

Devon Association of Governors

Issues raised at Area Meetings Spring 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 and many schools from the identified areas were represented. 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, the sections in italics comments made by governors at meetings and the sections in bold questions and responses (where received) from LA officers, NGA and others to the points raised. Please share this report with your Governing Body. Please note that an asterisk indicates that papers were circulated at the meeting and are available from me.

In responding to questions raised a number of Local Authority Officers commented on the high quality of the discussions and questions by and from governors contained within this feedback.

1. The **DAG Survey** prompted nearly 150 replies in a short time span over the Christmas period and indicated considerable appreciation of the work undertaken by DAG. The replies have guided the DAG Executive in drawing up proposals for its future. These are identified in a further letter sent to schools and a paper in the DAG Executive Minutes section of the DAG website (www.devon.gov.uk/dag)
2. **Staff Structure Review** *Despite some initial confusion over implementation and the very tight time schedule, schools indicated that this had been completed. There was, however, considerable annoyance at the timing and what was felt to be the unacceptably short time allowed to complete the task. Many governors felt that the process would have been done far more thoroughly and successfully with more time. They paid tribute, in particular, to headteachers' commitment in delivering this demand and drew attention to the ironic juxtaposition of this initiative and the request to governors to pay attention to headteacher work-life balance. One Governor asked if any primary schools had any contact from any Trade Unions regarding their staff review and wondered why he had had so little interest from the Unions about the changes his own and other schools had been forced to make. The response was that many secondary schools had been contacted by the NUT, although the NUT had stood back from the process. One secondary school had experienced major involvement with the Unions and found that they had made very useful suggestions. In other schools the NUT and other unions had joined together to represent staff.*
Philippa Court (The Devon Remodelling Team) comments: " I agree the timescale, particularly combined with SEF introduction, put real pressure on schools. "
Julie Bannon (Employee Relations – Operations Manager) comments: " The perception from the Teachers' Consultative Committee is that Schools have not notified or involved unions and therefore are unhappy with what has or has not happened. It has been raised formally at TCC. "
3. **School Profile*** A copy of a DfES 4-sided document sent to all schools giving details about the profile was circulated together with a draft example of a profile. The profile replaces the Governor's Annual Report to Parents – though governors can still produce such a report if they wish and also hold an Annual Parents' Meeting. One school had held their meeting for parents at 3:30pm, whilst providing tea for the children. This resulted in a 90% turn-out of parents.
Roger Fetherston (DCS) has contacted the person at the DfES with overall responsibility for School Profiles who said that school profiles were online but that lots of schools had had trouble accessing them and needed to go to school.profile@dfes.gsi.gov.uk for details about how to access their own School Profile. DGS report that many Devon schools are now working on their Profiles. Responses to questions below are from Roger Fetherston.

It is suggested that the Profile should be available for parents by the beginning of the summer term. School profiles will be available to view at: www.parentscentre.gov.uk . The following observations / questions were made:

- *It will be important to check that the pre-populated data and OFSTED summary provided by the DfES is correct. One Governor asked if schools could enter their own interpretation of the OFSTED report, but it was pointed out that this would not be possible as it would be a closed field. They were advised to contact DfES directly to argue their case if they disagreed with entered information.*

➤ **If a school disputes this information, how can the school challenge it?**

" Write directly to the DfES address above and, if this brings no response, phone them!!! "

- *Some saw the new profile as just change for change's sake : others that it marked a step back from the former system which allowed schools to stamp their own individual imprint on the Annual Report*

- Some saw the single, brief sheet as providing welcome clarity and ease with which to compare schools. Others saw this as producing conformity and superficial statistic-driven comparisons. They saw it as fulfilling statutory responsibilities but not necessarily communicating well to parents
- A number of governors felt that the draft profile would not be very clear and user-friendly for some parents to read and understand. They were particularly critical of the bar charts and diagrams
- A lot of space is given over to charts and statistics compared to opportunities to emphasise the cultural and broader dimension elements of a school
- There is limited scope for reference to SEN
- It was understood that the headteacher would have the main responsibility for completing the Profile. It was suggested that the governors' Curriculum Committee would be best placed to maintain an overview of the School Profile.
- The majority of parents will not be able to access the online profiles and will need to be offered paper copies. One school was considering inviting parents into school to use the computers to view the document.

