



THE ROYAL BOROUGH OF
**KENSINGTON
AND CHELSEA**

**SUMMER TERM – GOVERNORS’ NEWSLETTER
MAY 2019**

Dear Governors

As many of you have heard, the new Ofsted Education Inspection Framework has been published. Over the next few months the Governor Services team will put in place briefings for governors along with training sessions about the new Framework. In this newsletter, the team have provided you with information to keep you up to date with changes in legislation and guidance as well as arranging for teams from the Local Authority to make contributions. These items are designed to give governors a better understanding of local initiatives and practices along with national developments. The items in this newsletter cover areas including GovernorHub, Safeguarding, SEND, Finance, HR and Performance Management.

Governing Boards are also reminded that governor support and the governor training programme are included as part of the School Improvement SLA. This term, Governing Boards of maintained schools should also ensure they approve their budgets for 2019-2020 bearing in mind that a deficit budget cannot be set.

Further information on all aspects of schools’ governance is available via

Jackie Saddington – Head of School Governor Services at

Jackie.saddington@rbkc.gov.uk You can also contact Julie.farmer@rbkc.gov.uk for further information.

Richard Stanley
Deputy Director of Education

IMPORTANT DATE

Chairs’ Forum -

Tuesday 21 May 2019 6.30pm - 8.30pm

Kensington Town Hall – Committee Room 1

GOVERNORHUB

Governor Services are now using GovernorHub to fulfil our statutory duties for school governance and to provide our services to your Board. In addition, for the period 1/4/19 - 31/3/20 governor services have paid for all maintained schools in RBKC and WCC to access the system on a trial basis. We are now using the system as a database but intend to use it as an information service for schools too. We encourage your clerk and the governing board to sign up to trial the system. The system is fully GDPR compliant and GovernorHub supports the clerk with day to day admin tasks, provides access on the move through mobile and tablet apps and makes information sharing easy. The governing board will be able to:

- Communicate with other Board Members
- Store and share documents and policies
- Keep a shared calendar of meetings
- Manage the Board with useful clerking tools

If your Board wish to take advantage of this trial please advise Julie Farmer at: Julie.farmer@rbkc.gov.uk and copy in governor hub at: support@governorhub.com

Governor services will work closely with the clerk to ensure the information held on GovernorHub is kept up to date. Where maintained schools are already using GovernorHub we will arrange for payment to be refunded.

If an Academy, within the Bi-Borough, wishes to purchase GovernorHub, this can be purchased via governor services at a cost of £100, instead of the usual £400 if purchased direct through governor hub.

Where Governing Boards, in maintained schools, decide not to take advantage of this offer, we will require the clerk to the Governing Board, to provide written details of the Governing Board membership on a termly basis, as they do now, and as changes occur, so that we can update the database via governor services.

2019-2020 SLAs

Thank you to those schools that have purchased their traded services for 2019/20. We would like to remind you that Governor Services support is included in the School Improvement SLA. This includes advice, support and access to the training programme and on-line training.

We would also particularly draw your attention to the full range of SLA's which include:

- School Improvement SLA which provides schools with a data profile, access to FFT, a full training programme for staff and governors, plus bespoke support in line with individual school priorities.
- NQT SLA which has been revised to meet the changing needs of schools. The SLA provides your NQTs with an enhanced CPD offer in addition to the statutory induction, which the Local Authority has a proven track record for.
- Educational Psychology SLA which is being offered at an affordable rate for schools for the third year running.

We would request that Governing Boards ensure that schools that wish to purchase any of the services for the new academic year do so by 7th June 2019, if possible, to ensure resources are in place for September.

LOCAL LEADERS OF GOVERNANCE

Governor Services are looking to facilitate school to school support by working with governors to support schools, either with a specific issue or as part of a long-term role. This may also include supporting a school by sitting on a panel hearing.

Additionally, at the last meeting of the Chairs Forum, some chairs of governors offered, subject to Governing Board agreement, to allow chairs or governors, from other schools to observe their Governing Board meetings. This would enable governors to gain experience of how other Boards operate to develop their own practices.

If you feel that you have the experience and time to commit to supporting other schools in any way, or feel your own Board would benefit from observing other Governing Boards practices please contact Jackie Saddington at: jackie.saddington@rbkc.gov.uk

Support will be given to governors willing to support other schools.

OFSTED – UPDATE EDUCATION INSPECTION FRAMEWORK

From September 2019, Ofsted will refocus inspections of schools, early years' settings and further education and skills providers, to make sure that learners are receiving a high-quality education that puts them on a path to future success.

It has been announced that, under the new Education Inspection Framework, Ofsted inspectors will spend less time looking at exam results and test data, and more time considering how a nursery, school, college or other education provider

has achieved their results. That is, whether they are the outcome of a broad, rich curriculum and real learning, or of teaching to the test and exam cramming.

