

Devon Association of Governors

Issues raised at Area Meetings Spring 2007

This report is a summary of points raised by governors at the Area Meetings held earlier this term in the following Local Learning Communities: Clyst Vale, Crediton & Exeter : Culm Valley & Tiverton : Barnstaple, Bideford, Braunton, Ilfracombe & Torrington : Axe Valley, Exmouth, Honiton, Ottery-St-Mary & Sidmouth. 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. There are also cross-references to the parallel document sent to the Governing Bodies of all schools last term which covered further aspects of these issues. Your attention is also drawn to Item 5 and the need for GBs to maintain a regular overview of information provided for them.

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1. Job Evaluation

School based staff affected by JE received their letters in the week beginning February 5th with HTs getting details in the week before. Helped by information from Helen Crossfield and Helen Dickson (DCC Senior Employee Relations Advisers drafted in for a limited time period to help with JE on education issues) the following details were shared at meetings:

- Longer has been taken over the implementation process in response to requests from HTs, particularly in secondary schools where there are a large number of non-teaching staff and HTs have borne the responsibility for dealing with JE interviews.
- The LA is underwriting the costs of back payments for equal pay to staff employed in LA schools. It is important to distinguish between:
 1. the one year's back pay for any 'green circled' people i.e. employees whose current salary is below the salary minimum of their new grade; and
 2. equal pay compensation of up to six years where the employee who has been in the same post since before 1 April 2006 and may have an equal pay claim which could succeed before an Employment Tribunal and this has been identified during the JE process.

The year's back pay for green circled people will be paid from the Direct Schools' Grant and the up to six years' equal pay compensation will be paid from a central LA budget.

- Devon is the only LA nationwide to have secured a signed agreement with the unions on the whole JE process, thereby avoiding the level of claims being faced by some other authorities. There are collective agreements in other authorities - we are one of the few LAs to agree equal pay compensation upfront.
- The procedures for appeals were sent out to schools w/c Jan. 22nd. There will be an informal stage which will involve the headteacher or designated representative to try to resolve initial concerns. If these are not met there will be a formal appeal panel to review the case. This appeal panel will ideally include a governor if one is available. However, this will NOT be a school based appeal panel but one recruited county wide. The LA is therefore looking for 10 – 12 governor volunteers to take part in the appeals process. This will involve about 1.5 days training followed by work in schools across the county. The question of remuneration for this work is under consideration. The appeals process will not begin until well after April 1st.
- It is expected that there will be a number of appeals from clerks to governors and it is likely that these will be considered as a group appeal.
- The final decision on equal pay matters rest with the LA and NOT the governing body – Heather Barnes (DCC Director of Personnel and Performance) will be responsible for those final decisions
- Helen Dickson and Helen Crossfield have been meeting chairs of governors with particular concerns.
- There will be an independent review of the whole JE process in which there will be governor input.
 - *Throughout this whole demanding process governors need to pay attention to the HT's work/life balance. Reference was made to the useful information pack circulated to all GBs last term entitled ' Looking after your Head '. It is hoped that all GBs talk through this booklet with their HT on a regular basis.*
 - *Much concern expressed about the apparent downgrading of clerks. For many the clerk's job profile did not seem to represent the level of work they undertake and would lead to a drop in payment levels. The Clerk's role is usually much more than minute taking. JE does not work if all clerks are lumped together.*

Governors should look at what exactly their clerk does and how they are involved. Where appropriate, GBs should support Clerks and say that the job description does not fit the role. There was also a suggestion that there be three grades of Clerks, Basic/Intermediate/Senior – to allow for difference between those who take Minutes and convene meetings (Basic) and those who do far more.

- One school has advertised for a Clerk under the title PA to the Governing Body. This has resulted in 6 applications. However, many felt that, with JE, it is not the title that is important but the Job Profile ... and that merely changing the title achieves nothing. Job descriptions are set and if schools want to submit a different title for a specific job that job will then need to be re-evaluated.
- The idea of a suggested 'group appeal' on behalf of Clerks pre-supposes that Heads are collaborating. There was considerable interest in DAG co-ordinating work to support Clerks. An e-mail / letter could be circulated to all schools asking if they want to move as a group and have representations made by DAG. In collating objections, DAG could gain an indication of how many objections to the grading system there are.
- It would be very useful if governors could have the information from the various pieces of legislation put together in a clear and unambiguous way should they wish to ignore the JE process. This would then help them make informed decisions rather than being misled into unnecessary conflict. If governors made grades and pay decisions contrary to LA advice, they would need to understand that they put themselves at risk of legal action

Helen Crossfield / Helen Dickson: " A document summarising the different pieces of legislation is being finalised and will be sent to schools shortly "

- Uncertainty over the situation regarding VA schools. Understanding is that they go through the process but get no financial help from the LA. However, some understood that VA schools are now included in the funding of equal pay compensation back payments.

HC / HD: " The situation of VA schools has been discussed between Diocesan representatives and Paul Jones (leader of JE Team) and Ingrid Fisher. Our understanding is that the Diocesan representatives are going to write to VA schools. "

- DAG feels that the governor workload for volunteers involved in supporting the appeals' process is exceptional and that there should be remuneration for this level of work
- In some schools TAs were moved up a grade last year on the advice of officers last March to cushion schools in the following year's budget. It appears that JE may have ' undone ' this process.
- Scepticism expressed that the formal appeal involves a committee made up of 2 Union representatives, one JE team member and one governor.
- Concern expressed that there could possibly be a situation whereby a caretaker would be earning the same as a school administrator and this did not seem to be a satisfactory and ' fair ' situation

HC / HD: "The job evaluation scheme involves a number of employees providing information in a JE questionnaire relating to sample jobs which is then assessed by a JE panel. The information required relates to eleven factors of the role, including supervision / management of people, creativity and innovation, decisions, knowledge and skills etc. Each factor contains a number of levels. The score for each factor is added to give a job score which is then allocated to the relevant grade. If the scores of two employees were the same then they would be on the same grade. "

- Concern expressed that Somerset pays their staff more and schools near the border may lose potential employees who will ' hop over the border ' to find better paid work.