➤ **If parents request copies of a School Profile that includes hyperlinks would the latter have to be printed out as well?**

“ Not as a matter of course. Schools and parents need to take a sensible and reasonable approach to this. If parents do make a request for such additional information it is the school's final decision. “

- A number of governors had not seen the DfES advice sheet and there was general lack of awareness about the details of the School Profile

➤ **Will Ofsted 'inspect' School Profiles?**

“ Not in the sense of grading them. However, the School Profile will be a source of potential evidence and should be aligned with the Self-Evaluation Form in terms of school priorities for improvement. “

➤ **Statistical comparisons are made with 'neighbouring schools'. What, PRECISELY, is a neighbouring school in this context?**

“ Neighbouring does not mean nearby but similar in nature (e.g. size, intake) to other schools both nationally and within the authority. “

➤ **Are hyperlinks to a school website intended to be an integral part of the Profile? If so, who will be responsible for setting up such links, particularly in smaller primary schools where they may not have the technical support to act on their own behalf?**

“ Again it is sensible for schools to take a reasonable approach and to do only limited appropriate links initially according to the school's capabilities. These will develop gradually over the years. Keep it simple at first and be prepared to learn from each other. “

➤ **Value added: is this an opportunity for the local authority to add its own input?**

“ The Local Authority cannot add its own input. The only value added information on the Profile will be what is currently in the public domain. “

➤ **Will small schools have bar charts? If so, will the bar chart not identify individual pupils?**

“ I am told that there will be no bar chart data for schools where the cohort is less than 10. “

4. **The new OFSTED framework and the School SEF (Self-Evaluation Form)*** This is now a key document for all OFSTED inspections. Standards for inspection have been raised and schools need to be prepared. The SEF must accurately reflect where the school is and what its strengths and weaknesses are. Above all it must provide evidence to back up statements. OFSTED will criticise both over- and under-estimation of how a school is performing. The SEF is to be completed online and governors MUST be involved and aware of its content. The SEF has the potential to give rise to positive changes in education as it provides hard evidence of methods used and their results. Over 30 Devon schools had been inspected by OFSTED under the new framework. As a result three had been obliged to introduce special measures resulting from their inspections. In these cases, the school's SEFs may not have faithfully reflected the reality found in those schools. Various comments / observations were made (in no order of priority):
- Last term's Link Governor meetings covered this area – Debbie Clapshaw may have supporting papers
 - A number of governors felt the new process was a very positive step forward
 - OFSTED advises that the SEF should be no more than 20 pages long. Some schools are currently producing 60-70 pages! Experience suggests these could be shortened by using bullet points rather than narrative
 - There is a danger of schools becoming obsessed with updating the SEF. It was recommended that it be regarded as an ongoing document but one that is only visited at strategic times such as the updating of the School Improvement Plan, the receipt of PANDA data and the budget setting process.
 - Many governors had found that the Annual Review Visit by DCS had helped immensely in gaining understanding of the process, in making use of available data and in completing the SEF
 - One school valued in particular the Fisher Family Trust data on school performance (the Devon ' smiley disc ') that can be looked at in conjunction with the PANDA.
 - As schools start to identify weaknesses and issues which they will have to deal with they will face real challenges, i.e. strategies will have to be found to support those identified weaknesses. Although this

could prove difficult it will be better if schools themselves address this before outside intervention is necessary.

- Some schools complained that they simply do not have enough staff available to do the work necessary.

➤ **Who should be responsible for completing the SEF? Should it just be one person?**

Roger Fetherston: “ Although head teachers will inevitably have an overview of this document and put the finishing touches it should definitely NOT be the work of just one person but needs to have broad school ownership with different individuals / groups contributing to a consistent, agreed approach. Head teachers need to have confidence in staff and governors to work with them in the production of the SEF. “

- Staff in a number of schools had used an INSET day for staff to identify strengths
- Governors should highlight their contribution to their school. Governor evidence could be included as key points without elaboration. Governors should be in touch with teachers and have them demonstrate their policies so that they can see for themselves that policies are effective. This would show OFSTED that Governors are actually directly involved with the monitoring of the school
- Governor access to the SEF may prove difficult. Suggestions included asking for print-outs or creating a secure site accessible from governor home computers
- Governors are not obliged to meet with the OFSTED inspectors, although they may well wish to
- The SEF and the School Profile should tell the same story!
- One school had had a very positive experience with their OFSTED inspection. Three inspectors came along, at short notice, and took their lead from the school's SEF. When issues were raised the Head was able to respond and show evidence of these issues being resolved. The school found the inspectors to be very supportive, which was a change for the better. They also found that they received their completed report from OFSTED within a day of their visit. Another school gave a contrasting view of their recent OFSTED inspection which had been both stressful and pressurised. The first school offered to give help to other schools in preparing for OFSTED – please contact me for details.
- Another school talked about their own Governor Surgeries which are held at Parents' Evenings. This enabled parents to see issues being raised and resolved for them.
- A number of governors recommended workshops they had attended on this topic led by Judy Burgess

5. **The Effective Governing Body folder provided by Devon Governor Services*** A large number of governors spoke very highly of this document and had already used it to good effect in establishing clear working practice and a set of Standing Orders. The templates for governor use were welcomed. It was explained that the material is not available online as DGS is planning to market the material more widely. Observations:

