Coasting Schools: Draft regulations

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Summary

A DfE Press release Hundreds of ‘Coasting’ Schools to be transformed (30 June 2015) was accompanied by draft regulations, to be implemented in 2016, setting out a proposed method for identifying coasting schools. The draft regulations have been provided to the House of Commons Public Bill Committee which is scrutinising the Bill in Parliament. This briefing outlines the draft regulations and reflects further on the debate about how the concept of coasting schools fits with school improvement. It builds on a previous CSN briefing Coasting Schools – a literature review (June 2015), and will be of interest to elected members and officers with responsibility for school performance, and also the leadership teams of schools and their chains within their local authority.

Overview

The Education and Adoption Bill 2015-16, which had its second reading in the House of Commons on the 22 June 2015, seeks to amend the Education and Inspections Act 2006 by creating a category of schools – those considered to be “coasting” – which are eligible for intervention. The Bill says that the Secretary of State for Education may define the term “by regulations”. This has led to speculation as to how this might be achieved and the impact this might have. A recent CSN briefing Coasting Schools – a literature review outlined the policy context and various debates about how a ‘coasting school’ might be determined.

The DfE press release, Hundreds of ‘Coasting’ Schools to be transformed, (30 June 2015) outlines how schools defined as ‘coasting’ will be offered help and support from ‘education experts’. The press release was accompanied by draft regulations and an explanatory note provided for the Education and Adoption Bill Committee.

The proposed definition of a ‘coasting’ school breaks with the previous work Gaining Ground: Improving progress in coasting secondary schools (2008) published by the then Department for Children Schools and Families under a Labour government. ‘Gaining Ground’ identified coasting schools in terms of the OFSTED ‘requires improvement’ category, with rates of pupil progress as an additional criteria. The new definition does not include any reference to OFSTED inspection outcomes.

Floor Standards

The proposed measures build on existing floor standards. A secondary school is below the ‘floor’ in 2014 and 2015 where fewer than 40% of the school’s pupils achieve 5 A*- C grades at GCSE or equivalent including English and maths and the school has a below median score for the percentage of pupils making expected progress.
The introduction of the Progress 8 measure in 2016 and 2017 (published in March 2015) provides a measure of pupils’ progress from the end of primary school to 8 qualifications at the end of secondary school compared to other pupils with the same starting point. The government has already announced that the absolute floor standard for 2016 will be -0.5 (where, on average, pupils in a school achieve half a grade less than those with similar starting points nationally).

A primary school is below the floor standard in 2014 and 2015 if fewer than 65% of pupils achieve Level 4 or above in reading, writing, and mathematics and below the median percentage of pupils make expected progress in reading, writing, and maths. 2016 sees curriculum and assessment changes for primary schools and the government has already announced that they will be holding schools to account for the percentage of pupils achieving a new higher than expected standard at the end of primary and against a new, value-added measure of progress. A school will fall below the floor standard in 2016 where fewer than 65% of pupils achieve the expected standard and pupils do not make sufficient progress.

**Briefing in full**

The draft regulations will only be applied to local authority maintained schools. Outcomes data over a three year period will be used and schools will not be classed as coasting until 2016 when data from 2014, 2015 and 2016 will be used to define them.

A ‘coasting’ secondary schools will be one that:

(i) In 2014 and 2015 had a five A*-C GCSE pass rate (including English and Maths) of below 60%;
(ii) In 2014 and 2015 had a below average proportion of pupils making expected progress in English and maths between Key Stage 2 and Key Stage 4;
(iii) In 2016 receives a below-standard score on the new Progress 8 measure. (This standard will be set after the 2016 results to ensure it is at a suitable level).

The Progress 8 measure will then gradually replace the 5 A*-C based measures until by 2018, coasting schools will be selected on the basis of three years of Progress 8 scores.

A ‘coasting’ primary school will be one that:

(i) Had less than 85 per cent of children achieving level 4, in each year between 2014, 2015 and 2016,
(ii) had below average proportions of pupils making expected progress in reading and writing and maths between Key Stage 1 and Key Stage 2.

Whilst there is no future shift in measures defined for primary schools, new regulations could be laid before Parliament to change the percentage achieving at least level 4 to an equivalent score as primary schools move to new national curriculum tests. Below average is based on median levels of expected progress for both primary and secondary schools.

The accompanying note provided with the draft regulations to the House of Commons Bill Committee explains that the “plan is not automatically to seek academy solutions for all schools which fall within the definition of coasting. We want to challenge and support these schools to improve sufficiently and it is only where the capacity or plan for sufficient improvement is not evident that intervention will follow.” The press release however, states that if schools are notified...
that they are ‘coasting’, and they then fail to produce a plan for improvement deemed credible by
the Regional Schools Commissioner, they will “be turned into academies under the leadership of
our expert school sponsors”.