Ofsted have confirmed that there will be a new 'quality of education' judgement, after it received strong support from three-quarters of respondents. More than three-quarters of respondents also supported plans to introduce 2 new key judgements, evaluating learners' 'behaviour and attitudes' separately from their 'personal development'.

The 'behaviour and attitudes' judgement will assess whether leaders are creating a calm and orderly environment, where bullying is tackled effectively by leaders when it occurs. While the 'personal development' judgement will recognise the work early years' providers, schools and colleges do to build young people's resilience and confidence in later life, including through participation in sport, music and extra-curricular activities.

Ofsted state these changes will make it easier for Ofsted Inspectors to recognise and reward early years' providers, schools and colleges that are doing the best they can for their pupils, particularly those working in challenging circumstances.

The intention is that schools will be empowered to always put the child first and be actively discouraged from negative practices, such as 'off-rolling', where schools remove pupils in their own best interests, rather than that of the pupils. Where this is happening, schools are likely to find their 'leadership and management' judged inadequate under the new framework.

All inspection judgements will continue to be awarded under the current 4-point grading scale: outstanding; good; requires improvement; and inadequate. Reports will be redesigned and shortened to give parents the key information they need to know about a school and a sense of how it feels to be a pupil there.

HM Chief Inspector Amanda Spielman said:

"This was the largest-ever consultation Ofsted has undertaken and I am very grateful to all those who took the time to respond. The new framework puts the real substance of education at the heart of inspection and supports leaders and teachers who act with integrity. We hope early years, schools and college leaders will no longer feel the need to generate and analyse masses of internal data for inspection. Instead, we want them to spend their time teaching and making a real difference to children's lives, which is why they entered the profession in the first place.

Our goal is really simple: to be a force for improvement through our inspections. We want to provide parents with the assurance they need, support teachers and leaders

to excel – and help make sure all children and learners to get the education they deserve.

The new framework and inspection handbooks, will be used across all education inspections from September 2019.

We will provide further briefings and training over the coming months.

GOVERNANCE HANDBOOK 2019

A new governance handbook was issued in March 2019. It highlights the key statutory responsibilities of those involved in school governance. The Handbook continues to be structured in line with the six key competencies of effective governance, as per the Governance Competency Framework: strategic leadership, accountability, people, structures, compliance and Board evaluation. The changes that have been made to the previous version of the Handbook include:

- Greater emphasis on **Parental Engagement** - Boards should be able to demonstrate the methods used to seek the views of parents, carers and the local community. They should also be able to show how those views have influenced their decision making and how they have fed back to parents, carers and the local community.
- Further clarity on the Board's responsibilities under **Safeguarding**, including **DBS checks and s128 prohibition**.
- Schools' **Fire Safety** responsibilities.
- Clarification on what a **Maintained school must publish** in relation to the curriculum.
- Updated signposting to **DfE resources** such as the workload reduction toolkit and the Analyse School Performance service.
- A new sub-section on **Executive pay**
 - The Board must ensure its decisions about levels of executive pay follow a robust evidence-based process and are reflective of the individual's role and responsibilities. No individual can be involved in deciding his or her remuneration.
 - The Academies Financial Handbook is used to signpost Boards to further advice and guidance on executive pay.
 - Under the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 organisations are required to publish information on its website about the **gender pay gap** in their organisation.

The updated Handbook can be accessed via

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/788234/governance_handbook_2019.pdf

DBS UPDATE
S128 OF THE EDUCATION AND SKILLS ACT 2008

Maintained school governors are only required to have an enhanced criminal record certificate from the DBS, which does not include a barred list check (unless in addition to their governance duties they also engage in regulated activity). The LA, and DfE **recommend** that schools contact the Teaching Regulation Agency Teacher Services to check if a person they propose to recruit as a governor is disqualified from office as a result of being subject to a section 128 direction.

Checks can be carried out by logging into DfE sign-in via the Teacher Services' webpage. DfE sign-in is a free service available to all schools and colleges. Registration is required for first time users and can be requested from Teacher Services.

There is a **requirement** to undertake an additional check for those in management roles at independent schools, academies and free schools, to ensure they are not prohibited under Section 128 of the Education and Skills Act 2008.

A section 128 direction prohibits or restricts a person from taking part in the management of an independent school, including academies and free schools. A person who is prohibited is unable to participate in any management of an independent school such as:

- A manager employed by the school
- A trustee of an academy or free school trust;
- A governor of an independent school
- A governor on any governing body in an independent school, academy or free school that retains or has been delegated any management responsibilities, or
- A member of a proprietor body for an independent school who, through their membership, takes part in the management of the school.

A section 128 direction also disqualifies a person from holding or continuing to hold office as governor of a maintained school.

