiveness would be welcome.

I am copying this letter to the Prime Minister and other Members of the Cabinet, and to Sir Robert Armstrong.

Yours ever,

JOHN MAJOR



FILE
ECH

10 DOWNING STREET

LONDON SW1A 2AA

From the Private Secretary

3 July 1987

Dear Rob,

EDUCATION LEGISLATION: MORE OPEN ENROLMENT

The Prime Minister has seen your Secretary of State's minute of 30 June to which was attached a draft consultative paper about more open enrolment.

The Prime Minister is content with the draft consultative paper save that she fears that the two passages quoted below could give hostile LEAs loopholes which might be used to frustrate the policy. The two passages in question are from paragraph 5 and paragraph 6, as follows:

> "LEAs and governors would be required to keep the "standard numbers" of their schools under regular review in order to take account of changes in physical capacity or type of accommodation and of the requirements of the regulations governing the standards for school premises."
>
> "....LEAs and governors would be obliged to meet preferences unless such admissions would, against the higher limits operative,
> (i) prejudice the provision of efficient education or the efficient use of resources."

The Prime Minister believes that these sentences should be omitted unless they are strictly necessary to meet the terms of any relevant legislation or to allow LEAs to have regard to safety regulations. If some such phrases are required they should be drawn as tightly as possible to limit the risk of misuse.

I am copying this letter to the Private Secretaries to members of E(EP) and to Trevor Woolley (Cabinet Office).

Yours,

David.

DAVID NORGROVE

R.L. Smith, Esq.,
Department of Education and Science.

RESTRICTED

file DTS

10 DOWNING STREET
LONDON SW1A 2AA

From the Private Secretary

2 July 1987

TERTIARY COLLEGES

Your letter of 30 April was held pending the General Election. I just thought I would write to confirm that the Prime Minister has seen it, and is quite happy with the line being taken, in particular, as described in paragraph 8.

P A BEARPARK

R. L. Smith, Esq.
Department of Education and Science

RESTRICTED

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Prime Minister!
Agree to suggest these changes, subject to meeting the requirements of the relevant legislation and having regard to safety?
DRN
2/7.

pps ~~please~~ flap

Yes mt

Prime Minister

1 July 1987

Education Legislation: More Open Enrolment

We need to make sure that hostile LEAs do not have loop-holes which could be used to frustrate our policy.

In this connection the following need to be questioned.

1. Para 5

"LEAs and governors would be required to keep the "standard numbers" of their schools under regular review in order to take account of changes in physical capacity or type of accommodation and of the requirements of the regulations governing the standards for school premises."

Do we need to say this? If I were an education officer in an LEA I would certainly do my best to use this to reduce "standard numbers" in my schools.

It seems to me to be redundant.

But "regulations" may also include quite proper safety regulations.
DRN.

2. Para 6

..... "LEAs and governors would be obliged to meet preferences unless such admissions would, against, the higher limits operative,

(i) prejudice the provision of efficient education or the efficient use of resources."

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Once again LEAs will surely claim that allowing greater parental choice will lead for an inefficient allocation of resources.

Why put the ball in their court?

Both these passages should be dropped.

BRIAN GRIFFITHS

CONFIDENTIAL

cc BG

COVERING CONFIDENTIAL

SECRETARY OF STATE FOR EDUCATION AND SCIENCE

cc Private Secretaries to Cabinet Ministers
Trevor Woolley

Mike Eland Esq
Private Secretary to the Lord President
68 Whitehall
London SW1

2 July 1987

Dear Mike
HMI EXPENDITURE REPORT
My Secretary of State wrote to the Lord President on 30 June enclosing a copy of the HMI Expenditure Report a revised version of which I sent you yesterday — minus the last page! Here is the last page with my apologies. with DRN?

Yours sincerely
Alison Kennedy

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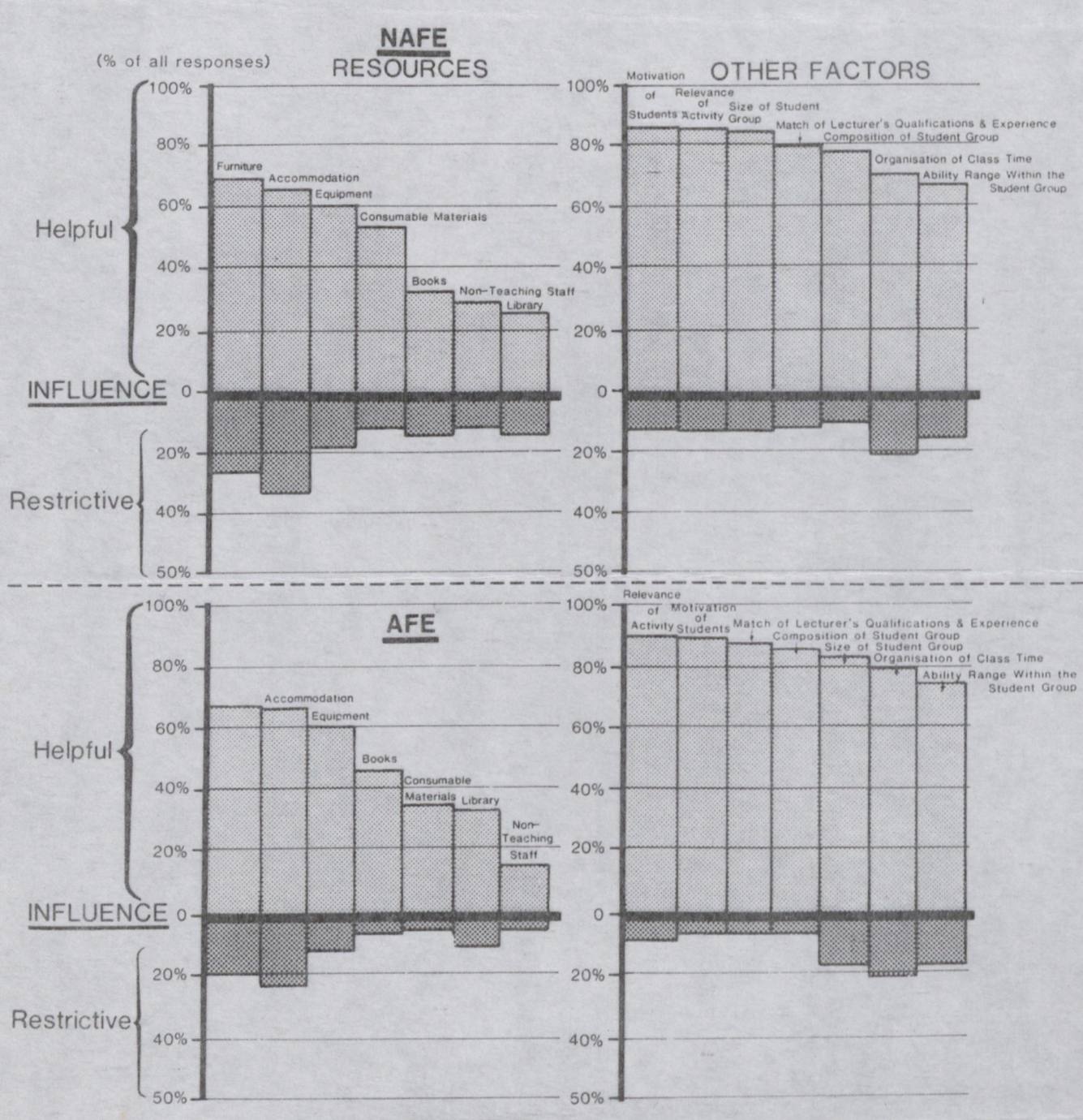
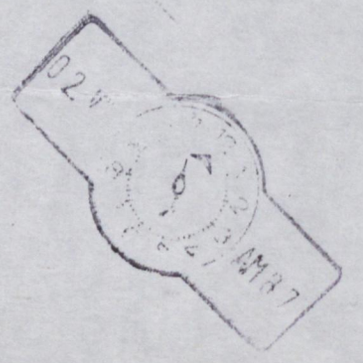
Figure 5

RESOURCES & OTHER FACTORS AFFECTING QUALITY OF WORK



See paragraph 79 for the relevant text. The figure shows the percentage of classes seen where a particular resource or other factor was judged to be having a helpful or restrictive effect.

EDUCATION
POLICY



House of Lords

The Prime Minister,
10 Downing Street,
LONDON SW1.

1st July 1987

Dear Prime Minister,

We are writing to express the fears of our Education Study Group at the Centre for Policy Studies about the possible outcome of the deliberations of the Kingman Committee on English Language and of the likely consequence of such on the composition of a syllabus in English for the proposed National Curriculum.

With the exception of the evidence submitted by the Standing Conference on University Entrance (copy enclosed) all the indications are that the submissions will be overwhelmingly against a return to the teaching of a prescriptive model of grammar. This is certainly the line taken by the NUT, NATE (National Association for the Teaching of English) and the ACC which has approved a document originating from its advisers (despite Conservative opposition led by Professor Arthur Pollard).

Their line is what John Marenbon in a new Centre for Policy Studies pamphlet, English our English, has condemned as "the new orthodoxy". The teaching profession and the Inspectorate are deeply infiltrated by it. Basically, it denies the idea of any "correct" English and seeks (i) to describe rather than prescribe and (ii) to accept ungrammatical English provided it appears to express the writer's thoughts and feelings.

We are deeply concerned that the Kingman Committee will report no more decisively than did the Bullock Committee. We therefore hope that we can enlist your sympathy and assistance in ensuring that there is a retuurn to older methods and standards (Marenbon makes an unassailable case) and that "the new orthodoxy" is not allowed to entrench itself via the Kingman Committee in the proposed National Curriculum.

If you would like further information or to meet us, we and Arthur Pollard would be willing to supply it or to come to see you.

Yours sincerely,

Caroline Cox.

The Baroness Cox
Chairman

John Marks

Dr. John Marks
Secretary

Encs.

Standing Conference on University Entrance

ENGLISH LANGUAGE TEACHING

Written evidence to the Committee of Inquiry
into English Language Teaching
('The Kingman Committee')

1. The Standing Conference on University Entrance welcome the establishment of this enquiry into English Language teaching not only because it is opportune to assess and possibly re-direct such teaching in itself, but also because of the widespread concern in universities about the decline in standards of English both among students and in public use in general.

2. We must particularly mention the concern expressed by colleagues in scientific and technological disciplines about the lack of literacy even among academically better qualified students. We are also aware that many graduates are required as a routine function of their employment to read and write reports and similar documents demanding a ready and accurate comprehension of the language.

3. We accept that there is such a thing as 'Standard English' in so far as this phrase refers to 'patterns of grammar and vocabulary' (1). To these patterns we would also add that of punctuation.

4. We believe that the definition of a model of English will greatly assist in the teaching of grammar which is not only necessary for a command of the native written language but may also help in the study of many foreign languages.

Teacher training

5. Before making our own suggestions we would draw attention to the current unsatisfactory state of English Language teaching, affecting even what, and in what ways, things should be taught or not taught (2). Rigour and correctness in the teaching of English have often been sacrificed in the interests of creativity and free expression, to the neglect of a very large and important part of the everyday use of English which is functional rather than expressive.

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(1) Strevens, quoted English from 5 to 16, Second Edition, p. 36.
(2) This is well illustrated in the fourth sub-paragraph of the Conclusions of English from 5 to 16: Responses (Second Edition, p. 45).

6./ There ...

6. There is a major problem within the teaching profession itself. A 'lost generation' of some twenty years of teacher-trainees has received little systematic instruction in the grammatical structures of the language (3).

7. We would recommend that there should be a specific and significant element of such instruction in all PGCE and B Ed courses for those intending to specialise in English. We also believe that a large-scale intensive INSET programme, intended for teachers in general, not just for teachers of English, should be instituted, with courses devoted particularly to the structure of the language. This programme should seek to convey not only the importance but also the excitement of language-learning.

The model of English

8. It is important that pupils be taught to construct and express argument logically and succinctly. This entails a mastery of the sequence, ordering and emphasis of thought and the appropriate arrangement of it in sentences (both simple and complex) and paragraphs within a coherent whole. It must be stressed that sentence construction necessitates a command of detailed mechanical skills.

9. In this regard English is systematic, despite its exceptions. It can and should be taught as such. 'Our spelling is not a chaos, our punctuation is not a pedantic extra, our grammar is not solely the parts of speech' (4). Especially in its written form the language has rules, and a proper command of it requires that they be taught explicitly, not just picked up as the pupil goes along. The undeniable utility of 'Standard English' means that prescriptive rather than descriptive models of language are necessary for teaching purposes.

10. The teaching of English Language should also be systematic. What is needed is early and regular pupil practice related to prescribed patterns. By this means the necessary familiarity will be established.

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(3) It is sufficient to quote a recent article in The Times Educational Supplement by John Pearce, former Cambridgeshire HMI: 'One might have thought that most teachers in training would learn about these things. Some do, but they are usually training for EFL, ESL or multicultural work; only a handful of the PGCE courses that train English specialists give these matters house-room, let alone due priority.'

(4) John Pearce, ibid.

/11. The ...

11. The old-style grammar-book has gone out of fashion and, even where a dutiful nod is made in the direction of that type of instruction, the element devoted to teaching of language models in currently popular text-books is often minimal (5). It should be emphasised, however, that such teaching needs to be started at least in the junior forms of secondary schools, if not before.

12. It seems to us that the objection to prescriptive models for the teaching of English Language has arisen from dissatisfaction with the Latinate model. Objection to this model does not however necessarily invalidate prescriptive approaches based on more recent grammars such as those produced by Sir Randolph Quirk and his various collaborators. Suitably simplified versions might be produced for teaching purposes.

Objectives in teaching and testing

13. Our comments above indicate that we believe that a series of objectives in language teaching can be envisaged (6). We welcome the idea of targets at ages 7, 11 and 16 but, in view of the wide range of abilities, we believe that there will be some need for differentiation.

14. To achieve effective teaching it will be necessary also to have effective testing. We should like to see the re-introduction of questions on grammar for pupils of the 16+ age group to ensure that necessary attention is devoted to language. Recognising that the GCSE national criteria for English require candidates to 'exercise control of appropriate grammatical structures, conventions of paragraphing, sentence structure, punctuation and spelling in their writing', we hope that the Committee will recommend that explicit and challenging questions devoted to the structure of the language be introduced into that examination.

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(5) An example of this in one of the better books in use is the six pages in Roger Jones's Revise English. As a contrast, the Committee might well look at, say, T W Knight's A New Comprehensive English Course (Hodder, 1958; 14th impression, 1985) for candidates at 16+.

(6) Such a series was admirably set out in the original version of English from 5 to 16 under the headings 'Writing' and 'About language'. We would strongly support this statement by contrast with the much diluted version contained in the Appendix to English from 5 to 16: Responses (Second Edition).

June 1987

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cc BS
(w/out report)
cc BI

ELIZABETH HOUSE
YORK ROAD
LONDON SE1 7PH
01-934 9000

Prime Minister 2
Mr Baker's "comments" and the press notice are well judged. This should cause less difficulty than last year's report.
DRN
3/7.

Rt Hon Viscount Whitelaw PC CH MC
Lord President of the Council
68 Whitehall
London
SW1

30 June 1987

CF
cc covering letter and first eight pages to BI please. Then pa
DRN

Dear Willie,

As you will know, HM Inspectorate produces each year a report about local authority expenditure on education and its relationship with teaching and learning. We have published the last six. I attach a copy of the latest, and copies of a factual Press Notice about the report, and of a brief statement which I intend to issue. I propose to publish the report on Tuesday 21 July. If asked why it was not published in May as usual, I shall point out that I did not receive it until 19 June.

There are some changes in the structure of the report this year. In particular, statistical data has been cast into tables and figures to make the text more readable. The title has been changed to reflect what this report has come to be about: LEA provision for education and the quality of response to that provision.

As you will see from the Press Notices the main findings remain similar to those of previous years: most provision and response is satisfactory or better but the pattern is uneven. The condition of school and college buildings and book supplies are weak points: there were very wide variations in the resources made available by LEAs for the GCSE. But there are many positive points too including, in relation to policies which we have introduced, signs of success for the Technical and Vocational Education Initiative Education Support Grants and the MSC involvement in work-related NAFE; see for example paragraphs 23 and 25.

In my comment I have drawn attention to HMI's observations on the scope for LEAs and teachers to make better use of the resources at their disposal. This is all the more important given that LEAs have chosen this year and last to increase the volume of their spending. It is equally important that I acknowledge that some of the improvements needed have a cost.

The report represents an independent professional judgement by HM Inspectors of the current state of affairs based on inspection.

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I send it to you for information; it will go to the printers very shortly. If colleagues wish to comment on the publicity material I should be grateful if they would do so by close of business on Monday 6 July.

Copies of this letter and its enclosures go to the Prime Minister and other Members of the Cabinet and to Sir Robert Armstrong.

KENNETH BAKER COMMENTS ON HMI REPORT

Education Secretary, Kenneth Baker, issued the following statement on the HMI report published today on "LEA Provision for Education and the Quality of Response in Schools and Colleges in England - 1986".

"This is the seventh report in this series published since 1981.

It is about the provision which local education authorities make for education, and about how pupils and students respond to that provision.

In nearly 7 out of 10 school classes which HM Inspectors observed, provision was satisfactory or better. In just over 8 out of 10 classes the response of pupils was satisfactory or better.

In further education, over 80% of the provision, and nearly 90% of the response, was judged satisfactory or better.

So far, so good. But as Secretary of State I am eager that the education service should remedy what is now unsatisfactory, and make what is now satisfactory even better.

More money does not equal better education. HMI again make the case for clearer perception of pupils' needs and better management of staff and resources. They say that "unsatisfactory standards of provision are more often related to ineffective deployment of people and resources than to shortages of the resources themselves".

Local education authorities will want to act on those findings. The Government is funding training programmes to support their efforts.

Of course well directed additional resources can help. We are spending more on education. In 1986-87 local education authorities budgeted to spend 6.9% more in real terms on education than in 1985-86. After taking account of inflation, that is a real increase of £750m. This year's budgets indicate a further real terms increase of 4.7%. These budgeted increases had not fully worked through by last autumn when HM Inspectors made the visits on which this report is based. But HMI found clear signs of better staffing, and higher capitation allowances.

HMI continue to express concern about the condition of school and college buildings and their furniture. Local education authorities have told me that they wish to give higher priority to repairs and maintenance. This year's Rate Support Grant settlement allows for that. We shall need a sustained programme stretching over several years to put right a problem which has grown up over a long period.

HMI found provision of books, equipment and materials to be satisfactory in most LEAs. I hope schools will look very hard at the way books are used. It is disturbing that in many visits HMI found that books were ignored even though there were adequate stocks.

HMI Inspectors found that the introduction of the GCSE was, on balance, having a beneficial effect on pupils. They comment, however, on the very uneven provision made by LEAs for the introduction of the GCSE. Autumn 1986 was early days, but I fully share their concern. The last Rate Support Grant settlement allowed for all the expenditure which LEAs said they wanted to incur on the GCSE this year. We are continuing to help through Education Support Grants. I hope that HMI will find more satisfactory provision this autumn when the second group of youngsters begin their GCSE courses.

I was pleased that HMI found further and higher education in a healthy and responsive state with buoyant enrolments. It is particularly pleasing that the new development plans for work-related non-advanced further education are leading to better targetting of provision.

Local authority education overall is now better resourced than ever before. We have given school teachers more pay, a new salary structure and clearer duties. The way is now clear for the service to devote its energies to remedying the weaknesses, and building on the strengths, which HM Inspectors have reported."

NOTES FOR EDITORS

1. The report is the tenth in a series of annual reports by HMI. It is based on HMI's visits to schools and colleges last autumn and on returns made by District Inspectors last November for each of the 97 LEAs in England, except for the Isles of Scilly.

2. This is the seventh time such a report has been published, the first being in 1981.

DRAFT FACTUAL PRESS NOTICE

HM INSPECTORS REPORT ON LEAS PROVISION FOR EDUCATION AND THE QUALITY OF RESPONSE IN SCHOOLS AND COLLEGES

The latest in the series of annual reports on educational provision in England by Her Majesty's Inspectorate* confirms their judgement that most classes, both in schools and in FHE, received at least satisfactory teaching and other provision. But in a substantial minority of lessons there is room for better perception of pupils' needs and more appropriate teaching styles.

HMI find that the general position is similar to that reported last year, with resources more available and better used in further and higher education than in schools.

They detect several areas of improvement - notably in the quality of advisory support to schools and of in-service training for teachers. Levels of expenditure on maintaining education premises and on books and materials have generally increased, but the effects of these increases have not always been sufficient to reverse long-standing problems mentioned in previous years' reports.

"In many LEAs problems, by no means confined to older buildings and often exacerbated by serious vandalism and arson, lead to an increasing backlog in repairs and maintenance."

The supply of teachers is generally adequate, but HMI report that "while better LEA management of the teaching force could do more to ensure that these teachers are deployed in the most appropriate ways, there remain some serious shortages which cannot be resolved in this way".

Better clerical and technical support in some government-funded projects "threw into relief the lower levels generally available". Specific government funds (Education Support Grants) were having helpful effects in areas such as primary school mathematics

*LEA Provision for Education and the Quality of Response in Schools & Colleges in England - 1986"

and work-related non-advanced further education, and in the main "schools and colleges have made strenuous efforts to respond to national and local expectations and initiatives".

Parents are continuing to offer substantial support to schools in cash and kind. "In just over five per cent of primary schools visited parental contributions more than double capitation allowances".

The report confirms the variations which have grown up and which continue to widen between different LEAs and from school to school. In particular the introduction of the new 16+ GCSE examination was being supported by sizeable additional funds in some local authorities, but others had given little extra finance.

Among the positive features noted in this year's report were the following:

- The pupil teacher ratios in primary and secondary schools were again increasing slightly;

- There were slight improvements in the levels of non- teaching staff;

- There were increased numbers of advisers and advisory teachers and an improved service to schools;

- Spending on the maintenance of schools was generally higher in real terms than last year;

- There were higher capitation allowances for school books, materials and equipment;

- In further and higher education enrolmments were buoyant;

- The provision made for pupils and students and their response to this were satisfactory or better in the great majority of cases.

Some of the weaknesses observed were:

- The persistence in primary schools of some classes over 35;

- Poor deployment was judged to be exacerbating the problem of teacher shortages;

- Despite oases, such as some TVEI schools, the quality of non-teaching support for the curriculum remained generally deficient;

- There was a lack of advisory support for FHE;

- The unsatisfactory state of many buildings persisted, especially but not exclusively in schools;

- There was increasing evidence of poor provision and use of libraries and books generally, in secondary schools, and there were some problems over obsolete equipment.

HMI consider that there is room for bringing about improvement through

- more effective management of teaching and non-teaching staff;

- Developing clearer perceptions of pupils' needs and providing appropriate educational experiences;

- Setting clearer priorities over staff development and in-service training;

- Better use of computing and IT;

- The directing of resources to the areas of greatest need;

- More effective leadership and management of resources in all levels in schools.

As in previous years, HMI report that "while levels of resource provision are important, the quality of teaching is vital to the effectiveness of education".

NOTES FOR EDITORS

1. The report is the tenth in a series of annual reports by HMI. It is based on HMI's visits to schools and colleges last autumn and on returns made by District Inspectors last November for each of the 97 LEAs in England, except for the Isles of Scilly.

2. This is the seventh time such a report has been published, the first being in 1981.

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HMI EXPENDITURE REPORT: DRAFT INSPIRED QUESTION

To ask the Secretary of State, when he expects to make available the report of HMI on the effects of local authority expenditure policies on the education service in England in 1986.

MR KENNETH BAKER

The HMI Report on the educational provision made by LEAs in England, and the quality of response to that provision, as observed in the autumn of 1986 has been published today. Copies are available in the Vote Office. This is the seventh report to be published since this Government decided that HMI's findings should be made generally available. Like its predecessors it should be essential reading for all concerned with the provision of education.

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FOR THE USE OF THE INSPECTORATE ONLY

LEA PROVISION FOR EDUCATION AND THE QUALITY OF RESPONSE IN SCHOOLS AND COLLEGES IN ENGLAND - 1986

(A REPORT BY HM INSPECTORS)

INTRODUCTION

1. This is the tenth of HM Inspectorate's short annual reports on the educational provision made by LEAs in England and the quality of the response to that provision of pupils in schools and students in colleges and other educational establishments. It is based on two kinds of evidence: that derived from our routine and specifically programmed visits to schools and colleges during the autumn term of 1986; and the returns made in November 1986 by our district inspectors (for schools, and for further and higher education) for each of the 97 Local Education Authorities (LEAs) in England (except for the Isles of Scilly), which combined their assessments with data supplied by the LEAs themselves.

2. As in previous years, this report seeks to cast light upon the efficiency and effectiveness with which resources are being provided at a time when expectations of education are both rising and changing. The levels of resources available and the complex relationship between what is spent on education and the quality of what is actually provided in schools and colleges continue to be a focus of public attention. In inspection visits, HMI assessed the provision made for pupils and students and their response, as well as exploring a number of factors which contributed to the quality of what was observed. Such factors included the quality of teaching, the level and appropriateness of the resources available and the management and deployment of those resources.

3. The data collected from the autumn 1986 visits cannot be taken as statistically representative of the country as a whole, of any one LEA, or of any type of institution; this is not, and never has been, an annual report on the state of education in England. Furthermore, the sum of the observations of individual lessons cannot be directly related to the assessments made by

district inspectors of LEAs' provision overall. But the observations are sufficiently numerous and diverse to give some indication of current trends and to provide a reasonable picture of the general position in schools and further and higher education, particularly when set alongside information from previous expenditure reports and other HMI publications.

4. The district inspectors' returns consist of statistical and financial information provided by each LEA about overall levels of expenditure and the distribution of resources in each authority for the years 1985/86 and 1986/87 and the district inspectors' broad assessment of the appropriateness of that provision and of the impact of any changes. The report does not take account of any changes in expenditure policies, actual or planned, since autumn 1986.

5. The assessments made throughout are our professional judgements. They do not relate only to LEA expenditure policies, nor solely to the year 1986/87. The quality of provision and response depends on past levels of expenditure and hence the basis of provision on which current policies build; on the quality of management at all levels in the service; and on such factors as the effect of falling rolls and consequent reorganisation. As previous reports have consistently emphasised, the relationship between educational expenditure and the quality of the education provided in individual institutions is neither simple nor direct.

6. The form of the report differs from those of previous years. In order to focus sharply on the principal issues and messages, the underlying data drawn from LEAs and from HMI visits and the assessments of district inspectors are presented in tabulated form. Presenting the information in this way makes it necessary to treat the two parts of the exercise separately to a greater extent than has been done in the past three years. The nature of the exercise precludes any guarantee of the reliability of financial or other data supplied to HMI; comparisons between successive years should be treated with caution, since they conceal, for example, changes by LEAs in the basis of their calculations and returns are often incomplete.

PRINCIPAL MESSAGES

1. In broad terms the picture given by this report is not significantly changed from that of 1985. Most classes, both in schools and in further and higher education, received at least satisfactory teaching and other provision; and the response of pupils and students in terms of attitudes and learning was even more generally satisfactory or better. But there are a number of significant and interesting features. Some of these have been reported for several years; others are new or more noticeable this year.

i. There is in general an adequate supply of teachers in schools, non-advanced and advanced further education (NAFE and AFE). In about three quarters of LEAs, the provision of teaching staff in schools is judged broadly satisfactory, and the same is true for FHE in almost all LEAs. However, while better LEA management of the teaching force could do more to ensure that these teachers are deployed in the most appropriate ways, there remain some serious shortages which cannot be resolved in this way. In primary schools, there are still classes with more than 35 pupils, and some LEAs are experiencing difficulty in recruiting teachers of the youngest children. In secondary schools especially, there are severe shortages of teachers in particular subjects which lead in some instances to curricular reductions. In some LEAs, difficulties in filling senior posts are caused partly by the high price of housing, and these problems contribute to the weaknesses in leadership which remain a significant factor in a minority of schools of all kinds.

ii. The period covered by this report was one in which the long-running teachers' dispute over pay and conditions continued. However, the autumn term of 1986, when visits were carried out, was largely free from direct effects on classroom activity, although the legacy of prolonged upheaval was still being faced in many schools.

iii. There is a slight improvement in the numerical levels of non-teaching staff of all kinds, but the effectiveness of support available from

such staff was judged rather less satisfactory than it was in 1985, because especially, of the increased demands of many curricular developments. The benefits gained from the greater amount of non-teaching support provided through the Technical and Vocational Education Initiative (TVEI), Lower Attaining Pupils' Programmes (LAPP) and Youth Training Schemes (YTS) threw into relief the lower levels more generally available.

iv. There was a small increase in the number of LEA advisers and inspectors and the service they provide is judged to be slightly better than last year. A more substantial increase, in most LEAs, in the number of advisory teachers is linked with the growth of initiatives such as TVEI and LAPP and also to Education Support Grants (ESG) and TVEI-Related In-Service Training (TRIST). There remains a widespread shortage of advisory support from LEAs for further education.

v. Most LEAs have increased their spending on the maintenance of accommodation for schools and FHE, but the unsatisfactory state of many buildings, which has been reported for a number of years, persists and in some cases continues to deteriorate. In a fifth of all classes seen in schools, a similar proportion to that recorded last year, accommodation is judged to be having adverse effects on the quality of work, usually because of its unsuitability for specialist use or its poor condition. In many LEAs problems, by no means confined to older buildings, and often exacerbated by serious vandalism and arson, lead to an increasing backlog in repairs and maintenance. More authorities report increases in the intervals in their redecoration programmes for schools and colleges than state that they have reduced these. In addition, in schools there is widespread concern about the state of furniture: some has reached the end of its useful life with no prospect of replacement; some is inappropriate; and some awaits long-needed repair. Although such difficulties are in general less pronounced in FHE, the disposition of buildings remains a problem, with the frequent

CONFIDENTIAL

reliance on annexes, some of them in poor condition. The youth and community service and adult and continuing education often have to function in unsuitable and dilapidated accommodation.

vi. Levels of capitation increased in most LEAs, many of which spoke of the higher costs of textbooks and the need to underpin a range of national and local curricular developments. In only an eighth of the visits made to schools were shortcomings in provision attributed to unsatisfactory capitation levels. However, there remains great variation between and within LEAs in spending levels for each pupil and student. A noticeable trend, though still limited in its effects, is towards increased financial delegation by LEAs to individual schools: because, under schemes of this kind, levels of capitation may be supplemented according to the priorities decided by individual schools and because of the long-standing variations in the ways in which capitation is allocated, it has become increasingly difficult to generalise about the adequacy of schools' spending on books, equipment and materials. A widespread concern, however, which has surfaced even more prominently this year is the quality and use of secondary school libraries. Many are inadequately or inappropriately stocked; and even where provision is satisfactory the use which is made of them is often poor. The same is true of the use of books more generally in many schools, especially at the secondary level: in many visits, books were found to be ignored even though adequate stocks existed and their use would have been beneficial. Although much new equipment, especially in computing, is continuing to find its way into schools and colleges, problems over obsolescent equipment are also reported, for example outdated machinery for some vocational courses. It is disappointing to find that, with the increasing range and amount of information technology available to schools, its effective use across the curriculum is still so rare, although successful examples were encountered in primary schools especially.

CONFIDENTIAL

vii. Financial provision for in-service education and training (INSET) increased in most authorities for both schools and FHE. Improvements were noted as a result of the clearer identification of priorities, more effective planning and, frequently, benefits were derived from the allocation of funds especially by central government for specific purposes, such as TRIST and the use of ESG resources for mathematics in primary schools.

viii. A particular development which calls for comment is the introduction of the General Certificate in Secondary Education (GCSE). Beyond the expenditure incurred by LEAs as part of the ESG programme for this new examination, their support varied considerably, from LEAs which contributed nothing at all to an estimated £160 for each fourth year pupil. In general, in autumn 1986 the London Boroughs (LB) and Metropolitan Districts (MD) were providing more than were the Non-Metropolitan Counties (NMC). However, a number of LEAs which had withheld funds at the start of 1986-87 were disbursing them once it was clearer what was needed.

ix. Parental contributions to schools in cash and kind remain substantial, though both have declined slightly this year after a succession of gradual rises. In just over 5% of primary schools parental contributions more than double capitation allowances, and many secondary schools also receive a major boost from this source. These efforts are, of course, greatly welcome to the schools which receive them; but not all schools can hope to benefit to the same extent, and some do so hardly at all. Consequently, financial contributions by parents add to the wide variations already noted.

x. Indeed, the considerable variation in what is offered to and provided for pupils and students at every level is a central and recurrent theme. That variation, to an increasing extent, is being widened by the greater, but selective, provenance of initiatives which direct funds to specific purposes. Many of these are now bringing about significant changes, often improvements. While there are real

CONFIDENTIAL

strengths in variety, the extent and haphazard nature of much of the variation observed are causes for concern. A striking feature on a number of aspects of provision is the variation between the generally satisfactory position in the London Boroughs (LB) with a much more uneven picture in the Metropolitan Districts (MD) and, particularly, the Shire Counties (SC). Nor do variations within a single year's spending tell the whole story. In looking at percentage increases in spending, the wide divergence in baseline provision must be borne in mind; the scope for development and improvement provided by a 5% increase in this or that head of expenditure depends on the base on which recipients have to build. These variations in starting points apply at every level: in the wide differences in LEAs' spending per pupil or per student; in the suitability and state of accommodation; in the quantity and quality of books, equipment and materials available to schools, colleges, subject-departments and classes; in the extent of participation in the various specifically funded initiatives; and in the amount and nature of parental support available.

xi. In FHE, youth and community and continuing education, enrolments are mostly buoyant, with demand outstripping provision in many areas, especially in vocational Non-Advanced Further Education (NAFE); sponsorship of students by the Manpower Services Commission (MSC) has contributed significantly to this general pattern. The Work-Related NAFE initiative has begun to have beneficial effects, and in many LEAs the need to construct a development plan is helping to direct resources more effectively.

2. As in previous years, this exercise shows that, while levels of resource provision are important, the quality of teaching is vital to the effectiveness of education. So, too, is the efficient and appropriate management of people and resources, at all levels from the LEA to the classroom teacher. As a corollary of this, unsatisfactory standards of provision are more often related to ineffective deployment of people and resources than to shortages of the resources themselves. Two issues again emerged as crucial to improvement in educational standards in schools, higher expectations of pupils by teachers and

CONFIDENTIAL

more effective leadership by heads and heads of departments. In 1986, as in 1985, there were too many classes where poor or barely satisfactory work was characterised by inadequate perception of pupils' needs. However, such classes were in a minority: much of what was seen was broadly adequate; two-thirds of LEAs were judged satisfactory in the majority of categories of provision; by and large schools and colleges have made strenuous efforts to respond to national and local expectations and initiatives; there were improvements in INSET and advisory support; and the picture of FHE was, broadly, of a healthy and responsive service.

CONFIDENTIAL

I. SCHOOLS

1. OVERALL ASSESSMENTS

11. In the last three years, reports have included overall assessments of LEAs across the main aspects of their provision for schools; the categories assessed are: teaching staff (primary and secondary); non-teaching staff; advisory service; in-service training (INSET); accommodation; books, materials and equipment. The same assessments have been made this year, so that some general comparisons across the four year period are possible. In 1986/87 9 LEAs were considered satisfactory or better in relation to all the major aspects of their provision for schools. The equivalent figures for 1985/86 and 1984/85 were 12 and 11 respectively. Fifty-five LEAs were judged to have satisfactory levels across the majority of aspects of provision. Thus, 64 LEAs (65 last year) had all or a majority of the aspects of their provision judged satisfactory in 1986/87. Thirty-two LEAs were judged to make less than satisfactory provision in a majority of the aspects; in both 1985/86 and 1984/85 the figure was 31. As in the previous three years no authority was judged less than satisfactory in all the main aspects of provision.

