

Devon Association of Governors

Issues raised at Area Meetings Autumn 2006

This report is a summary of points raised by governors at the Area Meetings held earlier this term in the following Local Learning Communities: Dartmouth, Ivybridge, Kingsbridge, South Dartmoor and Totnes : Dawlish, Newton Abbot, Teign Valley and Teignmouth : Holsworthy, Okehampton and Tavistock : Chulmleigh, Crediton and South Molton. These meetings were attended by governors, clerks and headteachers from many schools in these areas. Discussion focused initially on the termly 'Checklist' of current issues sent to all Devon schools at the beginning of each term and also available on the Devon Governor Services web site: www.devon.gov.uk/governors . Further discussion embraced other issues of current concern raised by those present. The sections

- in normal type indicate points from the Checklist or made by me at the meetings
- in italics indicate comments made by governors at the meetings
- in bold indicate the questions and responses (where received) from LA officers, NGA and others to the points raised.

This is a very detailed report but there will almost certainly be items of immediate relevance to your school / GB. Please share this report with your Governing Body, in particular committee chairs.

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1. Job Evaluation

The outcomes of this process which has been ongoing for several years have to be implemented for County Council employees from April 2007. In schools it affects all non-teaching staff. There have been a number of letters to headteachers this term outlining the background and indicating the process which included a number of briefing sessions in the weeks around half-term. However headteachers are faced with a very tight time schedule in order to meet the requirement for them to review and undertake by the end of November a 'best-fit' exercise matching each individual's actual job with a series of job descriptors. Governors need to be aware of this process because of:

- the added pressure on their headteacher
- the possible budget implications
- the possibility of governors being involved in any appeals

Governors' views included:

- *real anger that, yet again, a short timescale is involved and schools appear to be presented with an unrealistic deadline*
- *grave concern about the demands (yet again) on the headteacher in the coming weeks and the level of briefing / support (s)he will receive*
- *great uncertainty about the implications of the process. For example, there were wild rumours circulating about the amount of back payment that could be involved with the subsequent impact on budgets. Governors seek clarity, not rumours!!!*
- *lack of clarity about governor involvement in the appeals process (some felt it most unlikely). If Governors are asked to run any appeals their school staff may make about Job Evaluation, it is important that any Governors who might hear an appeal are not present at earlier discussions about job evaluation in their school or discuss individual situations with staff prior to appeals*

1. Can the timetable be relaxed to allow the headteacher adequate time?

Ingrid Fisher (DCC Assistant Director, Policy & Strategy, for Children & Young People's Services) “ The timescales for this exercise have been tight for all of us but the objective of finalising it within a window of opportunity agreed with the Unions has been an overriding consideration. The Job Evaluation Team has put huge capacity into supporting schools, and took on board all the suggestions put forward by the Schools' Forum. In discussion with school representatives the timescale has now been extended. “

JE Team: “ A statement was circulated in the week ending November 10th indicating that JE in schools has been delayed and new timelines are being circulated. However JE has to be implemented for all local authorities by 1 April 2007, and all staff need three months' notice regarding changes to their terms and conditions. In terms of support to Headteachers, clinics have been provided and the JE team and all link Personnel Officers can assist on an ongoing basis. “

2. What are the budgetary implications for schools and will these have to be met from within an individual school's budgets?

Ingrid Fisher “ Budget implications have always been made clear:

- at Schools' Forum meetings – particularly with reference to LSA pay scales
- in advising schools of budgets – advice to governors to set aside a contingency

- in the letter from the Director of Finance (27 October 2006) clarifying that Governors will need to plan for ongoing costs and the back-dating to 1 April 2006; DCC will cover any further equal pay claim costs (which could back-date six years). DCC envisages these costs will be some £7m. “

John Barnard (DCC Head of Resource Strategies) “ A letter was sent to all schools on October 27th outlining the current position. It concludes with the following paragraphs:

‘ When budgets were issued to you in February 2006, the covering letter advised you to have a contingency as ‘ it is currently impossible to determine the impact of Job Evaluation on individual schools but for many schools there could be a significant additional cost ’. As you complete the process in schools and send the details to the Job Evaluation team, it will become apparent what that cost is. If the cost means that you are unable to balance your 2007/8 budget, please advise the Authority immediately. However, there is no central contingency available to minimise the impact of increased costs and as these are permanent and ongoing, the only long term solution will be to reduce your school’s cost base.

We are conscious that Job Evaluation may have a significant financial impact on your school budget. Through the payment of the equal pay compensation element of the costs by the Authority, we hope that this impact may be lessened. Job Evaluation is part of a national agreement. Where it has already been implemented schools have been bearing the additional costs for some time. ‘ “

JE Team “ Any detail relating to back pay is included in the Collective Agreement document which was circulated to all schools recently. “

3. *Can governors receive a letter spelling out the process and requirements made upon them?*

JE Team “ As it is part of the Headteacher's role to keep governors up to date, we would ask that this line of communication is used. Headteachers are on distribution lists (as are all line managers) for updates on the JE process. Hopefully the responses raised to questions in this document will give governors key answers to their questions. “

4. *Will governors be involved in appeals?*

Ingrid Fisher “ Expectation of governors’ involvement in appeals was set out in the letter of 7 September 2006. Governors will be advised of the appeals’ process. They do not need to be involved before this. A specialist-trained JE adviser will attend all appeals to steer governors’ decisions. “

5. *Do Church schools have to do this?*

Ingrid Fisher “ Community / VC schools are part of this process because DCC is obliged to include all staff for whom it has an employer’s responsibility. Foundation and VA schools employ their own staff and are not part of the process. “

JE Team “ VA Schools and Foundation schools are free to adopt the new profiles but finances are not available for back pay and compensation. “

6. *Does the process include clerks?*

Ingrid Fisher “ Clerks employed by DCC are included but those employed by Foundation / VA schools are not. “

2. Performance Management

Governors need to ensure arrangements for headteacher Performance Management continue. Money is within the school budget for them to make and pay for the necessary arrangements. Secondary schools all have an appointed School Improvement Partner who will act as the external adviser. DfES regulations require a primary school to engage appropriate external support for the process (e.g. your primary phase adviser or a previous CEA external adviser). The choice of support lies with the governing body. It is now possible to use the person who has undertaken this role in the past at your school for a 4th year.

