

DIRECTION UNDER SECTION 497A(4B) OF THE EDUCATION ACT 1996

TO ISLE OF WIGHT COUNCIL

WHEREAS:

1. The Isle of Wight Council (“the Council”) is the local authority responsible for children’s services and education in its area;
2. An Ofsted inspection, dated 15 January 2013, found that the Council’s arrangements for the protection of children were “inadequate”;
3. Further, as at May 2013, 50% of the Council’s maintained secondary schools were found by Ofsted to require special measures or significant improvement, and key stage 2 and key stage 4 attainment in the Council’s maintained schools was significantly below national averages;
4. The Secretary of State for Education (“the Secretary of State”) issued the Council with a statutory Direction pursuant to section 497A(4B) of the Education Act 1996 on 6th June 2013 requiring the Council to improve the quality of its children’s social care service and education provision;
5. Further to that Direction, the Council has established a strategic partnership with Hampshire County Council – under an agreement until 05 June 2018;
6. An Ofsted inspection of services for children in need of help and protection, children looked after and care leavers, dated 19 November 2014, found that such services “require improvement” and are not yet delivering good protection and help and care for children, young people and families;
7. Further, whilst there have been improvements, including an “effective” judgement by Ofsted of the school improvement function (June 2014), key stage 2 and key stage 4 attainment in the Council’s maintained schools remains below national averages;
8. The Secretary of State therefore remains satisfied that the Council is failing to perform:
 - a. some or all of its children’s social care functions (to which section 497A of the Education Act 1996 is applied by section 50 of the Children Act 2004) to the required standard, namely:
 - i. social services functions, as defined in the Local Authority Social Services Act 1970, so far as those functions relate to children;
 - ii. the functions conferred on the Council under sections 23C to 24D of the Children Act 1989 (so far as not falling within sub-paragraph (i) above);

- iii. the functions conferred on the Council under section 10, 12, 12C, 12D and 17A of the Children Act 2004; and,
 - b. some or all of its education functions, in particular those conferred on the Council by sections 13 and 13A of the Education Act 1996.
9. The Secretary of State, having considered representations from the Council, considers it expedient to exercise her powers pursuant to section 497A(4B) of the Education Act 1996 to further direct the Council as set out below, in order to secure that its children's services functions and education functions are performed to the required standard;
10. In consequence of the making of this Direction, the Direction dated 6 June 2013 is hereby revoked and this Direction shall stand in its place.

NOW THEREFORE:

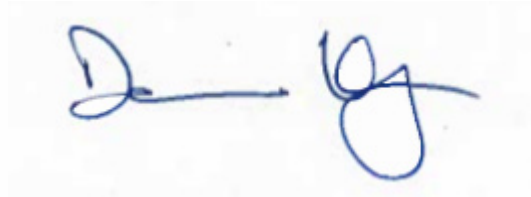
Pursuant to section 497A(4B) of the Act, the Secretary of State directs the Council as follows:

- i. To continue the strategic partnership agreement ("the Partnership Agreement") with Hampshire County Council, established under the Direction dated 6 June 2013. Any termination of the Partnership Agreement (excepting as a result of the withdrawal of Hampshire County Council) or changes to its terms must be agreed by the Secretary of State. The agreement will continue until 5th June 2018.
- ii. To continue to appoint Hampshire County Council's Director of Children's Services as Director of Children's Services for the Council in accordance with section 18 of the Children Act 2004. The appointment, under the terms of this Direction, shall exist for such time as the Partnership Agreement remains in force;
- iii. To continue to ensure that adequate resources are made available to the Director of Children's Services to enable him or his successor to discharge effectively such duties as are applicable to his roles and responsibilities. Also, to ensure that the Director of Children's Services for the Council continues to be responsible for making the appointments of all senior staff in children's services and education services;
- iv. To carry out regular assessments of the standards of performance of the Council's education functions, to include levels of support and challenge to the Council's maintained schools, to take appropriate action to effect improvements which are identified as necessary, and to cooperate appropriately with governing bodies of maintained schools who are seeking conversion to academy status or who are being encouraged to seek such conversion by the Secretary of State. Such assessments, action and cooperation will be monitored by regular termly meetings between officials from the Department for Education and the Council's Director of Children's Services, or with

such of his nominated representatives as have been agreed with the Department for Education;

This Direction will remain in force until 5th June 2018, unless revoked earlier by the Secretary of State, and will be reviewed after a period of one year from the date of this Direction.

Signed by authority of the Secretary of State for Education



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Suzanne Lunn

Dominic Herrington

Senior Civil Servants in the Department for Education

Dated this 28 day of 11 2016