The Secretary of State can also make directions under section 128 provisions prohibiting individuals from taking part in academy trust management. The circumstances are prescribed in regulations but can include where the individual is subject to a caution or conviction or has engaged in 'relevant conduct', and the Secretary of State considers that because of that caution, conviction or conduct that individual is unsuitable to take part in the management of a school. You may find the following links useful:

<https://www.safeguardingschools.co.uk/prohibition-checks-people-undertaking-teaching-work/>

<https://teacherservices.education.gov.uk/>

SAFEGUARDING – KNIFE CRIME

Ofsted has recently published its report on “Safeguarding children and young people in education from knife crime”. Research was carried out in 29 schools, colleges and pupil referral units (PRUs) in London. The report looks specifically at school leaders’ experiences of knife crime in London, as well as the views of children and some parents of both victims and perpetrators. The research considered three broad questions:

1. What are schools, colleges and PRUs in London doing to safeguard children and learners from knife crime while on school premises?
2. How are schools, colleges and PRUs in London giving children the knowledge and skills to stay safer in their local communities?
3. How are exclusions being used when children bring knives to school?

When introducing the findings from report, Ofsted’s Chief Inspector, made reference to:

- The most hotly contested issue when it comes to schools’ responses to knife crime is the use of exclusions. Ms Spielman clarified that the study did not set out to prove or disprove whether exclusions lead to knife crime. Whilst there is evidence that points to a correlation between the two, this does not prove causation. It seems just as likely that exclusions and knife crime are two symptoms of the same underlying problems, exacerbated by cuts to local authority children’s services.
- There is a harmful narrative developing that exclusions must cause children to join gangs or carry knives because, when they are excluded, they are put in very poor - quality alternative provision (AP) or PRUs, and eventually fall out of the school system altogether. The Chief Inspector highlighted that over 80% of state - funded registered AP and PRUs are rated good or outstanding by Ofsted.
- Ofsted’s research found that exclusion decisions in the cases of children bringing a bladed object into school do not always sufficiently take into account the best interests of the child, which have to be balanced against the wider needs of the school community.
- Similarly, Ofsted found that schools’ decisions about whether or not to involve the police in an incident can be based on a variety of factors, not always relevant. It seems sensible to reflect on whether the child has any known connection to adults with a criminal history, but it is much less relevant to consider, as some schools told Ofsted they did, the child’s academic record. Headteachers clearly need more in the way of information and guidance.

- Some school leaders feel that they are having to act alone to develop a response to rising rates of knife crime. Ofsted believes that the best response is a multi-agency approach and good, timely information-sharing, but too often this is not happening. Spending per head on early help and preventative services has fallen by over 60% in real terms between 2009/10 and 2016/17. Some of the funding that is available is only short term. Schools simply do not have the ability to counter the deep-seated societal problems behind the rise in knife crime.
- Too often, concerns about data protection get in the way of vital information sharing. GDPR allows agencies to store and share information for safeguarding purposes, including that which is sensitive and personal. If schools have information about children, or adults, relevant to the safety of them or of the children around them, they need to pass that on, including at transition points such as primary to secondary school, or school to college. And they need to share it with local authorities and the police. The arrangement needs to be reciprocated.
- Many school and college leaders we spoke to were trying to educate children about the dangers of knife crime and the risks of grooming and exploitation by gangs. However, some are concerned that if they do this they will be seen as a 'problem school', and subsequently avoided by parents. Others were rightly prepared to be open with pupils and parents about the issues and how to deal with them.

Ofsted's research report identified five policy and practice areas that it feels need further consideration by policy leaders and school leaders to help to create an environment in which they can work as effectively as possible to keep children safe. The recommendations have been summarised below:

Improving partnership working and strategic planning

1. Local community safety partnerships should fully involve schools, colleges and PRUs in developing and implementing local strategies that aim to address knife crime and serious youth violence.

Exclusions and Managed Moves

2. All schools and academies in London should ensure that their exclusion policy reflects the practice set out in the DfE's statutory guidance. Local authorities should have a strategic response to permanent exclusions. They should also, in conjunction with regional schools' commissioners, challenge schools and MATs if exclusions do not appear to be in line with statutory guidance.

3. The DfE should collect data from schools about managed moves in the same way in which it collects information on permanent and fixed-term exclusions.

Early Help and Prevention

4. Safeguarding partners should involve school leaders at a strategic level in assessing the needs of children and young people in their area, and in planning and delivering early help services in response to those needs. Schools need to

participate actively in local arrangements as required under 'Keeping children safe in education' statutory guidance.

5. Local safeguarding partnerships should facilitate all agencies including schools and colleges in challenging each other's practice if they believe any agency is failing to contribute to the local strategy to protect pupils from knife crime.

Improving information sharing

6. Schools and colleges should share full information with one another when pupils and learners move schools, PRUs or alternative provision or move to further education, to safeguard them and other pupils and learners.

7. Pan-London safeguarding partners should provide challenge to schools and colleges and, when necessary, drive improvement in how well schools and colleges share information with others to promote children's safety when those children move schools or begin further education, including via a managed move or when they are permanently excluded.

8. The Metropolitan Police Service needs to establish a clear and consistent protocol and memorandums of understanding with schools that ensure that it and schools routinely share information about children for the purposes of safeguarding.