As a result of consultation the timetable for new Performance Management arrangements has been delayed by 12 months. This will allow for a 12 month lead in and proper training. The main changes are a link between performance review and pay at particular points on pay scales. In general the unions appear to be supportive. The deadlines for implementing the new process are now

- 31/10/07 for teacher pay performance reviews and
- 31/12/07 for headteacher pay performance reviews

Governors need to be aware of these changes and look out for further training.

Some governors felt it was not always easy to link PM and pay and that this should not necessarily happen. They looked forward to further information and training which will need to be well publicised and explore the options and the application of the information available to Governors.

1. *Will School Improvement Partners (SIPs) be in place for all primaries for next year?*

Judith Bennett (Chair, National governors’ Association) “ SIPs for primary schools will all be in place for Sept. ’08. Devon may have all in place by ’07. I don’t know how the timetable is progressing nationally. “

David Chaplin (DCC Lead Primary Adviser) “ In Primary schools, SIPs will be in place from April 2008. This places Devon in wave 4 of the national rollout. Wave 4 is the last rollout and all LAs have to be involved by then. Until then (i.e. this academic year and next) primary advisers are available to support

governors in the headteacher performance management process. Governors, if they choose, can access support from their link adviser next year as they have been doing now and so can be assured support is available to them prior to this function becoming part of the SIP role. “
Roger Fetherston (dcs Head of Service) “ Please note that there is no accreditation system for the external adviser role anymore - primary schools merely need to approach someone. The GB needs to be confident, however, that the person approached is suitable and if in doubt they can ask advice of their link adviser. I know many are doing that this year. “

2. Are the new arrangements linked to all staff?

Judith Bennett “ So far PM is only for HTs and teachers. Support staff unions don't want involvement until improved conditions of service and career structures are in place. NGA has raised many issues already with Jim Knight and the DfES, including the pay / PM issue. The Reviewer will no longer have the final say on pay; it will be GB decision. NGA is pursuing the issue of the line manager / reviewer discussing pay progression before the GB makes its decision. We can see problems and resentments and trouble brewing here. We've written to the DfES about this but had no response as yet. “

3. Healthy Eating

Schools need to have noted and acted upon the new requirements for food in schools with school lunches needing to meet the new requirements from 1 September. More guidance is available from: www.schoolfoodtrust.org.uk
This topic has been given much prominence in the media and with the Jamie Oliver follow-up TV programme. The NGA website (www.nga.org.uk) has quite a lot of information on this topic.

It provoked considerable discussion and comment

- *With the exception of one secondary school experiencing considerable weekly losses, there were a lot of positive comments about the new arrangements. A number of schools had seen an increase in uptake of school meals. Governors appeared to be giving a much more upbeat assessment of the success and viability of the new arrangements than has been heard from headteachers!*
- *The crucial role of parents in encouraging healthy eating habits at all times was emphasised - after all children only have the option of eating at school for roughly half the days in any year!*
- *The value of sharing good practice and successes was emphasised. For example, one secondary school has worked with a local shop not to sell unhealthy products to children over the lunch hour*
- *Secondary schools should in time reap the benefit of primary experience and good practice. However, it will take time for these benefits to work through and there were some concerns that secondary schools might not be able to afford the interim*
- *There were positive comments about fruit at break times for KS1 pupils and the fact that this should continue into KS2*
- *One governor felt that this is about more than just food – the process of learning to sit down to eat with others is important for many children*
- *At least one primary reported that it has got a Jamie Oliver award*
- *Concerns included worries that:*
 - *in some schools staff are not being paid for extra time working*
 - *some of the new regulations are too demanding and time-consuming*
 - *there are problems with food provided to satellite schools*
 - *some schools are struggling with the increased uptake*
 - *the responsibility for costs being devolved to schools will have serious budgetary implications*

1. What do schools do in a loss-making situation?

Judith Bennett “ We are asking questions nationally but have received no answer as yet. It may need a test case! “

Ray Beale (Business Manager, DCC Traded Services) “ The Authority will be supporting schools, whose meals are provided by DDS, to ensure the actual costs are funded by the standard fund and the additional budget provision made available by County Council Members. Self- performing schools will receive standard funds to support healthy meals. Consideration is being given to additional support for secondary schools and this is subject to ongoing discussions with Devon Association of Secondary Heads. “

John Barnard “ Currently, a school will only be in a loss-making situation if it has opted out of the central contract with DDS. The loss can be charged to the school budget share or the DfES standards fund in schools can be used, assuming the school has adopted a healthy eating policy. Ultimately, the school will want to move to a break-even position and needs to take measures for this to happen, quite possibly by enlisting client support for catering. “

2. Where will the funding come from to address issues identified by needs analysis such as staffing, training, equipment, accommodation?