The draft regulations, following further discussion in committee and public consultation, will
become a piece of secondary legislation laid before both Houses of Parliament setting out the
criteria for a school to be deemed ‘coasting’. Whilst the current draft regulations set out how a
primary and secondary school could be deemed ‘coasting’, the accompanying note explains that,
whilst special schools are covered by coasting schools regulations, these definitions will not
necessarily apply to them, and that further consultation will be undertaken on whether and how a
‘coasting’ definition could be applied to special school or alternative provision.

Impact of Proposed Regulation – Schools likely to be ‘coasting’

Education Datalab have published Secondary schools serving affluent communities aren’t coasting
on 30 June 2015, using 2012 to 2014 data to model the impact of the draft regulations. They
cannot fully model the 2016 definitions, so have used the 2014 and 2015 definitions for a three
year period. On this basis the research group estimate that 1,179 schools would be classed as
‘coasting’, including four Ofsted-rated outstanding schools (two primary and two secondary). 405
secondary schools (around 13%) would be coasting, although 163 would escape judgement
because they are new or have changed to academy status so don’t have three years of
performance data available.

Education Datalab characterise expected progress rates as “in our view the very worst indicator
routinely published about schools”, because, as they show in their paper, it depends largely on
pupil starting points and those with higher attainment tend to make better progress. Education
Datalab therefore think this does not really show progress at all, but is another way of showing the
impact of disadvantage on outcomes. Rebecca Allen, the director of Education Datalab, giving
evidence to the bill committee, said “My concern about the metrics that have been chosen to
define coasting schools is that they display exactly the same type of what I call a social gradient.
By that I mean that if a school serves an affluent community then it will not be judged to be
coasting using these metrics”.

The Association of School and College Leaders press release Coasting schools definition is
‘muddled and unfair’ also expresses concern about the emphasis being more on attainment than
progress saying “we are disappointed that this announcement has come without a formal
consultation, and that the criteria it sets out for what constitutes a coasting school will initially be
on an attainment rather than a progress measure.”

Jonathan Simons in What is a coasting school? An answer published by Policy Exchange accepts
there is a greater likelihood of schools serving less affluent areas being determined as ‘coasting’
but he feels that this is likely to disappear as Progress 8 measure takes over. Education Datalab
however suggests that the switch to Progress 8 measure will not alter the effect of socio-economic
background on this outcome. As Rebecca Allen said in her evidence to the Bill Committee “I am
concerned that that social gradient is letting schools that serve affluent communities off the hook
on this definition. I would prefer schools to be judged relative to schools like them and,
unfortunately, progress 8 does not quite do that”. Education Datalab believes schools serving
more affluent communities will continue to be more likely to escape the coasting judgement.
Education Datalab found a total of 774 primaries (around 5%) would be coasting, saying that the primary coasting schools measure “doesn’t display the same bias with respect to prior attainment” and that therefore coasting primary schools are likely to be more evenly distributed than is the case with secondary. Some primary schools in more affluent communities could still be judged as coasting, although the likelihood is greater for schools with higher proportions of free school meals pupils.

A DfE statistics discussion paper Measuring the Performance of Schools within academy chains and local authorities published in March 2015 worked on developing measures of accountability for Academy Chains proposed a progress measure that is calculated in two stages; firstly relating pupil outcomes to those for pupils from similar starting points; secondly relating school progress rates to those of similar schools. This work could have formed the basis for a measure that considers school performance in relation to similar schools, but is ignored, possibly because of its greater statistical complexity, and a very simple percentage of pupils making expected progress is used instead.

The debate about whether schools should be compared to similar schools was aired in the evidence to the Bill Committee. Rebecca Allen, the Director of Education Datalab, argued that schools should be compared to similar schools, and Sir Daniel Moynihan, Chief Executive of the Harris [Academy school] Federation, also suggested “that schools should be benchmarked according to the progress 8 value of schools very like them”. Nick Gibb, Minister of State at the Department for Education, characterised this as implying “that somehow a lower standard should be applied to those schools than to schools in more affluent areas”.

**Impact of Proposed Regulation – OFSTED**

OFSTED judgements form no part of the framework for determining which schools are ‘coasting’. The proposals place data definitions over the professional judgements of OFSTED inspectors (or the local authority) when determining whether a school is eligible for intervention via the ‘coasting’ route. Professionally observed teaching and learning, and assessed leadership and management, will not be taken into account. And decisions on requiring these schools to become Academies will be based on published school improvement plans assessed by the Regional Schools Commissioner and not by OFSTED.

Rebecca Allen, in her evidence to the Bill Committee worries about ‘multiple accountability systems’ saying “In data, coasting looks exactly the same as paddling very hard to keep your head above water”. She would prefer a redefining of OFSTED’s terms of reference, given its current remit is “just to say whether or not the quality of the teaching, learning and practices within the school are good when compared to the average school. In the new remit I would ask Ofsted explicitly to judge schools relative to schools that serve similar communities”.