HC / HD: " We understand the concern about salaries in Somerset but this will always be a concern when schools are situated near an LA border. If particular difficulties arise there is a possibility of paying a market supplement and advice will be given on these to schools in the future. "

The following documents should have arrived in schools since the area meetings:

Job Evaluation Individual Profile Data and Managers Briefing Pack to some schools

<http://www.devon.gov.uk/sc-jan0655032.pdf>

Job Evaluation Briefing Pack for all CoGs and Clerks <http://www.devon.gov.uk/sc-feb0656002.pdf>

1. What has been the cost of the JE exercise?

John Barnard (CYPs Head of Resource Strategies): " This has not been quantified as yet "

2. Will additional DDS costs be met by schools?

John Barnard: " No "

3. Has enough been set aside by the LA to pay for the outcome of JE?

John Barnard: " Yes "

4. What is the situation with regard to VA schools and cover for equal pay compensation?

John Barnard: " A joint letter from the LA and the Diocese is being sent to the relevant schools during the week commencing March 5th. "

5. Can DAG help co-ordinate support for a review of the grading currently given to Clerks, including looking at the job description for Clerks?

HC / HD: " All Clerks will have received their JE notification letter which includes advice on how to appeal. It is acknowledged that there may be a need for perhaps two / three levels of Clerk posts reflecting the differing expectations of the post of Clerk by different Governing Bodies and for the

role to move from being honorarium based to salaried. It has been agreed that the Clerk posts will be looked at as a priority in April - bearing in mind that there are a number of very urgent priorities - and it will be the case that the 'priorities' have to be prioritised. However, in the meantime, governors are asked to encourage Clerks to lodge an appeal, if appropriate, either as an individual post holder or as a group, to ensure they remain within the process. We are liaising with Debbie Clapshaw to look at ways of getting information out to them directly. "

David Tall (DAG Executive Officer): " DAG is aware, through formal and informal contacts across the spectrum of education in the LA that there is considerable disquiet at the level of some of the JE awards. There are clear areas of disagreement with the results of JE and a perception that the role of the Clerk to Governors has not been properly represented or understood. That said, it is appreciated fully that different GBs use their Clerks in different ways, and this could have led to some difficulties in determining the JE award. What is not in doubt is GBs' reliance on, respect for and appreciation of the work of our Clerks. DAG, in representing Devon Governors, will continue to press for some sort of review to ensure Clerks get their appropriate desserts. This "lobbying" process is by nature somewhat slow and thus DAG considers it imperative that all Clerks, should they feel aggrieved, take advantage of the existing appeals process, so as to ensure a proper hearing. Timelines for appeals are tight so it is very important Clerks make an early decision and submit their appeal by March 19th at the very latest. "

6. Will an informal resolution in one school have an impact on another (nearby) school?

HC / HD: " It could do, but it is more likely that at the informal stage the ' best fit ' will be addressed. Issues which may impact on other schools are more likely to come from formal appeals. "

7. Has anyone actually seen the 'unique agreement' with the Unions?

HC / HD: " The agreement can be accessed at <http://staff.devon.gov.uk/jecollagree.doc> "

8. Will schools which moved TAs up a grade last year in good faith get the money back?

HC / HD: " The TA grading scheme was recommended to schools as part of the national agenda linked to workforce remodelling work. It was made clear that grades may change due to JE. In the meantime, the TA grading scheme will need to be fine-tuned and updated with JE grades. If the job description reflects the role which the school needs, then the appropriate grade relevant at the time should to be paid. If TAs were moved up a grade last year then they were presumably taking on the role associated with the grade. This being the case the cost would need to be covered by the school's budget.

The heads of Special Schools have asked for their TAs to be looked at as a priority. "

9. What happens about back pay in the aftermath of JE?

John Barnard: " This will be funded centrally from Direct Schools' Grant. "

10. Does JE overtake Model Grading Policy?

HC / HD: " If this refers to the TA model grading scheme, then the scheme stands but with the new grades for TAs applying. "

11. Why has the Appeals' Procedure changed drastically from the original plan?

HC / HD: " There were discussions about a number of options and it was felt that this model was the most appropriate to ensure consistency of decision making. "

12. What will an independent review achieve after the event is over?

Deborah Magill (Deputy Director, CYPS): " The independent review has been called for by headteachers through the Schools' Forum in order to understand whether (and, if so, why) areas they have expressed concern about were poorly implemented and what led to this. "

HC / HD: " One final point about the current situation regarding Bursar / Administrative staff in schools. Notification letters to some post-holders that have been best-fitted to posts that are graded significantly above their current grade (sometimes referred to as 'sore-thumbs' or green circled) have been held back until 5th March 2007 to enable the JE team to analyse and quality-assure the data. This exercise has identified that there needs to be a much more comprehensive look at bursar / administrative posts in schools, due to the vastly differing interpretation of the job profiles. As Heads are aware, the job evaluation exercise is wholly about ensuring equal pay for work of equal value. The analysis of the information provided by schools so far regarding administrative staff has identified that if the Authority were to proceed on the current information, the potential for equal pay claims would be significant and would place an unrealistic burden on HTs, GBs and employees themselves to defend. A practical way forward has therefore been put in place to enable further work to be undertaken by the JE team. On the 5th March, notification letters will be sent to school bursar / administrative staff whose posts were identified as being 'sore thumbs' advising that they will be assimilated onto a grade that is the closest to their current salary level to ensure there is no salary reduction / increase / amendment until the full review / evaluation takes place. More information, including timelines for the review, will follow shortly. "