Judith Bennett “ There is money nationally for the healthy eating agenda but whether this is going to be put into school budgets (or LA budgets for a county service). I have a jaundiced view – we'll be told ‘ there's provision for it in your budget ...’ “

Ray Beale + John Barnard “ Basically the same answer as 1. If a school has opted to self-perform, it will need to identify the resources from the funding held by the schools, with advice available. “

Charlie Werner (Devon Association of Primary Heads Officer) “ It is heartening to read the positive statements made by many governors. I have taken views expressed to meetings with the catering project group. I am concerned that some schools will find it hard to manage the school meals on their own but I do not see any other way for the county. Some schools will not be able to cope but may be forced to think creatively with the help of parents and the community. “

4. Federation

There have already been evening briefings for governors on Federation and also for headteachers. These have elaborated on federation, the implications for governance, the Local Authority’s response to school federation, any gains for schools working within a ‘hard’ federation and what support and advice schools can expect. The Devon Headroom Group (DAPH, DASH, SHAD and LA officers including DGS) in association with the Exeter Diocese has produced a federation toolkit for schools which is the first of its kind. Copies of this toolkit were made available at each of the sessions and can be obtained by interested schools from Sue Clarke at sue.clarke@devon.gov.uk. Devon has its first ‘ hard ‘ federation involving Blackpool + Chudleigh Knighton where there is one HT, one GB but 2 schools. There are also ‘ soft ‘ and ‘ chewy ‘ federation possibilities! Further details can be found in the DfES document at the Federations website. (www.standards.dfes.gov.uk/federations)

This is clearly a topic arousing much more interest amongst governors now than a few years ago and many governors expressed interest in finding out more. Comments made included:

- *There are various reasons why a school / schools may wish to investigate federating with another school or schools – HT recruitment issues, falling rolls, economics, sharing resources, better ways of working. Some felt federation might help small schools struggling to recruit a new head. Others stressed that federation should not be seen as a panacea for falling roles.*
- *There are various ways to federate. Federation can involve up to 5 schools and occur across phase.*
- *It is important to read through all the documents, be fully informed and for the whole GB and the rest of the school community of both / all schools to be on board. Federation was seen by some as a ‘ creative way forward ‘ and certainly features on governors’ agenda now in a much more positive way. It opens up more opportunities and provides a good way of pooling resources. However, schools need to find their own solutions as each case is different.*
- *Regardless of federation the immense value of cross-phase collaboration and collaborative work across Years 6 + 7 was emphasised.*
- *One school queried the LA’s professed desire to support federation feeling that their school had had ‘ nothing but brick walls put up by the LA in our pursuit to try and secure a head teacher for the route of Federation / Collaboration. ‘ It was felt that schools need to trust the LA but state clearly what they want.*

1. Is it difficult for church and non-church schools to federate?

Deborah Magill (DCC Deputy Director for Children & Young People’s Services) “ There would be issues to address but I don’t think these would be insurmountable. As it hasn’t been tested we don’t know although the Dioceses are fully engaged. “

Judith Bennett “ I think the GB issue may be a difficulty here: how do you deal with foundation governors and the community school model? “

Sue Clarke (DCC Strategic Lead for Achievement through Collaboration) “ Church schools can work within federations but there will be particular issues for VA schools. The federation toolkit provides advice on this issue and the Diocese is very supportive of church schools being involved in such partnerships. Church schools considering federation should involve the Diocese early on in the process “

2. Does federation work best if schools are of equal size?

Judith Bennett “ Not necessarily though psychologically there may be an issue of a smaller school feeling it has been ‘ taken over ‘.

Sue Clarke “ The question of size is a tricky one. The answer is both yes and no really! Certainly schools can be too small to federate (as you say not a panacea for falling rolls) but there are some good examples of schools of different sizes and types federating when they share a campus. “

3. Will Blackpool + Chudleigh Knighton please pass on feedback to others?

Sue Clarke “ Blackpool and Chudleigh Knighton governors did speak at the governor sessions – look out for any future meetings!! We will be drawing upon their experience to share and inform future practice. I would add that I am very pleased to see the level of openness and forward thinking by governors. This whole agenda is really about future planning as developing new models of leadership and federation are fast becoming a national priority. Devon is part of national pilot looking at succession planning to see how we can plan to address forecasted difficulties in headteacher recruitment due to the demographics of the teaching profession and an ever increasing range of new career opportunities. The toolkit should provide a comprehensive starter kit for governors but the detail and purpose of each federation will be unique. Other issues to consider might be

- potential for a perceived loss of governance for an individual school working within a federation

- the issue of local decision making which is a double edged sword for those actually doing it!
- the opportunities to maximise resources and recruitment opportunities through working as a collective of schools.

I am really keen to keep the federation conversation going so that there are good levels of awareness across the educational community. “

Debbie Clapshaw (DGS) adds: “ When schools of different categories , eg VC or VA, come together to federate it does mean that the federated governing body has to incorporate a wider range of governors. So for example if a church school and a community school governing body wish to federate, the federated GB would need to include foundation governors. This does not make things any more difficult necessarily, but it does mean that governors have to be aware of the implications. We are currently working towards a federation where we have one VA, one VC and one community school coming together. I will also be asking the Chairs of Governors from Blackpool and Chudleigh Knighton to contribute an article to the next Devon Governor on the journey to federation. “

5. FMSiS - Financial Management Standard in Schools

This should be in place for secondary schools by the end of March 2007. Devon Finance Services, Devon Audit Services and Devon Governor Services are working together to ensure all governing bodies receive timely and appropriate advice and information. Consultation on extending the Standard to all primary and special schools has been taking place. The process is likely to be extended to primary schools in the future.

DGS' training focus has been for secondary governors initially. The forms appear daunting and intimidating at first sight because of technical language but are less threatening in reality. In many ways they offer another self-evaluation tool, reinforcing good practice and allowing schools to ‘tweak and sharpen up’ procedures. DGS has worked closely with Finance and Audit departments to ensure quality and relevance in briefing sessions. Assuming the process is taken forward it will be very important for primary governors to attend next year. There is an article in this term's Devon Governor.

Several secondary governors had attended training and gave mixed feedback.