Teaching the curriculum

9. School leaders should consider how their personal, social, health and economic education (PHSE) curriculum reflects local safeguarding issues and trends, including knife crime.

10. Pan-London bodies should consider ways in which they can support schools in ensuring that external organisations that are delivering anti-knife crime and gang affiliation sessions can provide a high-quality and impactful contribution to the school PHSE curriculum.

11. Safeguarding partnerships and school leaders should raise awareness of the dangers of grooming and criminal exploitation among both parents and children.

OFF-ROLLING

Off-rolling is the practice of removing a pupil from the school roll without a formal, permanent exclusion or by encouraging a parent to remove their child from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the pupil.

Exclusions can be temporary or permanent and are carried out formally within the Department for Education's statutory guidance on school exclusion. They are a legitimate means of managing behavioural issues.

Ofsted have stated that while not every school is off-rolling, teachers tell them that some schools are clearly pushing vulnerable pupils out through the back door with little thought to the pupils next steps and best interests.

Ofsted state they take a dim view of off-rolling. When inspectors uncover evidence of this happening, they will make it clear this is happening in inspection reports. Under the new inspection regime, taking effect in September, schools found to be off-rolling are likely to be rated inadequate for their leadership and management.

EXCLUSIONS INFORMATION – TIMPSON REVIEW

In March 2018, Lord Timpson was commissioned to review school exclusions by the Secretary of State for Education. His report was published in March 2019 and made 30 recommendations, all of which have been accepted by the Government. His review, referred to as the “Timpson review” has highlighted the pupil and school characteristics which are associated with greater risk of exclusion. It shows 78% of pupils who are permanently excluded have special educational needs or disabilities (SEND), are classified as in need, or are eligible to receive free school meals; 11% of permanently excluded pupils have all of these characteristics.

It has also identified four areas of policy and practice in schools relating to exclusions including:

- differences in leadership, standards of behaviour and culture in schools
- lack of consistency around the management of poor behaviour
- few incentives for schools to take responsibility for pupils at risk of being excluded
- a lack of safeguards to “protect children against informal exclusion and ... off-rolling”

One of the recommendations is for the DfE to update the statutory exclusions guidance. We will keep you updated as changes are introduced. In the meantime should you have any queries about any form of exclusions please contact Paul Worts via paul.worts@rbkc.gov.uk

CHILDREN NOT BEING EDUCATED IN SCHOOL

The Education Secretary announced proposals at the start of April for the compilation of a register of all children not being educated in school, including those being taught at home. It is hoped that such a register will provide a clear picture of

where children are if they are not in school. Estimates suggest almost 60,000 children are deemed to be educated at home, a figure that is thought to be rising by around a quarter every year. It is argued that a register of children not in school will transform a Local Authority's capacity to identify and intervene where the standard of a child's education isn't good enough or, in the rare instances, where they are at risk of harm. It will also help authorities spot young people who may be receiving a solely religious education, attending an unregistered school or not receiving an education at all. Under the plans, it will be parents' responsibility to register their child if they are not being taught in a state-funded or registered independent school.

The Government is also consulting on proposals that would require Local Authorities to provide support for parents who choose to educate their children at home, in the form of a legal duty for local authorities to provide assistance, such as teaching resources or financial contributions to exam fees. This would be provided at the parents' request.

The Government has also published guidance for Local Authorities and for parents that clarifies their powers and responsibilities under current law, setting out the action councils can take if they have concerned a child is not receiving a suitable education. This includes school attendance orders - a legal power that already exists, compelling parents to send their child to a registered school. For parents, the guidance sets out considerations they should make when deciding whether home education is the right choice for them and their child.

SEND – BEING AN EFFECTIVE LEADER OF SEND

"All teachers are teachers of children with SEN". For Governors, the same is true, all leaders are leaders of special educational needs and disabilities (SEND) but how can governors fulfil this leadership role effectively?

- 1. Keep children and young people at the centre;** the statutory framework asserts that schools and academies must use their **best endeavours** to make sure that a child with SEN gets access to support they need – this means doing everything they can to meet SEN; ensuring there is a well-supported SENCo with capacity to fulfil the remit is a starting point
- 2. Be consistently outstanding;** driving inclusion and high-quality practice through effective and transparent policies, the deployment of resources and prioritising investment in staff development
- 3. Collaborate effectively with others;** creating a welcoming environment, listening to parents and carers, engaging with specialists and understanding the wider community are key to engaging partners
- 4. Improving outcomes;** having in place SEND provision that reflects the needs of the pupils on the school's SEN register, working towards

employment and independence in adulthood are key to ensuring the right outcomes - a curriculum with reasonable adjustments and flexibility and choice support this.

London wide data for the academic year 2017/18 highlighted 11.3% of all pupils on schools' SEN registers receiving SEN support. In Westminster schools, the proportion identified was higher (13.1%) whilst in Kensington and Chelsea it was significantly lower (10.1%). The data poses a question about whether there is under or over identification.