12. In the autumn term of 1986, HMI made 1913 returns from 1788 visits to schools. The number of classes seen was 11,875: 4613 were in primary, 7016 in secondary and 246 in special schools. Table 1 analyses the visits made by type of school, and gives the 1985 figures for comparison. There was a large rise in the number of secondary schools visited; the first term of schools' work towards GCSE was a principal reason for the shifting balance. For each visit made, the overall quality of work seen was assessed, wherever such an assessment was thought possible. Table 2 summarises the aggregated data from all HMI visits with 1985 figures attached for comparison. The consistency of the assessment from 1985 to 1986 in both primary and secondary schools is notable and recurs in the various assessments offered; fluctuations in the assessments for special schools may be attributed largely to the small number of visits made.

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Table 1

NUMBER OF SCHOOLS VISITED ON WHICH RETURNS WERE MADE

	1986	(1985)		1986	(1985)
Primary*	735	(863)	Mixed	1673	(1520)
Secondary**	1009	(729)	Girls	46	(62)
Special	44	(56)	Boys	52	(66)
TOTAL	1788	(1648)	TOTAL	1771***	(1648)

* includes middle deemed primary
** includes middle deemed secondary
*** excludes 17 schools where information was not recorded

Table 2

ASSESSMENTS OF OVERALL QUALITY OF WORK IN SCHOOLS VISITED

Overall quality of work	Satisfactory or better	Less than satisfactory	Total
Year	1986 (1985)	1986 (1985)	1986 (1985)
Number of Schools (All types)	1021 (1083)	230 (235)	1251 (1318)*
Overall Percentage (All types)	81.6 (82.2)	18.4 (17.8)	100
Primary: Nos	479 (574)	110 (119)	589 (693)
%	81.3 (82.8)	18.7 (17.2)	100
Secondary: Nos	515 (474)	104 (113)	619 (587)
%	83.2 (80.8)	16.8 (19.3)	100
Special: Nos	21 (35)	14 (3)	35 (38)
%	59.0 (92.1)	41.0 (7.9)	100

*Excluding those visits where HMI were unable to give an overall assessment. Expressed as a percentage of all 1788 schools visited, the proportion judged satisfactory or better remains at about 69%.

13. In addition to these overall assessments, judgements were made of the quality of provision and the quality of pupils' response* for each class seen, as well as recording the subject-matter of the lesson, the age and ability-range of pupils and, in the case of special schools or units, the dominant type of learning difficulty. Table 3 summarises these assessments for types of school and overall, with 1985 figures in brackets. The percentage of 81.6% of lessons judged satisfactory or better for pupils' response is the same as that for the overall quality of work in schools (Table 2). As in previous years, figures for response are consistently higher than for provision (68.9% overall). The gap between the two has widened slightly from 10% in 1985 to 13% in 1986, and is similar for pupils of all ages, except for the sixth form, where both assessments are well above the average, though with a smaller gap between them, especially for A level students.

Table 3

ASSESSMENTS OF ALL CLASSES OBSERVED

(% judged satisfactory or better)

Type of school	Provision 1986 (1985)	Response 1986 (1985)
Primary	70.4 (71.2)	81.9 (81.1)
Secondary	68.2 (68.2)	81.8 (78.5)
Special	62.9 (72.9)	73.0 (79.6)
Overall	68.9 (70.3)	81.6 (80.4)

*Both of these terms were given a working definition: satisfactory provision was said to occur when the material being taught, and its presentation, were supported by adequate, appropriate resources, and were commensurate with the age, aptitude and ability of pupils. Pupils' response was assessed in terms of attitudes and standards of work achieved, in relation to the provision made for them and to their age, aptitude and ability.

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TEACHING STAFF AND NUMBERS OF PUPILS

14. Figure 1 in the Appendix shows, over a three year period, the numbers of teachers and pupils in primary and secondary schools and the consequent effects on the pupil:teacher ratios (ptrs). Table 4 summarises by LEA groupings (London Borough (LB), Metropolitan Districts (MD) and Shire Counties (SC)) the percentage changes in numbers and ptrs for all types of school from 1985 to 1986. These figures indicate that numbers of teachers and pupils in secondary and special schools have fallen; in primary schools they have risen, except for a slight decrease in the four-year-old population, caused by a temporary dip in the birthrate. For the country as a whole changes in ptr are generally small, but there is a wide range of values around the mean: in primary schools the range of LEAs' ptrs is from 19.0 to 25.5 and in secondary from 11.7 to 18.2.* Nursery, primary and secondary school ptrs all show a slight decrease; in special schools they have remained constant. For all phases there are marked variations from one school to another, well above the range quoted above for LEAs as a whole. These differences are sometimes the result of deliberate policy but sometimes arise from inadequate strategies for redeploying teachers, for example in response to falling rolls and amalgamations.

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*The figure given is the number of pupils to each teacher, according to the information supplied by LEAs through returns to district inspectors and Form 618G. An increase in the ratio results in a higher figure and a decrease yields a lower figure. Since a decrease in ptr is generally considered likely to benefit schools, it is often referred to as an improvement in the ptr. But this is by no means a universal truth, and this report therefore confines itself to the terms increase and decrease. Of course, even a change of 0.5 to the ptr has significant financial and often educational implications. For example, a secondary school with 1000 pupils on roll and a ptr of 16.5:1 has a teaching staff of 60.7 (full-time equivalent). If this ratio changes to 16.0:1, the staffing allocation becomes 62.5; thus an apparently small change of this order makes a difference of nearly 2 full-time teachers.

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Table 4

TEACHERS AND PUPILS IN SCHOOLS AND PUPIL:TEACHER RATIOS:
PERCENTAGE CHANGE FROM 1985 TO 1986

	NURSERY SCHOOLS % change from 1985 to 1986			PRIMARY SCHOOLS % change from 1985 to 1986		
	TEACHERS	PUPILS	PTR	TEACHERS	PUPILS	PTR
LB	- 2.1	- 0.6	- 0.06	+ 1.0	+ 2.1	+ 0.15
MD	+ 1.3	+ 1.1	- 0.10	+ 1.9	+ 0.4	- 0.33
SC	- 0.3	- 2.3	- 0.37	+ 1.2	+ 0.8	- 0.09
TOTAL	0	- 0.9	- 0.29	+ 1.4	+ 0.8	- 0.14
	SECONDARY SCHOOLS % change from 1985 to 1986			SPECIAL SCHOOLS % change from 1985 to 1986		
	TEACHERS	PUPILS	PTR	TEACHERS	PUPILS	PTR
LB	- 3.0	- 4.9	- 0.34	0	- 4.7	- 0.18
MD	- 3.2	- 5.1	- 0.30	- 1.0	- 2.5	- 0.05
SC	- 0.9	- 3.8	- 0.47	- 1.3	- 2.9	- 0.12
TOTAL	- 1.7	- 4.3	- 0.41	- 1.2	- 3.1	- 0.12

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15. The level of provision of teachers was judged to be satisfactory or better in both primary and secondary schools in 69 LEAs; the figures for 1985/86 and 1984/85 were 69 and 74 respectively. A second group of 14 LEAs (15 in 1985/86 and 12 in 1984/85) had satisfactory staffing levels in either their primary or secondary schools, but not in both; while a third group of 13 LEAs (12 in 1985/86 and 10 in 1984/85) had less than satisfactory staffing levels in both their primary and secondary schools. The position is less satisfactory in primary schools than others; here, there are still a few examples of classes with more than 35 pupils.

16. Teachers are, for the most part, engaged in tasks for which they are suitably qualified. However, LEAs' management of the deployment and redeployment of teachers is variable, sometimes because of factors outside their control. The inability to fill vacancies is one such restriction, and it has become more serious this year, as Table 5 shows.* Vacancies are noted for senior posts in all sectors, in nursery and infant schools in some areas and, especially, for 'shortage' subjects in secondary schools. A related difficulty, especially in the south-east, is the effect of rapidly increasing housing costs, which appears to restrict the field of external candidates for posts.

UNFILLED TEACHING VACANCIES IN SECONDARY SCHOOLS
RECORDED BY SUBJECT

Table 5

Subject	Number of vacancies 1986	(1985)
Science	184	(129)
Mathematics	150	(137)
Craft, Design and Technology (CDT)	119	(95)
English	85	(67)
Physical Education	83	(n/a)**
Modern Languages	81	(62)
Business Studies	78	(37)
Home Economics	64	(39)
Music	48	(n/a)**
Computing and Information Technology	39	(19)
Geography	31	(22)
Special Needs	26	(n/a)**
Religious Education	25	(22)
History	23	(27)
Art	17	(n/a)
Economics	9	(n/a)
Drama	9	(n/a)
Other	50	(n/a)
	1121	(783)

**Some subjects were not recorded separately last year and therefore no figures are available for comparison.

* These figures are derived from incomplete returns from LEAs.

17. 29 LEAs have reported the existence of policies of curriculum-led staffing, in order to try to ensure the most appropriate deployment of their teachers; there is little further movement towards such policies at present, and few of those reported are fully operative. Some authorities give additional staffing to small schools, and many secondary schools have had staffing supplements through TVEI or LAPP. Where there were marked variations in allocated staffing, these were not always attributable to clear policy criteria. The main trend in redeployment is from secondary to primary schools, in line with the numerical shifts in the school population; this is not always supported by adequate re-training. LEAs are increasingly using contracts other than permanent, full-time appointments, partly in order to create greater flexibility in deploying staff; use of temporary contracts and peripatetic teachers has increased.

TEACHING QUALITY

18. Figure 2 in the Appendix shows the frequency with which various resource and other factors were judged to be having a helpful or restrictive influence on the quality of work (see also paragraph 51). As in previous years, by far the most prominent of these was the quality of teaching, which was judged helpful in 68% of all classes seen, a figure very close to that for the quality of provision generally, and restrictive in 32%. There was a close relationship between the response of pupils and the quality of teaching. In over 80% of primary school lessons where pupils' response was judged satisfactory or better, the influence of the quality of teaching was helpful; conversely, in 89% of lessons where pupils' response was assessed as unsatisfactory, the quality of teaching was a restricting influence. The comparable figures for secondary schools were 79.5% and 79.1% and for special schools 86.1% and 89.1%.

19. Among the main features of successful teaching seen were:

- the sense of purpose and clarity of objectives in the work;
- the organisation of materials, time, classroom;

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- teaching methodology, for example effective oral work;
- the suitability of tasks and differentiation in the learning;
- an emphasis on practical applications;
- the quality of relationships.

Good work often illustrated a number of these factors operating together. Where teaching was less effective, the features to emerge most strongly were:

- sluggish pace and poor planning;
- low expectations and poor standards of work;
- too much exposition and dictation;
- inadequate control and discipline.

20. In work observed in schools, the match of teachers' qualifications and experience was judged helpful in a slightly higher proportion of lessons than in 1985. Poor match was, proportionately, noted more often in special schools. Where there was inadequate specialist knowledge, work often suffered from a lack of stimulus and inappropriately low expectations. However, in some instances, teachers' commitment to a subject, combined with suitable in-service training and support from the head of department or specialist co-ordinator, compensated for a lack of formal qualifications.

21. Effects of poor morale among teachers and of the long-running dispute over pay and conditions were less manifest in autumn 1986 than in last year's report. The legacy of prolonged upheaval was being faced in many schools, but some heads reported a marked change for the better in the schools' climate.

IN-SERVICE EDUCATION AND TRAINING (INSET)

22. In all aspects of INSET provision, improvements in financial and other support were noted in the majority of LEAs. Overall numbers of secondments of

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teachers for one year, one term and shorter periods all increased. There was evidence of INSET policies being developed more consistently, with an emphasis on making secondments match identified LEA priorities. There were substantial increases in real terms for the authorities' own provision and marginal increases in the support available for non-LEA INSET. The number of teachers' centres remained at about the same level, but pressures on wardens, from multiple use of centres, were reported in some LEAs.

23. District inspectors' judgements on the quality and appropriateness of INSET provision showed an upward trend from the 68 LEAs assessed satisfactory or better in 1984 to 71 in 1985 and 74 in 1986. This assessment of a gradually improving service is in line with the recorded patterns of LEA policy and expenditure. There was a closer link between LEAs' provision and nationally identified priorities. The impact of TRIST encouraged greater attention to management training, school-focussed INSET, science and CDT. The effects of funds from ESGs were also beneficial, for example to rural primary schools and to mathematics and science in primary education through the work of advisory teachers. At its best, GCSE training was good. However, the complexity of the process, combined with difficulties caused by the teachers' dispute, sometimes undermined continuity and commitment. Uneven take-up and problems over securing effective cover, in order to replace teachers undergoing training, sometimes impeded the full implementation of the new syllabuses.

24. Provision for induction was slightly improved, with 80 LEAs reporting a planned programme, compared with 76 in 1985. The number of probationary teachers rose in the nursery and primary sectors and fell in the secondary sector. In all phases there were reductions in the number of probationary teachers who were on temporary contracts. In some cases, probationers received strong assistance from the advisory service, combined with good school-based support. However, there were deficiencies in the management of many LEAs' programmes, with inadequate guidance to individual schools and heads. Many LEA recognised that it was desirable to lighten probationers' timetables, but this was not consistently done.

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INSPECTORATE/ADVISORY SERVICES

25. In 1986 slight increases were recorded in the number of advisers and more substantial increases in the number of advisory teachers*. Variations in the size and composition of teams continue to be marked, even for authorities of similar size and type. Advisory services were often strengthened, especially in relation to advisory teachers, by support from central government funding especially through TVEI, TRIST and ESG. A few LEAs reported that they were restructuring their advisory service. Where they were doing so, it was often in order to give greater emphasis to inspection and classroom evaluation.

26. The coverage, level of support and overall effectiveness of LEAs' advisory services were assessed as satisfactory or better in over half of all LEAs. The proportion so assessed was higher for the London Boroughs than for the Metropolitan Districts or Shire Counties. The major deficiencies in LEAs' advisory services were judged to stem from inadequate coverage of the curriculum and phases, with specialist gaps inevitable in some small teams. The increasing number of unfilled vacancies, especially in general secondary, special needs, general primary and mathematics, contributed to these restrictions in cover. Where the level of support to schools was less than satisfactory this was largely because of a heavy workload especially of administrative responsibilities. The effectiveness of the advisory service was closely related to the quality of its leadership, which was in some LEAs bringing improved identification of INSET needs and greater direct contact with the classroom.

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*The term 'advisers' is used as a shorthand for 'advisers/inspectors', although it is acknowledged that the difference in terminology may relate to important differences in function. Advisory teachers are usually appointed for specific developments or subject-areas, to spend as much time as possible working closely with teachers in the classroom.

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NON-TEACHING STAFF

27. Table 6 shows fluctuating numbers in the various categories for non-teaching staff compared with 1985 figures. The number of ancillary staff decreased slightly in nursery and primary schools overall, as did numbers of qualified librarians in secondary schools and technical and laboratory assistants. Clerical staff and foreign language assistants all showed variations but no substantial change in overall numbers. Since numbers of pupils were generally lower, there is in real terms a slight improvement pro rata for the country as a whole.

28. In all these categories of non-teaching staff, provision was judged to be satisfactory in rather fewer authorities than in 1985, as Table 7 shows. Altogether, the picture is one of considerable patchiness, with London boroughs faring generally better than other parts of the country; even within the same LEA support for schools of similar type and size can be very different. In many cases inadequacies were related to the increasing and changing demands on schools. Curricular developments, new modes of assessment and styles of working raised the level of support needed from suitably qualified and deployed non-teaching staff both inside the classroom or laboratory and more generally. Teachers' perceptions about the importance of such support appeared to be changing, often because of an increased level of support and effective work done by non-teaching staff in TVEI or LAPP.

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TABLE 6

PERCENTAGE CHANGE FROM 1985 TO 1986 IN NUMBERS OF NON-TEACHING STAFF

	CLASSROOM ANCILLARIES				CLERICAL STAFF				LIBRARIANS	TECH & LAB ASSTS	FOREIGN LANGUAGE ASSTS
	NRSY	PRI	SEC	SPEC	NRSY	PRIM	SEC	SPEC			
LB	-13	- 6	+ 2	+ 8	- 8	+ 6	+14	+ 3	- 8	- 1	+ 6
MD	- 9	- 6	+30	- 5	0	- 2	+ 4	-27	-24	- 9	- 2
SC	+ 4	+ 6	+ 4	+ 3	0	+ 3	- 4	+ 1	+ 2	- 2	- 1
TOTAL	- 3	- 1	+ 8	+ 2	- 2	+ 1	+ 1	- 7	- 5	- 4	+ 0

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29. In some cases, under-developed LEA policies and ineffective practices for allocating and deploying non-teaching staff, rather than simple numerical shortages, were responsible for deficiencies in the support received by schools. In the case of foreign language assistants, the increased emphasis on oral work in GCSE was leading some LEAs to reconsider their policies, with the intention of reinstating such assistants. The most severe weaknesses, which were often long-standing, were in library support. In most authorities there was an absence or shortage of qualified librarians. There were many instances where teacher-librarians had insufficient time to review stock and support curriculum development.

3. MATERIAL PROVISION

PREMISES

30. The general state of school buildings and sites shows no significant improvement, and many areas of continued deterioration. After substantial increases in real terms in 1984-85 and 1985-86 in all groupings of LEAs, the 1986-87 budgets for costs related to the maintenance, repair and decoration of premises planned for an increase in cash terms of just over 5%. However, a number of LEAs stated that a modest increase of this order was inadequate to arrest the worsening state of some of their buildings and to keep all at a reasonable standard of repair and decoration. Ageing accommodation inevitably brings with it a gradual build-up of maintenance difficulties; unexpected crises can add considerably to budget estimates. One shire county which expressed serious concern about the worsening state of its school buildings allocated an additional £1.5 million for repairs and decoration. Despite the considerable efforts being made to protect buildings, arson and vandalism continue to grow as problems facing the majority of LEAs, with an increase in the overall expenditure recorded from £15 million to over £18 million. The proportion of LEAs where asbestos continues to cause difficulties has decreased, but where the problem exists it is not always susceptible to swift or easy solutions, and one LEA quoted the need to spend at least £250,000 in the current year.

TABLE 7

ASSESSMENTS OF NON-TEACHING STAFF BY TYPE OF LEA

LEA groupings		CLASSROOM ANCILLARIES					CLERICAL STAFF					LIBRARIANS	TECH/LAB ASSISTANTS	FOREIGN LANGUAGE ASSISTANTS
		Nursery	Primary	Secondary	Special	Overall	Nursery	Primary	Secondary	Special	Overall	Secondary	Secondary	Secondary
LB	Satis/better	15	13	11	17	16	8	13	17	15	15	5	15	11
	Less than satis	2	8	6	2	5	5	7	4	4	6	15	5	10
	Not known/ not applicable	4	0	4	2	0	8	1	0	2	0	1	1	0
MD	Satis/better	30	23	9	29	22	16	16	22	24	18	3	15	11
	Less than satis	4	12	7	3	11	11	19	13	9	16	31	19	19
	Not known/ not applicable	1	1	19	4	3	7	1	1	3	2	2	2	6
SC	Satis/better	27	18	8	30	21	18	18	24	26	22	6	14	12
	Less than satis	6	20	19	6	18	13	20	14	10	16	31	25	24
	Not known/ not applicable	4	1	12	3	0	6	1	1	3	1	2	0	3
TOTAL	Satis/better	72	54	28	76	59	42	47	63	66	55	14	44	34
	Less than satis	12	40	32	11	34	29	46	31	22	38	77	49	53
	Not known/ not applicable	9	2	35	9	3	21	3	2	8	3	5	3	9
No of LEAs		93	96	95	96	96	92	96	96	96	96	96	96	96

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31. Table 8 reveals that, with regard to the state of repair, decoration, furniture and maintenance of schools, many LEAs have not been able to reverse the unsatisfactory position of previous years; problems are in general judged to be most severe in metropolitan districts. There were many problems of old, damaged and sometimes inappropriate furniture, which LEAs were unable to replace. Maintenance problems of various kinds were reported, with rewiring and roofing repairs the most pressing needs.

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Table 8

ASSESSMENTS OF ACCOMMODATION BY TYPE OF LEA

LEA groupings		Repair			Decoration			Furniture			Maintenance		
LB	Satis/better	10			11			13			11		
	Less than satis	11			10			8			10		
MD	Satis/better	8			12			15			7		
	Less than satis	28			24			21			29		
SC	Satis/better	16			13			20			8		
	Less than satis	23			26			19			31		
		'84	'85	'86	'84	'85	'86	'84	'85	'86	'84	'85	'86
TOTAL	Satis/better	39	34	34	31	32	36	55	51	48	31	24	26
	Less than satis	57	62	62	65	64	60	41	45	48	65	72	70

32. The effects of accommodation and furniture on the quality of work seen in classes were also assessed (see Figure 2). Most accommodation was suitable and reasonably used, and in some cases good accommodation was further enhanced or bleak surroundings enlivened by displays of pupils' work or of materials that supported the curriculum and invited a response from pupils. However, in a fifth of all lessons seen, both in primary and secondary schools, accommodation was judged to be restrictive. Some buildings were in a poor state, and this was exacerbated by vandalism, usually perpetrated by intruders. In others, difficulties were created by the inadequate adaptation of premises to the needs of particular groups of children, such as children in newly provided nursery classes, or by the designation of an inappropriate room for specialist use. Shortages of space and inappropriate furnishings sometimes restricted the quality of work and inhibited curricular developments.

FINANCIAL ALLOCATIONS TO SCHOOLS

33. Annual levels of capitation for 1986-87 increased in real terms in most LEAs, in some cases by figures well above the rate of inflation; some authorities reported that these rises were in recognition of higher costs, particularly of text books, and also in response to mounting evidence of shortcomings in schools' stocks, especially with respect to new developments in the curriculum. Analysis of a group of LEAs where capitation allowances covered the same areas of expenditure revealed marked variations. For pupils of nursery school age, the sums ranged from £12 to £27; for those aged 16+, the spread was from £34 to £58. At least 21 LEAs now have schemes - mostly pilots, but some established - for delegating financial control, in various degrees, to all or some of their schools. Since these programmes enable heads of schools to transfer ('vire') sums of money within the general budget, for example to boost spending on books and equipment, the per capita allowance can become a notional entity which can be augmented or depleted according to the priorities determined within the school. The degree of flexibility and autonomy which such schemes give to schools has attracted considerable interest*, although it is too early to assess the effects on the quality of education in the schools.

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* After the survey was carried out, the announcement of government plans for a general extension of this principle brought the issue into far greater prominence.

BOOKS, EQUIPMENT AND MATERIALS

34. Table 9 indicates that provision of books, equipment and materials was assessed as satisfactory in the majority of LEAs, with the position generally better in the London area than elsewhere, but a substantial number have deficiencies especially in library stock and in text books for pupils in the 11-16 age-range. Secondary school libraries are often inadequately resourced and poorly managed. Even where they are well-stocked, they are often seriously under-used. The worsening assessments highlight the often critical state of this aspect of schools' provision. Most LEAs are judged to have satisfactory levels of provision of stationery and consumable materials; provision of equipment is assessed to have changed very little overall from 1985, with shortcomings noted especially for pupils aged from 11 to 16. Overall, the provision of learning resources is regarded as satisfactory or better in 60 LEAs.

35. Deficiencies in the use of resources in schools were judged most often to be the result of inadequate perceptions of pupils' needs and poor management and deployment. In only an eighth of all visits were capitation levels given as the reason for shortcomings noted. Issues related to the management and deployment of resources are considered in Section 5 (paragraphs 52-54) below.

36. The influence of books was assessed as helpful in a slightly lower proportion of classes than in 1985. Shortages in school libraries and, less often, in classrooms were noted; the quality of books was more often restrictive than their quantity. There were twice as many references to an inadequate supply of books in secondary schools as in primary, whereas the incidence of books in unsatisfactory condition was greater in primary schools. The introduction of GCSE had plainly beneficial results on the provision within some secondary school departments. In much work seen in secondary schools, however, books were simply not in evidence when their use would clearly have been helpful and resources were adequate. For example, one HMI followed a fourth year pupil's programme throughout the day. "Although the balance of activities between writing, oral work, listening and practical activities was good, there was a major gap in reading. The only reading activity carried out by the pupils during the day was brief reference to one page of a textbook in history".

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TABLE 9

ASSESSMENTS OF LEARNING RESOURCES FOR SCHOOLS BY TYPE OF LEA

No of LEAs satis/better		LIBRARY				STATIONERY (CONSUMABLES)				EQUIPMENT				OVERALL LEARNING RESOURCES (1986 only)	
		Primary	Sec (11-16)	Sec (16-19)	Special	Primary	Sec (11-16)	Sec (16-19)	Special	Primary	Sec (11-16)	Sec (16-19)	Special		
(LEA Groupings)															
LB	1986	17	10	11	14	20	20	17	17	20	18	16	17	Satis/better	19
	1985	19	12	12	12	21	19	20	N/A	18	16	18	15	Less than satis	2
MD	1986	19	10	16	17	33	30	29	28	28	20	25	28	Satis/better	20
	1985	21	19	14	20	31	28	28	N/A	26	21	24	27	Less than satis	16
SC	1986	21	14	19	29	38	33	37	36	33	23	31	31	Satis/better	23
	1985	23	16	23	28	38	33	37	N/A	34	25	31	30	Less than satis	16
TOTAL	1986	56	33	45	59	89	81	81	79	80	61	71	75	Satis/better	62
	1985	63	47	49	60	90	80	85	79	78	62	73	72	Less than satis	34
No of replies	1986	94	90	89	79	96	94	90	84	94	92	89	84		96

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37. The influence of materials and equipment is similar to that recorded last year. Primary schools make fuller use of them than secondary; some equipment is not fully utilised, some is outdated. Where school-produced materials were judged to be unhelpful, this was often because the quality of reproduction was poor and the content unsuitable. There were examples of appropriate equipment being used well and contributing to good standards of work, although in other cases the lack of such equipment restricted the quality of work, for example by preventing a practical approach. In special schools, there were good examples of a variety of resources enhancing the quality of work, as in one school which made excellent use of the school's site, the locality, the museum service and field study centres of all kinds.

38. Computers were in use in a very small proportion of classes, more in primary than in secondary. There were some examples of effective work, especially in lessons with pupils of primary age. Generally, however, the place accorded to the use of computers in the classroom remains disappointingly limited.

PUBLIC EXAMINATIONS

39. Most LEAs have not changed their policies in the last year over the support they give to schools for public examination entries. The large majority, while placing no formal limit on the number of subject-entries per candidate for which they will pay the fee, give no support to double entry at General Certificate of Education (GCE) Ordinary (O) level and the Certificate of Secondary Education (CSE) in the same subject: half of all LEAs expect parents to pay for the second entry; a further 29 oppose such double entry altogether - these figures have increased since 1985. In the majority of authorities (55) there is a reported increase in the use of examinations other than GCE or CSE for 14-16 year olds, particularly those often designated as 'pre-vocational'; it is too early to assess whether this trend will continue with the advent of the GCSE.

40. LEAs reported on any financial provision they were making for the introduction of the GCSE in addition to the expenditure incurred as part of the ESG programme for the new examination. The range, which extends from no

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additional support to an estimated £160+ for each fourth year pupil, is striking. On average, non-metropolitan counties are supplementing funds by considerably less than London Boroughs or Metropolitan Districts. The LEAs' funding for GCSE was judged reasonably adequate and appropriate in 35 authorities and inadequate in 26. In 35 authorities it was thought premature to comment, because of the impossibility of predicting the necessary costs at this stage. For this reason, some LEAs had withheld funds at the start of the financial year and were disbursing them according to need after the start of the academic year 1986-87.

PARENTAL CONTRIBUTIONS

41. Financial contributions by parents were reported to have declined slightly this year, in primary and secondary schools, both as a proportion of capitation allowances and in the varieties and instances of financial assistance recorded; however, this support remains substantial. Table 10 details the extent of this support in relation to capitation, by kind of school. In 38% of primary schools, for example, parental contributions increased the capitation allowance by more than 30% and in over 5% of such schools parental support more than doubled the original allocation. In one combined first and middle school with 528 pupils, the capitation allowance of £9,630 was augmented by reported parental contributions of £10,000; and in one 11-16 comprehensive school of 330 pupils, parents contributed £20,000, compared with capitation of £19,000.

Table 10 **PARENTAL FUNDS AS % OF CAPITATION RECEIVED BY SCHOOLS**

(For primary and secondary schools, 1985 % in brackets)

% Type of school	<10%	11 - 20%	21 - 30%	>30%	Total
Primary	28 (15)	19 (22)	15 (20)	38 (44)	100
Secondary	77 (66)	15 (25)	4 (5)	4 (5)	100
Special	47	-	5	48	100
Total number of schools (1986)	764	234	138	308	1444

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42. Parents most frequently gave help in providing school equipment, educational visits and computers; in special schools library books were the most common object of parental support. Table 11 lists the number of recorded instances for various kinds of help; numbers have in general declined slightly despite the slightly larger total of visits made.

Table 11

USES OF PARENTAL SUPPORT

Category of support	Number of instances in schools visited 1986	(1985)
providing equipment, including reprographics and audio visual aids	1385	(1425)
educational visits	658	(764)
computers	631	(709)
library/reference books	490	(520)
PE/games/swimming equipment/maintenance	445	(510)
improving premises	426	(471)
musical instruments	350	(384)
consumables/materials	263	(265)
textbooks	240	(247)
minibus	297	(334)
toys	216	(243)

43. The amount of support by parents in kind and labour was also reported to have decreased slightly. Compared with 1985 there were rather more schools where no parental support in kind was provided, although the percentage of primary schools with no such assistance (3%) is still very low. The most frequent forms of help are with transporting pupils on visits and with reading and other forms of instruction and supervision; the percentages of schools recording support of various kinds are shown in Table 12.

Table 12

OTHER PARENTAL HELP

[% of visits in each type of school]

	PRIMARY	SECONDARY	SPECIAL
NIL	4%	22%	42%
SLIGHT	30%	40%	22%
MODERATE	40%	16%	25%
SUBSTANTIAL	23%	9%	11%
NOT KNOWN	3%	13%	-

4. CURRICULAR PROVISION

44. There have been few changes in LEAs' overall policies for the school curriculum. As in 1985, about a third of all authorities stated that they had an agreed curriculum for their schools, generally embracing both primary and secondary schools. Authorities with such policies mostly report that they appoint teachers with the necessary expertise for the curriculum agreed.

45. There are more reports this year of schools in which subjects have been removed from the curriculum, or which have had their availability much reduced, in the academic year 1986-87, specifically as a result of reductions in their allocations of teachers or non-teaching staff. There were 223 examples quoted of effects of this kind (191 in 1985); they occurred in 34 primary, 167 secondary and 22 special schools. Subjects principally affected in both primary and secondary schools were music, languages and craft, design and technology. Such reductions affected less able pupils more often than the able and average pupils; the age-groups most frequently affected were years 4 and 5 in secondary schools. Music and languages (modern and classical) were also the subjects most frequently maintained by ad hoc arrangements (for example, during the lunch hour or after school). The reason usually given for such reduced provision was a fall in the total staffing establishment of a school, especially because of declining school rolls. Part-time staff were particularly vulnerable, as was

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curricular provision which depended entirely on them. Where there was a single teacher of the subject, as was sometimes the case with Latin or drama, for example, the non-replacement of a teacher could lead to the disappearance of the subject from the school's curriculum. In primary schools (including middle schools deemed primary), provision which depended on a peripatetic service was reduced or cut out in several instances; remedial support, music and French were areas affected by such reductions. In many cases, there was inadequate management of these changes by LEAs, even to the extent of failing to monitor the effects of such staffing reductions on the curriculum on offer.

46. Developments in the curriculum were influenced strongly by the degree of LEA and other external support available, whether through resources, advisory back-up or curricular policy. There were cases, for example, where more systematic scientific work in primary schools was attributable to the work of advisory teachers and ESG funding. In some schools, curricular developments concerned with strengthening a multi-cultural dimension to the work were similarly receiving advisory support. The influence of TVEI resources on the curriculum continues to be a strong factor, but selectively so.

PROVISION FOR PUPILS WITH SPECIAL EDUCATIONAL NEEDS

47. LEA's returns (incomplete) indicate a slight increase in the number of designated special units or classes attached to ordinary* primary and secondary schools, and a similar rise in the number of pupils in these units. The number of pupils formally assessed as having special educational needs** decreased in some authorities, but increased in others, so that overall numbers of statements were broadly similar in 1985 and 1986. In a substantial minority of LEAs the arrangements made in ordinary schools for pupils with special educational needs were judged to be, as yet, insufficiently developed.

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*The term 'ordinary', is used to refer to county and voluntary schools which are not designated as special schools.

**Formal assessment is either by the former Special Education procedures or in the terms of the Statement required by the 1981 Education Act.

PROVISION FOR PUPILS UNDER FIVE

48. Provision made for pupils under 5 is judged to be better in nursery classes than when such pupils are admitted to infant classes. In the latter, suitable curricula, teaching methods and materials are not always provided for the youngest pupils, but some improvement has been noted, thanks in part to specifically directed resources and positive interventions by LEAs and their advisory services. LEA policy for the under 5s is not always fully articulated, but some authorities are seeking to ease the transition to full-time schooling by offering one term or, exceptionally, two terms of part-time attendance.

PROVISION FOR SIXTEEN TO NINETEEN YEAR OLDS

49. Provision in the schools sector for the 16-19 group is judged broadly similar to 1985. Provision for two-year sixth formers was mostly assessed as better than for their one-year counterparts. CPVE and TVEI are judged to have had generally beneficial effects on those sixth forms where they have been introduced. Uncertainty about the future shape of 16-19 education was reported to be widespread, with many LEAs preoccupied by the prospect of further reorganisation consequent on falling numbers. Small sixth forms were frequently a serious concern, and the small size of teaching groups within them was, on occasion, thought to be depressing the quality of students' educational experience. There were references to a lack of clear policies for 16-19, especially about the curriculum and forms of organisation. The emergence of forms of assessment other than GCE and CSE, for example, connected with pre-vocational courses, was creating new demands for the training and support of teachers in many authorities. These issues were sometimes thrown into relief, and the difficulties exacerbated, by the lack of a co-ordinated advisory service to cater for 16-19 education.

5. OBSERVED PROVISION AND RESPONSE

50. Section 1 (see above) summarised the overall judgement of the quality of work seen in schools, with separate assessments for provision and response. In primary education, work in nursery classes was generally assessed as the most

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satisfactory. In secondary schools, whereas in 1985 14 and 15 year olds were judged to have less satisfactory provision than 11 to 13 year olds, this year 12 year olds were judged to be faring least well. Assessments for 14 year olds were apparently being influenced positively by the introduction of GCSE: in descriptions of fourth year classes observed, more beneficial than adverse effects of teaching towards the new syllabuses were recorded. In special schools, the small sample showed generally lower proportions of work judged satisfactory, with particularly low figures for secondary aged pupils and for pupils with emotional or behavioural disorders. Analysis of judgements by subject shows figures for 1985 and 1986 which are generally very close to each other. In primary mathematics, the proportion of work assessed as satisfactory or better has increased by 7% - a large increase, given the generally similar overall figures; in some cases, improvement was attributable to the influence of ESG funding and the work of advisory teachers. As in 1985, the assessments of the work of able pupils are higher both for provision and response than those for average pupils, and those for less able pupils and for the least able or remedial pupils less satisfactory again. In primary schools, where mixed ability teaching is the norm, the figures for this organisation correspond closely to the overall averages; where ability groupings were used, the assessments, on small samples of work, showed considerable fluctuations.