- *The Code of Practice / ' Expectations ' section [1.5] was highlighted. The document should help when dealing with problems within a Governing Body (should they arise) as they set out a clear framework for governor responsibilities*
- *Some concern was expressed over who should hold the folder. This is particularly an issue for Clerks who are not school based. It was suggested that both Chair and Clerk need regular access to it.*
- *One governor reported that at their school audit there had been a request for Standing Orders*
- *It was further suggested that the Code of Practice should go out with new GB pack from school*

DGS comments: “ We are really glad this is being used. We decided to send the file to Chairs as we felt that the GB needed to take ownership of their own working practices and we were concerned that if we sent it to the clerk then it would just be left to him or her! Due to the cost of the file we were only able to supply one per governing body. Additional copies can be obtained at £27.50 per completed file. The file is due to be completed including a CD by the end of term (hopefully!) “

6. The new **Guide to the Law for School Governors** has now arrived in schools. There is one version for all categories of school. If you need more copies, contact DfES on 0845 60 22260.

➤ **Will updates only be on-line in future or will hard copy be available?**

DGS comments: “ We do not think that we are likely to return to hard copy updates “

7. **Collaboration, Federation and Merger** A leaflet from the Local Authority informing school staff, governors and parents about options with regard to changes in school organisation is now in schools. ***It is entitled ‘ A Headlines Special - Achievement Through Collaboration ‘. It is also available on the following link <http://www4.devon.gov.uk/eal/docs/feb06/0604032.pdf> . The document seeks to explain what is meant by the terms Collaboration, Federation and Merger. It looks in detail at the variety of partnership working available to schools. This is especially significant in this time of falling roles***

- *One small school spoke excitedly about the prospect of collaboration. Having failed 3 times to find a new Head and spending two and half years without a Head, the school is now excited at the prospect of developing collaborative arrangements with another local school*
- *Another governor spoke of a similarly positive experience at two Dorset primary schools*

- The LA is looking at working with local learning communities to address this issue
- However, in another area, a total lack of confidence was expressed in the current system. Governors from schools present felt that they had received no satisfactory answers about the LA small schools policy but had been presented with what they considered unhelpful advice and were being presented with consultations on proposals about which decisions had, in their opinion, already been made
 - **Is there a consistent countywide policy on this delicate issue?**

Vicky Rollason (Group Manager for Admissions at County Hall) comments: “ It is important to understand that the Headlines Special entitled Achievement through Collaboration is NOT related to School Organisation issues. Collaboration and Federation are part of a continuum that is very much in the hands of headteachers and GBs.

Merger (involving the closure of one or more schools) is a different matter altogether and may or may not occur as a result of DCC policy and proposals. There is currently little in the way of clear Policy on these matters, and a members' task group, set up by Scrutiny, is looking at "Rural Schools". We hope their views will inform Executive in devising a policy for the review of the organisation of Devon schools as flagged up in the early "Vision for Learning" document and the ensuing general discussion.

There is currently no DCC "Small Schools" policy as such. I am sorry if there is a perception that consultation is not genuine. There is a current organisation consultation on the future of Chawleigh Primary (ending 31 March). This was not instigated by the LA in the first instance, but by a local deputation. Politicians (DCC members) determine the overview and make decisions for the County Council. In the case of School Organisation proposals, the School Organisation Committee, the Adjudicator and even the Secretary of State may also be involved. “

8. Chairs Around a Table meetings will focus on the ‘ Every Child Matters ‘ agenda.

- Both South and West Devon governors expressed frustration at venues for these meetings and training courses in particular. Work commitments and the distance to be travelled made attendance difficult.
 - **Could DGS reconsider the venues for meetings and/or making use of video-conferencing?**

DGS comments “We have investigated a range of venues again recently and will be using some venues new to us next term at Bideford, Honiton and South Brent. This term one of the Chairs ‘Round A Table sessions is in Yelverton. Given that we are pretty much limited to a maximum of 4 sessions as a result of the time commitment of those involved, we have to focus on the main conurbations with good links. This will usually be Exeter, Barnstaple, somewhere in the south and somewhere in the middle!

Governors need to be assured that we give a lot of thought to where to site our sessions and do our best to be fair. I think we just have to recognise that we will never please everybody, but at least we do pay travel at 20p per mile. No other governor support service does this. In fact they are horrified that we continue to support governor involvement in this way!