2. Disability Discrimination Act and the Disability Equality Duty - DED

This duty was required to be implemented by secondary schools by 4 December 2006, and by primary and special schools by 3 December 2007. Advice and guidance has been slow to arrive. Your school should have ordered a copy of 'Implementing the Disability and Discrimination Act in Schools and Early Years Settings' - available since Jun 2006. If you ordered this you will automatically receive a copy of the DED guidance from the DfES - produced in December. Devon has been working on its own guidance which will include a template for schools to produce their own Disability Equality Scheme (DES), a requirement of the DED. This will be with you in the first half of this term. To order the DfES materials contact: 08456022260 and quote ref no: 0160-2006DOC-EN. The article in last term's Devon Governor newsletter (page 12) explains more. Information is also available on the Disability Rights Commission website: www.drc-gb.org/education.aspx

- *Yet another policy for governors!!*

Jo Hooper (DCC Corporate Equality Officer): “ I have to say that this attitude will not be welcomed by people with disabilities who have campaigned long and hard for this Duty. It shows a degree of resistance to meet the legal duties. Governors need to be aware that people may take offence to this comment. This feedback document, however, provides a good way of highlighting this legal duty and ' selling ' it, so that it is not viewed as ' just another policy ' . “

- *This is separate from the Accessibility Policy and involves a great deal of communication with the local community. This is not just for Special Needs children, but for all children.*
- *There is a need to actually consult with disabled people / parents in the Learning Community.*
- *It would be a good idea to share outcomes of consultations with other schools within your own LLC.*
- *One Secondary School has used their school newsletter to invited disabled persons to visit school and talk about the problems they encounter.*
- *Generally felt that communication has been poor and schools have had to chase information from the LA.*

1. Is there a central LA adviser who could offer disability advice?

Jo Hooper: “There is an equality co-ordinator for CYPS. Sue Kelley used to be the co-ordinator but has recently left. Julie Bannon is picking up this work until a full time replacement is in post. “

2. How should schools best go about implementing the Disability and Discrimination Act?

Jo Hooper: “ Devon CC has developed a model Disability Equality Scheme for Schools in addition to the guidance already issued by the Disability Rights Commission. The Disability Rights Commission guidance is useful for schools who should take time to review it in the meantime. I am a primary school governor myself and I will be discussing the Duty at our Governors' meeting in March. I suggest all schools take a close look at the duty and use this as an opportunity to remind themselves of what is meant by disability equality and what they can do to ensure their school is inclusive to the whole school community including parents and governors as well as pupils. For information, we have also written a Charter for British Sign Language which will help those schools with Deaf pupils meet their duties in relation to their very specific needs. I would like to see further promotion of this Charter with schools, perhaps through DAG meetings and newsletters: www.devon.gov.uk/bslcharter “

Debbie Clapshaw (DGS): “ The Devon Model Guidance and Template for producing a Disability Equality Scheme went on to the DGS website on Monday Feb. 26th. I recently attended a training day on this run by DfES. It is clear that producing a Disability Equality Scheme (DES) is not going to be quick to achieve, given the need to consult with our own disabled school communities - pupils, staff and parents, and that even identifying who our disabled community is might be tricky. The intention is that schools work towards aligning their DES with their Accessibility Plan. A shortened version of the DfES training pack is available entitled: ' Implementing the Disability Discrimination Act in Schools and Early Years' Settings ' - it consists of 3 DVDs and a CD Rom. Contact the Stationery Office: 0870 600 5522 or email: customer.services@tso.co.uk . Cost of the resource is £15 plus VAT. “

3. School Improvement Partners

There are only SIPS for secondary schools at the moment. Primaries will be involved from 2008. Dcs is currently recruiting SIPS for primaries. Anecdotally Debbie Clapshaw has had positive feedback from secondary schools where there have been meetings with SIPS.

- *Schools with experience have found the process very similar to the previous arrangement and very supportive for the HT. One governor commented that the use of a SIP can be intrusive, but also positive.*
- *Governors need to make sure the SIP does the job (s)he is paid to do.*

1. What is the relationship of the SIP to School Governors, especially regarding HT's Performance Management?

Combined comments from dcs officers (David Chaplin, Bryan Smith and Hilary Jones): “ Where a SIP is working with a school, it is the SIP who provides advice to the governing body about HT performance management in the same way that the external consultant did. This currently takes place during the 3rd SIP visit. Governors still own the process. All performance management objectives are confidential between the SIP, the Governors and the HT. The SIP is also required to offer to draft the review statement / objectives for the governors, as has always been the case. Governors will quite often attend the SIP visits as this supports their monitoring role. In Primary,

governors must seek external advice prior to SIPs working in primaries from April 2008. Dcs will be offering a service, as this year, and a letter will be sent to headteachers and chairs of governors in March with details of the support packages available. “

2. Can a SIP visit trigger an early OFSTED?

Dcs: “ SIPs do not report directly to OfSTED. OfSTED might invite the SIP to meet inspectors during an inspection as part of the evidence gathering and would have access via the school to SIP visit notes. The New Relationship with Schools notes that ‘ it is the LA which has a relationship with OfSTED, not the SIP, through the local managing inspector ’. “

3. To whom is the information from a SIP visit fed back?

Dcs: “ SIPs report to the school and LA, with the regional SIPs’ coordinator from the National Strategies sampling SIPs’ reports for quality assurance purposes. In Devon, as far as the LA reporting is concerned, SIPs report to the Secondary or Primary Phase Adviser linked to the school and to the School Improvement Officer through a copy of the visit note. LA link advisers will action further support if necessary or the SIP could broker further support. “

4. Are SIPs imposed?

Dcs: “ The requirement from the National Strategies is that all schools must have a SIP. SIPs are appointed by the LA and deployed to schools appropriately. The New Relationship with Schools (DfES) states that ‘ every maintained primary, secondary and special school and every academy is being allocated a SIP on a rolling programme between September 2005 and April 2008. Pupil referral units have the status of schools and are included in the programme ’. “

5. Can you swap your SIP if you don’t like them?

Dcs: “ There are quality assurance processes in place and opportunities for schools to comment on the effectiveness of the SIP programme. A school may consider the SIP allocated to the school to be inappropriate and then the LA would make every effort to deploy a different SIP. However, in line with national requirements, the LA would only offer one alternative and the school is required to accept this. Moreover, such a request would need to be clearly evidenced based and could not rely solely on likes / dislikes. “

6. Can a faith school ask for a SIP of the same faith?

Dcs: “ It could not be guaranteed and this would not be a reason for a school objecting to a particular SIP as SIPs are accredited nationally and therefore have the skills to support and challenge school improvement in the phase in which they are accredited. “

4. Exclusions

From September 2007 the DfES is proposing that, from the sixth day of any fixed term exclusion, the GB is responsible for ensuring full-time alternative provision is secured for the pupil in question. This appears to be cumulative, so that a pupil could have a 3 day exclusion and then a 4 day exclusion and the rule would apply from the 6th day of the total. Heads, particularly secondary heads, have been in discussions with the LA re the collaborative partnerships they will work in to help each other out on this. It’s one of those ‘ ultimate responsibility rests with GB ‘ issues that in practical terms will be managed by the school.