THE INFLUENCE OF RESOURCES AND OTHER FACTORS ON THE QUALITY OF WORK

51. The analysis of the effect on quality of various resources and other factors (Figure 2) has been considered briefly in earlier sections. Some factors, such as accommodation or the quality of teaching, were judged to be affecting almost all classes seen helpfully or adversely; others, such as the use of computers, were present or influential in a far smaller proportion. The material resources which were most often restricting the quality of work were the quality of accommodation (one fifth of all lessons, a similar proportion to 1985) and, of the other factors, the quality of teaching (32%, compared with 31% in 1985) was most common. In the small sample of special schools, factors relating to the composition of the teaching group (mixed age classes and the ability range of the class especially) were frequently judged unhelpful. The two items which related most closely to the general judgements about the quality of work were the quality of teaching (assessed very similarly to the general

provision made; see page 4 above) and pupils' behaviour, which was hardly ever judged to be unhelpful when the quality of pupils' response was assessed as satisfactory. In 93% of all lessons in primary schools behaviour was helpful and in 6% it was restrictive. For secondary schools, the proportions were 89% and 8% respectively, with a decrease from 9% in the proportion of lessons with unhelpful behaviour. In the small group of special schools this proportion increased from 14% to 20.5% of lessons seen. Overall, the cases where poor behaviour was seen to be disrupting the quality of work were relatively few.

MANAGEMENT AND DEPLOYMENT OF RESOURCES

52. Where the work in schools was judged to have deficiencies, indications were offered of the changes which would be needed to affect significant improvement. These assessments were of two kinds: first, those which were internal to the school; and secondly, those which required additional (or better) resources from outside the school. In the former category, as Figure 3 (see Appendix) shows, the changes most frequently identified as being needed were improved styles of teaching and better perception of pupils' educational needs. Higher expectations of pupils and more effective leadership, especially by heads of department or subject co-ordinators, were also frequently judged desirable. There is a marked difference from last year in the assessments for teachers' morale: even if morale has not actually improved, at least there has been less visible impact of low morale, with the great reduction in autumn 1986 in the direct effects of the teachers' dispute over pay and conditions. The proportion of schools where greater take-up of INSET opportunities is regarded as desirable has also risen. In the case of secondary schools, this is partly because provision of GCSE INSET has often not had maximum take-up, because of the teachers' dispute.

53. A frequent need was for more effective leadership, by heads and by heads of department/subject co-ordinators. There were instances of insufficiently firm co-ordination of the curriculum, which sometimes led to a lack of direction and to fragmentation in the provision. Inadequate management of resources by heads surfaced especially in the lack of clear criteria and consultation procedures for distributing capitation allowances. In the case of heads of department or subject co-ordinators, weaknesses related generally to syllabus planning and

CONFIDENTIAL

lack of foresight in budgeting for required resources, especially where a major change in the curriculum was to take place. Poor perception of pupils' needs was revealed in work which was pitched wrongly for pupils and which failed to exploit their strengths or deal with their weaknesses constructively.

54. Changes internal to the school were judged necessary more frequently than were resources from outside the school. In the latter category (see Figure 4 in the Appendix), a distinction was drawn between the quantity and the quality of the resources needed. Books, materials and equipment were mentioned in a substantial minority of visits, but more often than not it was the quality, not the quantity, of these resources which was judged inadequate. The need for more teachers was identified most frequently in special schools, while in primary and secondary schools the need for improved quality was greater. More time for planning and better advisory support were also required by all types of school. The proportion of the small sample of special schools visited where such changes were judged necessary was higher than in other categories of school. This reflects the generally lower assessments in special schools this year.

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II. FURTHER AND HIGHER EDUCATION (FHE); YOUTH AND COMMUNITY, CONTINUING EDUCATION AND TEACHER TRAINING

1. OVERALL ASSESSMENTS

55. Table 13 summarises the pattern of visits made in autumn 1986 to see work in institutions of various kinds. The number of visits shows an overall increase on the previous year. Figures for visits to see work in Advanced Further Education (AFE) were broadly similar to those in the previous year. However, there were over 40% more visits to institutions concentrating on Non-Advanced Further Education (NAFE).

Table 13

NUMBER OF VISITS IN FHE ON WHICH RETURNS WERE MADE

(FHE returns)	1986	(1985)
Polytechnics	61	(76)
Other AFE (more than 80%)	16	(14)
Mixed AFE and NAFE	195	(193)
NAFE	273	(192)
Others	5	(6)
TOTAL	550	(481)
(Specialist returns)		
Youth and Community	153	(110)
Adult and Continuing Education	56	(56)
Teacher Training (non-university)	61	(50)

56. In AFE, as Table 14 shows, about nine-tenths of classes seen were judged satisfactory or better for the quality of provision* and slightly more for the

*Throughout this section the terms provision and response are used as in the schools' assessments. (see definitions given in the footnote on page 10.)

quality of students' response. These are higher proportions, by some 5%, than were recorded in 1985. In NAFE, the figures are almost identical to those for 1985. As in the school visits, response was judged satisfactory in a higher proportion than provision, though not to so marked an extent.

Table 14

ASSESSMENTS OF ALL SESSIONS OBSERVED

(% judged satisfactory or better)	Provision 1986 (1985)	Response (1985)
AFE	89.5 (84.3)	91.2 (86.0)
NAFE	80.4 (80.9)	87.1 (87.2)

57. In four-fifths of the sessions seen in continuing education, the quality of work was judged satisfactory or better, the same proportion as last year. In youth and community, the quality of provision was judged satisfactory in just over half the visits made, and in fewer than half of those where the main focus was recreational activities. The overall standard of work in teacher education was judged satisfactory or better in almost 80% of visits where an assessment was made. Nearly nine-tenths of classes seen were judged satisfactory or better for provision and 91% were similarly assessed for the response of students.

2. ENROLMENTS OF STUDENTS AND COURSE PROVISION

58. Enrolments in AFE are generally buoyant in all kinds of course and for all modes of attendance. Some of the largest reported increases are for day-release attendance. In NAFE too, the picture is one of generally increasing enrolments. GCE courses remain well supported, especially for part-time attendance. In ~~many~~ areas of vocational NAFE, such as catering, hairdressing, care courses, secretarial studies and business studies, demand outstrips provision, with the result that well-qualified applicants for places have to be turned down. The substantial involvement of the MSC in sponsoring students on full-cost, full-

time courses and also part-time trainees on Youth Training Schemes has contributed significantly to this general pattern, to which engineering is the one major exception.

59. There is an upward trend in the numbers of participants in youth and community provision, with a rise in participation by under 14s but a decline in the 14+ age-range, especially in traditional club membership; an increasing emphasis is placed on provision for girls, ethnic minority groups and the young unemployed. Enrolments in adult and continuing education are also reported to be generally higher, with the main growth in part-time provision, especially for Professional, Industrial and Commercial Up-dating (PICKUP) and access courses and in open learning provision; expanding areas include nursing and social care courses, tourism and catering, robotics and information technology. TVEI has made comparatively little impact on NAFE. CPVE has made a promising start, with over 9,000 students attending joint schools/FE schemes and 6,000 on free-standing FE courses.

60. The range of courses was judged to be satisfactory or better for NAFE in 95 of the 96 LEAs and in AFE for 67 of 76 LEAs assessed (although, in the case of AFE, provision is planned nationally and funded by LEAs through the AFE pool). In rather fewer LEAs, the provision was judged to meet the demands of different student groups to a satisfactory extent (AFE 62 out of 74 LEAs; NAFE 79 out of 95). Provision was assessed as satisfactory or better for youth and community in 57 of 81 LEAs and for adult and continuing education in 71 out of 91. Response to the advent of Work-Related NAFE (WRNAFE) funding from MSC was judged satisfactory or better in 71 of 85 LEAs. In a number of these LEAs the process of constructing a development plan was judged to be having a positive impact on WRNAFE through more effective targeting of resources. Provision for students with special educational needs continues to be variable in character and quality. Overall it is assessed as satisfactory or better in 71 of 95 LEAs. Weaknesses include lack of clear policy, inadequate resources and poor provision for the physically handicapped. The general picture is one of continuing change in circumstances which present considerable challenge. In many LEAs 16-19 reorganisation is at various stages of planning or implementation; and the demands of responding to a range of new initiatives sometimes impose a heavy load on staff in colleges.

CONFIDENTIAL

61. Students' access to courses was judged satisfactory in a higher proportion of visits than in 1985. The most frequent reasons for inadequate access were organisational difficulties, undeveloped policy or lack of resources. In a small minority of visits the range and variety of vocational courses were not thought to relate sufficiently to employment opportunities.

3. STAFFING: PROVISION AND SUPPORT

TEACHING STAFF

62. Teaching staff establishments in AFE were judged satisfactory or better in all but two LEAs. Staff:student ratios continue to increase*. There is generally a good match between lecturers' qualifications and the courses offered, but shortages of suitable applicants are reported for posts in computing, electronics, information technology and some aspects of business studies.

63. In NAFE, all but eight LEAs were judged to have satisfactory or better provision of teaching staff. Where there was unsatisfactory provision, this was associated with such factors as over-dependence on part-time and short contract staff and the need for updating in new technology and modern industrial or commercial practice.

64. The provision of teaching staff for adult and continuing education was judged satisfactory or better in all but 11 LEAs, and in many LEAs staff were well managed and supported by training and staff development. In a few authorities lack of such training and over-reliance on part-time staff contributed to unsatisfactory provision.

65. In youth and community, there was a small increase in staff, but the number of unfilled vacancies remains high. Staff are generally judged to be of good quality but there are some problems caused by inadequate leadership.

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* See the note on p.11 for the use of terms.

66. In both AFE and NAFE levels of teaching staff were judged adequate for the courses provided in over four-fifths of the visits. In a similar proportion of visits, lecturers' qualifications and experience were assessed to be adequate.

ADVISERS/INSPECTORS

67. The amount of advisory support dedicated to FHE shows a small increase, but 35 authorities were reported to have no FHE advisers and similar numbers had no careers advisers or advisory teachers for this sector. There are advisers with dual roles to cover both schools and FHE exist in several LEAs, but these responsibilities are not always judged to be carried out effectively. In a small minority of LEAs, it was judged that principals of colleges were well able to provide the necessary support to staff. The advent of WRNAFE planning and the GRIST scheme have led some authorities to make secondments of staff from colleges to the LEA. GCSE and 16-19 development proposals have increased further the need in FHE for professional advice, and at least six LEAs are reported to be planning to extend their advisory service into this sector. Inspection and classroom monitoring of FHE classes are carried out systematically by only a few LEAs.

IN-SERVICE TRAINING AND INDUCTION (STAFF DEVELOPMENT)

68. LEA expenditure for INSET and induction was reported to have increased substantially from 1985 figures, and numbers of secondments of various kinds had risen. In 74 of 95 LEAs staff development arrangements were judged to be satisfactory. Positive features noted included effective planning, an increased emphasis on training in information technology and more use of in-house training. Problems identified included serious difficulty in replacing teachers on secondment or short periods of INSET, poor co-ordination and monitoring of work and inadequate funding. Support for GCSE training has so far been generally at a low level, partly because the introduction of the courses will not for the most part begin until 1987-88. In a third of all visits made, there were deficiencies related to the provision of INSET.

NON-TEACHING STAFF

69. From the (incomplete) returns available from LEAs, it appears that there was a small increase in administrative and clerical staff in AFE, but decreases in library and technical staff. Table 15 summarises the available data. Overall provision of support staff was judged to be satisfactory in nearly 90% of LEAs. In NAFE, there has been an overall increase in support staff but HMI judged the level of support to be less than satisfactory in 37 LEAs. Difficulties have been encountered in recruiting technicians in the new technologies and the distribution of non-teaching staff did not always reflect the needs of the various disciplines. Ancillary support was often lacking in youth and community work. In nearly a quarter of visits, the level of non-teaching staff was judged inadequate, almost all occurrences being in NAFE.

Table 15

CHANGES IN NUMBERS OF
NON-TEACHING STAFF IN FHE

		Percentage change 1985 - 1986
Administrative and clerical staff	AFE :	+ 4%
	NAFE :	+ 2%
	Y&C :	+ 8%
Library staff	AFE :	- 2%
	NAFE :	+ 5%
Lab. and workshop technicians	AFE :	- 2%
	NAFE :	+ 2%
Other non-teaching staff	AFE + NAFE :	+ 1%
	Y&C :	+17%

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4. MATERIAL PROVISION

ACCOMMODATION AND PREMISES

70. Overall, budgets for the repair and decoration of premises for 1986-87 showed an increase of 7% in cash terms, for the LEAs which submitted returns, from the actual expenditure in 1985-86. Programmes for repair and maintenance are of variable frequency, and backlogs are reported in some authorities. HMI judged current maintenance programmes satisfactory or better in 57 LEAs, an increase from 1985. The current state of repair and decoration was judged satisfactory or better in 29 of 42 LEAs for AFE and 59 out of 96 LEAs for NAFE. Major problems reported included maintaining old, unsuitable buildings, shortages of accommodation, particularly in specialist areas such as computing, and continued use of temporary accommodation. In youth and community, more than half the LEAs on which an assessment was offered were judged to have less than satisfactory accommodation and in continuing education 30 LEAs were so assessed. The quality of accommodation was assessed as insufficient to sustain and develop courses in over two-fifths of all visits, a third of AFE visits and 44% of NAFE; these figures suggest a deterioration from 1985.

BOOKS, EQUIPMENT AND MATERIALS

71. The planned expenditure by LEAs of 1986-87 on books, equipment and materials showed little overall change, though there were marked individual variations. Of the 44 LEAs with AFE returns, provision of equipment was judged satisfactory or better in 70%, that of materials in 93%, and that of libraries in 84%.

72. In NAFE the corresponding figures were, from 94 LEAs: 69% satisfactory or better for equipment, 86% for materials and 70% for libraries. A higher proportion of LEAs than in 1985 were judged less than satisfactory in their library provision. For materials and equipment the provision is assessed as similar to 1985. Inadequate funding for the replacement of capital equipment and the purchase of new high technology equipment gave cause for concern.

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73. In youth and community, equipment was judged to be satisfactory or better in 66% and materials in 67% of the LEAs for which returns were available. Both in adult and continuing education in and youth and community provision, grant aid to voluntary organisations providing educational courses has increased substantially.

74. In work observed, levels of books and equipment were judged to have remained fairly constant, with equipment thought to be inadequate in a quarter of all visits.

OVERALL ASSESSMENTS OF RESOURCES

75. In four-fifths of all visits the overall level and quality of provision of resources were judged satisfactory or better. The percentage judged less than satisfactory, however, has risen from 12% in 1984 to 15% in 1985 and 19% in 1986. This increase is accounted for entirely by NAFE.

DEPLOYMENT AND MANAGEMENT OF RESOURCES

76. Both teaching and non-teaching staff were judged to be deployed effectively in most visits, with a rather higher proportion of unsatisfactory deployment recorded in NAFE than in AFE. There has been an improvement in the effective use of resources particularly in AFE. In NAFE, and occasionally in AFE, there were instances where resources and equipment were not easily able to be used when needed.

77. In about a third of visits, students were required to provide some materials and equipment for their courses. Colleges and departments received financial support from a variety of other sources, particularly YTS, which provided funds in three-fifths of all cases; the amount of assistance from other sources, especially commerce and industry, government agencies and research councils, showed increases over the previous year. WRNAFE was judged to have had a discernible influence on the planning of provision, particularly on the range of courses, and the funding was in some cases thought to have supported curriculum development helpfully.

5. OBSERVED PROVISION AND RESPONSE

a FURTHER AND HIGHER EDUCATION (FHE)

78. Table 13 above shows the pattern of visits to institutions of various kinds. 550 returns were submitted by HMI on visits made in the autumn term of 1986. From these visits, assessments were made on 2236 classes, 278 in AFE and 1958 in NAFE. Most of these visits were specialist, but 94 (17%) were general, a higher proportion than in 1985 (11%). Compared with 1985, there was a far higher number of visits to inspect industrial sciences, and pre-vocational education emerged for the first time as a significant category.

79. Overall assessments for provision and response are given in Section 1 above. Where provision was assessed as satisfactory, the match of lecturers' experience and qualifications was almost always helpful to the work undertaken, the relevance of the activity, good organisation of class time, and the motivation of students. The factors which were judged most commonly to be associated with work of poorer quality were poor organisation of class time, inappropriate accommodation, and inadequate books and equipment. (Figure 5 in the Appendix shows, for AFE and NAFE, the relative influence of various resources and other factors in relation to all classes seen). Visits confirmed that good provision usually exhibits a variety of teaching skills and styles, drawing on the expertise and enthusiasm of lecturers, active participation and interest on the part of students, and effective use of resources and teaching aids. Where work was of less satisfactory quality, such skills were notably less marked, with activities offering students less challenge and few opportunities for their involvement and often poorly supported by the accommodation and teaching resources.

b ADULT AND CONTINUING EDUCATION

80. 56 visits were made to institutions in order to see work in adult and continuing education, the same number as last year. 246 sessions were seen; the visits were in 30 LEAs. 36% of the visits were to free-standing, non-

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residential Adult and Continuing Education institutions; 11 were to provision located in FHE institutions; and the majority of other visits were to community schools and colleges and to extra-mural departments of universities. The quality of work was satisfactory in four-fifths of the sessions seen.

81. Of the resource factors assessed, accommodation was judged to be the one most frequently restricting the quality of work, in a quarter of all visits. Amongst other factors, the range of experience and ability within the student group was most frequently identified. The factors most frequently judged to be helpful to the quality of work were the match of lecturers' expertise and experience to the work seen; the relevance of the activities; and the involvement and motivation of students. Arrangements for providing tutors were regarded as satisfactory in four-fifths of visits and the match between tutors' capabilities and the work to be carried out was judged adequate in 87% of visits. Arrangements for supervision, including monitoring, guidance and training, were judged adequate in fewer than half of the assessments made. Difficulties over non-teaching staff, including organising staff, were reported in over a third of visits. In over four-fifths of the visits the level and quality of provision of staff were judged to be satisfactory or better overall. The resource factor which was most frequently unsatisfactory was accommodation. The deployment and management of resources were assessed as satisfactory in three-quarters of visits. Changes were thought to be needed in order to improve the quality and range of courses in a substantial minority of visits. Desirable improvements included: better day time provision; concessions for specific groups; and appropriate INSET. Assistance to institutions, responsible bodies and projects was received from a number of schemes and agencies. Where such assistance was forthcoming, the benefits extended beyond those directly involved. Where adults were participating in AFE and NAFE classes, difficulties were most commonly reported in classes which were mixed, especially in relation to books and library provision, and in the ability range and composition of the group. Motivation of students was particularly high in adult classes.

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c YOUTH AND COMMUNITY

82. Returns were made on 153 visits, in 20 LEAs. The majority were concentrated in a small number of local authorities which received team visits during programmed inspections. For this reason, it is not possible to make generalisations on a sample with any claim to be nationally representative.

83. The quality of provision was judged satisfactory in just over half the visits made, and in fewer than half of those where the main focus was recreational activities. Numbers of staff are in most cases judged adequate, but the quality of staff planning which is required to implement a successful programme is less frequently present. Effective social education was seen in a variety of contexts; factors contributing to successful work were the quality of staff (the most important factor), and careful assessment of needs, together with a programme which responded to these, which had planned progression and which was subject to clear evaluation. Much provision which lacked these qualities also suffered from accommodation whose quality and design were far below acceptable standards; inadequate leadership was even more frequently the cause of deficiencies. In many cases there was a lack of policies for spreading good practice. Funding patterns were very diverse, with LEA and voluntary funding frequently supported by finance from central government agencies.

d TEACHER EDUCATION

84. Sixty one visits were made to 30 institutions involved in teacher education, which included 10 polytechnics, 13 colleges of higher education (including monotechnics) and seven other institutions, such as FE colleges offering the teachers' certificate for FE teachers. 206 sessions were observed. Of these, about three-quarters were concerned with BEd courses, just over 10% with PGCE, and the remainder with in-service and FE Teachers' Certificate courses. The small number and the nature of these visits do not permit nationally valid generalisations.

85. The overall standard of work was judged satisfactory or better in almost 80% of visits where an assessment was made. Nearly nine-tenths of classes seen

were judged satisfactory or better for provision and slightly more were 91% similarly assessed for the response of students. The match of tutors' qualifications and experience to the work was helpful in over 90% of lessons seen, as was the quality of teaching in about 80% of sessions observed; these figures suggest a much improved position. Resources were generally satisfactory. Computers were used in only 25 sessions, but in all of these they were judged to be having a beneficial effect. Although accommodation was mostly assessed as satisfactory, there were a number of deficiencies, particularly over specialist rooms. Non-teaching staff affected were involved in only a minority of classes, and their involvement was mostly helpful. Necessary improvements identified included course planning, aims and structures and greater use of school-based work. Most courses were judged to be providing appropriate preparation for future professional tasks.

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FIGURE 1

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NUMBERS OF PUPILS AND TEACHERS AND PUPIL:TEACHER RATIOS. (ALL LEAs, ENGLAND)

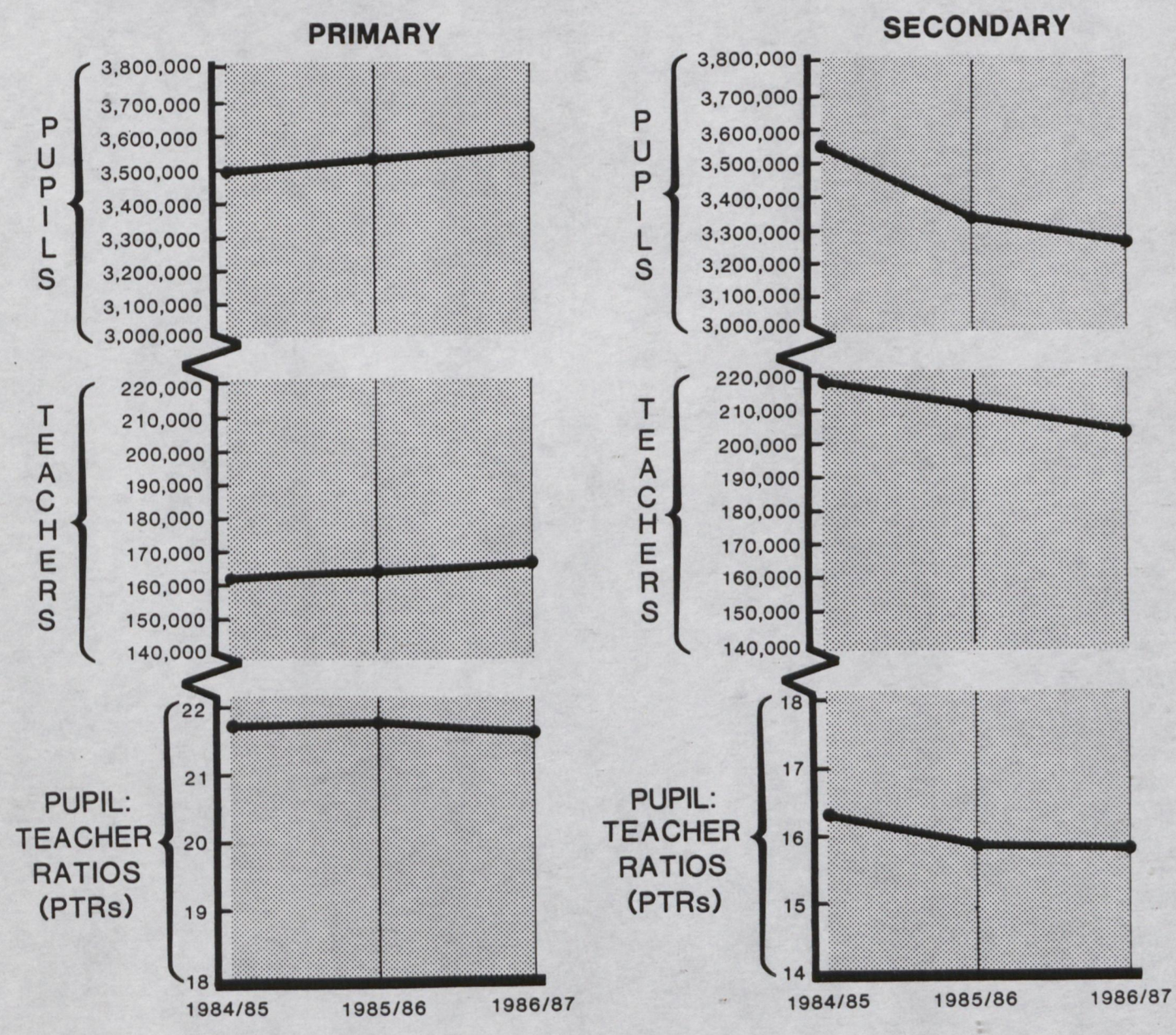

FIGURE 2

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RESOURCES & OTHER FACTORS AFFECTING QUALITY OF WORK

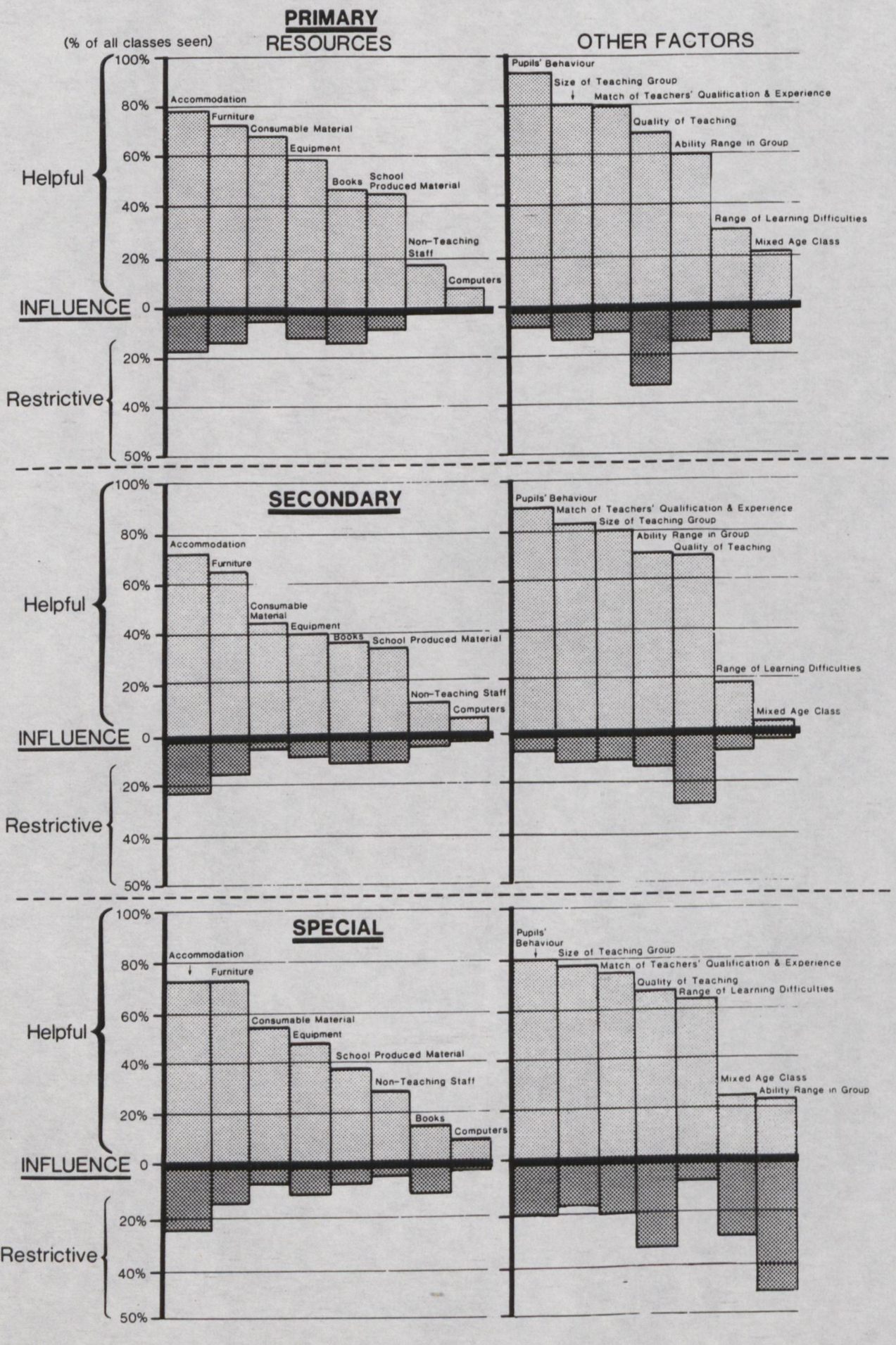

FIGURE 3

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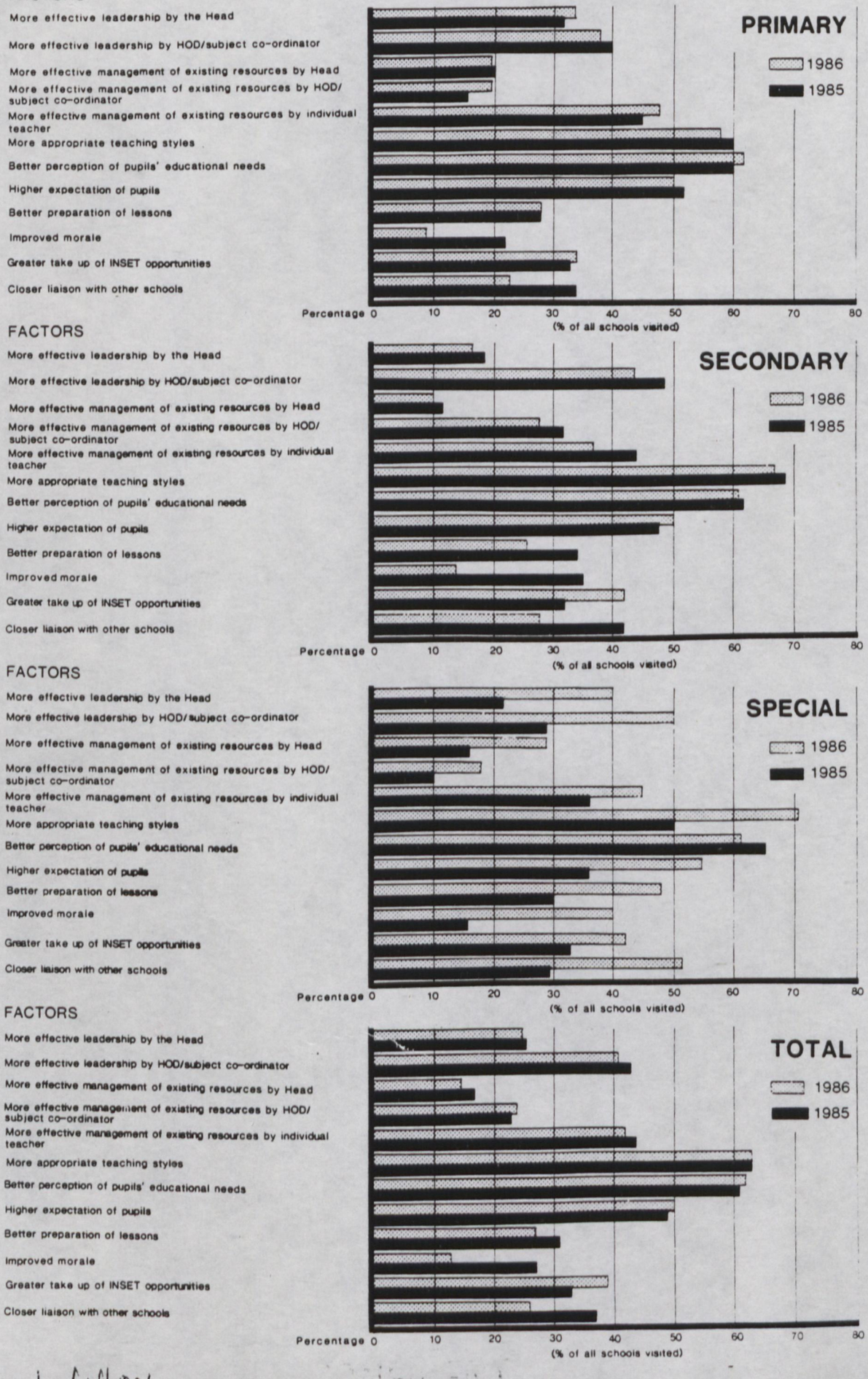
CHANGES, INTERNAL TO THE SCHOOL, REQUIRED TO EFFECT SIGNIFICANT IMPROVEMENT.