As for video conferencing, we will examine the practicalities in more detail, as to quality and cost, but it may be another option. “

9. Portfolio of Services and the Alternative Portfolio The usual Portfolio will not arrive until next term. In addition there will be an Alternative Portfolio for a number of the services currently offered to schools exclusively by the Local Authority. For the period April to August schools will be asked to continue with their current purchases (unless they indicate otherwise). The cost of services for this 5 month period will increase in line with inflation unless a special case has been made to the independent Schools Support Services Board. In future schools will be asked to purchase services on an academic year basis in line with the government's stated intention to introduce academic financial years at a later date. With more competition coming in from outside services there will be an ongoing evaluation of both in-house and external services – hopefully this will challenge all providers to ensure value for money. The challenge to schools will be considerable with the need to consider Value for Money & Cost Implications. Schools are advised not to panic, but take these changes slowly. The new external providers will be ‘kite marked’ by the SSSB – though other non kite-marked providers could still approach schools. The main driver for these changes appears to be central government's desire to make services in urban areas more cost effective. We need to ensure that this process will work in the rural environment. Several governors at the meetings had taken part in the vetting procedures for both external and in-house providers. Their comments and other observations are below:

- *Governors involved in interviews to select the companies to be included in this list of suppliers had used pre-arranged criteria to judge external and in-house providers. They had been very impressed by the rigour of the process*
- *Devon needs its own model for service provision to ensure small schools away from main centres and routes are not disadvantaged*
- *Thanks to the lead taken by Phil Norrey and Ray Beale, Devon is regarded nationally as setting the pace in these developments*
- *In-house services being put through the interview process were being challenged to think in new ways. It may be that some of them decide to become more independent of the Local Authority in future.*

- With all services it will be important to ensure a critical mass to make provision viable. Inevitably, if there is a sharp decline in use of a particular in-house service, this may have to fold and, at that point, all Devon schools will be forced to select an external provider.
- In which formats (booklet or online) will the standard Portfolio of Services and the Alternative Portfolio be presented?

Ray Beale (Business Manager - Traded Services) comments: “ The standard portfolio will be presented in hard copy. The alternative will be in a hard copy flyer and posted on the Devon Portal. “

- How will governors be able to budget for 2006 / 07 without knowing costs of services after September 1st?

“ Schools will be able to budget for services by the use of the electronic calculator which will account the charges across both financial years. Services for September 2006 to March 2007 will be charged at the rate as highlighted in the portfolio i.e. last year’s prices plus 2.85% in almost all cases. For services from April 2007 to August 2007 services will increase by an appropriate inflationary rate. Full details of these and other arrangements are in a letter to schools sent on February 6th. “

- Will services provided by Devon stay in-house or be ‘privatised’?

“ There is no intention to outsource in-house services. “

10. Headteacher Worklife Balance This topic produced a lively debate

- Governors see this as an extremely important issue and have been frustrated that Workforce Remodelling appears to have added to headteacher commitments in some cases together with the fact that the plethora of initiatives last term placed intolerable burdens on many heads
- It was felt that a senior governor, in most cases the CoG, should have the sort of relationship with their headteacher that would allow free discussion of work-life balance
- Some governors suggested reducing the number of committees or holding all committee meetings on the same night. At two schools the governing body had no committees at all but established special working parties for key issues (I can forward details for anyone interested)
- It was felt that governors should attempt to hold meetings at convenient times for the headteacher and ensure their length was no more than 2 hours. Papers should be read in advance and there should be no AOB!
- Where possible governors should allow the headteacher a flexibility of working routine. Whilst it was agreed that all heads need, ideally, to take time away from their school, some schools are simply too small for this to be possible.
- One governor made a passionate plea that the headteacher should ensure (s)he always has time to eat properly
- Governors were advised to buy in to the Head Teacher Support Service – even when the Head advises against it
- Some felt that GB training was not being ‘sold’ effectively enough - as a better trained GB is a great asset to an over-worked Head
- It was agreed that this discussion was a very positive step forward as this topic was insufficiently discussed a few years ago.
- It was suggested that maybe Chairs of Governors could be paid for the work that they do so that their own work/life balance was better.

Philippa Court: “The requirement for governors to consider the headteacher’s worklife balance has been statutory since September 2003. I am doing some work with heads on an LA statement of intent ‘Headroom-WLB’ and the DGS work fits into that wider framework of supporting school leaders. I attended a DGS session where Jane Collings was speaking with governors and was really impressed with the comments and strategies discussed.

I hope governors do not feel that our work as a team has added to the demands put on schools. We have always recognised time commitment to attend courses and workshops with appropriate funding and tried to make the provision helpful in providing a framework of information and access to services so that schools can move forward as rapidly as possible.