How do you know your school is picking up the right children?

Key findings from a national project (Strand & Lindorff, 2018) investigating whether pupils aged 5-16 years from an ethnic minority group are more or less likely to be identified with SEN than white British pupils found that although SEN prevalence rates amongst pupils increased between 2014 and 2016, very little has changed in ethnic disproportionality. These national findings are replicated at a Bi-Borough level; Black Caribbean and mixed white and black Caribbean pupils are over-represented in the identification of Social Emotional and Mental Health (SEMH).

Thinking about your own school, are the same groups over/under-represented and if so, is the school clear about the reasons why?

The statutory framework expects all schools to have a clear approach to identifying and responding to special educational need built into the overall approach to monitoring progress and developing all pupils.

How are you measuring the effectiveness of your school's current provision?

Focus Group Coffee Morning update

Thank you to those Governors who responded to the invitation to participate in focus groups. The level of response from SEN Governors and Chairs was really positive and the subsequent coffee mornings were well attended. It was particularly helpful to hear from governors whose own children have EHCPs about their experience of reforms since 2014. Going forward we'll be holding termly coffee mornings to focus on the SEND Strategies and inviting feedback on key activity. Please see the links below to the Bi-Borough strategies and plans.

RBKC – <http://bit.ly/RBKC-strategies-plans>

WCC – <http://bit.ly/WCC-strategies-plans>

Julie Ely - Asst Director SEN & Education Psychology

SCHOOL INCLUSION PROGRAMME – RBKC

The School Inclusion Programme aims to work with children at risk of exclusion in National Curriculum Years 7 - 11. The intention is to tackle the underlying issues

that lead to exclusion, by intervening early and acting as quickly as possible to prevent pupils from being excluded from school, providing alternatives that support families to overcome the barriers to their child's engagement or progress in education. Support is offered to all families in RBKC. Secondary Schools have been asked to send referrals in via the Early Help Referral Form.

The School Inclusion Programme aims to work with RBKC children at risk of school exclusion. We want to tackle the underlying issues that lead to exclusion, by intervening early and acting as quickly as possible to prevent pupils from being excluded from school, providing alternatives that support families to overcome the barriers to their child's engagement or progress in education.

What will we offer the schools involved?

- A dedicated family practitioner to support each child and family,
- Systemic family therapist offering support
- Access to Non-Violent Resistant Programme
- Regular Team Around meetings
- Support to access: couples work, Cognitive Behaviour therapy, trauma informed training.

The children involved in the programme and at risk of exclusion are those whose behaviour is challenging to manage in a classroom or those who have already had fixed term exclusions. The dedicated team of family practitioners will arrange an initial Team Around the Family (TAF) meeting for each child – involving the family, school and support from family therapist. Once a detailed family plan has been agreed, interventions will continue for 4 - 6 months or until progress has been made in the child's engagement or progress in education.

If a child is referred to alternative education provision at the Golborne Centre, the mainstream school must inform the family what the School Inclusion Programme will offer to them – we will provide you with a leaflet to give to the family. The Golborne Centre will work with the Early Help Practitioner to agree a family plan for the five-week placement period where the child is dually registered between the 'parent' school and the alternative education provision. When the child re-integrates back into their original school, Early Help Practitioner will continue to support and track the child for the remainder of the 4 - 6 months of interventions.

The family interventions will continue for approximately 4 - 6 months and the children's progress (behaviour, attendance, attainment etc.) will be tracked for the duration of this period.

If governor have any queries, they should contact Sherifa Prince – Statutory School Attendance Lead on Tel: 020 7598 4601 Email: sherifa.prince@rbkc.gov.uk

HR UPDATE

Teachers Pensions Employer Rate

The employer contribution rate for Teachers Pensions increases to 23.68% from 1 September 2019. This includes the administration levy of 0.08%. All schools, academies and payroll providers have been advised of this change by email from the borough Retained Pensions Team.

Local Government Pension Scheme (LGPS) Employer Rate

The borough LGPS employer rate for the 2019-20 financial year remains unchanged for schools and academies. New employer rates will apply from 1 April 2020, meaning that work will be undertaken by the Pension Fund actuary during autumn 2019 to examine all LGPS member records and calculate what the new employer rate will be from 1st April 2020.

Implementation of NEW GLPC Pay Spine on 1st April 2019.

You will be aware of the two year pay award for support staff in schools. In April 2018 and April 2019 employees received a 2% increase. Those on lower salaries received higher increases. In addition, in recent years the London Living Wage has increased at a faster rate than annual pay awards. To address this issue the Greater London Provincial Council have agreed a new pay spine which was implemented with effect from 1st April 2019. Schools have been advised to inform their payroll providers accordingly.

EU Settlement Scheme Reminder

EU residents are now able to apply with their family, to the EU Settlement Scheme to continue living in the UK after 30th June 2021.