Footnote to follow

FIGURE 4

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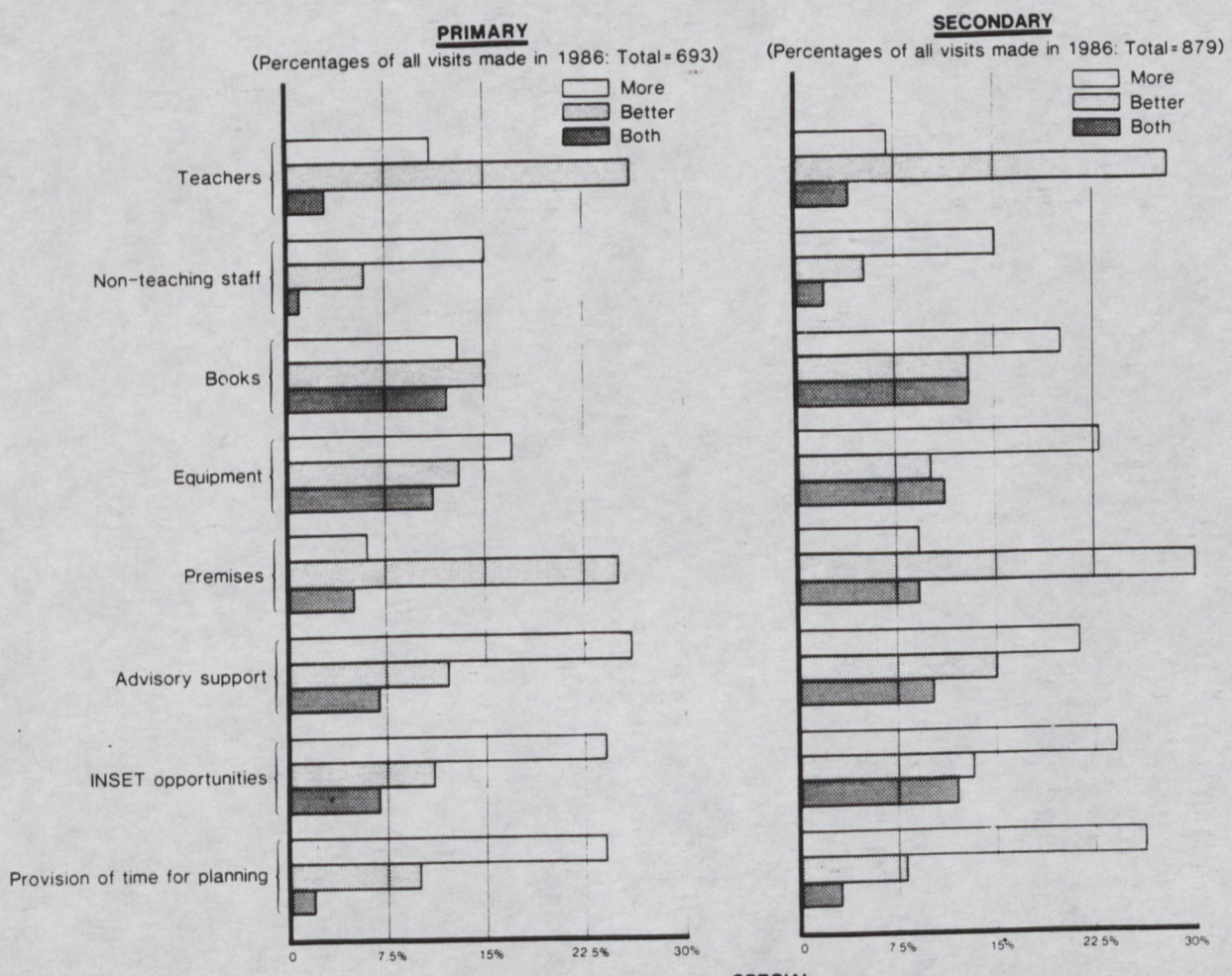
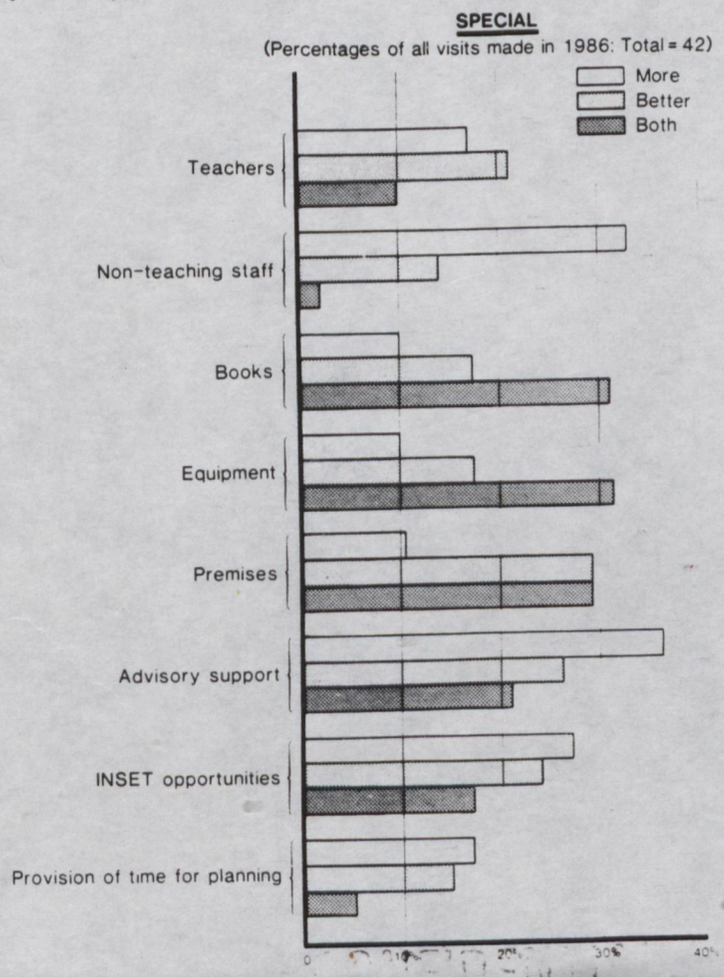
CHANGES FROM OUTSIDE THE SCHOOL ~~~~ BETTER

REQUIRED TO EFFECT SIGNIFICANT IMPROVEMENT: THE PROPORTIONS OF SCHOOLS VISITED WHERE MORE OR ~~ADDITIONAL~~ RESOURCES, OR BOTH, WERE JUDGED NECESSARY.





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PRIME MINISTER

EDUCATION LEGISLATION: MORE OPEN ENROLMENT

We have agreed that it is essential to introduce the Education Bill as soon as possible in the autumn and my Department is pressing ahead with instructions to Parliamentary Counsel. Over the summer months it will be helpful if we can gather comments on the detail of the proposals from those who will be implementing them locally. It is also important to clarify for a wider audience just what our proposals entail. I propose to issue a series of consultative papers about the main aspects of the legislation, having first cleared the text of each with colleagues.

Accordingly I attach a draft consultative document on our proposals for more open enrolment which, subject to your views, I intend to issue in the week beginning 6 July. This reflects the policy agreed by H Committee on 29 April, except that it provides for the extension of the legislation to primary schools at a future date to be determined by the Secretary of State. Provision for this extension seems to me to be necessary for the coherence of our overall policy though I remain convinced that the urgent need is to remove artificial admissions limits in secondary schools.

I am copying this minute to members of E(EP) and to Sir Robert Armstrong.

K.B.

KB

30 June 1987

Department of Education and Science

CONFIDENTIAL

ADMISSION OF PUPILS TO MAINTAINED SCHOOLS

1. The Government is committed to securing wider parental choice within the system of state schools. It intends to bring forward legislation during this session of Parliament to change the present arrangements for schools' admissions so that local education authorities (LEAs) and governing bodies, depending on who is responsible for admissions policy at the schools concerned, will be required to admit pupils up to the limits of the available capacity of each school. This paper sets out detailed proposals and invites comments from interested parties.

The present position

2. Under the provisions of the Education Act, 1980, parents may express a preference for whichever maintained school they wish their child to attend. The LEA, or governors as the case might be, must each year determine admission limits for their schools, together with criteria for determining admissions in the event of oversubscription. The Act provides that each school has a "standard number", which is usually the number of pupils admitted to the school in the 1979-80 school year. The LEA or governors are free to set the limit lower than the "standard number" by up to 20% without reference to the Secretary of State, and may seek his approval to set an even lower limit by making statutory proposals under Section 15 of the Education Act 1980. The admission limit for a school may therefore vary from year to year and need not bear any close relationship to its available capacity. As a result, pupils whose parents wish them to attend a particular school may not be admitted although the school could accommodate more children.

3. In this way, artificial limits are placed on the ability of popular schools to recruit up to their available capacity. As school rolls have fallen, there has been widespread use of the flexibility available under the 1980 Act to spread intakes among schools. This has often inhibited and delayed necessary

rationalisation of schools provision and at the same time acted as a barrier to the exercise of effective parental choice.

The Government's Proposals

4. The Government proposes to legislate so as to require schools, if there were a demand for the places, to admit pupils up to their "standard number". In the case of primary schools, the existing "standard number" would be redefined to take account of all pupils admitted to a reception class of the school in the year concerned, including those below the age of 4 years 6 months and any who came up to the main school from a nursery unit or class. If admissions were above the "standard number" in the school year immediately preceding implementation of the new legislation, the "standard number" would be redefined as the higher figure represented by those admissions. If a school had the existing physical capacity to take an even higher figure, and the LEA or governors wished to adopt that higher figure as their admissions limit, they could do so without the prior agreement of the Secretary of State. Where whichever of the LEA or governing body was not responsible for admissions to a school wished to propose that the school's admission limit should be raised beyond its "standard number", the legislation would enable it so to propose to those responsible for admissions and, in event of that proposal not being agreed, to seek an Order from the Secretary of State. LEAs or governors would need to secure the Secretary of State's approval if they wished on grounds of the school's physical capacity or type of accommodation to apply a lower "standard number". Other arguments for a lower "standard number" would not be admissible.

5. LEAs and governors would be required to keep the "standard numbers" of their schools under regular review in order to take account of changes in physical capacity or type of accommodation and of the requirements of the regulations governing the standards for school premises.

Admission Procedures

6. Subject to these changes and to consequential amendments to disapply Section 15 of the Education Act 1980, LEAs and governors would be required, from the school year for which the change was implemented, to operate admissions policies, and admit pupils to schools following the procedures which presently exist under Sections 6-8 of the Education Act 1980, but against the higher admission limit. They would, as at present, be obliged to publish information about their schools, including details of the admission arrangements. Parents would have the right to express a preference as to the school at which they would like their child to be educated, that school being anywhere in the LEA in which they live or within the area of another LEA. LEAs and governors would be obliged to meet preferences unless such admissions would, against the higher limits operative,

(i) prejudice the provision of efficient education or the efficient use of resources, or

(ii) in the case of an aided or special agreement school, be incompatible with any admission arrangements agreed between the governors and the LEA, or

(iii) in the case of selective schools, be incompatible with the selection arrangements.

Parents whose preference could not be met would be offered a place for their child in an alternative school and, if dissatisfied over a child's non-admission to their preferred school, would have the right of appeal to a statutory local appeals committee. Arrangements for the provision of school transport would remain as they are at present.

Implementation

7. The intention, subject to enactment of the necessary legislation,

would be to apply the new provisions to secondary schools from September 1989 and to primary schools from a later date, should that then be appropriate. Until the new provisions applied, LEAs and governors would continue to be subject to the provisions of Section 15 of the 1980 Act.

Consultation

8. The Secretary of State would welcome comments on his proposed procedure for removing artificial barriers to recruitment. These should be sent to Mrs R Turp in Room 3/54, Department of Education and Science, Elizabeth House, York Road, London SE1 7PH by not later than 16 September 1987.

CONFIDENTIAL

Spare copy 3

ELIZABETH HOUSE
YORK ROAD
LONDON SE1 7PH
01-934 9000

Rt Hon Viscount Whitelaw PC CH MC
Lord President of the Council
68 Whitehall
London
SW1

30 June 1987

Dear Willie,

As you will know, HM Inspectorate produces each year a report about local authority expenditure on education and its relationship with teaching and learning. We have published the last six. I attach a copy of the latest, and copies of a factual Press Notice about the report, and of a brief statement which I intend to issue. I propose to publish the report on Tuesday 21 July. If asked why it was not published in May as usual, I shall point out that I did not receive it until 19 June.

There are some changes in the structure of the report this year. In particular, statistical data has been cast into tables and figures to make the text more readable. The title has been changed to reflect what this report has come to be about: LEA provision for education and the quality of response to that provision.

As you will see from the Press Notices the main findings remain similar to those of previous years: most provision and response is satisfactory or better but the pattern is uneven. The condition of school and college buildings and book supplies are weak points: there were very wide variations in the resources made available by LEAs for the GCSE. But there are many positive points too including, in relation to policies which we have introduced, signs of success for the Technical and Vocational Education Initiative Education Support Grants and the MSC involvement in work-related NAFE; see for example paragraphs 23 and 25.

In my comment I have drawn attention to HMI's observations on the scope for LEAs and teachers to make better use of the resources at their disposal. This is all the more important given that LEAs have chosen this year and last to increase the volume of their spending. It is equally important that I acknowledge that some of the improvements needed have a cost.

The report represents an independent professional judgement by HM Inspectors of the current state of affairs based on inspection.

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I send it to you for information; it will go to the printers very shortly. If colleagues wish to comment on the publicity material I should be grateful if they would do so by close of business on Monday 6 July.

Copies of this letter and its enclosures go to the Prime Minister and other Members of the Cabinet and to Sir Robert Armstrong.

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KENNETH BAKER COMMENTS ON HMI REPORT

Education Secretary, Kenneth Baker, issued the following statement on the HMI report published today on "LEA Provision for Education and the Quality of Response in Schools and Colleges in England - 1986".

"This is the seventh report in this series published since 1981.

It is about the provision which local education authorities make for education, and about how pupils and students respond to that provision.

In nearly 7 out of 10 school classes which HM Inspectors observed, provision was satisfactory or better. In just over 8 out of 10 classes the response of pupils was satisfactory or better.

In further education, over 80% of the provision, and nearly 90% of the response, was judged satisfactory or better.

So far, so good. But as Secretary of State I am eager that the education service should remedy what is now unsatisfactory, and make what is now satisfactory even better.

More money does not equal better education. HMI again make the case for clearer perception of pupils' needs and better management of staff and resources. They say that "unsatisfactory standards of provision are more often related to ineffective deployment of people and resources than to shortages of the resources themselves".

Local education authorities will want to act on those findings. The Government is funding training programmes to support their efforts.

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Of course well directed additional resources can help. We are spending more on education. In 1986-87 local education authorities budgeted to spend 6.9% more in real terms on education than in 1985-86. After taking account of inflation, that is a real increase of £750m. This year's budgets indicate a further real terms increase of 4.7%. These budgeted increases had not fully worked through by last autumn when HM Inspectors made the visits on which this report is based. But HMI found clear signs of better staffing, and higher capitation allowances.

HMI continue to express concern about the condition of school and college buildings and their furniture. Local education authorities have told me that they wish to give higher priority to repairs and maintenance. This year's Rate Support Grant settlement allows for that. We shall need a sustained programme stretching over several years to put right a problem which has grown up over a long period.

HMI found provision of books, equipment and materials to be satisfactory in most LEAs. I hope schools will look very hard at the way books are used. It is disturbing that in many visits HMI found that books were ignored even though there were adequate stocks.

HMI Inspectors found that the introduction of the GCSE was, on balance, having a beneficial effect on pupils. They comment, however, on the very uneven provision made by LEAs for the introduction of the GCSE. Autumn 1986 was early days, but I fully share their concern. The last Rate Support Grant settlement allowed for all the expenditure which LEAs said they wanted to incur on the GCSE this year. We are continuing to help through Education Support Grants. I hope that HMI will find more satisfactory provision this autumn when the second group of youngsters begin their GCSE courses.

I was pleased that HMI found further and higher education in a healthy and responsive state with buoyant enrolments. It is particularly pleasing that the new development plans for work-related non-advanced further education are leading to better targetting of provision.

Local authority education overall is now better resourced than ever before. We have given school teachers more pay, a new salary structure and clearer duties. The way is now clear for the service to devote its energies to remedying the weaknesses, and building on the strengths, which HM Inspectors have reported."

NOTES FOR EDITORS

1. The report is the tenth in a series of annual reports by HMI. It is based on HMI's visits to schools and colleges last autumn and on returns made by District Inspectors last November for each of the 97 LEAs in England, except for the Isles of Scilly.

2. This is the seventh time such a report has been published, the first being in 1981.

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DRAFT FACTUAL PRESS NOTICE

HM INSPECTORS REPORT ON LEAS PROVISION FOR EDUCATION AND THE QUALITY OF RESPONSE IN SCHOOLS AND COLLEGES

The latest in the series of annual reports on educational provision in England by Her Majesty's Inspectorate* confirms their judgement that most classes, both in schools and in FHE, received at least satisfactory teaching and other provision. But in a substantial minority of lessons there is room for better perception of pupils' needs and more appropriate teaching styles.

HMI find that the general position is similar to that reported last year, with resources more available and better used in further and higher education than in schools.

They detect several areas of improvement - notably in the quality of advisory support to schools and of in-service training for teachers. Levels of expenditure on maintaining education premises and on books and materials have generally increased, but the effects of these increases have not always been sufficient to reverse long-standing problems mentioned in previous years' reports.

"In many LEAs problems, by no means confined to older buildings and often exacerbated by serious vandalism and arson, lead to an increasing backlog in repairs and maintenance."

The supply of teachers is generally adequate, but HMI report that "while better LEA management of the teaching force could do more to ensure that these teachers are deployed in the most appropriate ways, there remain some serious shortages which cannot be resolved in this way".

Better clerical and technical support in some government-funded projects "threw into relief the lower levels generally available". Specific government funds (Education Support Grants) were having helpful effects in areas such as primary school mathematics

*LEA Provision for Education and the Quality of Response in Schools & Colleges in England - 1986"

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and work-related non-advanced further education, and in the main "schools and colleges have made strenuous efforts to respond to national and local expectations and initiatives".

Parents are continuing to offer substantial support to schools in cash and kind. "In just over five per cent of primary schools visited parental contributions more than double capitation allowances".

The report confirms the variations which have grown up and which continue to widen between different LEAs and from school to school. In particular the introduction of the new 16+ GCSE examination was being supported by sizeable additional funds in some local authorities, but others had given little extra finance.

Among the positive features noted in this year's report were the following:

- The pupil teacher ratios in primary and secondary schools were again increasing slightly;

- There were slight improvements in the levels of non- teaching staff;

- There were increased numbers of advisers and advisory teachers and an improved service to schools;

- Spending on the maintenance of schools was generally higher in real terms than last year;

- There were higher capitation allowances for school books, materials and equipment;

- In further and higher education enrolmments were buoyant;

- The provision made for pupils and students and their response to this were satisfactory or better in the great majority of cases.

Some of the weaknesses observed were:

- The persistence in primary schools of some classes over 35;

- Poor deployment was judged to be exacerbating the problem of teacher shortages;

- Despite oases, such as some TVEI schools, the quality of non-teaching support for the curriculum remained generally deficient;

- There was a lack of advisory support for FHE;

- The unsatisfactory state of many buildings persisted, especially but not exclusively in schools;

- There was increasing evidence of poor provision and use of libraries and books generally, in secondary schools, and there were some problems over obsolete equipment.

HMI consider that there is room for bringing about improvement through

- more effective management of teaching and non-teaching staff;

- Developing clearer perceptions of pupils' needs and providing appropriate educational experiences;

- Setting clearer priorities over staff development and in-service training;

- Better use of computing and IT;

- The directing of resources to the areas of greatest need;

- More effective leadership and management of resources in all levels in schools.

As in previous years, HMI report that "while levels of resource provision are important, the quality of teaching is vital to the effectiveness of education".

NOTES FOR EDITORS

1. The report is the tenth in a series of annual reports by HMI. It is based on HMI's visits to schools and colleges last autumn and on returns made by District Inspectors last November for each of the 97 LEAs in England, except for the Isles of Scilly.

2. This is the seventh time such a report has been published, the first being in 1981.

HMI EXPENDITURE REPORT: DRAFT INSPIRED QUESTION

To ask the Secretary of State, when he expects to make available the report of HMI on the effects of local authority expenditure policies on the education service in England in 1986.

MR KENNETH BAKER

The HMI Report on the educational provision made by LEAs in England, and the quality of response to that provision, as observed in the autumn of 1986 has been published today. Copies are available in the Vote Office. This is the seventh report to be published since this Government decided that HMI's findings should be made generally available. Like its predecessors it should be essential reading for all concerned with the provision of education.

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SUBJECT

CC MASTER

10 DOWNING STREET

LONDON SW1A 2AA

From the Private Secretary

29 June 1987

NATIONAL CURRICULUM: ESTABLISHMENT OF WORKING GROUPS

In the context of another meeting on Friday, the Prime Minister discussed briefly with your Secretary of State his minute of 25 June about the proposed curriculum working groups on mathematics and science.

The Prime Minister expressed scepticism about the ability of some of those who had been proposed for membership of the working groups to understand and make sound recommendations on the needs of school children. After discussion, it was agreed that one or two more practising school teachers should be added to the working groups and one of the businessmen removed. The Prime Minister is otherwise content with the proposals in your Secretary of State's minute, subject to the views of colleagues.

I am sending copies of this letter to Alex Allan (HM Treasury), Jon Shortridge (Welsh Office), Robert Gordon (Scottish Office) and Trevor Woolley (Cabinet Office).

(DAVID NORGROVE)

R. L. Smith, Esq.,
Department of Education and Science.

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SUBJECT
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CC BG

Meeting Record

10 DOWNING STREET

LONDON SW1A 2AA

From the Private Secretary

26 June 1987

THE NATIONAL CURRICULUM

The Prime Minister this afternoon held a meeting to discuss the National Curriculum, on the basis of your Secretary of State's minutes of 23 June and 25 June. There were present, your Secretary of State, Mrs Rumbold (the Minister of State for Education) Mr Bob Dunn (Parliamentary Under Secretary of State for Education), Mr Brian Unwin (Cabinet Office) and Professor Brian Griffiths (No 10 Policy Unit).

Your Secretary of State described the arrangements for setting and testing the National Curriculum along the lines of paragraph 3 of his minute of 23 June. There would be foundation subjects, attainment targets, tests and other assessment instruments, machinery for moderating the teachers' testing and assessment, and national monitoring by the SEC. Your Secretary of State said he was concerned about the way in which some examining boards were behaving. There was a tendency for them to be captured by teachers. This was part of the background to his proposal to give the SEC a statutory basis.

In discussion, your Secretary of State said he envisaged the foundation subjects as being mathematics, English, science, history, geography, technology, a language, physical education, music, art and religious education. The first seven subjects would be the main elements of the curriculum. The Prime Minister pointed to the difficulties in allowing more than a limited range of languages to form a part of the core curriculum. There was also a strong case for not making art and music compulsory.

It was agreed that it would be useful to circulate a flow chart or diagram showing how the arrangements for the core curriculum and its testing would operate. Working groups should be urged to complete their work as quickly as possible, so that there might be a chance of completing the process within a year. Your Secretary of State said that his hope was that teaching of the core curriculum in mathematics and science would begin in October 1989. The working group on assessment would be expected to report by Christmas.

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The Prime Minister invited your Secretary of State to circulate his proposals on the curriculum, for clearance by correspondence if possible.

I am circulating separately comments on the proposed membership of the working groups.

On other matters, your Secretary of State described the difficulty and expense of securing and renovating buildings for the new City Technology Colleges. He would be providing a brief on the question of fees and charges in schools, for use by the Lord Privy Seal at Prime Minister's Questions on Tuesday. The court ruling in the case relating to Hereford and Worcester, and rulings by the Ombudsman, were causing difficulties for local authorities wishing to continue their practice of charging for certain extra activities, and in some cases the result had been to lead them to drop those activities. In answering questions, the Government could say that there would be no charge for examinations, and no fees, but on charges for "extras", Ministers should point to the proposed consultation paper. It was agreed that, in the construction of the National Curriculum, it would be important to avoid requirements for expensive field trips and the like being built in.

The Minister of State drew attention to the poor state of a number of school buildings. One way of helping this situation would be to increase the proportion of capital receipts from the sale of redundant school property which local authorities were allowed to keep, and to require them to spend it on school buildings. Discussions were taking place with the Treasury on this.

D R NORGROVE

R. L. Smith, Esq.
Department of Education and Science

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CC BG
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PRIME MINISTER

NATIONAL CURRICULUM: ESTABLISHMENT OF WORKING GROUPS

1. We need to take decisions urgently on setting up the curriculum working groups on mathematics and science agreed before the Election and on a small expert group to advise very rapidly on the practical considerations which will govern arrangements for assessment and testing.

2. On science and maths, I propose to ask each working group to advise on what pupils of different ability should be able to do and know at or near certain key ages - these are the attainment targets; and the programmes of study which pupils will need to follow in order at least to achieve these targets. My intention is that the programme of study for each subject should map out what children should be taught over the compulsory period as a whole, including a detailed description of the core which must be part of the education of all pupils.

3. I shall be asking the working groups to deliver interim reports after 3 or 4 months to give me their provisional thinking, including advice on what should be assessed and tested. The groups will be expected to produce their final reports 12 months after they start work.

4. As chairman of the science working group I propose **J J Thompson,** Professor of Education at the University of Bath. Professor Thompson is known to be an energetic and effective chairman. He is a national authority on science education, and is respected by science teachers at all levels. He is also a supporter of the Government's national curriculum policy whom we can rely on to deliver. He would accept the chair if it were offered.

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5. For the chairman of the maths working group I propose **Roger Blin-Stoyle**, Professor of Theoretical Physics at the University of Sussex and Chairman of the School Curriculum Development Committee since 1983. Professor Blin-Stoyle combines first rate academic credentials with considerable knowledge of, and standing in, the world of school education. He is also a supporter of Government policy on the school curriculum. He too would accept the chair if it were offered.

6. I want the subject working groups to be small enough to work quickly; to combine representation of 'consumer' interests with professional expertise; and to involve practitioners who will ensure that the recommendations are realistic and capable of rapid implementation. The composition I have proposed is 13 or 14 members including business people, prominent academics, teachers with recent teaching experience, a CEO, a teacher trainer and an expert on assessment.

7. We also need a small expert group on assessment and testing to ensure that the working groups come up with recommendations which point to arrangements which will encourage higher standards, which are simple to administer, which we can afford, and which can be readily understood by pupils, teachers, parents, employers and others. There must be no vast new bureaucracy. The existence of such a group will help to allay some of the publicly expressed fears about our intentions on testing and assessment, and ensure that the debate is better informed. The group's terms of reference will require them to recommend on

- the practical considerations which should govern all assessment and testing at ages 7, 11, 14 and 16;

- the marking scale or scales to be used;

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- how the results of assessment and testing should be used;

- what publications and other arrangements will be needed to make sure that the assessments and tests are understood and trusted;

- what teachers will need training in to make the assessment and testing process successful.

8. I suggest that we should ask Professor Paul Black to chair this task group. He is a physicist, Professor of Science Education at London University, based on King's College, and is widely respected by scientists and educationists alike. I know that he is sympathetic to what we are trying to do, and I think he offers an ideal blend of pragmatism and credibility. The group should be no larger than 9 people including the chairman - so that it can work quickly and produce recommendations by the end of the year. It will therefore be able to influence the maths and science working groups and give us a sound basis on which to start commissioning the development and piloting of tests and assessment instruments from bodies such as NFER. I have in mind a membership comprising two fairly senior industrialists, a Chief Education Officer, two people with teaching experience, one primary, one secondary, and three people with assessment and examining expertise, including

which does a great deal of testing for employers and others.

9. It has been agreed that the national curriculum should cover Wales and the Department accordingly has been keeping in touch with the Welsh Office. The proposals for membership of the

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science and maths working groups will include in each case a nomination from the Welsh Office.

10. I should be grateful to have your support for the proposals on remit, chairmanship and membership set out in this minute. I should like to be able to make an announcement as soon as possible so that the three groups may start work without further delay.

11. Copies of this minute go to Nigel Lawson, Peter Walker, Malcolm Rifkind and Sir Robert Armstrong.

K.B.

KB
Department of Education and Science

25 June 1987

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CCB/UP.

PRIME MINISTER

THE NATIONAL CURRICULUM

There are two main areas for discussion at this meeting:

- proposals for implementation of the national curriculum;
- the composition and timetable for the working groups on individual subjects.

You might also raise with Mr. Baker the question of the Chairmanship of the Interim Advisory Committee on Teachers' Pay. Sir Peter Main has turned this down. The other candidate was Sir George Jefferson with whom Mr. Baker should by now have had a discussion. If Sir George has also turned it down, other possibilities which have been mentioned are Lord Chilver and Lord Roskill.

DAVID NORGROVE

25 June 1987

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CCB/UP.

PRIME MINISTER

25 June 1987

National Curriculum

The two notes from Kenneth Baker raise a number of issues regarding establishing the national curriculum: the terms of reference for the various groups, the timescale of their reports, the chairmanship of each group, their composition and membership, and 'A' levels and 16-19.

Terms of Reference

The objectives for each group are very clear and follow very much your own ideas.

Timescale

There is not nearly enough urgency on timing. The groups are not due to report for a year - and on past form they could well go past this deadline by a few months. The first test will not be put into effect until the academic year 1989-90. Only two subject groups are being set up. If we wished to publish the national curriculum as a paperback, which went into the hands of all parents, then this might well not occur until the next Parliament!

Suggested Action

1. The groups should finish their work in six months.

2. Subject groups in all other areas should be established by September.

3. We should aim to publish a paperback covering the whole curriculum towards the end of next year.

4. Some of the tests (say for English and maths) should be available so that they could be introduced in the academic year 1988-89.

Composition of the groups

The existing subject groups are due to have 12/13 members of which only 2 represent business. The education producer interests will be dominant - 6 to 1.

Should not this balance be changed with 1 or 2 more outsiders? Or should not the result of the groups be widely circulated to obtain a parental and employer response?

Membership of the groups

I do not know any of the suggested Chairmen, though I am told Blin-Stoyle is very good.

My major concern is that DES might be advised by HMI on the choice of membership and that as a result the reports of the groups will be not what is required.

The key question to put to the Secretary of State is whether he can give you an assurance that the members chosen for each group have a concern for rigour and subject content and are not in the image of the HMI.

'A' Levels and 16-19

The Annex to the paper on the National Curriculum (para 12) mentions the need for reserve powers to force examining bodies to modify the content of 'A' levels. This might make sense in certain cases, but could also be a powerful weapon which HMI could use if they so wished.

Before agreeing to this you need the Secretary of State to spell out in much more detail what precisely he has in mind.

A Concluding Thought

The whole business of introducing a national curriculum would be very much easier if we had a Chief Inspector who could be trusted and who was not a product of the 1960's educational philosophy.

Was not Sheila Browne offered promotion? – Sheila Browne was the Chief Inspector responsible for science and was not particularly good.

Brian Griffiths

BRIAN GRIFFITHS

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P 02746

PRIME MINISTER

The National Curriculum
(Mr Baker's minute of 23 June)

You are meeting Mr Baker tomorrow afternoon for a provisional discussion of his proposals for the implementation of the national curriculum. You will want:-

(i) to satisfy yourself that the proposals are now on the right lines;

(ii) to agree how and when they should be taken forward.

MAIN ISSUES

2. The main defect in the proposals you discussed with Mr Baker before the election was the lack of specificity. The DES papers were full of aims and principles but it was not easy for the reader to understand what precisely children would be asked to do under the new arrangements by contrast with the present system. A good deal will necessarily remain open until the various expert bodies have produced precise proposals, but you will want to be assured that specific and acceptable proposals (on the curriculum, tests, assessment instruments etc) are now in prospect.

3. Mr Baker's minute, however, still leaves a very great deal to the imagination. It provides the bones of a system, without adding much of the flesh. You will have your own priorities for discussion, but among the issues you might wish to probe are the following:-

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(i) Foundation subjects: there are to be ten of these, set out in legislation. But no details are given. What are they, and to what extent will all pupils be required to study all of them up to age 14 or 16? These and other relevant details ought to be provided before the papers go to E(EP);

(ii) Costs: I suspect the new proposals will be quite costly, both in money and manpower. A lot of bodies will have a hand in devising, implementing and monitoring them (eg expert working groups, the GCSE examining groups, the Secondary Examinations Council (SEC) etc). This may well all be justified, but the Treasury will need to know and realistic estimates should be provided when the papers go to E(EP);

(iii) Role of the examining bodies: In paragraph 5 Mr Baker suggests that rather than establishing a new national examining authority, the present regional examining bodies should be used to support the national curriculum. You previously favoured this approach. You will want to be satisfied, however, that sufficient control can be exercised to ensure that the examining body tail does not wag the national curriculum dog. It will not be easy to ensure this. How do DES propose to do so?

(iv) Implications for GCSE: Paragraph 6 makes the point that the GCSE criteria do not meet the requirements of the proposed national curriculum in specifying attainment targets, content of programmes etc. This implies some - perhaps substantial - modification of the GCSE. How does Mr Baker propose to achieve this. Given all the problems and sensitivity over the introduction of the GCSE, there could be real problems here. Among other things it could provide another excuse for pressing for further launch money for GCSE;

(v) Timetable: It would be useful to know what timetable Mr Baker envisages for introducing the national curriculum, particularly in relation to the GCSE point above.

NEXT STEPS

4. Subject to discussion of the above and any other points, you will wish Mr Baker to bring his paper to E(EP). At present we are thinking, if possible, of a meeting in the week beginning 13 July (although there will be other important claims for times in your diary - eg on housing, local authority finance, inner cities etc). How would that suit Mr Baker?

Interim Advisory Committee on Teachers Pay

5. If time permits, you may wish to have a brief word with Mr Baker on the suggestions on the Chairman of the Interim Committee in his minute to you of 23 June. My minute of yesterday to Mr Norgrove commented on this.

> It suggested Lord Chilver. Lord Roskill is another name which has been mentioned.

J B UNWIN

23 June 1987
Cabinet Office

cc BG
cc B. Griffin
cc KB/KP

PRIME MINISTER

Nat. Curriculum Council

The National Curriculum

1. Before the election you said that you would wish to call a meeting to discuss the implementation of the national curriculum. I understand that you have set up a new Committee - E(EP) - to resolve remaining issues on the range of our education reforms so that work on drafting the legislation can proceed on the very tight timetable that we have set ourselves. I should welcome a private discussion with you on the issues raised in the attached note about assessment, testing and examinations. Subject to your views, I should want to put this note to E(EP).

2. Our objective is a national curriculum which applies throughout the compulsory years of schooling. I have set out as an annex to this minute what I believe we shall need as the key components and the machinery for assessment, testing and examinations. They are designed to ensure that there are clear objectives for:

- what children should normally be achieving by various ages within the compulsory period;

- what needs to be taught in order to make sure that they do so achieve; and

- testing to make sure that they have achieved what is expected.

3. In summary, the national curriculum would consist of:

- foundation subjects - as I announced to the Select Committee in April - to make certain that all pupils study a decent range of subjects to age 16 and do not opt out early from

Maths
English
Science

History
Geography
Technology (Design & Craft)

Physical Education

~~R. Education~~ A For. ~~Lang~~ Language

do not opt out early from the most important ones. Early specialisation is widely regarded as one of the greatest weaknesses of our present arrangements;

7 11 & 14. syllabuses

- attainment targets and programmes of study including core content - to be recommended by the high-powered working groups we shall be appointing. I shall be making proposals to you very shortly for the first two groups on Maths and Science;

Nat. Curr. Convent

- tests and other assessment instruments, developed and piloted by bodies such as NFER under contract from my Department;

- application of these national tests and assessment instruments in the schools by teachers, with the GCE/GCSE examining bodies handling the administrative arrangements;

- Moderation of the teachers' testing and assessment by the examining boards - as they now undertake for all 16+ examinations - to make sure that standards are constant and comparable;

SEC?

- national monitoring by the SEC on the Government's behalf of the examining boards' regional and local moderating, to make sure that there is national consistency and value for money in their procedures.

4. These arrangements are necessarily different from those that apply for public examinations such as A levels and GCSE, in that we shall have statutory, national attainment targets, programmes of work and tests instead of various syllabuses and examinations devised by the examining bodies in accordance with non-statutory

criteria. And because we are legislating for a national curriculum we shall need to take a stronger grip on examinations, as well as testing and assessment arrangements, in the compulsory period.

5. I considered, and rejected, the idea of establishing one national examining authority to develop a single range of examination syllabuses. Like you, I believe in the benefits - and safeguards - of having a choice of syllabuses designed by a number of independent boards. But there is a balance to be struck between reasonable choice and confusing and untrammelled proliferation, which could adversely affect the impact of our foundation subjects. That is why I am proposing that we should harness the considerable expertise of the examining bodies in support of the national curriculum; but this does mean exerting some statutorily based control over their work. We need to do so, above all because of the influences which GCSE and other examinations at 16 exert over the curriculum of pupils right down to the age of 12 or 13. So we must ensure that examination syllabuses in the foundation subjects reflect rather than dictate the national curriculum attainment targets and programmes of study for children in secondary education.

6. The GCSE criteria and scrutiny of syllabuses by the SEC usefully take us some way down the road. But the GCSE criteria do not go as far as we now wish for the national curriculum in specifying attainment targets, key content of programmes of study, and so on. And the control of syllabuses - their number and content - which SEC is able to exercise without statutory backing is insufficient. In particular I share SEC's concern about our inability to stop the Examining Groups agreeing to soggy mode 3 courses devised by schools, and themselves offering in response to teacher demand dubious qualifications and tests at levels below GCSE. Unless we act, we will see a reinforcement of the very problem we are trying to overcome: the low expectations which teachers have of their pupils.

7. We want the national curriculum, not the Examining Bodies' syllabuses, to determine what children learn during compulsory secondary schooling. And we do not want pupils sold short by infiltration of low level qualifications in, for example, "arithmetic" instead of GCSE mathematics, or "integrated humanities" rather than GCSE history. This is what underlies the proposals in the attached note for the approval of qualifications and syllabuses offered to 14-16 year olds, and to give statutory backing to the SEC in approving syllabuses on our behalf.