I’m glad this is seen as a positive step forward. When we audited schools way back in 2004 the priorities were cover and PPA and so our energies were focussed on that. Ideally we would have focussed on HT WLB earlier but !!! “

Julie Bannon: “ Work life balance of all staff, not just Headteachers, has been raised at TCC especially in relation to OFSTED inspections. The Headteacher stress task group has also discussed this at their meetings. We are looking at inventive ways of helping Headteachers especially later in their career, e.g. job share etc. “

Jane Collings (Work Life Balance Project co-ordinator for DGS) comments: “I have run a number of governor sessions about ‘ Looking after your Head ‘ and there are more to come. I am developing a WLB handbook which is out for consultation in draft form at present and which we hope to produce by the end of the summer term. This will provide overall guidelines and practical tips. From the meetings many points have emerged including:

- *It is good to start the WLB discussion*
- *There is no additional money to support WLB. However, GBs cannot afford NOT to consider this as an issue ... and in the end working 'smarter' will be cheaper*
- *There is no simple formula solution – it is different for each Head and GB*
- *Both HTs and GBs need to be prepared to address these issues frankly*
- *Governors need to be aware that, in some cases, HTs feel that the GB is the main source of stress “*

Charlie Werner (Devon Association of Primary Heads) comments: “ I am very pleased that Governors are taking the issue of Headteacher work life balance so seriously. I agree that governor training needs to be encouraged but I am worried about the well established governors who do not see the need for training and/or may not have attended DAG area meetings. “

With regard to governor work/life balance Gillian Windass (Consultations and Policy Officer, NGA) comments: “ The issue of governor workload has been raised by a number of associations. It is an issue which NGA is concerned about and will be working on. The CfBT (Centre for British Teachers - <http://www.cfbt.com>) has commissioned some research from the University of Warwick on governance. We will check whether the scope of that project also includes governor workload. However, independent of that, it will be worthwhile to survey our members to find out what they think about governor workload (and what they would like done about it), the possibility of payment for governors and what support they would like to see on offer. I intend to start work on this next month once I have finished the briefing and initial work on the Education Bill. “

11. **Interim arrangements for Performance Management** CEA advisers will no longer be available and School Improvement Officers will not be in place until 2007. This obviously leaves a gap with no advisers available – especially to assist governors in primary schools. A letter from DCS will arrive in schools later this term offering a service to primary schools from this autumn. Schools using an adviser will still receive funding.

- **Do schools have to have an adviser for Performance Management?**

Roger Fetherston: “ Strictly speaking, no, but schools must ensure that Performance Management does take place. “

- *Is Performance Management for a long-established, respected, able Headteacher really necessary to ratify increments in salary which should possibly be there by right in virtue of length of service and already proven good leadership?*
- *Whilst professional development needs to be encouraged and monitored, should it be pay-related?*
- *Should not pay be the reward for work well done and loyalty of service rather than professional development per se?*

Roger Fetherston: “ In response to all these points it is very important to understand that Performance Management should be separated from salary decisions. Governors in schools should draw on a range of evidence across the head teacher’s work in the whole school before making decisions on pay. There is nothing in the PM structure directly related to pay. Both headteachers and governors need to realise this. “

Jane Phillips (author of books for governors) comments: “I fully endorse these comments. The rationale for effective PM of competent Heads is twofold; to support the Head and celebrate success and to emphasise and give time for the Head to engage in their own development. When dealing with Heads who are not competent, it becomes rather more complicated. But in these cases it is Competency Procedures and not PM which should be the vehicle for improvement. I would also endorse the use of an advisor - if only to give a wider perspective. “

12. **Extended schools** Schools should be receiving a hard copy of the Governors’ Pack on Extended Schools during the month of March. Copies will also be available at the DAG Annual Assembly.

- **What, exactly, is the role of governors?**

Jon Bell (Extended Schools’ Manager) comments: “ I have been having conversations with a small group of governors about this recently. Madeleine Birch (Extended Schools co-ordinator for Ottery St. Mary Learning Community and a CoG) has also attended these meetings. We have adopted a policy which will keep governors informed of the extended schools issues (see below). The Governors’ Pack should also be of considerable value. Key questions and ideas emerging are:

- *General consensus that this needs to be a 'locally grown' vision*
- *The implications of extended schools for governors are not entirely clear but there is a central concern that Governors' role may be shifting from the existing core of strategy / monitoring / critical friend to a more executive role. If this is so, it needs to be challenged and debated.*
- *All need to bear in mind that protecting the Head's work/life balance is now a statutory duty for Governors.*
- *There could be implications for the structure of Governing Bodies, including community governors; governors working across Learning Communities...*

- *The role of Governing Bodies in planning with other agencies is not yet clear.*
 - *The practicalities of Governors' responsibilities when offering Extended Services are not yet clear. "*
- *Are there examples of good practice?*

Jon Bell: *" There are many examples of good practice, both within Devon and beyond. However, as priorities have been agreed locally, there is wide range of very different programmes to look at. If there is a desire to look at good practice as it relates to governor involvement, then examples could be forwarded. This is particularly the case in relation to the child-care aspect of extended schools. "*