- *One governor saw it as a further self-evaluation tool with challenging questions but was reassured that the process would help the audit. They also felt that if a school did not reach the required standard immediately it would be allowed the opportunity to improve.*
- *Another found the training very technical. It appeared to emphasise the role of the CoG and suggested that negligence on the GB's side could have very serious consequences*
- *A primary governor commented that many governors feel very ignorant of the issues involved and until familiar they will offer little opinion.*
- *There was real anger expressed at the apparent complexity of the new requirements for lay people*
 - 1. Why was the document not in plain English in the first place and why did no-one consult representative Governors before publishing the document?**

Judith Bennett “ This really hasn't been thought through properly – I couldn't agree more! “

Caroline Armstrong (DCC Head of School Funding and Support Team): “ These are good questions that may be better answered by those in DfES who commissioned the work. “

- 2. Are potential sanctions for schools and/or governors involved? If there are sanctions what are they and what would be the implications for Trust Schools?**

Judith Bennett “ I don't think so. I doubt they'll even be able to keep track of who is doing / has done what. With regard to Trust Schools this is unknown as yet. “

Caroline Armstrong “ No sanctions have been identified, not least because it is assumed that all schools will seek to achieve sound financial management. To achieve the highest levels of OFSTED assessment of leadership and management schools will have to meet the Financial Management Standard. “

- 3. Is it likely that the requirement for primaries will be delayed until 2008?**

Judith Bennett “ No mention as yet, but as DfES has delayed things recently when moaned at, there may be a chance! “

Caroline Armstrong “ The earliest that the standard will be expected to apply to primaries is 31 March 2008. However the results of the consultation (that ended 2 October) over the phasing of primaries and special schools are not yet known. “

6. New school data package RAISEonline.

This is a new web-based system to disseminate school performance data and will replace the PANDA and the DfES PAT (pupil achievement tracker) – the acronym stands for Reporting and Analysis for Improvement thru' school Self-Evaluation! Heads have had an opportunity to access a trial version. There have been initial teething problems but more information will follow and dcs will also keep schools updated. The website address is www.raiseonline.org (**correction from Checklist**)

This topic provoked considerable discussion amongst governors about their role in this area and their ability, as lay people, to monitor progress of pupil performance. Points made included:

- *The handling of performance data is a major training issue for Governors and Senior Staff. Governors need to have a level of understanding as part of their duty to monitor data. They need to know what questions to ask and also be able to understand the answers*
- *There is a wealth of information available including that provided by the LA from Fisher Family Trust by means of the 'Smiley Disk'. It is important that governors become involved in this process and find a way of giving an input and demonstrating understanding*
- *Governors should also be aware of the opportunities for benchmarking and have access to such information*
- *This work feeds in to the Annual Review Visit, the School Improvement Plan and the School Self-Evaluation – all central to OFSTED*
- *Access to much of this information is difficult for governors as it appears to rely on the use of passwords and accessibility to school equipment*
- *A strong request emerged for more training for governors in handling performance data*
 1. ***To what extent should governors rely on 'filtered' professional feedback?***
 2. ***What questions do governors need to ask?***
 3. ***Are there problems of confidentiality that arise, particularly in small schools, where individual staff weaknesses can be identified ... should this lead to limited access to information (i.e. only certain governors accessing it)?***
 4. ***How easy should it be for governors to be able to access performance information?***
 5. ***How different is RAISEonline from the old system ... and why the constant changes?***
 6. ***Will small schools feature in the new RAISEonline data if the cohort is small?***

Roger Fetherston: " This new system is not yet available and the timelines for it have already slipped. It has been designed in order to allow schools to look more closely at groups of pupils rather than simply whole school performance and it has features in it that will allow schools to define sub groups of pupils and look at their performance. It will retain the features of the current (and, in my view, very useful) PANDA, but it is more complex to use. The system will be used in all sizes of schools because it now will be able to operate at individual pupil level.

The question of the degree to which governors have to be involved in the performance data is a difficult one. It is clearly their role to hold the school to account for its performance. The following 5 questions are central to that conversation,

How is our school currently performing?

Are there some parts of the school more effective than others and why?

Are there some groups of pupils doing better than others and why?

How does the school achieve now compared with its previous achievement?

How does the school's performance compare with that of other schools?

The LA data does give Heads a wealth of information and it is for them or their delegated person to provide the GB with data that enable the above questions to be answered. I don't believe that it is the role of governors to interrogate the data themselves. That is the role of the school and then to present the analysis in an understandable form that will include key graphs, tables, with commentary.

The school's evaluation of its performance should be clearly set out in the self evaluation document. It is that key document that the GB should be using as a reference point for answering the questions set above. Still though, we see SEFs that are descriptive and do not address the headings set out at the beginning of each section. "

General comment from Judith Bennett " We are planning to raise some of these issues with Jim Knight when we meet him later this month. I'll pass on anything gleaned on that occasion! "

7. Updating the SEF

After the emphasis placed on producing this document last year there may be a danger that governors fail to give this adequate emphasis this year.

At one meeting the question was raised as to how many governors and/or GBs are getting full access to their SEF. In one school only a select few governors had full access to the document because it was possible to identify an individual member of staff's weakness from this and there was reluctance to make this information too widely available. There was a consensus amongst others present that all governors should have access to the whole document. It was further felt that, if there are confidentiality and trust issues between staff and the GB, this should be addressed by the CoG as this has implication on other areas of business.

1. ***Are there problems of confidentiality that arise, particularly in small schools, where individual staff weaknesses can be identified ... should this lead to limited access to information (i.e. only certain governors accessing it)?***

Judith Bennett " An interesting point. If access was restricted to the Chair, and other governors were to see print offs, this would mean that there would be provision for other governors to be 'untainted' and so able to act on an appeals' committee if there were competency procedures at some point. "

Roger Fetherston " The SEF should be seen by all governors. Without mentioning individual teacher's names this will mean that, in small schools, there will be links directly to teachers - but this does not mean that they should be ignored. It calls for sensitive writing that will not prejudice any actions being taken. It

is essential that there is clear evidence in the SEF to support evaluative judgements especially where there is the likelihood of links to a member of staff. Linked to 9 below I think it is a good idea for groups of governors through committees to have the SEF as a regular document to review. As it contains priorities for development it does allow governors to keep up to date on progress towards priorities and the impact being made. “

2. Should governors be able to access SEF information on their home computers?

Judith Bennett “ My feeling is that the Chair could access from home. My HT gave me the codes to do this. I don't think it should be a general access for the reasons I give above. “

8. School Profile

Most of the schools present had completed their profiles online although, nationally, only 9,200 out of 24,000 schools had done so by the deadline. Major changes are likely.