8. We also need to consider the position in relation to the period beyond compulsory education. I know that you have reservations about introducing statutory controls particularly in relation to A levels. I have therefore looked further at this and amended my original proposals in line with an idea suggested by Kenneth Clarke. I now believe that it would be sufficient to go for a reserve power with respect to qualifications, including vocational qualifications, taken by 16-19 year olds in full-time education - for use only if necessary to ensure that the independent operations of the examining bodies did not cut across our national objectives for raising educational standards. We would of course need collectively to consider any possible use of these reserve powers.

9. I would like to bring Angela Rumbold and Bob Dunn to have a provisional discussion with you about this before circulating a paper more widely.

K.B.

KB

23 June 1987

Department of Education and Science

ANNEX

NATIONAL CURRICULUM : ASSESSMENT, TESTING AND EXAMINATIONS

National curriculum components

1. The proposals for a national curriculum comprise the following components:

(a) foundation subjects which all pupils wil be required to study - to prevent early specialisation;

(b) attainment targets for each foundation subject - what children should be able to do and know at key ages:

(c) programmes of study - what must be studied to reach the attainment targets; and

(d) the testing and assessment of pupils at the key ages against the attainment targets, reflecting the programmes of study.

How is each component to be derived?

2. The foundation subjects will be set out in legislation.

3. The attainment targets and related programmes of study will be devised by the working groups appointed by the Secretary of State, whose recommendations will be incorporated in secondary legislation after consultation.

4. The national tests and assessment instruments will be developed and piloted by bodies such as the NFER and others with similar experience, under contract from the Department.

5. This contrasts with responsibilities for GCE, GCSE and other public examinations: the examining bodies offer whatever subjects they can sell, not just the foundation subjects; they set standards by reference to national, but non-statutory, criteria; they devise the content of syllabuses (equivalent to what the

working groups will do); and they develop the examinations.

How will the national curriculum be implemented in schools?

6. For pupils up to and including age 14, teachers will design lessons on the basis of the defined programmes of study. They will use the nationally devised tests and other assessment instruments, together with their own, additional, school-based assessments, to measure their pupils' progress against the attainment targets.

7. Outside intervention will be needed for - the basic administrative task of getting the nationally devised tests and assessment instruments into each school:

- moderation of the schools' assessments to check that judgments are comparable:

- national monitoring and quality control over national standards locally administered.

8. It is proposed to use:

(i) the GCSE Examining Groups to do the administration and moderation jobs. They have experience of distributing exam papers and of organising moderation, and a network of contacts with secondary - though not of course with primary - schools.

(ii) the Secondary Examinations Council (SEC) to secure consistent national practice and value for money. It is experienced in national oversight of examining and assessment activity, and has a network of contacts with the GCSE Groups. It would contract with the GCSE Groups to undertake test distribution and local moderation. The SEC would have no role in setting attainment targets or programmes of study or in devising national tests.

Application to 14-16 pupils and relationship with GCSE

9. It is proposed to apply up to age 16 all the components of the national curriculum - the full range of foundation subjects to avoid undue early specialisation; appropriate attainment targets and programmes of study as recommended by the working groups to follow on from what is taught at age 14, not as determined by the examining bodies; and assessment and testing of pupils to see how they measure up against the national attainment targets rather than the different examining bodies' syllabuses.

10. For most pupils, in most of the foundation subjects, the GCSE can be used to test and record attainment at 16 - with some changes. But the GCSE national criteria are not enough: in particular, the criteria in most of the foundation subjects contain little or no core content. We need GCSE syllabuses in the foundation subjects to reflect the national attainment targets at age 16 and the 14-16 programmes of study. This represents the case for powers to approve examination syllabuses for 14-16 year olds so that they support the national curriculum. The SEC would act as the Government's agent in this matter, since it already does the equivalent job against the existing GCSE criteria on the non-statutory basis.

11. The GCSE will not be the best way to test attainment in all the ten foundation subjects for all pupils. Not all pupils could take ten GCSEs, and some subjects - PE for instance - are not necessarily best tested by GCSE. Powers will therefore need to extend to enabling the Secretary of State to determine the qualifications that can be offered to 14-16 year olds, as well as to approve the associated syllabuses, in the same way that he will determine the testing and assessment arrangements which apply to pupils at ages 7, 11 and 14, so that the foundation curriculum attainment targets can be aptly tested for each pupil.

What about beyond 16?

12. Beyond the compulsory period, there should be less regulation. But some basic controls are needed to secure high standards and a coherent spread of qualifications, in particular up to age 19. Reserve powers to control the qualifications and approve the associated syllabuses offered to 16-19 year olds in full time education, to be activated only if and when required in specific cases, should be sufficient. The very existence of such reserve powers would probably of itself secure the necessary cooperation of examining bodies;

(a) in implementing any recommendations from the A level review - eg about consistency of core content - that we may decide to accept:

(b) in rationalising vocational qualifications.

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de rc

cBG.
Alex Allan
HMT

10 DOWNING STREET
LONDON SW1A 2AA

From the Private Secretary

18 June 1987

OPTING OUT

The point has been made to the Prime Minister recently that if a majority of governors is required before a school may opt out of the local authority sector, some schools may be forced to remain under the sway of local authorities against the will of a majority of parents. This could prove to be a particular risk if governing bodies have been "packed" in an undesirable way.

I should be grateful for your comments on how far this might be a difficulty.

incorporated in E(EP)87 paper 10/7/87.

(DAVID NORGROVE)

R.L. Smith, Esq.,
Department of Education and Science.

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CCBG

ELIZABETH HOUSE
YORK ROAD
LONDON SE1 7PH
01-934 9000

Prime Minister
To be aware.
DRS
14/5.

David Norgrove Esq
Private Secretary
10 Downing Street
London SW1A 2AA

14 May 1987

Dear David, mr

UNIVERSITY COLLEGE CARDIFF

Sir Peter Swinnerton-Dyer has now written out on UCC explaining the conditions which were agreed between Ministers last week. The text has been agreed with the Treasury and the Welsh Office.

I attach for your information a copy of the letters, which have also been issued under cover of a press notice by the UGC to reduce the risk of garbled reporting.

Copies of this letter go to Mike Eland, Jon Shortridge, Jill Rutter, Andrew Lansley and Trevor Woolley.

Yours sincerely,

Rob Smith

R L SMITH
Private Secretary

UNIVERSITY GRANTS COMMITTEE
14 Park Crescent, London WIN 4DH
Telephone 01-636 7799

PRESS NOTICE 14 May, 1987.

Attached is a copy of a letter which the Chairman of the University Grants Committee has to-day sent to Lord Elwyn Jones, the President of University College Cardiff. A similar letter has also been sent to Lord Cledwyn of Penrhos, the Pro-Chancellor of the University of Wales and to Baroness White, the President and Chairman of Council of UWIST.

cc Mr R. L. Smith
Mr Byrd
Mr Clark
Mr Chamier
Mr Morgan
Mr Holmes
Mr Lynne

UNIVERSITY GRANTS COMMITTEE
14 Park Crescent, London W1N 4DH
Telephone 01-636 7799

From the Chairman
Sir Peter Swinnerton-Dyer FRS

The Rt Hon Lord Elwyn-Jones
House of Lords
LONDON SW1

14 May 1987

Dear Lord Elwyn-Jones

The University Grants Committee considered the financial situation of University College Cardiff at its meeting on 7 May and received a report of the visit which I and two other members had made to Cardiff on 24 April. The Committee confirmed its view that, in the interests of higher education in Wales, a new and stronger university institution should be established in Cardiff, based on academic departments of UWIST and UCC. However, it expressed its concern about the obstacles which appeared to be impeding the creation of the new institution and, in particular, the financial problems of the UCC which are in the Committee's view the result of serious financial mismanagement by the authorities of that College.

2. I reported these conclusions to the Department of Education and Science and I have now been authorised by the Government to explore ways in which the creation of the desired new university establishment in Cardiff might be facilitated. It is recognised that this will require some once-for-all funding that would enable the new institution thereafter to be viable within usual UGC grant. Such funding would be provided only in the financial year ending 31 March 1988 and against conditions which would include the following:

(a) The resignation - or, if necessary, dismissal - of the Principal, Dr Bevan.

(b) The appointment of a successor to Dr Bevan who would also be acceptable to UWIST as Principal of the new institution.

(c) Academic and financial plans for the new institution (and, in the interim, UCC) to be approved by the UGC. They would of course have to be compatible with the grants to UCC and UWIST which the UGC announced in February 1987.

/(d)

(d) Pending the creation of the new institution, the financial affairs of UCC to be conducted in accordance with the letters already sent to the College by Sir David Hancock in his capacity as Accounting Officer for the payment of its grant. In particular, the Bursar's office must be strengthened to enable sound budgetary and financial control to be established and maintained.

(e) No further money to be spent on the proposed new engineering buildings in Cardiff until both UCC and UWIST are irrevocably committed to the creation of the new institution on terms acceptable to the UGC and DES.

(f) UCC to take all reasonable steps to recover any monies to which it is in law entitled.

(g) The appointment of new auditors for UCC acceptable to the Treasury with terms of reference approved by the UGC and DES.

3. The funding that the Government would provide would be divided into two broadly equal parts:

(a) an interest-free loan intended to reduce the UCC's overdraft to manageable proportions. It is envisaged that this would be paid off by the sale of land and buildings which became surplus after the creation of the new institution; and

(b) a grant which could be drawn on to pay the cost of premature retirements approved by the UGC, and which took place in time to attract reimbursement by not later than 31 March 1988.

Subject to the conditions in paragraph 2 and to the verification of the minimum required to achieve viability, the Government has in mind assistance of the order of £10 million to be provided before 1 April 1988.

4. I should like to meet you and other representatives of UCC for a discussion. My office will be in touch with yours about arrangements for this.

5. I am copying this letter to Mr Fisher and Professor Sheridan. I am writing in similar terms to Lord Cledwyn and Baroness White.

Yours sincerely

Peter Brooke

UNIVERSITY GRANTS COMMITTEE
14 Park Crescent, London W1N 4DH
Telephone 01-636 7799

From the Chairman
Sir Peter Swinnerton-Dyer FRS

The Rt Hon Lord Cledwyn of Penrhos
House of Lords
London SW1

14 May 1987

Dear Cledwyn

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4. I am copying this letter to Dr Owen. I am writing in similar terms to Lord Elwyn-Jones and Baroness White.

Yours

Peter

UNIVERSITY GRANTS COMMITTEE
14 Park Crescent, London W1N 4DH
Telephone 01-636 7799

From the Chairman
Sir Peter Swinnerton-Dyer FRS

Baroness White
House of Lords
LONDON SW1

14 May 1987

Dear Lady White

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Subject to the conditions in paragraph 2 and to the verification of the minimum required to achieve viability, the Government has in mind assistance of the order of £10 million to be provided before 1 April 1988.

4. I should like to meet you and other representatives of UWIST for a discussion. My office will be in touch with yours about arrangements for this.

5. I am copying this letter to Dr Trotman-Dickenson. I am writing in similar terms to Lord Cledwyn and Lord Elwyn-Jones.

Yours sincerely

Peter Brooke DJV

CONFIDENTIAL

SRW

File

be: BG

10 DOWNING STREET

LONDON SW1A 2AA

14 May 1987

From the Private Secretary

Dear Bob,

THE NATIONAL CURRICULUM: MACHINERY TO OVERSEE EXAMINATIONS AND ASSESSMENT AND TESTING

The Prime Minister has seen the paper H(87)20, about the machinery to oversee examinations and assessment and testing of the national curriculum. Your Secretary of State invited written comments from colleagues, since there will be no further meeting of H Committee before the Election.

The Prime Minister is not at all convinced that the proposals set out in the paper are satisfactory.

First, the paper proposes a centralisation of the machinery to oversee assessment and testing at the ages of 7, 11 and 14, based on the Secondary Examination Council. This contrasts with the present arrangement for O Levels, A Levels and GCSE, which operate through direct contracts between LEAs and the five separate GCSE examining groups. The Prime Minister fears that this proposal would in effect concentrate too much power in the hands of the Secretary of State and the Department of Education nd Science. It could lead in due course to a closer centralised control of the detailed output of individual GCSE examining boards.

Secondly, the Prime Minister is not convinced that the choice of the Secondary Examination Council as the body to administer the national curriculum is the right way to go. The SEC is committed to GCSE and they will take GCSE as their starting point, shaping assessment and testing at ages 7, 11 and 14 within its framework.

My letter of 28 April to Mike Eland recorded the Prime Minister's views on the question of additional resources.

The Prime Minister will wish herself to hold a meeting after the Election to discuss the implementation of the national curriculum as a whole.

I am copying this letter to the Private Secretaries to members of H Committee and Trevor Woolley (Cabinet Office).

Yours,
David.

(DAVID NORGROVE)

R. L. Smith, Esq.,
Department of Education and Science.

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DS

Ref. A087/1354

PRIME MINISTER

Cabinet: Education Policy
C(87) 9

Decisions

The Secretary of State for Education and Science's paper seeks decisions from the Cabinet in favour of:

i. his proposals for opting out by maintained schools which have already been agreed by the Ministers mainly concerned under your chairmanship;

ii. legislation to extend to maintained Further Education (FE) colleges the same financial discretion as already agreed and announced for schools, and similar reforms in the composition and role of their governing bodies;

iii. legislation to restrain the activities of bogus degree operators.

Opting Out

2. You are familiar with the proposals which will extend the opting out right to all maintained secondary schools and the 2,000 primary schools with 300 pupils or more (with possibilities of extension to smaller primary schools later). This will in effect take one significant step further the already announced proposals for financial delegation. At your meeting on 7 May you settled the final main elements of the proposals - the funding arrangements for opting out schools so as to avoid any financial disincentive; and the arrangements for

BRIAAO

adjustment to local authority grants (in order to achieve financial neutrality you agreed in principle, subject to further consideration by the Secretary of State for the Environment of proposals for the new local authority grant regime, that authority's own grant and aggregate exchequer grant should be reduced equally).

3. You have decided to include the opting out proposals in the Manifesto. The Cabinet should have no difficulty in endorsing them as summarised in the Secretary of State for Education and Science's paper.

Maintained Further Education: Financing, Governance and Law

4. You will recall that the Secretary of State for Education and Science's proposals in the recent Higher Education White Paper for reforming the management and funding of Polytechnics and Higher Education (HE) colleges excluded a number of smaller colleges that did not satisfy the numbers or proportion of HE criteria. They will remain with LEAs, and decisions need to be reached on what regime should apply to them.

5. The Secretary of State for Education and Science's proposals are in essence that they should be given the same kind of financial discretion as already agreed to schools, and that their governing bodies should be similarly reformed (reducing LEA nominees to five and not allowing them to take the Chair).

6. These proposals, which require legislation, seem sensible and consistent with the thrust of the Government's educational reforms. They have not, however, been discussed in any detail with the Treasury or other Departments and further work needs to be done to ensure that what DES have in mind is workable and will not involve any hidden financial, manpower or other snags.

7. It may, therefore, be sensible, if Cabinet are content, to endorse the Secretary of State for Education and Science's proposals in principle, but subject to further detailed consideration and agreement with the Treasury and the Department of the Environment. This work could proceed in the coming weeks.

Bogus Degrees

8. The Secretary of State for Education and Science's intention - to protect the good name of legitimate degrees by clamping down on bogus ones - seems sensible and will no doubt commend itself to the Cabinet. The proposals have not, however, been discussed in detail with other Departments, and it is not clear whether there would, for example, be any legal, financial or manpower implications that are not brought out in the very brief summary in this paper.

9. Subject to the discussion, you may again wish to approve these proposals in principle, but subject to further discussion and agreement with the other Departments concerned.

Handling

10. You will wish to invite the Secretary of State for Education and Science to introduce his proposals. A number of other Ministers may wish to comment generally, but you will wish to hear the views of the Lord President and the Business Managers in particular on the legislation implications.

RA

ROBERT ARMSTRONG

13 May 1987

BRIAAO

CCB/LP

PRIME MINISTER 13 May 1987

Cabinet
Education Policy

Kenneth Baker's memo is fine, except for one point of detail in para 8 - dealing with the composition of governing bodies of FE colleges.

"I propose that they should have 26 members, 12 of them from business and the professions"

Comment

(a) Should not 12 be increased to 13? - otherwise insiders and LEA nominees could totally dominate the governing body.

(b) Should not the professions exclude internal members of the institution?

Conclusion

The major purpose of these reforms is to introduce a breath of fresh air into educational institutions. For this to be achieved it is essential that the composition of governing bodies is constructed with a majority of outsiders and non-educationalists.

Brian Griffiths

BRIAN GRIFFITHS

CONFIDENTIAL

Prime Minister!
Do you wish to write as proposed?

PRIME MINISTER 13 May 1987

DLW 13/5.

Cabinet

The National Curriculum: Machinery to Oversee Examinations and Assessment and Testing

This paper seems at first straightforward. But on re-reading I am far from convinced it is satisfactory. It has two basic problems.

Centralisation and Restriction of Examining Bodies

First, it proposes a centralisation of the machinery to oversee assessment and testing at the ages of 7, 11 and 14 and recommends one specific body for this purpose, the Secondary Examinations Council. This contrasts with the present arrangement for 'O' levels, 'A' levels and GCSE, which operate through direct contracts between LEAs and the five private sector GCSE examining groups.

This body will exercise 'National control and monitoring' (para 4) and it would be given "new responsibility to secure and monitor local procedures for moderating, testing and assessment at the earlier ages". All payments for the new exams would be made through the SEC which is a quango of the Department of Education and Science.

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The paper recognises that these proposals will be opposed by the examining bodies.

"I do not underestimate the potential opposition of the latter to my proposals which they see as restricting their freedom to operate commercially." (para 12)

At present the five GCSE Examining Boards are private companies/trusts. This proposal is an attempt to rationalise their activities and allow DES much greater authority and control over them. DES have long resented the independence of examining boards, which is why they abolished 'O' level and why they still wish to bring 'A' level under legislation. This proposal is the thin edge of the wedge of their ultimately controlling the detailed output of individual boards, and therefore suffers from all the traditional weaknesses of centralised control.

It should be rejected.

Secondary Examination Council

Second, there is the choice by the Secretary of State of the Secondary Examination Council, as the body which will administer the National Curriculum.

This absolutely terrifies me.

The SEC is the body which controls the GCSE. Its head (Cockcroft), staff, and numerous contacts within the teaching profession (who sit on its advisory panels) are not surprisingly totally committed to GCSE.

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I have no doubt whatever that they will take GCSE as their starting point, and shape assessment and testing at ages 7, 11 and 14 within the framework of GCSE.

I cannot think of any more inauspicious start to such an imaginative concept as a National Curriculum, as the involvement of SEC. It will mean that the national curriculum will be established under the shadow of GCSE.

Recommendation

* Although dealing with seemingly straightfoward administrative matters these proposals strike at the very heart of your attempt to raise standards in schools.

* The proposals need much more discussion - not in H Committee - but first with yourself.

* Reject the proposals and suggest to the Secretary of State that you will convene a meeting after the election to discuss the implementation of the whole and not just a part of the National Curriculum, which is what this paper is attempting to do.

R. Lowthian

for BRIAN GRIFFITHS

CONFIDENTIAL

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cc B/G

SCOTTISH OFFICE
WHITEHALL, LONDON SW1A 2AU

CONFIDENTIAL

The Rt Hon Kenneth Baker MP
Secretary of State for Education
and Science
Elizabeth House
York Road
London
SE1 7PH

13 May 1987

Dear Secretary of State

N BPM

EDUCATION POLICY: C(87)9

Since I have to be in Perth tomorrow at the Scottish Conservative Party Conference, I shall be unable to attend Cabinet, when this paper is to be discussed.

I am happy to offer my support to your proposal to curtail bogus degrees. Although we are not aware of any of these operators in Scotland, it would clearly offer a major loophole if the legislative protection did not extend throughout the UK. No doubt your officials will be in touch with mine about the drafting of the legislation, since this would entail creating a new offence under Scottish Law.

A copy of this letter goes to Cabinet colleagues and to Sir Robert Armstrong.

Yours sincerely
Malcolm Rifkind
Private Secretary

MALCOLM RIFKIND

Approved by Secretary of State and issued in his absence

CMS133A2.TXT

FILE
DA

10 DOWNING STREET

From the Principal Private Secretary

12 May 1987

EDUCATION POLICY

This is to confirm my telephone conversation with you this morning in which I said that the Prime Minister was content for your Secretary of State to circulate for Thursday's Cabinet a paper covering the matters referred to in his minute of 11 May.

I am sending a copy of this letter to Sir Robert Armstrong.

(N.L. WICKS)

Chris de Grouchy, Esq.,
Department of Education and Science.

ELIZABETH HOUSE
YORK ROAD
LONDON SE1 7PH
01-934 9000

The Rt Hon Viscount Whitelaw, CH, MC
Lord President of the Council
68 Whitehall
LONDON
SW1

11 May 1987

Dear William,

On 7 May I circulated a paper - H(87)20 - on machinery to oversee examinations, assessment and testing under the national curriculum. As H Committee will not meet before the General Election I am seeking your and colleagues' agreement to my latest proposals by correspondence. I need early agreement in order to allow essential planning to proceed.

The Chief Secretary made clear his position on resources for my propsoals at H Committee on 29 April. My present paper does not propose additional expenditure beyond what we have already discussed.

I am sending copies of this letter to members of H Committee and to Sir Robert Armstrong.

Yours ever,
Kenneth

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CC(87)

PRIME MINISTER

EDUCATION POLICY

As you know the details of our proposals for schools choosing to opt out from the local authority sector were approved at a meeting under your chairmanship on 7 May; but they have not yet been approved by H Committee.

2. I am anxious that work should proceed on the working up of drafts during the election campaign so that the Bill will be ready for presentation to Parliament in the autumn. No meeting of H is planned for this week. I should therefore be grateful for your agreement to put this item on the agenda of Cabinet on Thursday. A short paper is now being drafted and will be ready for circulation tomorrow.

3. There are two other proposals for which it would be helpful to get clearance at the same time:-

i. the reform of the finances and governing bodies of those further education colleges which will remain within the local authority sector. This is really a consequential of decisions already taken since it would be anomolous to have financial delegation and reformed governing bodies for schools but not for FE colleges.

ii. legislation to deal with purveyors of bogus university degrees.

4. If you agree, I will cover these proposals in my Cabinet paper also.

5. I am copying this minute to Sir Robert Armstrong.

K.B.

KB

11 May 1987

Department of Education and Science

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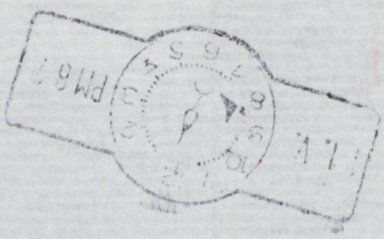

EDUCATION
POLICY
PT 13

NORTHERN IRELAND OFFICE
WHITEHALL
LONDON SW1A 2AZ

SECRETARY OF STATE
FOR
NORTHERN IRELAND

The Rt Hon Kenneth Baker MP
Secretary of State for Education
Elizabeth House
York Road
LONDON
SE1 7PH

8 May 1987

Dear Ken.

23rd APRIL, ad flap PT12

I have read with interest your minute of 24 March to the Prime Minister and the attached paper on "open enrolment". The principles outlined in that note are very much in line with new arrangements for Northern Ireland secondary schools which Brian Mawhinney announced on 7 April.

The new Northern Ireland arrangements follow very extensive consultation on the whole question of the control of intakes and parental choice in Northern Ireland secondary schools. The new arrangements will of course continue to operate within the selective system of secondary education which we have in Northern Ireland - but within that system parents will be given much greater choice of secondary school to which they might send their children. The only restrictions on parental choice will be the physical capacity of the school and possibly some special arrangements which may have to be made to protect a very limited number of small schools serving isolated communities - particularly border areas.

Given the small size of Northern Ireland and the rather closer relationship between the Department and the Northern Ireland Education and Library Boards and other school authorities it will not be necessary to take any new legislative powers to deliver the new policy. The Department will be able to agree with Boards and other school authorities maximum enrolments and hence maximum 1st year intakes for each individual school.

We envisage that greater parental choice will increase the influence which parents have on the education system in Northern Ireland and that influence will help to improve standards. New arrangements will also have implications for school rationalisation. While

/...

responsibility for properly planned rationalisation programmes will still rest with school authorities the greater emphasis on parental choice should help to accelerate the process.

I am copying this letter to the Prime Minister, the Chancellor of the Exchequer, the Secretaries of State for the Environment, Employment, Wales and Scotland and to Sir Robert Armstrong.

TK

EDUCATION : Policy PT13

CONFIDENTIAL

FILE
DSG
bc 8/5

10 DOWNING STREET
LONDON SW1A 2AA

From the Private Secretary

8 May 1987

Dear Rob,

UNIVERSITY COLLEGE CARDIFF

The Prime Minister has seen your letter to me of 7 May about University College Cardiff, and is content, subject to the views of colleagues, that the Government should issue the statement attached to your letter as Annex B.

I am copying this letter to Jill Rutter (Chief Secretary's Office, HM Treasury) and Jon Shortridge (Welsh Office).

Yours,

David.

David Norgrove

R. L. Smith, Esq.,
Department of Education and Science.

CONFIDENTIAL

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CONFIDENTIAL

CCBG

Treasury Chambers, Parliament Street, SW1P 3AG

The Rt Hon Kenneth Baker MP
Secretary of State for Education and Science
Department of Education and Science
Elizabeth House
York Road
London
SE1 7PH

Prime Minister 2 7 May 1987

DRN

8/5.

Dear Kenneth,

(Without your intervention nothing would have been won from the Welsh Office.).

UNIVERSITY COLLEGE, CARDIFF

I am writing to confirm the agreement which Nick Edwards, you and I reached this morning about the sources from which any necessary funds would be found in the exercise to protect the position of students at University College, Cardiff without bailing out the College as such.

Redundancy costs, up to a ceiling of £5 million would be funded in equal thirds from your own existing provision, from the Reserve and by transfer from the Welsh Office.

Any necessary repayable loan, also up to a ceiling of £5 million, would come from the Reserve, to which the proceeds would also return.

It remains important, of course, to keep the actual costs of this operation to the minimum necessary to do the limited job in question. The exact amounts to be found in this way will therefore depend on how the exercise is carried through in detail, under the supervision of the group of Permanent Secretaries which is to consider the conditions to be exacted. We also agreed all the conditions that were earlier discussed between us as outlined in your Private Secretary's letter of 6 May to Mr Norgrove.

I am copying this letter to the Prime Minister and Nick Edwards.

Yours ever,

JOHN MacGREGOR

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SUBJECT
cc master

file DG2BYC
cc DG.

10 DOWNING STREET

LONDON SW1A 2AA

From the Private Secretary

7 May 1987

Dear Rob,

EDUCATION POLICY

The Prime Minister this afternoon held a meeting to discuss the future of the ILEA on the basis of your Secretary of State's minute of 5 May, and the financial arrangements under which schools might opt out of the local authority sector on the basis of a paper attached to Mr. Unwin's minute to the Prime Minister of 6 May. There were present: your Secretary of State, the Lord President, the Foreign and Commonwealth Secretary, the Chancellor of the Exchequer, the Home Secretary, the Secretary of State for Wales, the Chancellor of the Duchy of Lancaster, the Secretaries of State for the Environment and Employment, the Chief Secretary, the Secretary of State for Scotland, the Chief Whip, the Minister of State (Department of Education and Science), the PUSS (Welsh Office), Sir Robert Armstrong and Mr. Unwin (Cabinet Office) and Mr. Peter Stredder (No. 10 Policy Unit).

Discussing first the future of the ILEA, your Secretary of State said that a review as provided for under existing legislation would delay progress by one to two years. He proposed that individual boroughs should be given the right to opt out of the ILEA. His hope was that legislation for this might be included in the proposed Education Bill in the next Session. Its effect would be to transfer responsibility for education from one elected body to another. Conservative controlled boroughs would almost certainly favour the proposal, and one or two Labour boroughs might also choose to opt out. The remaining boroughs might well choose to continue as a "rump" ILEA. The proposal would, among other things, allow the Government to achieve more effective control of ILEA expenditure. The details would need considerable further discussion. A statement would be needed in late June or early July to protect the assets of polytechnics and other education institutions against mortgaging or sale by local authorities hostile to the proposed reforms.

The meeting generally welcomed your Secretary of State's proposals, which would open the way to better standards of education in those boroughs which chose to opt out. Education in those boroughs remaining in the ILEA would be at risk of further decline. It would not, however, be possible to tackle

JA.

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the entire problem of the ILEA in a single stage. Schools in boroughs remaining in the ILEA would enjoy the right to opt out. It would also be most important that a borough educating children from without its boundaries should receive full compensation, which the child's "home" borough would have no option but to provide. The Government would need to provide for and encourage umbrella organisations, whether existing or new, to help schools wishing to opt out of the local authority sector. There might well be a need for individual education credits for children in the "rump" ILEA at some future date. It would be worth considering whether one borough could be empowered to take over and run empty schools in another.

On the financial effects, it was recognised that allowing boroughs to opt out would not of itself remove the burden on the Community Charge in London imposed by the ILEA. The expenditure of the ILEA would, however, increasingly come under pressure in the next year or two, as loopholes in expenditure controls had been closed, and with the increasing reluctance of lenders to provide finance under the various schemes. Reductions in ILEA expenditure would tend to harm childrens' education rather than reduce waste and inefficiency unless action were taken to prevent this in the worst areas. One possibility would be for the Secretary of State to take powers to compel schools to opt out.

The position of the City of London would need particular consideration, since it could be left facing an increasing burden as the more responsible boroughs opted out of the ILEA. One possibility would be for it to be allowed itself to opt out. The effects of this on the finances of the "rump" ILEA, on the boroughs remaining within the ILEA and on boroughs which had opted out, would need to be considered, taking into account the effects of the rate equalisation scheme. The City of London might wish in future to run some of its own schools.

Concluding this part of the discussion, the Prime Minister said that future legislation should provide for individual boroughs to opt out of the ILEA, for individual schools to opt out of the local authority sector, and for boroughs educating children from another borough to be fully compensated. The result would be, in the Foreign Secretary's words, "constructive fragmentation" of the ILEA. The Government would wish to consider in 1990 the longer term provision of education in London in the light of the effects of these reforms. Legislation should also provide as necessary for the creation of umbrella organisations for schools choosing to opt out, along the lines of the Girls Public Day School Trust, and your Secretary of State should bring forward a paper. The Department of Education and Science should consider urgently with the Treasury and the Department of the Environment the financial implications of allowing boroughs to opt out of the ILEA, and the position of the City of London. Your Secretary of State should also consider whether in future assisted places which had not so far been filled should be allocated to children in boroughs which were unlikely to opt out of the ILEA.

The meeting then considered the financial arrangements for schools choosing to opt out of the local authority sector.

It was agreed that the local authorities' own financial delegation formula should be applied to each school choosing to opt out (option 3 in the paper attached to Mr. Unwin's minute of 6 May). This should be seen as a temporary solution and the aim should be for all schools to move towards a national formula over a period of years. There would need to be pressure on education spending generally to move it towards GRE. But to avoid a disincentive to schools to opt out they would need to be assured that they would not fare worse than if they had remained within their local authority. Individual schools should be allowed to hold and invest funds and to raise funds to support their activities. They would not be precluded from accepting income from parents to top up money received from Government.

It was further agreed that where a school opted out in a particular authority's area, that authority's own grant and aggregate grant should, in principle, be reduced by the actual expenditure on the school (Option C). The key requirement was financial neutrality. A final decision on how neutrality would be achieved would be taken in the light of consideration by the Secretary of State for the Environment in relation to proposals for the new grant regime for local authorities.

Concluding the meeting, the Prime Minister recognised that the decisions reached by the meeting would not significantly reduce the problem posed for the introduction of the Community Charge in London by excessive education spending. It might be necessary to allow a longer transition period for the Community Charge in areas which at present fell within the ILEA. This might also be necessary for one or two areas on the boundaries of the ILEA, for example, Brent. Further consideration should be given to this question.

I am copying this letter to Mike Eland (Lord President's Office), Lyn Parker (Foreign and Commonwealth Office), Tony Kuczys (HM Treasury), Stephen Boys Smith (Home Office), John Shortridge (Welsh Office), Andrew Lansley (Chancellor of the Duchy of Lancaster's Office), Robin Young (Department of the Environment), John Turner (Department of Employment), Jill Rutter (Chief Secretary's Office, HM Treasury), Robert Gordon (Scottish Office), Murdo Maclean (Chief Whip's Office), Brian Unwin and Trevor Woolley (Cabinet Office).

Yours,

David.

David Norgrove

R. L. Smith, Esq.,
Department of Education and Science.

10 DOWNING STREET

Prime Minister

The proposed statement at Annex B carries the implication that the Government will provide extra resources if its conditions are satisfied.

This seems to me now inevitable.

Content with the proposed statements, subject to colleagues?

Yes DCS 7/5.

CONFIDENTIAL

ELIZABETH HOUSE
YORK ROAD
LONDON SE1 7PH
01-934 9000

David Norgrove Esq
10 Downing Street
London SW1A 2AA

7 May 1987

Dear David,

UNIVERSITY COLLEGE CARDIFF

Sir David Hancock spoke as instructed to the University Grants Committee this morning. His statement was warmly welcomed by the Committee. In particular the Committee were pleased to hear that the Government intended to make an example of UCC; and made clear their firm view that the proposed conditions relating to an engineering department in Cardiff (conditions (iv) and (v)) were essential, to provide a lever to ensure the co-operation of UWIST in the creation of the new institution.

Following discussion the Committee agreed a statement for use in answering enquiries from the Press and others. A copy of this statement is attached (at A)

My Secretary of State believes that the Government should follow up the UGC's statement with a statement tomorrow which would have two purposes:

i. to allay the fears of existing and intending students at both UCC and UWIST. Applications to both institutions have dropped with UWIST students fearful of the effects on UWIST of the collapse of UCC;

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ii. to make it quite clear that the Government does not intend to bail out UCC as it now stands.

I attach a draft Press Notice for this purpose (a1 B) I should be grateful for clearance of the text from the Prime Minister, the Chief Secretary and the Secretary of State for Wales.

Copies go to Jill Rutter and Jon Shortridge.

Yours sincerely,

Rob Smith

R L SMITH
Private Office

STATEMENT BY THE UNIVERSITY GRANTS COMMITTEE : 7 MAY 1987

A

The Committee discussed the problems of Cardiff at their meeting today. They confirmed their view that, in the interest of higher education in Wales, a new and stronger university institution must be created in Cardiff, based on academic departments of UWIST and UCC. The financial problems of UCC, which in the Committee's view are the result of serious financial mismanagement by the authorities of that College, are clearly an obstacle in the way of the creation of the new institution.

Sir Peter Swinnerton-Dyer is now discussing these matters with the DES in the light of today's meeting. The Committee will do all in their power to prevent the disruption of the careers of students and potential students.

B

DRAFT PRESS NOTICE BY THE DEPARTMENT OF EDUCATION AND SCIENCE

UNIVERSITY COLLEGE CARDIFF

Sir Peter Swinnerton-Dyer has given a report to the Department of Education and Science following the meeting of the University Grants Committee yesterday. The Government shares the Committee's concern that the careers of students and potential students should not be disrupted. It is examining with the UGC what steps might be taken. But there can be no question of the Government making additional resources available to the UCC in its present form and under its present management.