Sir Daniel Moynihan, in the same committee also argued that data can ‘indicate’ but that a more in depth look is then required, saying “Progress has to be the driver. … Progress is the first stop but you have to look at other things to get the picture”.

For Emma Knights, Chief Executive of the National Governors’ Association, the regulations are in “danger of over-complicating our accountability system. Schools are held accountable in so many different ways. … layering this on top of Ofsted seems the wrong solution. We need to sort out Ofsted if we do not think that it is telling us what we need”.

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There is no convincing argument that regulations on 'coasting' should only apply to local authority maintained schools. Malcolm Trobe, Deputy General Secretary, Association of School and College Leaders in evidence to the Bill Committee said simply “I think we believe in fairness and equality and, therefore, all schools should be treated the same, whether they be academies or maintained schools”. Nick Gibb, when pressed on this in committee conceded that the criteria would also be used as part of the review of academy schools, although not under the same legislative umbrella.

The RSA report Unleashing Greatness, getting the best from an academised system (January 2013) said that “it is increasingly clear that academy status alone is not a panacea for improvement”. Its three key school improvement areas that were needed to make an academy led system work effectively were (a) a forensic focus on teaching and its impact on pupils’ learning, (b) ensuring fair access for children and young people from all backgrounds, and (c) a focus on the role of governors to ensure greater accountability to pupils, parents and other stakeholders.

Many are arguing that the measures proposed for coasting schools will not provide an adequate focus on maximising pupil progress across the ability range and across schools serving different communities, and will not go far enough in identifying ‘coasting’ schools, and whether all pupils are being adequately challenged. For Robert Hill, visiting Research Fellow at King’s College, London, in his evidence to the Bill Committee, “the much tougher bit is to get the right mechanisms and support systems in place, as it were, to drive the improvement … that is the real challenge for the education system”.

Jonathan Simons in the Policy Exchange paper What is a coasting school? An answer feels that a positive feature of the proposed regulations is that this “is a school led approach. In the first instance it will be the school that comes up with a plan, and will be given external support to do that. If the Regional Schools Commissioner deems the plan good enough and the school’s capacity strong, that's it - the school gets on with implementing it and no further action is taken” (assuming results then improve). Simons feels that alternatives to academies are possible, and that a mixed menu of options for schools that focusses on building capacity to drive school improvement is perfectly possible.

Tim Coulson, Regional Schools Commissioner, East of England and North-East London giving evidence to the Bill Committee felt that capacity in Regional Commissioners offices may an issue, saying “we will need to look carefully at our capacity to understand schools. The bit of capacity that we are particularly looking to increase is the national leader of education capacity. Schools Week in its editorial 5 things bothering me about the 'coasting schools' definition (30 June 2015) is also concerned that “looking after an extra 1,200 schools, in addition to all current academies, and free schools, and failing sponsors is a workload mountain” and consequently raises concerns about the level of staffing available in Regional Commissioners’ offices to undertake the workload and scrutiny of school performance data and improvement plans being envisaged.” Given that Regional Schools Commissioners are evaluated on the number of schools they turn into academies, Schools Week also suggest there is a conflict of interest that could undermine the ‘schools led, multi option’ approach being seen by Jonathan Simon above.

The Government has given this policy change a fair amount of lead in time, and promised further consultation before regulations are laid before parliament, giving those in school management positions, local authorities or academy chains a further opportunity for reflection and feedback.
External Links

DfE: Hundreds of ‘Coasting’ Schools to be transformed (30 June 2015)
Parliament: House of Commons Public Bill Committee on the Education and Adoption Bill 2015-16
Education DataLab: Secondary schools serving affluent communities aren’t coasting (June 2015)
Policy Exchange: What is a coasting school? An answer (30 June 2015)
Association of School and College Leaders Coasting schools definition is ‘muddled and unfair’ (June 2015)
SchoolsWeek: 5 things bothering me about the ‘coasting schools’ definition (30 June 2015)
Parliament: Education and Adoption Bill 2015-16 (June 2015)
DfE: Progress 8 measure in 2016 and 2017 (March 2015)
DfE: Measuring the Performance of Schools within academy chains and local authorities (March 2015)
RSA report Unleashing Greatness, getting the best from an academised system (January 2013)

Related Briefings

Coasting Schools – a literature review (June 2015)
School performance in academy chains and local authorities (May 2015)
Academies and free schools – Commons Education Committee (February 2015)
Academies and maintained schools: oversight and intervention – NAO Report (November 2014)
The evolving education system: a “temperature check” – DfE Research (October 2014)
The Effectiveness of the Academy Schools Programme (August 2012)
The growth of academy chains: National College for School Leadership report (March 2012)

For further information, please visit www.lgiu.org.uk or email john.fowler@lgiu.org.uk

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