- *It is very difficult to plan how to implement this when governors do not know exactly what the package is.*
- *Concern about this legislation and how schools deal with it financially. One governor said that grave concern about funding was brought up at a Revenue Scrutiny meeting.*
- *A number of governors felt that the majority of children likely to be involved would be children with Special Needs and that this is where the funding needs to be spent. The view was expressed that DCC is failing these children. Schools are likely to go down the route of exclusion more readily and there is huge concern that schools will find it difficult to keep young people in education. One governor felt that this is not all about exclusion and that the LA needs to look ‘outside the box’.*
- *A concern that new legislation will focus too much on exclusion and that a downward spiral will follow for those involved. Pilot schemes demonstrate that the success rate is slow and behavioural problems cannot be dealt with overnight.*
- *Geographically this proposal is difficult in Devon where schools will find distance an impediment to co-operation.*
- *There is an exclusion problem now creeping into Primary schools.*

1. Is this package for permanent as well as temporary exclusions?

David Archer (Exclusions and Reintegration Officer, North and East Devon): “ Yes the package is for permanent as well as fixed period exclusions i.e. the LA has to provide educational provision from day 6 of a permanent exclusion. However this will only happen if schools notify the LA within 24 hours of a permanent exclusion. This is what the Exclusions Guidance already states should happen but many schools do not do this. “

2. Has the DfES changed its view with regard to the proposal to apply the cumulative rule?

David Archer: “ Yes, the DfES has changed the cumulative rule, i.e. for any fixed period exclusion over 5 days, only on day 6 and beyond is the school responsible for fulltime, off-site educational provision equivalent to what the child would receive in school. The figure of a maximum total of 45 days in an academic year for fixed period exclusions for a single pupil seems set to continue. “

3. What happens to pupils who are permanently excluded?

David Archer: "The same as now. Pupils who are permanently excluded will be provided for by the LA either through a place at a Pupil Referral Unit or Link Education."

4. Can we have more details?

David Archer: "For any more details you will need to go on the DfES website."

Ernie Lloyd (CYPS Exclusions and Alternative Provision): "Governors are right to have concerns about the new legislation from 1/9 on exclusion. The DfES has changed its mind about the cumulative rule but unfortunately nothing else. I am preparing a talk on the new exclusion laws and guidelines but am awaiting further clarification from the DfES over some of the contentious issues and would be pleased to talk to governors about this. I will be contributing an article to the summer term's Devon Governor."

Debbie Clapshaw (DGS): "We could include an update on exclusions at Link Governor sessions possibly in the autumn term - or if we revive the Chairs Round a Table sessions. I would also like to offer a couple of sessions on the role of the pupil discipline committee, as I am being asked more frequently about this and it could be something offered jointly to governors and clerks."

5. Communication

The most useful Devon website for governors is the Just 4 Schools at: <http://www.devon.gov.uk/eal/dgfl/govs.html> This will give you access to a number of other sites including the weekly information sheet to schools under School Communications. With this you can find all documents sent by e-mail hard copy in to schools within the past week (and much further back!). If you click on the A to Z at the side you will also find links to other useful Devon websites. These websites are constantly reviewed and Richard Stevens is always happy to receive suggestions for inclusions within the J4S website. Contact him at richard.stevens@devon.gov.uk

6. School Profile website

This reopened for business on 12 December 2006. Schools are promised "improved navigation and usability, making access and publication easier". The School Profile support team is available on: 0845-600-9506 or email: school.profile@dfes.gsi.gov.uk

- *Headings are still the same – not very different, but an improvement*
- *The website still keeps crashing. The team need to sort out the problems with the site if they want it completed.*

Imran Yasin (DfES School Profile Team): "Since the school profile site was re-opened in December, the site has only been unavailable once due to scheduled maintenance. During this period we were uploading the A & A data for KS2 and KS4. If there are other instances when the site has been unavailable / crashing, please can governors supply us with further information so we can investigate this."

- *The School Profile is no longer linked to the academic year, but is current to the date that it is published. It is now possible to edit it as and when you wish.*
- *One governor suggested that schools do it on an annual basis – i.e. in the same month each year. Another suggested putting 'please refer to school website' to make the whole thing come alive.*

1. What is the parents' link to access it?

Imran Yasin: "Parents can access the profiles by searching for a school on the following site: <http://schoolsfinder.direct.gov.uk> Alternatively, when a school publishes a profile they are given a direct address for the profile. This can be used in a number of ways to make parents aware of the schools profile i.e. link on the school's website, school publications, etc."

2. What evidence is there that parents actually look at it?!

Imran Yasin: "An additional feature that has been added to the School profile system is the ability to see how many times the profile has been viewed. The system displays the number on unique visits to the profile and this information can be accessed via <http://schoolprofile.teachernet.gov.uk> (you are required to login for this)."