ES

cc BG
letter only

Prime Minister 2

ELIZABETH HOUSE
YORK ROAD
LONDON SE1 7PH
01-934 9000

The Rt Hon Viscount Whitelaw CH MC
Lord President of the Council
68 Whitehall
London SW1

6 May 1987

Dear William

ORGANISING FOR QUALITY: THE PATTERN OF ORGANISATION TO AGE 19

Last summer I consulted you and a number of colleagues before I issued for consultation a draft Circular on the organisation of school provision.

I have now revised and adjusted the text in the light of a considerable volume of response to the draft, and I enclose a copy of the Circular in the form I am publishing it tomorrow, Thursday 7 May, together with a copy of the written Parliamentary Answer I am giving.

You will note that the Circular, as did the draft, rehearses the educational and financial arguments for rationalisation and thus underpins what was said in this year's Public Expenditure White Paper about our new national targets for the removal of surplus school places. In its final form, however, the text takes account of concerns which have been expressed by our supporters, that the draft was too prescriptive about the minimum size of schools and could be used as a charter for the closure of popular schools. I have, therefore, put what is said about rural primary schools and sixth forms in particular fully into context, making it clear that I shall consider proposals that come to me under Sections 12-16 of the Education Act 1980 strictly on their merits.

I am sending copies of this letter to the Prime Minister, the other members of the Cabinet and the Chief Whip, and to Sir Robert Armstrong.

Yours ever

Kenneth

"Providing for Quality": Draft Parliamentary Answer

QUESTION

To ask the Secretary of State for Education and Science when he expects to publish the circular "Providing for Quality: the Pattern of Organisation to Age 19", issued in draft form in August 1986; and if he will make a statement.

ANSWER

The Circular is being published today. It aims to give comprehensive advice on school provision and organisation to all school promoters. It explains and develops the guidance in the 1985 White Paper "Better Schools", and offers advice on the curricular and other considerations which promoters should bear in mind in formulating proposals for future rationalisation. The text incorporates a number of revisions which have been made in the light of responses to the draft.

Circular No 3/87
6 May 1987

DEPARTMENT OF EDUCATION AND SCIENCE, ELIZABETH HOUSE, YORK ROAD, LONDON SE1 7PH

PROVIDING FOR QUALITY: THE PATTERN OF ORGANISATION TO AGE 19

CHALLENGES

1. There is widespread agreement on the need for changes in the pattern of organisation in education to meet the challenges of the late 1980s and 1990s. The prime challenge is the need, as set out in the White Paper, "Better Schools"(1), to improve standards of achievement on the part of pupils and students of all abilities, the quality and range of the curriculum and the effectiveness of its delivery and to secure the best possible return from the resources found for education. To meet this challenge the education service needs to address two inter-related issues. The first is the need to respond to both the immediate and the long-term effects of sharply falling age groups particularly for the 11-19 age range. The second is to make schools and colleges as cost-effective as possible: this entails reducing the already large surplus capacity, which will be further increased by falling rolls. This Circular concentrates on these two issues.

2. This challenge has prompted a constructive response in many parts of the education service. But it continues to require action by all partners in the service. For many schools and colleges, internal changes, for example, in the organisation of classes and teaching duties will be necessary. For some of them, this will be enough. For others, internal reorganisation on its own will not be enough to prevent a decline in educational effectiveness and disproportionate increases in costs. Action involving closures and amalgamations will need to be considered. Forward planning is called for, both at the level of the individual school or college, and more generally, and some hard decisions will need to be taken. The Secretary of State asks all providers to examine how the service can provide a more effective response to national and local needs and circumstances.

3. The purpose of this Circular is to improve the educational effectiveness of provision for all pupils and students up to age 19. In the light of extended discussions about school provision with the local authority associations and the other partners in the education service, it draws attention to the educational opportunities and imperatives now facing local education authorities, the voluntary bodies and school governors; elucidates the policies of the Secretary of State; promulgates new national targets for the removal of surplus capacity; recommends that provision be kept under review; and consolidates and updates existing procedural guidance on Sections 12-16 of the Education Act 1980. It also gives guidance on the new procedures under Sections 54 and 55 of the Education (No 2) Act 1986 for enabling a controlled school to gain aided status. It supersedes Circulars 2/80, 2/81 and 4/82 and Administrative Memorandum 4/84. In relation to 16-19 provision(2), the Circular asks local education authorities to review their non-advanced provision for the whole of this age group and to take any appropriate action in the interests of educational effectiveness and value for money.

GENERAL CONSIDERATIONS

4. Whilst recognising the importance of financial considerations in providing an effective service, the Secretary of State is concerned that full account should be taken of educational considerations in the planning and change which must now take place. New arrangements should offer an education better suited to the needs of pupils and students of all abilities than would be offered by those they replace taking account of the probable effects on existing arrangements of expected further falls in numbers. Accordingly the Secretary of State would not normally be prepared to approve the closure of a school of proven worth unless there was evidence that it could not continue to sustain its established quality and that the alternative proposals would secure at least the same quality and variety of education at lower cost. In all reorganisation schemes, he would need to be satisfied that the proposed new arrangements, whether for primary or secondary pupils, would provide an appropriate curriculum, sufficiently differentiated so that all pupils could be challenged to the limit of their abilities. Proposals should also give full weight to parental preferences for schools of particular types, for example grammar schools, denominational schools and single sex schools (see Annex 1, paragraphs 2-4).

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(1) Cmnd 9469.

(2) The term "16-19" is used to refer to the three year age group of those aged 16, 17 and 18 at the start of the relevant academic year.

5. The assessment of the viability of an individual school is not solely a matter of the number of pupils on roll. Much will depend on the age-range and character of the school, but a true assessment must also take account of its ethos, the quality and balance of expertise of its teachers and its non-teacher support, links with neighbouring schools and colleges, the fitness for purpose of its premises, and the extent to which all these factors can be sustained. In rural areas, account must also be taken of the distances to be travelled to alternative schools in the event of closure, and of the age of the children making these journeys. The Secretary of State's decisions will be made on the educational merits of proposals, but he recognises the degree of support that rural schools may command in local communities.

EDUCATION IN SCHOOL

ORGANISING FOR QUALITY

6. Size in itself is not a determinant of the quality of a school: there are good and bad schools of all sizes. In many small schools, particularly in rural areas, good teachers have done much to overcome limitations of size. Small primary schools may, with appropriately enhanced resources, be able to offer a broad and differentiated curriculum to all their pupils and small sixth forms often provide teaching of high quality in individual subjects in a good environment for pupils.

7. The Department's discussions with the partners in the education service have however revealed widespread agreement that schools which fall below a certain minimum size face difficulties in developing and delivering high-quality education cost-effectively to all their pupils, and in using to the maximum benefit of the education service as a whole the teaching and other resources available. A school which seeks to offer and deliver a curriculum of the range and diversity nowadays required will need to be of a certain size and will face increasing difficulties as numbers fall below it. A point can be reached at which, even with disproportionate resourcing, schools cannot always overcome the educational difficulties caused by having only a small number of pupils on roll. For example, in a small primary school the age-range in classes may be very wide and the opportunities for group interaction unduly limited, whilst in a small sixth form it may be difficult to organise teaching in groups large enough to provide the necessary stimulation; or to offer a choice of subjects which reflects the range of the 5-16 curriculum; or to operate without an excessive call on the resources available to the rest of the school.

8. Declining pupil numbers will bring more and more secondary schools, as already many primary schools, into the range of size where some or all of these disadvantages become increasingly evident. There may be some localities in which such disadvantages are unavoidable, because geographic or other considerations make it impossible to bring all small schools up to the educationally desirable minimum size at which they can operate cost-effectively. In such circumstances the aim of authorities and governing bodies should be to bring as many schools as possible as close as possible to viable size.

9. The Government set out some general principles concerning the size thresholds at which schools of different types can economically deliver a satisfactory curriculum in Chapter 10 of "Better Schools". These are based on inspection evidence supported by curriculum modelling, and reflect the experience of many LEAs. They take account of the need for schools to offer to all pupils the vital main areas of the curriculum set out in paragraphs 60-71 of "Better Schools".

10. These principles are not to be interpreted as narrowly prescriptive nor do they provide a set of bench marks for the closure of schools. Before formulating proposals for the closure of schools local authorities and voluntary bodies need to take account also of the wider considerations set out in paragraphs 4 and 5 above, in particular considerations of local geography and denominational choice, and to review in the light of them what progress towards the indicated sizes of school may be practicable in their circumstances. In many instances, however, the best answer from both an educational and economic point of view will be to amalgamate schools, or to reorganise their age-range. Schools should not be retained if the educational and financial arguments for their closure are clear and practical alternatives are available.

11. Where small schools have for practical reasons to be retained, and where larger schools have a good prospect of long-term viability, LEAs, school governors and teachers nevertheless need to consider whether internal changes are desirable to minimise the strains imposed by contraction. For example, in a secondary school, priorities may need to be considered between the range of the curriculum; the size and nature of teaching groups; and the amount of class-contact time for teachers. The levels and distribution of capitation may have become inappropriate, obsolete staffing structures may lead to inappropriate use of promoted posts within a school, and teachers may need in-service training before taking up new responsibilities. Matters such as these need to be kept under active review if breadth, balance, relevance and differentiation are to be maintained, and preferably enhanced.

ORGANISING FOR EFFICIENCY

12. Small schools incur disproportionately high unit costs on staffing if they are to sustain quality; and schools of any size with a substantial proportion of surplus places incur disproportionately high unit costs on maintaining under-used capacity. The extra expenditure thus incurred is often found at the expense of other schools in the area, to the detriment of value for money in the latter, and is hard to justify unless geographic considerations require it.

13. It has been calculated that in terms of premises costs alone, it costs an average of £120 a year to retain a surplus primary place and £200 a surplus secondary place at 1987-88 prices. Some of what is technically surplus space can be used very productively by schools, but even then it is important for providers to consider whether this represents the best use of limited resources. The removal of surplus space often entails not only upheaval for pupils and teachers, but capital costs in bringing up to standard the premises that remain, and sometimes additional transport costs. Even taking these into account, investment appraisal of rationalisation options (see Annex 2) will often show a good rate of return.

14. Surplus capacity affects individual authorities to different extents and on differing timescales. In aggregate, however, the position may be seen in the following terms. In the primary sector, the total current capacity of the stock is about 4.6 million places. Primary pupil numbers reached a low point in 1985 of 3.7 million. They are expected to rise to 3.9 million by 1991, but this would still mean excess capacity of not far short of 20 per cent if no further action were taken to reduce the surplus. On the calculations above the cost of maintaining these places would be over £80 million a year. Beyond 1991, projected numbers depend significantly on future births, and a further modest rise in overall numbers is expected, so some of that surplus may need to be retained unless investment appraisal and other considerations indicate that providing anew in the 1990s represents a better option.

15. As to secondary schools, the total capacity of the stock is about 4.1 million. The fall in pupil numbers, which stood at 3.5 million in 1985, is still gathering momentum: by 1991, the total is expected to fall to 2.8 million, and although it should rise slightly after that it is not expected to exceed about 3.1 million for the rest of the century. To maintain the surplus of about a third which this represents would cost about £200 million a year.

16. LEAs collectively have already made substantial progress in removing surplus places. Targets for the removal of surplus places, covering the period up to March 1987, were last set in Circular 2/81, and the interim target of 950,000 places to be removed by March 1986 has been exceeded in the outturn figure of 987,000 by December 1985. Following a report by a joint Working Group of officers from the local authority associations and the Department, and discussions between the Secretary of State and elected members, the Government has set new targets which imply a higher rate of removal than originally proposed. These require the removal by 1991 of half the primary surplus and 3 in 5 of the secondary surplus. In accordance with previous practice, these targets were set out in the January 1987 Public Expenditure White Paper (Cm 56) and are reflected in the Government's expenditure plans. A review of progress in meeting the targets and any further detailed assessment of them which may be necessary will be undertaken as part of the normal annual discussions with the local authority associations on local authority expenditure.

16-19 PROVISION

RANGE OF COURSES

17. The need for educational effectiveness and value for money in 16-19 provision is best met on the basis of a comprehensive review of the whole range of that provision, taking account of the variety of courses which has developed to meet the needs of 16-19 year olds. These courses can currently include:

i. GCE A levels (to be supplemented by AS levels);

ii. full-time and sandwich vocational courses leading to qualifications offered at present by the Business & Technician Education Council (BTEC), the City and Guilds of London Institute (CGLI), the Royal Society of Arts (RSA) and other bodies;

iii. the Certificate of Pre-Vocational Education (CPVE);

iv. resit or additional O levels and CSEs, or both (to be replaced by GCSEs);

v. off-the-job provision for Youth Training Scheme (YTS) trainees;

vi. part-time courses leading to qualifications offered by BTEC, CGLI, RSA and other bodies;

vii. courses for young people with special educational needs not leading to formal qualifications.

These categories are not mutually exclusive: in particular, the new two-year YTS offers all trainees the opportunity to obtain, or make significant progress towards, a recognised qualification, and category v. may thus merge with others, particularly category vi. Nor is provision limited to the 16-19 age group: nearly all courses other than the CPVE can also be taken by those over 19 and some, notably GCSE, by those below 16. Most of the courses referred to above can be included as part of a Technical and Vocational Education Initiative (TVEI) programme post-16.

18. For the 16-19 age group there is considerable overlap between the type of course which can be taken in, or under arrangements made by, schools (sixth-forms and sixth-form colleges) and in further education (FE and tertiary colleges). Courses in categories i., iii., iv. and vii., and many courses in category ii., can be taken in both sectors. Schools, however, do not have in particular the specialised equipment and workshop capacity to be able to provide the full range of vocational courses; and in addition YTS provision and part-time vocational courses are normally excluded from the school sector because of the absence of any statutory provision for part-time education in school and because tuition fees cannot be charged in respect of school courses. Courses in all 7 categories are available within the FE sector.

NEW OPPORTUNITIES FOR STUDENTS

19. The Secretary of State believes that a sound framework of courses is being established within which local education authorities can effectively, efficiently and economically meet the needs of the 16-19 age group. The curriculum, and the structure of qualifications, are being reformed through the introduction of the GCSE, AS levels and the CPVE, and through the national extension of the TVEI and the reform of vocational qualifications by the National Council for Vocational Qualifications (NCVQ). One of the main aims of these and other measures described in "Better Schools" and "Working Together — Education and Training"[1], is to raise the level of attainment of young people and their confidence in their own abilities, and thus to encourage more positive attitudes to continuing education and training post-16. The Government's desire to see more young people gain qualifications, and a general improvement in the level of qualifications achieved, is further demonstrated by the introduction of the two-year YTS within which all trainees have the opportunity to obtain a vocational qualification or a credit towards such a qualification; and also by action generally to encourage employers to make better use of education and training, and to make education and training providers more responsive to the needs of employment.

20. These measures should help give effect to the Government's policy of encouraging increased demand for post-16 education and training. Schools and colleges, although not the sole providers, can expect to play a major part in meeting this increased demand.

CAREERS EDUCATION AND GUIDANCE

21. Demand for education and training after the compulsory period can also be stimulated through well co-ordinated programmes of careers education and guidance. Young people need to be made fully aware of the importance of qualifications to their future prospects and should be guided towards the most appropriate choices of study or training. The less appropriate are the choices made at 13+ and 16+, the more likely it is that there will be a high rate of failure and wastage from courses undertaken in the 16-19 period. All schools should be in a position to offer a proper programme of careers education and guidance, backed up with appropriate resources, as part of the wider programmes of personal and social education and preparation for adult and working life, so that by age 16 young people have a clear picture of the responsibilities and obligations of adult life, and have had comprehensive and impartial guidance on the routes available to them through education and training after the compulsory period in accessible schools and colleges and through the YTS. To do this, they will need to work closely with their local Careers Service.

22. The Secretary of State welcomes the practice of many authorities in issuing to all fifth formers and their parents a booklet setting out clearly, amongst options for training or employment, the courses available in schools and colleges and the opportunities which these provide for obtaining employment or progressing to further and higher education. In addition new computer-based information sources are becoming available and he urges especially the widest possible use of ECCTIS, a computerised database of information about all higher education courses and, increasingly, about non-advanced courses in further education. He also commends the practice whereby representatives of local colleges make a personal presentation of what they have to offer. Whatever information resources are made available, the key to effective careers education and guidance must be co-ordination and co-operation for best use of resources between all those involved. The Secretary of State, and the Secretaries of State for Employment and for Wales, have recently issued further guidance on this in the booklet "Working Together for a Better Future".

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(1) Cmnd 9823.

MEETING DEMAND

23. The Secretary of State believes that local education authorities should endeavour to make provision which, among other things, reflects employment including self-employment opportunities, primarily at the local level, but also regionally and nationally. To this end, the careers education and guidance which is provided to prospective students should lay due emphasis on labour market requirements and the views of employers. However, as long as provision can be made cost-effectively and takes account of overall labour market needs, authorities should seek to satisfy the demand for courses as it is expressed by young people themselves, and in particular should not turn away from vocational courses suitably qualified potential students on the basis of purely local estimates of labour market supply and demand. Responding in this way places a premium on the provision within courses of curricula which are sufficiently broad and balanced to allow students, as far as possible, to move on to a range of related, but different, areas of employment, as opportunities and their developing competence and preferences permit.

EFFECTS OF DEMOGRAPHY

24. The new and changing educational opportunities for 16-19 year olds referred to in paragraph 19 above should reduce the impact of demography, although this will nevertheless be significant. The 16-19 year old population in England will fall by one-third from a peak of 2.4 million in 1983 to a trough of 1.6 million in 1995. Numbers will recover slightly thereafter but are projected to remain at fewer than 1.8 million (25% below the 1983 peak) for the rest of this century. The experience of the great majority of individual authorities will reflect the national trend.

PROVISION IN SCHOOLS

25. Many different arrangements for course provision both between and within the institutions of a local education authority can effectively meet the needs of the 16-19 age group at an acceptable cost and without detriment to provision for any part of that group or for pupils below the age of 16. The great majority of local education authorities make substantial provision in school sixth-forms for categories i., iii. and iv., and some provision for category ii. of paragraph 17. Such provision is usually either in a school which also caters for pupils below age 16, or in sixth-form colleges.

26. Given the variety of student needs, it is appropriate for school sixth-forms to cater both for A level students and for students who usually spend only one year in the sixth form. Such students may be studying for a GCSE examination (and the subjects studied may or may not have been studied pre-16) or they may be on CPVE, specific vocational or other non-A level courses.

27. A school sixth-form can be expected, not least by parents and students, to offer a choice of A level subjects which include all those commonly taken and an appropriate selection of other subjects. Such an approach would normally lead to a choice of not less than about 15 subjects, on the basis of which AS level courses might also be offered in not less than 6 contrasting or complementary subjects. Each A or AS level subject needs to give rise to teaching groups large enough to provide sufficient stimulus to the students and to avoid the wasteful use of teaching resources. The desirable size of groups will depend on the subject, for example the amount of practical work involved. However, there are usually strong educational advantages in securing teaching groups of not less than an average of 10 students except in circumstances where a smaller group is unavoidable if a minority subject is to be preserved or a new subject is to be introduced.

PROVISION IN COLLEGES

28. Tertiary colleges, and also sixth-form colleges, usually provide for many more full-time students in the 16-19 age group than the average school sixth form. As regards NAFE in general, the considerations in paragraph 27 relating to the desirable minimum size of A and AS level teaching groups apply throughout the sector; on the other hand for FE colleges other than tertiary colleges it is inappropriate to stipulate a minimum number of subjects at A level. The Secretary of State's policy is to increase the overall efficiency of NAFE. The 1987 Public Expenditure White Paper assumes a student:staff ratio (SSR) of 9:1 in 1987-88[1] and the Secretary of State expects to see a further improvement in the light of the joint DES/local authority associations' study of NAFE efficiency. LEAs should take account of national SSR targets when staffing their NAFE Institutions, including tertiary colleges, and should consider what action, including the amalgamation or closure of courses with few students, may be required to secure improvements. The report of a survey of NAFE colleges by HM Inspectorate identifies significant scope for efficiency improvements through increasing the size of teaching groups and reducing students' class-contact hours ("NAFE in Practice", HMSO 1987).

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(1) This target is calculated using a different method to that employed in the Audit Commission's report "Obtaining Better Value from Further Education" (June 1985) and is roughly equivalent to an average SSR of 10.2:1 calculated using the latter method.

OPTIMISING THE DISTRIBUTION OF COURSES

29. Where provision for the 16-19 age group embraces both schools and further education establishments for the local education authority, in consultation with governing bodies, to plan the deployment of resources between institutions in accordance with a considered judgment of the optimum distribution of courses. Such a judgment should be made in the light of the needs of the local community, should be based on educational effectiveness and value for money, and should have regard to the statutory functions of governing bodies, head teachers and college principals.

30. Falling rolls are likely to increase the number of sixth-forms which cannot achieve a desirable minimum size. Accordingly authorities will need to take appropriate action in the interest of good education and economy, taking account of the general principles on the size of sixth forms referred to in the White Paper "Better Schools". Such action should not be taken purely with reference to the school(s) in question but on the basis of a review of all 16-19 provision in the area in relation to the needs of all the categories in paragraph 17 and with due regard to the implications for effective provision for pupils below age 16. It should have regard to the cost and disruption of change, and in particular to the cost of shifting provision from one sector to another. Provided these requirements are met, and the wider guidance in this Circular is followed, the Secretary of State has no preferred solution for the outcome of such a review. If the arrangements are well adapted to local circumstances, they may for example take the form of amalgamations of schools catering also for pupils below 16; the creation of a single school whose sixth-form caters both for students who were pupils at the school pre-16 and for students who pre-16 were registered at another school in the area; the creation or amalgamation of sixth-form colleges; or the creation of tertiary colleges.

31. All the above patterns are compatible with effective co-operation between institutions in meeting students' needs economically and effectively. The national extension of TVEI and the growth of CPVE courses can, in particular, be expected to increase co-operation and collaboration between institutions in the use of equipment and staff expertise. Experience suggests, however, that consortium-type arrangements, covering, for example, the entire A level programme of an area, are in practice difficult to operate successfully: unless such arrangements are simple and enjoy the whole-hearted commitment of all concerned, they may not realise the potential for an effective division of labour which such co-operation appears to offer.

ACTION

GENERAL

32. Much remains to be done in organising provision up to age 19 to improve educational quality in the most cost-effective way. The appropriate strategy will differ from one locality to another. Educational, financial, social and practical considerations should all play a part. Although the weight accorded to each will vary with circumstances, it is important that promoters should draw up rationalisation plans in a systematic way so that they, and the communities they serve, can take account of all available options and assess them in the light of their educational implications and financial consequences.

33. Experience of rationalisation studies suggests that they may best be undertaken on an area basis, and should include the following elements:

i. a forecast of future pupil or student numbers; an appraisal of the building stock, including an assessment of the physical capacity, area and condition of the buildings and land; and estimates of running costs;

ii. the identification of options, taking account of educational, organisational, economic and social criteria;

iii. educational and economic evaluation of each option, including the option of doing nothing, taking account of recurrent as well as capital expenditure and receipts, and giving due weight to the educational costs of the disruption involved.

Those contributing to such studies may also find it helpful to refer to what was said in "Better Schools" about school staffing, contact ratios, class sizes and the effective deployment of the teacher force. The Department and the local authority associations are considering whether additional guidance might be offered on these matters. In addition the Department and local authority associations have considered further guidance on the techniques and methods involved in the improvement and rationalisation process. This is contained in A&B Paper No 11 (see paragraph 11 of Annex 2 for details of this and other guidance).

SCHOOLS

34. Whether the demands of school size and the impact of falling rolls call for radical or less radical change will vary from one area to another, and from one school to another. The Secretary of State's concern is to preserve the best of what we have already, and to improve the rest, having regard to prospective changes in local circumstances. He expects local authorities and voluntary bodies to undertake systematic reviews of their provision, area by area, and to involve school governors, teachers and parents fully in their planning. Annex 1 sets out some important considerations which the Secretary of State asks providers to bear in mind in drawing up plans for rationalisation, and which will, where they apply, form part of the background to his consideration of any statutory proposals arising from those plans.

35. As easier options are used up, rationalisation plans increasingly involve closing or amalgamating schools, or other arrangements which call for the use of formal statutory procedures. These procedures can be very time-consuming, and their outcome by definition can never be certain, entailing as they do public debate on matters which are important to those affected. To the extent that proposals come to the Secretary of State for decision, he must judge them impartially and strictly on their individual merits; though he does so within the framework of the policy considerations set out in this Circular. These considerations neither require nor rule out any one pattern of organisation. They allow for diversity of provision between and within authorities' areas and for the approval of statutory proposals whether these involve the retention of existing types of school, the introduction of new types of school or the re-introduction of types previously abandoned.

36. Annex 3 sets out details of the normal procedural routes for major rationalisations, with a view both to minimising procedural obstacles to what needs to be done, thus assisting the Secretary of State to reach early decisions; and to ensuring at the same time that all concerned are able to play their full part in bringing about the optimum pattern of school organisation in every area.

16-19

37. The Secretary of State also invites each local education authority, in the light of the considerations and guidance in this Circular, to review, plan, and take the necessary action to organise their 16-19 provision in order to maximise educational effectiveness and value for money. Insofar as an authority's action leads to the publication of statutory proposals, the Secretary of State will consider these on their merits in the light of the policies set out in this Circular.

38. In carrying out reviews, authorities will need to consider, inter alia, the size and type of institutions, the area each is to serve, and the type of courses each is to provide; staffing policies, including where appropriate target student:staff ratios; and target levels of space utilisation within institutions. They will want to take particular account of their development plans for work-related NAFE, drawn up for the Manpower Services Commission. Reviews will also need to take account of the extent to which institutions offering 16-19 non-advanced provision also provide for other age groups, for advanced courses, and for the needs of the wider community. Annex 2 offers advice on certain of these aspects. The Secretary of State recognises that authorities will differ considerably in terms of their existing provision and the extent to which they have already reviewed that provision. He does not therefore wish to prescribe the form which the review should take.

FOLLOW-UP

39. The Secretary of State intends in due course to appraise progress with those concerned in the action now necessary to improve the organisation of provision for pupils and students up to age 19 in the interest of educational quality and effectiveness.

D J S Hancock.

D J S HANCOCK

To: Local Education Authorities and other bodies

GENERAL CONSIDERATIONS AGAINST WHICH THE SECRETARY OF STATE JUDGES RATIONALISATION PROPOSALS

1. It is the policy of the Secretary of State, having regard to his legal obligations and the need for cost-effective reorganisation, to keep an open mind as to what pattern of school organisation might best suit the needs of a particular area, and it is for those responsible at local level for providing the service to initiate change. In deciding statutory proposals for changes of pattern, however, he will bear in mind a number of considerations of which proposers should be aware so that proposals do not fail on policy, legal or technical grounds.

PARENTAL CHOICE

2. The Government is committed to giving the fullest possible effect to parental preferences for particular schools. This commitment does not however extend to circumstances where to meet it would prejudice the provision of efficient education or the efficient use of resources. A large volume of expressed parental commitment to a particular school will be a consideration (sometimes a very telling one) which the Secretary of State takes into account in deciding proposals, but it will not of itself be conclusive if the educational and financial arguments point the other way.

3. There are particular aspects of parental preference which the Secretary of State is anxious to preserve where the demand warrants it. Among these are preferences for selective schools, denominational schools and single sex schools. Such schools need, no less than others, to be educationally effective, eg by virtue of their size, and like others they are subject to the impact of falling rolls. They should therefore be included in any review of provision in a particular area. In considering proposals for change the Secretary of State will give weight to the extent to which they satisfy the general parental demand for these particular types of provision.

4. Proposals to reduce single sex provision need to be approached with particular care. Where existing provision meets the demand for single-sex education for one sex more fully than for the other, proposals which would go some way to correcting the balance are likely (all other things being equal) to be acceptable even if they involve reducing the number of schools available to one sex as against the number available to the other. What is likely to be unacceptable is the creation of significant inequality of opportunity (eg the withdrawal in its entirety of all separate provision for one sex, whilst provision for the other is retained), which would be likely to lead to successful challenge under the Sex Discrimination Act 1975. Proposals to remove all single sex provision from an area, for boys and girls alike, whilst possibly not contrary to sex discrimination legislation, would nevertheless give the Secretary of State pause on policy grounds for the overall reduction in choice implied, though wider considerations might in the end make such proposals acceptable. (See Annex 3, Appendix B, page III.9 footnote 1 on transitional exemption orders.)

SPECIAL NEEDS

5. The Education Act 1981 requires LEAs to arrange for the education of pupils with statements of special educational needs in ordinary schools, provided that certain conditions are satisfied. In reviewing their school stock, LEAs, voluntary bodies and governors should consider the extent to which there is scope for tackling the questions of integration and falling rolls together. Whilst it is not expected that a large scale transfer of pupils from special schools to ordinary schools will take place in the short term, there may be opportunities for considering whether accommodation in the ordinary schools is suitable — or could be made so, perhaps as part of a rationalisation scheme for a population which includes children with special educational needs. In other cases special education provision could be improved by moving badly housed special schools into the vacated premises of surplus ordinary schools. Guidance on the ways in which ordinary school buildings can be used or adapted to meet the requirements of children with special educational needs, and how new primary and secondary schools can he designed to meet these requirements was given in the Department's Building Bulletin 61 published in 1984. (See also Annex 3, Appendix B on significant changes of character or enlargements).

SITING OF SCHOOLS

6. For all proposals, the accessibility and suitability of the site (or sites) for all pupils concerned are impo considerations, as also may be the transport arrangements proposed.

7. Proposals to establish or enlarge a school on more than one site are undesirable in principle, and are likely to be costly in terms of duplication of accommodation, services and equipment, as well as the loss of staff time and additional transport costs. In some circumstances however they may represent the best solution available in practical terms, or an acceptable interim arrangement until building work can be completed. In considering such proposals the Secretary of State will pay particular attention to the extent to which the proposers have planned to overcome the organisational and educational problems inherent in split-site working.

8. Special procedures apply to proposals involving compulsory purchase: see Annex 3, paragraph 35.

CONSULTATION ON SECTION 12-15 PROPOSALS

9. The Secretary of State has made clear in previous guidance the importance he attaches to the adequacy of consultation on the part of all promoters. This policy has received judicial backing from recent High Court decisions which hold that parents have a legitimate expectation that they will be consulted on proposals affecting reorganisation of their children's school. The Secretary of State expects appropriate consultation to have taken place with parents, teaching and other staff, governors and other interested parties at the formative stage of the proposals with sufficient information and time available to permit intelligent consideration of and response to the issues involved; such consultation should normally have taken place within the 12 months immediately prior to publication.

10. It may be appropriate that a range of options is explored before arriving at a specific proposal, but it is important that before a final decision is made, proposers should ensure that in the course of consultation the emerging choice is sufficiently identified to allow those being consulted to focus on it. Where an entirely new option emerges from the consultation process, the Secretary of State generally expects proposers to broaden the consultations to take account of that option.

11. The Secretary of State expects proposers to be able to demonstrate that they have considered the views of interested parties in their formulation of proposals. He would not expect proposals to be published in the face of overwhelming local opposition unless the proposers could show that no other form of rationalisation could meet the circumstances of the area. He expects proposers to bear in mind that adapting their plans in the light of local people's views is likely to forestall objections and improve the climate of opinion in which they are considered and implemented. He accepts, however, that the statutory responsibility for the formulation of proposals rests with the proposers and that they have the right to select their own preference, which would mean that views expressed on consultation were not pursued.

12. Authorities are reminded of the desirability of consulting Diocesan Authorities — and in the case of non-Diocesan Schools, any connected charitable or other body — at an early stage on any proposals which could have implications for voluntary schools in their area(1).

TIMING

13. The Secretary of State's general policy on the timing of proposals for the closure of schools is that there should be at least one term between the date of the decision and the date of implementation. He is however prepared to approve proposals which have been put forward on a shorter timescale provided that he is satisfied that, among other things, consultation with those most concerned has been adequate and that early implementation is compatible with the interests of the pupils, their parents, staff, and any others concerned. In practice, however, given the number of proposals that can be before the Secretary of State at any time, proposals to discontinue a school at the end of the school year should be published no later than early autumn for a decision by the following Easter. For proposals involving two or more schools a longer period is desirable, and may be essential if considerable preparatory work is required.

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(1) This is of particular importance in the case of proposals to cease to maintain voluntary schools to which the law on "reverter" applies. In such cases the Secretary of State may make orders under Section 2 of the Education Act 1973 to bar reverter and reapply the trusts' assets. However, orders can only be made after the Secretary of State has approved proposals. Authorities are invited to take account of this when deciding on the date of publication and the timing of proposals, and to inform the Department when submitting published proposals to the Secretary of State if reverter applies.

14. Where proposals are published on a timetable which implies that the decision is likely to be made less than a term in advance, the proposers will be invited to provide a written justification for the timing of their proposals, and to submit details of the effect which the consequent timing of the decision will have on the parents, staff and children concerned; and they must recognise the likelihood of being consulted on the prospect of a deferred date of implementation (if the proposals otherwise command the Secretary of State's assent) unless the Secretary of State is satisfied that the proposals can be implemented smoothly on the original timetable.

15. In general, it is desirable that closures or significant changes should take place at the end of the summer term. It would, for example, be inappropriate if proposals to cease to maintain a primary school at the end of the Spring term meant that some children would be involved in changes of school in two successive terms.

[redacted]NISING FOR EFFICIENCY

TARGETS AND EXPENDITURE PLANS

1. The targets for the removal of surplus school places set out in paragraph 16 of the Circular are reflected in the Government's public expenditure plans. It is also intended, subject to consultation, that the overall planned total of relevant expenditure for Rate Support Grant purposes should reflect the assumption that savings commensurate with the targets will be made, on premises-related costs in particular.

2. The targets are national, aggregate targets. They will not be reflected directly in any individual local authority's Rate Support Grant: the distribution of the grant will continue to reflect broad differences in local circumstances — such as the pace of decline in pupil numbers, or the extent of population sparsity — which have a bearing on the proportion of surplus places which an individual authority can take out of use, and the speed at which this can be done. It will remain for individual LEAs to judge how best they can maximise the opportunities which falling rolls offer to redeploy resources to better effect, but the national targets will serve as a yardstick against which they can assess their performance.

FORECASTING PUPIL NUMBERS

3. Individual local authorities and voluntary bodies will have their own forecasting methods, but will normally need to take account of the following:

i. local planning department population projections, allowing for the rate, timing and nature of any new housing developments;

ii. local take-up of places outside the maintained sector;

iii. local incidence of cross-border movement of pupils and students which may assume added importance post-16 when the provision for automatic recoupment within FE, contained in the Education (No 2) Act 1986, is implemented;

iv. local trends in post-compulsory participation rates by, for example, age, sex and mode of attendance (in FE) and type of provision (cf paragraph 17 of the Circular);

4. Authorities may also find it useful to consider national projections, whether those for the overall population produced by the Office of Population Censuses and Surveys, or those of pupil and student numbers in the maintained sector produced by the Department and set out in annual Public Expenditure White Papers, in occasional statistical bulletins or otherwise. The Department is currently considering with the local authority associations what developments and improvements in projection methods might be possible.

SURPLUS SCHOOL PLACES: CALCULATION AND MONITORING

5. The calculation of the new target for the removal of surplus places is based, like the earlier one, on the overall surplus in 1975. The original target implied the removal of 1.125 million places by March 1987. The new target increases this to a total of just under 2 million by 1992. However, in setting the new target, the 1975 figure for the estimated capacity of the school building stock has been reduced to allow for the increased teaching area which will be required when the Education (School Premises) Regulations 1981 come into force in 1991.

