



Department
for Education

Regional Schools Commissioners (RSCs) decision making: 2020

Background

This document sets out how the Regional Schools Commissioners (RSCs), who work with schools and Trusts to ensure they are supported to improve and address underperformance, will make decisions during academic year (AY) 2020/21, in the absence of any data from summer 2020 tests, assessments and exams.

This guidance relates to all decisions regional teams make where they would normally refer to test, assessment or exam data trends from the previous AYs as *part* of their evidence base. These include, but are not limited to, decisions on transfers and Trust consolidation, matching inadequate schools eligible for intervention (either maintained schools receiving an academy order after following an Inadequate inspection judgement, or academies being transferred Trusts) to sponsors, proposals for new free schools, sponsor applications, applications for voluntary conversions and so on.

The tests, assessments and exams due to take place at Key Stages 1, 2, 4, and 5 in summer term 2020 did not take place due to coronavirus (COVID-19). While GCSE, AS and A level (and equivalent) grades were awarded to students in 2020, these grades will not be used to judge an institution's performance in 2020. The DfE has made a firm commitment not to hold schools or colleges to account on data based on the summer 2020 qualifications. We will not be publishing or sharing institution level data from the 2020 exams and have advised all those working with schools, such as local authorities, to use the previous year's data when assessing school or college performance, until new data are available.

What this means for DfE regional decision making in AY20/21

During AY20/21, the RSCs will not have AY19/20 educational data to refer to. However, RSC decisions, such as those set out above, are normally informed by a range of factors, not simply a single year's Key Stage 2 test, or GCSE/A level results.

As usual, RSCs will consult with ESFA to ensure decisions are informed by the latest financial data relating to a Trust, and that the Trust itself has access to relevant financial expertise. Where the decision requires ESFA financial support, a joint decision will be made which takes account of all relevant factors.

Taking into account the impact of the coronavirus (COVID-19) outbreak on Trusts, RSCs will continue to consider factors such as:

- Trends over time in educational performance data (e.g. 2017, 2018, 2019);

- Ofsted reports, including most recent reports and new reports once routine inspections resume. RSCs will not take action on the back of letters from Ofsted following assurance visits in autumn 2020, but may discuss these letters with Trusts;
- Parental perspective as defined by pupil allocations compared to the Published Admission Number (PAN);
- Pupil attendance (except spring/summer term 2020);
- Recruitment, attendance and retention of staff, including the executive leadership team;
- School improvement strategy - capacity and capability in managing the full return in the autumn and plans to ensure all pupils are catching up, especially disadvantaged pupils;
- Financial expertise within the Trust including financial experience on the board; and
- Leadership, governance, skills, capacity and capability of schools' and the Trust's leadership/board.

RSCs will also check whether Trust leaders have a COVID-19 contingency plan, including for remote education. They will seek assurance that Trust leaders are confident that the plans are appropriate in meeting the needs of all pupils.

RSCs will **not**, however, consider factors such as:

- A Trust's own data on their 2020 results, or pseudo Progress 8 from third parties – to reiterate that 2020 exams will not be used to judge schools in any way and we will not ask Trusts to provide us with this data (or take it into account if Trusts supply it); or
- A Trust's own internal data, except in respect of asking strategic questions about why data are collected and what purpose they serve.