7. FMSiS

Secondary schools are expected to meet the FMSiS (Financial Management Standard) from end of March this year. They are advised to talk to their finance officer for more information. Primaries will be expected to take this on board on a rolling programme from next year. Initial feedback from secondary schools seems to suggest there are not too many problems

- *FMSiS is all about ensuring that Governors are sufficiently competent enough to manage a school budget. Initial impressions are of too much jargon but it is OK once tackled. Governors are held to greater accountability. There is now a financial standards requirement. At the year end governors need to sign a certificate saying they have conformed to the standards*
- *The Matrix is a bit much for governors. Some Secondary schools have had special meetings to fill in the Governor matrix. There is talk of Devon producing its own governor user friendly model – this is likely to be for Primaries. Some of the questions were impossible to answer.*

- *Chairs of Finance in primary schools need to look out for this. It is thought that 40% of Primaries need to have this in place by March 2008.*

1. Is there training coming up for Primary schools?

David Curnow (DCC Senior Audit Manager): “ We plan to offer some training to Governors in the summer term, notices to come via DGS. We also plan to offer training to schools perhaps via LLCs and I am consulting with DASH and DAPH on how best to do this. It all needs funding and we shall be looking to the Schools for this small charge, as we have been given no funds to support this. “

2. What is the rolling programme?

David Curnow: “ Primaries were consulted by the DfES in Oct. ‘06 about FMSiS and when it should happen. The Consultation not surprisingly concluded that schools thought it a good idea and that a rolling plan of 40% in year 1, followed by 40% year 2 and the last 20% year 3, starting this April, would be the best thing. That said, there has been no official announcement from the DfES. My assumption is that the DfES are to make FMSiS for primaries mandatory, and that schools will need to know what the plans are sooner rather than later.

It is for the LA to decide which 40 %. My view is that we should expect all schools to attempt FMSiS in year 1 where hopefully 40 % will achieve. We know that there are a number of schools that currently do not meet the requirements. This approach should then highlight this to the school at the outset and give them longer to achieve the aims. This approach has not been formally agreed or notified to schools - it is my view and one upon which I am consulting with colleagues. It might be that we seek volunteers too. I hope to be in a position to advise schools of the position and approach by the end of March. “

8. DAG News

- DAG has been undergoing a transition period and there has been a hiatus with some of its provision. Its new Executive Officer is David Tall: dmrmtall@mvdartmoor.freeserve.co.uk (**NB change from Checklist**). David will be DAG’s point of contact for information on dissemination.
- The Annual Assembly takes place on Saturday 24 March (10.00a.m. – 1.00p.m) at Isca College in Exeter. Guest speakers are Anne Whiteley, Director of CYPS, and Fiona Millar, the well-known education writer and broadcaster. **Detailed information has been sent to all schools within the last few weeks.** Please inform David Tall as to who will be attending from your GB. Nominations / volunteers are also sought for the DAG Executive.
- Governor volunteers are / will be sought for the following roles. Look out for information circulated to schools. If you have any interest in / would like further details about any of these please contact David Tall.
 - To be trained and subsequently join the Job Evaluation Appeals’ Process. This will involve 1.5 days training and then readiness to sit on the appeals team (NOT within your own LLC) for the duration of the appeals’ process. Remuneration is being considered.
 - To become a member of the evaluation team for Alternative Service Providers. During the last evaluation round a number of governors played a key role in this and have fed back how much they valued and enjoyed the experience and that they would thoroughly recommend it as a way of gaining real insight / giving input to an important process. Likely commitment, one or two days in Exeter.

David Tall (Executive Officer, DAG): “ Information has now been sent out to all schools. I remind GBs that this is a great opportunity to have their say in an important process, which will impact, positively we hope, on our corporate work. The process will run for a week, though, of course, no one individual can be expected to be available throughout that period and individuals will be encouraged to volunteer for assessing provision for a service of particular interest. However, if any individual is able to assist for the full length of time, provision will be made. Staff and Governors will receive a day’s training in advance of the process. Could I please ask GBs to seek, in principle, volunteers from the GB and the Staff and pass their names to me in the first instance? It is appreciated no final commitment can be made until dates are known and these will be reported as soon as they are known. Further information from dmrmtall@mvdartmoor.freeserve.co.uk “

- To become a member of the DAG Executive (see paper about the Assembly circulated to schools).
- To become a substitute member of the Schools’ Forum (details in this term’s Devon Governor).
- To become a member of the Premises Board (sub-group of Schools’ Forum)

1. The DAG Updates were very useful. Can they be re-instated?

David Tall: “ They will be once the Annual Assembly is over. Meanwhile I am sending out articles and papers of interest to schools. In addition to the information above, a number of documents relating to governor matters have been sent for your attention. Please check in school regularly to ensure you are receiving this information. ”

9. DGS News

- DGS are now based at Great Moor House. Under a new structure, Debbie Clapshaw will be taking on a more strategic role, partly based at GMH and partly at County Hall. A new full-time team leader will be

appointed. Although there are inevitable difficulties during this transition period, DAG hopes that the final outcome may well be a strengthened team.

- As with all other services currently offered by the LA, DGS will have to go through the tendering process for service provision when all services are opened up to alternative providers in 2008.
- There will be Link Governor meetings on 6th March (Barnstaple), 14th March (Exeter) and 20th March (Tavistock) This is an important networking opportunity for governors with a focus this term on the SEAL project (Social and Emotional Aspects of Learning) and how this can contribute to behaviour strategies.

1. Can the Chairs Around A Table meetings be restarted?

Debbie Clapshaw (DGS): “ This is interesting! We have had to cancel earlier advertised meetings and drew the conclusion that, for governors, this was one commitment too many. However, if governors are saying this is not the case, then we will revisit this again for the autumn term. “

10. Federation

Since the beginning of this term there is a second federation in Devon which links Kentisbury, Parracombe and Lynton. A tool-kit on federation is available from the LA. Governing bodies are advised to give consideration to the possibility of some form of federation, particularly when they are faced with the process of appointing a new HT.

- *Representatives from the N. Devon Federation explained that this was still very new to them but that currently, between the 3 schools, there were two HTs and 1 governing body with 18 governors. As yet the separate schools were not sharing staff. Each school has its own budget plus an additional budget for all schools together (i.e. four budgets). Governors felt that they had not been sufficiently involved in the initial stages of the proposal. They underlined that all schools must be involved from the outset and that governors should be included. The downside at the moment is that it can be difficult for governors to find themselves involved with schools with which they have not been previously associated.*

1. Can Federation be put on the agenda for the next round of area / link governor meetings to have feedback from schools who have already federated?