6. The removal of the 850,000-odd places between 1987-88 and 1991-92 implies a continuation of the removal of places at about the same annual aggregate rate as at present (as illustrated in the graphs in the Appendix to this Annex). In order to maintain the momentum, LEAs will need to look particularly now to rationalisation of secondary provision. There are long lead-times which means that no time must be lost if the necessary reductions in capacity are to be achieved to target. Progress in the removal of surplus places by individual LEAs will continue to be monitored annually and is likely to be the subject of increasing attention from LEAs' external auditors.

7. The temporary removal of accommodation, or "mothballing", yields some savings on running costs and maintenance, and counts towards the target for removal of surplus places. It is not however, cost-free: security in particular can be expensive. In economic terms the permanent removal of redundant accommodation from the education service is generally to be preferred, since it will yield higher revenue savings and possibly also capital receipts.

8. The national school building stock includes large numbers of mobile classrooms in varying states of repair. The removal of these from the system counts towards the target for the removal of surplus places. The Secretary of State urges LEAs and governors to review their stock of mobile classrooms, considering both the extent to which they are needed in their existing location, and their state of repair. The Secretary of State believes that many LEAs and governors could do more to take out of use mobile classrooms which are in a poor state of repair and to move mobile classrooms which are in good repair to where they are most needed.

INVESTMENT APPRAISAL

9. Planning for the removal of surplus school places usually involves the assessment of alternative strategies, often over a considerable time period. It is therefore a suitable field for the use of investment appraisal, the purpose of which is to provide a consistent basis on which to compare the costs and benefits of all the available options. A detailed appraisal will take account of all the factors, whether educational, social, or financial, which are relevant to a decision, and should enable authorities and voluntary bodies to ensure that all the available options are given full and objective consideration before decisions are made. The information needed to carry out investment appraisal is no different from that normally involved in sound local decision-making; it is the techniques for structured comparison of options which may be unfamiliar.

10. The main role of investment appraisal is as an aid to the identification of the best options and to decision-making at local level. In framing their proposals, local authorities and voluntary bodies will take account also of particular local circumstances, and in particular of the outcome of consultations. The Secretary of State will not therefore expect to see a full appraisal of all alternative options when proposals are put to him for approval. The Department nevertheless commends investment appraisal as a basis for local decision-making and will expect the results of such appraisal to be reflected in the case which proposers make for their chosen option.

11. Detailed technical guidance on investment appraisal is offered in:—

Investment Appraisal in the Public Sector: A Technical Guide, HM Treasury 1984.

Investment Appraisal in the Public Sector: A Management Guide, HM Treasury 1983.

(Copies available from Committee Section, HM Treasury, Parliament Street, London, SW1P 3AG)

In addition, guidance techniques which may be applicable to all phases of educational provision are detailed in:-

Costing Educational Provision for the 16-19 Age Group (DES 1981)

Guidelines for School Building Reviews, A&B Paper No 11, DES Architects and Building Branch 1987.

ACCOMMODATION

12. For school buildings, on physical capacity local authorities and voluntary bodies may find it helpful to refer to the Department's "Method for Assessing Capacity of Existing Schools"(1). On quality, the publications on improvement projects which have been carried out with the involvement of the Department's professional staff(2) may be helpful.

13. As regards FE colleges, authorities' attention is drawn to the guidance on the measurement of space utilisation in the Department's Design Note 37(3). Many colleges may fall short of the space utilisation rate of 64 per cent considered reasonable for the purposes of that Design Note. The NAFE Joint Efficiency Study carried out further studies of the opportunities for realising savings, and other benefits, in the use of FE accommodation, and it is hoped to issue further guidance in due course.

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(1) Attached to letter S24/123/0107 of 30 June 1986.

(2) DN26 — 'Opportunities for improvement — Penistone Grammar School'

DN28 — 'Opportunities for improvement — North East Wiltshire'

DN42 — 'The Dukeries Complex — a place for the family'

Broadsheet 21 — 'Opportunities for improvement — Wheatley Park School — A rationalisation project serving school and community'

(3) 'Assessing the Capacity of Further Education Buildings', DES Architects and Building Group, 1984.

14. As the easier options for rationalisation are used up, an increasing number will require building work — such as the extension or adaptation of one school's building to accommodate children from another. However, it must be assumed that resources for capital programmes will remain constrained. In making capital allocations in the schools sector, priority will continue to be accorded to projects which meet basic need[1] and facilitate the removal of surplus places, and to other works to which local authorities or governing bodies are committed by virtue of approved proposals under Sections 12-16 of the Education Act 1980.

15. Whilst there remains a large surplus of places in use, the next priority in allocations will remain those projects which both remove surplus places and improve the fitness of the school buildings for their purpose. Such projects should generate revenue savings which authorities will be able to use to the advantage of the service in various ways.

16. In further education likewise, priority will be given in the distribution of the scarce capital resources available to projects geared to rationalising provision, particularly where the quality and suitability of the resultant stock of buildings is improved in the process.

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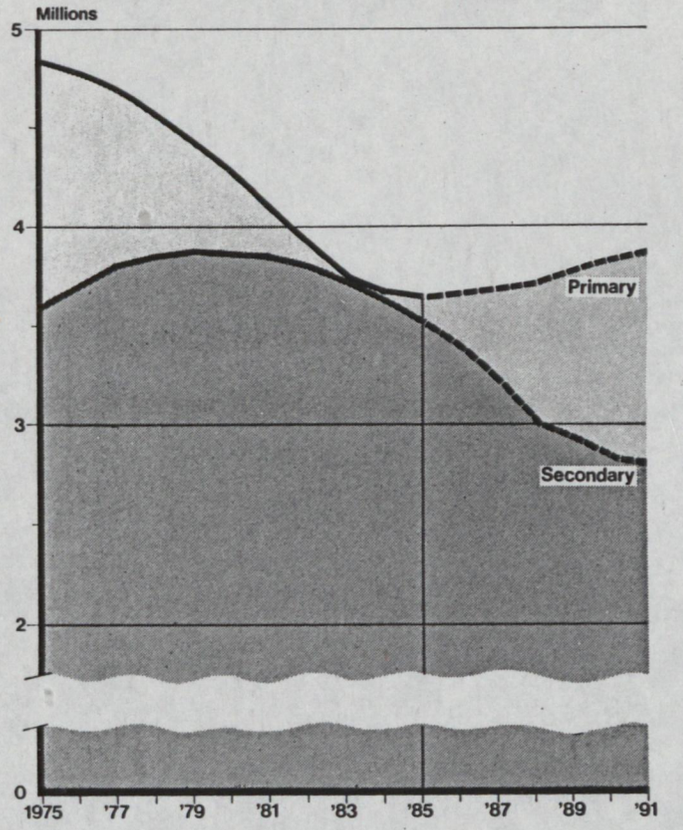
(1) ie projects to provide new accommodation in areas of population growth.

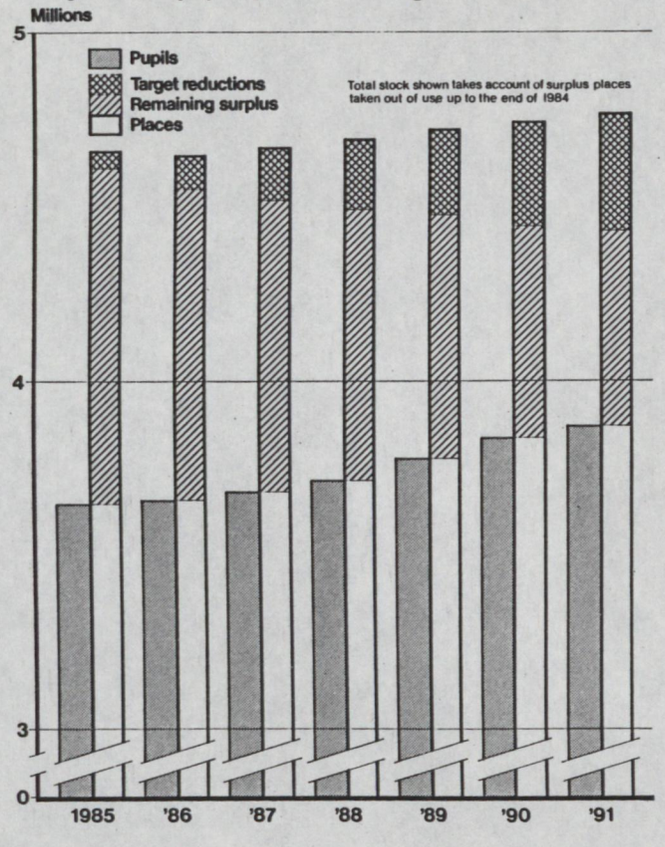
PUPIL NUMBERS 1975–1991

Maintained schools in England



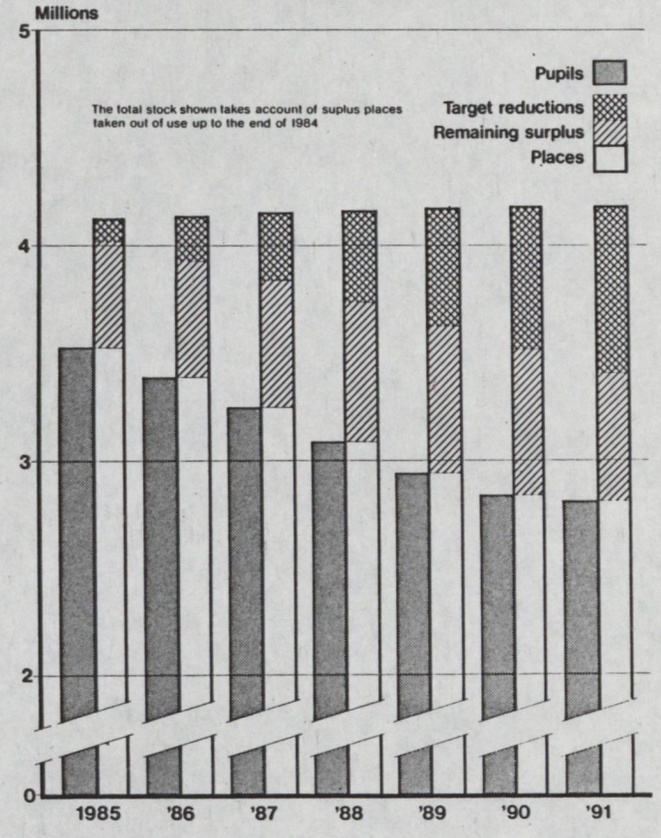
SURPLUS PRIMARY PLACES

Projection of pupils, places and targets in England



SURPLUS SECONDARY PLACES

Projection of pupils, places and targets in England



PROCEDURES FOR RATIONALISATION

1. The main statutory vehicle for rationalisation is the Education Act 1980 ("the 1980 Act"). This sets out in Sections 12-16 the procedures to be followed in — using layman's terms — closing or amalgamating schools(1), opening new ones, or changing them in any of the ways specified(2). In addition, or alternatively, providers might seek to rationalise by means of site transfer or substitution(3).

2. This Annex and its Appendices set out general guidance on the application of these procedures, based both on the relevant statutes and on case law arising from them and on the new procedures under Sections 54 and 56 of the Education (No 2) Act 1986 for enabling a controlled school to gain aided status. This cannot be taken as authoritative legal interpretation, and is not prescriptive as to the procedures to be adopted (other than those which have statutory force). It is the responsibility of proposers themselves to follow the appropriate procedures correctly, looking beyond the present guidance where it does not fit the particular case.

3. The notes which follow cover the main stages in the preparation and follow through of statutory proposals. Proposers are reminded that in practice the interval between initial formulation and implementation of proposals is inevitably long, and time enough must be allowed for this. In particular, they must allow several months before publication of specific proposals for consultation with those affected (see Annex 1, paragraphs 9-12), and they should normally allow at least a term between decision/determination and implementation (see Annex 1, paragraphs 13-15). The period between publication and decision/determination can itself never be short: two months must be allowed for the receipt of statutory objections; and where by reason of objections or otherwise the proposals fall to be decided by the Secretary of State, it takes on average a further four months or so to do this (and in complex cases can take much longer).

4. Proposers can assist in minimising delays by ensuring that in all cases, whether statutory objections are considered likely or not, they lodge their full statement of case (subject to any comments on objections) with the Secretary of State at the point at which the proposals are published. Notes on the items which should normally be covered at this stage, to save referral back later, are at Appendix F. Attention is particularly drawn to the need for promoters to forward a reasoned case for any building works required, and a full estimate of the necessary costs, at the time of publication of proposals.

5. Responsibility for the preparation, publication and, if approved (or so determined by the Authority), implementation of proposals rests with local authorities, governors or promoters as the case may be. In discharging his functions under Sections 12, 13 and 15 the Secretary of State is under a duty to act fairly; accordingly he cannot take any steps which might be seen as prejudging eventual proposals, and it would not be proper for him or his officials to seek to influence the formulation of proposals in any way prior to publication. The Department does nevertheless welcome an early intimation of proposals being formulated, and will always be willing to advise in advance on policy considerations to which the Secretary of State is likely to address his mind so that proposers can, if they wish, take account of these in formulating plans for their areas and in making their case to the Secretary of State.

CONTENT OF PROPOSALS

6. The 1980 Act makes a clear distinction between the proposers' intention to carry out actions specified in Sections 12(1), 13(1) or 15(1) and their proposals for carrying out the intention. The particular intentions should be identified and worded in the terms used in these sections so that there can be no room for doubt, such as in the following model form:

> "The x authority hereby gives notice in accordance with Section y of the Education Act 1980 that it intends to ..... and has made the following proposals for this purpose....."

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(1) See Appendix A.

(2) Namely, significant change of character, significant enlargement of premises, or reduction in admission by 20 per cent or more: see Appendices B and C respectively.

(3) See Appendices D and E respectively.

7. Full details of the proposals for implementing these intentions, including any transitional arrangements, should follow. The Act requires, according to the procedure being adopted, that the published proposals shall include some or all of the following: the time or times of implementation; the number of pupils to be admitted to the school or schools in question in each relevant age group in the first school year in which the proposals are wholly implemented, excluding pupils who will not have attained the age of 5 years within 6 months after their admission and a statement of the effects of Sections 12(3) or 13(3) (whichever is appropriate, which may be done most easily by reproducing the text of the appropriate section), which should state the name and address to which objections should be sent. Where these details are lacking, republication of the proposals may well be necessary and time thereby lost.

8. The requirement to specify the time or times of implementation allows some flexibility, since the time specified need not be a precise date, and will depend on how far in advance of implementation the proposals have been published (qv Annex 1, paragraphs 13-15). Exact admission numbers are required for the purposes of the operation of Section 15 and these should be set at the level at which the Authority is prepared to maintain the school: it is not sufficient to give only approximate admission numbers.

9. The particulars set out in paragraphs 6 to 8 above constitute the only information which the Act specifies must always be included in proposals. Potential objectors should however be able to make an informed decision as to whether to object and in what terms, and the Secretary of State should know the precise nature of what he is being asked to approve. Proposers should therefore have regard to what other information might be necessary in the statutory notice to make clear exactly what is proposed and what the effects will be. If the full effects of the proposals are not readily apparent to the general public from the published notice, it may be supplemented by a statement which provides a clear explanation of what is intended. This explanatory statement should be clearly distinguishable from the proposals themselves and care should be taken to ensure that all relevant proposals appear in the body of the published notice. Appendix G provides proposers with a checklist of information that the Secretary of State would normally expect to see included in the statutory proposals themselves.

10. Where proposals concern two or more separate significant changes, eg change of age range and change of admission arrangements (eg by reference to sex or ability), the changes should be identified and listed separately.

11. Where related proposals are to be implemented over a period of several years, proposers will need to consider whether they should be published together at one time, or in more than one stage. In general, where the period does not exceed 5 years, the proposals should be published together. If, however, implementation is likely to be spread over more than five years, publication in stages is likely to be preferable. If this is done, both the body of the notice and the explanatory note should make clear how each stage will fit into the overall plan.

12. Where it is intended to terminate rather than reduce admissions to a school in advance of its closure, the proposals should fall under Section 12 rather than Section 15. Terminating admissions to a school is the start of its discontinuance, and the proposals to terminate admissions form part of the proposals to cease to maintain the school.

13. Proposers must take full responsibility themselves for ensuring that the published proposals accurately communicate what is intended to happen in order to secure the implementation of what is proposed. The Secretary of State cannot take responsibility for ensuring that public notices meet statutory requirements. The notes above offer general guidance which should meet most cases; however, the Department is willing to continue its practice of looking at notices proposers wish to put forward, in draft, prior to publication.

PUBLICATION

14. Those making proposals under Sections 12, 13 and 15 are required to make proposals public. In accordance with the Education (Publication of School Proposals) (No 2) Regulations 1980 (SI 1980/658) proposals are to be published:

i. in at least one newspaper circulating in the area served, or to be served, by the school to which the proposals relate;

ii. by being posted in at least one conspicuous place within that area; and

iii. where proposals relate to an existing school, by being posted at or near any main entrance to that school.

15. The purpose of the publication requirements is to ensure that all those substantially affected by proposals are likely to be informed of their exact nature. Proposers will need to consider how they should display their proposals prominently in order to give them such further publicity as they consider to be appropriate to their area. In areas with significant linguistic minorities, consideration should be given to their requirements. Where interdependent sets of proposals are made in respect of a voluntary school by the local education authority and other persons, it is desirable that all the proposals should be published together but it must be clear who is making and publishing each particular proposal. Proposers may consider other proposals to be inter-related in which case it is desirable that they should be published on the one notice. In reaching his decision on proposals however, the Secretary of State will form his own view on how far they are or are not strictly dependent on other proposals (or parts of nominally the same proposal); the presentation adopted by the proposers will be a factor he takes into account, but it will not of itself be conclusive.

16. To avoid confusion about the date on which proposals are published (and hence about the date from which the two month statutory period runs), the proposals should ideally be posted on the same day as they are first published in a local newspaper. If this is not possible they should be posted before, but as close as possible to, the date of publication in a local newspaper, and the formal date of the publication should be regarded as the date on which the proposals have been published in all the forms prescribed in the Regulations.

17. A copy of the proposals as published should be sent to the Secretary of State on or immediately after the date of publication. Submission of a final copy of what is to be published does not satisfy the requirements of Sections 12-15. Under Section 12(5)(a) the Secretary of State must give notice to a local authority within two months from the date on which the proposals are submitted to him (and not from the date of publication) that the proposals will require his approval. Late submission of proposals falling to the Secretary of State to decide can lead to delays and confusion as to the expiry dates of the various periods. A full statement of the case in support of the proposals (subject to any comments on objections) should be forwarded at the point of publication, with a further copy sent direct to the member of HM Inspectorate who is District Inspector (Schools) for the area.

OBJECTIONS

18. Sections 12(3), 13(3) and 15(3) provide for objections to be made to proposals published under Sections 12(1), 13(1), or 15(3) ("statutory objections"). A statutory objection is defined as one made within two months of the publication of proposals by ten or more local government electors for the area, the governors of any voluntary school affected by the proposals and any (other) local education authority concerned. Statutory objections under Section 12(3) which have not been withdrawn in writing must be transmitted to the Department by the Authority within one month following the two month period for objections, together with the Authority's own comments on the objections. Statutory objections under Section 13(3) must be sent by objectors to the Secretary of State direct.

19. The onus is on the Authority to satisfy itself as to whether the objections it has received are within the scope of Sections 12 or 15, as the case may be. If one person appears to be signing on behalf of a number of others, eg the secretary of an action committee, his or her signature alone may be sufficient if it is clear that he or she is acting on behalf of at least ten local Government electors for the area. Likewise if ten people submit separate letters where there is clear evidence to show that there is in fact one objection jointly submitted, eg cyclostyled letters, various letters which refer to each other or ones submitted under a common letter, this would normally be regarded as a statutory objection. However if ten people separately submit a letter making the same point, these are unlikely to constitute an objection for the purposes of the Act. In cases where authorities are uncertain whether separate letters have been submitted jointly to constitute one objection, they may wish to consider asking the originator to confirm the name and addresses of the ten or more local government electors for the area on behalf of whom the objection is submitted and to confirm that these persons have expressly authorised the submission of the objection on their behalf.

20. When transmitting statutory objections to the Department authorities are invited to submit any other representations received, with or without comments as they choose. The Secretary of State, as has been the practice of his predecessors, will continue to have regard to all objections received, statutory or otherwise.

21. The early resolution of proposals is much helped if objections received and the proposers' observations on them are transmitted as quickly as possible within the month allowed; this is essential where proposers are seeking to work within a shortened timetable(1).

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(1) It also speeds the Secretary of State's consideration if each objection is numbered and submitted with a covering index showing the name of the first signatory (or the name of the objecting organisation) and the number of signatures appended to the objection. Where there is a large number of objections proposers may provide their observations in the form of a table listing them with the proposers' comments given alongside.

22. When proposals come to him for decision, the Secretary of State is frequently asked by objectors for sight of the proposers' comments on their objections. Some local education authorities disclose their comments to objectors as a matter of course. This practice is commended: by generating a constructive atmosphere, it can help to speed up decisions. Where the proposers are not disposed to release their comments on request from objectors, the Secretary of State will consider whether the proposers' submissions have raised new facts or arguments which are likely to be crucial to his decision. In such instances, and equally where new facts or arguments, likely to be crucial to the eventual decision, emerge in the course of the Secretary of State's consideration of the proposals (though not covered in the proposers' formal submission) the Secretary of State will in the interests of fairness, consult the proposers with a view to securing for objectors a further opportunity to comment within a given time limit. Proposers would then themselves have the right of comment on the further points put forward by the objectors, again within a specified time limit.

23. However, it would not be compatible with good administration and the speedy resolution of the uncertainty surrounding the future of a school which is the subject of proposals if there were to be a continuing exchange of argument and counter-argument over every issue involved. Further, the Secretary of State recognises that continuing exchanges of arguments would be incompatible with the functions of both the proposers and the Secretary of State in the statutory process. Unless therefore a potentially crucial point has emerged on which objectors could not have appreciated at an earlier stage that comment would be relevant, he will normally consider the matter of disclosure to be entirely one between proposers and objectors.

CALLING IN

24. Section 12(5)(a) of the 1980 Act empowers the Secretary of State to give notice to an authority, within two months of the submission to him of published proposals, that the proposals will require his approval. This power is in practice used sparingly. Examples of proposals which may be called in are:

i. those made by local education authorities dependent on, or related to, other proposals published at or near the same time either by themselves or the governors or promoters of voluntary schools whose proposals automatically fall to the Secretary of State to decide. This is to avoid any possible conflict between an authority's determination to implement proposals which have attracted no statutory objections and a decision by the Secretary of State to reject one or more of the proposals falling to him to decide;

ii. those which are of particular concern to the Secretary of State on grounds of policy;

iii. those which are prima facie deficient (eg in terms of the essential information they carry as to the Authority's intentions or in terms of the time allowed for between publication and the date proposed for implementation);

iv. those which carry significant expenditure implications.

DETERMINATION

25. Under the 1980 Act, Section 12 and 15 proposals fall to be determined by the Authority where they have attracted no statutory objections (or none that have not been withdrawn) nor been called in by the Secretary of State. The Authority therefore has the opportunity to reconsider them in the light of any new circumstances and of observations — including representations which do not constitute statutory objections — which may have been made during the two-month period for the making of objections. The determination must be made within four months of submitting the proposals to the Secretary of State, and authorities must inform the Secretary of State in writing whether they have determined to implement the proposals.

26. This determination is final and must relate to the proposals as originally published. Authorities cannot make a conditional or modified determination to implement. If they wish to implement with modification they must first determine to implement the proposals as published, and then apply to the Secretary of State for modification under Section 12(9), or they must determine not to implement and publish fresh proposals, depending on the nature and extent of the modification. Applications for modification will be treated on their merits, and it cannot be assumed that they will invariably be approved; an Authority choosing to go down this route must therefore be prepared if need be to implement without modification. A determination not to implement kills the proposals and they can only be resurrected at a later date by publishing fresh proposals. Since all proposals must include the times when they will come into effect, proposers are under a duty to implement the proposals at the specified times, unless the Secretary of State has made a modification as to timing.

MODIFICATION

27. Sections 12(6) and 13(4) empower the Secretary of State after he has undertaken the necessary consultation to modify proposals before giving his approval. The Secretary of State is not empowered to modify proposals to such an extent as to change them in substance, which would in effect substitute his own proposals for those of the proposers, or change the proposals in such a way as to deprive potential objectors of the opportunity of full and informed consideration of the proposals as a whole. In considering whether to modify any part of the set of proposals the Secretary of State will therefore be guided by whether such a modification would alter the substance of the whole to the extent that objectors or potential objectors could not have had the occasion to comment on it previously.

28. Sections 12(9) and 13(7) empower the Secretary of State at the request of the proposers to modify proposals which are required to be implemented. If proposers find that they are unable to comply with the precise terms of a proposal which they are under a duty to implement (eg because the date of implementation cannot be met) they should write to the Secretary of State requesting such a modification and setting out full reasons for their request.

29. Where future need has clearly been under or over-estimated the Secretary of State will normally be prepared to make a modification to alter the proposed size of the school. A modification to defer implementation by up to one year will also normally be acceptable, and may be necessary where proposals have been published late. Any request for a longer delay would have to be judged in the light of the effect it would have on the schooling of the pupils for whom the proposals were initially intended, and also on the extent to which the original consultations brought in all those to be affected.

30. Siting is a material factor in local people's consideration of proposals and it will not normally be open to the Secretary of State to make a modification to substitute another site for that specified in the proposals (unless, for example by reason of the two sites' proximity and general similarity, there is unlikely to be a material difference between them in the eyes of those affected). For like reason the Secretary of State cannot normally approve a modification which itself would change the proposed age range of a school.

31. Where proposers wish to make a change which goes beyond the Secretary of State's powers they will need to publish revised proposals to supersede the existing ones, and these will be judged on their merits.

ANTICIPATORY ACTIONS

32. Whilst those publishing proposals under Sections 12, 13 or 15 of the Act are able to undertake certain preparations for their implementation in advance of approval, such preparations as form part of the actual implementation cannot be taken without the authority of the Secretary of State under Section 16(1). It is difficult to generalise about what will or will not require the Secretary of State's authority as the applicability of Section 16(1) will depend on the precise circumstances of individual cases. On the one hand, the Secretary of State's authority is likely to be required, for example, to let the contract for the execution of necessary building works, or to refuse applications for admission to a school. On the other hand, arrangements for the appointment or redeployment of teachers, or decisions about which pupils are to be admitted in the following school year can normally be made by the proposers without reference to Section 16(1) so long as these preparations are clearly conditional on the Secretary of State's approval of the proposals.

33. As indicated in paragraph 4(b) of Circular 8/86, it is intended to bring Section 12 of the Education (No 2) Act 1986 into force from 1 September 1987 in respect of new schools opening on or after 1 April 1988. For the first time, this will give statutory status to temporary governing bodies of new schools. Each temporary governing body is to have the composition and powers set out in Schedule 2 to the Act for the purposes of admission, appointment of staff, disciplinary arrangements, etc, subject always to the provisions of Section 16(1) of the 1980 Act. Once the school has opened, the temporary governing body will also act as the full governing body until such time as one is constituted under the school's instrument of government. Further guidance on the establishment and powers of temporary governing bodies will be included in the second Circular on the Education (No 2) Act 1986.

MIDDLE SCHOOL DEEMING REGULATIONS

34. The requirements of the Education Act 1964 for deeming middle schools to be primary or secondary schools for Education Act purposes were amended by the Education Act 1980 and the Education (Middle Schools) Regulations 1980 which followed. When it falls to the local education authority under Section 12(7) to determine whether a proposal to establish a middle school should be implemented, they should, at the same time as notifying the Secretary of State of their decision under Section 12(8), inform him whether in accordance with those Regulations it is deemed primary or secondary; or, in the case of a school with equal numbers of year groups on either side of the age of 11 (eg 9-13 schools) whether they wish the school to be deemed primary or secondary, with a statement of their case in support of that preference.

COMPULSORY PURCHASE

35. If a local authority wishes to purchase compulsorily land for educational purposes, the compulsory purch order has to be confirmed by the Secretary of State under Section 90 of the Education Act 1944 (following the procedures in Department of the Environment Circular 6/85). As stated in paragraph 3 of Appendix Q to that Circular, the procedure laid down in Section 12 or 13 of the Education Act 1980 should normally be followed, and approval obtained, before a compulsory purchase order is made.

"AMALGAMATIONS"

1. The Education Acts do not provide any specific procedures for the amalgamation of schools, and the term 'amalgamation' should not be used in statutory proposals to express intentions for the purposes of Sections 12 and 13, although it may be used in the explanatory notes to make the nature of the proposal clearer to the general reader. Where it is proposed that one school should function in place of two or more there is a choice of procedures:

i. two (or more) existing schools may be discontinued and a new school established (either in the premises of one or more of them or elsewhere); or

ii. the premises of one school may be significantly enlarged by the addition of the premises of the other school(s), which will be discontinued. When this procedure is used to amalgamate two schools with, eg differing age ranges (such as a junior and an infant school) a parallel proposal will also be necessary to make a significant change of character to one of them. Proposals are of course unnecessary where the intention is to amalgamate the infant and junior departments of what is already in law one school; or

iii. where one voluntary school is intended to be established in place of one or more voluntary schools, proposals under Section 13 may be published and a substitution order sought under Section 16(2) of the Education Act 1944 from the Secretary of State (see Appendix E).

2. It is for the proposers to decide which procedures to follow, and they should consider the implications for staffing, capital costs (see Annex 2) etc before making their decision.

SIGNIFICANT CHANGE OF CHARACTER AND ENLARGEMENT OF PREMISES

1. Sections 12-13 of the Education Act 1980 require the formal procedures associated with publication of proposals to be followed wherever it is intended that a school or schools should undergo a significant change of character or enlargement of premises. Questions arise from time to time as to what constitutes such significant change. Section 114 of the Education Act 1944 provides that, '"significant" in relation to a change in the character of a school or an enlargement of school premises implies that there is a substantial change in the function or size of the school'.

2. Section 67(4) of that Act as substituted by the Education Act 1968 provides that the Secretary of State shall determine any question which arises as to whether a change in the character of a county or voluntary school or an enlargement of the premises of such a school is a significant one. Section 16(2) of the 1980 Act cites three particular examples of circumstances in which a change of character will result, but whether that change or any other not specified in Section 16(2), is so substantial as to be "significant" will depend on the facts of the individual case, and relevant factors will include the nature of the change in terms for example of its size, extent, and implications for the organisation, staffing and curriculum of the school.

3. The following paragraphs are intended to give an indication of the basis on which the Secretary of State will reach decisions under Section 67(4) as to whether a change of character is or is not significant, including the three kinds of change particularly referred to in Section 16(2). This list is not exhaustive. Where a change of any kind is intended at a county or voluntary school, proposers should take account of all the circumstances and consider whether it involves substantial alteration to the school's functions in terms of organisation, resources, curriculum, teaching approaches, and so on.

4. Changes in age range — The extension or reduction of the age range of the school by a full year or more at either end will normally be regarded as significant, for example:

i. the conversion of primary or secondary schools into middle schools or vice versa;

ii. changes in the age range of schools for primary age children (not internal changes between departments) eg from 5-11 to 5-7, 5-8, 5-9 or 7-11;

iii. the extension of the age range of a primary school by one or more years by the establishment of a nursery class or unit, or the extension of the age range of an existing nursery class or unit(1), or the cessation of under-fives intakes in such a school;

iv. changes in the age range of secondary schools, eg from 11-18 to 12-18 or 13-18; or from 11-18 to 11-16 or vice versa. This includes the establishment of a sixth-form catering mainly for one year sixth form courses (but see paragraph 5.i. below);

v. the conversion of a secondary school into a sixth form college and any consequential reduction in the age range of other schools.

5. The following are examples of age-range changes which will not normally be regarded as significant:

i. provision at a school designated only for pupils up to age 16 of continuation or repeat courses, of a kind which would normally form part of the school's curriculum for pupils up to 16, to pupils over compulsory leaving age who wish to stay on voluntarily for not more than one year;

ii. for a primary school, a change in the number of children below compulsory school age or in the number of nursery classes provided, where there is no change in the age range of the school by a full year or more;

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(1) The numbers of pupils for whom the unit will cater should be included in the notice but, in accordance with Section 12(2) which excludes pupils under 4 years 6 months, the admission number for the primary school stated in the proposals will be the number of pupils who will be admitted to the reception class of the school direct. This number must necessarily exclude the number of children coming up straight from the nursery class, who are already registered pupils at the school. It is helpful to include a footnote to show that the two groups together make up the number entering the first year of compulsory education.

iii. the admission or retention of individual pupils or small groups of pupils outside the normal age range of a school for periods not exceeding one academic year.

6. Changes from single sex to mixed or vice versa will generally constitute significant changes in character[1]. However, a significant change in character would not normally result from incidental arrangements for co-operation between single sex schools, eg at sixth form level, to widen the range of educational opportunity.

7. Arrangements for the admission of pupils by reference to ability or aptitude. The ending of selective admission arrangements (without ceasing to maintain the schools in question) and the consequent admission of pupils to secondary schools without reference to ability or aptitude will certainly be regarded as a significant change in character of the schools; as will corresponding changes associated with introduction of selection. The introduction of admission to an ordinary school of pupils with special educational needs may necessitate internal changes in the school which could require publication of proposals if these changes involve a substantial change in the school's function as described above, but it will be the extent and nature of change for the school as a whole which determines this.

8. The establishment of a significant number of boarding places at any county or voluntary school where no boarding places exist would generally be regarded as a significant change of character. Any proposal to end boarding provision at a county or voluntary school, or to reduce boarding places at such a school by half their number or by 50 (whichever is less) would similarly be regarded as a significant change of character. However, the existence of boarding places for pupils attending a county or voluntary day school at a hostel or other residential establishment run independently of the school would not normally be regarded as affecting the day school's character and changes in such arrangements would not therefore constitute a significant change of character.

SIGNIFICANT ENLARGEMENT OF PREMISES

9. Normally an important criterion for determining whether a proposed enlargement of the premises is significant is whether it will result in a substantial increase in the number of pupils for whom accommodation can be provided. This cannot be reduced to a simple set of rules nor to a simple arithmetical formula generally applicable. What counts is what the overall effect of the increase will be.

10. A proposal to enlarge a school may also be a proposal to change its character, eg by changing the age range, so that a straightforward comparison between existing and proposed accommodation is inappropriate; and account must also be taken, where applicable, of series of modifications over a period, none of which is substantial in isolation but whose cumulative affect is to produce a significant increase in size.

11. It is therefore not practicable to do more than give a broad indication of the types of enlargement which will NOT normally be regarded as significant:

i. any enlargement which is intended to last for a short and predetermined period by means of additional accommodation of either permanent or temporary construction (eg pending the completion of another school). The time limit should normally be not more than three years[2].

ii. any enlargements attributable solely to the need to provide accommodation for pupils staying on voluntarily for courses beyond the end of the compulsory period (other than courses designed for and restricted to sixth form pupils);

iii. an enlargement of playing field facilities in order to meet Regulation prescribed standards (which by itself will substantially increase the number of pupils for whom accommodation can be provided in the school as a whole), provided it is not accompanied by an associated enlargement to the school building;

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(1) Where it is proposed that single sex establishments should become co-educational and proposers wish to move gradually to the new arrangements, Section 27 of the Sex Discrimination Act 1975 makes provision for the move to take place over a set period of time by means of a Transitional Exemption Order. The need for this will normally be readily apparent from the proposals, and no separate application for an Order will be required in these cases. If in any doubt, proposers should consult the Department.