This became fully operational on 30th March 2019 and the deadline for applications is the 30th June 2021.

The UK has reached an agreement with Norway, Iceland, Liechtenstein and a separate agreement with Switzerland. Please follow link below for more information.

<https://www.gov.uk/government/publications/eea-efta-separation-agreement-and-explainer>

Should governors, or school staff have any queries they should contact Pauline Vivian – Senior HR Manager, Bi-Borough Schools via the following:

Email: Pauline.Vivian@rbkc.gov.uk

RECRUITMENT

The DfE has launched a new website for schools. The new service is open to publicly funded schools and trusts that provide primary or secondary education in England. To use it, schools need to sign up for an account with the Headteacher/EHT/CEO's approval. The following link will take you to the guidance: <https://www.gov.uk/guidance/list-a-teaching-job-at-your-school-on-teaching-vacancies>

The site cannot be used to advertise supply teaching roles, unpaid positions, or non-teaching roles.

WORKLOAD REDUCTION

The DfE has updated and added to its workload reduction toolkit. There are new guidance documents on:

- supporting governing bodies in reducing teacher workload;
- reducing workload related to behaviour management.

The toolkit can be downloaded from:

<https://www.gov.uk/government/collections/workload-reduction-toolkit>

The government's policy document on teacher workload has also been updated and can be downloaded from:

<https://www.gov.uk/government/publications/reducing-teachers-workload>

PERFORMANCE MANAGEMENT

Governing Boards in maintained schools must have in place Appraisal and Pay policies that reflect the performance management systems shown in the latest School Teachers' Pay and Conditions Document.

Governors will need to:

- i) Ensure their pay and appraisal policies are reviewed and reflect current regulations.
- ii) Appoint a pay committee and pay appeals committee.
- iii) Receive a report on the 2018-2019 Performance Management outcomes and impact and a summary of 2018 – 2019 objectives and training and development needs.

It is also important that staff well-being is considered, and we recommend that governors give consideration to Headteachers well-being as part of the performance management process. We recommend that Governing Boards include this as an additional section when setting objectives and considering training needs.

FINANCE UPDATE

Teachers' Pension Scheme (TPS) funding for the 2019 to 2020 financial year

The Department for Education (DfE) has published their response to the consultation on the impact of the increase in employer contribution rate of the Teachers' Pension Scheme (TPS) from 16.4% to 23.6%. There will be funding for maintained schools and academies for 2019 to 2020. The funding allocation to maintained schools and academies will use a per pupil formula. There will also be a supplementary fund, to ensure there is additional support in place for schools facing unusually high pension costs. Where a school faces a shortfall between their grant allocation and their actual increase in pension costs, of more than 0.05% of their overall budget, they will be able to apply to the supplementary fund. Further details have been published, including the rates, for the pension grant: <http://bit.ly/2VvvNdL>

Academies will also be paid using these rates for the period April 2020 to August 2020. Future funding arrangements will be confirmed for maintained schools and academies for 2020/21 as part of the wider Spending Review.

PUPIL PREMIUM

The PE and Sport Premium funding will continue in the 2019 to 2020 academic year. The DfE will publish allocations and guidance later this year.

Schools maintained by the Local Authority must publish a strategy for the school's use of the pupil premium – see this link. For the current academic year, it must include:

- pupil premium grant allocation amount
- a summary of the main barriers to educational achievement faced by eligible pupils at the school
- how the pupil premium funds will be spent to overcome those barriers and the reasons for that approach

- how the school will measure the effect of the pupil premium
- the date of the next review of the school's pupil premium strategy

For the previous academic year, schools must include:

- how the pupil premium allocation was spent

the effect of the expenditure on eligible and other pupils

SCHOOLS FORUM DATES

WCC: 03/06/19 (all Mondays @ 4.45 p.m. – venues via Governance Support Officer).

Papers can be found via the following link:

<https://www.westminster.gov.uk/schools-forum>

Contacts: Jackie.Saddington@rbkc.gov.uk and Julie.Farmer@rbkc.gov.uk

RBKC: 12/06/19 (all @ 5.00 p.m. – venues via Governance Administrator).

Papers can be found via the following link:

<https://www.rbkc.gov.uk/committees/CouncilCommittees/tabid/145/ctl/ViewCMISCommitteeDetails/mid/605/id/1537/Default.aspx>

Contact: Deborah.Robinson@rbkc.gov.uk

COMPLAINTS – MODEL POLICIES

The DfE has updated their guidance on dealing with complaints in schools. In accordance with Section 29(1) of the Education Act 2002, all maintained schools and maintained nursery schools must have and publish procedures to deal with all complaints relating to their school and to any community facilities or services that the school provides, for which there are no separate (statutory) procedures.

New model policies have been drawn up and are currently being consulted on with Headteachers and Chairs of Governors.