Governors expressed

- considerable anger and confusion about access to the site and difficulties in completing the form
- real irritation that the information requested was for 2004/05
- surprise at one school's horror story where the DfES had input material about the most recent OFSTED that was completely erroneous and potentially very damaging.

1. **Will governors be able to access this site so that the School Profile can be completed and available in the autumn term so that it has relevance to parents?**
2. **What changes are proposed?**
3. **How many parents have actually looked at it?**

Judith Bennett “NGA (and others) criticised the SP at length and changes are afoot. Letters of apology have gone to HTs. They should be on their way to GBs soon.

Ivan Godfrey (DAG): “ It is important that schools check the DfES details particularly the OFSTED summary to ensure they are accurate. There has been a letter from Schools' Minister Jim Knight with an apology for the difficulties, together with the announcement of a temporary closing of the School Profile website from October 9th so that improvements can be made to the procedures – for details see <http://www.teachernet.gov.uk/management/newrelationship/schoolprofile/> “

9. New Ofsted Framework - One Year On

Governors present who had ' gone through ' the new OFSTED described a variety of experiences

- Several commented on their disappointment that verbal feedback given was more positive than eventual written feedback.
 - It was felt important for governors to check the process of inspection and to know their / the school's rights.
 - One GB based all governor visits around the SEF and tried to ensure the SEF was referred to in all sets of minutes so as to give focus to any future OFSTED.
 - Another dedicated the second meeting of the summer term to the SEF
1. **How can concerns be raised?**

Judith Bennett “ We are planning to meet with Christine Gilbert, the new HMCI, as soon as possible to raise concerns. The GB should write to Ofsted and raise concerns and they should complain if they are dissatisfied with processes. Mick Brookes, NAHT, has asked NGA to encourage governors to complain as HTs felt that complaints from them were not heeded. “

2. There is an appeals process but is it worth it?

Roger Fetherston “The complaints procedure is set out in the inspection guidance from Ofsted. It is worth registering complaints / comments about the process, otherwise Ofsted and Tribal (the regional providers of the inspection service in the South West) think all is fine. “

10. Trust Schools

Following the passage of the most recent Education Bill the DfES announced during the summer details regarding the first pathfinder Trust Schools - see http://www.dfes.gov.uk/pns/DisplayPN.cgi?pn_id=2006_0122 and http://findoutmore.dfes.gov.uk/2006/09/trust_schools.html

In Devon Tavistock, Ivybridge, Kingsbridge, South Dartmoor, Knowles Hill and Coombeshead secondary schools are members of the South Devon consortium selected by the DfES as one of the 50 Pathfinders.

A number of these schools were represented at the meetings and put forward a variety of views on the process:

- The 6 secondary schools are working together as a Pathfinder but there is the potential outcome that they would each, separately, form a Trust. Until the detailed Regulations are published later this year, schools will not know of any central funding / support. One stand-alone primary school in Plymouth [Widewell] has also become a Pathfinder. Trust status could also take in a local federation of secondary / primaries.
- This process is in the very early stages but several schools would rather make a pro-active response to the new educational environment and be in at the formation of ideas / structures than find themselves at a later stage with something imposed from afar. It is always easier to opt out at any point than opt in later.

- Schools suspect the DfES does not know how this process will work in a dispersed rural setting in a low-pay economy. It might give schools an opportunity to tap into resources and expertise outside the local small-company, small-voluntary-group, relatively small-scale economy.
- This move appears to have been supported by the LA with agreed shared principles between schools.
- One school expressed healthy scepticism and said they would 'only make final leap with everyone on board 12 months down the line'
- Another school saw it as an 'exciting possibility' which would cut down on central bureaucracy. It also saw an advantage of early involvement given the limited number of potential business partners within the rural environment.
- Assurances were given that there would be a long and full consultation process with parents and the local community and that any change would not affect admissions policy.
- Primary schools were advised to talk to their secondary school partners about this.
- For everyone there were a number of concerns and fears. **Watch this space!!**

Deborah Magill " These points are noted with interest. The LA wants to be a partner to support schools as it tools up to be a strategic, commissioning body, moving away from the traditional role of providing services including services to schools. "

Judith Bennett " I could write a book about my concerns. There are no particular inducements – no extra funding, as was the case with GM schools. The new Admissions Code of Practice is much tougher than its predecessor so schools will have less opportunity to manipulate their intake. The third model (foundation school with a trust, where the Trust appoints majority of governors, and only one parent governor is elected), is a move away from the stakeholder model, can lose the local accountability and local representation and disenfranchises parents. That other PGs are appointed by the Trust fills me with no confidence and the establishing of a parent council (a must if this model is chosen) is an acknowledgement, to my mind, of this move away from parents having a democratic path to the GB. And the parent council has to be listened to, but can be ignored. It has no vote. John Adams (NGA Vice-Chair) query, ' What is the question to which trust schools are the answer? ' is one I totally endorse. I could go on, but I won't!! "

11. Changes to Devon Children and Young People's Services Directorate (CYPS) arrangements

As part of these changes DGS has moved its office to Great Moor House on the Sowton industrial estate. The wholesale changes are the result of the need to create coherence for a single service within the Every Child Matters (ECM) agenda.