Sue Clarke (CYPS Strategic Lead for Achievement through Collaboration): “ I would strongly recommend that you invite Bob Alford (CoG) and Paul Jones (HT) of the Blackpool / Chudleigh Knighton federation. Governors will get a really challenging and enthusiastic input. Bob has written an article in this term’s edition of the Devon Governor.

I recently met with a group of governors from the North Devon Federation (West Exmoor) and was really impressed by their commitment to the success of the federation whilst recognising the complex learning journey they are currently on. “

11. Schools’ Forum

- An article in this term’s Devon Governor will provide governors with a clearer picture of the Forum’s role. Look at http://www.devon.gov.uk/index/learning/education_consultations_notices/schools_forum/index_dsf.htm for the SF agenda and minutes.
- The governor group on the Schools’ Forum are looking at ways of consulting with a wider range of governors on key issues that come to the Forum. Any ideas will be welcome.
- There are planned consultations with governors / HTs re Schools’ Formula issues. The consultations will be on the fitness for purpose of the Formula, Special Needs and changes to SEN funding and proposed changes from the Early Years’ Funding review. Probable dates / venues are Holsworthy on March 27th, Tavistock March 28th, Honiton March 29th, Totnes May 1st, Barnstaple May 2nd and Exeter May 3rd.

12. Exeter Unitary Authority

An announcement on Exeter’s request for Unitary status is expected in July.

- *Considerable concern was expressed at almost all the meetings about the possible financial impact that this decision could have upon the remainder of Devon with its large proportion of relatively small schools and its vast network of roads with sparse population. This led to a number of questions.*
- *The one plus point was perceived as the fact that the County Council buildings will have to transfer to the city so that the PFI leases will need to be made by Exeter to Carrillion!*

Anne Whiteley (Director, CYPS): “ Thank you for raising these issues. I have discussed them with Councillor John Smith (DCC Education Portfolio Holder) and we both appreciate and value DAG’s input. To set the scene a little, although DCC cannot comment officially on the Exeter bid, I have submitted my comments to our Corporate Management Board should the bid progress beyond Stage 1 and we need to consult on a view. I have included DAG as a key consultee in that respect. “

1. Has there been any local consultation beyond the Exeter boundary? If not, why not?

Anne Whiteley: “ Not as yet (see above). Bids for unitary status are being assessed in two stages. Stage 1 focuses on strategic leadership, potential for greater community engagement and affordability / Value for Money. Consultation with affected stakeholders is scheduled to take place in Stage 2 of the evaluation process (March to July 2007) and will only be undertaken in those areas for which bids pass the initial assessment at Stage 1. “

2. Is anyone registering concern? Perhaps the Schools' Forum? What is the process for registering concern?

Anne Whiteley: "The County Council has submitted some questions to the Government about the content of the business case submitted by the City Council but we have no formal right to comment. The views of affected stakeholders will be sought in Stage 2 of the evaluation process. The Government has yet to reveal the form that this consultation will take. We would expect the Schools Forum to be one of the consultees along with DAG and other key partners/stakeholders, and I have asked the senior managers within CYPs to identify key consultees in preparation. I would be interested in any comments or concerns DAG may wish to express in the meantime."

3. How will Exeter's proposed Unitary Status impact on schools, especially smaller ones, in Devon.

Is any provision likely to be made for those schools which would be adversely affected?

Anne Whiteley: "Schools are financed through the Dedicated Schools Grant (DSG) so creating a new unitary authority should not in itself affect funding levels. However, the DfES is currently reviewing the way that DSG is distributed so there could be knock on implications from the combination of this review and unitary status. DSG distribution currently contains a "floor" arrangement to help protect schools adversely affected by changes in funding arrangements, at least in the short term.

There are likely to be adverse consequences for educational functions funded by routes other than DSG, and for support services (see below). In addition, complex ' recoument ' arrangements will be needed in respect of SEN provision. This is because funding responsibility for this rests with the Authority in which a pupil is ordinarily resident rather than being based on the location of the school. This will add administrative overheads. Joint arrangements are also likely to be necessary for planning school places and home to school transport.

There is no acknowledgement in the bid of the current economies of scale or the consistent countywide approaches that are a benefit for all Devon's children and young people. The bid does not recognise the new role for LAs in respect of education as a strategic commissioner, champion and advocate for children and parents. "

4. What will happen to services? Will there be, for example, a separate Governor Services?

Anne Whiteley: "Exeter City Council proposes to provide its own school support services with the exception of ScoMIS, which it would buy in from the residual County Council. There are likely to be adverse consequences for the support services available for schools across the County through the loss of economy of scale.

There is no mention in the Exeter bid of the role of Governing Bodies or the role of Headteachers. There are also several statutory school support functions which are not mentioned, e.g. relating to SEN. "

5. Will Exeter have to produce its own CYPs?

Anne Whiteley: "If successful, a unitary Exeter would have to comply with the Children Act 2004 and would therefore require its own Director of Children and Young People's Services and a Lead Member, as well as an integrated Children and Young People's Directorate. In addition, it would have to produce its own Children and Young People's Plan (CYPP).

There would be a loss of significant economies of scale and expertise and a successful bid would move away from the integrated agenda. There would also be serious challenges to some of the current County schemes and significant duplication in CYPs functions, e.g. two Children's Trusts, two Local Safeguarding Boards and duplicate Education Panels for statutory functions such as Admissions. In addition, an Exeter Children's Trust would mean duplication of strategic planning and commissioning for Devon PCT. "

6. What will happen to Ide Primary in Teignbridge, the only school not transferring to Unitary?

Anne Whiteley: "Ide is not the only school that would not transfer to a unitary Exeter, but is the only one currently regarded as forming part of the West Exe cluster of Exeter Local Learning Community. It has been excluded from the City Council's proposals because it is not located in Exeter, but in Teignbridge. Other primary schools outside Exeter would also be affected, although to a lesser extent than Ide (e.g. Stoke Canon and Exminster are close to Exeter but are located within the Clyst Vale and Dawlish Local Learning Communities respectively). Unless we are able to agree joint arrangements with the City Council for the future support of Ide Primary School, the creation of a Unitary Authority for Exeter would mean that Ide would transfer to the Dawlish Local Learning Community even though, in practice, most pupils would then go on to West Exe for their secondary education. This is similar to the situation faced by some primary schools in the Ivybridge Local Learning Community (e.g. Wembury in respect of Plymouth LA) and Totnes Local Learning Community (e.g. Marldon in respect of Torbay LA).