Complaint panels

To appoint a governor from another school onto a Complaints Panel, the Governing Board of a maintained school does not have to enter into, or already be in, a formal

arrangement under the School Governance (Collaboration) (England) Regulations 2003. If complaint panel meetings are only arranged on an “ad -hoc, informal basis”, then schools only need to source governors who are suitably skilled and can demonstrate their independence.

Schools can approach governors from any category of governor or associate member of another Governing Board. Maintained schools can ask governors in academies to serve on a complaints panel and vice versa. The exception to this is when a maintained school wishes to appoint a standing committee to hear all the complaints they receive under the committee’s remit. To appoint governors from another school onto the complaints committee, the school must enter into a formal collaborative arrangement with another maintained school.

ACADEMY UPDATES

New National Schools Commissioner

The DfE has confirmed Dominic Herrington as the permanent National Schools Commissioner.

High executive salaries

Trusts have a responsibility to ensure value for money and that salary and other remuneration payments are transparent, proportionate, reasonable and justifiable. The Education and Skills Funding Agency (ESFA) has a responsibility to ensure that best practice is exemplified in the system to ensure this accountability. The Chief Executive for the Education Skills Funding Agency has outlined some principles to consider when setting the pay of senior employees. These are:

- The educational performance of the Academy/Trust
- Ensuring effective financial performance of the Academy/Trust and a healthy, balanced budget;
- The number of pupils being educated in the Academy/Trust and the degree of challenge in the roles of the highest paid.

The Academies Financial Handbook 2018 stipulates that the Board must discharge its responsibilities effectively, ensuring its approach to pay is transparent, proportionate and justifiable, including:

- that the procedure for determining executive pay is agreed by the board in advance and documented
- decisions about executive pay reflect independent and objective scrutiny by the board and that conflicts of interest are avoided

- factors in determining pay are clear, including whether performance considerations, and the degree of challenge in the role, have been taken into account
- pay is defensible relative to the public sector market
- the rationale behind the decision-making process, including whether the level of pay reflects value for money, is recorded and retained
- a basic presumption that non-teaching pay should not increase at a faster rate than that of teachers, in individual years and over the longer term
- understanding that inappropriate pay can be challenged by ESFA, particularly in any instance of poor financial management of the trust.

Related Party Transactions

Trustees are reminded that new rules governing how Related Party Transactions (RPTs) are reported came into force from the 1st April 2019.

All Trusts must:

- Report all transactions with related parties to the ESFA in advance of the transaction taking place, using the ESFA's on-line form. This requirement applies to transactions made on or after the 1st April 2019.
- Obtain the ESFA's approval for transactions with related parties that are novel, contentious and/or repercussive.
- The ESFA's prior approval, using its on-line form, for contracts for the supply of goods or services to the Trust by a related party, agreed on or after the 1st April 2019, where any of the following limits arise:
 - a contract exceeding £20,000
 - a contract of any value that would take the total value of contracts with the related party beyond £20,000 in the same financial year;
 - a contract of any value if there have been contracts exceeding £20,000 individually or cumulatively with the related party in the same financial year

For the purposes of reporting to and approval by the ESFA, transactions with related parties do not include salaries and other payments made by the Trust to a person under a contract of employment through the trust's payroll. These reporting requirements are in addition to the rules already in place governing RTPs, as disclosed in the Academies Financial Handbook 2018.

Academy Trust Financial Management Good Practice Guides

The ESFA has recently published six good practice guides aimed at Supporting Trustees, Accounting Officers and Chief Financial Officers to develop good financial management practice at their Academy Trust. Whilst these guides do not replace or modify any of the requirements set out in the Academies Financial

Handbook and the Academies Accounts Direction (AAD), their aim is to set out suggestions and examples of good practice. The six guides cover:

Operating an academy trust as a going concern;

Choosing an external auditor for an academy trust;

Academy trust deficit recovery;

Academy trust risk management

- What is risk management?
- The key steps to consider when developing a risk management framework
- The identification of risks
- Measurement
- Management control of key risks
- The monitoring of risks
- The reporting of risks through a risk register

The common pitfalls of risk management, including the reporting of too many risks, ignoring known risks and over complexity within the risk register.

Leasing guidance for academy trusts; and

Academy trust management accounting

- Key regulatory obligations
- The steps the finance team should take when producing monthly management information
- The format of the monthly accounts
- How often monthly management information should be reviewed by the Trustees and the Finance Committee

The six good practice guides can be accessed in full via:

<https://www.gov.uk/government/publications/academy-trust-financial-management-good-practice-guides>

Fraud Risk Management

In light of the “significant increase” in incidents of cybercrime against Academy Trusts in the past year, with some Trusts already being subject to incidents of fraud, the ESFA are reminding all Academy Trusts of the ESFA’s guide for Trusts for help reduce the risk of financial irregularities (which can be accessed in full <https://www.gov.uk/guidance/academies>)

ESFA Independent Appeal Panel complaints

The ESFA has reminded academies that they must instruct clerks who run their admission appeals to include a link to the “Academy Independent Admission Appeal Complaints Factsheet” in the panel’s decision letter. Panels are reminded that they must follow the statutory requirements in both the School Admission Appeals Code and the School Admissions Code when organising admission appeals. To limit the

number of complaints made about independent appeal panels, and to ensure any complaints are dealt with as effectively as possible, Academy Trusts and clerks are reminded that:

Risk Protection Arrangement Scheme

The ESFA's endorsed Risk Protection Arrangement scheme for academies (instead of commercial insurance) has confirmed that the cost for the 2019/20 financial year will be £18 per pupil, per year (currently £20 per pupil). The ESFA has also pledged that the cost of this scheme will be kept at £20 per pupil or less until at least 31st August 2022.