- *Is there to be a cohesive county plan in future?*

Debbie Pritchard (Group Manager Extended Learning) *comments: " The cohesive county plan is to integrate local delivery of children's services. This will involve the area defined by the Learning Community as being the platform for the delivery of these services. They will include Children's Centres and the 'core offer' requirements of extended schools. Consideration is being given to how to ensure that the 'swift referral to agencies' is made a priority and addressed as part of a cohesive county plan and further detail on this will be provided soon. Madeleine Birch has agreed to act as an additional contact for any Governor who would like to talk to her. She can be reached on 07815 783995 or madeleine.birch@devon.gov.uk "*

13. **School Security** *One governor pointed out that their local Fire Service has offered to assist in planning for the prevention of damage (particularly from arson) during holiday periods.*

14. **Acronyms**

- *Can an updated Jargon Buster be produced?*

Jean McEntire (Chief Executive NGA) *" There is a fairly up to date one at the back of the NGC Welcome to Governance Pack available to schools. The new version, completely revised and re-written, takes account of recent changes to legislation, particularly the Education Act 2005. It is available from NGC, price £3.00 incl. p&p., subject to a minimum transaction fee of £5.00 "*

DGS comments: *" There is one on our website, but it needs updating. We will do this asap! "*

Anyone attending the DAG Annual Assembly will receive a copy of the NGA document.

15. **Education White Paper*** *A background document to the White Paper including a number of briefing sheets was circulated. It also included a draft letter to MPs agreed at the most recent DAG Executive meeting. Governors were invited to use it as a basis for a letter to their own MP regarding issues that need clarification, as well as observations on the paper.*

- *The general governor view was that much of the White Paper seemed irrelevant to Devon. At the same time we would need to prepare for possible implications from its outcome.*

David Sullivan (Assistant Education Officer) *comments: "The title of the Bill is the "Education and Inspections Bill". That title is unexpected, and seems disproportionate: under the heading "Inspection" the Government's overview of the Bill covers only the merging of existing inspectorates. On the other hand, the regime for turning around underperforming and failing schools more quickly looks significant in providing a supply of candidates for Trust School status: Clause 55 permits the S of S to direct the closure of any school which requires special measures, and one can envisage those schools quickly reopening as Trust Schools.*

Given the focus on Trust Schools since the publication of the White Paper, it's ironic that the term "Trust School" does not appear in the Bill. That is because a Trust School is simply a Foundation School which has a Foundation, and at which the Foundation appoints the majority of governors. I cannot spot any additional powers available to a Trust School compared with the powers available to a Foundation school. Those powers have so far not led governors to abandon Community school status, in Devon or elsewhere in the country. As the Government's overview puts it "acquiring a Trust will give schools access to the freedoms enjoyed by other foundation schools" - but nothing more. The governors of a community school will be able to publish proposals in order to become a Trust School - that is, by acquiring a foundation and becoming a foundation school - but there is nothing in the Bill which requires them to do so, or even periodically to determine whether to do so. Neither can I spot anything which would require a governing body to consider a proposal which was put to it by a local foundation, urging that the school should secure the opportunities which the Government believes will be realised through handing over to the foundation and becoming a Trust school. So far as I can see, the governors could simply decline the foundation's offer.

Perhaps it will be newly-established schools which will become the Trust Schools of the future. The White Paper said that all new schools would be Foundation (or Trust) or VA schools. However, Clause 9 of the Bill says that an LA may publish proposals for a new community or community special school "with the consent of the Secretary of State". How likely is that veto on LEAs to be used? The Government's overview says "The Secretary of State will consider each case on its individual merits. However, where a local authority with a good track record proposes a community school that will command the support of parents, the Secretary of State will not normally intervene" - but the telling

word "normally" neutralises the assurance. With luck that ambiguity will be addressed at the Committee stage.

The establishment of a "Parent Council" at any Trust School at which the majority of governors are Foundation governors seems a limp reaction to the lack of any significant voice of the parent body among the governors of a Trust School. Despite the spin ("To strengthen the voice of parents in Trust Schools..." says the Government analysis), the reality will be that governors appointed by the Trust will replace elected parent governors. I'm not clear how many of the prescribed minimum number of parent governors will be governors who are elected by the parent body - but it may be only a single parent governor, with all the other parent governors being appointed by the Foundation, and perhaps being members of the Foundation.

The BBC's analysis of the Bill announces "interviewing prospective pupils and their parents to be outlawed". Well... not quite. The wording of Clause 40 runs "No admission arrangements... may require or authorise any interview ... where the interview is to be taken into account in determining whether the applicant is to be admitted". That precludes an interview from being part of the formal admission procedure - but what is to prevent a post-application pre-decision interview, provided that ostensibly it does not bear upon the result of the application? A governing body which currently interviews applicants and their parents might perhaps carry on doing so, maintaining that the interview was solely to provide information and answer questions, and had no effect whatever on the application.