Governors understood that there were major changes taking place but commented on:

- their frustration that a sequence of letters to a particular department resulted in responses from a number of different individuals
- their fears that, though important, the ECM agenda might be given undue emphasis at the expense of the majority of pupils within the school system
- their concerns that the symbolism of the move of DGS out of County Hall might indicate that the LA would be giving less consideration to governance within Devon in the future

1. What assurances can the LA give in response to the issues raised above?

Ingrid Fisher " I would make the following observations

- all organisations have to reorganise as circumstances change
- the ECM agenda is central to all our activities – schools as well as local authorities. ECM does mean that Every Child Matters. Is there anyone that does not think that some need additional support? The responsibility for ongoing educational achievement of all children has been delegated to governors since 1988. CYPS' value-added needs to align with this and the Children's and Young People's Plan is the mechanism for getting this balance right. Because it is a new experience for educationalists to sit alongside children's social care in the same Directorate it is easy to feel that there is imbalance because we are relating to a range of issues that previously happened ' somewhere else '. However, ' Enjoy and Achieve ' is the driving force – the other outcomes wrap around and support it. The Director is deeply committed to holding faith with Devon's Vision for Learning.
- there is no symbolism associated with where services are based. Because of logistic crossovers with other DCC sections (e.g. Finance, legal, ICT) it is increasingly the case that posts in County Hall are strategic and commissioning. Provider and trading services have been gradually moving out as part of the Accommodation Strategy. Early Years and Childcare, one of the biggest services, moved out some years ago. There has been a steady movement of co-location of school improvement / enrichment activities in Great Moor House since it opened, and it was agreed two years ago that DGS needed to work more closely with dcs. The strategic lead for DGS has retained a desk at County Hall. There has been no reduction to the core (traded) service to Governors and a great deal of activity to support Governors in addressing the new world of possible federations and trust schools.

Any specific concerns about services (for example, in management of correspondence) can be taken through the Complaints procedure. "

12. Changes to DAG arrangements

DAG is currently looking for an Executive Officer to co-ordinate DAG activities. Information about this has been circulated to all schools.

Leon Winston (Chair of DAG) “The DAG Executive is seeking to spread its delivery of services across a number of volunteer members but this means that, at the moment, not all roles are filled. In particular DAG has been unable to continue to produce the "DAG Monthly Update" for Governors. Instead all update information is being put on our website. It is hoped that in the next few months a more up to date web interface will be developed. Surveys and consultations from Devon County Council, the National Governors Association, DfES and others will all be notified on the website as will other documents produced for governors (see <http://www.devon.gov.uk/index/learning/schools/governors/dag.htm>) DAG will only contact you through email if it is something really urgent. All of this means that GBs will have to take on more responsibility for finding out information from the number of sources both national and local that provide governors with the latest news. In addition to the Gold Sheet sent to the clerk these include

- <http://www.governornet.co.uk> (DfES)
- <http://www.nga.org.uk> (National Governors Association)
- <http://www.devon.gov.uk/governors> (Devon Governor Services) and
- <http://www4.devon.gov.uk/eal/distribution/index.html> for a list of all the documents sent in to schools from the LA. This identifies items that are of relevance to governors and gives access to the full documents. It would be a good idea for each GB to identify a governor member who checked this list on a weekly basis. “

13. Effective Governing Body folder

Many governors said how much they valued these documents. They offered helpful ways of establishing good practice on matters such as a code of conduct for all governors and ways of reviewing policies. Several questions emerged from these discussions.

Jane Lucas (DGS) “ I am very glad that the Effective GB file is being used. We still have a few copies from the original print run which we are happy to sell at £17.50 if any GB wishes to purchase a second copy (one per school). “

1. *What can the GB do if an individual governor breaks the agreed code of conduct or is not prepared to accept a collective protocol?*

Jane Lucas “The Code of Conduct is not a legal contract, but a statement of good practice designed to help governors understand their role and how to carry it out. Having one in place is worthwhile on the basis that prevention is better than cure and it is helpful to give to new governors. Governors must abide by majority decisions and a governor who cannot work with this principle is likely to find him/herself at odds with the team. There are protocols within the law for suspension but this should be a last resort. A clear lead from the chair of governors will help and there may be a role for the chair to mediate with an individual governor, but there are no easy answers! “

2. *Can parent governors use the defence that they represent all parents and therefore have a duty, at times, to override the principle of collective responsibility?*

Jane Lucas “No! Parent governors are representative parents not parent representatives. They do not bring a single agenda nor do they carry instructions on how to vote by their electorate. They will, of course, reflect the views of the parent body within debate and discussion and will decide on the basis of the arguments put how to vote on a particular matter. “

3. *When and how often should GBs undertake a thorough review of all policies?*

Jane Lucas “Our recommended frequency of review for policies is contained in our document ' Paperwork and Policies - What Should We Have? ' in the Effective GB file and on our website. We do not feel it is necessary or realistic to review all policies every year. Having them on some sort of cycle which feeds into the work of the full GB and its committees will ensure that none get missed. “

14. Governor Training

Governors were reminded that the full list of courses for governors is to be found in the Devon Governor.

Several requests / comments on training were made

- *Whilst understanding the difficulties for trainers a strong plea for evening courses for working governors was made*
- *Annoyance was expressed that some courses have had their date / time changed at short notice*
- *There were requests for more training for handling performance data and for finance matters*

Debbie Clapshaw (DGS) “ I would hope that governors recognise that most of our ' specialist ' courses do already take place in the evening. We tend to offer a wider choice of evening courses during the summer term as we have recognised that there are many governors who do not relish attending evening courses during the winter - when it is dark and there is often bad weather.