The bid does not consider the relationship between the surrounding primary schools with the City's secondary schools, or the impact of the new community at Cranbrook. "

13. Trust Schools

This issue was treated fairly thoroughly under Item 10 of last term's Area Meetings Feedback.

- *Some governors are keen to pursue this concept but feel there is currently insufficient guidance. They would like to know how to set about pursuing Trust status. Any school considering Trust status should contact a school already embarking on it – see Item 10 from last term’s paper. County Hall is keen to hear views of governors on Trust status.*

1. Are the regulations mentioned in the Bill currently being formulated?

Mike Young (CYPS consultant, Lead on 14-19 Education and Youth Support) “ Yes - and the final version will be influenced by the pathfinder process. There is draft guidance and information on Trust status available on the DfES website and I suspect these give a good flavour of what the final version will look like. Trust status is essentially simply a foundation school with a formal partnership. The main changes for most schools would flow from the foundation status; the governors become the employer, control assets and are their own admissions authority - but within an admissions code like other schools.

For the government this is part of their diversity agenda to raise standards. For the Local Authority, it would be more accurate to say the pathfinders were accepted rather than approved, as this was not an LA-driven process! The LA would like this to support local partnerships between schools.

There does not have to be a majority of trustees on the governing body unless the school wants that. It is intended that the first schools actually acquire Trust status late this summer, and that could well slip into the autumn. “

14. CRB Checks

From 2008 CRB checks will be mandatory on all school governors. It has been the LA’s recommended good practice that governing bodies make it their policy for all governors to be CRB checked on election and appointment, and again at re-election or re-appointment. CRB checks are free for volunteers. There is no official written confirmation as yet from DfES as to whether governors will need standard or enhanced disclosure checks. **Since this round of meetings Debbie Clapshaw has attended a SW Governor Services’ meeting where they were told by the DfES school government team that governors would be expected to have enhanced checks. All the governor CRB checks currently passed through DCC are already enhanced checks. This makes the questions below raised at the meetings hypothetical!!**

1. As it is free why not do the enhanced check for governors?

Maria Chakraborty (DCC Recruitment Manager): “ If it had been decided at national level that the Standard level check were to be the required level, we would be in breach of CRB guidance if we processed checks at a higher level than what was required, which could result in us losing our status as a registered body. Therefore we would only be able to process Governor checks at the standard level unless there was specific cause for concern. “

2. Does a standard check pre-suppose that a governor is not at any time going into the classroom to work with children?

Maria Chakraborty: “ A Governor would still be able to spend time in a classroom with children once a Standard check was completed, but it would be under the supervision of someone with an Enhanced level check, i.e. Teacher or classroom assistant.

I think the medium of this feedback will be really helpful in future to notify Governors of changes with the CRB or to discuss any issues with them. “

15. National Governors’ Association News

- Please note that all Devon governors whose schools have bought in to DGS are automatically members of DAG and, thereby, NGA and, so, can obtain a password for the NGA website.
- 2 copies of ‘ School Improvement through ICT ‘, a guidance booklet for governors, have been sent by the NGA to each school. The most recent survey about the use of ICT in schools, carried out by Price Waterhouse Coopers for the DfES, indicates that less than 50% of schools are enthusiastic adopters of ICT and an even smaller number are using it effectively. There is a need for governors to monitor what is being spent on ICT, why it is being spent and whether the spending has been effective. NGA has worked with Becta to produce guidance for governors and a self-review framework. Copies of the leaflet are available from NGA or the website: www.nga.org.uk
 - *No governors at any of the meetings could recall having seen this document.*
- **Ivan Godfrey:** “ **Copies have since arrived at our school.** “
- The NGA has launched a First Certificate in Governance. This distance learning programme is suitable for both new governors and existing governors, who require a refresher or update. It consists of a pack of four modules with accompanying questionnaires. The questionnaires may be submitted for assessment and a score of 70% on each questionnaire is rewarded with a certificate to evidence the achievement. The pack can act as an introduction to governance for a new governor and give the confidence to attend training courses to further develop knowledge. The pack of four modules costs £9.50 + VAT (£11.16). Details and order form are posted on the NGA website.
 - *One governor commented that you had to pay to access the site only to discover that the certificate did not amount to much.*

- The NGA Spring newsletter is available at www.tmmuk.com/ngc/subdocument_link.asp?ID=171. The newsletter covers topics of interests for governors in general, rather than focusing on NGA Business (as does the monthly Bulletin Board).
- Consultations: There are a number of DfES consultations out at the moment. Details of the following + deadlines for responses and details of how to respond can be found in the NGA Bulletin Boards on the NGA website.
 - Care Matters: transforming the lives of children and young people in care
 - The Language Review This consultation concerns Lord Dearing's interim report on Modern Foreign Language learning.
 - Education and Inspections Act 2006: Consultation on School Organisation and Governance Regulations and Guidance
 - International GCSEs in maintained schools in England
 - Financial Benchmarking website – Identifying schools by name
 - Education and Inspections Act 2006: Consultation on school travel guidance This is a consultation on Home to School Travel Guidance and Pathfinder Guidance to support implementation of new school transport provisions in the Education and Inspections Act 2006.
 - Education and Inspections Act 2006: Consultation on Statutory Guidance on Schools Causing Concern