- the Panel must decide if the academy's admission arrangements complied with the requirements set out in the School Admissions Code and Part 3 of the School Standards and Framework Act 1998; and
- the Panel must then decide whether the academy's admission arrangements were correctly and impartially applied to the case in question.

To ensure complaints about the Panel can be administered quickly and efficiently, academies are required to ensure their clerks keep an accurate and legible record of the appeal proceedings, including how the panel reached their decision.

GOOD ESTATE MANAGEMENT FOR SCHOOLS

The estate management toolkit, which includes policies, processes and documents that schools, academies and MATs should consider when managing their estates, was updated in April 2019. It is accessible via the following link.

<https://www.gov.uk/guidance/good-estate-management-for-schools>,

The toolkit considers the fundamentals of good estate management, including:

- Estate vision, strategy and plan.
- Meeting health and safety and statutory compliance requirements.
- Understanding a setting's land and buildings.
- Managing a setting's energy and water usage.
- Undertaking specific estate related projects.

With Boards needing to be confident that the school's premises are safe and suitable for both its staff and pupils, the toolkit also includes "Top Ten Estate Checks for Boards".

CURRENT DFE CONSULTATIONS

[Review of post-16 qualifications at level 3 and below in England](#)

This consultation is the first stage of the government's review of post-16 level 3 and below qualifications (excluding T Levels, A Levels and GCSEs). It asks for views on the high-level principles and outlines proposals for the removal of funding approval for unreformed qualifications. The response to the consultation and second stage of the review will follow later in 2019.

<https://www.gov.uk/government/consultations/review-of-post-16-qualifications-at-level-3-and-below-in-england>

The consultation closes on 10 June 2019.

Children not in school

This consultation is about establishing a local authority registration system for children who do not attend state-funded or registered independent schools. It is a follow-up to the consultation and call for evidence on elective home education held by the Department for Education in 2018. It seeks views on proposed legislation to establish a register maintained by local authorities of children not attending mainstream schools, together with associated duties on parents and the proprietors of certain educational settings. It also consults on proposed legislation to establish a duty to support parents who educate children at home and seek support from their local authority in doing so.

<https://consult.education.gov.uk/school-frameworks/children-not-in-school/>

The consultation closes on 24 June 2019.

Call for evidence on SEN funding

In December 2018 the Secretary of State announced his intention to hold a call for evidence on the current funding arrangements for those with special educational needs (SEN), those with disabilities, and those who require alternative provision.

The DfE accepts that the overall amount of funding available is the most pressing concern. Therefore, this call for evidence is intended to help the DfE understand how the current available funding is distributed, and what improvements to the financial arrangements could be made in future to get the best value from any funding that is made available.

The call for evidence will be open until 31 July 2019.

WEBSITE COMPLIANCE GOVERNANCE ATTENDANCE

The DfE is clear that school websites must be compliant with legislation and guidance and the information on the websites for each governor must show details

of governors, their roles and responsibilities, declarations of interest and attendance record at governing board and committee meetings over the last academic year. There are still some schools where there is no data shown for governor attendance at meetings and some schools where the information is not up to date.

GOVERNOR TRAINING

The final training courses of the governor training programme of 2018-2019 will take place this term. We are now planning the training programme for 2019-20 and are keen to hear your views on what sessions you have found particularly informative and suggestions on any areas you would like to see us include, that we have not provided to date. Additionally, we have been delivering bespoke training to governing boards which has proved very popular. If your Governing Board would like to commission bespoke whole Governing Board training or joint training with other Governing Board (s) please contact Jackie Saddington or Julie Farmer.

REMAINING GOVERNOR TRAINING COURSES FOR SUMMER TERM 2019

Title & Booking (click on course title)	Date	Time	Venue*
<u>Safeguarding for Governors</u>	13/06/2019	4.00pm-6.00pm	TBC
<u>Welcome to New Governors</u>	17 & 24/6/19	6.30pm-8.30pm	TBC

Jackie Saddington Head Bi-borough School Governor Services Jackie.Saddington@rbkc.gov.uk 0207 598 4782	Julie Farmer Governor Services Adviser Bi-borough School Governor Services Julie.Farmer@rbkc.gov.uk 0207 598 4781
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<http://webfronter.com/westminster/governors/>