Sometimes changing a course date and time is unavoidable. For example the recent FMSiS course scheduled for Tavistock had to be changed because we were informed very late in the day that it clashed with Tavistock's Goosey fair and access to Tavistock would be very difficult - we re-scheduled asap. Sometimes we are requested to make a change where a trainer realises a clash of events has occurred. We never do this lightly. Believe me it causes us an awful lot of hassle to have to do this! We are encouraging governors to come together in their local learning communities where we will help to facilitate training on issues such as finance and understanding data. Contact us if your LLC would be interested. "

15. Safeguarding Children

There was considerable discussion about the online training that has only been made available to one governor per GB. Apart from the difficulties involved for some governors in accessing this there were concerns that there would be an expectation that an SR trained person would have to sit on every interview panel, which is not feasible in many schools, particularly larger ones. It was suggested by others present that trained governors should cascade elements of their training to other governors on their GB. In addition they should use their training to inform policies and procedures within their school. At the end of the day, regardless of SR training, schools need to adopt common sense procedures and ensure a thorough and robust system.

1. Any comments on the above observations?

Chris Dimmelow (DCC Children's Safeguarding Manager) " The issues raised are difficult. The DfES are laying down the requirement in relation to an appropriately trained person to attend all staff interviews and this is also creating difficulties for the LA centrally in terms of covering all interviews while we are still training staff. Until more staff have received this training I think governors can only adopt a common sense approach and concentrate on those appointments that have the greatest safeguarding requirements, i.e. those staff that have significant unsupervised contact with children.

I would hope that the on-line training package could be made available to more than one governor as this would help in this respect. I confess to being uncertain of the practical problems in achieving this if more than one Governor wants to do it. "

16. Schools' Forum - item for Action by all GBs

A letter has been sent to all schools seeking nomination for governor membership of the Schools' Forum. Governor representation consists of 1 special, 5 secondary and 7 primary governors. As agreed this year by the Annual Assembly of the Devon Association of Governors, representatives will be selected by a subgroup of the DAG Executive. They will select representatives so as to provide a range of experience and the broadest spread of schools possible according to location, size and type of school / governor. There will also be a first substitute governor representative for each of the primary and secondary sectors. **The deadline to receive nominations is November 20th.**

17. New 'SEN framework'

This should be a useful tool for governors and aims to support schools in planning, organising and evaluating provision for children with SEN.

1. Are More Able Pupils still included in the SEN framework or does the new term exclude them?

Anne Porter (DCC Senior Monitoring Officer) " The SEN Framework is intended to be used in support of special educational needs practice and its presentation relates specifically to this area of work in schools. It would be difficult to include more able pupils under the current headings as they are SEN specific in terms of category of need and the School Action / Action + / Statement headings. There is however, nothing to stop a school from amending paperwork to suit their own working practice, maybe replicating the Framework for the more able and replacing the SEN specific headers with more relevant ones. The format should still work in terms of identification, provision, resources, outcomes, training and action planning and might be condensed into a much smaller document depending on numbers. "

Phil Creek (dcs Adviser for Gifted & Talented) "As regards Gifted and Talented (G&T) pupils and students - all schools should have a separate form of registering these high level abilities. They would not be on the school register for SEN unless they have special needs as well as high aptitude or ability (dual exceptionality). This would mean that, in the main, the SEN Framework would not apply to them. The Institution Quality Standards (IQS) have recently produced a specific School Evaluation Form for the DfES which is available from the dcs website at <http://www.devon.gov.uk/dcs> . This is the equivalent of the SEN Framework but for Gifted and Talented. All schools are recommended to use it to evaluate current practice. From January all schools will be required to include those pupils who are on the school G&T register in the School Census (previously PLASC).

Some schools use an alternative called the "Challenge Award" which was produced by an organisation called NACE but the Devon recommendation is to use the IQS which replaces the previous Devon model. It is planned for a classroom version to be finalised soon (the CQS) as it is out to trial at the moment.

For those wanting further information there is a dcs Fact-sheet on More Able or Able and Talented Pupils / Gifted and Talented Education available from me at phil.creek@devon.gov.uk

18. Amendments to the 2006 Guide to the Law

There was some annoyance expressed at the imposition of online receipt of this. One governor advised not to print out and circulate amendments (which are usually quite minor) but to give the website address to the clerk and ask them to keep a single print out of the updated version

1. How can this be managed sensibly within schools?

Jane Lucas (DGS) “It is impractical for all governors to try to keep an updated copy of the Guide to the Law. We recommend that one updated hard copy is kept in school for reference. The Guide to the Law will still provide governors with useful information about their role and their responsibilities, but if they are going to make a specific decision on it, it would be important to check that the information is up to date. It is likely that the DfES will move to CD only versions of the Guide to the Law at some point. There are enormous potential savings for them and they would be able to supply an up to date copy twice a year. Not on the cards yet, though! “

19. Additional Questions

1. Schools have been sent an email inviting individual or school membership to NGA. Is membership of NGA separate to that of DGS/DAG and will schools opt for one or the other, instead of both?

Judith Bennett “ GB subscription to NGA Governors’ News is beneficial in that this 5 times a year magazine is a good deal. Local associations are important in their own right, giving governors a voice locally (DAG is a great example of this). If half the GBs in an association area subscribe to GN, the association will have its NGA membership fees waived or refunded if paid. “

Ivan Godfrey “ All schools that buy into DGS buy into DAG, and are therefore members of NGA through their association with DAG (DAG already buys into NGA). Schools or individuals can still become members in their own right if they wish to receive all the NGA literature. Devon governors can sign up to the NGA website and get ‘ members’ access ’ because of their membership of DAG.

2. One school had been told its Net capacity numbers would have to change – can the LA insist on this?

Keith Lewis (DCC School Organisation Manager) “ Firstly, the LA has a strategic responsibility to plan places and to set all schools net capacity- even foundation schools. Since introduction of net capacity forms (after MOE capacity forms) we have used actual PANs on the forms. This creates two problems, PANs can change each year depending upon local demand and this in turn can affect a schools net capacity (part of the capacity calculation includes the sum of 7[primary year groups] x the PAN, i.e. 7x30+210 places). So a school’s net capacity can change even though its accommodation has not changed. Secondly, when the admissions team are consulting on admission level for future years (spring term each year for Autumn of the following year), and there is a desire to reduce the PAN (largely as a result of falling rolls) we are often stuck with a high net capacity figure. This has resulted in need for the LA to publish notices to justify why PAN is set below the net capacity level or Indicated Admission Level (IAN)- this is expensive.