16. Other Issues

- School Organisation. A new framework for planning school organisation post S.O.C. has been agreed by the County Council. The Education in the 21st Century document seeks to give guidelines for decisions on matters such as the context for decisions in a large rural authority.
 - 1. Where can this document be found?**
Keith Lewis (CYPS School Data Manager): “ It can be found on the January 2nd agenda and minutes of Executive committee pages at http://www.devon.gov.uk/index/democracymunities/decision_making/cma/index_exc.htm
This document has not yet been cascaded widely to schools / officers because the minutes state that Cllr Smith was asked to look into the community involvement aspect. Until we have received his guidance the way forward is a little uncertain. I do hope though that an article will appear in the next Devon Governor. I intend that the policies will appear in the refreshed School Organisation Plan which should be published in summer term. The policies will enable us to help schools to become more efficient, rise to the challenge of the ECM programme, the efficient use of public money and Building Schools of the Future plan. “
- A draft Capital Programme paper was presented to the Executive Committee on January 18th with the final capital proposals being presented in March 2007. Agenda and minutes are available on DCC website at http://www.devon.gov.uk/index/democracymunities/decision_making/cma/cma_report.htm?cmadoc=report_cy075.html This paper also includes proposals for a pilot consultation group that would look at prioritisation of the capital projects building programme in an attempt to make the process more open and transparent.
- Performance Management from September 2007. DGS will offer training specifically for governors involved in the performance management of headteachers during the Summer and Autumn terms.
 - 1. Does this mean there are going to be any big changes?**
Philippa Court (Lead Officer, CYPS Workforce Strategy Team): “ **The regulations and guidance are now set. This term’s workshops have already taken place, and were run according to the finalised regulations. There will not be any more changes. There is an article in this term's Devon Governor which identifies the key issues. “**
- The LA is establishing a Project team to focus on raising the educational achievement of Children in Care. It will be a fairly small team but will link up with all the main services who are already working with CiC, e.g. EWS, Admissions, Educational Psychologists. The work is due to last in a project team approach until summer 2009. They are using the Joint Area Review recommendations to focus the work.
- Any school in special measures or identified by the LA as causing concern will receive funded support for governors from the LA if management is perceived to be a weakness.
- Look out for a consultation regarding the transfer of catering from DDS to schools.
- The Primary Review - a major strategic initiative - politically, financially and intellectually independent. Led by Robin Alexander - Cambridge University submissions need to be made by 1 March 2007. The Review's website is: www.primaryreview.org.uk Theme 10 of the review relates to funding and governance. There will be an article in the Devon Governor about this.
Not commenting is a statement in itself!!! Governors should make an effort to have their say.
- Clerks There will be further free training for clerks on using DGS' EMS online facility to check schools' governing body data held centrally. Contact sue.rice@devon.gov.uk for more information.
- A new publication from the National College of School Leadership entitled 'Recruiting Headteachers and Senior Leaders ' outlines a seven-stage process, which provides a governing body with the practical guidance needed to find success in recruiting a headteacher. It can be ordered in hard copy from NGA

(£7.50) and can be downloaded from the NCSL website (www.ncsl.org.uk/publications) Devon is part of a national NCSL succession planning pilot working in partnership but led by schools and with schools looking at different ways to develop leadership potential and 'grow' school leaders within Devon. Debbie Clapshaw can forward a DfES report with details. In Devon there are four short projects looking at how leadership opportunities can be developed across different groups of schools e.g. LLCs, federations, trusts and within the faith school community. Sue Clarke is planning to write an article for the next Devon Governor.

- Teachers' TV programme information can be found at: www.teachers.tv/programmeguide TTV can be found on Sky Guide 880, ntl 240, Telewest 240, Home choice 845 and Freeview 88. Freeview viewing time has changed; it is now from 11.00am until 1.00pm Programmes can also be viewed online.
- DAPH are trying to sort out a welcome pack for new heads and list all the support mechanisms that are available. They are coming from the direction that this should be an entitlement and not an extra. Look out for this in the future.
- EAL - English as an additional language. Schools are finding that they taking in immigrant children who cannot speak English. This is going to become more common in Devon Schools
One school told the meeting that part of their school newsletter was now published in Polish in order to accommodate families from Poland now living in their catchment area.
- Academic Licence: a governor pointed out at one meeting that it was worth asking your local computer / software shop if you can have software etc at a reduced rate.

17. Other Questions

1. Legionella – are there ways of managing the potential high cost of dealing with this?

Chris Dyer (CYPS Assistant Education Officer, Capital Strategy): “ Devon Property have, by request from either individual schools or LLCs, been attending a number of meetings to explain to school representatives how best to manage the ongoing works re Legionella related preventative works. Clearly the options available will vary depending on the extent of works required. However Devon Property are prepared to consider facilitating the pulling together of a contract to meet schools needs. This is being promoted via LLCs by invitation. If schools wish to pursue this further I would recommend that they invite Oran Trump to either meet with them or ask via the LLC for Oran to meet with LLC reps to explain what services are available. “

2. Latest policies – there is a problem accessing these because of needing a password to access the sites (e.g. personnel). Can this be dealt with?

Carl Haggerty (DCC Corporate Web Manager): “ I understand the reference to access relates to the inconvenience of needing a password to access the intranet. I am still trying to get to the bottom of the exact process that occurs when a school requests access.

As far as I am aware this does not represent a technical issue with access - it only highlights that currently there are issues requiring a password.

My problem is that there is not a consistent problem being reported to me which makes me wonder whether this is part technical and part a communications error. I am attending the TCC group soon to hear the issue first hand and to try and get a handle on what the real problem is. I will keep governors informed of any progress or update as I think this is an important issue that we ought to both understand and resolve. “

3. Is Devon part of a pilot scheme in guiding parents through the transfer process?

Debbie Clapshaw: “ The person posing the question may have in mind the introduction of Choice Advisors. There is an article about this in this term's Devon Governor. “

18. Useful documents

Governors should look out for these hard copy-documents in schools:

Devon Governor	DfES Spectrum	Termly DAISI magazine
Termly Governors' magazine	Federation Tool-Kit	Effective Governing Body Folder and CD