

Prime Minister (with circled number 4)
Agree X?

25 November 1983
Policy Unit

PRIME MINISTER

Yes
no

INVOLVING THE BOROUGHES IN INNER LONDON EDUCATION

You will recall that at your meeting to clear up the details of the GLC/MMCs White Paper on 3 October, it was agreed that Keith should pursue ways of involving individual boroughs in the running of their schools within the overall control of the new joint-board ILEA.

See attached consultation paper.

The DES has now come up with a formula which envisages three-quarters of the local authority governors of county and voluntary controlled schools in Inner London being nominated by the individual boroughs. Since roughly two-thirds of the governors of these schools are appointed by the local authority, in future roughly half the governors would be nominated by the individual boroughs (three-quarters x two-thirds = one half).

This would be a great step forward in giving the boroughs a real say in the day-to-day administration of their schools. And it also offers a handy precedent for getting rid of monolithic political control of county schools. After all, if we are to allow Tory Westminster to nominate a majority of governors in its schools within a Labour ILEA, why should we not allow parents and other non-political groups all over the country to nominate a majority of governors in their county schools? The DES has in effect abandoned the dogma that to exercise its responsibilities effectively, an LEA must enjoy a majority of the governing body in all its own schools.

X | The DES paper deserves a fair wind.

FERDINAND MOUNT

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Ferdie.

I telephoned Sir Keith's office to let them know Prime Minister approved of their proposals.

AF 1/12



Department of Education and Science

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Your reference

Our reference

Date

21 November 1983

Dear Sir

STREAMLINING THE CITIES: INVOLVING THE BOROUGHES IN INNER LONDON EDUCATION

You should have received from the Department of the Environment a copy of the White Paper "Streamlining the Cities" (Cmd 9063). Paragraph 2.20 of the White Paper stated that the Government would be considering whether, within the general arrangements proposed, ways could be found to increase the involvement of the individual borough councils in the educational provision made for their areas. The enclosed consultation document sets out proposals to that end.

Copies of this letter and enclosure are being sent to those on the list overleaf. Any comments on the document (or on other educational aspects of the White Paper proposals) should be sent to this Department at the address given in paragraph 10, to arrive not later than 31 January 1984. The Department of the Environment will continue to receive comments on the generality of the White Paper proposals.

Yours faithfully

N W STUART

CONSULTATION LIST

Assistant Masters and Mistresses Association
Association of Chief Executives of London Boroughs
Association of Colleges for Further and Higher Education
Association of County Councils
Association of Metropolitan Authorities
Association of Principals of Colleges
Association of Polytechnic Teachers
Association of Voluntary Aided Secondary Schools
Audit Commission
Catholic Education Council
Committee of Directors of Polytechnics
Consultative Council of Jewish Schools
General Synod Board of Education
Greater London Council - Director General (Sir James Swaffield)
Greater London Council - Comptroller of Financial Services (M F Stonefroth)
Greater London Council - Staff Association
(12) Inner London Boroughs and the City's Common Council - Chief Executive
Inner London Education Authority - Clerk to ILEA (Sir James Swaffield)
Inner London Education Authority - Education Officer (W H Stubbs)
London Board of Jewish Religious Education
London Boroughs Association
Methodist Church Division of Education
National and Local Government Officers Association
National Advisory Board for Local Authority Higher Education
National Association of Governors and Managers
National Association of Head Teachers
National Association of Schoolmasters and Union for Women Teachers
National Association of Teachers in Further and Higher Education
National Council for Voluntary Organisations
National Council for Voluntary Youth
National Union of Public Employees
National Union of Teachers
Secondary Heads Association
Society of Education Officers
The Free Church Federal Council
The Professional Association of Teachers
Trades Union Joint Council for GLC/ILEA Staffs (Staff Side Secretary)
Workers Educational Association

INVOLVING THE BOROUGHES IN INNER LONDON EDUCATION

Introduction

1. The White Paper on the reorganisation of local government in Greater London and the Metropolitan Counties ("Streamlining the Cities", Cmnd. 9063) outlines the Government's proposals for reforming the structure for the administration of education in Inner London. It proposes that education should continue to be administered as a unified service for the whole of the area but by a joint board composed of members drawn from the Councils of the Inner London boroughs and the City of London. Thus the education service will become the collective responsibility of the boroughs and the City acting together within the joint board. Beyond that collective involvement, the Government has also examined ways of increasing the individual involvement of each borough in the arrangements for education in its area. This paper sets out the proposals of the Secretary of State to that end.

Principles

2. The Secretary of State's starting point is that the new joint board should have all the powers and duties necessary to enable it to perform its functions as the local education authority for Inner London, with a view to improving the standards and cost-effectiveness of Inner London's education service. That responsibility entails that the joint board should be responsible for setting the precept for its area, subject to the approval of the Secretary of State for the first three financial years, and controlling the application of that budget; be able to exercise its powers for ensuring that an adequate standard of educational provision is maintained throughout its area including the determination of the number, size and character of the schools in its area; exercise responsibility for policy on the school curriculum, having regard to the statutory responsibilities of other parties; and be

in a position to determine the number of teachers and other staff to be employed within the resources available, to deploy and redeploy staff in the interests of the quality of the service and to support the teaching force with appropriate in-service training.