In reviewing net capacities I have tended to set them at the mid or lower end of a schools net capacity range. This gives the admissions team (and governors of foundation schools) the ability to vary PANs to reflect demand. It ensures a stable net capacity figure, and will allow the admissions team to sometimes vary an admission level to cope with bulge years without affecting the net capacity.

I do accept that having an admissions' PAN (consulted on annually) and a different PAN (I am calling it the preferred PAN) on the net capacity form is confusing to those not dealing with these matters regularly. I am minded to help schools maintain their financial viability, but that does sometimes mean restricting out of area admissions at some schools to protect neighbouring schools. This is very difficult for 'popular' schools, and I can see that in future we may need to challenge some 'popular' schools to formally consult about their size. Where they do propose to maintain a level of places above local need, and this has a negative impact upon neighbouring schools, we will need to deal with the consequences of that. We do continue to aspire to 'local schools for local pupils', but where schools are deemed not to be good schools and parental preference is a strong influence we may need to concede on school size and admissions. This exercise has renewed the question over funding for 3 class schools and an appropriate admission level for them. At KS1, admissions of 10 work well, but this will not sustain KS2 (2 groups of 20). Schools aspire to admit 12 a year in an endeavour to have 36 in KS1 and receive ghost funding for an additional teacher- many rely on this to maintain financial viability. I have discussed with finance alternative ways of providing financial support for these schools, and accept that a PAN of 12 for these schools may be appropriate once officers have considered the implications.

If you want further clarification on any point please contact me at keith.lewis@devon.gov.uk “

20. Other Items

- **New duties under the Disability Discrimination Act (DDA)** - look out for an article in the next Devon Governor. The LA is reviewing its current model policies in the light of the new legislation. Schools will be informed of developments. Any queries get in touch with DGS.

- **Contacting County Hall** - to contact anyone at County Hall by e-mail just give the name followed by @devon.gov.uk. For example to contact Debbie Clapshaw use debbie.clapshaw@devon.gov.uk
- **Clerks training** - *some clerks are still waiting for the promised password to access online information*
- **NGA Clerks Award scheme** - GBs might wish to nominate their clerk for this - see Devon Governor or <http://www.nga.org.uk> for details. Deadline for nominations is December 8th.
- **Parents Organisation** - *there was concern at the current lack of a parents' organisation in Devon*
- **Long-serving governors** - DGS want to know the length of term of unbroken office for any governors with more than 10 years in office in preparation for a planned celebratory event on March 17th.
- **Recruitment of Governors to the Devon School Appeals Panel** - a governor member of the panel made an appeal for interested governors to come forward. If you are interested in becoming involved please contact Angela Cook on 01392-382486 or at schoolappeals@devon.gov.uk Expenses can be claimed.
- **Consultations** - details are available on DfES and NGA websites. Governor views are currently being sought for an Education and Skills Select Committee inquiry into bullying in schools and the DfES consultation on its revised Admissions Code of Practice.
- **Teachers' TV** - there is a lot of material for Governors on Teachers' TV including some programmes involving Devon schools.
- **Car Seats** - governors need to be aware of the new legislation requiring booster seats for children in cars. It might cause a problem when parents volunteer to take children to sporting events. They risk a fine if they do not comply with the law. An e-mail with advice from Health and Safety has been sent to schools

Charlie Werner "I highlighted the booster seat issue in my first DAPH Update this term as some Heads were concerned by the new legislation. One Head rang the DfES whose advice was to pick the large children for school teams so they wouldn't need a booster seat!!!! There are 2 answers here. Either a school buys a set of booster seats or children bring their own into school. People will moan about space and storage but these can be overcome."

- **Devon Property** - the LA is in negotiation with Norfolk Property Services with a view to outsourcing DP from April 2007. Implications for schools are uncertain but the LA believe this will lead to improvement
- **Retirement** - a number of senior officers at County Hall including Vicky Rollason and David Sullivan have left the LA
- **Premises Board** - volunteer governor members are being sought for this group. Details have been circulated to schools.
- **Improving School Performance** - I have produced a Word Doc. version of this small booklet from the Audit Office which might be a useful tool for governors reviewing their working procedures. Please contact me at sueivan@godfreyi.freemove.co.uk if you want a copy.
- **Documents** – the following () at least!) should have arrived in your school this term as hard copies
 - ❖ **Looking after Your Head (HT Worklife Balance)**
 - ❖ **Developing the Whole Child**
 - ❖ **Governors Termly Newsletter from DfES**
 - ❖ **Teachers' Pay & Conditions document**
 - ❖ **Planning for a Human Influenza Pandemic**
 - ❖ **Monthly DfES Spectrum magazine**
 - ❖ **DAISI magazine**

... and finally

One of the senior officers at County Hall has expressed a view that schools may at last be in for ' a period of consolidation ' and that there does not appear to be a lot of new legislation coming forward. What may be the last major Education Bill for a while, the Education and Inspections Act 2006 received Royal Assent on 8th November (details <http://www.dfes.gov.uk/publications/educationandinspectionsact/>).

Whether this is the case or not, DAG will continue to hold these area meetings and publish this summary of views and feedback. Any comments on the way this is presented would be welcomed. 2 governors who attended one of this term's meetings wrote to thank the organiser and all the participants ' for such an informative and enjoyable meeting ' adding that they ' came away far better informed than they could have imagined '.

Next term's meetings will be held in late January / early February and involve all those LLCs who did not have a meeting this term (i.e. East Devon, Exeter, Mid Devon and North Devon). Preliminary details will be circulated to affected schools in December – though governors from any part of the county are welcome to attend if they wish. The next set of meetings for the LLCs who attended the discussions described above will be held in the Spring Term of the 2007/08 academic year.