The Code of Practice on admissions will be strengthened, but will not be made mandatory. Schools must "act in accordance with" the code, rather than simply "have regard to" it. There is the suspicion that a Trust School which was sufficiently determined would make use of the flexibilities and ambiguities to secure that, on balance, its intake was distinct from that of other schools

The changes to school transport require fuller examination; briefly, they would mean free transport for disadvantaged pupils to attend any of three suitable secondary schools closest to their home, where these schools are between two and six miles away. On the face of the matter that means a substantial (and costly) new commitment at a time of pressure on budgets, which may go unrecognised by the Government's grant formula. In practice, whether this provision will cause very much to change, in terms of opening up admission at oversubscribed schools to disadvantaged children, is uncertain. The schools to which these disadvantaged pupils are most likely to seek admission are themselves likely to be successful and fully-subscribed schools. Since the pupils in question would presumably live outside the catchment area of the school they would therefore hold a low position under the admission criteria. In that case, their inability to gain a place would negate the transport offer.

The most significant gap in the White Paper remains in the Bill: nothing will constrain a Trust School from declining to engage aspects of national policy - those relating, for example, to inclusion; to supporting looked-after children, or to ECM outcomes - or from collaborating with neighbouring schools. As long as pupil attainment was relatively high, such a school might feel immune from OFSTED's strictures. As Parliamentary scrutiny of the Bill proceeds it might well be that concern will focus on this potential fragmentation, as well as on the nature of the Foundations which are expected to take over the running of a growing proportion of schools. "

Fiona Millar (leading educational journalist and school governor) comments: "This Bill will affect Devon. Any local authority area that needs a new school due to increased demand, a falling roll, closure or merger will, first, have to pass the hurdle of a Secretary of State veto on new community schools. If the Secretary of State gives permission the local authority will then have to enter a competition with alternative providers such as academy sponsors or trusts. This will be decided by the schools' adjudicator. Local authorities will have to prove there is enough 'diversity' in their areas if they are to succeed in a competition to build a new school. This may be much harder in rural than urban areas where such a proliferation of different types of school already exists. Many people don't realise that this process includes primary and special schools as well.

In response to concerns about the recent Schools White Paper, there will be a conference entitled ' A good local school for every child - Will the Education Bill deliver? ' on Saturday 25 March from 10.15am - 4.00pm at the Institute of Education, University of London, 20 Bedford Way, London WC1H 0AL. The conference will provide a forum for parents, school governors, students, head teachers, councillors, teachers, school support staff, local authority administrators and all who have care and concern for public education in England. Discussion groups will offer a platform to share, discuss and give voice to concerns. Attendance will be free, though a contribution on the day of £10 towards costs would be welcome. The meeting will be chaired by Helena Kennedy QC and speakers will include Melissa Benn, David Chaytor MP, Ed Davey MP, Professor Ron Glatton, Dr Bethan Marshall, Fiona Millar and Steve Sinnott. To register for the conference visit www.yourform.net/goodlocalschool Alternatively write to 'Good Local School', BRL Consulting Ltd, Tylers, Amersham Road, Penn Street, Buckinghamshire HP7 0QW quoting your full postal address. "

Jane Phillips: "We need to keep an eye on this as there may be longer term implications for governance. Foundation schools with a foundation (previously called trust schools) will have a different GB composition. There appears to be a shift from a community representation model towards a skills based model - whether this will benefit schools needs to be discussed. This shift is

evidenced by the reduction in the number of parent governors and the emphasis on appointed governors. “

I attach also this conclusion from The Education Network document summarising the Bill: “The political controversy surrounding the White Paper has continued to fascinate the press and pundits (though with little sign of the same impact on schools or the public). Sadly, the main effect seems to be that debate now hinges more around whether a particular stance is a shift of position or a concession than whether it might actually be a good idea for children or their parents. There has been a significant change in rhetoric, and some changes in the provisions themselves – and the major role played by local authorities is now more appropriately acknowledged, albeit somewhat grudgingly (and the view of many politicians and journalists about the level of ‘control’ exercised by authorities over schools seems to be at least a decade behind the times).

In truth, there is rather little in this rather large Bill that is actually new. And it remains the case that, since many measures are permissive, the overall long term effect of the legislation remains hard to predict.

The new duty on local authorities, symbolically in Clause 1, to promote “the fulfilment by every child concerned of his educational potential”, and the promised strengthening of the Admissions Code of Practice are to be welcomed, and are signs of the Government’s commitment to improving standards amongst the disadvantaged, reflected also in other measures.