Devolution of Functions

3. The Secretary of State has considered whether it would be possible and practicable to devolve to the individual boroughs any part of the functions of the education authority in Inner London. The considerations in the previous paragraph preclude the devolution of functions which go beyond day-to-day administration. He has concluded that even such limited devolution would not be in the best interests of increasing the efficiency and cost-effectiveness of the education service for Inner London, for the following reasons:

- i. such devolution would interpose a new and intermediate tier of administrative control between the joint board and the governing bodies of schools, which exercise significant responsibilities. A consequence could be to weaken the position and role of governing bodies in their relationship with schools;
- ii. such a new tier of administration would add to bureaucracy and make it more difficult to secure the Government's policy of streamlining the administration of the metropolitan area;
- iii. whatever budget was allocated to a borough by the joint board would not be determined by the borough, who would be little more than executive agent of the joint board, and would have little incentive to spend the allocated budget cost-effectively since it would have no financial responsibility for the institutions in question.

CONSULTATION ARRANGEMENTS

4. The Secretary of State believes that the opportunity should be taken to improve existing arrangements for enabling the boroughs to bring to bear their views about policies and other arrangements affecting their areas. The White Paper envisages that each borough will have representation and be able to express views within the joint board. But the Secretary of State proposes also to provide a statutory requirement for consultation between the joint board and the individual borough.

5. The existing arrangements for consultation are largely non-statutory. Joint liaison committees consisting of elected members of the ILEA and the borough council exist for most boroughs. Borough elected members may also be involved at local level on the ILEA's Area Youth Committees and on the new Tertiary Education Councils. There are also informal arrangements whereby the leaders of the borough councils are consulted on the ILEA budget. The only statutory requirement is that placed on the Secretary of State to consult a borough on any proposals made by the ILEA under Section 12-15 of the Education Act 1980 which affect the provision of schools in its area (Section 31(10) of the London Government Act 1963 as amended by Schedule 3 of the Education Act 1980).

6. The Secretary of State believes that the involvement of the boroughs and the City in the education service of inner London would be helpfully increased if the consultative arrangements between them and the joint board were formalised. To this end he proposes that the joint board should be placed under a duty to consult with each borough. This statutory consultation would be the recognised and established means for consultation at elected member level on all matters relating to the educational provision made for the area concerned.

There might be a requirement for such consultation at least once a term and at such other times as the borough concerned may reasonably request.

7. The Secretary of State proposes that the joint board should be required to consult on the following matters:

(a) the joint board would be required to consult on the education budget and its implications for the precept and to consider any representations made by the boroughs and the City before approving its budget and setting the precept. Such consultation might be on the basis of an initial draft budget prepared by the joint board and should take place before the boroughs come to finalise their own expenditure plans and rates for the financial year.

(b) before the joint board published any proposals under the Education Act 1980 to change the character, enlarge or close existing schools or to establish new schools, it should be required to consult the boroughs which may be affected. Such consultation might form part of the normal consultation procedures with the schools, teachers and parents leading up to the formulation of statutory proposals: it would not affect the Secretary of State's duty to consult the boroughs on any proposals which might be submitted to him;

(c) the statutory arrangements should offer opportunities for discussion of broad policy initiatives proposed by the joint board and of the performance of the system as a whole. As the basis for such discussion the Secretary of State proposes that the joint board should be required to publish annually a report on how it has discharged its functions and to discuss

it with the boroughs. The Secretary of State envisages that the report would be prepared in accordance with the code of practice on local authority annual reports under Part II of the Local Government, Planning and Land Act 1980. It would comprise a description of policies, major developments over the year and plans for the future: it would contain appropriate financial and demographic information as well as aspects of educational performance for each borough such as schools and colleges' examination results, staying-on rates in full-time education post-16, and rates of absence from school. The Secretary of State intends to consider whether the minimum information required to be presented in such an annual report should be specified in Regulations.

SCHOOL GOVERNMENT

8. School governing bodies have by law significant responsibility for the general conduct and curriculum of the school; for the selection and appointment of teachers and other staff; and for the allocation of resources within the school. In the Secretary of State's view the involvement of the boroughs in relation to primary and secondary schools could be substantially enhanced, without trenching on the joint board's effective performance of its responsibilities, by giving to each borough a much larger voice in the appointment of the governors of the schools in its area. The Secretary of State proposes to include in legislation provisions which will enable the boroughs to assume the major role in the appointment of those governors at county and voluntary schools which are the responsibility of the ILEA under instruments of government made in accordance with the Education Act, 1980.

9. To achieve this aim the legislation might:

(a) specify that for the purposes of making appointments by the LEA and 'minor authorities' in the case of primary and secondary schools in inner London, the appointments specified in each school's instrument of government to be made by the 'minor authority' (if any) and the LEA should be aggregated. Appointments of this aggregate might then be apportioned 75% to the 'minor authority' and 25% to the joint board;

(b) ensure that the joint board has a minimum of 3 governors on the governing bodies of county and voluntary controlled primary and secondary schools and at least one governor on the governing bodies of voluntary aided schools;

(c) specify how the 'minor authority' for a particular school is to be determined. At present this is the council (or councils) whose area appears to ILEA to be served by the school. It would seem appropriate to adopt a similar approach;

(d) provide that changes in instruments of government which affect the number of 'minor authority' appointments may be proposed by the borough concerned, and, if not so proposed, should be subject to the agreement of the borough concerned, and failing such agreement to the approval of the Secretary of State.

CONCLUSION

10. The Department of Education and Science is approaching the ILEA, the boroughs concerned and the City of London to seek their comments on these proposals. Other comments will also be welcome. They should be sent to the Department of Education and Science, Room 3/5, Elizabeth House, York Road, London SE1 7PH, to arrive not later than 31 January 1984.



10 DOWNING STREET

Prime Minister

We now expect Sir Keith Joseph to propose a slightly different approach to ILEA, along the lines suggested on page 3 at X of the Policy Unit brief.

The aim would be to devolve more ~~se~~ responsibility to the boroughs within ILEA.

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