(2) In the case of a series of small temporary additions, this should be normally not more than three years from the date on which the first temporary accommodation was brought into use.

iv. any enlargement which occurs by reason of the transfer of a school to larger premises[1]. Only an enlargement of the premises currently occupied by a school will normally be regarded as capable of being significant.

(1) Governors who wish to seek a transfer order must ensure that what they propose complies with the criteria specified in Section 16(1) of the Education Act 1944 and that they should not properly be seeking another route (such as substitution): see Appendices D and E.

SECTION 15

1. Under Section 15(3) authorities and governors of voluntary schools must publish proposals where they intend to reduce the annual intake of a school by 20 per cent or more of the Standard Number (see paragraphs 5-7 below). Section 15 was designed to complement Section 6 of the Education Act 1980 (which entitles parents to express a preference for the school they wish their children to attend) and Section 8 (which requires authorities to publish information about admission arrangements including planned intake numbers to each school in each relevant admissions age group) by requiring the publication of statutory notices where it is intended so to reduce the intake, thus giving local people the opportunity to object to the proposal.

2. It follows from this that proposals are not required where numbers seeking admission fall naturally, so long as the authority or governors are prepared to admit up to a level exceeding 80 per cent of the Standard Number if applications are forthcoming. Likewise, where Section 12 or 13 notices include admission figures for each of several years and any of the published figures are set at 20 per cent or more below the Standard Number there will be no need for subsequent Section 15 proposals, since local people and the Secretary of State will have had the opportunity to consider the proposed admission levels when considering the original proposals. If however authorities or governors subsequently resolve to restrict intakes to below the published number, it will be necessary to publish Section 15 proposals.

3. There are two exceptions to the requirements to publish Section 15 proposals: in respect of pupils who will not have attained the age of 4 years 6 months on admission to the school, and where the Standard Number for a primary school is less than 20. Authorities and governors should be aware that in the cases of schools that admit pupils aged under 4 years 6 months to their reception class, these pupils are excluded when calculating admissions as against the Standard Number. If, at the same time, pupils aged 4 years 6 months or more are to be refused a place at the school, this may represent an intention to restrict admissions which, if the reduction is by 20 per cent or more against the Standard Number, may require the publication of Section 15 proposals.

4. The procedures relating to publication and approval of Section 12 and 13 proposals apply to those made under Section 15, the only difference being that there is no duty to implement.

5. The standard number as defined by Section 15(5) will usually be the total number of pupils in the relevant age group (this excludes any aged below 4 years 6 months) who were admitted throughout the school year beginning September 1979, taking no account of any pupils who left the school in the course of that school year. It is unlikely that pupils admitted only on a temporary basis will count for the purpose of determining the standard number. Where proposals made under Sections 12 and 13 have been implemented, the Standard Number is that published in accordance with Section 12(2) or 13(2).

6. The approval of Section 15 proposals allows the proposers to implement plans to reduce a school's intake to a specified level below the Standard Number, but does not alter the Standard Number itself. Any further reduction beyond the level for which Section 15 approval has been given requires the publication of fresh statutory proposals. If authorities or governors intend to publish different admission figures for each of a few years, any of which may by itself trigger the need for Section 15 proposals, the figures may all be published on the one statutory notice, approval of which will have force for each figure.

7. Under Section 15(8) the Secretary of State may by Order vary any Standard Number, but on no account would such an order be made solely for the purposes of avoiding publication of proposals under Section 12 or 13, or if the intention could be achieved more properly either by a reduction in admissions of less than 20 per cent or publication of proposals under Section 15. The Secretary of State would expect there to be a substantial and compelling case (eg fire damage, structural defect, or where otherwise the Standard Number has become wholly inappropriate) before such an Order would be made. Each case will however be considered on its merits and authorities or governors applying for a variation of a Standard Number under Section 15(8) should set out the full reasons for their request.

SITE TRANSFERS

1. Under Section 16(1) of the Education Act 1944 as amended by paragraph 1 of Schedule 1 to the Education Act 1968, the Secretary of State may make an order authorising the transfer of a county or voluntary school to a new site under certain conditions . In the case of a voluntary school no transfer may proceed without the authority of such an order. Application for such an order in the case of a voluntary school should be made by the governors; but the Secretary of State is required by Section 16(3) to consult any local education authority or governors of any other voluntary school who will be affected by the making of the order. In the case of a county school a formal order for the transfer need not be made unless the local education authority expressly requests it.

2. Under Section 16(1) the Secretary of State may only make a transfer order if one of the following three conditions is satisfied:

i. where it is not reasonably practicable to bring the present buildings and/or site up to prescribed standards (ie currently those in the Education (Schools Premises) Regulations 1981); or

ii. where there has been a movement of school children away from the area served by the school, eg by rehousing elsewhere; or

iii. where the school's premises are to be affected by redevelopment under the Housing or Planning Acts.

3. Governors applying for a transfer order must submit to the Secretary of State their reasons for claiming that Section 16(1) applies. The new building should be provided on an entirely new and separate site; the rebuilding of a school on its existing site, or the retention of the existing site for the use of the school, will be regarded as an alteration to the school (possibly involving significant enlargement, qv Appendix B).

4. The matters as to which the Secretary of State has to be satisfied before a transfer order may be granted imply that the school as an institution will remain the same, or substantially the same, as the existing institution in all respects save those of premises and location. There should therefore be continuity of purpose or function before and after transfer — serving substantially the same pupils with the same governing body, teachers and statement of curricular aims — otherwise the question arises whether in fact it is intended that a new school is to be established requiring proposals under Sections 12 or 13 of the 1980 Act, or a substitution order under Section 16(2) of the 1944 Act (qv Appendix E).

5. Under certain limited circumstances however, it may be possible for the Secretary of State to make a transfer order where the 'amalgamation' of two schools is also proposed. If an application for a transfer order is accompanied by other proposals under Sections 12 or 13 of the 1980 Act, the Secretary of State will consider whether there are grounds for the transfer of the existing institution in isolation from the other proposals and without prejudice to his eventual decision on them. So, for instance, where the amalgamation of two schools is proposed and the amalgamation is dependent on the transfer of one to a new site, the Secretary of State will have first to be satisfied that the school to be transferred, by itself and in its current form, justifies the making of a transfer order on the basis of the criteria specified in Section 16(1). He will subsequently give consideration to the other proposals which are dependent on the order being made. He will not however make a transfer order solely for the purpose of bringing the school up to the standard required to accommodate pupils displaced from another school.

6. In circumstances where the making of a transfer order is not permissible, proposers should consider whether amalgamation can be achieved through one of the routes suggested in Appendix A or, in the case of two or more voluntary schools, by means of substitution.

SUBSTITUTION

1. Where proposals are published under Section 13 of the 1980 Act for the establishment of a new school to be maintained by the Local Education Authority as a voluntary school and the school is being established in substitution for one or more voluntary schools at the time being maintained as such, the Secretary of State may, under Section 16(2) of the 1944 Act, order the school to be established in substitution for the school or schools to be discontinued. A substitution order prevents Section 14 of the 1944 Act from coming into effect for the schools to be discontinued. Publication of Section 12 proposals however is necessary.

2. It follows that for one school to be regarded as a substitution for another one or more schools, all — or substantially all — of the pupils of the existing school or schools should be accommodated in the new school; substantially the same body of teachers should be employed; and there should be a general continuity of character.

THE SECRETARY OF STATE'S INFORMATION REQUIREMENTS

1. The necessary preparation and follow-through of proposals are extensive and complex, and the Department's consideration of them has to be correspondingly meticulous. As mentioned in paragraph 4 of Annex 3, it assists the early resolution of proposals if proposers submit the full case for them (apart from any comments on statutory objections, which must follow later) at the time of publication, if not earlier. A common core of factual information is likely to be relevant in most cases, and a list of typical information requirements is shown below[1]. If proposers could submit to the Department a package of information on these lines, along with their general argument for their case in more discursive terms, there should be less need to refer back to them after the period for objections has expired (other than on issues raised by objectors); and the decision should as a consequence be available more quickly.

2. The most common requirements are as follows:

i. a statement of the existing pattern of provision;

ii. statistical information on pupil numbers at each of the institutions concerned, including admissions, numbers on roll and sixth form sizes in each of the last 5 years; along with projections for each of the next 10 years;

iii. the numbers of pupils the school can currently accommodate (on 1981 Regulations standards)[2], area of present teaching accommodation, approximate age of the building;

iv. capacities of all the buildings currently in use, along with capacities proposed on implementation;

v. capital and revenue costs and savings estimated to result from the proposals;

vi. in the case of secondary school proposals, examination results for each institution over the past 5 years in an aggregated format convenient to the LEA;

vii. details of geography and demography, additional transport needs, and a map of the area identifying the sites concerned;

viii. details of the consultation process, copies of consultation documents and reports for LEA committees, a summary of local views and how they were taken into account, and an indication of other options considered (including a summary of their costs and benefits);

ix. transitional arrangements, and an indication of how the interests of pupils' welfare will be protected in terms of continuity of the curriculum, pastoral care and careers guidance;

x. details of proposed management of institutions, staffing arrangements, and proposed ranges of courses on offer at each proposed institution compared with existing provision.

3. The Department has developed pro-forma "fact sheets" on which the main factual information on different types of proposals can be entered and readily assessed. Proposers who would be interested in using the fact sheets themselves to speed up the decision process are invited to make contact with the relevant territorial officers.

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(1) The list is not necessarily exhaustive, and it cannot be guaranteed that requests for additional information will not be made. Equally, while some of the items in the list apply for all proposals, all of the items should apply in only the most complex and contentious of proposals, for example secondary rationalisation involving several institutions. Proposers are asked to apply their judgement to the case in hand.

(2) SI 1981/909

WHAT SHOULD BE INCLUDED IN NOTICES

1. The following checklist offers to proposers a guide to the type of additional information which the Secretary of State would normally regard as essential in the public notice itself, both to allow local people the opportunity to give an informed view on them, and for himself to be able to reach an informed decision on them.

2. All proposals should state where appropriate:

   i. how in physical terms the proposals will be implemented, eg by new building, use of existing premises etc;

   ii. any transitional arrangements that may be necessary.

3. For proposals where it is intended to—

   a. **cease to maintain** a school (or to reorganise schools in such a way that pupils will no longer be educated at the reorganised schools or will no longer be educated there beyond a certain age):

      i. details of the school or schools which will accommodate the displaced pupils (expressed in terms which accord with parents' rights under Section 6 of the 1980 Act);

      ii. details of the way in which it is proposed to make good any consequent deficiency of places (if applicable);

      iii. any interim arrangements which may be necessary to lead up to the final closure of a school;

      iv. if full-time education for pupils over compulsory school age is in future to be provided in a college of FE or tertiary college;

      v. arrangements for pupil transport.

   b. **establish a new school:**

      i. the exact location of the proposed new school(1);

      ii. the admission arrangements for the new school;

      iii. arrangements for pupil transport.

   c. **make a significant change in the character** of a school:

      i. the nature of the change, eg to make a significant change "admitting pupils irrespective of sex" or by "admitting pupils without reference to ability or aptitude";

      ii. how the change will be effected eg to make a significant change by extending the range from 5-11 to 3-11 by "establishing a nursery unit for 3 and 4 year olds";

      iii. the new admission arrangements that will operate, where the proposals will mean an alteration to the school's existing admission arrangements;

   d. **make a significant enlargement** of premises:

      i. the numbers currently on roll;

      ii. the numbers of pupils the school can currently accommodate;

      iii. the numbers it is proposed the school should accommodate;

      iv. the nature and extent of the proposed enlargement.

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(1) If implementation will be dependent upon the outcome of an application for the confirmation of a Compulsory Purchase Order application, this should be stated. See also Annex 3, paragraph 35.

e. to restrict admissions:

i. whether the proposed intake is in respect of one year or reflects a settled pattern;

ii. the school's Standard Number;

iii. the previous year's admissions total;

iv. the alternative school or schools which should normally be available to unsuccessful applicants for the school in question (having regard to parents' rights under Section 6 of the 1980 Act).

4. The following are examples of what might be included in the accompanying statement:

i. the reasons for and background to the proposals;

ii. what is intended to happen in respect of schools other than those to which the proposals relate but which are affected by the proposals;

iii. a cross-reference to any other relevant proposals;

iv. the effects of the proposals on other schools in the same area (eg on admissions arrangements);

v. an explanation that to constitute a statutory objection for the purposes of the Act on the part of ten or more local government electors for the area, either the objection must be signed by each of the objectors or else it must be demonstrated that the objections submitted have been made in conjunction with others.

CHANGE OF STATUS OF CONTROLLED SCHOOL TO AIDED SCHOOL

1. Section 54 of the Education (No 2) Act 1986, which came into effect on 1 April 1987, sets out arrangements by which voluntary controlled schools can attain aided status.

2. The public procedure required by Section 54 is essentially similar to that under Section 13 of the 1980 Act concerning the establishment and alteration of voluntary schools (which are referred to in Annex 3 preceding). If the governors of a controlled school wish to apply for aided status they should first consult the LEA. They should then publish statutory notices (under Section 54(3)), in accordance with the Education (Publication of Proposals to Change Status of a Controlled School) Regulations 1987, specifying the date on which they wish the change of status to occur. A copy of the notices should be sent to the Department. The provisions in the Act concerning objections are the same as those in Section 13 of the 1980 Act.

3. Where a controlled school becomes an aided school the governing body is required to compensate the LEA, under Section 55 of the Education (No 2) Act 1986, for any past capital expenditure on the school by the LEA which would not have been incurred if the school had always been an aided school. No contribution is available from the Secretary of State towards this compensation. In considering whether to approve an application for change of status the Secretary of State will need to be satisfied that the governors of the school are able and willing to pay any necessary compensation and to meet the other financial obligations of aided status under the 1944 Act. The Secretary of State will also consider the implications of the proposed change of status on school provision for the area in deciding whether to approve the proposal.

4. If the Secretary of State approves the proposal he will make an order directing that as from the date specified in the proposal, the school shall be an aided school. If the Secretary of State wishes to specify a different date, he is required to consult both the governors and LEA as to the appropriate date. Once the order has been made either the foundation governors or the LEA may apply to the Secretary of State to vary the order so as to specify a different date.

5. The order made by the Secretary of State will also specify the amount and the timing of the compensation (if any) for past capital expenditure on the school to be paid to the LEA by the governing body. The order may also make whatever provisions the Secretary of State considers are appropriate in relation to the transition of the school from controlled to aided status. For example the order may make provisions concerning the time by which the new instruments and articles of government are to be made; the appointment and dismissal of staff; the arrangements to be made in connection with the admission of pupils to the school; or for the governing body AFTER the school has become an aided school but BEFORE a new governing body has been constituted.

Y SWYDDFA GYMREIG
GWYDYR HOUSE
WHITEHALL LONDON SW1A 2ER
Tel. 01-270 3000 (Switsfwrdd)
01-270 0549 (Llinell Union)

ODDI WRTH YSGRIFENNYDD
PREIFAT YSGRIFENNYDD
GWLADOL CYMRU

WELSH OFFICE
GWYDYR HOUSE
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Tel. 01-270 3000 (Switchboard)
01-270 0549 (Direct Line)

FROM THE PRIVATE SECRETARY
TO THE SECRETARY OF STATE
FOR WALES

CONFIDENTIAL

6 May 1987

Dear David

UNIVERSITY COLLEGE CARDIFF

My Secretary of State has seen today's letters from the DES and the Treasury. He considers that the situation is urgent and that the UGC must be put in a position tomorrow to take decisions which will prevent the demise of the University College, Cardiff; in his view it would be politically disastrous for the College to collapse and for 4,000 students to have their academic careers totally disrupted.

Mr Edwards is opposed to any suggestion that the Welsh Office should find the resources which may be required. This Department has no responsibility for the University in Wales or the university system as a whole. He considers that UCC must be treated as part of that system; and not as some specifically Welsh problem. A very large proportion of its students come from other parts of the United Kingdom. No provision has been made within the Welsh Office's budget for expenditure for this purpose. Resources are allocated to universities on a GB basis- recent decisions about the future of university funding have underlined this - and Mr Edwards thinks it would be wrong to transfer any funding responsibility to him at this juncture.

I am sending copies of this letter to Rob Smith (Education) and Jill Rutter (Treasury).

Yours sincerely

John Shortridge

J D SHORTRIDGE

David Norgrove Esq
Private Secretary to the Prime Minister
10 Downing Street

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Oddi wrth Ysgrifennydd Gwladol Cymru

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From The Secretary of State for Wales

The Rt Hon Nicholas Edwards MP

PERSONAL

May 1987

Prime Minister 2

I had already recorded your views before this letter was received (though it seemed unlikely to change them). NE 6/5.

Dear Prime Minister

My officials have responded to the detailed proposals about University College Cardiff and have made it clear that there is no way in which the Welsh Office, which has no responsibility for university education and no financial provision for it, could find the funds. University College is part of the United Kingdom university structure and the majority of its students come from outside Wales. I am sure that the very tough solution agreed by Kenneth and myself is the right one - it will force the redundancies and the merger that is needed.

There should be no misunderstanding about the political consequences of our failure to act. So far the Government has emerged without blame - people understand where the responsibility lies; but I have to say that if we allow the College to close, fail to take this chance of achieving the merger, and send 4,000 students to look for a new University in the middle of an election campaign that will all change at once. We hold three seats in Cardiff and there is one that we could win. If we fail to act all will be at risk and I feel certain that Ian Grist would lose his. At a moment when we are riding high in Wales we would be dealing ourselves a devastating blow. The Prince of Wales is the Chancellor, Cledwyn Hughes the Pro-Chancellor, Elwyn Jones the President. We are in a position to **impose** a solution and emerge with credit. It would in my judgement be an act of folly to take the opposite course.

I cannot produce the funds - it would be wrong in principle and in any case I do not have them. I see no alternative than to ask that we find them from the reserve.

Yours ever

Nick

The Prime Minister
10 Downing Street

CONFIDENTIAL File JA2AGW CCBG

10 DOWNING STREET

LONDON SW1A 2AA

From the Private Secretary

6 May 1987

Dear Rob,

UNIVERSITY COLLEGE CARDIFF

The Prime Minister has seen your letter to me of today about University College Cardiff, and the Chief Secretary's comments.

The Prime Minister is content with the statement it is intended Sir David Hancock should make to the UGC tomorrow. She also agrees with the conditions proposed by the Chief Secretary. You will wish to discuss with the Treasury how those conditions will, as appropriate, be incorporated into Sir David's statement.

The Prime Minister continues to be very doubtful about the wisdom of providing extra resources for UCC, both because of the implications for other irresponsible education institutions and because this would set an unhelpful precedent in relation to Liverpool and local authorities which are near bankruptcy.

She continues to believe that any extra money (beyond resources which might be found by the UGC) should be found from the Welsh programme. Any increase should be kept to an absolute minimum. The Prime Minister would be glad to know why expenditure of as much as £8-10m is proposed and whether thorough consideration has been given to ways of generating extra income and reducing costs, for example by more intensive use of facilities and by reducing the length of courses along the lines which the University of Buckingham has pioneered.

I am copying this letter to Jill Rutter (HM Treasury) and to John Shortridge (Welsh Office).

Yours,

David.

(DAVID NORGROVE)

Rob Smith, Esq.,
Department of Education and Science.

OA

CONFIDENTIAL

CONFIDENTIAL

ELIZABETH HOUSE
YORK ROAD
LONDON SE1 7PH
01-934 9000

David Norgrove Esq
10 Downing Street
London
SW1A 2AA

Seen by the PM 6/5.

6 May 1987

Dear David,

UNIVERSITY COLLEGE CARDIFF

My Secretary of State has seen your letter of 5 May.

The Government is faced with the following problem. The University Grants Committee (UGC) is meeting tomorrow and will receive a report from its Chairman, Sir Peter Swinnerton-Dyer, on his visit to Cardiff to examine the affairs of the University College Cardiff (UCC). It is virtually certain that the UGC will reach the conclusion that the UCC is no longer a viable institution and that, unless special steps are taken, it will, before much longer, be forced to close its doors. The Committee would then feel itself obliged to advise the Government formally of that conclusion and recommend that students applying for admission this Autumn be advised to look for places elsewhere and contingency plans be drawn up to transfer the present students of UCC to other institutions.

Mr Baker has discussed this prospect with the Secretary of State for Wales. They do not consider that it would be right for such an announcement to be made. It would be politically most damaging. It would destroy the chances of creating a strong and viable university institution in Cardiff based on the proposed merger between UWIST and UCC. And the careers of at least some students would be disrupted.

The DES will be represented at tomorrow's meeting of the UGC by Sir David Hancock. My Secretary of State recommends that Sir David be authorized to make a statement on the following lines:

> "The DES has no grounds for challenging the UGC's view that UCC is no longer financially viable - indeed advice from the Department's own accountant confirms that conclusion. Nevertheless, the Government wishes to see the creation of an academically strong, financially viable and well managed University institution in Cardiff and recognises that it will have to be based on the academic departments of the UCC and UWIST. Even so, there

CONFIDENTIAL

can be no question of bailing out the UCC or of giving other universities the impression that it is being bailed out.

"The Department is therefore prepared to discuss with the Chairman of the UGC the conditions under which the Government might be prepared to intervene so as to prevent disruption to the careers of UCC students.

"The Department proposes for discussion the following conditions:-

i. the resignation of the Chairman of Council and Treasurer of UCC and the resignation - or if necessary dismissal - of the Principal, Dr Bevan.

ii. the appointment of new auditors acceptable to the Treasury with terms of reference approved by the UGC and DES.

iii. the appointment of a successor to Dr Bevan acceptable to UWIST as Principal of the merged institution.

iv. further work on the creation of an engineering department in Cardiff to be postponed until both the UCC and UWIST are irrevocably committed to a merger on terms acceptable to the UGC and DES.

v. contingency plans to be drawn up to put the engineering department in Swansea if the merger does not go through.

vi. academic plans for UCC and the merged institution to be approved by the UGC.

vii. the financial affairs of UCC between now and the merger to be conducted in accordance with the letters already sent to the college by Sir David Hancock in his capacity as Accounting Officer for the payment to the College."

I am copying this letter to Jill Rutter (Chief Secretary's Office) and Jon Shortridge (Welsh Office).

Yours sincerely,

Rob Smith

R L Smith
PRIVATE SECRETARY

014/2985

CONFIDENTIAL

cc BG

CHIEF SECRETARY TO THE TREASURY

Treasury Chambers, Parliament Street, SW1P 3AG

The Rt Hon Kenneth Baker MP
Secretary of State for Education and Science
Department of Education and Science
Elizabeth House
York Road
London
SE1 7PH

6th **May 1987**

NBPM. (PM saw in draft)
AW
7/5.

Dear Kenneth,

UNIVERSITY COLLEGE CARDIFF

You wrote to me on 28 April about the situation at University College, Cardiff (UCC). I have also seen Mr Norgrove's letter of 5 May.

My officials have supported the firm action which your Department has taken over the financial crisis at UCC. Now that things have come to a head we must recognise that there is a strong case for refusing to be drawn in further and accepting an insolvency. This is unquestionably a mess of the college's own making. We must do all we can to signal the importance of responsible financial management in the university sector as elsewhere: this is particularly important at the present time in view of the extra independence and responsibility you are proposing in the education sector. We cannot afford to undermine that, for educational as well as financial reasons.

So if it is necessary to provide some additional funding to preserve something from the wreckage it will be most important that appropriately tough conditions should be imposed, and be seen to be imposed. The merger with UWIST may provide the right basis for such action. It will be essential to handle the case in such a way as to demonstrate that we positively require public funds to be well managed, and that we do not automatically stand behind educational institutions. The merger of UCC into UWIST will therefore have to be handled in the spirit of the Government conducting a "liquidation" while maintaining a continuity of study for the students. Apart from that basic protection, the terms

will have to be extremely exacting. They will inevitably involve the closure of Departments and redundancies of staff. I suggest that the name of University College Cardiff should go. It may also be necessary to dispose of some of UCC's assets.

I also do not see why any extra funding should be provided from the Reserve. I understand that UGC have earmarked some money - perhaps £2 million - specifically for the UCC within the provision they are retaining for restructuring and redundancies. If there is a case for providing more than could be found within the UGC's resources in the interests of providing an institution of higher education in Cardiff, then we should look to the Welsh Office programme, as the Prime Minister has pointed out.

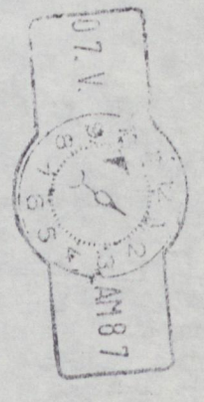
I do not believe it would be right for extra money to be provided for DES running costs to build up the UGC's monitoring and accountancy expertise. The cost could surely be found from savings on lower priority activities. Subject to that, I am prepared to consider sympathetically your proposals on the powers of DES internal auditors: I suggest that there should be discussions between our officials on the arrangements.

I am sending a copy of this letter to the Prime Minister and to Nick Edwards.

Yours ever,

JOHN

JOHN MacGREGOR



David

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With the Compliments
of the
Chief Secretary to the Treasury's
Private Secretary

Not yet approved by the CST. For your information

Treasury Chambers,
Parliament Street,
SW1P 3AG

Jim
6/5

804/2/6

CONFIDENTIAL

DRAFT LETTER FROM CHIEF SECRETARY TO MR BAKER

UNIVERSITY COLLEGE, CARDIFF

You wrote to me on 28 April about the situation at University College, Cardiff (UCC). I have also seen Mr Norgrove's letter of 5 May.

2. My officials have supported the firm action which your Department has taken over the financial crisis at UCC. Now that things have come to a head we must recognise that there is a strong case for refusing to be drawn in further and accepting an insolvency. This is unquestionably a mess of the college's own making. We must do all we can to signal the importance of responsible financial management in the university sector as elsewhere: this is particularly important at the present time in view of the extra independence and responsibility you are proposing in the education sector. This case may be an important precedent.

3. ~~Even if it were possible to make a case for~~ some additional funding ~~it is~~ so if it is necessary to provide ~~would be~~ most important that appropriately tough conditions should be imposed, preserve something from the wreckage it will be and be seen to be imposed. The merger with UWIST ~~might~~ may provide the right basis for such action. It ~~would~~ will be essential to handle the case in such a way as to demonstrate that we positively require public funds to be well managed, and that we do not automatically stand behind educational institutions. The merger of UCC into UWIST ~~would~~ will therefore have to be handled in the spirit of the Government conducting a "liquidation" while maintaining a continuity of study for the students. Apart from that basic protection, the terms ~~would~~ will have to be extremely exacting. They ~~would~~ will inevitably involve the closure ~~the link~~ I suggest that the name of University College Cardiff should go. It may of Departments and redundancies of staff. ~~It might~~ also be necessary to dispose of some of UCC's assets.

4. I also do not see why any extra funding should be provided from the Reserve. If there is a case for providing more than could be found within the UGC's resources in the interests of providing an institution of higher education in Cardiff, then we should look to the Welsh Office programme, as the Prime Minister has pointed out. ~~Any agreement will be conditional on Nick Edwards agreeing to the necessary transfer from his programme~~

5. I do not believe it would be right for extra money to be provided for DES running costs to build up the UGC's monitoring and accountancy expertise. The cost could surely be found from savings on lower priority activities. Subject to that, ~~the Treasury~~ I am prepared to consider sympathetically ~~We will be considering~~ your proposals on the powers of DES internal auditors: I suggest that there should be discussions between our officials on ~~no doubt you have considered~~ how a strengthening ~~of DES's powers~~ would fit the arrangements. ~~in with the new contractual regime between the UFC and the universities which will shift responsibility away from the centre~~.

6. I am sending a copy of this letter to the Prime Minister and to Nick Edwards.

I understand that the UGC have earmarked some money - perhaps £2m - specifically for the UCC within the provision they are making for restructuring and redundancies. ~~That money should be used~~

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10 DOWNING STREET

LONDON SW1A 2AA

From the Private Secretary

5 May 1987

UNIVERSITY COLLEGE, CARDIFF

DES provided a brief today for the Prime Minister's use at Question Time and I attach a copy.

The Prime Minister reacted very strongly against the possibility that University College, Cardiff might be given additional funding of £8 - £10m in this financial year. She believes that to do so would, at least to some extent, penalise institutions which have lived within their budgets and would weaken the deterrent effect on other colleges which might be inclined to overspend and mismanage their affairs.

The Prime Minister will take a great deal of convincing that University College should be given increased funding. But if this is to happen she believes the money should be found from within the Welsh budget.

I am copying this letter to Jill Rutter (Chief Secretary's Office) and John Shortridge (Welsh Office).

(DAVID NORGROVE)

Rob Smith, Esq.,
Department of Education and Science

CONFIDENTIAL

UNIVERSITY COLLEGE, CARDIFF

Line To Take

1. The Government is considering whether there is a case for assistance for university education in South Wales in the light of its special circumstances there and, if so, on what terms funds should be provided.

2. The financial difficulties of University College, Cardiff are of its own making. The Government's concern is to safeguard as far as possible the interests of present and intending students and to secure a strong centre of university education in Cardiff, <u>not</u> to rescue the College from the consequences of its own actions: I would expect the terms of any special assistance to make this abundantly clear.

CONFIDENTIAL

UNIVERSITY COLLEGE, CARDIFF

Background Notes

University College, Cardiff (UCC) is at a financial crisis point as a result of mismanagement over some years, the full extent of which has only just become clear. It is no longer realistic to proceed on the basis that the College will be able to get back into financial balance and pay off its overdraft while retaining its academic viability.

2. To avoid the damage that would flow from otherwise inevitable advice from the UGC at its 7 May meeting that UCC can no longer be regarded as a going concern, the Secretaries of State for Education and Science and for Wales are securing the agreement of the Chief Secretary for additional funding of £8-10 million in this financial year, in order to ensure that UCC's valuable provision is retained. The sum would be divided into two parts:

(a) a grant towards the cost of premature retirements that will be needed to permit the merged institution to live within the recurrent grants that the UGC are likely to be able to pay; and

(b) an interest-free loan, secured on the property of UCC, to be repaid from the sale of such assets as are no longer needed by the merged institutions.

NONE OF THIS HAS YET BEEN ANNOUNCED

3. Speculative reports about an impending "rescue" have appeared in both The Independent and the Western Mail, based on an interview given on Sunday to BBC Wales by Mr Wyn Roberts, PUSS at the Welsh Office. It is clear that there would need to be substantial strings attached to any additional funding

to prevent the move being seen simply as a bailing out, with the wrong message for the rest of the system. In particular, the opportunity would be taken to force the merger - desirable on other grounds - of UCC with UWIST (the University of Wales Institute of Science and Technology).

CONFIDENTIAL

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10 DOWNING STREET

LONDON SW1A 2AA

From the Private Secretary

1 May 1987

Dear Rob,

BETTER SCHOOLS: MORE OPEN ENROLMENT

The Prime Minister has seen your Secretary of State's minute of 23 April and accepts that there is no need to require an assessment of the physical capacity of secondary schools as part of the process of securing more open enrolment.

I am copying this letter to Mike Eland (Lord President's Office), Brian Leonard (Department of the Environment), Caroline Slocock (Department of Employment), John Shortridge (Welsh Office), Robert Gordon (Scottish Office), Jill Rutter (Chief Secretary's Office, HM Treasury) and to Trevor Woolley (Cabinet Office).

Yours,

David.

David Norgrove

GA

R. L. Smith, Esq.,
Department of Education and Science.

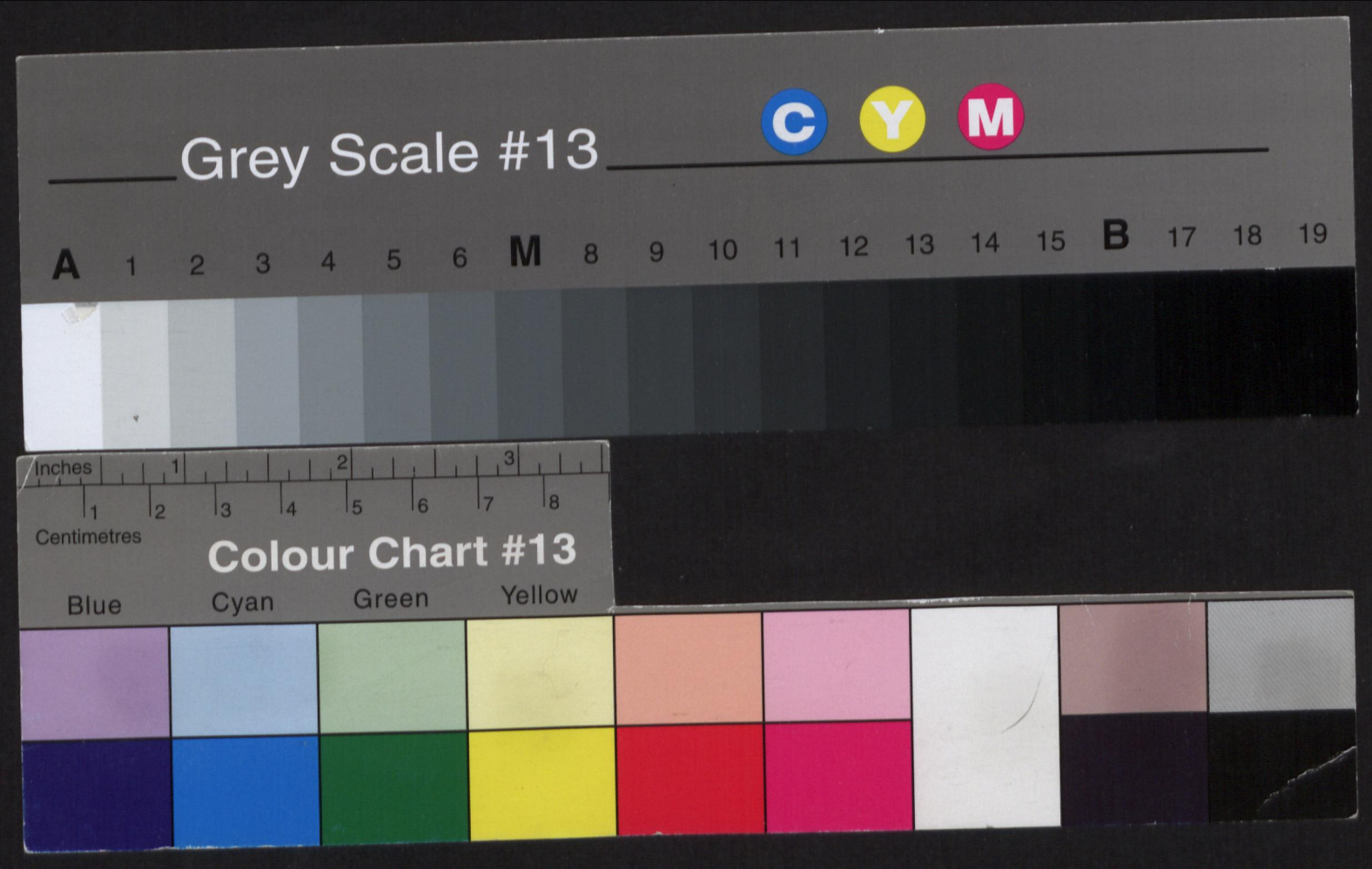
CONFIDENTIAL

PART 12 ends:-

DES to PAB 30.4.87

PART 13 begins:-

DRN to DES 1.5.87


Grey Scale #13
C
Y
M
A 1 2 3 4 5 6 M 8 9 10 11 12 13 14 15 B 17 18 19
Inches
Centimetres
Colour Chart #13
Blue
Cyan
Green
Yellow