Despite the attention given to some ‘totemic’ aspects of the Bill, it is clearly changes to the school admissions system – which children have access to which schools, and which children learn with each other – that will bring about some of the greatest change for many; or not. The proposed arrangements for implementation of the new Code, through a power for Admissions Forums to produce a report, are inadequate to ensure that the new Code is effective. We have had an Admissions Code since 1999 which depends on powers for its implementation, and we still have many schools clearly flouting it. If that is to change, it is essential that local authorities (not Forums) are given a duty (not a power) to ensure that Admissions Forums are fully informed about the situation in their area so that they can attempt to broker the necessary agreement between schools and, if that is not successful, refer the matter to the Schools Adjudicator. This is an issue backed by a great deal of evidence, and it really should attract cross-party support in an attempt to realise one of the White Paper’s and the Bill’s central aims: to improve significantly the position of disadvantaged individuals and groups. That is an improvement upon which a great deal of educational, social and economic progress depends.

Admissions: our own proposal, which has been the subject of widespread consultation, is available from our website www.ten.info . We would be pleased to receive your comments about it. “

16. **SEN Funding** At the recent Schools' Forum meeting headteacher and governor representatives accepted the widespread concerns raised during last term’s consultations about SEN funding and agreed NOT to proceed with the SEN funding proposals as suggested in that consultation. This does not mean that there will not be changes in the future but that attempts will be made to make those changes fairer. There will be opportunities for schools to express their views in further consultation that will take place later this year. The Schools' Forum is independent of the LA and genuinely seeks to find solutions that will benefit the whole of the Devon community of schools.

John Barnard (Director of Finance) comments: “ The SEN group will continue to meet. The Schools’ Forum was clear that the proposals were the right ‘direction of travel’ but that the detailed arrangements use of SATs results were not the right indicator. “

17. **School Meals**

- It was agreed that a good start had been made in Devon with improving the quality of school meals and governors congratulated the Local Authority on its commitment to pursuing this programme.
- One school explained how OFSTED members had eaten their lunch with the children. This led to
 - Does OFSTED make judgements on the quality and health value of school meals available?

Ray Beale: “ We understand OFSTED will look at the quality of meals. Of course it does depend on the Inspection team!! “

18. **Additional Questions**

- If an anonymous donation has been made to a school, who should decide how to spend it?

The general consensus was that a joint decision should be made between the Head, Staff and Governors. It was also felt that such an issue should be put to the Governing Body in order for the Head to cover their own back. Other views?

John Barnard: “Governing Bodies do delegate decision making to Heads through the school finance policy but that will be based on the budgets set at the start of the year and to a certain financial level. Depending on the size of the donation, I would anticipate that a Head must report this to the GB, no doubt with proposals as to how best it should be utilised. “

- Is it stupid for the Governing Body to make a Year 6 student an Associate Member?

Some governors present felt it depended on the pupil involved. Others thought it was best to avoid the situation altogether. Other views welcomed.

Jane Phillips: *“Perhaps a better way of involving and engaging with pupils is a regular report / presentation from the School Council to the GB or a committee. An alternative is for governor liaison with the SC by appointing a governor to this role.”*

19. Questions from last term

- With regard to Special Needs, why does it take so long for schools to receive monies for special needs children?

Chris Aston (Group Manager SEN) comments: *“ The current situation is as follows:*

- *All schools have money delegated within their budgets to meet the needs of their children including those with SEN. The amount varies according to a formula based on KS results, free school meals etc. The recent SEN funding review recommended reducing emphasis on statements as a means of additionally funding SEN and delegating more money to schools so that it was available at the start of the year and could be used more quickly therefore when needed. 50% of schools approx rejected the proposals. We are working on this area and will be consulting again later in the year.*
- *We work according to the DfES SEN Code of Practice which sets out a process of identifying, assessing and intervening with children over time. Schools have the responsibility to work with children at School Action and School Action Plus and their delegated budget are designed to enable them to do this.*

- Can something be done to address the long delay in statementing children?

Chris Aston:

- *We work to the Code as above. There is a series of steps set out which must be followed. Devon has been achieving a consistently high level of success in issuing statements within the time-scales laid down in law for the past 4 years and is one of the best performing LAs in the country.*
- *There is a finite budget and we are duty bound by the principles of Best Value as officers of the County Council to consider requests for statutory assessments [which may lead to statements] rigorously. Schools are duty bound to follow the Code and where they decide to request statutory assessment to provide detailed evidence of need. The Panel which decides on statutory assessments includes head teachers. This process is time-consuming, bureaucratic and labour-intensive. This was another reason for our proposal to reduce recourse to statements by delegating more funding to schools [as above].*

- With regard to finance matters, can an overspend be justified in order to retain staff that you know will be required in later years?

John Barnard: *“An overspend can be justified if the school can demonstrate that it will come back into balance the following year (known as a deficit budget agreement). A formal document which sets out requirements on reporting and also requiring LA agreement for any staff appointments (even if replacements). It also requires regular monitoring reports to be sent in. A school can also be allocated headroom funding if it has a temporary deficit (i.e it cannot balance the budget which would require redundancy only to reappoint in twelve months time as the temporary funding issue was resolved). A case would need to be put to the Schools in Balance Committee (SIB) for them to consider.”*